

WATER PERMIT NO. 2826-2

Name of Applicant: Andy Edsen

Address: 17734 Island Circle, Bennington NE 68007 Phone: 312 735-7119 **6**

Amount of Water Claimed: 0.033 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: intersection of US Hwy 385 and US Hwy 15 near Hill City

PRIORITY Date Received: 9-7-21 Application/License Fee: \$ 300

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

Remarks:

Diversion Point: SE 1/4 NW 1/4 Sec 22-T1S-R5E

Land to be Irrigated: NA

Depth of Well: 160 feet

Well Driller:

Remarks:

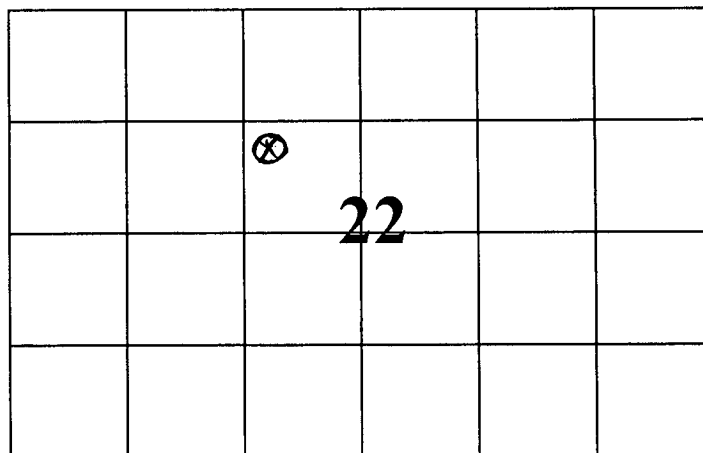
Type of Map: topo

Prepared by:

Reviewed and the Number Assigned on: 9-7-21

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



SOUTH DAKOTA
WATER PERMIT NO. 2826-2

Date of first receipt of application September 7, 2021.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2826-2 to Andy Edsen, 17734, Island Circle, Bennington NE 68007 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. 2826-2 appropriates 6 acre-feet of water annually at a maximum pump rate of 0.033 cubic feet of water per second from one well to be completed into the Crystalline Rock Aquifer (approximately 160 feet deep) located in the SE 1/4 NW 1/4 Section 22-T1S-R5E for commercial use at Three Forks Development. This site is located near the intersection of US Hwy 385 and US Hwy 16 east of Hill City SD.
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 from which applicant may claim right is September 7, 2021.
5. The date of approval of Permit No. 2826-2 is November 22, 2021.
6. One-fifth of the construction is to be completed on or before May 22, 2024.
7. All construction is to be completed on or before November 22, 2026.
8. Water is to be put to beneficial use on or before November 22, 2030.
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 Water Permit No. 2826-2 is located near domestic wells and other wells which may obtain water from the same aquifer. Water withdrawals under this Permit shall be controlled 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. 2826-2 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. The permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Crystalline Rock aquifer.
4. Water Permit No. 2826-2 authorizes a total annual diversion of up to 6.0 acre-feet of water.

WATER MANAGEMENT BOARD

By: Eric Gronlund
Eric Gronlund, Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

NOV 30 2021
date



SEP 07 2021

PAID

SEP 7 2021

Ck# 1015

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	(office use only)	
	No. <u>2826-2</u>	Hydrologic Unit <u>10120109</u>
	WATER RIGHTS PROGRAM	
	Basin <u>Upper Cheyenne</u>	Newspaper <u>Rapid City Journal</u>

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

Check use(s) of water:

☐ Municipal	☐ Water Distribution System	☐ Recreational	☐ Institutional
☐ Rural Water System	☒ Commercial	☐ Fish & Wildlife	☐ Geothermal
☐ 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.)

1. Name to Appear on Water Permit Andy Edsen

Mailing Address 17734 Island Circle Bennington NE 68007
 (Address) (City) (State) (Zip Code)

Phone 312-735-7110 Mobile _____ Email andy.edsen@kiewit.com

2. Amount of water claimed 0.033 *CFS or 15 **GPM and 6 ***AF or _____ Gallons
 Flow rate and volume are both required. (*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use)

3. Source of water supply Precambrian Formation

4. Location of point of diversion NW 1/4, Section 22, T1S-R5E (SE 1/4 NW 1/4) 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 ☒ No

If "Yes," where will water be used? _____

(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 Jan. 1 to 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)

The proposed water well is to supply water for the Three Forks Development located in Pennington County near the intersection of US Route 385 and US Route 16. The project consists of a commercial events center which will be served by the single water well.

I, Andy Edsen, the applicant, certify under
 Name of Person Title (if applicable)

penalty of perjury that I have read this application, examined the attached map, and that the matters stated are true. I further certify, if acting on behalf of an entity or individual other than myself, that I am authorized to submit this application.

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 1 Have test holes been drilled ☐ Yes ☒ No Drilled by _____
(if yes, please provide copies of logs)

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

For either Existing or Proposed Wells:

c) Well Depth (required) 160 ft Depth to Top of Water Bearing Material 45 ft Depth to Water from Surface 20 ft

d) Distance to nearest domestic well on applicant's property _____ Property owned by others 1,300 ft

2. Wastewater Disposal System Information

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

b) System Capacity (gallons) 2,000 gal Year Constructed 2022

c) Connected to the City of NA Sanitary System

3. Dugout Information

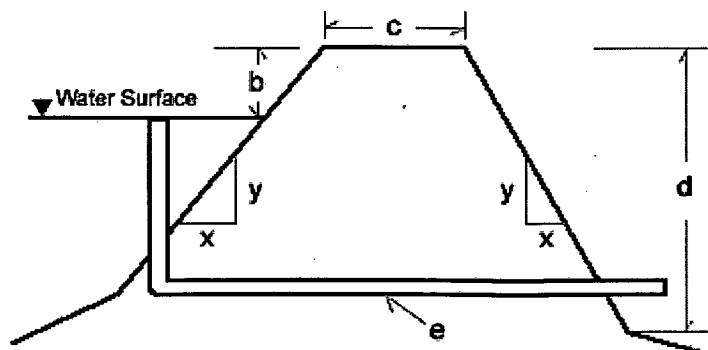
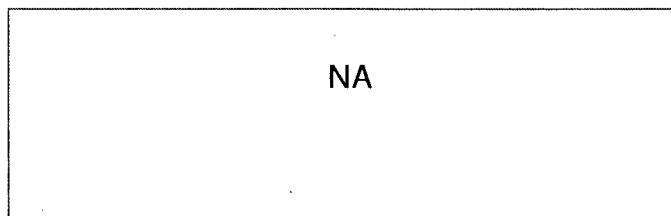
a) Surface Dimensions NA Depth NA

b) Depth to water (ground surface to water level) NA

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 NA

c) Crest Width NA

Crest Length NA

d) Height NA

e) Primary Outlet Capacity NA

If pipe, diameter NA

f) Secondary Spillway Capacity NA

Spillway Width NA

g) X & Y Slope (e.g. 3 to 1 is a typical slope)

Upstream NA

Downstream NA

h) Surface Area of Impoundment NA

i) Storage NA Acre Feet

j) Drainage Area Above Dam NA Acres

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date September 7, 2021

RECEIVED OF Andy Edsen 17734 Island Circle Bennington NE 68007

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

Fee for Application for Permit No. <u>2826-2</u> to Appropriate Water, to construct and to put water to beneficial use	\$ <u>100.00</u>
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>2826-2</u>	\$ <u>200.00</u>
Fee for Filing Transfer Form _____	\$ _____
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	\$ <u>300.00</u>

By Eric Gronlund
Chief Engineer
vm

Water Rights Program - DANR

Conversation File Documentation

NAME OF PERSON OR FILE: Andy Edsen

ADDRESS: 17734 Island Circle, Bennington NE 68007

COUNTY: Pennington

DATE: November 1, 2021 **TELEPHONE:** 312-735-7110

Nakaila Steen called Andy Edsen on November 1, 2021 to verify the owners of Three Forks Development, and Three Forks Campground. Andy Edsen is the applicant for Water Permit Application No. 2826-3 and the nearest water rights/permits to the applicant are held by Daisey Enterprises for Three Forks Campground.

Mr. Edsen clarified the two businesses are held by different owners.

The phone conversation concluded with Nakaila Steen indicating the review of the application is nearing completion, and the analysis will be finalized by Friday, November 5, 2021, which was noted as the 60-day deadline.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2826-2, Andy Edsen**

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. 2826-2, Andy Edsen, 17734 Island Circle, Bennington NE 68007.

The Chief Engineer is recommending APPROVAL of Application No. 2826-2 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 domestic water uses and water rights, 3) the proposed use is a beneficial use and 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board with the following qualifications:

1. The well approved under Water Permit No. 2826-2 is located near domestic wells and other wells which may obtain water from the same aquifer. Water withdrawals under this Permit shall be controlled 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. 2826-2 shall be constructed by a licensed well driller and construction of the well and installation of the pump shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) pursuant to Section 74:02:04:28.
3. The permit holder shall report to the Chief Engineer annually the amount of water withdrawn from the Crystalline Rock aquifer.
4. Water Permit No. 2826-2 authorizes a total annual diversion of up to 6.0 acre-feet of water.

See report on application for additional information.

Eric Gronlund, Chief Engineer
November 2, 2021

Report to the Chief Engineer

On Water Permit Application No. 2826-2

Andy Edsen

November 2, 2021

Water Permit Application No. 2826-2 proposes to appropriate up to 6 acre-feet of water annually at a maximum instantaneous diversion rate of 0.033 cubic feet per second (cfs) from one well to be completed into the Crystalline Rock aquifer (approximately 160 feet deep) and located in the SE ¼ NW ¼ of Section 22-T1S-R5E for commercial use at Three Forks Development. The site is located in Pennington County near the intersection of US Hwy 385 and US Hwy 16, approximately two miles east of Hill City, South Dakota.

AQUIFER: Crystalline Rock (CRSL)

HYDROGEOLOGY:

The Crystalline Rock aquifer consists of localized aquifers within the Precambrian-aged, crystalline core of the Black Hills, where extensive fractures and weathering zones allow for the transmission of water (Driscoll and Carter, 2001). The crystalline rock is generally exposed at land surface except where overlain by localized gravel deposits and alluvium along stream beds and top soil (Martin et al., 2004; Redden and Uzunlar, 2017). The crystalline rocks that comprise the aquifer have very low primary porosity, so water movement in the aquifer is controlled by secondary porosity, where groundwater flow is through fractures and faults (Rahn, 1979). The interconnected nature of secondary porosity is highly variable and unpredictable; therefore, local aquifer characteristics are site specific. The Crystalline Rock aquifer is estimated to have an outcrop area of 574,000 acres (Rahn, 1979). Rahn (1979) estimated the effective porosity of the Crystalline Rock aquifer to be one percent of the outcrop area, while assuming groundwater is only recoverable in fractures and joints that typically only occur within a depth of 500 feet of ground surface, resulting in an estimated 2,900,000 acre-feet of recoverable water in storage for the Crystalline Rock aquifer in western South Dakota. Driscoll and Carter (2001) estimated the outcrop of the “Localized aquifers in the crystalline core area (Precambrian/Tertiary/Other)” to be approximately 616,800 acres.

The geology underlying the general location of the proposed diversion point for Water Permit Application No. 2826-2 consists primarily of Metagraywacke (siliceous mica schist with impure quartz) and Metabasalt (a mixture of alkalic basalt, greenstone, and actinolite schist) crystalline rock, with an interflow unit of graphitic (carbon-rich) schist (Martin et al., 2004; Redden & Uzunlar, 2017).

Due to the unpredictable nature of secondary porosity, and the very low primary porosity of crystalline rock, it is very difficult to determine if the aquifer is confined or unconfined at a specific site. Depending on exactly what depth the secondary porosity was encountered in the well bore and the water level in the well compared to the secondary porosity features, the well

may change from acting as a confined well to an unconfined well at various water levels that are not comparable to adjacent wells completed into the same aquifer.

No water well or test hole completion report was submitted with Water Permit Application No. 2826-2. Well completion reports on file with the DANR-Water Rights Program for wells completed into the Crystalline Rock aquifer within approximately 0.5 miles of the proposed diversion point for this application have well depths ranging from approximately 60 to 460 feet below the ground surface, and static water levels at well completion varying from approximately 15 to 120 feet below the ground surface (Water Rights, 2021c).

Figure 1 displays the location of the proposed diversion point with the nearby water rights/permits completed into the Crystalline Rock aquifer and significant local faults (modified from Redden and Uzunlar, 2017). Table 1 lists the water rights/permits as displayed in Figure 1. It is highly likely the localized portion of the Crystalline Rock aquifer this application proposes to use is limited by these mapped faults and other geological features (such as, synclines and anticlines). Furthermore, the actual areal extent of the localized aquifer is likely even further limited by localized secondary porosity.

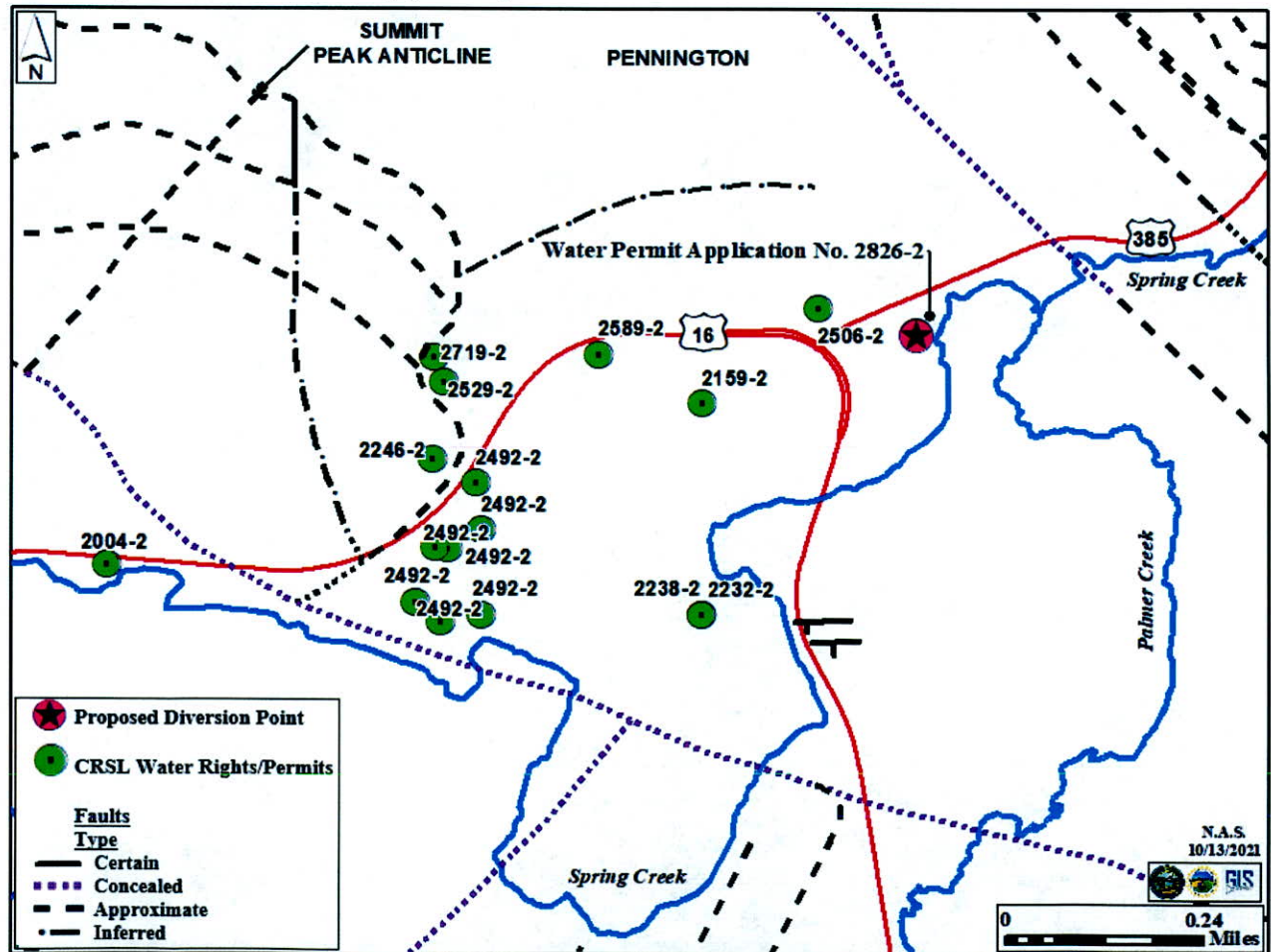


Figure 1. Location of proposed diversion point for Water Permit Application No. 2826-2 with the Crystalline Rock aquifer water rights/permits within approximately one mile of the proposed diversion point (Water Rights, 2021b), and fault locations (modified from Redden and Uzunlar, 2017)

Table 1. Water rights/permits authorized to appropriate water from the Crystalline Rock aquifer within approximately one mile of the proposed diversion point, as shown in Figure 1 (Water Rights, 2021b)

Permit No.	Name	Status	Use	Authorized Diversion Rate (cfs)
2004-2	Gustave A Orloske	LC	COM	0.02
2159-2	Daisey Enterprise LLC	LC	COM	0.07
2232-2	Mountain View Lodge	LC	COM	0.034
2238-2	Larry & Karen Moore	LC	COM, DOM	0.022
2246-2	Gordon W Collins	LC	COM	0.022
2492-2	Rushmore Forest Products	LC	IND, DOM	0.52
2506-2	Daisey Enterprise LLC	LC	COM	0.01
2529-2	Prairie Berry LLC	LC	COM	0.056
2589-2	Rolland & Dawnette Owens	LC	COM	0.022
2719-2	Prairie Berry LLC	LC	COM	0.06
LC: Licensed Water Right; COM: Commercial; DOM: Domestic; IND: Industrial				

South Dakota Codified Law (SDCL) 46-2A-9

Pursuant to SDCL 46-2A-9, “A permit to appropriate water may be issued only if there is a reasonable probability that there is unappropriated water available for the applicant’s proposed use, that the diversion point can be developed without unlawful impairment of existing domestic water uses and water rights, and that the proposed use is a beneficial use and in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board as defined by SDCL 46-2-9 and 46-2-11.” This report will address the availability of unappropriated water and the potential for unlawful impairment of existing domestic water uses and water rights within the Crystalline Rock aquifer.

WATER AVAILABILITY:

Water Permit Application No. 2826-2 proposes to appropriate water from a localized Crystalline Rock aquifer. The probability of unappropriated water being available from the aquifer can be evaluated by considering SDCL 46-6-3.1, which requires “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 Crystalline Rock aquifer is older than and stratigraphically lower than the Greenhorn Formation (Fahrenbach et al., 2010); however, the applicant’s proposed use is not for use in a water distribution system as defined by SDCL 46-1-6(17). Therefore, the average annual recharge and average annual withdrawal rates to and from the Crystalline Rock aquifer must be considered.

HYDROLOGIC BUDGET:

Recharge

Recharge to the Crystalline Rock aquifer is through the infiltration of precipitation and streamflow losses (likely to Spring Creek at the proposed diversion point) (Driscoll and Carter, 2001). Driscoll and Carter (2001) estimated the average recharge rate, over the water years 1950 to 1998, to the Crystalline Rock aquifer in its entirety within the core of the Black Hills, must be at least equal to the average withdrawal rate of 3,600 acre-feet per year. Driscoll and Carter (2001) further concluded that the recharge to the Crystalline Rock aquifer must be much larger than the estimated 3,600 acre-feet per year to account for discharge to streams. Driscoll and Carter (2001) stated, in regard to the Crystalline Rock aquifer, "Recharge conditions are highly transient and have large spatial variability; thus, quantification is not attempted." While looking at faults and other significant geological features may allow for some limiting of the areal extent, there is not sufficient data available to attempt a delineation of the localized Crystalline Rock aquifer at the proposed diversion point with any level of certainty. Furthermore, the spatial variability and transient nature of the recharge means that even if there was a delineation for this Crystalline Rock aquifer at the applicant's proposed location, simply applying the 3,600 acre-feet per year equally over the entirety of the aquifer is inappropriate. However, by utilizing Driscoll and Carter's (2001) estimated recharge rate of 3,600 acre-feet per year, or 0.07 inches per year, for the Crystalline Rock aquifer, a general sense of the minimum average annual recharge rate is provided. It must be emphasized that, due to the transient and variable nature of the recharge conditions, this number is not necessarily reliable. Furthermore, Driscoll and Carter (2001) noted that average annual recharge rate must be much greater to account for losses from the Crystalline Rock aquifer to streamflow. Overall, there is no estimated average annual recharge rate available for the localized Crystalline Rock aquifer the applicant proposes to use.

Carter and Driscoll (2001) also estimated average annual yield potential. The average annual yield potential is essentially how much precipitation is left after subtracting evapotranspiration. Carter and Driscoll (2001) utilized a recharge factor to estimate how much of the annual yield could infiltrate and recharge a bedrock aquifer in the Black Hills, such as the Madison and Minnelusa aquifers. However, Carter and Driscoll (2001) did not estimate a recharge factor for the crystalline core of the Black Hills because the localized Crystalline Rock aquifers are not extensive regional aquifers and are highly variable in nature. Figure 2 displays a map of the estimated annual yield potential from Carter and Driscoll's (2001) report with the location of the proposed diversion point. The Crystalline Rock aquifer near the applicant's proposed diversion point has an estimated average annual yield potential ranging between 1 to 2 inches per year (Driscoll and Carter, 2001). Average annual yield potential is not appropriate to use as a recharge rate for the Crystalline Rock aquifer, but it does provide a general sense of an upper limit on a possible recharge rate.

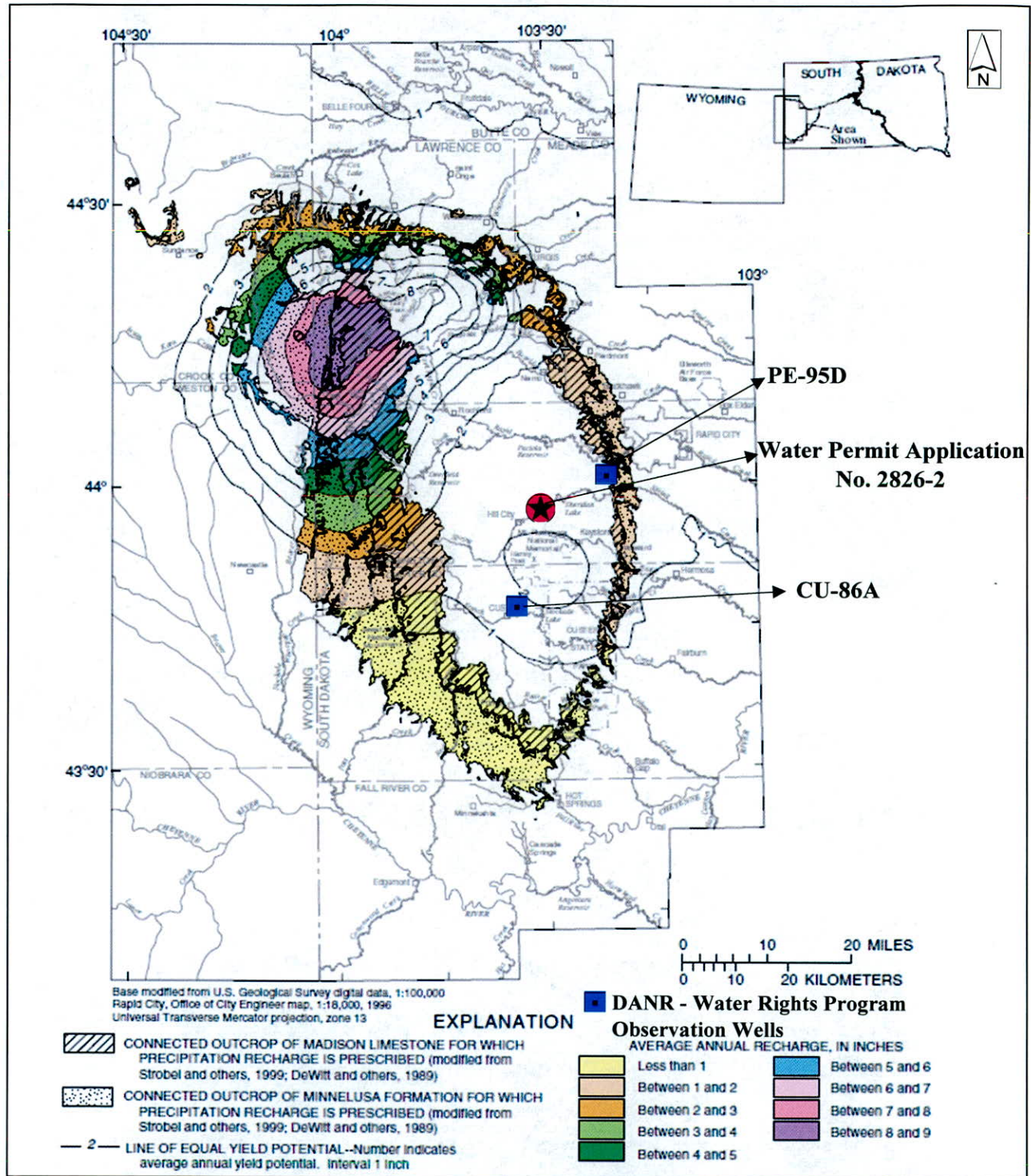


Figure 2. Estimated annual yield potential for the Black Hills in South Dakota and Wyoming for water years 1950 to 1998 (modified from Driscoll and Carter, 2001), with the location of the proposed diversion point for Water Permit Application No. 2826-2, and the Crystalline Rock aquifer observation wells (Water Rights, 2021a)

Discharge

Discharge from the Crystalline Rock aquifer is primarily through well withdrawals (Water Rights, 2021b and 2021c), seepage to streams (likely to Spring Creek at the proposed diversion point) (Driscoll and Carter, 2001), and evapotranspiration where the static water level of the aquifer is at or near the ground surface.

As seen in Figure 1, the proposed diversion point, along with Water Right Nos. 2506-2, 2159-2, 2589-2, 2232-2, 2238-2, 2492-2, 2529-2, and 2719-2, are separated from other nearby water rights by several faults (Redden and Uzunlar, 2017; Water Rights, 2021b). Therefore, the average annual withdrawal rate will only be estimated for these water rights and Water Permit Application No. 2826-2 (if approved) in this analysis.

Table 2 summarizes the water rights/permits authorized to appropriate water from the localized Crystalline Rock aquifer within the same region bounded by faults as the proposed diversion point, with the estimated annual use for each water right/permit as determined by their limiting diversion rate or annual volume. Historically, average water use by non-irrigation appropriations limited by an instantaneous diversion rate has been less than 60% of full time pumping at the respective permitted diversion rate, and water rights/permit limited by an annual volume are assumed to use up to the annual volume limitation. This is a standard method used by the DANR-Water Rights Program for estimating annual withdrawals from an aquifer (Water Rights, 2021b). Overall, the average annual withdrawal rate for the water rights within the same faults as the proposed diversion point, plus the estimated use for Water Permit Application No. 2826-2 (if approved), is estimated to be less than 351 acre-feet per year.

It is worth noting, Rushmore Forest Products, who is the entity that holds Water Right No. 2492-2, ceased operation in the Spring of 2021 (Staff KOTA, 2021). Pursuant to SDCL 46-5-37, "If any person entitled to the use of appropriated water fails to use beneficially any part of the water for the purpose for which it was appropriated, for a period of three years, the unused water shall revert to the public and shall be regarded as unappropriated public water." Although Water Right No. 2492-2 is within the three-year forfeiture period, it is still a current water right on file with the DANR-Water Rights Program (Water Rights, 2021b); therefore, the usage for this water right will still be considered in the event the operation reopens in the near future.

Table 2. Estimated average annual water use for the water rights authorized to withdraw water from the localized Crystalline Rock aquifer within the same faults as the proposed diversion point, with estimated use for Water Permit Application No. 2826-2 (if approved) (Water Rights, 2021b)

Permit No.	Name	Status	Use	Authorized Diversion Rate (cfs)	Authorized Volume (acre-feet)	Estimated Use (acre-feet/year)
2159-2	Daisey Enterprise LLC	LC	COM	0.07		30.4
2232-2	Mountain View Lodge	LC	COM	0.034		14.8
2238-2	Larry & Karen Moore	LC	COM, DOM	0.022		9.6
2492-2	Rushmore Forest Products	LC	IND, DOM	0.52		225.9
2506-2	Daisey Enterprise LLC	LC	COM	0.01		4.3
2529-2	Prairie Berry LLC	LC	COM	0.056		24.3
2589-2	Rolland & Dawnette Owens	LC	COM	0.022		9.6
2719-2	Prairie Berry LLC	LC	COM	0.06		26.1
2826-2	Andy Edsen (<i>if approved</i>)	pending	COM	0.033	6	6
LC: Licensed Water Right; COM: Commercial; DOM: Domestic; IND: Industrial					TOTAL:	351

There are a number of domestic wells completed into the Crystalline Rock aquifer within the area of the proposed diversion point that do not require a water right/permit, so the withdrawal amount from those wells is unknown (Water Rights, 2021c). There could potentially be other domestic wells completed into the Crystalline Rock aquifer near the proposed diversion point that are not on file with the DANR-Water Rights Program. As noted earlier in the report, it is difficult to determine the areal extent of the localized Crystalline Rock aquifer due to the unpredictable nature of secondary porosity, therefore it is difficult to determine exactly how large a component of the hydrologic budget domestic use may represent.

Hydrologic Budget Summary

There is no estimated average annual recharge rate available for the localized Crystalline Rock aquifer. However, to provide a general sense of minimum and maximum recharge to the aquifer, Driscoll and Carter (2001) estimated a minimum recharge rate of 3,600 acre-feet per year, or 0.07 inches per year. It must be emphasized that, due to the transient and variable nature of the recharge conditions, this number is not necessarily reliable. Additionally, the average annual recharge rate must be much greater to account for losses from the Crystalline Rock aquifer to streamflow (Driscoll and Carter, 2001). Utilizing average annual yield potential, Driscoll and Carter (2001) provided a general sense of an upper limit on a possible recharge rate to the Crystalline Rock aquifer ranging between 1 to 2 inches per year.

The average annual withdrawal rate for the water rights within the same faults as the proposed diversion point, plus the estimated use for Water Permit Application No. 2826-2 (if approved), is approximately 351 acre-feet per year.

OBSERVATION WELL DATA:

Administrative Rule of South Dakota (ARSD) 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 of the aquifer.

Observation wells provide data on how the aquifer reacts to regional climatic conditions and local pumping. The DANR-Water Rights Program monitors two observation wells that have been historically considered as completed into the Crystalline Rock aquifer in western South Dakota (Water Rights, 2021a). These observation wells are PE-95D (approximately 9 miles northeast of proposed diversion point) and CU-86A (approximately 13 miles southwest of proposed diversion point) (Water Rights, 2021a). Kilts (2018) determined that observation well PE-95D is open to both the Deadwood Formation and the Crystalline Rock, so it is uncertain how representative observation well PE-95D is of either the Deadwood or Crystalline Rock aquifer. Therefore, only observation well CU-86A will be used in this analysis. The hydrograph for observation well CU-86A is displayed in Figure 3 (Water Rights, 2021a). The data points utilized to construct the hydrographs are measurements of the static water level in the observation well from the top of the well casing.

The hydrograph for the localized Crystalline Rock aquifer indicates that the aquifer responds well to climatic conditions because water levels are rising during wetter periods (early spring snowmelt and precipitation) and declining to a stable water level during drier periods. Over the period of record, the water levels displayed on the hydrograph for observation well CU-86A have fluctuated approximately 45 feet in response to climatic conditions (Water Rights, 2021b). An examination of the hydrograph shows that any effects caused by pumping on the water levels of CU-86A are masked by climatic conditions indicating that changes in water levels are governed by natural conditions, that is to say recharge to and natural discharge from the aquifer. Both recharge to and natural discharge from an aquifer can be captured for pumping. Although observation well CU-86A is located approximately 13 miles southwest of the proposed diversion point, the hydrograph still provides proof of recharge to the Crystalline Rock aquifer over the period of record.

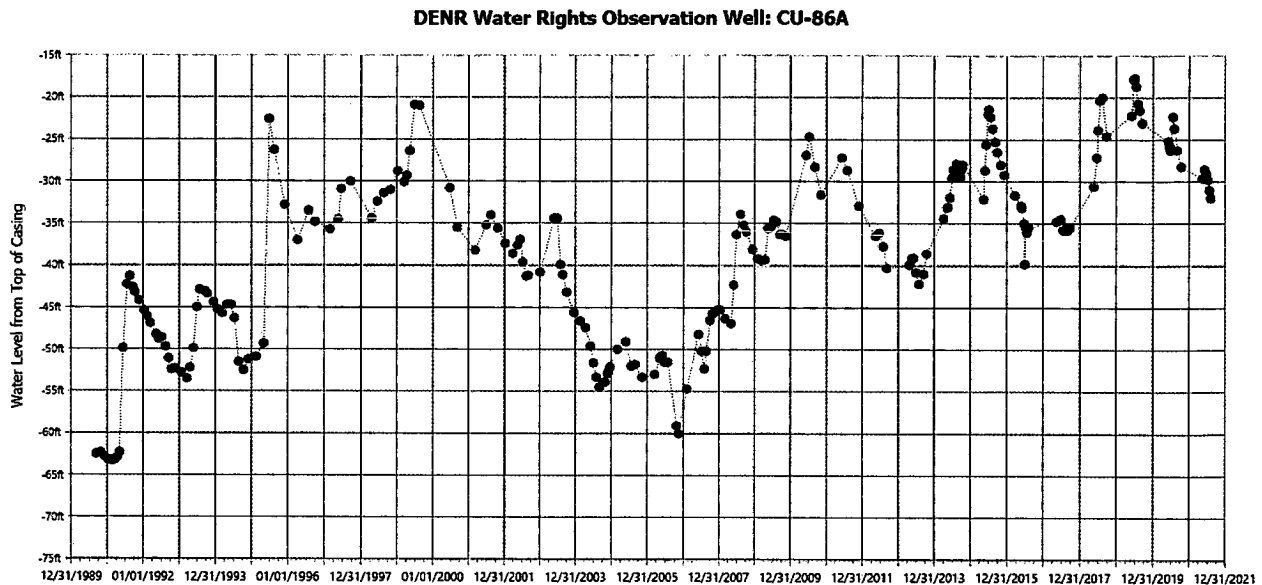


Figure 3. Hydrograph for observation well CU-86A (Water Rights, 2021a)

Driscoll and Carter (2001) stated that recharge to the Crystalline Rock aquifer must be much greater than the estimated 3,600 acre-feet per year to account for the groundwater discharge that contributes to the base flow to many streams and this statement is supported by the hydrograph for observation well CU-86A (Figure 3), which displays the water level generally rising over its period of record despite increased development of the localized aquifer in the area of the observation well.

When considering the hydrograph for observation well CU-86A, Driscoll's and Carter's (2001) commentary regarding recharge to the Crystalline Rock aquifer, and the relatively small annual appropriation requested by this application, there is a reasonable probability unappropriated water is available for this proposed appropriation.

POTENTIAL FOR UNLAWFUL IMPAIRMENT OF EXISTING WATER RIGHTS:

The nearest (within approximately 0.25 miles) appropriative water users to the proposed diversion point are Water Right Nos. 2506-2 and 2159-2, which are held for commercial use at Three Forks Campground (Figure 1) (Water Rights, 2021b).

There are domestic wells on file with the DANR-Water Rights Program that are completed into the Crystalline Rock aquifer, with the closest domestic well on file (not held by the applicant) approximately 0.1 miles northeast of the proposed diversion point (Water Rights, 2021c). There could potentially be other domestic wells completed into the Crystalline Rock aquifer near the proposed diversion point that are not on file with the DANR-Water Rights Program.

In Pennington County, there has been one complaint submitted to the DANR-Water Rights Program regarding potential well interference for wells completed into the Crystalline Rock aquifer (Water Rights, 2021d). The complaint involved Water Right No. 2572-2, held by Sheridan Lake Highlands HOA, during the initial development of the permit. In October of 2006, the Chief Engineer limited Water Right No. 2572-2 to a maximum diversion rate of 18 gallons

per minute, also known as the limit for reasonable domestic use detailed in ARSD 74:02:01:01(7) (Water Rights, 2021b and 2021d). The permit holder reported to the Water Rights Program that the issue was resolved sometime before January of 2009 (Water Rights, 2021d). The diversion points authorized under Water Right No. 2572-2 are located approximately 7.4 miles northeast of the proposed diversion point (Water Rights, 2021b and 2021d). There have been no other complaints submitted to the DANR-Water Rights Program regarding well interference for adequate wells completed into the Crystalline Rock aquifer within Pennington County (Water Rights, 2021d). Additionally, in Custer County, there are no complaints on file with the DANR-Water Rights Program regarding well interference for adequate wells completed into the Crystalline Rock aquifer (Water Rights, 2021d).

In May of 2021, the Chief Engineer received a complaint regarding a number of entities near Rockerville, South Dakota (Pennington County) that were suspected of using water without proper permitting. Since then, the entities mentioned in this complaint have obtained or shown the proper permitting necessary for their respective water withdrawals (Mathiowetz, 2021a and 2021b; Water Rights, 2021c).

The development of both appropriative and domestic users' wells completed into the Crystalline Rock aquifer has continued with minimal history of well interference complaints in Pennington County. Water Permit Application No. 2826-2 is requesting a relatively limited diversion rate, appropriation volume, and the Crystalline Rock aquifer has large natural fluctuations of water levels that often mask or exceed drawdown caused by well pumping. Therefore, there is a reasonable probability this application can be developed without unlawful impairment of existing water right/permit holders or domestic users with adequate wells (Water Rights, 2021b, 2021c, and 2021d).

An adequate well as defined in ARSD 74:02:04:20(6):

“A well constructed or rehabilitated to allow various withdrawal methods to be used, to allow the inlet to the pump to be placed not less than 20 feet into the saturated aquifer or formation material when the well is constructed, or to allow the pump to be placed as near to the bottom of the aquifer as is practical if the aquifer thickness is less than 20 feet.”

The Water Management Board recognizes that putting water to beneficial use requires a certain amount of drawdown to occur. The Board has developed rules to allow water to be placed to maximum beneficial use without the necessity of maintaining artesian head pressure for domestic use. The Water Management Board defined an “adversely impacted domestic well” in ARSD 74:02:04:20(7) as:

“A well in which the pump intake was set at least 20 feet below the top of the aquifer at the time of construction or, if the aquifer is less than 20 feet thick, is as near to the bottom of the aquifer as is practical and the water level of the aquifer has declined to a level that the pump will no longer deliver sufficient water for the well owner's needs.”

Due to the very low primary porosity of the Crystalline Rock aquifer, and the highly variable and uneven nature of secondary porosity, 20 feet of saturated thickness for a pump to be placed may not be sufficient for a dependable water supply. Without conducting an aquifer performance test, the precise drawdown effects caused by pumping a well cannot be determined. Over the period of record, the water levels seen on the hydrograph for observation well CU-86A (Figure 3) have fluctuated approximately 45 feet due to climatic conditions. Pump depth requirements for a well are detailed in ARSD 74:02:04:60(2), which states in part, "The depth of the pump setting shall be determined by dividing the specific capacity into the required yield and adding at least 10 additional feet to maintain pump inlet submergence below the maximum anticipated drawdown, where possible."

There is a reasonable probability unappropriated water is available for this proposed appropriation because:

- Continued development of the Crystalline Rock aquifer has occurred without a significant history of well interference complaints (Water Rights, 2021d);
- The hydrograph for observation well CU-86A (Figure 3) showing natural fluctuations in water levels over the period of record (Water Rights, 2021a), along with Driscoll's and Carter's (2001) commentary, indicate recharge occurs to the Crystalline Rock aquifer;
- Adequate domestic wells are protected under South Dakota Codified Water Law; and
- Water Permit Application No. 2826-2 seeks to appropriate a relatively small annual volume of water.

If this application is approved, a qualification requiring the applicant to control their water withdrawals, so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights, should be included.

CONCLUSIONS:

1. Water Permit Application No. 2826-2 proposes to appropriate up to 6 acre-feet of water annually at a maximum instantaneous diversion rate of 0.033 cfs from one well to be completed into the Crystalline Rock aquifer (approximately 160 feet deep) for commercial use at Three Forks Development. The site is located in Pennington County near the intersection of US Hwy 385 and US Hwy 16, approximately two miles east of Hill City, South Dakota.
2. Based on observation well data and the hydrologic budget, there is a reasonable probability that unappropriated water is available from the Crystalline Rock aquifer to supply the proposed appropriation.

3. There is a reasonable probability that the proposed diversion by Water Permit Application No. 2826-2 will not unlawfully impair adequate wells for existing water rights/permits and domestic users.
4. If this application is approved, a qualification requiring the applicant to control their water withdrawals, so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights, should be included.



Nakaila Steen
Natural Resources Engineer I
SD DANR - Water Rights Program

Reviewed by:



Adam Mathiowetz, PE
Natural Resources Engineer IV
SD DANR - Water Rights Program

References

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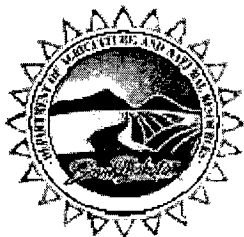
Schlaak, Karen

From: Schlaak, Karen
Sent: Wednesday, November 3, 2021 10:04 AM
To: andy.edsen@kiewit.com
Subject: Water Permit Application No. 2826-2
Attachments: 2148.pdf

Attached is a copy of the report, chief engineer recommendation and information regarding the public notice for your water permit application. As stated in the letter, please contact the paper as soon as possible to authorize publication and arrange for payment. This information is being mailed to you today.

Karen Schlaak

DANR - Water Rights Program
(605) 773-3352
Website: <https://danr.sd.gov>



*** Proof of Publication ***

STATE OF SOUTH DAKOTA)

County of Pennington)

SS:

S.D. DEPT. OF AGRICULTURE
AGRICULTURAL SERVICES
523 E. CAPITOL AVE.
PIERRE SD 57501

RECEIVED

NOV 15 2021

WATER RIGHTS
PROGRAM

ORDER NUMBER 38489

The undersigned, being duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, a clerk of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, 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 for at least one year prior to the first date of the published notice.

This affidavit is a true and corrected copy of notice which appeared

in said newspaper once each day for 1

successive day, the first publication there of being on the

11 day of November, 2021

Section: Legal

Category: 0072 Public Notices

PUBLISHED ON: 11/11/2021

TOTAL AD COST: 69.69

FILED ON: 11/11/2021

Subscribed and sworn to before me this

11 day of November, 2021

Karisa Carmichael Notary Public

My commission expires

May 18, 2027

Nov 11 L38489

NOTICE OF APPLICATION NO. 2826-2 to Appropriate Water

Notice is given that Andy Edsen, 17734 Island Circle, Bennington NE 68007 has filed an application for a water permit to appropriate 6 acre-feet of water annually at a maximum pump rate of 0.033 cubic feet of water per second from one well to be completed into the Crystalline Rock Aquifer (approximately 160 feet deep) located in the SE 1/4 NW 1/4 Section 22-T1S-R5E for commercial use at Three Forks Development. This site is located near the intersection of US Hwy 385 and US Hwy 16 east of Hill City SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2826-2 with qualifications because 1) unappropriated water is available, 2) existing domestic water uses and water rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest as it pertains to matters within the regulatory authority of the Water Management Board. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Ron Duvall for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing this application or recommendation shall allege that the application, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the application, or other matter concerning the application within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition to oppose the application with BOTH the applicant and Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The Chief Engineer's address is "Water

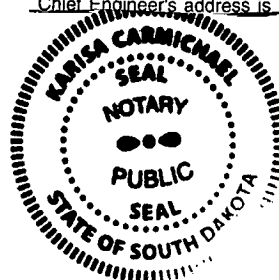
Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501" or call (605) 773-3352. The applicant's mailing address is given above. If contesting the Chief Engineer's recommendation, the applicant shall also file a petition. A petition filed by either an interested person or the applicant must be filed by November 22, 2021.

The petition shall include a statement describing the unique injury upon approval of the application on the petitioner, the petitioner's reasons for opposing the application, and the name and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by November 22, 2021.

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.

(Published one time at the approximate cost of \$69.69)



Schlaak, Karen

From: Schlaak, Karen
Sent: Wednesday, November 3, 2021 10:00 AM
To: RCY Legals (legals@rapidcityjournal.com)
Subject: 2826-2, Andy Edsen
Attachments: 2826-2public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on November 11, 2021.

Andy Edsen, 17734 Island Circle, Bennington NE 68007, (312 735-7110) 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 to the Water Rights Program, 523 E Capitol, Pierre SD 57501.

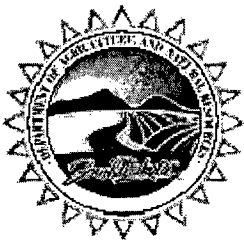
Let me know if you have questions. Please acknowledge receipt of this email.

Karen Schlaak

DANR - Water Rights Program

(605) 773-3352

Website: <https://danr.sd.gov>





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

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

November 3, 2021

Andy Edsen
17734 Island Circle
Bennington NE 68007

Dear Mr. Edsen:

Water Permit Application No. 2826-2 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 # 605 394-8336). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization 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,

Karen Schlaak

Karen Schlaak
Water Rights Program
(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 November 11, 2021. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2826-2 to Appropriate Water

Notice is given that Andy Edsen, 17734 Island Circle, Bennington NE 68007 has filed an application for a water permit to appropriate 6 acre-feet of water annually at a maximum pump rate of 0.033 cubic feet of water per second from one well to be completed into the Crystalline Rock Aquifer (approximately 160 feet deep) located in the SE 1/4 NW 1/4 Section 22-T1S-R5E for commercial use at Three Forks Development. This site is located near the intersection of US Hwy 385 and US Hwy 16 east of Hill City SD.

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Any person interested in opposing this application or recommendation shall allege that the application, upon approval, will cause injury to the person that is unique from any injury suffered by the public in general. The injury must concern a matter either within the regulatory authority found in SDCL 46-2A-9 for approval or denial of the application, or other matter concerning the application within the regulatory authority of the board to act upon as defined by SDCL 46-2-9 and 46-2-11, or both. Any person meeting the petitioner requirements and wishing to be a party of record in a contested case hearing shall file a written petition to oppose the application with BOTH the applicant and Chief Engineer. A petition opposing the application shall be filed on a form provided by the Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Chief Engineer. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501" or call (605) 773-3352. The applicant's mailing address is given above. If contesting the Chief Engineer's recommendation, the applicant shall also file a petition. A petition filed by either an interested person or the applicant must be filed by November 22, 2021.

The petition shall include a statement describing the unique injury upon approval of the application on the petitioner, the petitioner's reasons for opposing the application, and the name and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

Any interested person may file a comment on the application with the Chief Engineer. The comment shall be filed on a form provided by the Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Chief Engineer at the address provided above. Filing a comment does not make the commenter a party of record or a participant in any hearing that may be held. Any comment must be filed by November 22, 2021.

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.

Published once at the total approximate cost of_



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

NOV 30 2021

Andy Edsen
17734 Island Circle
Bennington ND 68007

Dear Mr. Edsen:

Enclosed is Water Permit No. 2826-2 authorizing construction of the 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,

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

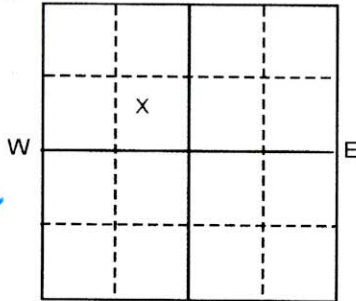
enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location SE ¼ NW ¼ Sec 22 Twp 1S Rg 5ECounty Pennington

North

Please mark well
location with an "X"

COPY

Well Completion Date

6/30/22

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 downhole hammer

CASING DATA:

☒ Steel ☐ Plastic ☐ OtherIf other describe Set 35' of 6" steel

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	0.0 FT	33.0 FT	8.75 IN
LB/FT	IN	33.0 FT	120.0 FT	6.00 IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Portland II	5	Lb/gal	33.0 Ft	0.0 Ft
w/2% bent		Lb/gal	Ft	Ft

Describe grouting procedure
while driving 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? w/chlorine solution☐ No, Why Not? _____Lab to which water
quality sample sent for analysis _____Well Owner: Diamond Spur Event CenterBusiness Name: c/o Dean Kurtz ConstructionAddress: 1651 Rand RoadCity, State, Zip: Rapid City SD 57702

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
Gravel	0	30
Hard grey schist	30	68
Brown schist fracture 20 fpm	68	70
Hard grey schist	70	76
Brown schist fracture 50 gpm	76	78
Hard grey schist	78	102
Grey schist fracture 100+ gpm	102	104
Hard grey schist	104	120

STATIC WATER LEVEL 15.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow 100.0 through _____ Inch pipeControlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: w/air☐ Bailed☐ Other _____

Pumping Level Below Land Surface

_____ Ft. After _____ Hrs. pumped _____ GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

This well was drilled under license # 324 and this
report is true and accurate.Drilling firm: Alexander Drilling Inc.

Signature of License Representative _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____

RECEIVED

JUL 22 2022

OFFICE OF
WATER



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

May 22, 2025

2159-2

2506-2

2826-2

Country Store at Three Forks
23820 US-385
Rapid City SD 57702

To whom it may concern:

I am writing you today in reference to a recent survey conducted by Office of Water staff that found a well providing water to the county store that may not be permitted.

Water Right No. 2159-2, held by Daisy Enterprise LLC, dba Three Forks Campground, authorizes diversion of 31 gallons per minute from one well, for use at the campground.

Water Right No. 2506-2, held by Daisy Enterprise LLC, dba Three Forks Campground, authorizes diversion of 5 gallons per minute from a second well, to use at the campground.

Water Permit No. 2826-2, held by Andy Edsen, authorizes diversion of 15 gallons per minute from one well to be used to supply water for the Three Forks Development & Diamond Spur Event Center.

With this letter, I hope to determine whether the well servicing the country store is one of the wells authorized by one of the above listed permits/water rights or if it a system of its own, which would require additional permitting.

Please review the above information and contact me via telephone or email to discuss.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

Cc: Philip 66 Gas Stations, PO Box 7200, Bartlesville OK 74005