

WATER PERMIT NO. 2743-2

Name of Applicant: Rimrock Ridge Water Association

Address: 3849 S Lorretta Dr, Rapid City SD 57702 Phone: 605 343-3062

Amount of Water Claimed: 0.04 cfs Total Acres: NA

Source of Water Supply: groundwater (1 existing well)

Water to be used for: suburban housing development County: Pennington

Type of Waste Disposal System:

Location: west of Rapid City along Hwy 44

PRIORITY Date Received: 11-9-15 Application/License Fee: \$ 150.0

Corrected Application Received: Period of Annual Use: January 1 – December 31

Remarks: Increase the amount of water authorized by Water Permit No. 2287-2

Diversion Point: SW 1/4 NE 1/4 Sec 18-T1N-R7E

Land to be Irrigated: NA

Depth of Well: 320 feet deep

Well Driller: Taylor Drilling

Remarks:

Type of Map: aerial

Prepared by: Aaron Tieman

Reviewed and the Number Assigned on: 11-9-15

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

			⊗		
			18		

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

(office use only)
No. 2743-2 Hydrologic Unit 10120110
Basin Upper Cheyenne
Newspaper Rapid City Journal

RECEIVED

NOV - 9 2015

WATER RIGHTS
PROGRAM

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.)

Additional diversion rate authority of 15 gpm from the well authorized by Water Permit No. 2287-2

1. Name to Appear on Water Permit Rimrock Ridge Water Association(check one) ☒ Owner ☐ Tenant/lessee ☐ Owner's Legal Agent c/o Jerome Buttonc/o James Keller

(name and complete address if different than above name)

3734 NMailing Address 3849 S Loretta DriveRapid CitySD 57702341-2966

(Address)

(City)

(State)

(Zip Code)

Home Phone 605 343-3062

Cell _____

Email rimrockridge@outlook.com

2. Amount of water claimed _____ *CFS or 15 **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 Madison well that has been in existence since 19744. Location of point of diversion SW 1/4 NE 1/4 Section 18, T1N, R7E County Pennington

(example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)

If not a public water supply (e.g. municipal), will water be used outside of the area described above? ☐ Yes ☐ NoIf "Yes," where will water be used? N 1/2 NE 1/4 Section 18, T1N, R7E

(example - NW1/4 section 12-T104N-R53W)

5. County or counties where water will be used Pennington6. Annual period during which water is to be used January 1 - December 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)

Well was drilled in 1974. The Association filed a water permit application for 25 gallons per minute in 1993. It appears that a amount of water requested at 25 gpm was in error because based on the Association's best knowledge the well has always had a pump capable of 40 gpm. This application is being filed for 15 gpm in order to bring the permitted amount up to what the well is capable of producing.

I, Jerome W Button, the applicant, certify that I have read this application, have examined the attached map, and that the matters stated are true.

James Keller

SOUTH DAKOTA
WATER PERMIT NO. 2743-2

Date of first receipt of application November 9, 2015.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2743-2 to Rimrock Ridge Water Association, c/o James Keller, 3734 N Loretta Drive, Rapid City SD 57702 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. 2743-2 increases the diversion rate authorized by Water Permit No. 2287-2. Water Permit No. 2287-2 authorizes 0.05 cubic feet of water per second (cfs) from one well completed into the Madison Aquifer (320 feet deep) located in the SW 1/4 NE 1/4 Section 18-T1N-R7E. An inspection of the permit found the system capable of diverting an additional 0.04 cfs from the existing well. This permit and Water Permit No. 2287-2 will authorize a total diversion rate of 0.09 cfs or 40 gallons per minute for use in a water distribution system located in portions of the N 1/2 Section 18-T1N-R7E.
2. The water appropriated shall be used for the purpose of suburban housing development 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. 2743-2 is January 11, 2016.
5. The date from which applicant may claim right is November 9, 2015.
6. 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 Permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Madison aquifer.

WATER MANAGEMENT BOARD

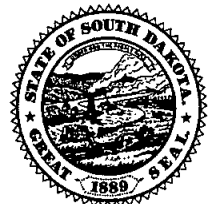
By: *Jeanne Goodman*
Jeanne Goodman, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

FEB 03 2016

date



Supplemental Information

(type or print)

1. Well Information (check one or both as applicable) ☐ Drilling new well(s) ☒ Using existing well(s)

a) If new wells, how many ____ Have test holes been drilled ☐ Yes ☐ No Drilled by ____
(if yes, please provide copies of logs)

b) If existing wells, how many 1 Provide copy of log(s), if available. Drilled by Taylor Drilling

c) Well Depth 320 Depth to Top of Water Bearing Material ____ Depth to Water from Surface 210

d) Distance to nearest existing domestic well:

On applicant's property ____ On property owned by others ____

2. Wastewater Disposal System Information

a) Type of System (i.e. septic tank, drain field) ____

b) System Capacity (gallons) ____ Year Constructed ____

c) Connected to the City of ____ Sanitary System

3. Dugout Information

a) Surface Dimensions ____ 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)

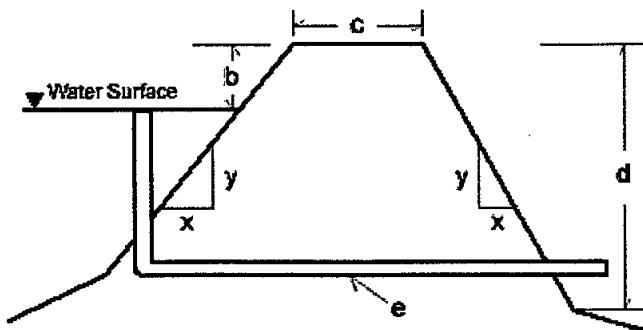
Upstream ____

Downstream ____

h) Surface Area of Impoundment ____

i) Storage ____ Acre Feet

j) Drainage Area Above Dam ____ Acres



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 11-9 ²⁰ 15

RECEIVED OF Rimrock Ridge Water Assoc., 3849 S Loretta Dr, Rapid City SD 57702

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

Fee for Application for Permit No. <u>2734-2</u> to Appropriate Water, to construct and to put water to beneficial use <u>2743-2 EJS</u>	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>2734-2</u>	50	00
Fee for Filing Transfer Form <u>2743-2 EJS</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	150.00

No. 07520

By Jeanne Goodman
Chief Engineer
KS



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

September 10, 2015

2287-2

Jerome Button
Rimrock Ridge Water Association
3849 S Loretta Dr
Rapid City SD 57702

Dear Mr. Button:

I am writing in regard to Water Permit No. 2287-2 held by Rimrock Ridge Water Association (copy enclosed). The permit authorizes diversion of 25 gallons per minute (gpm) from ground water (one Madison Formation well) for use by the association residents.

An inspection of the water use system for licensing purposes found the current pump in the well capable of 40 gpm. In order to bring the system into compliance and get a water license issued for the total amount of water being diverted, a new permit will need to be obtained for the additional 15 gpm.

To help you through the process, enclosed is a partially completed application. Please review the application and complete any remaining sections. The fee due would be a total of \$300 (\$100 for the application and \$200 for the water license).

Once a new permit is in place for the additional water, Water Permit No. 2287-2 and the new permit will be incorporated into one license that will authorize a total of 40 gpm. Unless the system changes in the future, no additional permitting will be required.

If you have questions concerning the enclosed application, you may call our office and visit with Eric Gronlund at 605 773-3352 or contact Aaron Tieman in our regional office in Rapid City at 605 394-2229.

Sincerely,

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

enclosure

c: Aaron Tieman, DENR Regional Office, Rapid City (email)

Gronlund, Eric

From: Gronlund, Eric
Sent: Friday, October 23, 2015 1:41 PM
To: Tieman, Aaron
Cc: McMath, Genny
Subject: Rimrock Ridge Water Association - No. 2287-2
Attachments: Button09102015.pdf

I received a call from Mr. Button regarding the Sept 10th letter. He indicated he has tried unsuccessfully several times to get ahold of Aaron to discuss the letter.

He first thought we were trying to cancel the permit which I assured him we were not. I said the Association applied for 25 gpm but when developed it appears the well is capable of 40 gpm. He said the well is the same as when it was constructed and I told him I don't dispute that but if it was developed to divert at a rate 15 gpm greater than it is permitted we want to get it properly permitted.

He said he had no way of knowing what the well is producing all he has is the owner's manual. Taylor drilling does all the work on the well for them. He then went on to say the well has three settings, one at 25 gpm, one for 30 gpm and a setting for 40 gallons per minute. I asked what setting the well is at. He said he doesn't know and that Aaron was supposed to contact Taylor drilling to find that out. Did we contact Taylor drilling on what the well is producing and is that what the investigation report is based on? Or is the 40 gpm a number that James Nestor gave you at the time of the investigation? If Taylor drilling has not been contacted please do so and find out what their records indicate the well is capable of.

I committed to getting back a hold of Mr. Button (343-3062) next week to find out what we learned from Taylor Drilling. I also committed to another letter stating in writing what we found out from Taylor Drilling and again stating that a permit is necessary if additional diversion rate authority is required.

Thanks - Eric



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

October 29, 2015

Jerome Button
Rimrock Ridge Water Association
3849 S Loretta Drive
Rapid City SD 57702

Dear Mr. Button:

I am writing in follow-up to DENR's letter dated September 10, 2015, and our phone conversation regarding water permitting for Rimrock Ridge Water Association.

The well for Rimrock Ridge Water Association was drilled in 1974. However, it was not until 1993 that DENR became aware of the well when a well completion report was filed by the driller. DENR then sent a letter to the Association regarding the need to obtain a water permit. Water law requires a water permit for use by a water distribution system that diverts at a rate greater than 18 gallons per minute (gpm). James Nestor filed a water permit application for the well on behalf of the Association. At the time, Mr. Nestor put on the application that the diversion rate from the well is 25 gpm. The water permit was approved for the requested amount.

It was not until 2012 when DENR staff engineer, Aaron Tieman, conducted a licensing investigation which found the pump in the well produced at a rate of 40 gpm which is 15 gpm above the permitting amount. For your information, a licensing investigation is a routine part of the water permitting process in which the state verifies that the works have been constructed and water is being used. A water license is then issued for the extent the system is developed. In this instance, since the diversion capability is greater than the permitted amount the Association was informed of the need to get a permit for the additional 15 gpm diversion rate capability. Regrettably this is occurring 40 years after the well was drilled and 22 years after the original permit was obtained.

During our phone conversation you indicated knowing little about the well and were unsure of the diversion rate. You further stated that Taylor Drilling services the well for the Association. DENR contacted Kim Taylor with Taylor Drilling. Mr. Taylor verified that their company constructed the well, installed the pump and has routinely serviced the well. He stated the pump installed in the well produces 40 gpm and has always been at that amount.

The best information available indicates the well has always produced at a rate of 40 gpm. What is unclear is why the application filed back in 1993 stated 25 gpm. But that is not something either of us can change. What can be done is to get the water permit held for the Association to accurately reflect what is being diverted.

Based on this information, the Association will need to file an application for the additional 15 gpm. The existing permit remains in place for 25 gpm. I have enclosed another partially completed application for the 15 gpm. I have also included blank application forms in the event changes are necessary and a self-addressed envelope.

The total filing fee is different than the amount listed in our September 10th letter. There is a \$100 application filing fee plus a \$50 licensing fee. The licensing fee is normally \$200 but DENR is only charging \$50 which was the licensing fee back in 1993 when the application was filed. **The application will need to be accompanied with a check in the amount of \$150 made payable to the "Water Rights Program".** The Association will also be responsible for the cost of the public notice of the new application. That expense is generally about \$50 and will be between the Association and newspaper at the time the application is set for public notice.

Please contact me if you have any questions or need assistance completing the application. The goal is to get the Association's water permits to accurately reflect the water system.

Sincerely,



Eric Gronlund
Water Rights Program, DENR
605 773-3352
Eric.gronlund@state.sd.us

enclosures

Jacobson, Gail

From: Gronlund, Eric
Sent: Tuesday, December 22, 2015 12:56 PM
To: Schlaak, Karen; McMath, Genny; Tieman, Aaron
Cc: Jacobson, Gail
Subject: Rimrock Ridge Water Association (Application No. 2743-2)

contact person (James Keller, 3734 Loretta Lane, Rapid City SD 57702 (ph 341-2966). When the permit is issued we'll want to send to Mr. Keller and not Mr. Button.

He is also setting up an email since he will probably only live there for one more year. The email is rimrockridge@outlook.com.

Genny – please update the database accordingly on their existing water permit.

He pointed out that the receipt had it listed as Application No. 2734-2 whereas all the other correspondence states No. 2743-2. I told him two numbers got transposed and the correct number is No. 2743-2. I changed the number on the receipt in the file.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2743-2, Rimrock Ridge Water Association**

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. 2743-2, Rimrock Ridge Water Association, c/o Jerome W Button, 3849 S Loretta Drive, Rapid City SD 57702.

The Chief Engineer is recommending APPROVAL of Application No. 2743-2 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 Permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Madison aquifer.

See report on application for additional information.

Jeanne Goodman, Chief Engineer
December 18, 2015

**REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 2743-2
RIMROCK RIDGE WATER ASSOCIATION
NOVEMBER 20, 2015**

Water Permit Application No. 2743-2 proposes to appropriate water from the Madison aquifer at a maximum diversion rate of 0.04 cubic feet of water per second (cfs). The existing well that this application proposes to utilize is 320 feet deep and is located in the SW¼ NE¼ Sec. 18, T1N-R7E. Diversions up to a maximum rate of 0.05 cfs are currently authorized from this well through Water Permit No. 2287-2, for suburban housing development use. An inspection of Water Permit No. 2287-2 found the system capable of diverting a total of 0.09 cfs, (0.04 cfs over the permitted rate) from the existing well. Water Permit No. 2743-2, if approved, and Water Permit No. 2287-2 will authorize a total combined diversion rate of 0.09 cfs or 40 gallons per minute for use in the water distribution system located in portions of the N ½ Sec. 18, T1N-R7E.

AQUIFER: MADISON AQUIFER (MDSN)

GEOLOGY AND AQUIFER CHARACTERISTICS:

Strobel and others, (1999) consider the Madison aquifer as composed of the Madison (Pahasapa) Limestone and Englewood Formation. The Madison aquifer is a regional aquifer that underlies portions of Montana, Nebraska, North Dakota, South Dakota, Wyoming and parts of Canada (Peterson, 1984). The Madison aquifer contains an estimated 644,827,200 acre-feet of recoverable water in storage in western South Dakota (Allen and others, 1985) and 51,512,300 acre-feet of recoverable water in storage in eastern South Dakota (Hedges and others, 1982). The Madison Limestone is a massive limestone and dolomite with relatively low primary permeability and porosity. However, extensive secondary porosity and permeability does occur locally within the Madison. The Madison aquifer is most productive in the karstic upper part of the Madison Limestone. The upper third of the Madison is karstic with caves, solution collapse and enlarged conduits resulting in extensive secondary permeability and creating the potentially most productive aquifer in the Black Hills (Kyllonen and Peter, 1987). The Englewood Formation, a limestone below the Madison Limestone, is included in this unit because of the hydraulic connection between the two units and relatively minor thickness of the Englewood Formation in outcrop areas. The lower portion of the Madison Limestone and the Englewood Formation are generally considered confining zones. In general, the Madison dips to the east in the Rapid City area approximately 400 feet per mile (Carter and Redden, 1999a). In the area of the well site, the beds are dipping east at 2-7 degrees (Cattermole, 1969).

In general the groundwater flow of the Madison in this area is from west to east. The gradient is relatively flat (approximately 25 feet/mile in the vicinity of this well site, potentially due to an area of higher transmissivity in the Rapid City area (Long and Putnam, 2002). Complex interactions between Rapid Creek and ground water occur between Pactola Reservoir and central Rapid City (Anderson and others, 1998). Rapid Creek loses flow as it crosses the Madison outcrop within one mile of this well site, and significant spring flow originates from Cleghorn Springs within approximately one mile of the well site.

The Minnelusa Formation unconformably overlies the Madison, and the lower part of the formation “generally impedes flow between the Minnelusa and Madison aquifers” (Long and Putnam, 2002). However, “The hydraulic connection between the Madison Limestone and Minnelusa Formation is spatially variable and may result from faults, fractures, and breccia pipes. Collapse features ... may be pathways for vertical movement of water between these two units.” (Putnam and Long, 2007).

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 from the aquifer and the potential for impairment of existing rights.

WATER AVAILABILITY:

The probability of unappropriated water available for 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.”

Water Permit Application No. 2743-2 proposes to appropriate water from the Madison aquifer, a water source that is older than the Greenhorn Formation, and the water is to be used by a water distribution system.

Water Balance:

Recharge to the Madison aquifer occurs through streamflow losses and direct infiltration of precipitation at the outcrop area. “Precipitation recharge [in the Black Hills] is consistently larger than streamflow recharge; however, the relative proportion of streamflow recharge increases as combined recharge decreases” (Carter and others, 2001a). Recharge to the Madison aquifer in South Dakota has been estimated to range from 140,000 to 400,000 acre-feet per year (Woodward-Clyde, 1981). Woodward-Clyde however, essentially defined the Madison aquifer as everything between the Precambrian and the Cretaceous shales. As part of the Black Hills Hydrology Study, the average annual recharge to the Madison aquifer from 1931-1998 was estimated to be approximately 137,000 ac-ft/yr (Carter and others, 2001a).

The high cost of Madison wells, except very near the outcrop, and the availability of groundwater from shallower sources, has limited domestic development from the aquifer (Water Rights, 2015c). Carter and others, (2001b) estimate “Self-supply Domestic” and “Livestock Watering” only account for approximately 2.25% of the water use from the Madison aquifer. In general, well withdrawals from the Madison are for uses which require water rights/permits. The majority of the water rights/permits from the aquifer in South Dakota are from Butte, Lawrence,

Meade, Pennington and Fall River Counties. The Madison supplies water for irrigation, geothermal, industrial, and commercial uses. By far the major use of the aquifer in South Dakota is for water distribution systems (suburban housing development and municipal use). The cities of Spearfish, Belle Fourche, Sturgis, Rapid City, Box Elder, and Edgemont all depend on water from wells completed into the Madison aquifer.

There have been a total of 221 previous applications made for appropriations from the Madison; the status of these applications are shown in Table 1 (Water Rights 2015b).

STATUS	NUMBER
Approved and licensed	108
Approved and not licensed	41
Future Use reservation	7
Incorporated into a license	36
Cancelled	25
Denied	1
Deferred	1
Withdrawn	2

Table 1. Water permit applications from the Madison aquifer in South Dakota

There are currently a total of 156 appropriations and one deferred application from the Madison aquifer in South Dakota. Assuming that: (1) future use permits will be fully developed; (2) appropriations with a specified annual rate limitation will divert to their maximum limit; and (3) appropriations limited by instantaneous diversion rate only, will be used at 60 percent of full time usage at their maximum diversion rate, the appropriations represent a potential maximum annual withdrawal from the Madison aquifer of approximately 55,000 ac-ft/yr. The assumptions used to estimate the potential maximum withdrawal from the aquifer are extremely conservative and represent a “worst case scenario.”

Almost all of the water use from the Madison aquifer in South Dakota is from the Black Hills area. The withdrawals from all wells completed into the Madison aquifer in the Black Hills of South Dakota and Wyoming were estimated to average 12,310 acre-feet annually from 1987-1996 (Carter and others, 2001b). The “potential maximum annual withdrawal” from the aquifer for 1996, using the assumptions given above for the appropriations in 1996 is 35,831 ac-ft/yr. Applying the 1996 “potential maximum annual withdrawal” to the estimated average annual use ratio, the average annual withdrawal corresponding with a potential maximum annual withdrawal of 55,000 ac-ft/yr would be less than 20,000 ac-ft/yr.

The quantities of both the average annual recharge and the average annual use for the Madison aquifer are both small percentages of the amount of water stored in the Madison aquifer so the aquifer can actually withstand several years of drought conditions with only minimal impact to wells or springs. Comparison of average annual recharge and average annual withdrawal estimates for the Madison aquifer indicate that unappropriated water is available from the Madison aquifer. The simple water budget comparing the estimated average annual recharge and the potential withdrawal by existing wells and current appropriations is not intended to suggest that all of the water that is in storage in the Madison or that all of the recharge to the aquifer is available for this appropriation, merely to demonstrate that in general the Madison aquifer is an immense resource that is relatively untapped.

Localized Hydrologic Budget:

A water budget analysis was conducted for the Rapid City area for the 10-year period from 1988-1997. Total inflow rates included streamflow recharge of about 45 cfs and areal recharge of 22 cfs. Streamflow recharge to the Madison was about 86 percent of the total streamflow recharge. Areal recharge to the Madison aquifer was approximately 73 percent of the total areal recharge. Outflow for the 10 year budget included springflow of 31 cfs, water use of about 10 cfs and regional outflow of 22 cfs. Groundwater storage increased 9 cfs during the 10-year period. The net ground-water movement from the Madison to the Minnelusa hydrogeologic unit was about 8 cfs. (Long and Putnam, 2002) .

The springflow, regional outflow, the increase in groundwater storage, and ground-water leakage from the Madison to the Minnelusa components of the localized water budget can provide water for capture for additional well withdrawals from the Madison aquifer in this area. Therefore the localized water budget indicates that there is a reasonable probability that unappropriated water is available for this appropriation. It should be noted that the appropriation proposed by this application (0.04 cfs) is an existing use that has reportedly been occurring since 1974, and would have been accounted for in Long and Putnam's water budget. Therefore, approval of Water Permit No. 2743-2 will not affect the water budget.

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 in addition to other data to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated average annual recharge to the aquifer.

The Water Rights Program monitors 26 observation wells completed into the Madison aquifer in the Black Hills area (Water Rights, 2015a). Four of these observation wells are located within approximately three and one-half miles of the well site used by Water Permit No. 2743-2 (if approved). Hydrographs for the wells show the aquifer's response to climatic conditions and clearly demonstrate the system is recharged (see Figures 1-4).

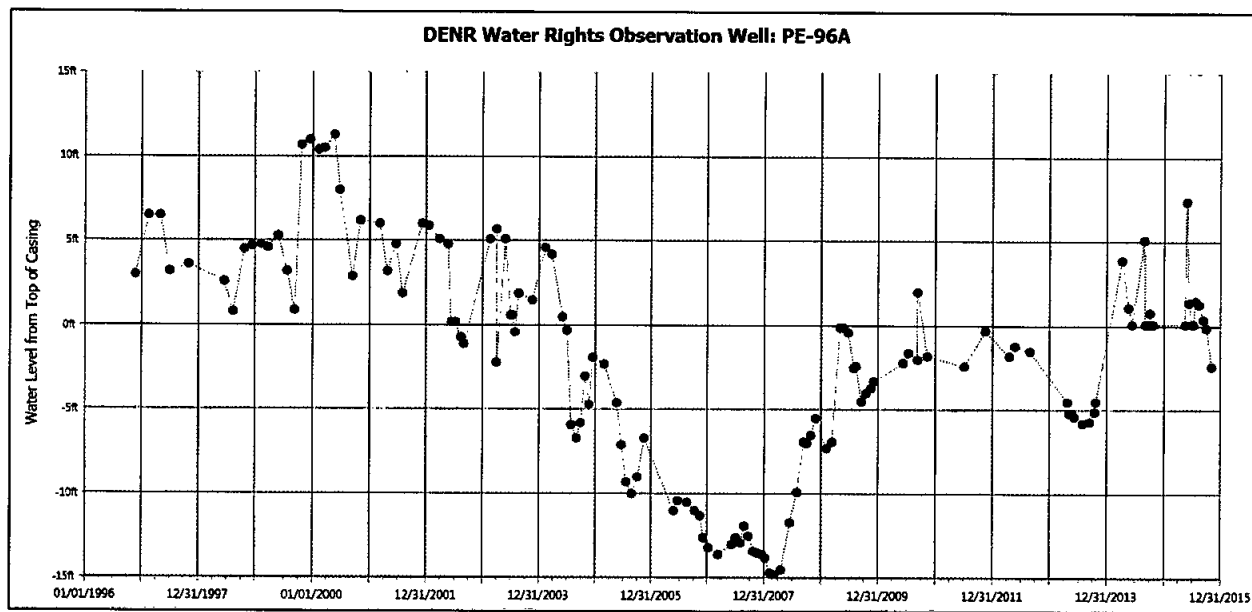


Figure 1. Madison observation well located approximately one-half mile northeast of the well to be used by Water Permit No. 2743-2 (if approved) (Water Rights, 2015a).

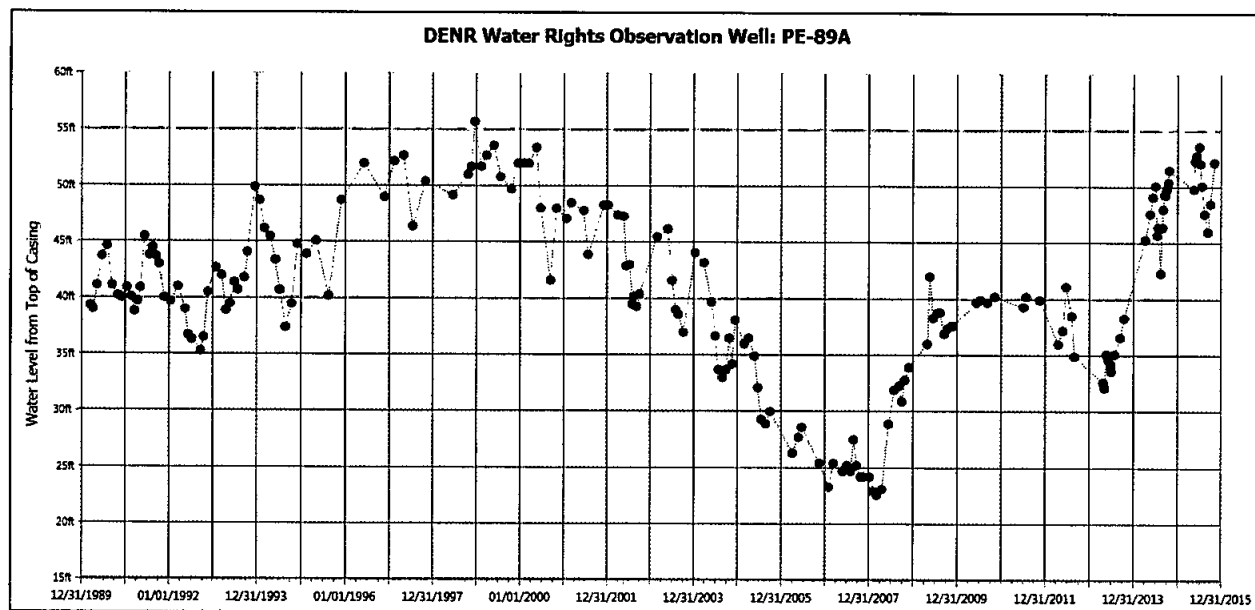


Figure 2. Madison observation well located approximately one and one-half miles northeast of the well to be used by Water Permit No. 2743-2 (if approved) (Water Rights, 2015a).

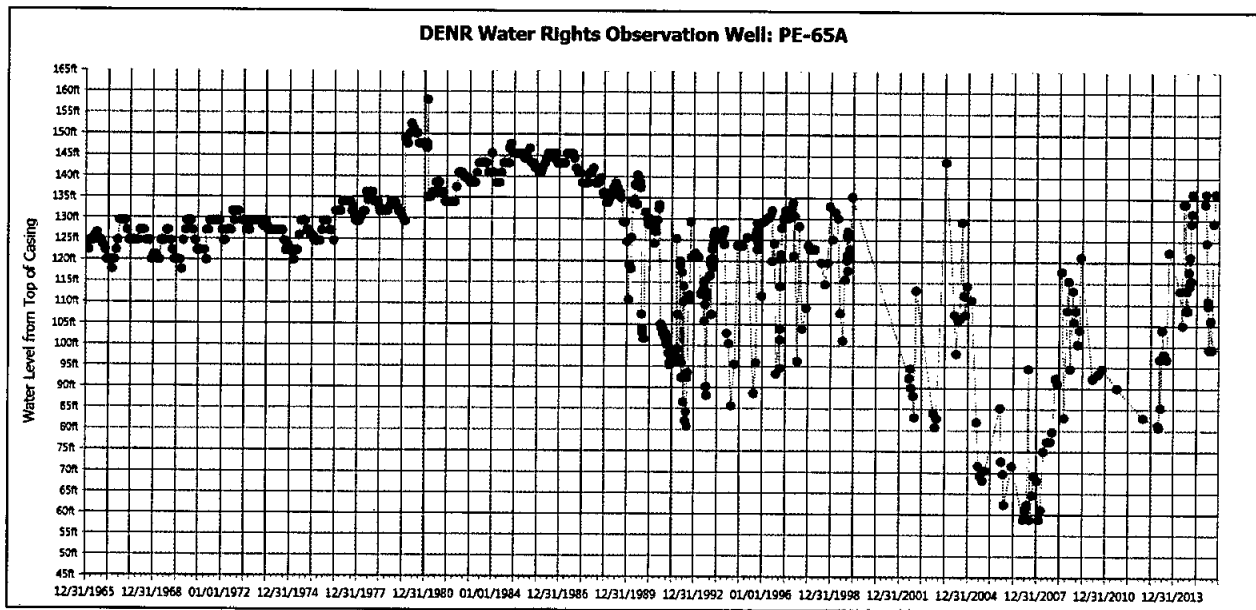


Figure 3. Madison observation well located approximately three and one-quarter miles northeast of the well to be used by Water Permit No. 2743-2 (if approved) (Water Rights, 2015a).

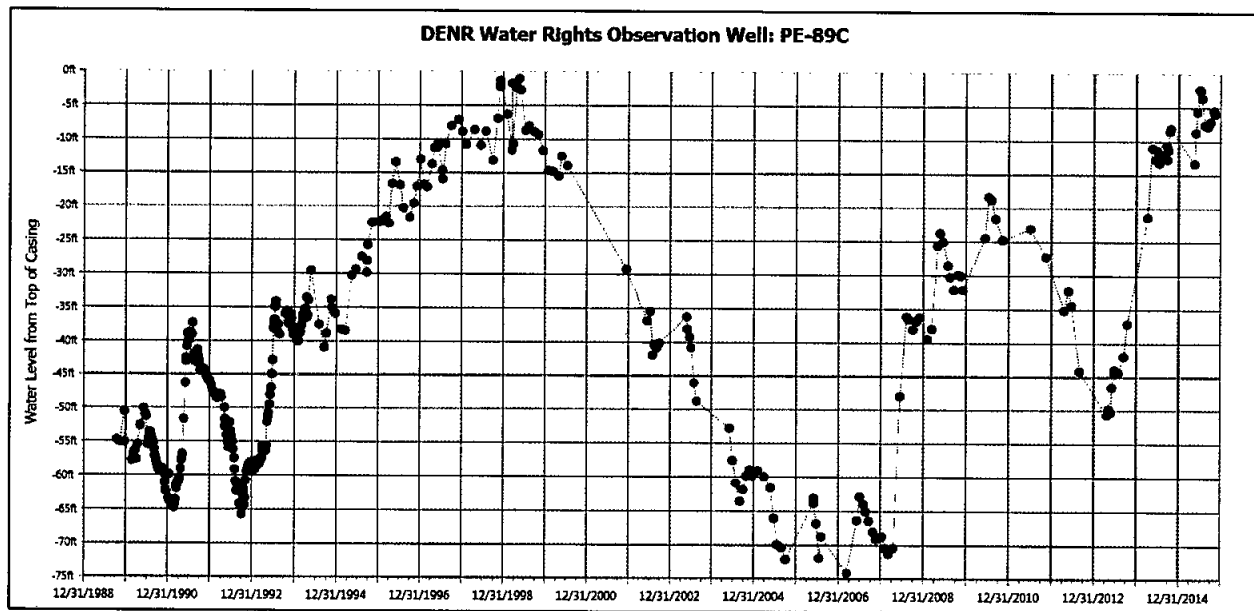


Figure 4. Madison observation well located approximately three and one-quarter miles northeast of the well to be used by Water Permit No. 2743-2 (if approved) (Water Rights, 2015a).

The analysis of the DENR-Water Rights Program observation well data provides a qualitative means of assessing the aquifer and provides the best information reasonably available to evaluate the hydrologic budget for the Madison aquifer. Observation well data showing a steady, continual decline of the aquifer's water level or artesian pressure could indicate that withdrawals from the aquifer were exceeding recharge. In addition, water level fluctuations in an aquifer dominated by the influences of well withdrawals, or a change in the gradient of the

potentiometric surface could indicate that well pumping is a significant component in the system relative to recharge and/or natural withdrawals.

Observation well PE-65A is located approximately 1600 feet away from a high capacity municipal well that first went into use in 1989. The drawdown from the municipal well is evident in the observation well's hydrograph (Figure 3), however, the climatic conditions over the period of record overshadow pumping impacts. Observation well data for the Madison aquifer documents that at the current level of development, climatic conditions greatly mask any temporal effects of well withdrawals thus the combined recharge to and natural discharge from the Madison aquifer significantly exceeds long term well withdrawals, and the potentiometric surface of the aquifer has been relatively unchanged over time. Therefore, the observation well data shows that unappropriated water is available from the Madison aquifer.

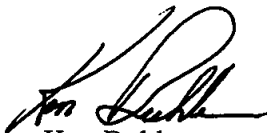
AFFECTS ON EXISTING RIGHTS:

Water Rights/Permits supplied by wells completed into aquifers that are stratigraphically above or below the Madison are not expected to be affected by Madison aquifer withdrawals since the lower Minnelusa Formation and the lower Madison Limestone generally serve as upper and lower confining units for the Madison aquifer.

The nearest water right appropriating water from the Madison aquifer to the well that is to be used to supply this appropriation is Water Right No. 2090-2, Chapel Lane Water Co. (Water Rights, 2015b). The well that supplies Water Right No. 2090-2 is located approximately 1.4 miles east-northeast of the well that Application No. 2743-2 is proposing to use. Based on the distance between the wells and the relatively low diversion rate proposed by this application well interference is not expected to be measureable. Considering this diversion has been taking place for a number of years with no reported controversy, existing rights are not expected to be impacted.

CONCLUSIONS:

1. The Madison aquifer is a major regional aquifer and a viable source of water for this proposed appropriation.
2. This application proposes to appropriate 0.05 cubic feet of water per second.
3. There is a reasonable probability that unappropriated water is available in the Madison aquifer to supply this appropriation.
4. There is a reasonable probability this appropriation can be made without adversely impacting existing water rights including domestic users.
5. This appropriation will be limited only by an instantaneous diversion rate (0.04 cfs).



Ken Buhler
SD DENR-Water Rights Program

REFERENCES:

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- Strobel, M., Garrell, 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 Atlas HA-743, Scale 1:100,000
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- Water Rights Program, 2015b, Water Permit/Right Files, DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501
- Water Rights Program, 2015c, Well Completion Report Files, DENR-Water Rights Program, Joe Foss Building, Pierre, SD 57501
- Woodward Clyde Consultants, 1981, Well Field Hydrology Technical Report, for the ETSI Coal Slurry Pipeline Project, U.S. Dept. of the Interior, Bureau of Land Management

Affidavit of Publication

Dec. 30
L20970769

NOTICE OF APPLICATION

NO. 2743-2 to Appropriate Water
Notice is given that Rimrock
Ridge Water Association, c/o Je-
rome Button, 3849 S Loretta Drive,
Rapid City SD 57702 has filed an
application to increase the diver-
sion rate authorized by Water Per-
mit No. 2287-2. Water Permit No.
2287-3 authorizes 0.05 cubic feet of
water per second (cfs) from one
well completed into the Madison
Aquifer (320 feet deep) located in
the SW 1/4 NE 1/4 Section
18-T1N-R7E. An inspection of the
permit found the system capable
of diverting an additional 0.04 cfs
from the existing well. This appli-
cation, if approved, and Water
Permit No. 2287-2 will authorize a
total diversion rate of 0.09 cfs or 40
gallons per minute for use in a
water distribution system located
in portions of the N 1/2 Section
18-T1N-R7E.

Pursuant to SDCL 46-2A-2, the
Chief Engineer recommends AP-
PROVAL of Application No. 2743-2
with qualifications because 1) un-
appropriated water is available, 2)
existing rights will not be unlaw-
fully impaired, 3) it is a beneficial
use of water, and 4) it is in the pub-
lic interest. The Chief Engineer's
recommendation with qualifica-
tions, the application, and staff re-
port are available at
<http://denr.sd.gov/public> or con-
tact Eric Gronlund for this infor-
mation, or other information, at
the Water Rights Program ad-
dress provided below.

Any person interested in oppos-
ing or supporting this application
or recommendation must file a
written petition with BOTH the ap-
plicant 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 mail-
ing address is given above. A peti-
tion filed by either an interested
person or the applicant must be
filed by January 11, 2016.

The petition may be informal,
but must include a statement de-
scribing 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 peti-
tioner or the petitioner's legal
counsel, if legal counsel is ob-
tained.

If the applicant does not contest
the recommendation of the Chief
Engineer and no petition to oppose
the application is received, the
Chief Engineer shall act on the ap-
plication pursuant to the recom-
mendation with no hearing held
before the Water Management
Board. If a petition opposing the
application or contesting the rec-
ommendation is filed, then a hear-
ing 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.

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

(Published once at the total approximate
cost of \$67.76).

STATE OF SOUTH DAKOTA

County of Pennington

SS:

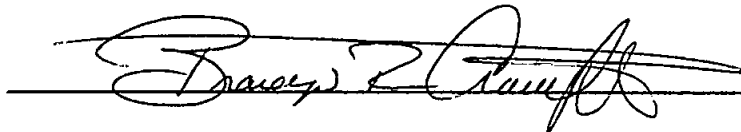
RECEIVED

JAN 11 2016

WATER RIGHTS
PROGRAM

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
30th day of January that the fees charged for
the publication there of are 67 dollars
and 76 cents.



Subscribed and sworn to before me this 1st
day of January, 2016.



Notary public

DUSTIN RICE

July 1, 2020

My commission expires



NOTARY PUBLIC
SOUTH DAKOTA



Schlaak, Karen

From: Schlaak, Karen
Sent: Monday, December 21, 2015 7:52 AM
To: Brandyn Crawford (Brandyn.Crawford@rapidcityjournal.com)
Subject: 2734-2, Rimrock Ridge Water Association
Attachments: 2743-2nov2015newpublic.short1.docx; FORM8.FRM.doc

Attached is a notice to be published on December 30, 2015

Rimrock Ridge Water Association, c/o Jerome Button, 3849 S Loretta Dr, Rapid City SD 57501 (605 343-3062) has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP.

Let me know if you have questions. Please acknowledge receipt of this email.

Merry Christmas!

Karen Schlaak
Water Rights Program
523 E Capitol Ave
Pierre SD 57501
Phone: 605 773-3352



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

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

December 18, 2015

Rimrock Ridge Water Association
Jerome Button
3849 S Loretta Drive
Rapid City SD 57702

Dear Mr. Button:

Water Permit Application No. 2743-2 for water distribution system 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 December 30, 2015. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2743-2 to Appropriate Water

Notice is given that Rimrock Ridge Water Association, c/o Jerome Button, 3849 S Loretta Drive, Rapid City SD 57702 has filed an application to increase the diversion rate authorized by Water Permit No. 2287-2. Water Permit No. 2287-3 authorizes 0.05 cubic feet of water per second (cfs) from one well completed into the Madison Aquifer (320 feet deep) located in the SW 1/4 NE 1/4 Section 18-T1N-R7E. An inspection of the permit found the system capable of diverting an additional 0.04 cfs from the existing well. This application, if approved, and Water Permit No. 2287-2 will authorize a total diversion rate of 0.09 cfs or 40 gallons per minute for use in a water distribution system located in portions of the N 1/2 Section 18-T1N-R7E.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2743-2 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

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 11, 2016.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. 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.

Steven M. Pirner, Secretary, Department of Environment and Natural Resources. Published once at the total approximate cost of_____.

SOUTH DAKOTA WATER WELL COMPLETION REPORT

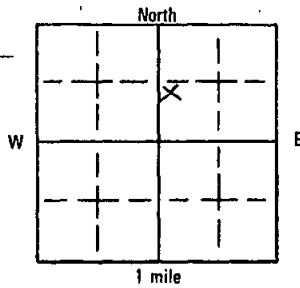
10-85

Location SW 1/4 NE 1/4 Sec 18 Twp 1 N Rg 7 E

County

Pennington

Please mark well location with an "X"

Well Completion Date Oct. 25, 1974

PROPOSED USE:

☒ Domestic ☐ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Air Rotary

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>15</u> LB/FT	<u>5 1/2</u> IN	<u>0</u> FT	<u>180</u> FT	<u>6 1/4</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 50 FEETWhat is grouting material? Cement

If cement, number of sacks? _____

Describe grouting procedure _____

What was grout weight? _____ LB/GAL

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

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? _____

Was well disinfected upon completion? ☒ YES ☐ NO

Explain _____

Bacteriological analysis ☐ YES ☒ NO

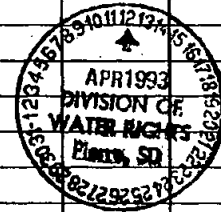
Laboratory sent to _____

Well Owner:

Name Rimrock Ridge EstatesAddress c/o Bud Nestor 3731 N. LorethaWell Log: Rapid City S.D. 5702 Depth

Formation

Formation	From	To
<u>Broken Limestone & gravel</u>	<u>0</u>	<u>20</u>
<u>White Limestone</u>	<u>20</u>	<u>30</u>
<u>Broken red & yellow Limestone</u>	<u>30</u>	<u>110</u>
<u>yellow & white Limestone</u>	<u>180</u>	<u>320</u>

STATIC WATER LEVEL 210 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other: specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped _____☐ Bailed Describe: Air Developed☒ Other _____

Pumping Level Below Land Surface

320 ft. After _____ Hrs. pumped 3.5 GPM280 ft. After _____ Hrs. pumped 20 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This log is being recorded in 1993 as owners are currently applying for a water use permit.

This well was drilled under license # 331

And this report is true and accurate.

Drilling firm Taylor Drilling

Signature of License Representative:

Ralph Taylor Jr.

Signature of Well Owner:

Date 4-8-93

Permit No. 2287-2
Upper Cheyenne River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have on this day, 6/7/2012 thorough examination of the water use system constructed by **Rimrock Ridge Water Association, 3731 North Loretta Drive, Rapid City, SD 57702**, holder of Permit No. 2287-2, bearing the priority date of June 7, 1993. Permit No. 2287-2 is authorized to appropriate a total of 0.05 cfs (25 gpm) from one groundwater well (Madison) for suburban housing purposes, in Pennington County.

Inspection contact and relationship to
permit holder, if applicable:

James Nestor (Owner)

A. Works used to divert the water:

Grundfos submersible pump 40 gpm.

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

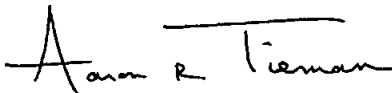
Pressure tank and underground distribution lines.

The system is in the following condition good. The points of diversion (wells) are located specifically at Lat/Lon – N44.049100/W-103.321985 which is the approximately 1465 feet south and 2500 feet west of the NE corner of Section 18, T1N-R7E. The works are capable of diverting 0.09 cfs which is to be used for suburban housing purposes. The license should be issued for 0.05 cfs.

All structures, wells and lands on map Y
Exceptions to compliance are: none.

Comments:

During the investigation it was found the pump installed in the well is capable of pumping 40 gpm which is more than what the permit authorizes (25 gpm).



Aaron Tieman
Natural Resources Engineer II
DENR, Water Rights Program

Date report completed: June 24, 2015

FIELD INVESTIGATION REPORT FOR PERMIT NO. 2287-2

DATE OF INVESTIGATION:	June 7, 2012
NAME & ADDRESS OF PERMIT HOLDER	Rimrock Ridge Water Association 3731 North Loretta Drive Rapid City, SD 57702
INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	James Nestor (Owner)
DIVERSION POINT LEGAL LOCATION	SW¼ NE¼ Section 18, T1N-R7E
WATER SUPPLY SOURCE	Ground water, Madison

Other permit(s) associated with the project:

WELL INFORMATION:

- 1) Well Drilling Firm: **Taylor**
- 2) No. of Wells **One**
- 3) Depth(s) **320** feet
- 4) Well log is available **Yes**
- 5) Comment:

Casing:

- 1) Diameter: **5½** inches
- 2) Length: **180** feet
- 3) Type: **Steel**

Screen:

- 1) Type: **Open Hole**
- 2) Length: feet
- 3) Static water level: **210** feet

Pump:

- 1) Make: **Grundfos**
- 2) Model: **40S50-15**
- 3) Capacity: **40** GPM

Motor:

- 1) Make: **Grundfos**
- 2) Model No.: **MS400**
- 3) Horsepower rating: **5** hp

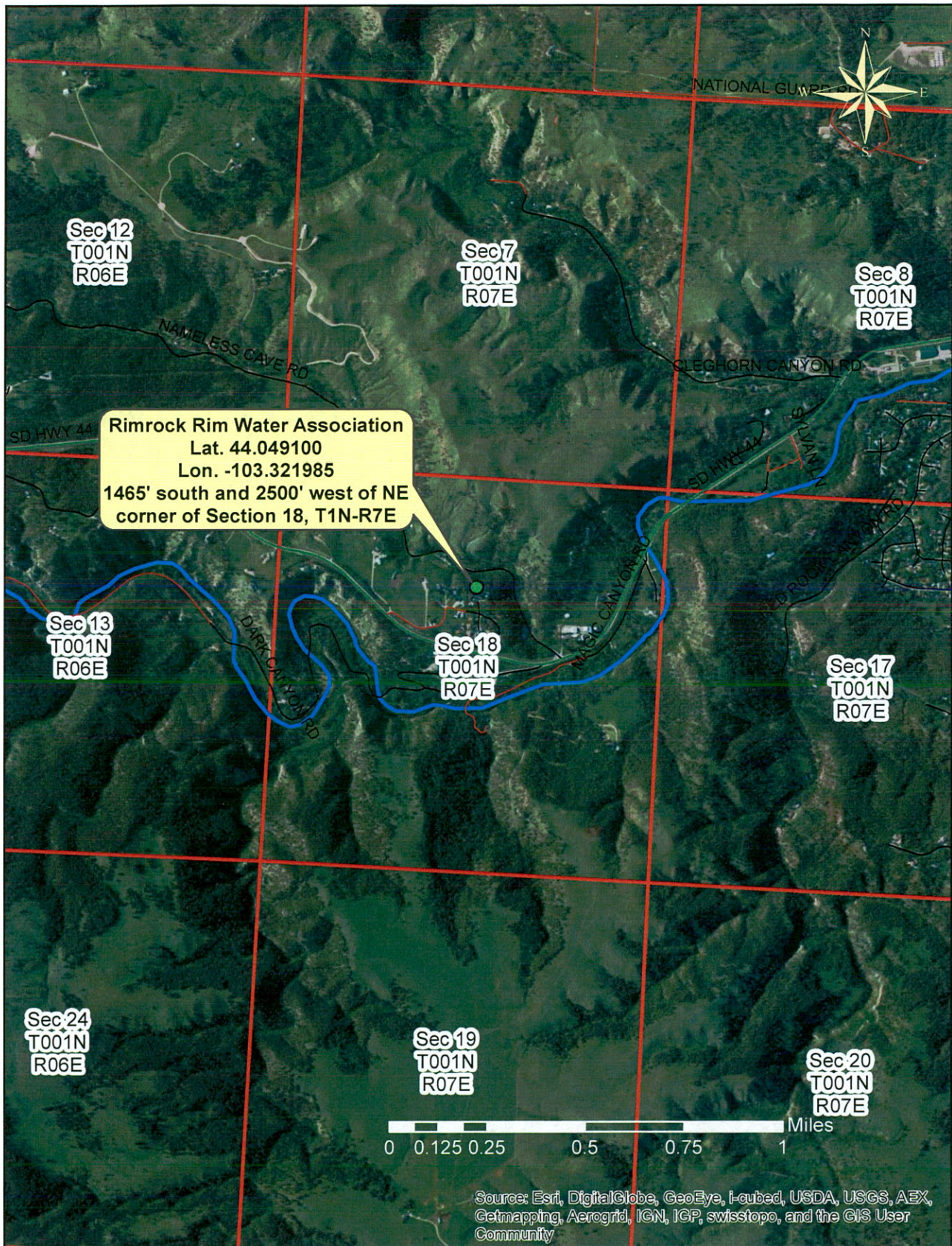
DISTRIBUTION LINES OR CANALS:

- 1) Type: **Underground distribution lines.**

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by **Yes**
- 2) All structures, wells and lands on map **Yes**

Water Right 2287-2
Rimrock Ridge Water Association
June 7, 2012



Aaron R. Tieman

Aaron Tieman
Natural Resources Engineer II
DENR Water Rights Program



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2743-2

(1) Rimrock Ridge Water Association, c/o James Keller, 3734 N Loretta Dr, Rapid City SD 57702 made Application No. 2743-2, November 9, 2015 for a water permit to divert an additional 0.04 cubic feet of water per second (cfs) from one well – Madison Aquifer, Pennington County, South Dakota for suburban housing development purposes. Existing Permit No. 2743-2, with a priority date of November 9, 2015 was approved January 11, 2016 and issued to the applicant for diversion of water with construction of the described water supply system and the application to beneficial use of water completed.

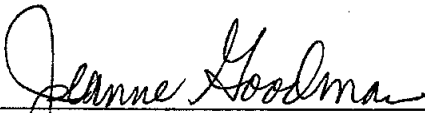
Water Permit No. 2287-2, with a priority date of June 7, 1993 authorized 0.05 cfs from one well. The applicable portions of No. 2287-2 are incorporated into No. 2743-2.

(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 Incorporated Water Right No. 2743-2 is issued a license, bearing priority dates of June 7, 1993 (0.05 cfs) and November 9, 2015 (0.04 cfs) to appropriate 0.09 cfs from one well – Madison Aquifer for suburban housing development purposes.

The diversion point is located: approximately 1,465 feet south and 2,500 feet west of the NE corner of Section 18-T1N-R7E (SW 1/4 NE 1/4). The water distribution system is located in portions of the N 1/2 Section 18-T1N-R7E.

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 2743-2 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 Permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Madison aquifer.



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

FEB 03 2016

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

2743-2

FEB 03 2016

Rimrock Ridge Water Association
c/o James Keller
3734 N Loretta Dr
Rapid City SD 57702

Dear Mr. Keller:

Enclosed are Water Permit and Water License No. 2743-2. These are the final water right documents completing your process of obtaining a Water Right. A map prepared by the staff engineer who conducted the investigation is also included.

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. 2743-2, 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 the association uses the water beneficially, as stated in the Water License, the State Water Laws provide that 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

Note: The applicable portions of No. 2287-2 are incorporated into Water License No. 2743-2.

enclosures