

WATER PERMIT NO. 2635-2

Name of Applicant: **SD Lake LLC**

Address: **27171 Hwy 79, Buffalo Gap SD 57722**

Phone: **605 833-2000**

Amount of Water Claimed: **0.333 cfs**

Total Acres: **NA**

Source of Water Supply: **groundwater (one well)**

Water to be used for: **suburban housing development**

County: **Fall River**

Type of Waste Disposal System:

Location: **½ south of Angostura Reservoir**

PRIORITY Date Received: **7-17-08**

Application/License Fee: **\$275**

Corrected Application Received: **7-29-08**

Period of Annual Use: **January 1 – December 31**

Remarks:

Diversion Point: **NE ¼ NW ¼ Sec 8-T9S-R6E**

Land to be Irrigated: **NA**

Depth of Well: **1000 feet deep**

Well Driller: : **Cimarron Drilling Inc.**

Remarks:

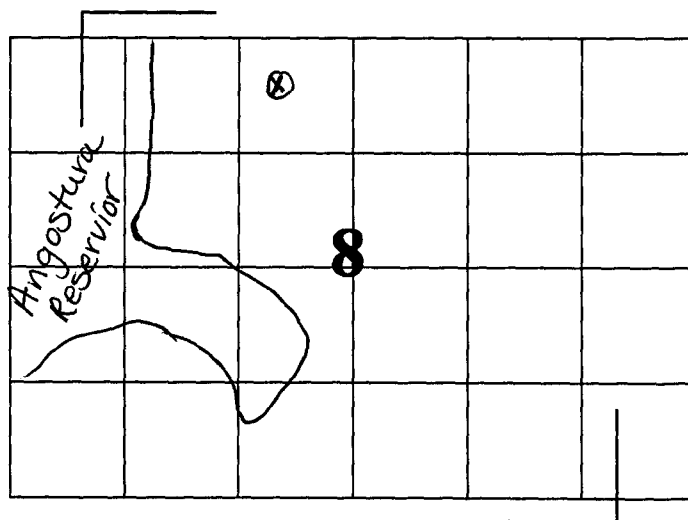
Type of Map: **aerial**

Prepared by: **Cathy Dustad, Fall River Co. FSA**

Reviewed and the Number Assigned on: **7-29-08**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



FORM 2: Application for uses other than irrigation
(type or print)

RECEIVED

JUL 17 2008

WATER RIGHTS
PROGRAM

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>2635-2</u> (office use only) Hydrologic Unit <u>10/26106</u>
	Basin <u>Upper Cheyenne</u>
	Newspaper <u>Hot Springs Star PO Box 1000</u>
	<u>605-745-4170 (Tues)</u> <u>Hot Springs 57747</u>

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use(s) of water:

- | | | | |
|---|--|--|--|
| ☐ Municipal | ☒ Suburban Housing | ☐ Recreational | ☐ Institutional |
| ☐ Rural Water System | ☐ Commercial | ☐ Fish & Wildlife | ☐ Geothermal Heat |
| ☐ Domestic (over 18 gpm) | ☐ Industrial | ☐ Other _____ | |

Type of Application:
(check one)

- ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. _____

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)

- Name of Applicant SD LAKE LLC Gary Friendshuh Phone 605-833-2000
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 27171 HWY 79 Buffalo Gap State SD 57722
(Street, RR, or Box and City) (Zip Code)
- Amount of water claimed 0.333 *CFS or 150 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acres - storage capacity of dam/dugout or annual use if applicable
- Source of water supply Well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Fall River
NE1/4 NE1/4 NW1/4 Section 8, T9S R6E BHM
- County or counties where water will be used Fall River
- Annual period during which water is to be used year round Jan 1-Dec 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)
for 43 parcels of land (43 seasonal and year round residence with the option of increasing said 43 parcels to up to 100 parcels or more - also for livestock water

STATE OF SOUTH DAKOTA)

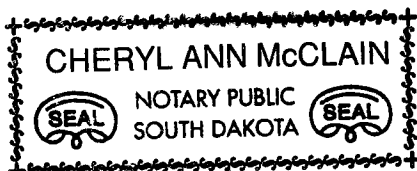
County of Fall River SS

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, GARY W. FRIENDSHUH, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Gary W. Friendshuh

Subscribed and sworn to before me this 16 day of July 20 08



Cheryl Ann McClain
Notary Public signature

My commission expires:
September 8, 2012

**SOUTH DAKOTA
WATER PERMIT NO. 2635-2**

Date of first receipt of application July 17, 2008.

Date of return to applicant for corrections, amendments or changes July 22, 2008.

Date of receipt of corrected application July 29, 2008.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2635-2 to SD LAKE LLC, c/o Gary Friendshuh, 27171 Hwy 79, Buffalo Gap SD 57722 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2635-2 appropriates 0.333 cubic feet of water per second from one well completed into the Inyan Kara Aquifer (1,000 feet deep) located in NE 1/4 NW 1/4 Section 8-T9S-R6E.
2. The water appropriated shall be used for the purpose of suburban housing development and livestock watering and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 2635-2 is October 10, 2008.
5. The date from which applicant may claim right is July 17, 2008.
6. One-fifth of the construction is to be completed on or before April 10, 2011.
7. All construction is to be completed on or before October 10, 2013.
8. Water is to be put to beneficial use on or before October 10, 2017.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 2635-2 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. SD Lake LLC shall report to the Chief Engineer annually the amount of water withdrawn from the Inyan Kara Aquifer.

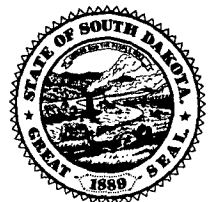
WATER MANAGEMENT BOARD

By: Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

OCT 21 2008

date



(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8 3/4" Depth 1,000'
- b) Casing Type Steel Diameter 7" Thickness .250 wall
- c) Screen Type Perforated by Good well Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 860' Inya Kara FM
- f) Depth to Water (ground surface to water level) 90'
- g) Distance to nearest existing domestic well:
On applicants property _____ On property owned by others John Gillaspie Apx 2 miles

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) NA - (Future Septic + Drain field)
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System

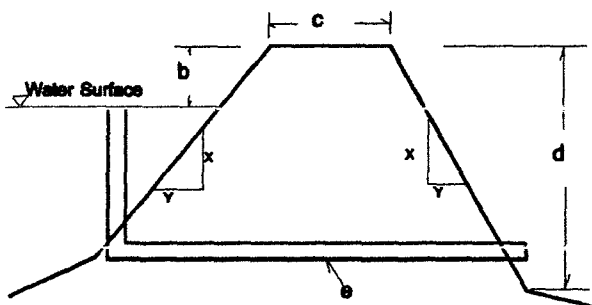
3. Dugout Information

- a) Surface Dimensions NA Depth _____
- b) Depth to water (ground surface to water level) _____

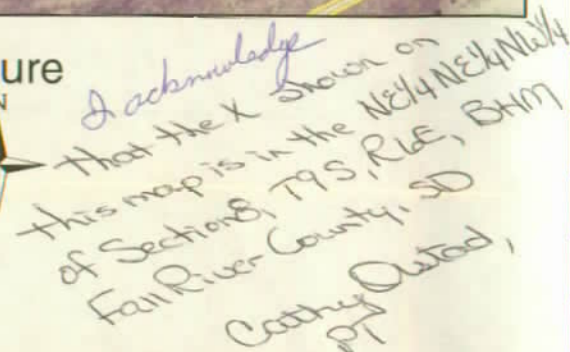
4. Water Storage Dams NA

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres



Drillers test Log sent in directly
by well driller.

Cimarron Drilling Inc.
9017 S Ridge Trail
Sturgis SD 57785

Mike Deutsch
1-605-347-3021 office
1-605-381-1790 cell

RECEIVED

JUL 17 2008

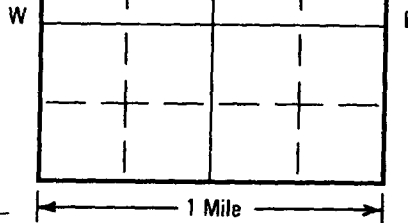
WATER RIGHTS
PROGRAM

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NE 1/4 NW 1/4 Sec 8 Twp 9-S Rg 6-E
 County Fall River
 North

Please mark well location with an "X"



Well Completion Date

4-21-08

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? N/A ft. from N/A (identify source).

PROPOSED USE:

☒ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Rotary - Mud

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT DIAMETER FROM TO HOLE DIAMETER
23 LB/FT 7 IN 0 FT 6000 FT 8 3/4 IN
 _____ LB/FT _____ IN _____ FT _____ FT _____ IN
 _____ LB/FT _____ IN _____ FT _____ FT _____ IN

GROUTING DATA

Grout Type Portland No. of Sacks 130 Grout Weight 94/6 lb./gal From 0 ft To 1000 ft
Type III _____ lb./gal _____ ft _____ ft

Describe grouting procedure Pressure grout thru casing - displace to surface by mud pump

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet to _____ Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: Chlorine☐ NO, Why Not? Pellet

Laboratory sent to for water quality analysis

Mid Continent Lab.

Well Owner: GARY FRIEND SHUB
 Business Name: S.D. LAKE L.L.C
 Address: HC 55 Box 38-4
Buffalo Gap, S.D. 57722

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
BRN Blow-Beach Sand	0'	75'
SHALE + S Stone lenses	75'	300'
DK Grey Shale + S.S. Lenses	300'	375'
Grey shale + Mult colored S.S.	375'	550'
Grey to Brown Course Sand	550'	580'
Grey shale + Mult colored S.S.	580'	880'
White Sand layers	880'	1000'
IN Mult colored S. Stone		
(LAKOTA)		

STATIC WATER LEVEL 90 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ PumpedDescribe: Air-developed☐ Bailed☒ Other

Pumping Level Below Land Surface

400 ft. After 3 Hrs. Blew 5.5 GPM

760 ft. After 3 Hrs. Blew 150 GPM

If pump installed, pump rate _____ GPM

REMARKS

Perforated by Goodwell
961-971-10 shots 906-916-10 shots
920-930-10 shots 886-896-10 shots
13 GRAM Jets

This well was drilled under license # 568

And this report is true and accurate.

Drilling firm CIMARRON Drilling Inc.

Signature of License Representative Michael J. Deubert

Signature of Well Owner or Equitable Property Holder: _____

Signature of Well Owner or Equitable Property Holder: _____

Signature of Well Owner or Equitable Property Holder: _____

Signature of Well Owner or Equitable Property Holder: _____

Signature of Well Owner or Equitable Property Holder: _____

Signature of Well Owner or Equitable Property Holder: _____

Signature of Well Owner or Equitable Property Holder: _____

Signature of Well Owner or Equitable Property Holder: _____

Signature of Well Owner or Equitable Property Holder: _____

**Goodwell
Incorporated**

GAMMA-RAY RECEIVED
NEUTRON JUL 17 2008

WATER RIGHTS
PROGRAM

COMPANY SD LAK LLC
WELL WSW #1
FIELD SOUTH SHORE
COUNTY FALL RIVER STATE SO. DAK.

LOCATION: NE-NE-NW

OTHER SERVICES

SEC 8 TWP 9S RGE 6E

PERMANENT DATUM G. L.

ELEVATION

K. B.

LOG MEAS. FROM G. L.

FT. ABOVE PERM DATUM

D. F.

DRILLING MEASURED FROM G. L.

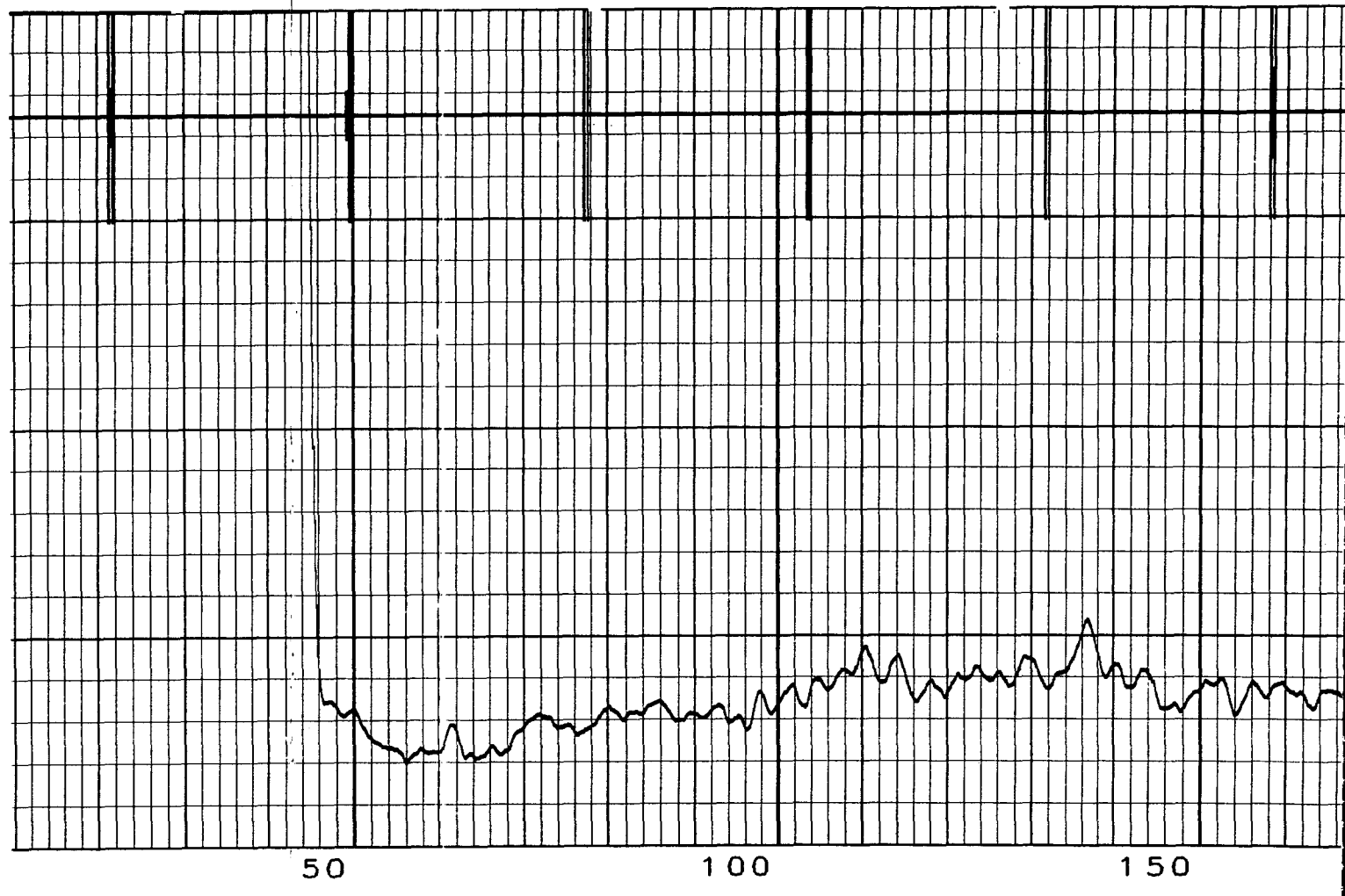
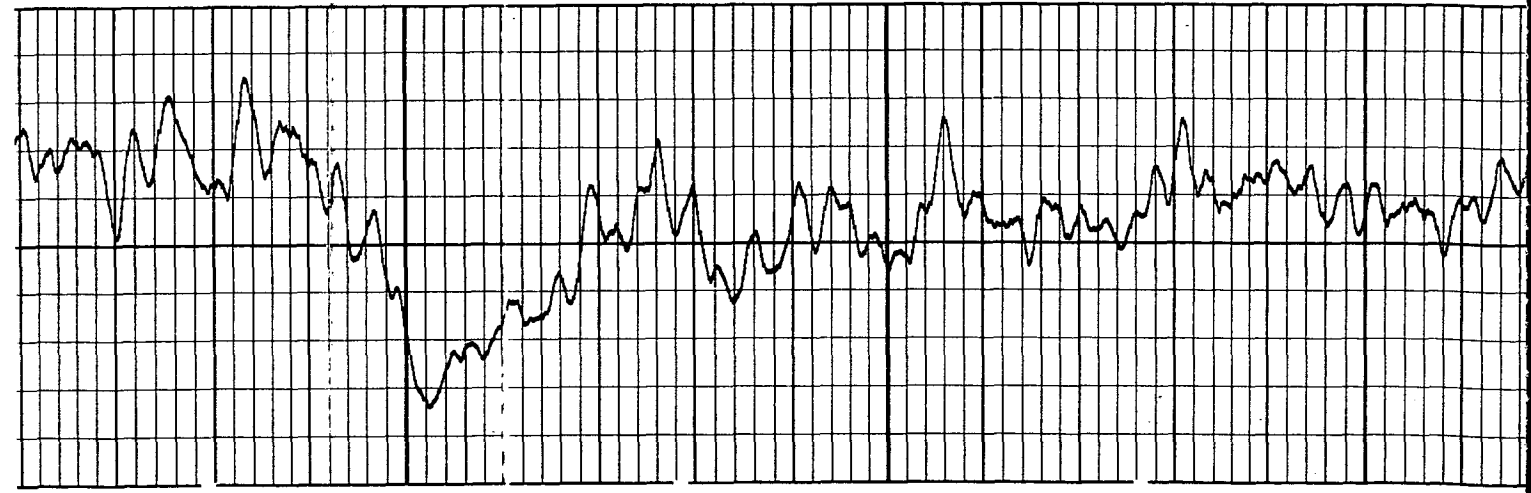
G. L.

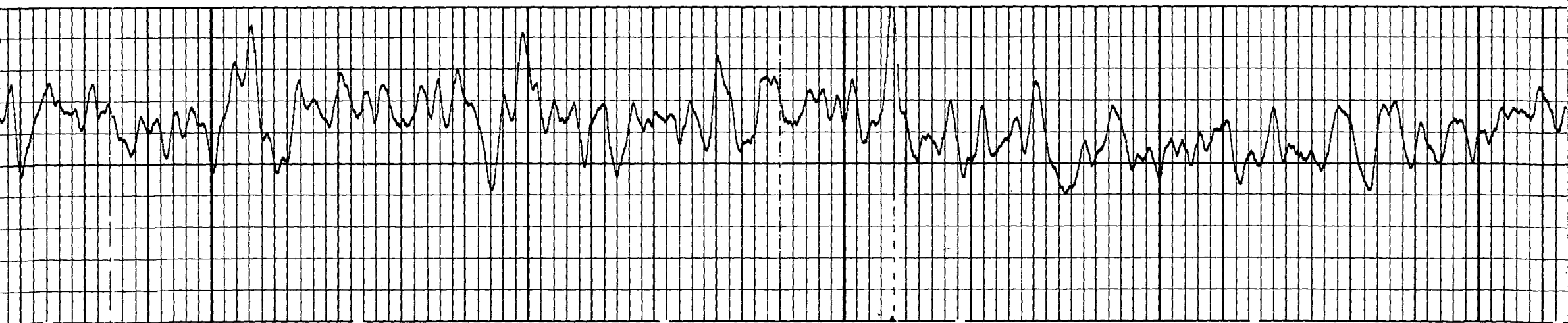
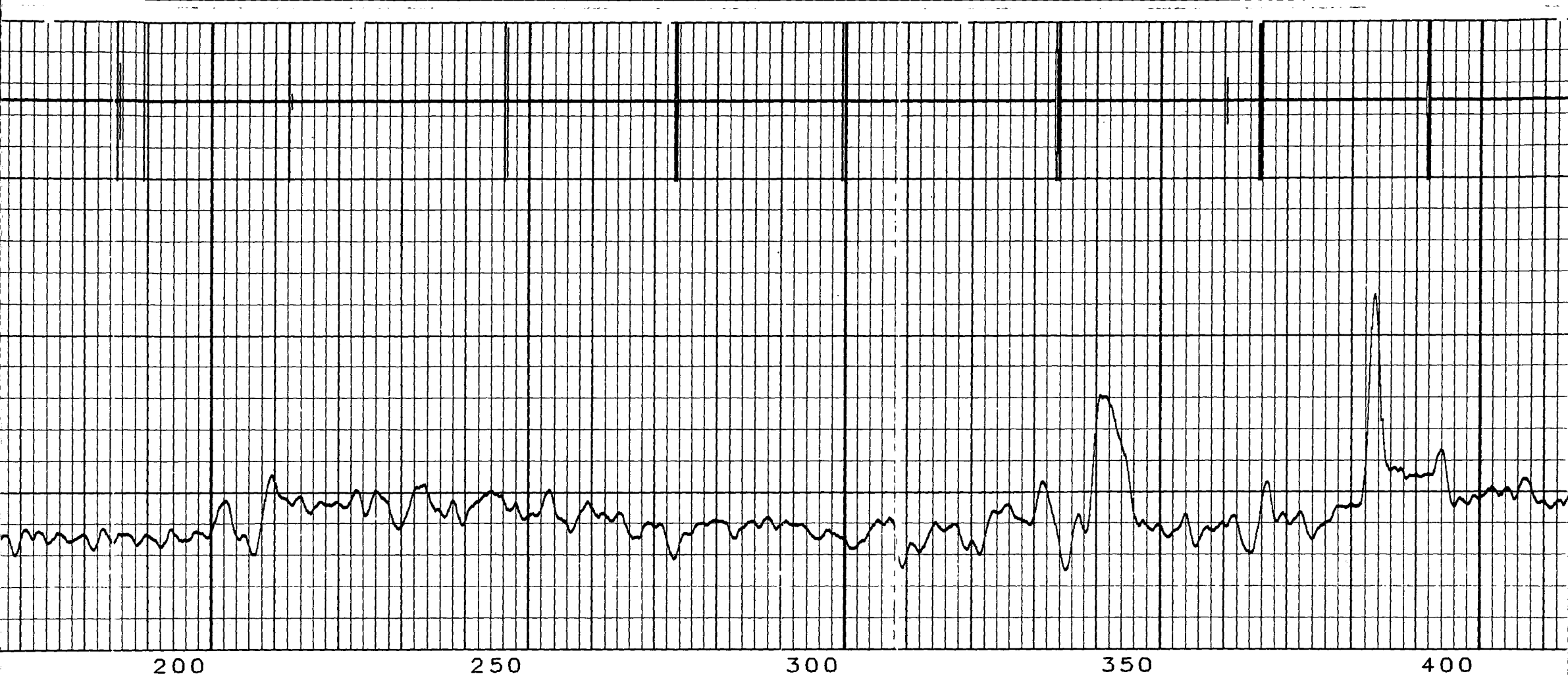
DATE	04-17-2008	
RUN NO. DIV	ONE	
TYPE LOG	GAMMA-RAY	NEUTRON
DEPTH-DRILLER	1000'	
DEPTH-LOGGER	985'	
BTM LOGGED INTERVAL	984'	
TOP LOGGED INTERVAL	10'	
TYPE FLUID IN HOLE	WATER	
SALINTY		
DENSITY		
LEVEL		
MAX. REC. TEMP. DEG F.		
OPERATING RIG TIME	30 MINS	
RECORDED BY	R. CARTER	
WITNESSED BY		

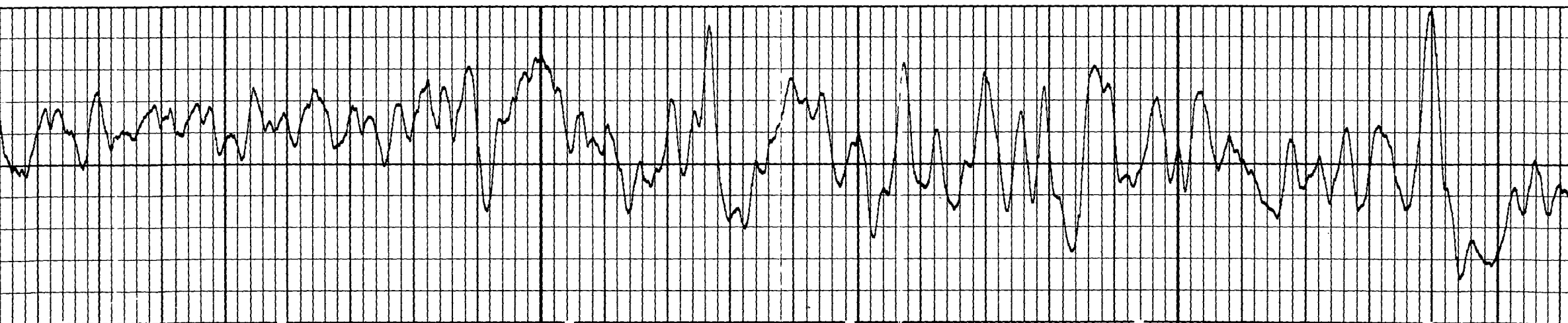
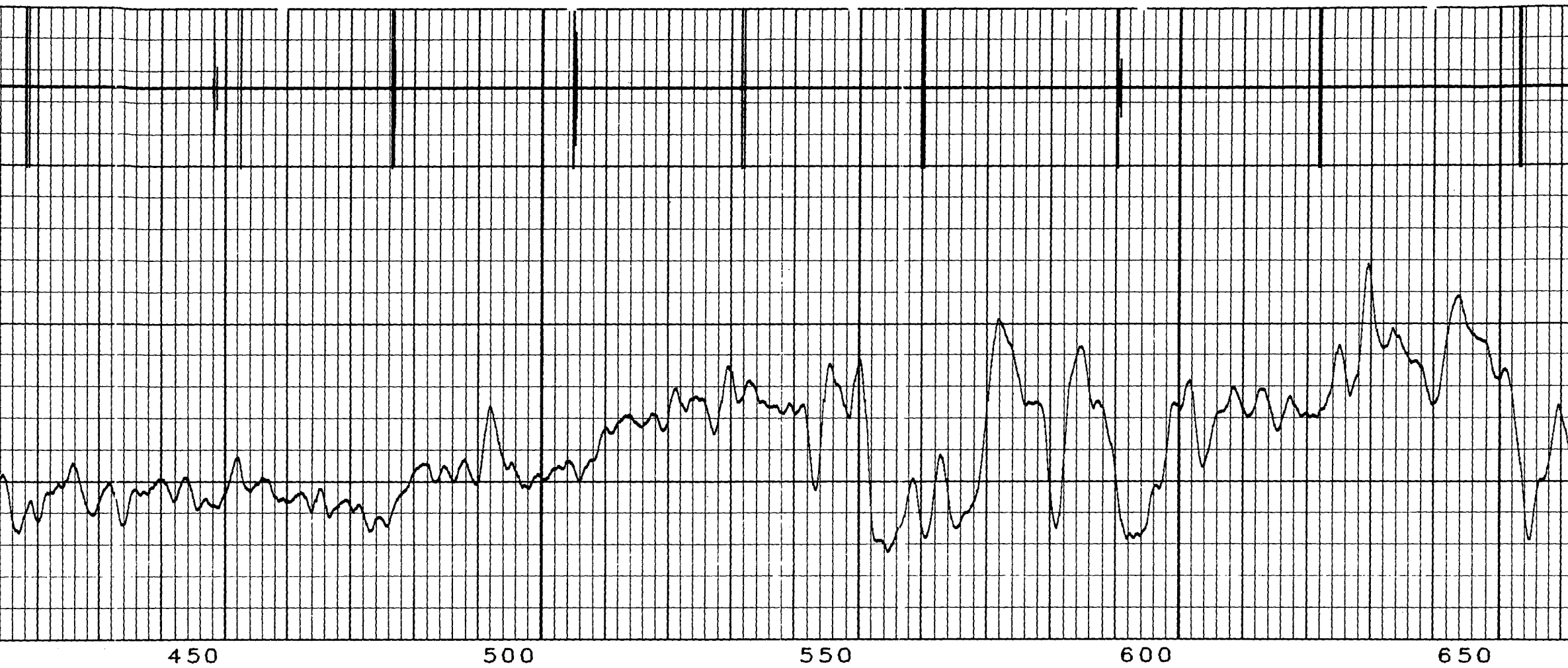
RUN NO.	BOREHOLE RECORD			CASING RECORD			
	BIT	FROM	TO	SIZE	WGT.	FROM	TO
1	8 3/4	0'	1000'	7"		0'	1000'

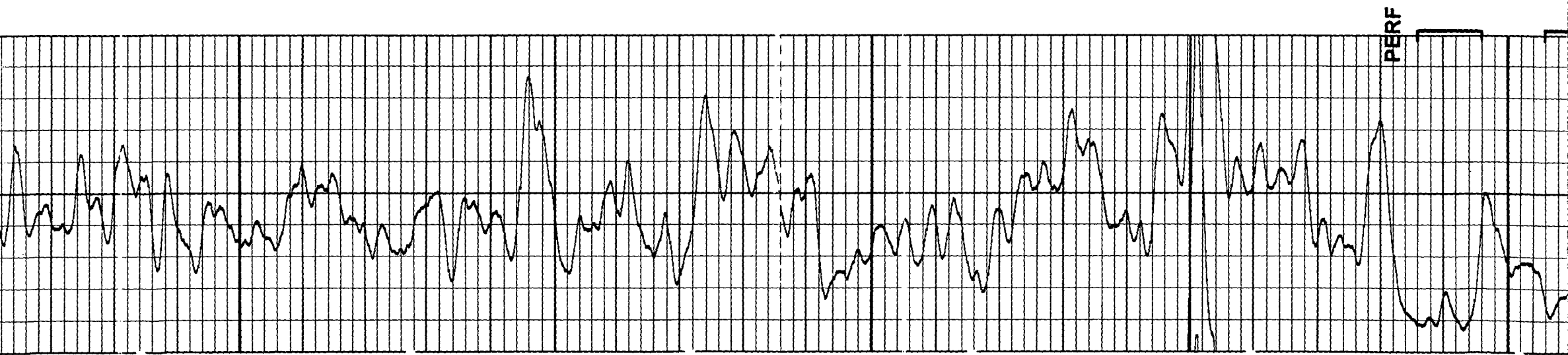
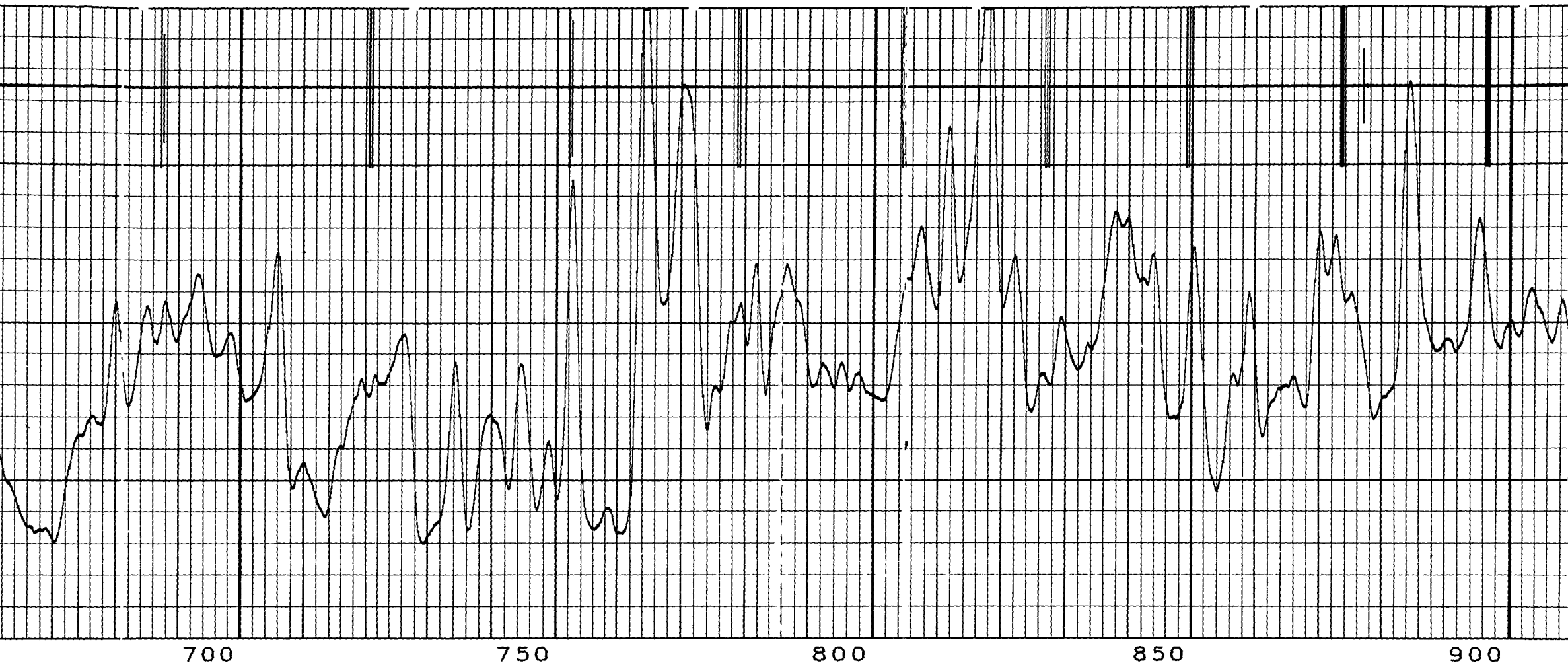
EQUIPMENT DATA									
GAMMA RAY					NEUTRON				
RUN NO.					RUN NO.				
TOOL MODEL NO.					LOG TYPE				
DIAMETER					TOOL MODEL NO.				
DETECTOR MODEL NO.					DIAMETER				
TYPE					DETECTOR MODEL NO.				
LENGTH					TYPE				
DISTANCE TO N. SOURCE					LENGTH				
					SOURCE MODEL NO.				
					SERIAL NO.				

GENERAL		HOIST TRUCK NO.		INSTRUMENT TRUCK NO.		TOOL SERIAL NO.		SPACING TYPE STRENGTH			
LOGGING DATA											
GENERAL				GAMMA RAY				NEUTRON			
RUN NO.	DEPTHS		SPEED FT/MIN	T.C. SEC.	SENS. SETTINGS	ZERO L OR R	API GR UNITS PER LOG DIV	T.C. SEC.	SENS. SETTINGS	ZERO L OR R	API N UNITS PER LOG DIV
	FROM	TO									
REFERENCE LITERATURE :											
REMARKS											
PERFORATED WITH 23 GRAM JETS											
961' - 971' 10 SHOTS											
920' - 930' 10 SHOTS											
906' - 916' 10 SHOTS											
886' - 896' 10 SHOTS											









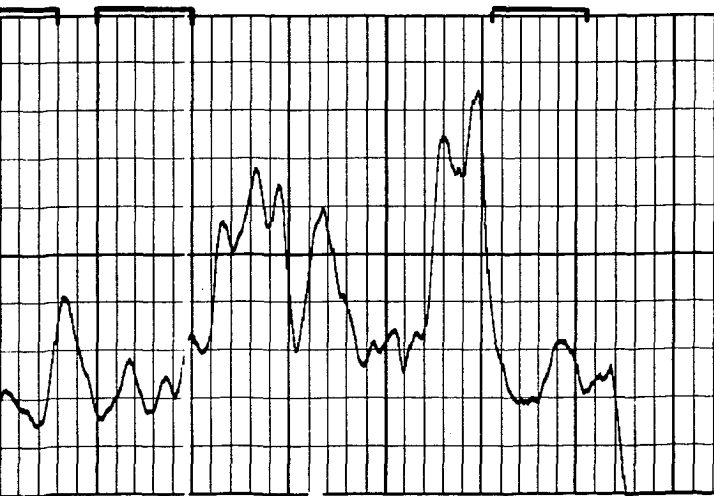


CHART SCALING

0.00 GAMMA RAY 120.00
120.00 GAPI 240.00



CHART SCALING

20.00 NEUTRON 250.00
CPS
2500.00 CCL
MV 1500.00
1500.00 CCL
MY 2500.00

950

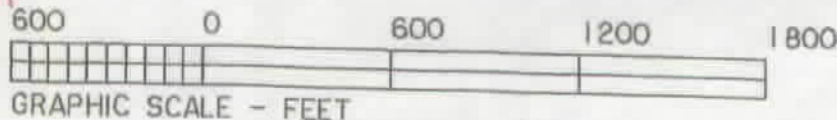
START DEPTH: 984.43

DEPTHS

Thu Jan 01 00:12:01 1998

LOG UP

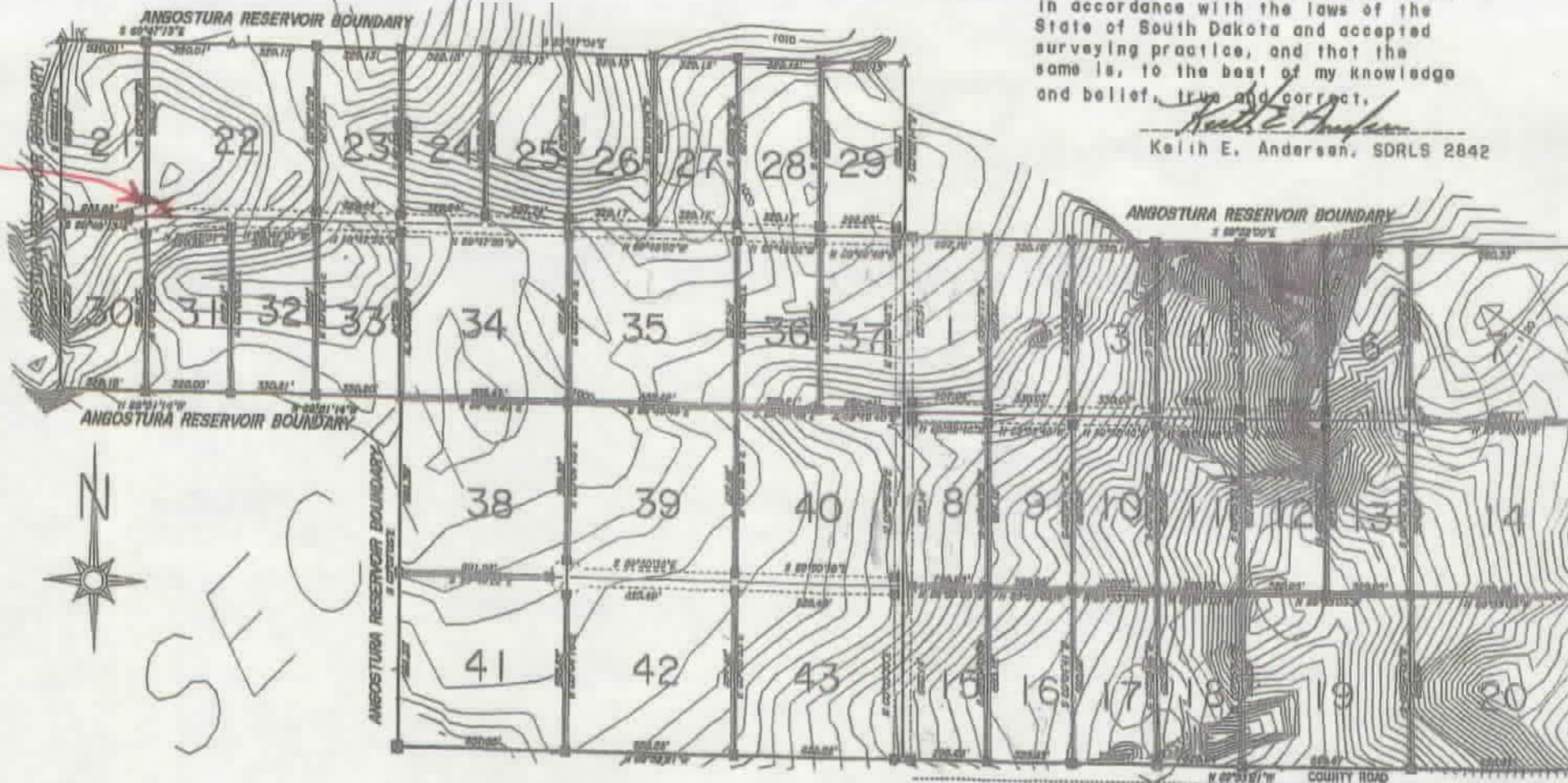
Well
Location



CERTIFICATION OF SURVEYOR

I, Keith E. Andersen, SDRLS No. 2842, do hereby certify that this drawing represents a survey made by me or under my direct personal supervision in accordance with the laws of the State of South Dakota and accepted surveying practice, and that the same is, to the best of my knowledge and belief, true and correct.

Keith E. Andersen, SDRLS 2842



LEGEND

Found BLM Brass Cap Monument

3rd Rebar w/AL Cap marked
ANDERSON PLS 2842

66' wide Public Access and Utility Easement

20' wide Public Access and Utility Easement

Contour Interval = 2'

Parcel 21: W1/2 NE1/4 NE1/4 NW1/4
Parcel 22: E1/2 NE1/4 NE1/4 NW1/4 and W1/2 NW1/4 NW1/4 NE1/4
Parcel 23: E1/2 NW1/4 NW1/4 NE1/4
Parcel 24: W1/2 NE1/4 NW1/4 NE1/4
Parcel 25: E1/2 NE1/4 NW1/4 NE1/4
Parcel 26: W1/2 NW1/4 NE1/4 NE1/4
Parcel 27: E1/2 NW1/4 NE1/4 NE1/4
Parcel 28: W1/2 NE1/4 NE1/4 NE1/4
Parcel 29: E1/2 NE1/4 NE1/4 NE1/4
Parcel 30: W1/2 NE1/4 NE1/4 NE1/4
Parcel 31: E1/2 NE1/4 NE1/4 NE1/4
Parcel 32: W1/2 NW1/4 NW1/4 NE1/4
Parcel 33: E1/2 NW1/4 NW1/4 NE1/4
Parcel 34: SE1/4 NW1/4 NE1/4
Parcel 35: SW1/4 NE1/4 NE1/4
Parcel 36: E1/2 SE1/4 NE1/4 NE1/4
Parcel 37: E1/2 SE1/4 NE1/4 NE1/4
Parcel 38: NE1/4 SW1/4 NE1/4
Parcel 39: NW1/4 SE1/4 NE1/4
Parcel 40: NE1/4 SE1/4 NE1/4
Parcel 41: SW1/4 NW1/4 NE1/4
Parcel 42: SW1/4 SE1/4 NE1/4
Parcel 43: SE1/4 SE1/4 NE1/4
- All in Section 8, T8S, R6E, B1M, Fall River County, SD.

Parcel 1: W1/2 SW1/4 NW1/4 NW1/4
Parcel 2: E1/2 SW1/4 NW1/4 NW1/4
Parcel 3: W1/2 SE1/4 NW1/4 NW1/4
Parcel 4: E1/2 SE1/4 NW1/4 NW1/4
Parcel 5: W1/2 SW1/4 NE1/4 NW1/4
Parcel 6: E1/2 SW1/4 NE1/4 NW1/4
Parcel 7: SE1/4 NE1/4 NW1/4
Parcel 8: W1/2 NE1/4 SW1/4 NW1/4
Parcel 9: E1/2 NE1/4 SW1/4 NW1/4
Parcel 10: W1/2 NE1/4 SW1/4 NW1/4
Parcel 11: E1/2 NE1/4 SW1/4 NW1/4
Parcel 12: W1/2 NE1/4 SE1/4 NW1/4
Parcel 13: E1/2 SW1/4 SE1/4 NW1/4
Parcel 14: NE1/4 SE1/4 NW1/4
Parcel 15: W1/2 SW1/4 SW1/4 NW1/4
Parcel 16: E1/2 SW1/4 SW1/4 NW1/4
Parcel 17: W1/2 SE1/4 SW1/4 NW1/4
Parcel 18: E1/2 SE1/4 SW1/4 NW1/4
Parcel 19: SW1/4 SE1/4 NW1/4
Parcel 20: SE1/4 SE1/4 NW1/4
- All in Section 9, T8S, R6E, B1M, Fall River County, SD.

RECEIVED
JUL 17 2008
WATER RIGHTS
PROGRAM

LAKEVIEW ESTATE

LOCATION OF PARCELS IN
NW1/4 OF SECTION 8, AND
W1/2 OF SECTION 9, T8S, R6E,
B1M, FALL RIVER COUNTY, SOUTH DAKOTA

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 7/22, 20 08

RECEIVED OF SD Lake LLC G W Friendship BC 56 Box 38-4 Buffalo Gap SD 57722

The following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>2635-2</u> to Appropriate Water, to construct and to put water to beneficial use	225	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	225 00

No.

03700

By

[Signature]
Chief Engineer

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 7/29, 20 08

RECEIVED OF SD Lake LLC G Friendshuh 27171 Hwy 79 Buffalo Gap SD 57722

The following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>2635-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No.

By

Chief Engineer

03705



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

July 22, 2008

Friedshuh

SD Lake LLC
Gary W Friedshuh, Manager
27171 Hwy 79
Buffalo Gap SD 57722

Dear Mr. Friedshuh:

Thank you for submitting the *Application for a Permit to Appropriate Water* for a suburban housing development. In order to complete the application the following is required.

- We have received the \$225 application filing fee. In addition to the application filing fee, the Water Rights Program collects the \$50 licensing fee at the time of filing. Please submit \$50 for the licensing of the water permit.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

SD. Water Rights Program

2635-2

Water Rights Program - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Water Permit Application No. 2635-2, SD Lake

ADDRESS: 18493 27171 Hwy 79, Buffalo Gap SD 57722 COUNTY: Fall River

DATE: September 9, 2008 TELEPHONE: 833-2000

RE: Telephone Conversation with Gary Friendshuh

Mr. Friendshuh called regarding his water permit application for a suburban housing development. He wanted to make sure this also authorized livestock watering from the well. I told him to ensure this is covered, I will include livestock watering on the public notice.

NAME: Eric Lundberg



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2635-2, SD Lake LLC**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 2635-2, SD Lake LLC, c/o Gary Friendshuh, 27171 Hwy 79, Buffalo Gap SD 57722.

The Chief Engineer is recommending APPROVAL of Application No. 2635-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualification:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The well authorized by Permit No. 2635-2 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. SD Lake LLC shall report to the Chief Engineer annually the amount of water withdrawn from the Inyan Kara Aquifer.

See report on application for additional information.

Garland Erbele, Chief Engineer
September 11, 2008

WATER PERMIT APPLICATION NO. 2635-2
SD LAKE LLC
SEPTEMBER 3, 2008

Water Permit Application No. 2635-2-2 proposes to appropriate 0.333 cubic feet of water per second from one well 1,000 feet deep, completed into the Inyan Kara aquifer, located in the NE¼ NW¼ Section 8, T9S-R6E, Fall River County. The water is to be used for a suburban housing development and livestock watering.

AQUIFER: Inyan Kara

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Inyan Kara aquifer consists of the Fall River Formation and the underlying Lakota Formation. The two formations are probably hydraulically connected and therefore can be considered a single aquifer. In general, the Inyan Kara aquifer consists of interbedded sandstone (thin bedded to massive), siltstone, and shale. The aquifer is areally extensive, underling over 36,000 square miles of western South Dakota (Allen and others, 1985). The aquifer underlies 917,760 acres and contains an estimated 22,370,400 acre-feet of recoverable water in storage in Fall River County alone (Allen and others, 1985). Recharge to the aquifer occurs primarily through infiltration of precipitation at the outcrop. Average annual recharge to the Inyan Kara aquifer in the Black Hills area, from 1950 through 1998, is estimated to be 11,600 acre-feet annually (Driscoll and Carter, 2001).

The Inyan Kara outcrops about one mile west of this well site (Strobel and others, 1999). The South Dakota Water Well Completion Report submitted with this application indicates the top of the Inyan Kara is approximately 550 feet below grade. The Inyan Kara is estimated to nearly 450 feet thick in this area (Allen and others, 1985). The static water level of the well that is to be used to supply this appropriation was reported to be approximately 90 feet below grade on April 21, 2008.

WATER AVAILABILITY

The Inyan Kara aquifer has been developed in at least 23 counties in South Dakota with 180 Water Rights/Permits, including one future use permit (Water Rights, 2008c). The 171 non irrigation water rights appropriate a total of 40.53 cfs from the Inyan Kara aquifer. There are eight water rights/permits appropriating 910.30 ac-ft/yr water from the Inyan Kara for irrigation purposes (Water Rights, 2008a).

The actual amount of water used annually from the Inyan Kara is considerably less than the amount appropriated. For example, the average of the annual reported irrigation usage from the Inyan Kara between 1982 and 2007 was 56.21 ac-ft/yr with a maximum of 224.6 ac-ft/yr reported in 1985, and a minimum of 2.53 reported in 1982 (Water Rights, 2008a). The average annual withdrawals from the aquifer from the Black Hills area, where the majority of water rights are located, for the period from 1950-1998 was estimated to be 1,400 acre-feet/year (Driscoll and Carter, 2001). Viewed from a simple water balance perspective, it is clear that the average annual withdrawal from the aquifer is less than the average annual recharge to the aquifer.

A water budget is not intended to suggest that all of the water that is in storage in the Inyan Kara or that all of the recharge is available for this appropriation, merely to demonstrate that in general the Inyan Kara aquifer is an immense resource that is relatively untapped.

Observation Well Data

The Water Rights Program monitors seven observation wells completed into the Inyan Kara aquifer in the Black Hills area. Water Rights' Observation Well FR-95C is located about two and one-half miles east-northeast of this well site. The hydrograph for the well is shown below in figure 1.

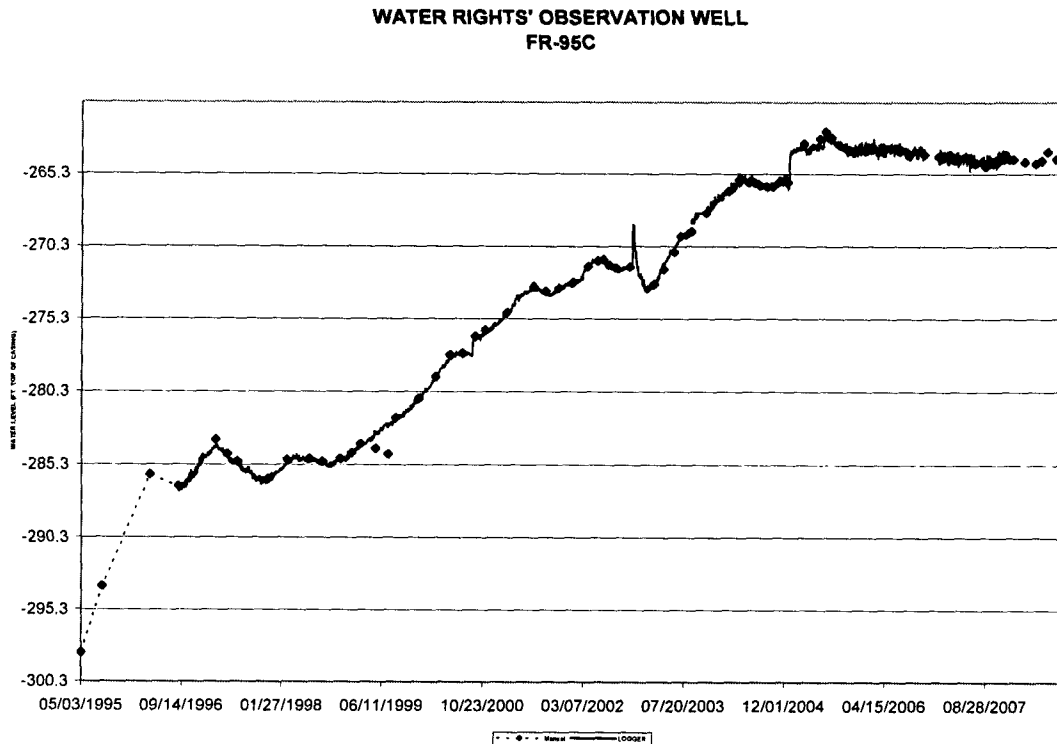


Figure 1. Hydrograph of an observation well completed into the Inyan Kara aquifer approximately two and one-half miles east-northeast of the well to be used for Permit No. 2635-2

The hydrograph documents that the water level of the aquifer has fluctuated, and in general, has risen about 35 feet over the period of record. It is clear from the data that the aquifer recharges readily (Water Rights, 2008a). The hydrographs indicates that withdrawals from the Inyan Kara have not exceeded recharge to the aquifer for the period of record and water is available for this appropriation.

EXISTING WATER RIGHTS:

There are 12 Water Rights/Permits appropriating water from the Inyan Kara aquifer in Fall River County (Water Rights, 2008c). Fourteen Water Rights/Permits appropriate groundwater within about six and one-half miles of this well site. Four of these appropriations are from the Inyan Kara aquifer. They are shown in table 1.

PERMIT NO	NAME	USE	CFS
1185-2	ANGOSTURA WATER ASSN	SHD	0.09
2178-2	FALL RIVER FEED YARD LLC	COM	0.62
2429-2	SHEPS CANYON COVE LLP	SHD	0.09
2568-2	CLEARWATER LAKE ESTATES	FWP & DOM	0.17

Table 1. Inyan Kara aquifer appropriations within three miles of 2568-2

The nearest appropriation from the Inyan Kara (Water Permit No. 2429-2, Sheps Canyon Cove LLP) is located about two and one-half miles east of this proposed well site.

Since the Inyan Kara is under confined (artesian) conditions in this area, pumping from an individual well may cause a decline in the potentiometric surface over a fairly widespread area. The distances from existing Water Rights/Permits from the Iyan Kara aquifer will minimize the affects of pumping this well to nearby wells, and the impact of this appropriation on existing water rights is not likely to be significant.

The Water Rights Program does not have any record of domestic wells completed into the Inyan Kara aquifer within approximately two and one-half miles of this well site. (Water Rights, 2008d).

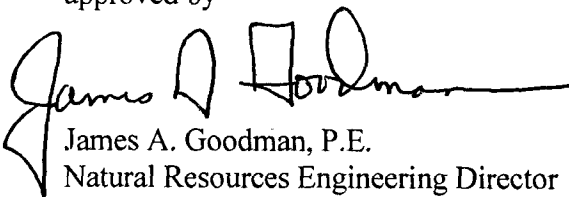
CONCLUSIONS:

1. The Inyan Kara Aquifer is a viable aquifer in this area, and water is available for this appropriation. Comparison of the estimated annual recharge to the aquifer with the water use estimated from the aquifer, and the observation well data indicate unappropriated water is available from the Inyan Kara aquifer.
2. Well interference should not be a problem at the proposed well site because of the distance from existing wells.
3. If this application is approved, well interference from this well is not expected to be adverse on domestic wells due to the distance and relatively small diversion rate involved.



Ken Buhler
Natural Resources Engineering Specialist

approved by



James A. Goodman, P.E.
Natural Resources Engineering Director

REFERENCES:

- Allen, J.C., Iles, D.L., and Petres, A.K., 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, Tasks 3A.B.C. and 4A.B.: Groundwater Resource Inventory: South Dakota Department of Water and Natural Resources,
- Driscoll, D.G., and Carter, J.M., 2001, Hydrologic Conditions and Budgets for the Black Hills of South Dakota, Through Water Year 1998: U.S. Geological Survey Water-Resources Investigations Report 01-4226, 143 p.
- Strobel, M.L., Jarrell, G.J., Sawyer, J.F., Schleicher, J.R., and Fahrenbach, M.D., 1999, Distribution of Hydrogeologic Units in the Black Hills Area, South Dakota: U.S. Geological Survey Hydrologic Investigations Atlas HA-743, 3 sheets, scale 1:100,000
- Water Rights, 2008a, "1982-2007 Irrigation Summary by Aquifer" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501
- Water Rights, 2008b "Observation Well Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501
- Water Rights, 2008c "Water Permit Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501
- Water Rights, 2008d, "Water Well Completion Report Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

September 11, 2008

Marla Peters
Fall River Water User District
PO Box 321
Oral SD 57766

Dear Ms. Peters:

Enclosed is the report, recommendation and public notice for the water permit application filed by Gary Friendshuh. I recall you calling to inquiry about him applying for a well permit; therefore, I am providing you this information.

Sincerely,


Eric Gronlund
Water Rights Program
(605) 773-3352

enclosures

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) SS
County of Fall River)

I, Brett Nachtigall

certify that the attached printed Notice was
taken

from the Hot Springs Star

printed and published in Hot Springs

County of Fall River and

state of South Dakota. The notice was
published

in the newspaper on the following two dates:

Sept. 23, 2008

Sept. 30, 2008

Cost of Printing \$43.03

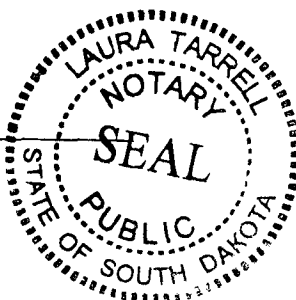
Brett Nachtigall
(Signature)

Publisher
(Title)

9-30-08

(Date Signed)

Laura Tarrell
Notary Public



366

**NOTICE OF APPLICATION NO.
2635-2 TO APPROPRIATE WATER**

Notice is given that SD LAKE LLC, 27171 Hwy 78, Buffalo Gap, SD 57722 has filed an application for a water permit to appropriate 0.333 cubic feet of water per second from one well completed into the Inyan Kara Aquifer (1,000 feet deep) located in NE 1/4 NW 1/4 Section 8-T9S-R6E for use in a suburban housing development and livestock watering.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2635-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by October 10, 2008.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application.

Steven M. Pirner, Secretary,
Department of Environment and
Natural Resources.

Sept. 23, 30

My Commission Expires
December 3, 2011



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
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523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

September 11, 2008

Hot Springs Star
PO Box 1000
Hot Springs SD 57747

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 2635-2 to Appropriate Water to be published twice. Please publish the first notice on September 16, 2008 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is SD Lake LLC, c/o Gary Friendshuh, 27171 Hwy 79, Buffalo Gap SD 57722 (Ph # 605-833-2000).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

No. 2635-2

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of September 11, 2008 enclosing Notice to Appropriate Water by Application No. 2635-2 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

**NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.**

September 11, 2008

SD Lake LLC
c/o Gary Friendshuh
27171 Hwy 79
Buffalo Gap SD 57722

Dear Mr. Friendshuh:

Water Permit Application No. 2635-2 for suburban housing and livestock watering use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Hot Springs Star printed at Hot Springs SD (Ph # 605-745-4170). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

Instruction to Newspaper - Publish first Notice on September 23, 2008 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2635-2 to Appropriate Water

Notice is given that SD LAKE LLC, 27171 Hwy 79, Buffalo Gap SD 57722 has filed an application for a water permit to appropriate 0.333 cubic feet of water per second from one well completed into the Inyan Kara Aquifer (1,000 feet deep) located in NE 1/4 NW 1/4 Section 8-T9S-R6E for use in a suburban housing development and livestock watering.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2635-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on this application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by October 10, 2008.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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www.state.sd.us/denr

OCT 21 2008

SD Lake LLC
c/o Gary Friendshuh
27171 Hwy 79
Buffalo Gap SD 57722

Dear Mr. Friendshuh:

Enclosed is Water Permit No. 2635-2 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

March 19, 2013

No. 2635-2

Gary Friendshuh
27098 Elk Road
Buffalo Gap SD 57722

Dear Mr. Friendshuh:

As you requested, enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Permit No. 2635-2. The water permit is currently listed in the name of SD Lake LLC.

The transfer form should be checked over for accuracy and **signed by the new owner**. Upon completion, return the form to our office with a required filing fee of \$50.00.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
email: karen.schlaak@state.sd.us

enclosure

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 2635-2

I have this day, February 17, 2016, made a thorough examination of the water use system constructed by SD Lake LLC, % Gary Friendshuh, 27171 Highway 79, Buffalo Gap, SD 57722 of Permit No. 2635-2, bearing the priority of 7/17/2008 authorizing the diversion of 0.333 cu. ft. per second of the water from 1 well for suburban housing development and domestic purposes, in Fall River County.

Inspection contact & relationship to permit holder, if applicable: **John Gillespe, water system operator**
605-890-0086

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Cimarron Drilling Inc.
- 2) No. of Wells 1
- 3) Depth(s) 1,000 feet
- 4) Well log is available Yes

Casing:

- 1) Diameter 7 inches
- 2) Length 1,000 feet
- 3) Type Steel

Screen:

- 1) Type N/A (Shot perforated casing 886-971 ft. levels)
- 2) Length N/A feet
- 3) Static water level 90 feet

Pump:

- 1) Make Gould
- 2) Model 40GS75
- 3) Size 6"motor with 4" pump end
- 4) Capacity 47 GPM
- 5) Horsepower rating 7.5 hp

B. Works used to transport water to place of use:

- 1) Type PVC pipeline
- 2) Size Various inches
- 3) Length -- feet

C. Works used to apply water to beneficial use:

The system provides water to 43 residential lots and 1 ranch headquarters with livestock. Water is pumped to a 5,000 gallon underground reservoir located approximately 1 ½ miles from the well and 230 feet higher in elevation providing gravity flow to all locations.

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes Annual water use amounts being submitted.
- 2) Exceptions to compliance are: none

E. Condition and Location:

1. The system is in good condition with the point of diversion located as follows:
NE ¼ NW ¼ S 8, T9S, R6E (556 ft. south and 2,309 ft. east of the NW corner section 8),
N 43.28754° W 103.43715°
2. The works are capable of diverting and conveying to the place of use .10 cu. ft. per second (47 gpm) of water which is to be used for **suburban housing and domestic use** and the license should be issued for **.10 cfs**.
3. All structures, wells and lands on map – Yes

F. Comments or other permit(s) associated with the project: none

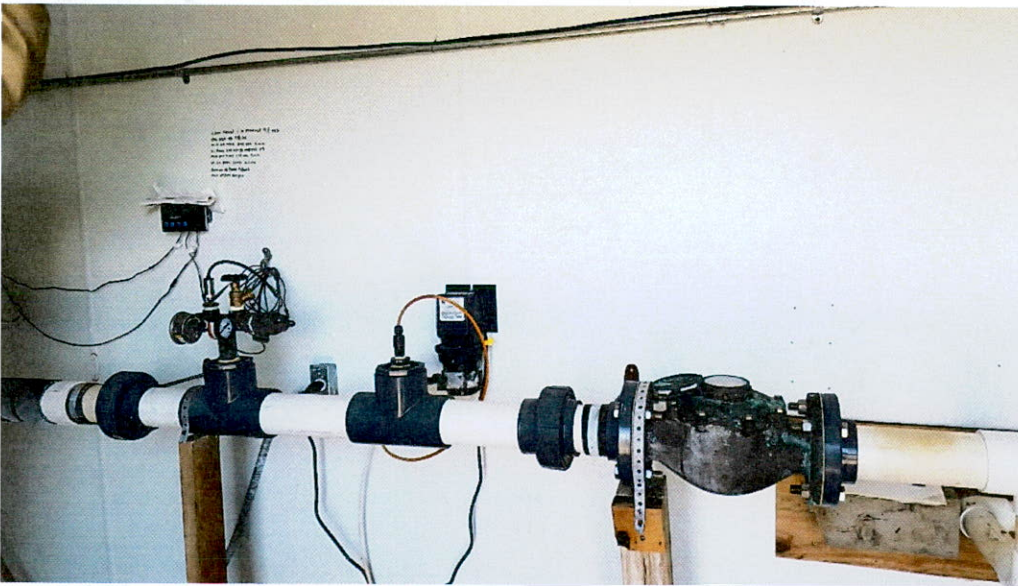


Steven Quissell
Water Rights Inspector
DENR, Water Rights Program

Date report completed: 2/18/2016

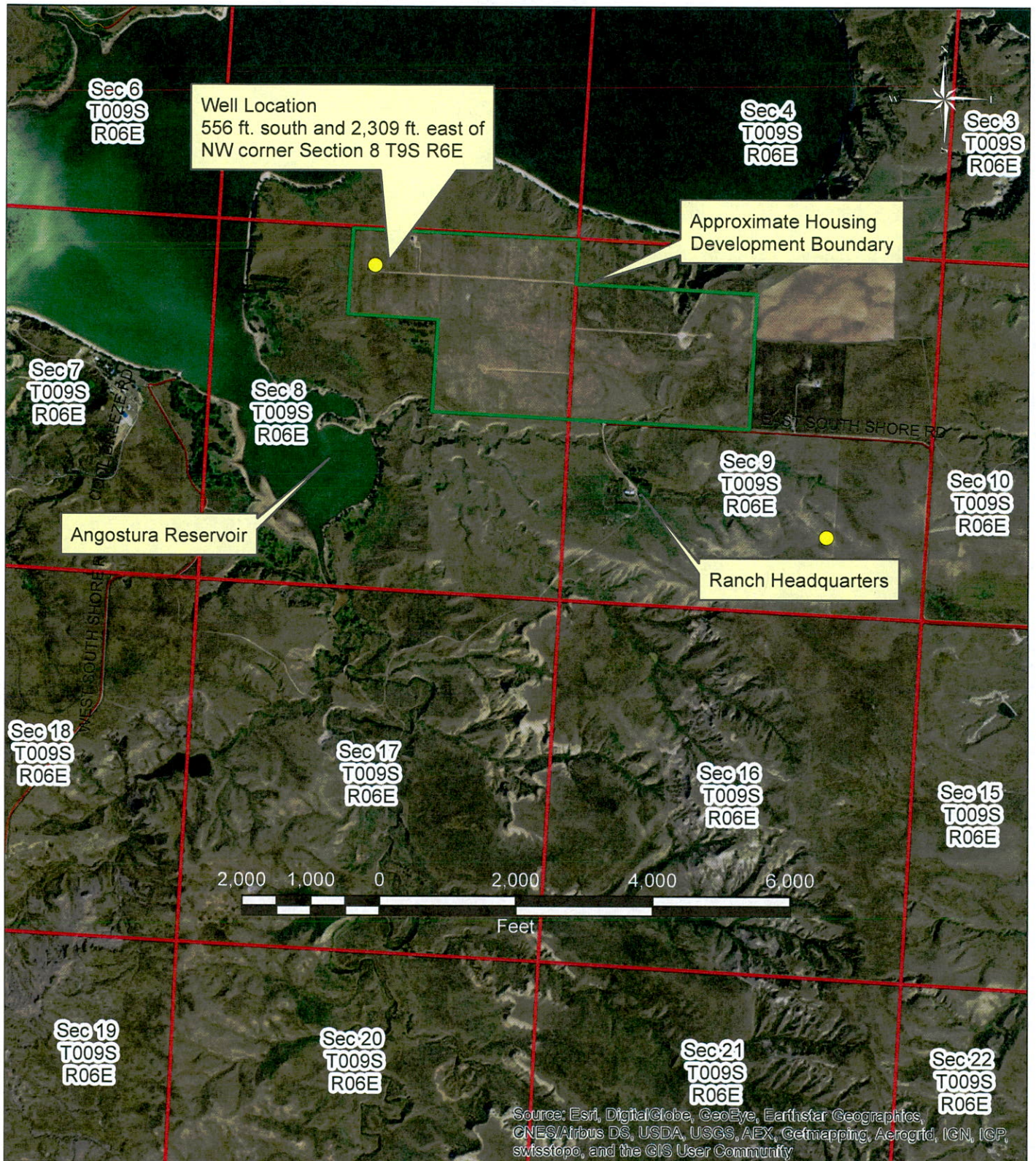


SD Lake LLC well and pump house



SD Lake LLC pump house manifold

Water Right # 2635-2
SD Lake LLC
2/17/2016



Steven Quissell

Steven Quissell
Water Rights Inspector
DENR Water Rights Program





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

2635-2

MAR 22 2016

SD Lakes LLC
Gary Friendshuh
27171 Hwy 79
Buffalo Gap SD 57722

Dear Mr. Friendshuh:

Enclosed is Water License No. 2635-2. This is the final water right document completing your process of obtaining a Water Right. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2635-2

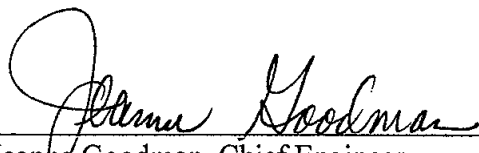
(1) SD Lake LLC, c/o Gary Friendshuh, 27171 Highway 79, Buffalo Gap SD 57722 made Application No. 2635-2, July 17, 2008 for a water permit to divert 0.333 cubic feet of water per second from one well - Inyan Kara Aquifer, Fall River County, South Dakota for suburban housing development and domestic use purposes. Permit No. 2635-2, with a priority date of July 17, 2008 was approved October 10, 2008 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before October 10, 2013 and for the application to beneficial use of water on or before October 10, 2017.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 2635-2 is issued a license, bearing a priority date of July 17, 2008 to appropriate 0.10 cubic feet of water per second from one well - Inyan Kara Aquifer for suburban housing development and domestic use purposes.

The diversion point is located: 556 feet south and 2,309 feet east of the NW corner of Section 8-T9S-R6E (NE 1/4 NW 1/4).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 2635-2 including the following qualifications:

- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 2635-2 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28. *The well was drilled by Cimarron Drilling Inc. in April, 2008. A copy of the log is on file with the Water Rights Program.*
- SD Lake LLC shall report to the Chief Engineer annually the amount of water withdrawn from the Inyan Kara Aquifer. *Yearly water use reports are on file with the Water Rights Program.*



Jeanne Goodman, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

MAR 22 2016

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

September 19, 2017

2635-2

Keith Neugebauer, Mgr
Fall River Water Users District
PO Box 321
Oral SD 57766-0321

Dear Mr. Neugebauer:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 2635-2. The ownership change has been completed. Water Right No. 2635-2, formerly held by SD Lake LLC is now listed under Fall River Water Users District.

Water Right No. 2635-2 (copy enclosed) authorizes diversion of water from one well for suburban housing development purposes and domestic use. If you intend to hook the well to the rural water system distribution system and serve more than the housing development, additional permitting may be necessary.

Additionally, much like the District's other water rights; annual water use reporting is required for Water Right No. 2635-2. Please keep track of the amount of water withdrawn from the Inyan Kara Aquifer.

Please contact Eric Gronlund with our program if you have questions on whether or not additional permitting will be required. He can be reached at 605 773-3352.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date September 18, 2017

RECEIVED OF Fall River Water Users Dist. 27600 W Oral road Oral, SD 57766

The following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>2635-2</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **08334**

By Jeanne Goodman
Chief Engineer *JMG*

RECEIVED

SEP 19 2017

WATER RIGHTS
PROGRAM

SD EForm - 0495LD V2

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 2635-2

Date: 9/8/17

I/We request that Water Right/Permit No. 2635-2 formerly owned by:

SD Lake LLC c/o Gary Friendshuh be transferred to:

New Owner Name: Fall River Water Users Dist.

Address: PO Box 321

City, State, Zip Oral SD 57766 Telephone No. (605) 424-7648

Title to the following described land(s)/property has been transferred as described above:

Well tract in Parcel 22 NE 1/4, Sec 8, Twn 9S, R 6E

☒ I understand that the validity of Water Right/Permit No. 2635-2 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Keith Neugebauer/Manager, the new owner, certify that the above information is true and correct.

Keith Neugebauer
(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.