

WATER PERMIT NO. 2695-2

Name of Applicant: H & H Investments LLC

Address: c/o Dan Holsworth, 2102 Creek Dr, Rapid City SD 57703

Phone: 605 343-5213

Amount of Water Claimed: 0.04 cfs

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: commercial

County: Pennington

Type of Waste Disposal System:

Location: southeast side of Rapid City along Hwy 79

PRIORITY

Date Received: 10-9-12

Application/License Fee: \$ 300

Corrected Application Received: 10/18/12 Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: ~~NW~~ 1/2 NW 1/4 Sec 29-T1N-R8E

Land to be Irrigated: NA

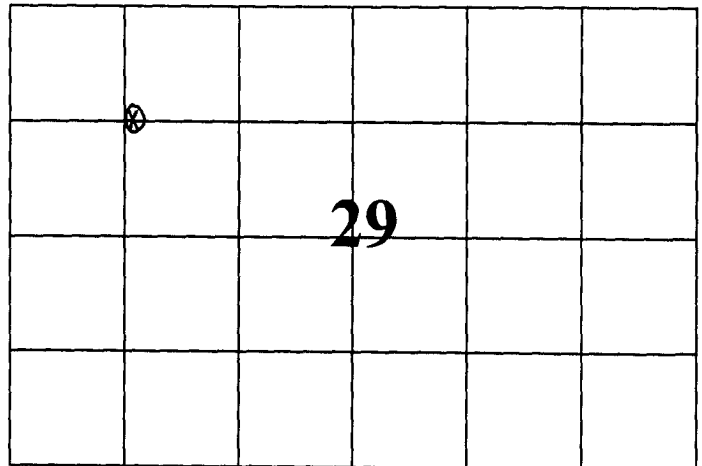
Depth of Well: 670 feet deep

Well Driller:

Remarks:

Type of Map: aerial

Prepared by:



Reviewed and the Number Assigned on: 10-18-12

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____

SD EForm - 1585LD V3
FORM 2: Application for uses other than irrigation
(type or print)

Mail to:
PMB 2020
DNR - Water Rights
523 E Capitol Ave
Pierre, SD 57501-3182
ph (605) 773-3352

No. 21695-2 (office use only)
Hydrologic Unit 10120110
Basin Upper Cheyenne
Newspaper Rapid City Journal PO Box 45
57709-605-394-830

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

Check use(s) of water:

☐ Municipal
☐ Rural Water System
☐ Domestic (over 18 gpm)

☐ Suburban Housing
☒ Commercial
☐ Industrial

☐ Recreational
☐ Fish & Wildlife
☐ Other

☐ Institutional
☐ Geothermal Heat

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.)

1. Name of Applicant Dan Holsworth
HHH Investments LLC Phone 605-343-5213
(check one) ☒ Owner ☐ Tenant/lessee

Mailing Address 2102 Creek Dr. Rapid City S.D. 57703
(Address) (City) (State) (Zip Code)

2. Amount of water claimed 0.04 *CFS or 18 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply water well - INYAN KARA PAVILION

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County PENNINGTON
1 - well located in the RTN 1/2 NW 1/4 W of Hwy 79 Sec. 29, T. 1 N, R. 8 E

5. County or counties where water will be used PENNINGTON

6. Annual period during which water is to be used year around Jan 1 - Dec 31

7. 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) We are going to build a 50'x200' warehouse building. We plan to move our lawn service, landscape business to this location.

STATE OF SOUTH DAKOTA)
County of PENNINGTON) SS

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

I, Dan Holsworth, 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.

SD 00538666 Exp 10/17/15

Applicant's signature Dan Holsworth

Subscribed and sworn to before me this 5th day of October 2012

Laura J Brennan - Notary Public
My Commission Expires May 13, 2013

Laura J Brennan
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 2695-2**

Date of first receipt of application October 9, 2012.

Date of return to applicant for corrections, amendments or changes October 10, 2012.

Date of receipt of corrected application October 18, 2012.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2695-2 to H & H Investments LLC, c/o Dan Holsworth, 2102 Creek Dr, Rapid City SD 57703 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. 2695-2 appropriates 0.04 cubic feet of water per second (18 gallons per minute) from one well to be completed into the Inyan Kara Aquifer (670 feet deep) located in W 1/2 NW 1/4 Section 29-T1N-R8E.
2. The water appropriated shall be used for the purpose of commercial use 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. 2695-2 is January 14, 2013.
5. The date from which applicant may claim right is October 9, 2012.
6. One-fifth of the construction is to be completed on or before July 14, 2015.
7. All construction is to be completed on or before January 14, 2018.
8. Water is to be put to beneficial use on or before January 14, 2022.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

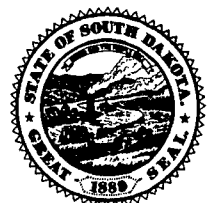
QUALIFICATIONS

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. 2695-2 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.

WATER MANAGEMENT BOARD

By: Garland Erbe
Garland Erbe, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

FEB 08 2013
date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8.75 Depth 670 FT.
- b) Casing Type Steel Diameter 7" O.D. Thickness .312 WALL
- c) Screen Type — Diameter — Thickness —
- d) Gravel Pack — Length of Gravel Pack —
- e) Depth to Top of Water Bearing Material 520 FT.
- f) Depth to Water (ground surface to water level) 20 FT.
- g) Distance to nearest existing domestic well: Dave Lamb 1/2 mile
- On applicant's property — On property owned by others X

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) Above ground mound system with septic tank.
- b) System Capacity (gallons) See attached engineer plan Year Constructed To be constructed in 1 month
- c) Connected to the City of WA Sanitary System ground breaking 10-15-12

3. Dugout Information

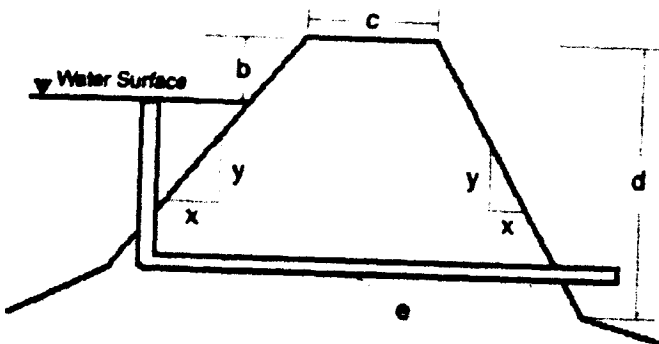
- a) Surface Dimensions see engineered Plan Depth —
- b) Depth to water (ground surface to water level) —

4. Water Storage Dams

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 (e.g. 3 to 1 is a typical slope)
- Upstream —
- Downstream —
- h) Surface Area of Impoundment —
- i) Storage — Acre Feet
- j) Drainage Area Above Dam — Acres



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WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 10/9, 20 12

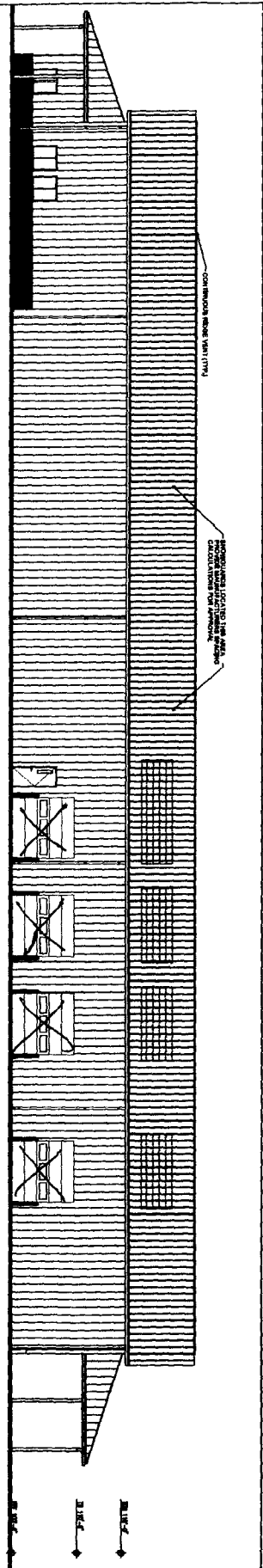
RECEIVED OF G J Holsworth & Sons Inc 2102 Creek Dr Rapid City SD 57703

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

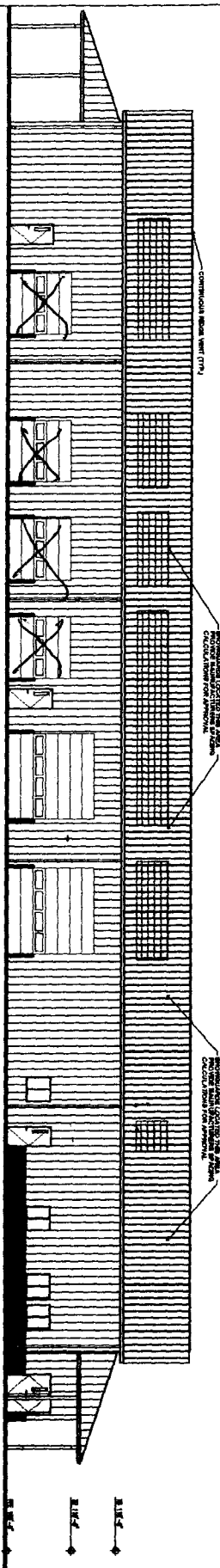
Fee for Application for Permit No. <u>2695-2</u> to Appropriate Water, to construct and to put water to beneficial use	100	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>2695-2</u>	200	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	300	00

No. **05610**

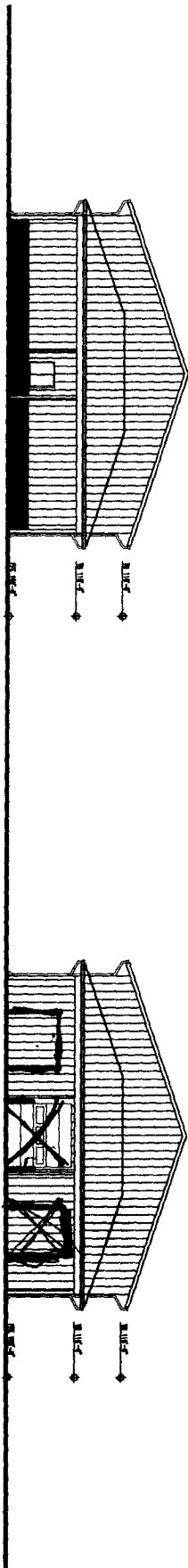
By *John Enbelle*
Chief Engineer



WEST EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"



EAST EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"



NORTH EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"

SOUTH EXTERIOR ELEVATION
SCALE: 1/8" = 1'-0"

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AS
Drawing Number

DATE: 12.1.11

EXTERIOR ELEVATIONS
NEW WAREHOUSE BUILDING
PENNINGTON COUNTY, SOUTH DAKOTA

CLIENT:
H & H INVESTMENT LLC
2102 CREEK DRIVE
RAPID CITY, SD 57703
605.943.5213

Project Number: 1012
File Name: exterior.dwg
Drawn By: JPK
Checked By: JPK
Date: 11.28.11

Revisions			
No.	Date	Description	By

KDGI
KENNEDY DESIGN GROUP, INC.
4955 ENCHANTED PINES DRIVE
RAPID CITY, SD 57701
605.394.0189
kennedy@kennedyinc.com

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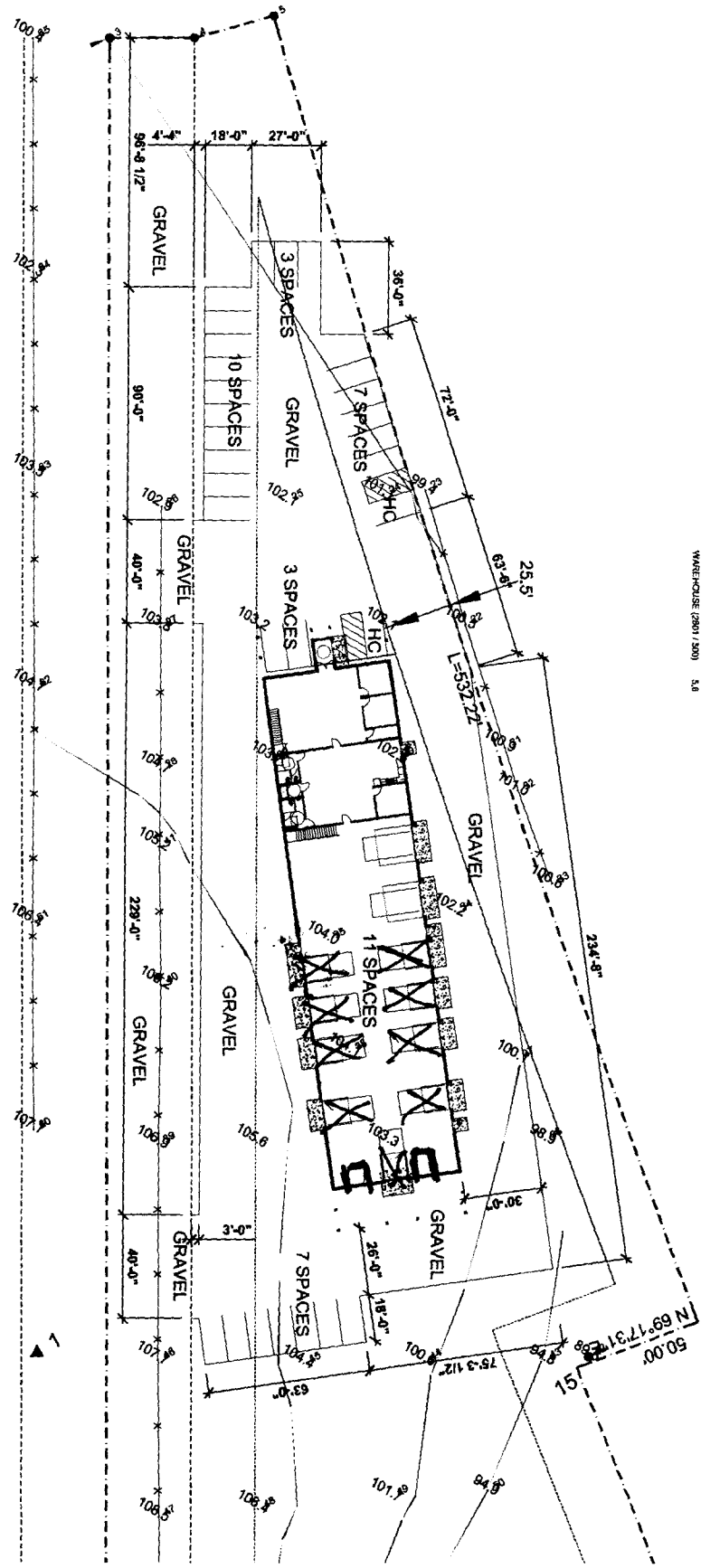
WATER RIGHTS PROGRAM

CODE INFORMATION

2008 BIC AND CURRENT COUNTY CODES
NEW WAREHOUSE BUILDING
PENNINGTON COUNTY, SOUTH DAKOTA
4600
FT 1/2 OF HWY 19 WEST OF HWY 79, LESS LOT 12, SEC 28,
T1N, R6E, B4M, RAPID CITY, PENNINGTON COUNTY,
SOUTH DAKOTA
LIGHT INDUSTRIAL

PROPERTY LAND USE ZONING: GAO
ADJACENT LAND USE: GAO
NORTH: GAO
EAST: GAO
WEST: GAO
LOT 12
SETBACK REQUIREMENTS (REQUIRED / PROVIDED)
FRONT YARD: 15 FEET REQUIRED / 25 FEET PROVIDED
SIDE YARD: 15 FEET REQUIRED / 25 FEET PROVIDED
REAR YARD: 15 FEET REQUIRED / 25 FEET PROVIDED
NUMBER OF STORIES: 4 STORIES ALLOWED > 1 STORY WITH MEZZANINE
MAXIMUM BUILDING HEIGHT: 45 FEET ALLOWED > LESS THAN 45 FEET PROPOSED
BUILDING TYPE: VAB
OCCUPANCY TYPE: 8-1 (NON-SEPARATED USES OF 8 OFFICES, 5-1 MAIN LEVEL, WAREHOUSE AND 5-2 MEZZANINE WAREHOUSE)
BUILDING SF: 10000 SF
MAIN FLOOR: 3000 SF
MEZZANINE: 3000 SF
AUTOMATIC SPRINKLER SYSTEM: YES
NUMBER OF OCCUPANTS: 13.88
MAIN FLOOR: 23.20
MEZZANINE: 23.88
WAREHOUSE (2801 / 300) 5.8

EXITS (REQUIRED / PROVIDED)
MAIN LEVEL: 1 REQUIRED / 2 PROVIDED
MEZZANINE LEVEL: 1 REQUIRED / 2 PROVIDED
OCCUPANCY SEPARATIONS: 1 REQUIRED / 2 PROVIDED
PLUMBING FIXTURES (NAME 4.1, 2008 UPC)
(1) FOR EACH UNIFORM, ADDED IN EXCESS OF THE MINIMUM REQUIRED, ONE WATER CLOSET MAY BE DEDUCTED. THE NUMBER OF WATER CLOSETS SHALL NOT BE REDUCED TO LESS THAN TWO. THROUS OF THE MINIMUM REQUIREMENT.
(2) PEOPLE OF EACH SECTION WAREHOUSE OCCUPANCY
WATER CLOSETS: 2 / 1 (1)
SEWERS: 2 / 1 (1)
UTILITIES: 2 / 1 (1)
WATER: 2 / 1 (1)
SEWER: 2 / 1 (1)
ALL UTILITIES: 2 / 1 (1)
PARKING REQUIREMENTS: 41 SPACES
REQUIREMENTS: 38 SPACES
LANDSCAPE REQUIREMENTS: 5
NOT APPLICABLE



PARTIAL SITE PARKING PLAN
SCALE: 1" = 20'

A2

DATE: 12.11.11

PARTIAL SITE PARKING PLAN
CODE INFORMATION
NEW WAREHOUSE BUILDING
PENNINGTON COUNTY, SOUTH DAKOTA

CLIENT:
H & H INVESTMENT LLC
2162 CREEK DRIVE
RAPID CITY, SD 57103
605.343.5213

Project Number	1012
File Name	1012.dwg
Drawn By	SKK
Checked By	SKK
Date	11.28.11

Revisions
No. Date Description By

1	11/28/11		
2	12/11/11		

KDGI
KENNEDY DESIGN GROUP, INC.
4605 ENCHANTED PINE DRIVE
RAPID CITY, SD 57101
605.344.0188
ken@kennedydesign.com

Britton Engineering & Land Surveying, Inc

PROJECT: Warehouse Building Along S. Hwy 79
Estimated Onsite Waste Water Treatment System

SHEET 1 OF 2

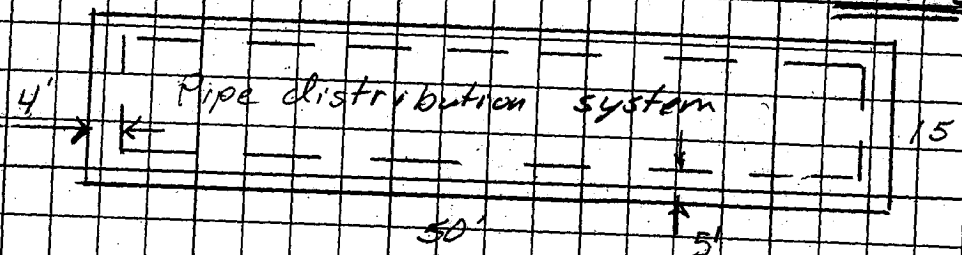
DATE: 9-18-12

1) Estimated Waste Water flow based on SDAR 74:53:01:20 Table 3 (and Table 3 of RC code 13.20.310). From Plans for Warehouse area is $40' \times 50' = 7000 \text{ sf}$ main floor, 2nd Floor Warehouse area is $60.5' \times 30' = 3025 \text{ sf}$. For a total of $7000 + 3025 = 10025 \text{ sf}$ of warehouse area at $0.03 \text{ gpd/sf} = (10025 \text{ sf})(0.03 \text{ gpd/sf}) = 300.75 \text{ gpd}$. And for the main floor office area is $60' \times 50' = 3000 \text{ sf}$ the estimated discharge is $(3000 \text{ sf})(0.09 \text{ gpd/sf}) = 270 \text{ gpd}$. Total Estimated Discharge = $300 + 270 = 570 \text{ gpd}$ say 600 gpd.

Average percolation rate is 52.5 minutes/inch from RC code section 13.20.55: (E) and SDAR 74:53:01:37 (5) the application rate for percolation rates from 3 or more but less than 60 minutes per inch is 0.83 gallons/ft²/day the estimated mound treatment size is $(600 \text{ gal/day}) / (0.83 \text{ gal/ft}^2/\text{day}) = 723 \text{ sf}$ say 750 sf.

Mound and distribution pipe sizing

USE: 15' wide mound so $750 / 15 = 50'$ or Bed size equal to $15' \times 50' = 750 \text{ sf}$



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USE 3 laterals @ 2.0' centers allowing 5 feet to treatment Bed walls. End edge 4' to Pipe 5' to perforation. Pipe laterals length = $50 - 8 = 42'$ @ 2.0' intervals yields 21 perforation per lateral for a total of $3 \times 21 = 63$ total perforations. Estimated treatment Area per perforation equals $750 \text{ sf} / 63 = 11.9 \text{ sf}$. Using $3/16"$ perforation with 2 feet of head the estimated discharge per perforation is 0.59 gpm, the estimated discharge is $(0.59 \text{ gpm})(63) = 37.17 \text{ gpm}$. As per SDAR 74:53:01:27 requires a dosing once every 3 to 4 hours. At 4 hours there are 6 cycles

Britton Engineering & Land Surveying, Inc

PROJECT: Warehouse Along S. Hwy 79

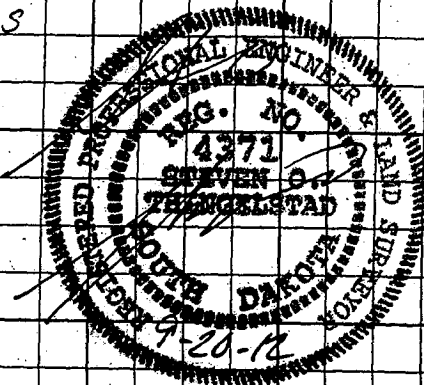
SHEET 2 OF 2

DATE: 9-18-12

So for a total of 400 gpd a 4 hour pumping cycle would yield $(400 \text{ gpd}) / (4 \text{ cycles/day}) = 100 \text{ gal/cyl}$
@ $100 \text{ gal/cycle} / (37.17 \text{ gpm/cycle}) = \underline{2.69 \text{ min/pumping}}$

Check Septic Tank Size

Min. requirement as per SDAR 74:53:01:23 is 1000 gallons, but Pennington requires a minimum tank size of 1500 gallons. Suggest that a 1500 gallon tank be installed



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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

October 10, 2012

H & H Investments LLC
Dan Holsworth
2102 Creek Drive
Rapid City SD 57703

Dear Mr. Holsworth:

Thank you for submitting the *Application for a Permit to Appropriate Water* for commercial use in Pennington County. In order to complete the application, the following is required.

Enclosed are the maps submitted with the application. One of the maps must reference a government section corner or quarter corner including section, township and range. This location needs to be the same as what is listed on the application.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

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

enclosures

OCT 18 2012

NEW WAREHOUSE BUILDING

**WATER RIGHTS
PROGRAM**

DRAWING INDEX

BUILDING DESIGNER:

KENNEDY DESIGN GROUP, INC.
4955 ENCHANTED PINES DRIVE
RAPID CITY, SD 57701-9252
PHONE: 605.394.0189 OR 605.342.5314
EMAIL: kent@kennedysd.com

SURVEYOR:

MICHAEL HANSON LAND SURVEYOR
515 EAST MINNESOTA STREET
RAPID CITY, SD 57701-9252
PHONE: 605.388.9652

SURVEYOR:

HEALD LAND SURVEYING
2218 LOCKWOOD DRIVE
RAPID CITY, SD 57702
PHONE: 605.343.1820

SOILS TESTING:

AMERICAN TECHNICAL SERVICES INC.
8105 BLACK HAWK ROAD
BLACK HAWK, SD 57718
PHONE- 605.787.9303

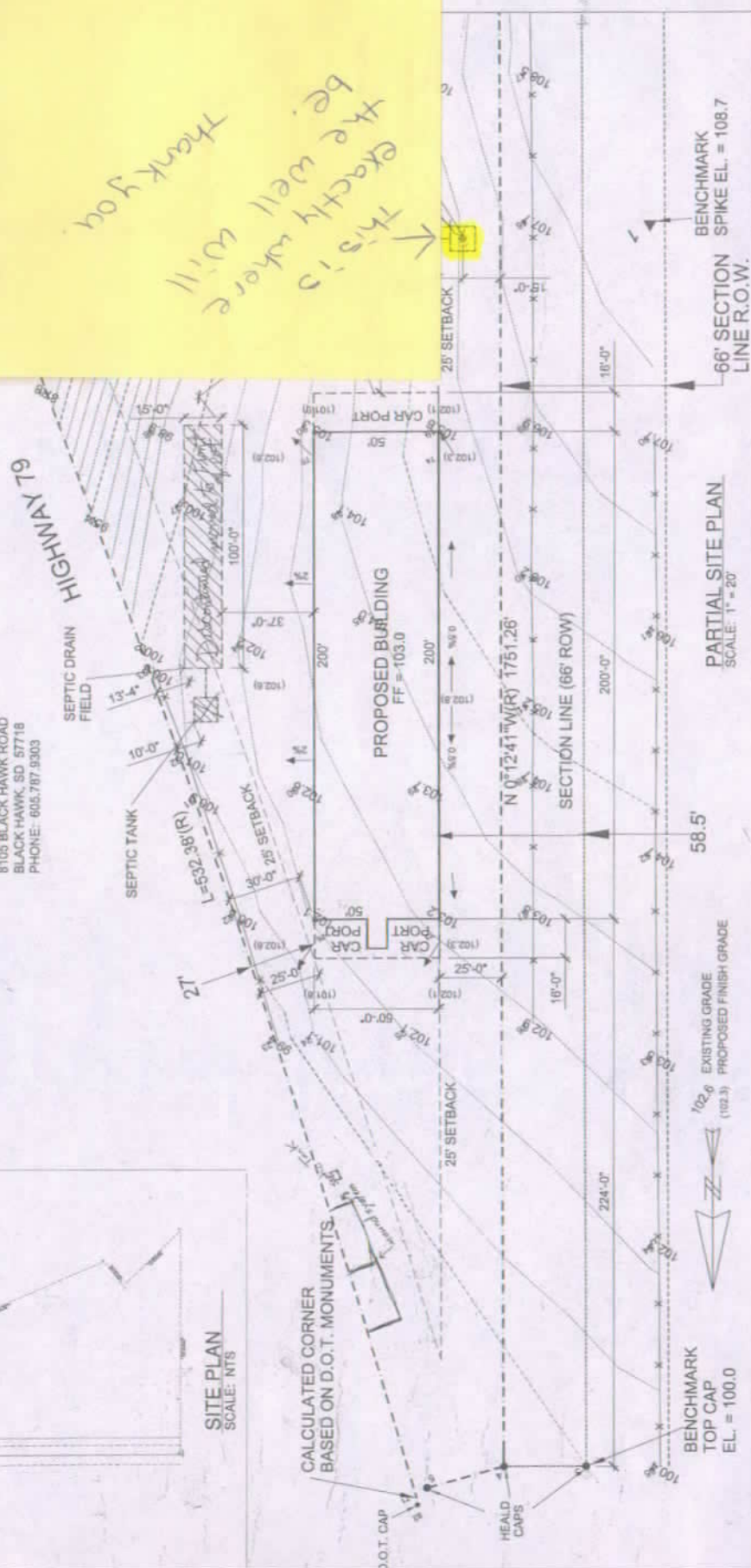
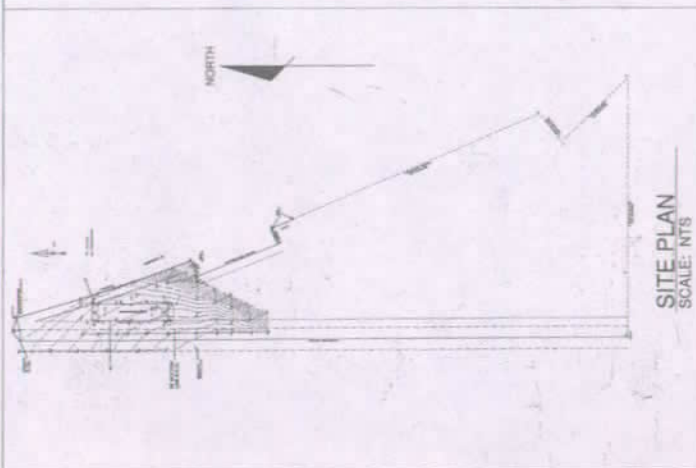
KENNEDY DESIGN GROUP, INC.
4955 ENCHANTED PINES DRIVE
RAPID CITY, SD 57701
605.384.0188
www.kennedydesigninc.com

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DATE: 3.14.12

A1

PARTIAL SITE PLAN
PROJECT INFORMATION
NEW WAREHOUSE BUILD
PENNINGTON COUNTY, S





DISCLAIMER: The map is provided "as is" without warranty of any representation to accuracy, timeliness, or completeness. The burden for determining accuracy, completeness, timeliness, marketability, and fitness for or the appropriateness for use rests solely on the user. Rapid City and Pennington County make no warranties, express or implied, as to the use of the map. There are no express warranties of merchantability or fitness for a particular purpose. The user acknowledges and accepts the limitations of the map, including the fact that the data used to create the map is dynamic and in constant state of maintenance, correction, and update. The documents does not represent a legal survey of the land. There is no restriction on the distribution of printed Rapid City/Pennington County maps, other than the City of Rapid City copyright notice must be legible on the print. The user agrees to recognize and honor in perpetuity the copyright and other proprietary claims for the map(s) established or produced by the City of Rapid City or the vendors furnishing said maps to the City of Rapid City.

Legend

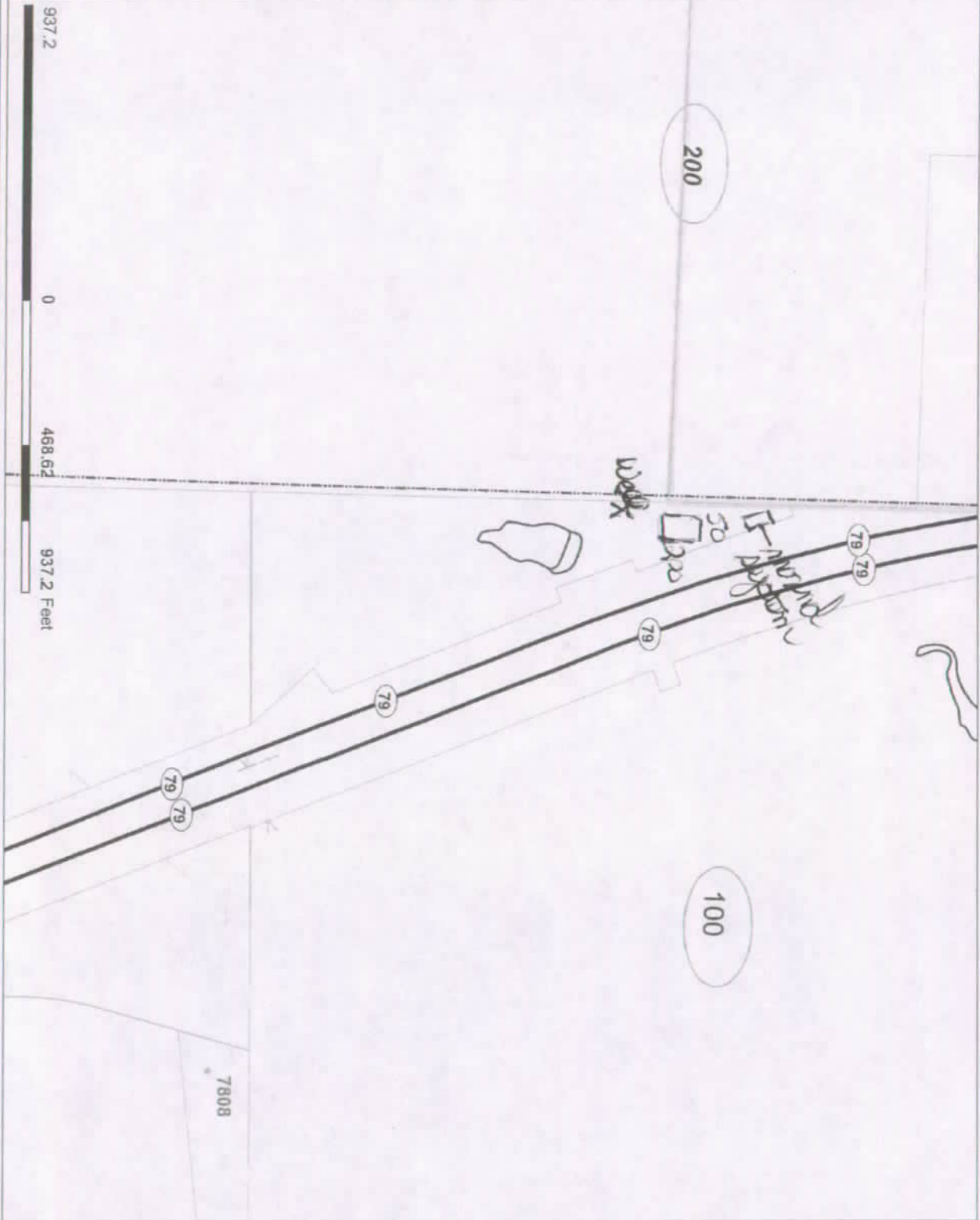
- [illegible]

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Scale: 1:5,623

Map Notes:



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Legend

- Route
- Interstate
- US Highway
- SD Highway
- County Highway
- Main road
- Minor arterial
- Collector
- Arterial
- Arterial road
- Unimproved road
- Trail
- FS Highway
- Arterial Turnoff
- Not yet coded
- Address Points
- Parcel Cartography Lines
- Copyrights: TBC
- DEFAULT
- DEFINITION TBC
- PRIME TO MARK
- 44-OUT MARK
- MINERAL RIGHTS
- PANCREL BLOCK ELLIPSE
- PANCREL HOOK
- PANCREL TWP
- NE CENTERLINE
- TEXT ARROW
- Lot Lines
- and other overlays
- Lot Line
- Parcel Line
- Township/Section Lines
- 0
- 7
- County Line

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Scale: 1: 5,623

Map Notes:

Sec 19
T001N
R08E

Sec 20
T001N
R08E

Sec 21
T001N
R08E

Sec 30
T001N
R08E

Sec 29
T001N
R08E

Sec 28
T001N
R08E

Sec 31
T001N
R08E

Sec 32
T001N
R08E

Sec 33
T001N
R08E

Buhler, Ken

From: Wendi @ Taylor Drilling <wendi.taylordrilling@rushmore.com>
Sent: Wednesday, December 26, 2012 4:33 PM
To: Buhler, Ken
Subject: Test Well

To: Ken Buhler
SD DENR Water Rights Division

From: Kim Taylor
Taylor Drilling Co.

Taylor Drilling Co. is requesting a variance to section 74:02:04:21 of the well construction standards of the State of South Dakota to drill a test well for H & H Investment LLC prior to issuance of a water right permit.

H & H Investment LLC has applied for a water right permit (No. 2695-2) to appropriate water from the Inyan Kara Formation with an estimated depth of the completed well @ 670 ft.

If you require any additional information please call Kim Taylor at 605-348-3600.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

December 27, 2012

Kim Taylor
Taylor Drilling, Co.
2310 Commerce Road
Rapid City, SD 57702

Dear Mr. Taylor:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, you are authorized to construct a test well for H&H Investment LLC, located in the W ½ NW¼ Section 29, T1N-R8E, prior to approval of a water permit. The test well must be constructed in accordance with the SD Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the SD Well Construction Standards.

Authorization must be obtained before water from the well can be used. Approval of this test well does not assure issuance of a water permit. Following review of a Water Permit Application; and assessing the availability of water, the potential impacts to existing users, the beneficial use, and the public interest of a permit, the Chief Engineer will make a recommendation to the Water Management Board regarding the application. The recommendation to approve, deny, or defer the application will be publicly noticed and an opportunity afforded for the public to intervene. A public hearing may be required to consider the water permit.

Very truly yours,

GARLAND ERBELE, Chief Engineer
Water Rights Program
(605) 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2695-2, H & H Investments 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. 2695-2, H & H Investments LLC, c/o Dan Holsworth, 2102 Creek Drive, Rapid City SD 57703.

The Chief Engineer is recommending APPROVAL of Application No. 2695-2 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 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. 7469-3 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.

See report on application for additional information.

Garland Erbele, Chief Engineer
December 19, 2012

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 2695-2
H & H INVESTMENT LLC
C/O DAN HOLSWORTH
DECEMBER 19, 2012

Water Permit Application No. 2695-2 proposes to appropriate water at a maximum diversion rate of 0.04 cubic feet of water per second (cfs) (18 gallons per minute) for commercial use from a well to be completed into the Inyan Kara aquifer. The well is expected to be approximately 670 feet deep and is to be located in the W ½ NW ¼ Section 29-T1N-R8E in Pennington County.

AQUIFER: Inyan Kara (INKR)

GEOLOGY AND AQUIFER CHARACTERISTICS:

Test hole information was not submitted with this permit application. However, sufficient data is available through well completion reports (Water Rights, 2012c), water right/permit files (Water Rights, 2012b), and an altitude of the top of the Inyan Kara Group map (Carter and Redden, 1999). The Inyan Kara aquifer is composed of the portions of the Lower Cretaceous aged Inyan Kara Group that contain sufficient saturated permeable material to yield quantities of groundwater to wells (Driscoll et al., 2002). According to Merewether (1975), the Inyan Kara Group was deposited in shallow waters along the eastern shore of the Skull Creek Sea, and in general consists of a sequence of interbedded sandstones, siltstones, and mudstones of fluvial, lacustrine, and possibly eolian origin (Schnabel, 1963). The sandstone units that make up the Inyan Kara Group are from the Fall River Formation and the underlying Lakota Formation.

The Inyan Kara is a regional scale aquifer; covering portions of Wyoming, North Dakota, South Dakota, and Nebraska. Even though the Inyan Kara is areally extensive, only a portion of the water it contains is fresh. More than one-half of the water is moderately saline, and the water is saline to brine in some parts (Driscoll et al., 2002). The Inyan Kara underlies approximately 23,239,040 acres and contains an estimated 324,169,440 acre-feet (ac-ft) of recoverable water in storage in western South Dakota (Allen et al., 1985). In the immediate area of this application the Inyan Kara aquifer can generally be encountered within 550 feet of ground surface and has a potentiometric surface approximately 240 feet below ground surface (Carter and Redden, 1999 and Strobel et al., 2000). The transmissivity of the Inyan Kara ranges from 0.86 to 6,000 ft² per day (Driscoll et al., 2002). The outcrop (recharge area) of the Inyan Kara aquifer is approximately two miles west of the well site proposed by this application.

SDCL 46-2A-9

Pursuant to SDCL 46-2A-9, a permit to appropriate water may be issued only if there is reasonable probability that there is unappropriated water available for the applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will address the availability of unappropriated water and existing rights from the aquifer.

WATER AVAILABILITY:

Water Permit Application No. 2695-2 proposes to appropriate water at a maximum diversion rate of 0.04 cfs from the Inyan Kara aquifer. The availability of water for this proposed appropriation can be evaluated by considering SDCL 46-6-3.1 which requires that:

“No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source. An application may be approved, however, for withdrawals of groundwater from any groundwater formation older than or stratigraphically lower than the greenhorn formation in excess of the average estimated annual recharge for use by water distribution systems.”

The Inyan Kara is stratigraphically below the Greenhorn Formation, but this application is not for a water distribution system. Thus, the exception to 46-6-3.1 does not apply.

Recharge versus Discharge:*Recharge:*

Recharge to the Inyan Kara aquifer is through infiltration of precipitation at the outcrop and the aquifer also appears to be recharging from the underlying Paleozoic aquifers in central South Dakota (Bredehoeft et al., 1983). Average annual recharge has not been quantified for the Inyan Kara aquifer. However, Driscoll and Carter (2001) estimated a recharge of 11,600 ac-ft/yr from just infiltration of precipitation at the outcrop for 1950-1998. That recharge estimate would be a minimum value and the most conservative.

Discharge:

There are a total of 184 water rights/permits appropriating water and one future use permit (Future Use Permit No. 1780-2) reserving water from the Inyan Kara aquifer in South Dakota (Water Rights, 2012b). The appropriations from the Inyan Kara aquifer represent diversion authority for 38.804 cfs by non-irrigation appropriations, 142 ac-ft reserved for future use, and irrigation water rights for 1,087.65 acres (Water Rights, 2012b). The estimated average annual withdrawal by appropriations is 10,700 ac-ft/yr (Buhler, 2012).

The precipitation component of the recharge alone (11,600 ac-ft/yr) exceeds the estimated average annual withdrawal from the Inyan Kara aquifer (10,700 ac-ft/yr). Therefore, there is a reasonable probability that unappropriated water is available for this proposed appropriation. This is not to suggest that all of the recharge or that all of the water within the Inyan Kara is available for this proposed appropriation, but to demonstrate that in general the Inyan Kara aquifer is an immense resource that is relatively untapped.

Observation Well Data:

Administrative Rule of South Dakota Section 74:02:05:07 requires that “the Water Management Board shall rely upon the record of observation well measurements to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated average annual recharge of the aquifer.”

The DENR-Water Rights Program monitors nine observation wells completed into the Inyan Kara aquifer. The observation well nearest to the proposed well location, PE-95B, is approximately 1.3 miles north. The water level rises (recharge) during wet periods and gradually declines during dry periods. Though it should be noted since this is an artesian aquifer the change in water level at an observation well does not indicate a significant change in the amount of water available. The hydrograph shows that the water level in the Inyan Kara in the area of this application has been stable or rising over the period of record. Therefore, there is a reasonable probability that unappropriated water is available for this proposed appropriation. Figure 1 is a map of the observation wells completed into the Inyan Kara aquifer, except ED-85B. Observation well ED-85B was not included on the map because the observation well is approximately 240 miles from the proposed well site. Figure 2 is the hydrograph for PE-95B.

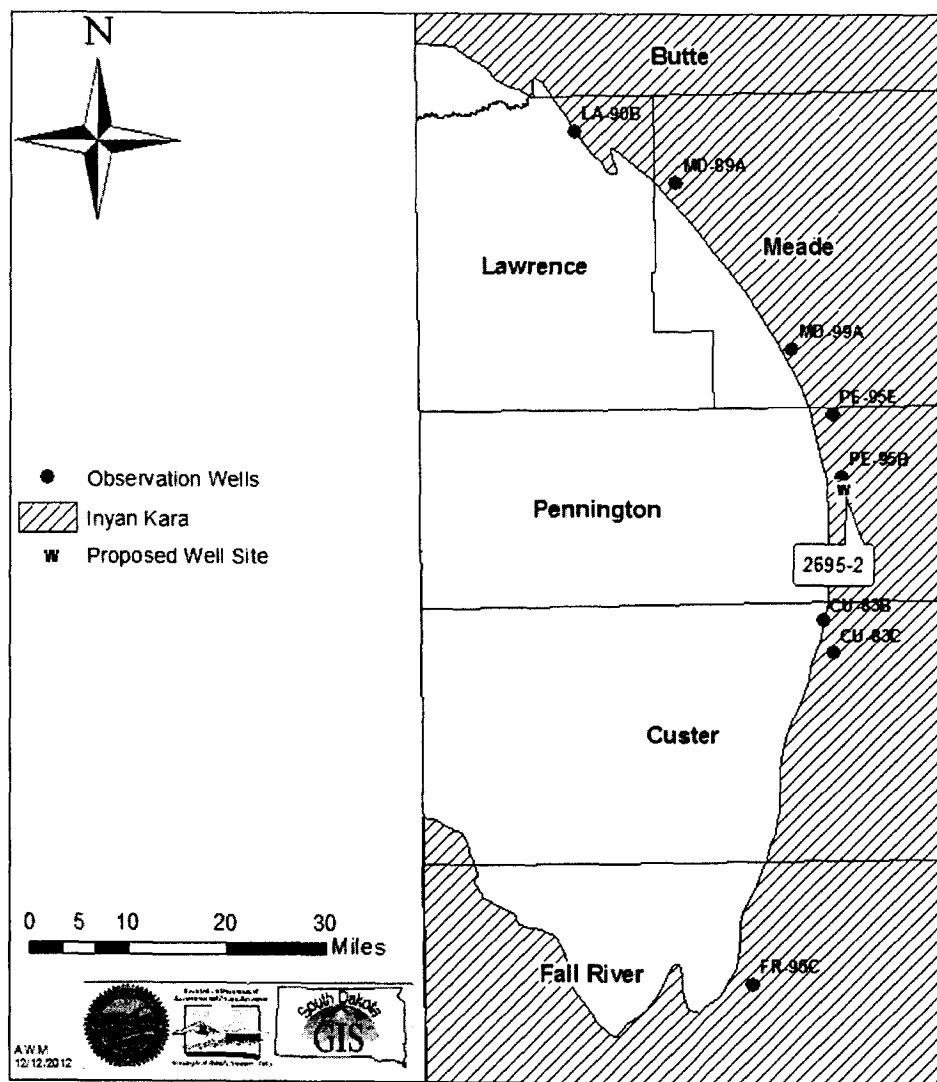


Figure 1- Map of observation wells completed into the Inyan Kara (Water Rights, 2012a)

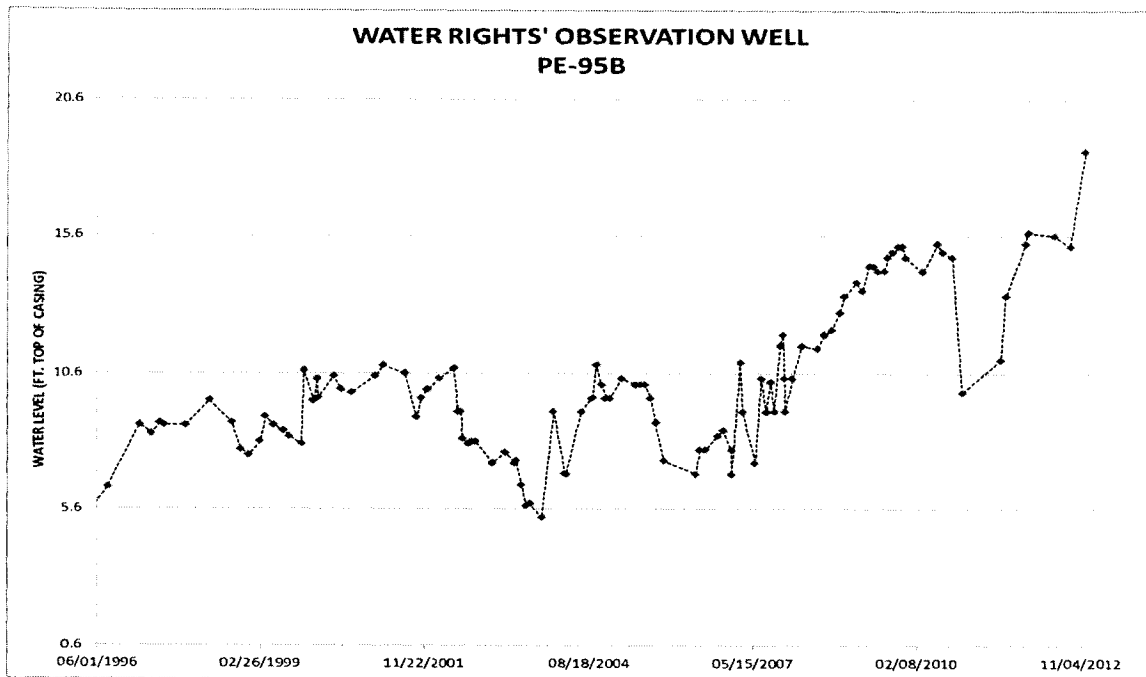


Figure 2- Hydrograph for observation well PE-95B (Water Rights, 2012a)

EXISTING WATER RIGHTS:

There are eight water rights/permits authorizing wells and several domestic wells that withdraw water from the Inyan Kara aquifer within approximately four miles of the proposed well site. Three of the water rights are within approximately two miles; the rest are more than 2.7 miles away from the proposed well site. Table 1 shows the water rights/permits within four miles of the proposed well site.

Permit No.	Name	Status	Type	CFS	Acres
1360-2	Aladdin Investments Inc.	LC	SHD, COM	0.15	
2323-2	Zita Kwartek	PE	IRR	1.36	95
2376-2*	Edward J. Griffith	LC	COM, DOM	0.02	
2414-2	Signature Development Company	LC	SHD	0.1	
2534-2*	Rushmore Hockey Association	LC	REC	0.033	
2583-2*	Carroll Korb	LC	COM	0.033	
2618-2	Prairie Fire Investments	PE	SHD	0.31	
779-2	Rapid Valley Sanitary District	LC	SHD	1	
* = Within 2 miles of proposed well site, LC= Water Right, PE= Water Permit, SHD= Suburban Housing Development, COM= Commercial, IRR= Irrigation, Dom= Domestic, REC= Recreational					

Table 1- Water Rights authorizing wells completed into the Inyan Kara within four miles of the proposed well location (Water Rights, 2012b)

Well interference is not expected to be significant given the low diversion rate requested by this application and the low diversion rate of the surrounding water rights. Water Management Board rules 74:02:04 and 74:02:05, which were promulgated pursuant to SDCL 46-6-6.1, provide protection for existing wells only to the degree necessary to maintain an adequate depth of water in wells that have the ability to produce water independent of artesian pressure. Hence, the pump placement in a prior appropriator's well is not necessarily protected. The Water Management Board, in the past, has concluded that if increased cost or decreased production is

considered an adverse impact, it could be in conflict with SDCL 46-1-4. South Dakota Codified Law 46-1-4 requires South Dakota's water resources to be put to beneficial use to the fullest extent of which they are capable. In the area of this application the Inyan Kara aquifer has approximately 300 feet of artesian head pressure. Therefore, well interference is not likely to adversely impact existing appropriative or domestic users.

CONCLUSIONS:

1. This application proposes to appropriate water from the Inyan Kara aquifer at a maximum diversion rate of 0.04 cfs for commercial purposes.
2. There is a reasonable probability that unappropriated water is available from the Inyan Kara aquifer for this proposed appropriation.
3. There is a reasonable probability that the diversion requested by this application can be made without adversely impacting existing appropriative or domestic users.



Adam Mathiowetz
SD DENR-Water Rights Program

Approved by



Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

- Allen, J.C., D.L. Iles, and A.K. Petres. 1985. Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota: Tasks 3A.B.C. and 4A.B: Groundwater Resource Inventory. U.S. Army Corps of Engineers, Contract DACW4-82-C-0151. Omaha, Nebraska.
- Bredehoeft, J.D., C.E. Neuzil, and P.C.D. Milly. 1983. Regional Flow in the Dakota Aquifer: A study of the Role of Confining Layers. U.S. Geological Survey Water-Supply Paper 2237, 45p.
- Buhler, K.A. 2012. Report on Water Permit Application No. 2686-2 Powertech (USA) Inc. SD DENR-Water Rights Program. Joe Foss Bldg., Pierre, SD.
- Carter, J.M. and J.A. Redden. 1999. Altitude of the Top of the Inyan Kara Group in the Black Hills Area, South Dakota. Hydrologic Investigations Atlas HA-744-A, Northern part of area-Sheet 1 of 2. U.S. Geological Survey.
- Driscoll, D.G. and J.M. Carter. 2001. Hydrologic Conditions and Budgets for the Black Hills of South Dakota, Through Water Year 1998. Water-Resources Investigations Report 01-4226. U.S. Geological Survey, Rapid City, SD.
- Driscoll, D.G., J.M. Carter, J.E. Williamson, and L.D. Putnam. 2002. Hydrology of the Black Hills Area, South Dakota. U.S. Geological Survey Water-Resources Investigations Report 02-4094, 150 p.
- Merewether, E.A. 1975. Mesozoic Rocks: Mineral and Water Resources of South Dakota. Committee on Interior and Insular Affairs, United States Senate, pg. 41.
- Schnabel, R.W. 1963. Geology of the Burdock Quadrangle Fall River and Custer Counties, South Dakota. U.S. Geological Survey Report of Investigations 104, 55p.
- Strobel, M.L. J.M. Galloway, G.R. Hamade, and G.J. Jarrell. 2000. Potentiometric Surface of the Inyan Kara Aquifer in the Black Hills Area, South Dakota. Hydrologic Investigations Atlas HA-745-A, Northern part of area-Sheet 1 of 2. U.S. Geological Survey.
- Water Rights. 2012a. Observation Well Files. SD DENR-Water Rights Program. Joe Foss Bldg., Pierre, SD.
- Water Rights. 2012b. Water Right/Permit Files. SD DENR-Water Rights Program. Joe Foss Bldg., Pierre, SD.
- Water Rights. 2012c. Well Completion Reports. SD DENR-Water Rights Program. Joe Foss Bldg., Pierre, SD.

Affidavit of Publication

RECEIVED

STATE OF SOUTH DAKOTA

JAN - 9 2013

County of Pennington

SS:

WATER RIGHTS
PROGRAM

Jan. 3

L20752110

NOTICE OF APPLICATION

NO. 2695-2 to Appropriate Water

Notice is given that H & H Investments LLC, do Dan Holsworth, 2102 Creek Dr, Rapid City SD 57703 has filed an application for a water permit to appropriate 0.04 cubic feet of water per second (18 gallons per minute) from one well to be completed into the Inyan Kara Aquifer (670 feet deep) located in W 1/2 NW 1/4 Section 29-T1N-R8E for commercial use.

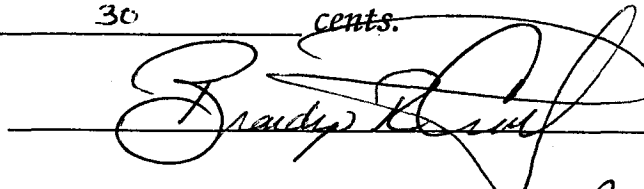
Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2695-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief 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 January 14, 2013.

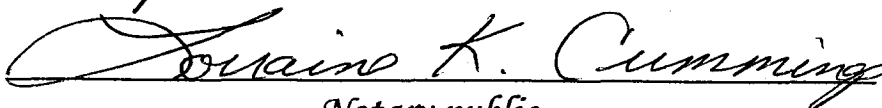
The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. 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.

(Published once at the total approximate cost of \$49.30).

Brandyn Crawford being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bonafide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Rapid City Journal, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each week for one successive week, the first publication there of being on the 3rd day of January that the fees charged for the publication there of are 49 dollars and 30 cents.



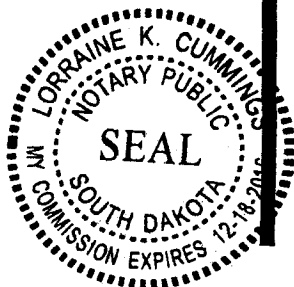
Subscribed and sworn to before me this Ninth day of January, 2013.



Notary public

Dec. 18, 2016

My commission expires





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

December 20, 2012

Rapid City Journal
PO Box 450
Rapid City SD 57709

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 2695-2 to Appropriate Water. Please publish the notice once on January 3, 2013. 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 and arrange for payment. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is H & H Investments LLC, c/o Dan Holsworth, 2102 Creek Dr., Rapid City SD 57703 (Ph # 605-343-5213).

Please send the Water Rights Program an affidavit or the enclosed Proof of Publication form immediately.

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATE, CONTACT
THE NEWSPAPER(S) RIGHT AWAY.

December 20, 2012

H & H Investments LLC
Dan Holsworth
2102 Creek Dr
Rapid City SD 57703

Dear Mr. Holsworth:

Water Permit Application No. 2695-2 for commercial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Rapid City Journal printed at Rapid City SD (Ph # 605-394-8300). You will need to contact the newspaper(s) 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(s) to authorize publication of your Notice and to arrange for payment. Early contact with the paper(s) can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. 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 the Notice on January 3, 2013. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 2695-2 to Appropriate Water

Notice is given that H & H Investments LLC, c/o Dan Holsworth, 2102 Creek Dr, Rapid City SD 57703 has filed an application for a water permit to appropriate 0.04 cubic feet of water per second (18 gallons per minute) from one well to be completed into the Inyan Kara Aquifer (670 feet deep) located in W 1/2 NW 1/4 Section 29-T1N-R8E for commercial use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2695-2 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.

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Published once at the total approximate cost of _____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

FEB 08 2013

H & H Investments LLC
Dan Holsworth
2102 Creek Dr
Rapid City SD 57703

Dear Mr. Holsworth:

Enclosed is Water Permit No. 2695-2 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

SOUTH DAKOTA WATER WELL COMPLETION REPORT

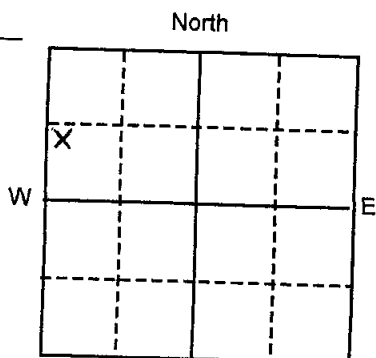
2695-2 SD EForm - 1621LD V1

11-02

Location W 1/2 NW 1/4 Sec 29 Twp 1N Rg 8E

County Pennington

Please mark well location with an "X"



Well Completion Date

January 16, 2013

← 1 Mile →

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
150.0 ft. from Septic (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary - Air

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>23.0</u> LB/FT	<u>7.00</u> IN	<u>+2.0</u> FT	<u>675.0</u> FT	<u>8.75</u> IN
<u>pen</u> LB/FT	<u>hole</u> IN	<u>675.0</u> FT	<u>710.0</u> FT	<u>8.75</u> IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>cement</u>	<u>125</u>	<u>14.0</u> Lb/gal	<u>0.0</u> Ft	<u>675.0</u> Ft

Describe grouting procedure
Pressure grout through casing

SCREEN:

☐ Perforated pipe ☐ Manufactured
 Diameter _____ Inches 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 Solution
☐ No, Why Not? _____
 Lab to which water quality sample sent for analysis _____

Well Owner: H & H Investments

Business Name: G.J Hollsworth & Sons Lawn Service Inc

Address: 2101 Creek Dr.

City, State, Zip: Rapid City SD 57703

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Gravel	0	3
Belle Fourche / Mowry	3	345
New Castle	345	368
Skull Creek	368	606
Inyan Kara	606	710

STATIC WATER LEVEL

43.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☐ Pumped Describe: Air Developed
42 GPM at 710 ft
☐ Bailed
☒ Other
 Pumping Level Below Land Surface
 _____ Ft. After _____ Hrs. pumped _____ GPM
 _____ Ft. After _____ Hrs. pumped _____ GPM
 If pump installed, pump rate: _____ GPM

REMARKS

RECEIVED

JAN 13 2014

WATER RIGHTS PROGRAM

This well was drilled under license # 331 and this report is true and accurate.

Drilling firm: Taylor Drilling Co.

Signature of License Representative:

K Tyl

Signature of Well Owner or Equitable Property Holder:

Date: 1-23-2013

SD EForm - 1311LD V1

Form 10

**NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE**

MAIL TO: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182
ph. (605) 773-3352

Date

4/21/17

FROM:

G.J. Housworth

(name)

2102 Creek Dr.

(address)

Rapio City

(city)

S.D.

(state)

57703

(zip)

605-343-5213

(phone)

I have completed the construction of the water use system and I have put the water to beneficial use to the maximum extent it is going to be used.

Water Permit No. 2695-2 states that the water use system is to be constructed by

1/14/18

(date)

, and water is to be put to beneficial use by

1/14/22

(date)

The water use system was completed on Aug 2013

(date)

Applying the water to beneficial use was completed on Aug 2013

(date)

You may schedule an investigation so that the water license may be issued.

X Don Housworth



Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 2695-2

I have this day, **April 21, 2017** made a thorough examination of the water use system constructed by **H & H Investments, 2102 Creek Drive, Rapid City, SD 57703** of Permit No. **2695-2**, bearing the priority of **10/9/2012** authorizing the diversion of **.04** cu. ft. per second of the water from one well for **commercial** purposes, in **Pennington** County.

Inspection contact & relationship to permit holder, if applicable: Dan Hollsworth, owner
% G.J. Hollsworth & Sons Lawn Service Inc.
2102 Creek Drive, Rapid City, SD 57703
605-343-5213

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: **Taylor Drilling** (2013)
- 2) No. of Wells **1**
- 3) Depth(s) **710** feet
- 4) Well log is available **Yes**

Casing:

- 1) Diameter 7"
- 2) Length 677 feet (+2' - 675')
- 3) Type Steel

Screen:

- 1) Type n/a
2) Length - feet
3) Static water level 43 feet

Pump:

- 1) Make **Gould**
- 2) Model **18GS30 (set @ 483')**
- 3) Size **4"**
- 4) Capacity **18** GPM (40/60 pressure switch setting)
- 5) Horsepower rating **3** hp

Note: The well was air tested at 42 gpm at 710' depth.

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

- 1) Type PE
- 2) Size 1 1/4" inches
- 3) Length -- feet

C. Works used to apply water to beneficial use:

The well serves the office, breakroom, shop, vehicle wash bay and hydrants used for filling portable tanks and hydro seeders.

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by: Yes,
- 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:
1,408' S and 39' E of the NW corner Section 29 T1N R8E (44.020148, -103.191629)
2. The works are capable of diverting and conveying to the place of use .04 cu. ft. per second (18 gpm) of water which is to be used for **commercial** use and the license should be issued for .04 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: 4/25/2017



Well head



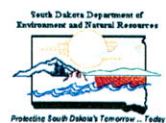
Pressure system and piping

Water Right #2695-2
H & H Investments, LLC
(G.J. Holsworth and Son Lawn Service)
4/21/17



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
<http://denr.sd.gov>

MAY 30 2017

2695-2

Dan Hollsworth
H & H Investments
2102 Creek Dr
Rapid City SD 57703

Dear Mr. Hollsworth:

Enclosed is Water License No. 2695-2. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 2695-2, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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. 2695-2**

(1) H & H Investments LLC, 2102 Creek Dr., Rapid City SD 57703 made Application No. 2695-2, October 9, 2012 for a water permit to divert 0.04 cubic feet of water per second from ground water (one well, Inyan Kara Aquifer), Pennington County, South Dakota for commercial purposes. Permit No. 2695-2, with a priority date of October 9, 2012 was approved January 14, 2013 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before January 14, 2018 and for the application to beneficial use of said water on or before January 14, 2022.

The Permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on April 21, 2017. The "*Notice*" stated the water use system was completed and water placed to beneficial use in August, 2013.

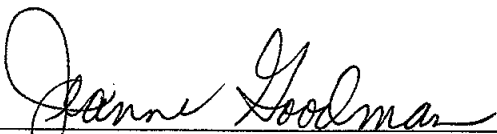
(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.04 cubic feet of water per second for beneficial use. The location of the diversion point is 1,408' S and 39' E of the NW corner of Section 29, T1N, R8E (SW ¼ NW ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

(4) Pursuant to South Dakota Water Law 46-5-30.1 H & H Investments LLC, 2102 Creek Dr., Rapid City SD 57703 the holder and/or owner of Water Right No. 2695-2 is issued a license to appropriate water, the right to use 0.04 cubic feet of water per second from ground water, one well (Inyan Kara Aquifer) with a priority date of October 9, 2012 from the location specified in (2) of this license for commercial purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 2695-2 and subject to the following qualifications:

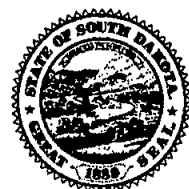
- The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
- The well authorized by Permit No. 2695-2 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with the 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 in January, 2013 by Taylor Drilling Company. A copy of the well completion report is on file with the Water Rights Program.***



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAY 30 2017

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

June 8, 2017

2695-2

Dan Hollsworth
6555 S Hwy 79
Rapid City SD 57701

Dear Mr. Hollsworth:

Enclosed is Water License No. 2695-2.

We originally mailed it to your old address of 2102 Creek Drive, Rapid City. I apologize for the error and have made the address correction to our files.

If you have any questions, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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