

WATER PERMIT NO. 2886-2

Name of Applicant: Angostura Resort LLC.

Address: 1935 Samco Road, Suite 102

Phone: 605-342-9606

Amount of Water Claimed: 149 AF

Total Acres: N/A

Source of Water Supply: Groundwater

Water to be used for: WDS

County: Fall River

Type of Waste Disposal System:

Location: Approx. 5 miles southwest of Hot Springs

PRIORITY Date Received: 02-27-25

Application/License Fee: \$950.00

Corrected Application Received: 03-10-25

Period of Annual Use: January 1 – December 31

Remarks: Campground of 1,000 RV/Cabin sites.

Diversion Point: NE 1/4 SE 1/4 Sec 25-T8S-R5E

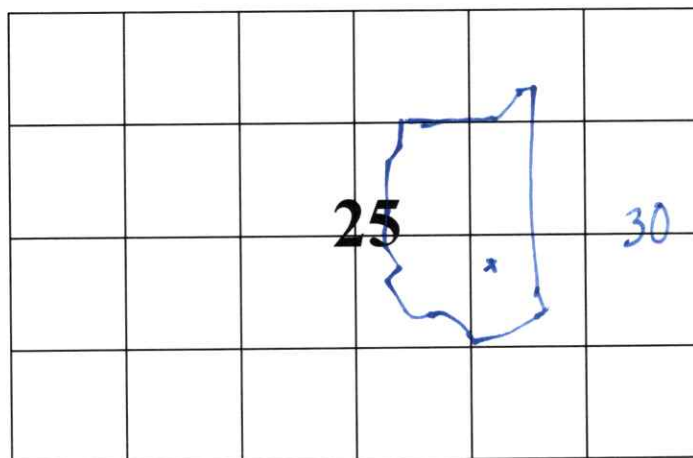
Land to be Irrigated: N/A

Depth of Well: 2400

Well Driller: Keller Drilling, LLC.

Remarks:

Type of Map: topo



Reviewed and the Number Assigned on: 03-11-25

By: **Rachel Rodriguez**

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 2886-2

Date of first receipt of application February 27, 2025.

Date of return to applicant for corrections, amendments or changes February 28, 2025.

Date of receipt of corrected application March 13, 2025.

The Acting Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2886-2 to Angostura Resort LLC., 1935 Samco Road, Suite 102, 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. 2886-2 appropriates up to 149 acre-feet of water annually at a maximum pump rate of 0.67 cubic feet of water per second from up to 3 wells completed, or to be completed, into the Madison Aquifer (approximately 2,400 feet deep). One existing well is located in the NE 1/4 SE 1/4 Section 25-T8S-R5E with up to two additional wells to be completed within the service area of the project in the NE 1/4, N 1/2 SE 1/4 Section 25-T8S-R5E; SW 1/4 SW 1/4 Section 19; W 1/2 NW 1/4, NW 1/4 SW 1/4 Section 30; all in T8S-R6E. The water will be used for commercial purposes in a campground to be located approximately seven miles south of Hot Springs SD.
2. The water appropriated shall be used for commercial purposes 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. 2886-2 is May 27, 2025.
5. The date from which applicant may claim right is February 27, 2025.
6. One-fifth of the construction is to be completed on or before November 27, 2027.
7. All construction is to be completed on or before May 27, 2030.
8. Water is to be put to beneficial use on or before May 27, 2034.
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. In accordance with SDCL 46-1-14 and 46-2A-20, Permit No. 2886-2 is issued for a twenty-year term. Pursuant to SDCL 46-2A-21, the twenty-year term may be deleted at any time during the twenty-year period or following its expiration. If the twenty-year term is not deleted at the end of the term, the permit may either be cancelled or amended with a new term limitation of up to twenty years. Permit No. 2886-2 may also be cancelled for nonconstruction, forfeiture, abandonment or three permit violations pursuant to SDCL 46-1-12, 46-5-37.1 and ARSD 74:02:01:37.
2. The wells will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under these Permits must control withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

(continued)

3. The wells authorized by Permit No. 2886-2 must be constructed by a licensed well driller and construction of the well and installation of the pump must 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.
4. The Permit holder must report to the Chief Engineer annually the amount of water withdrawn from the Madison Aquifer.
5. Water Permit No. 2886-2 appropriates up to 149 acre-feet of water annually.

WATER MANAGEMENT BOARD

By: Mark Mayer
Mark Mayer, PE
Director of Office of Water
Department of Agriculture and Natural Resources

6/11/25
date



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

RECEIVED

FEB 27 2025

OFFICE OF
WATER

Mail to: SD DANR, Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>2886-2</u> Hydrologic Unit <u>10120106</u>
	Basin <u>Cheyenne</u>
	Newspaper <u>Fall River Co Herald Star</u> <u>Rapid City Journal</u> (office use only)

Application for Permit to Appropriate Water in South Dakota

Check use(s) of water:

☐
☐
☐

Municipal
Rural Water System
Domestic (over 18 gpm)

☒
☐
☐

Water Distribution System
Commercial
Industrial

☐
☐
☐

Recreational
Fish & Wildlife
Other _____

☐
☐

Institutional
Geothermal

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 JKRK Properties, LLC

Mailing Address 1935 Samco Road, Suite 102

(Address)

Rapid City

(City)

SD

(State)

57702

(Zip Code)

Phone 605-342-9606

Mobile 605-381-0727

Email kaskihomes@rushmore.com

2. Amount of water claimed 0.42 ^{0.67} *CFS or 187 ³⁰⁰ **GPM and 149 ***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 Madison Formation

NE 1/4 SE 1/4 Sec 25-T8S-R5E

4. Location of point of diversion 1 Well in Tract A of Lake Hills West of Angustora Ranch Tract County Fall River

(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 Fall River

6. 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)

Campground to include a total of 1,000 RV/Cabin sites, and four multi-bedroom Guest Lodges. A master plan is attached, as well as report summarizing demand calculations.

I, _____, 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.

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MAR 10 2025

PAID

MAR 10 2025

Ck# 1044

Per't#

Mail to: SD DANR, Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. _____ Hydrologic Unit _____ Basin _____ Newspaper _____ (office use only)	OFFICE OF WATER
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Application for Permit to Appropriate Water in 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.)

- Name to Appear on Water Permit Angostura Resort LLC
Mailing Address 1935 Samco Road, Suite 102 Rapid City SD 57702
(Address) (City) (State) (Zip Code)
Phone 605-342-9606 Mobile 605-381-0727 Email kaskihomes@rushmore.com
- Amount of water claimed 0.42 *CFS or 187 **GPM and 149 ***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)
- Source of water supply Madison Formation
- Location of point of diversion 1 Well in Tract A of Lake Hills West of Angostura Ranch Tract County Fall River
(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)
- County or counties where water will be used Fall River
- Annual period during which water is to be used January 1 - December 31
- Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Campground to include a total of 1,000 RV/Cabin sites, and four multi-bedroom Guest Lodges. A master plan is attached, as well as report summarizing demand calculations.

I, Ryan Kaski Authorized member, 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)

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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 Keller Drilling, LLC

For either existing or proposed wells:

- c) Well Depth (required) 2400 Depth to Top of Water Bearing Material 2294 Depth to Water from Surface 200
- d) Distance to nearest domestic well on applicant's property n/a Property owned by others 0.4 miles

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) Community Drain Fields (1-existing field in Phase 1)
- b) System Capacity (gallons) 3600 gal/day Year Constructed 2024
- 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

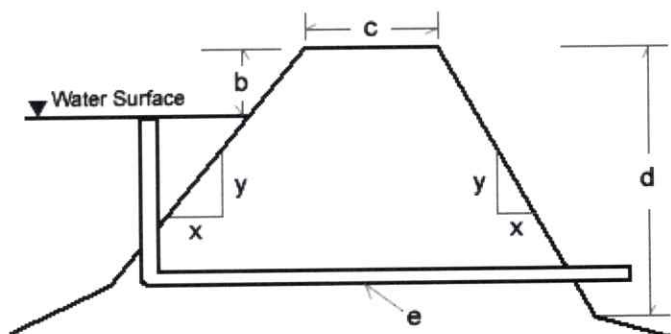
If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- 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) Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres



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APPENDIX A – MASTER PLAN

1.0 ANGUSTORA RESORT FULL BUILDOUT MASTER PLAN



PHASE 1		= 33 SITES
PHASE 2		= 54 SITES
PHASE 3		= 230 SITES
PHASE 4		= 73 SITES
PHASE 5		= 116 SITES
PHASE 6		= 180 SITES
PHASE 7		= 184 SITES
PHASE 8		= 130 SITES
LODGES		= 4

FEBRUARY 14, 2025
 SCALE: 1" = 200'

1220 EAST MINNESOTA STREET
 RAPID CITY, SD 57701
 TEL: 605.342.1234
 FAX: 605.342.1235
 EMAIL: info@longbranch.com

REVISIONS	
DATE	REVISION

LEGAL DESCRIPTION:

PHASING PLAN
 TRACT A AND TRACT B
 LAKE HILLS WEST OF ANGOSTURA RANCH TRACT

PROJECT NUMBER: **3897**
 SHEET: **1 / 1**

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APPENDIX B – PREDICTED DEMAND AT FULL BUILDOUT

- 1.0 ANGUSTORA RESORT PREDICTED FULL BUILDOUT DEMAND
- 2.0 WITHDRAW RATE
- 3.0 ANNUAL APPROPRIATION

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ANGUSTORA RESORT, WELL DATA						
Permit No.	Maximum Appropriation Requested (ft ³ /sec)	Maximum Appropriation (gal/min)	Maximum Appropriation (acre-ft/day)	Maximum Annual Appropriation (acre-ft/year)	Maximum Annual Appropriation (million gallons/year)	Existing Well #1 Capacity (gpm)
	0.42	187	0.408	149	4,849	70

ANGUSTORA RESORT (FULL BUILDOUT MODEL)										
Development	Units in Service (Units)	Individual Consumption Average per Bedroom (gpd)	Cabin Number of Bedrooms per Cabin	Guest Lodges Number of Bedrooms per Guest Lodge	Daily Consumption without System Loss (gpd)	Estimated System Loss at 10% (gpd)	Total Daily Consumption with System Loss (gpd)	Average Day Demand (gpm) ¹	Peak Day Demand (gpm) ²	Peak Hour Demand (gpm) ³
Phase 1	33	120.00	1	n/a	3,960	396	4,356	13	59	132
Phase 2	54	120.00	1	n/a	6,480	648	7,128	22	97	216
Phase 3	230	120.00	1	n/a	27,600	2,760	30,360	92	414	920
Phase 4	73	120.00	1	n/a	8,760	876	9,636	29	131	292
Phase 5	116	120.00	1	n/a	13,920	1,392	15,312	46	209	464
Phase 6	180	120.00	1	n/a	21,600	2,160	23,760	72	324	720
Phase 7	184	120.00	1	n/a	22,080	2,208	24,288	74	331	736
Phase 8	130	120.00	1	n/a	15,600	1,560	17,160	52	234	520
Guest Lodges	4	120.00	n/a	5	2,400	240	2,640	8	36	80
Sub-Total =	1004				122,400	12,240	134,640	408	1,836	4,080
ESTIMATED TOTAL CONSUMPTION w/ SYSTEM LOSS =										
GALLONS/DAY										
ESTIMATED TOTAL CONSUMPTION w/ SYSTEM LOSS =										
GALLONS/MONTH										
ESTIMATED TOTAL CONSUMPTION w/ SYSTEM LOSS =										
GALLONS/YEAR										
ESTIMATED TOTAL CONSUMPTION w/ SYSTEM LOSS =										
ACRE-FT/YEAR										
148.80										
¹ Average Day Calculated at 4 gpm/cu										
² Peak Day Calculated at 1.8 gpm/cu										
³ Peak Hour Calculated at 4.0 gpm/cu										

ESTIMATED DAILY CONSUMPTION	
NAME	DEMAND (gallons)
ANGUSTORA RESORT (FULL BUILDOUT MODEL) =	134,640
TOTAL PROJECTED DAILY CONSUMPTION =	134,640
GPM PRODUCTION TO ACHIEVE ESTIMATED DAILY CONSUMPTION IN 12hr (GPM) =	187
WITHDRAW RATE TO ACHIEVE ESTIMATED DAILY CONSUMPTION IN 12 hr (45) =	0.42

RESERVOIR SIZING	
NAME	DEMAND (gallons)
ANGUSTORA RESORT (FULL BUILDOUT MODEL) =	134,640
TOTAL PROJECTED DAILY CONSUMPTION =	134,640
RESERVOIR VOLUME =	275,000
% DAILY TURNOVER =	49%
DAYS OF ALLOWABLE STORAGE (DAYS) =	2.0

WELL #1 POTENTIAL SERVICE THRESHOLD	
NAME	DEMAND (gallons)
WELL #1 CAPACITY (GPM) =	70
PRODUCTION IN 12hr (GALLONS) =	50,400
POTENTIAL BEDROOMS SERVED FROM WELL #1 WITH SYSTEM LOSS =	378

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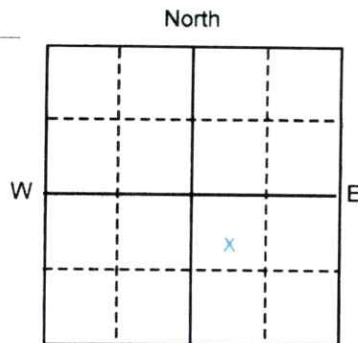
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APPENDIX C – EXISTING MADISON WELL #1

- 1.0 WATER WELL COMPLETION REPORT**
- 2.0 PUMP TEST DATA PROVIDED BY KELLER DRILLING, LLC**

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location nw $\frac{1}{4}$ se $\frac{1}{4}$ Sec 25 Twp 8s Rg 5eCounty Fall RiverPlease mark well
location with an "X"

Well Completion Date

11-3-23

1 Mile

Distance to nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)?
ft. from none (identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

FWD ROTARY

CASING DATA:

☒ Steel ☐ Plastic ☐ Other
 If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>45.5</u> LB/FT	<u>10.75</u> IN	<u>0.0</u> FT	<u>800.0</u> FT	<u>13.50</u> IN
<u>23.0</u> LB/FT	<u>7.00</u> IN	<u>600.0</u> FT	<u>2,294.0</u> FT	<u>9.88</u> IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Neat Cmt.</u>	<u>260</u>	<u>15.6</u> Lb/gal	<u>0.0</u> Ft	<u>800.0</u> Ft
	<u>366</u>	<u>15.6</u> Lb/gal	<u>2,294.0</u> Ft	<u>700.0</u> Ft

Describe grouting procedure

PUMPED THROUGH casing strings

SCREEN:

☐ Perforated pipe ☒ Manufactured
 Diameter _____ Inches Length _____ Feet

Material _____

Slot Size _____ Set From _____ Feet to _____ Feet

Other information Open hole completion TD 2400'

WAS A PACKER OR SEAL USED?

☐ Yes ☒ No

If so, what material?

Describe packer(s) and location

DISINFECTION: Was well disinfected upon completion?

☐ Yes, How? CHLORINE TABLETS
☒ No, Why Not? Well Not Completed Yet
 Lab to which water quality sample sent for analysis
Well Owner: Ryan KaskiBusiness Name: JKRK PropertiesAddress: 1935 Samco Rd. Ste 102City, State, Zip: Rapid City SD 57702

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Morrison</u>	<u>50</u>	
<u>Spearfish</u>	<u>750</u>	
<u>Opeche</u>	<u>1180</u>	
<u>Minnekahta</u>	<u>1230</u>	
<u>Minnelusa</u>	<u>1405</u>	
<u>Madison</u>	<u>2250</u>	
<u>TD</u>	<u>2400</u>	

STATIC WATER LEVEL

200.0 FEET

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced flow rate _____ GPM

Can well be completely shut in?

WELL TEST DATA:

☐ Pumped Describe: Developed w/ Air☐ Bailed☒ Other

Pumping Level Below Land Surface

500.0 Ft. After 12.0 Hrs. pumped 70.0 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

Well Stimulated with 8000 Gal 11% HCl

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MAR 10 2025

OFFICE OF
WATERThis well was drilled under license # 814 and this report is true and accurate.Drilling firm: KELLER DRILLING LLC

Signature of License Representative:

Albert P. Keller Jr.
 Digitally signed by Albert P. Keller Jr.
 DN: cn=Albert P. Keller Jr., o=Keller Drilling LLC,
 ou, email=Kellerdrilling15@hotmail.com, c=US
 Date: 2022.06.09 14:01:34 -06'00'

Signature of Well Owner or Equitable Property Holder:

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Date: _____

FEB 05 2024

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time	elevation	GPM	N2 press
0	45	0	380
33	370	70	220
70	485	60	170
120	624	60	110
180	693	55	80
231	739	52	60
276	808	52	30
307	808	50	
329	808	49	
372	808	50	

Data shows that the combination of pump and motor that was in the well at 900' matched the manufacturer's predicted performance curves

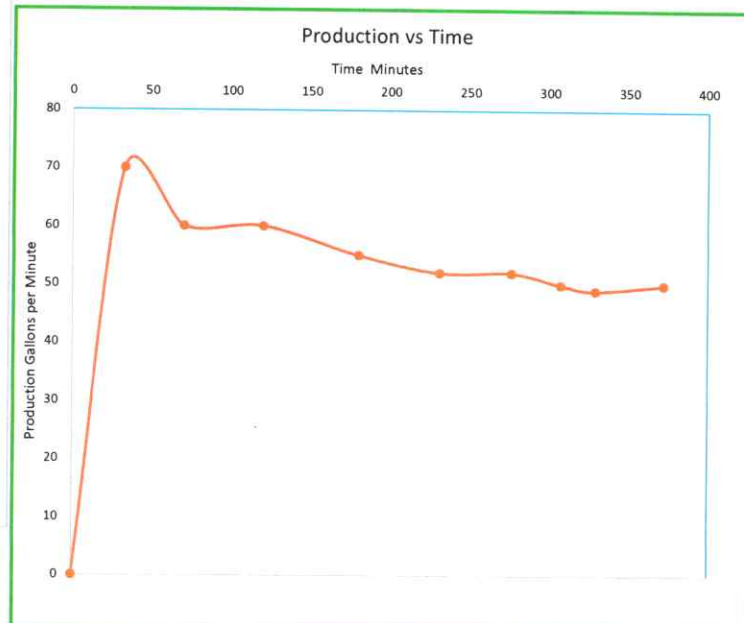
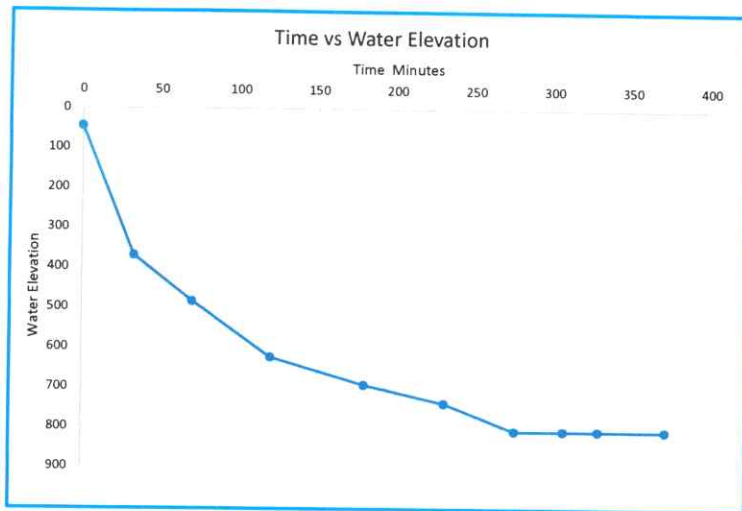
Water elevation in the well was drawn down to 808' after 276 minutes of pumping and remained static at level for the remainder of the testing

There would be some improved production from the 40HP pump if the 2.325" drop pipe was replaced with 3" drop pipe. Possibly to 60 GPM

If more than 50 GPM is desired, more horsepower will be required

there were no check valves in the production string during the test

31 joints of drop pipe pipe in well pump hung at 961'



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SUBMERSIBLE PUMPS

6" STAINLESS STEEL SR SERIES

FPS

RECEIVED

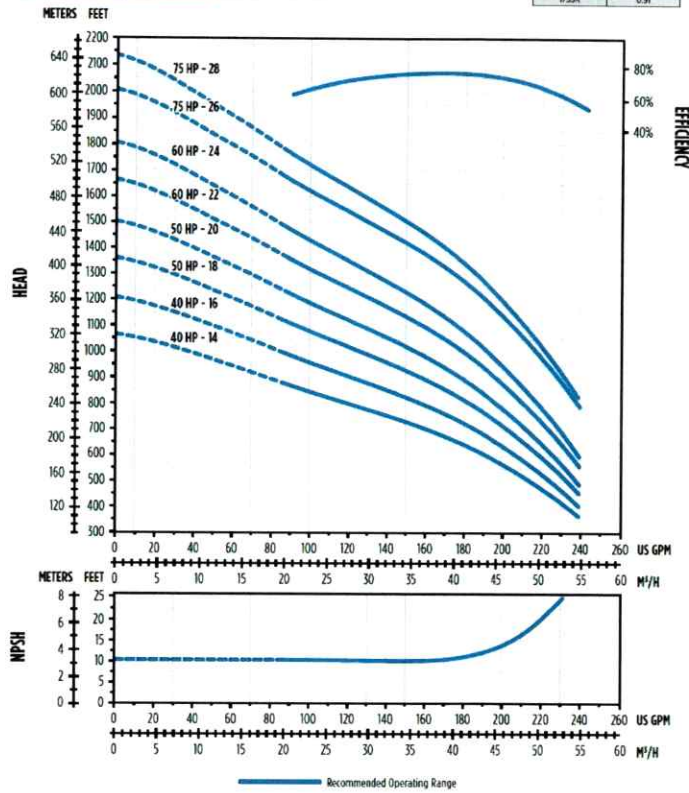
MAR 10 2025

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PERFORMANCE

175 GPM

Basic Model	PSI, Number
175SR	0.91



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APPENDIX D – PROXIMITY TO EXISTING WELLS

- 1.0 WELLHEAD SEPARATION MAP
- 2.0 WATER WELL COMPLETION REPORT FOR BRINK WELL

Water Well Completion Reports



Go Back

Go Forward

SEARCH WELLS
Help Tools

DRILLERS

PUMP IN

Miles

Measurement Result

0.4 Miles

TRS labels ☒

label darkness ☐

Search

T008S R005E S25

T008S R005E S30

Streets

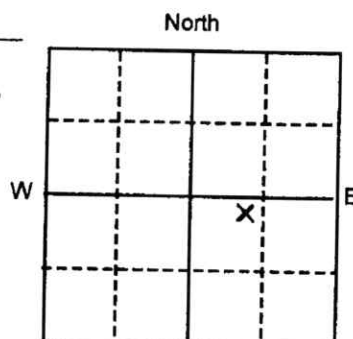
MAR 10 2025

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SOUTH DAKOTA WATER WELL COMPLETION REPORT

Location NW ¼ SE ¼ Sec 25 Twp 8S Rg SE

County Fall River

Please mark well
location with an "X"

Well Completion Date

February 11, 2013

1 Mile

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

PROPOSED USE:

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

METHOD OF DRILLING:

Air-Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
250.0 LB/FT	4.50 IN	+2.0 FT	330.0 FT	7.88 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
Cement	26	12.0 Lb/gal	0.0 Ft	275.0 Ft
4% Bentonite		Lb/gal	Ft	Ft

Describe grouting procedure
Pumped grout through trimmy pipe

SCREEN:

☐ Perforated pipe ☒ Manufactured

Diameter 4.50 Inches Length 50.0 Feet

Material PV

Slot Size .025 Set From 280.0 Feet to 330.0 Feet

Other information

WAS A PACKER OR SEAL USED?

☒ Yes ☐ No

If so, what material? Bentonite chips

Describe packer(s) and location

270 ft - 275 ft

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Chlorine SolutionLab to which water
quality sample sent for analysis ☐ No, Why Not?

Well Owner: Zane Brink

Business Name:

Address: 11572 Saddleback Ct.

City, State, Zip: Rapid City SD 57703

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
sand & gravel	0	20
light gray S.S. & shale	20	60
light brown S.S., light gray shale	60	120
white S.S. multicolored shale	120	160
gray shale, red clay, brown S.S.	160	200
shale, S.S. & some L.S.	200	245
light gray siltstone	245	285
light red, light brown S.S.	285	327
gray shale	327	333

STATIC WATER LEVEL 157.0 FEET

If flowing: closed in pressure PSI

GPM flow through Inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

Reduced flow rate GPM

Can well be completely shut in?

WELL TEST DATA:

☐ Pumped Describe: Air developed☐ Bailed☒ Other

Pumping Level Below Land Surface

250.0 Ft. After 5.0 Hrs. pumped 25.0 GPM

Ft. After Hrs. pumped GPM

If pump installed, pump rate: GPM

REMARKS

FEB 25 2013

WATER RIGHTS
PROGRAM

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

Drilling firm: Taylor Drilling Co.

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date:

RECEIVED

MAR 10 2025

OFFICE OF
WATER

APPENDIX E – WELL HEAD LOCATION EXHIBIT

1.0 EXHIBIT 'A' WELL HEAD LOCATION

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MAR 10 2025

OFFICE OF
REGISTERED PROFESSIONAL LAND SURVEYOR

EXHIBIT 'A'

WELL HEAD LOCATION

TRACT A OF LAKE HILLS WEST OF ANGOSTURA RANCH TRACT

LOCATED IN THE E $\frac{1}{2}$ OF SECTION 25, T8S, R5E, AND
IN THE W $\frac{1}{2}$ OF SECTION 30, T8S, R6E, B.H.M.,
FALL RIVER COUNTY, SOUTH DAKOTA

NE $\frac{1}{4}$ OF SECTION 25, T8S, R5E

SECTION 1/16 LINE

TRACT B
WEST OF ANGOSTURA RANCH

SECTION 25, T8S, R5E
SECTION 30, T8S, R6E

TRACT A

N=49536.6280
E=50422.6580
ELV.=3343.80 (NAVD 88 DATUM)

SECTION 1/4 LINE

5/8" REBAR

S72°52'58"E 565.97'

WELL HEAD LOCATION

S79°13'12"W 1142.58'

ALUM. CAP

LOT 9 OF BUCKSTONE
TERRACE - LAKE HILLS
WEST OF ANGOSTURA
RANCH SUBDIVISION

EXISTING 60' WIDE PRIVATE
ACCESS & UTILITY EASEMENT
AS SHOWN IN PLAT BOOK
XXII, PAGE 87.

SE $\frac{1}{4}$ OF SECTION 25, T8S, R5E

5/8" REBAR

LAKE HILLS ROAD

LS 2842

SHEPS CANYON ROAD

NOTE:

BEARINGS SHOWN HEREON
GEODETIC NORTH DETERMINED BY
GLOBAL POSITIONING (GNSS)



FEBRUARY 27, 2025



SCALE 1" = 300'



8S 5E
Section: 23

8S 5E
Section: 24

8S 6E
Section: 19

8S 5E
Section: 26

8S 5E
Section: 25

8S 6E
Section: 30

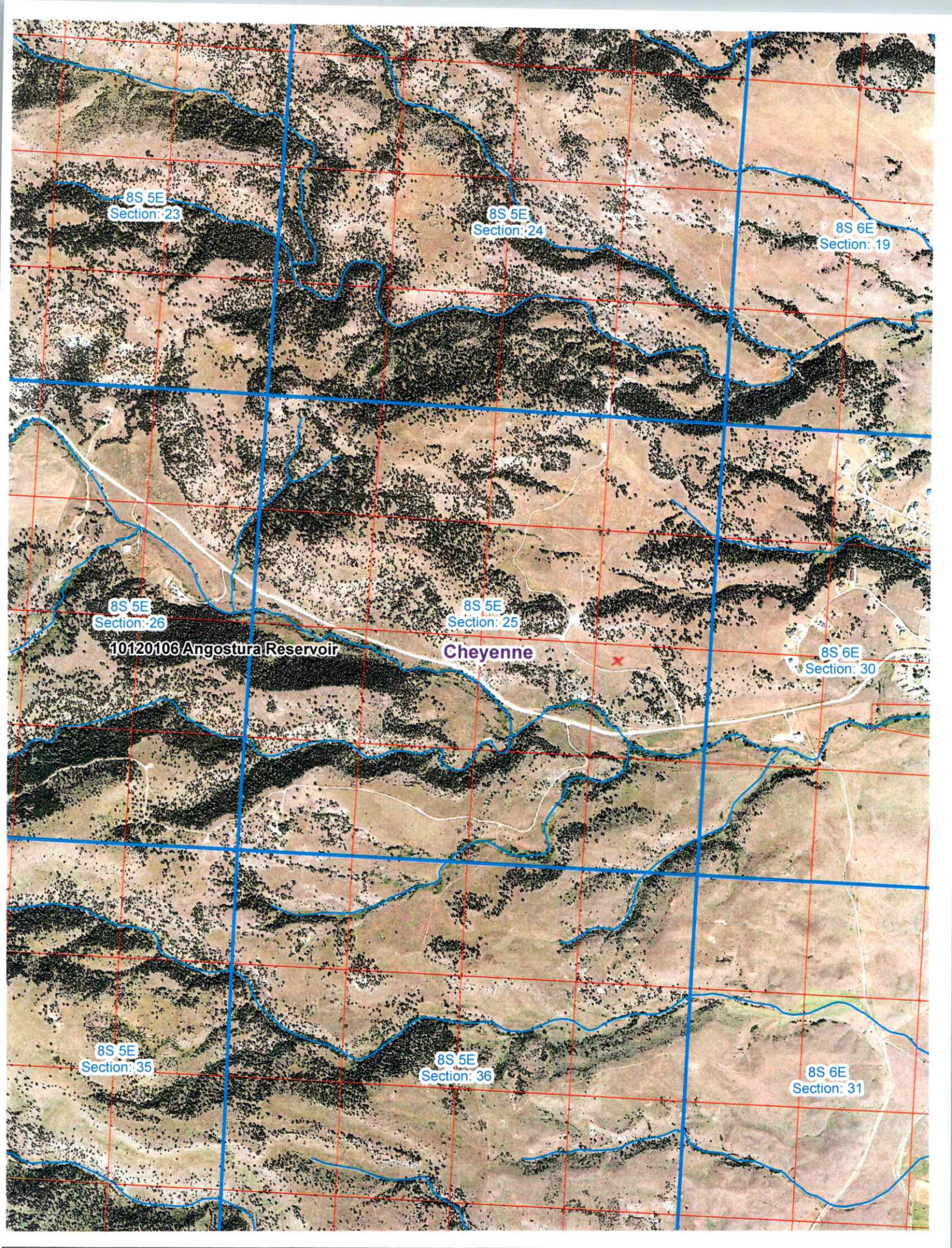
10120106/Angostura Reservoir

Cheyenne

8S 5E
Section: 35

8S 5E
Section: 36

8S 6E
Section: 31





1220 E Minnesota Street

Rapid City, South Dakota 57701

Phone: 605-721-4040

Email: info@longbrancheng.com

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MAR 10 2025

OFFICE OF
WATER

February 28, 2025

Report of Water System Demand Calculations Angustora Resort

Fall River County, South Dakota

Longbranch Project No. 3897.01

Report Created For:

JKRK Properties, LLC
1935 Samco Road, Suite 102
Rapid City, South Dakota 57702

By:

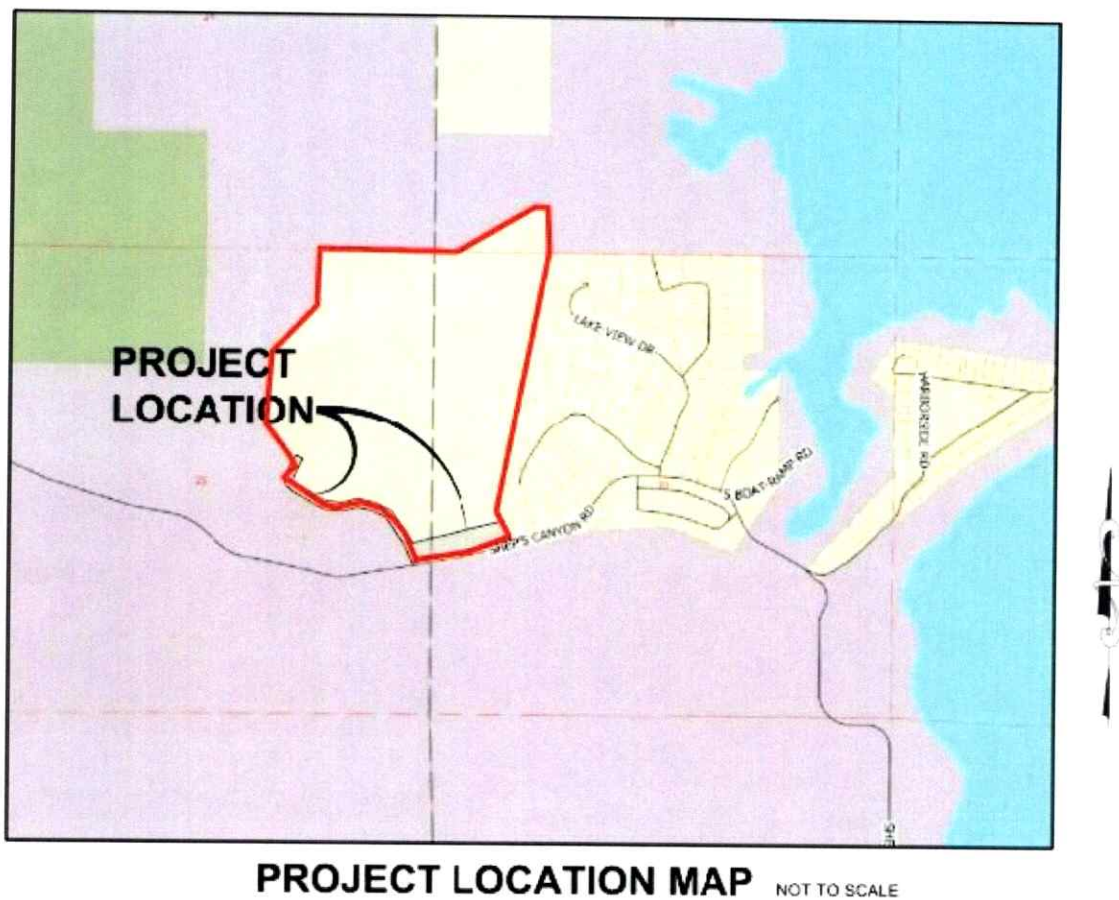
Kale R. McNaboe, P.E. (SD #7198)



Introduction

Find attached report of water system demand calculations for Angustora Resort. Phases 1 through 8 of Angustora Resort are located in the E1/2 of Section 25, T8S, R5E, and the W1/2 of Section 30, T8S, R6E, and in the SW1/4 of Section 19, T8S, R6E, Fall River County, South Dakota. The site is located west of the intersection of Sheps Canyon Road and Waters Edge Boulevard in Fall River County, South Dakota. **Figure 1** has been provided below as a vicinity map.

Figure 1



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OFFICE OF
WATERReport of Water System Demand Calculations
Angustora Resort
Project No. 3897.01**Background Information**

To estimate planned development density, a master plan of Angustora Resort was created, and includes multiple phases of construction. A copy of the master plan is included in **Appendix A** for reference.

To evaluate full build-out water demand, the total number of end users in Angustora Resort was evaluated. The following density was used in this evaluation.

Phase	Type	Bedrooms
Angustora Resort (Phase 1):	33 RV/Cabin Sites	33
Angustora Resort (Phase 2):	54 RV/Cabin Sites	54
Angustora Resort (Phase 3):	230 RV/Cabin Sites	230
Angustora Resort (Phase 4):	73 RV/Cabin Sites	73
Angustora Resort (Phase 5):	116 RV/Cabin Sites	116
Angustora Resort (Phase 6):	180 RV/Cabin Sites	180
Angustora Resort (Phase 7):	184 RV/Cabin Sites	184
Angustora Resort (Phase 8):	130 RV/Cabin Sites	130
Angustora Resort (Guest Lodges):	4 Guest Lodges	20
Total Bedrooms =		1020

The RV/Cabin sites are not predicted to act as typical single-family residential development, but rather to have a typical consumption rate of 120 gallons per day per bedroom. This consumption volume closely follows the anticipated sewer loadings for the Community Drainfield Design.

Predicted Demand at Full Buildout

The predicted demand at Full Buildout of Angustora Resort was calculated based upon the development levels presented in the proceeding section. Assuming a total demand of 120 gallons per day per bedroom and a estimated total of 1020 total bedrooms and 10% system loss, we anticipate a Full Buildout consumption of 134,640 gallons per day if all the units were occupied at once. This would equate to a maximum annual appropriation of 149 acre-ft/year. Supporting design calculations are included in **Appendix B**.

Existing Madison Well No. 1

A new Madison formation well was completed on November 3, 2023. The well driller was Keller Drilling, LLC of 17876 110th Street, Lemmon South Dakota. A Copy of the water well completion report is included in **Appendix C**. A pump test was performed by Pete Waldon on behalf of Keller Drilling, LLC the results of which are also included in **Appendix C**.

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OFFICE OF
WATER

Report of Water System Demand Calculations
Angustora Resort
Project No. 3897.01

Proximity to Existing Wells

Based upon our research, it appears that the nearest adjacent well is located at a residence owned by Zane and Trinidad Brink, approximately 0.4 miles from the well installed by Keller Drilling LLC for Angustora Resort. An annotated map showing the approximate location and distance is included in **Appendix D**. Additionally, a copy of the water well completion report for the Brink well is included in the Appendix.

Well Head Location Exhibit

The existing well head was located through filed survey, and it's location is depicted on attached **Exhibit 'A'** included in **Appendix E**. The well head location exhibit was prepared by a South Dakota Licensed Land Surveyor.

Summary

Based upon our calculations we predict that full build-out of Angustora Resort could result in an additional 1,000 RV/Cabin Sites, and four Guest Lodges. To accommodate full buildout of Angustora Resort at the predicted density would require 149-acre feet per year of permitted annual appropriation. At full buildout, a production rate was estimated at 187-gallos per minute to achieve a pump run time of 12-hours per day, this would equate to a Maximum Appropriation of 0.42 cubic feet per second.

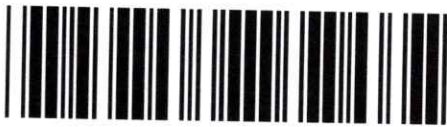
Closure

If you have any questions or require additional information please do not hesitate to contact me at (605) 721-4040.

Sincerely;



Kale R. McNaboe, P.E.
Longbranch Civil Engineering, Inc.



532778830

ANNUAL REPORT

Secretary of State
500 E. Capitol Ave
Pierre, SD 57501-5070
(605) 773-4845

Domestic Limited Liability Company
SDCL 47-34A-211; 59-11-24, 24.1

Please Type or Print Clearly in Ink
Please submit one Original
Make payable to the SECRETARY OF STATE

Filing Fee: \$50

SOC (Agent) Fee: \$10

Total Fee: \$60

2025

FILING YEAR

1. Business ID and Name:

DL247347
BUSINESS ID

Angostura Resort, LLC
BUSINESS NAME

2. The jurisdiction under whose law it is formed South Dakota

3. The address of the principal executive office (business address):

Actual Street Address

**12517 STILL DRIVE
STURGIS, SD 57785**

Mailing Address

**P.O. BOX 399
STURGIS, SD 57785**

4. The South Dakota Registered Agent's Name:

South Dakota law permits the registered agent to be either (a) a noncommercial registered agent, or (b) a commercial registered agent.

New Agent

(a) The South Dakota Noncommercial Registered Agent's name

Name **Ryan Kaski**

Actual Street Address in this State

**1935 SAMCO ROAD SUITE 102
RAPID CITY, SD 57702**

Mailing Address in this State

**1935 SAMCO ROAD SUITE 102
RAPID CITY, SD 57702**

Old Agent

(a) The South Dakota Noncommercial Registered Agent's name

Name **CURTIS S. JENSEN**

Actual Street Address in this State

**516 FIFTH STREET
RAPID CITY, SD 57701-2703**

Mailing Address in this State

**PO BOX 1820
RAPID CITY, SD 57709-1820**

5. If the LLC is manager-managed, list the names and addresses of its Managers. SDCL 59-11-24. If the LLC is member-managed, this section may be left blank.

6. 43-2A-1. "Agricultural land" defined.

For purposes of this chapter, the term "agricultural land" means land capable of use in the production of agricultural crops, timber, livestock or livestock products, poultry or poultry products, milk or dairy products, or fruit and other horticultural products but does not include any royalty interest, any oil, gas, or other mineral interest, or any lease, right-of-way, option, or easement relating thereto, or any land zoned by a local governmental unit for a use other than and nonconforming with agricultural use

Does the entity own any Agricultural land? (Required)

Yes

If the answer is yes, please answer below

"Foreign Beneficial Owner" "Foreign entity" is registered outside of the United States or its territories or has more than ten percent ownership by a foreign government, foreign person, or any combination thereof. "Foreign Government" A Government or state- controlled enterprise of a



government, other than the United States, its states, its territories, or its federally recognized Indian Tribes. "Foreign Person" A natural Person who is not a United States Citizen or a resident.

Does the entity have any foreign beneficial owners/interests?

No

If the answer is yes to the questions above, please provide the information below

Provide a legal description of the agricultural land or a description of the land's common location in the space provided below.

N/A

The total acreage of agricultural land held by the entity.

N/A

The Current use of the agricultural land. As defined in SDCL 43-2A-1.

Check all that apply:

N/A

7. Beneficial Owners (optional): A beneficial owner is a person who has or in some manner controls an equity security. Please consult an attorney for legal advice if you have any questions concerning this entry. Any question under this heading is considered a request for legal advice and the secretary of state's office is, by statute, not permitted, to provide legal advice.

No person may execute this report knowing it is false in any material respect. Any violation may be subject to a criminal penalty (SDCL 22-39-36).

02/11/2025

Dated

Email (Optional)

Curtis S. Jensen

Signature of an Authorized Person

Curtis S. Jensen

Printed Name

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

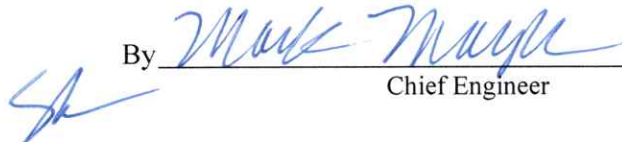
Date March 10th, 2025

RECEIVED OF Angostura Resort LLC 1935 Samco Road Suite 102 Rapid City SD 57702

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

Fee for Application for Permit No. <u>2886-2</u> to Appropriate Water, to construct and to put water to beneficial use	\$ <u>750.00</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>2886-2</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>950.00</u>

By


Chief Engineer

Dewell, Amanda

From: kale@longbrancheng.com
Sent: Thursday, March 13, 2025 10:05 AM
To: Dewell, Amanda; 'Kaski Homes'
Subject: RE: [EXT] Angostura Resort - Water Permit App

Amanda;

I think up to 3 wells, and that a total diversion rate of 300 gpm is correct.

Kale R. McNaboe, P.E.
Principal Engineer



From: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Sent: Thursday, March 13, 2025 9:00 AM
To: kale@longbrancheng.com; 'Kaski Homes' <kaskihomes@rushmore.com>
Subject: RE: Angostura Resort - Water Permit App

Kale,

Thank you for your response. If multiple wells were being drilled, we would need to include wording in the public notice to allow for that. Would "up to 3 wells" be sufficient?

If you drilled multiple wells and pumped from them all simultaneously, the combined pump rate would need to be kept at or below the maximum rate permitted. i.e. you could operate 3 wells @ 100gpm each for a total diversion rate of 300gpm.

Thank you,

Amanda Dewell
DANR - Water Rights Program
Permitting Administrator
Main Phone: 605 773-3352
Website: danr.sd.gov



From: kale@longbrancheng.com <kale@longbrancheng.com>
Sent: Thursday, March 13, 2025 9:38 AM
To: 'Kaski Homes' <kaskihomes@rushmore.com>; Dewell, Amanda <Amanda.Dewell@state.sd.us>
Subject: RE: [EXT] Angostura Resort - Water Permit App

Amanda;

I believe it should be considered a **Commercial use**.

We would like the option to drill multiple wells throughout the resort.

We would like to allot 300 gpm as the MAXIMUM pump rate used.

If you have any questions or require additional information do not hesitate to contact me.

Kale R. McNaboe, P.E.

Principal Engineer



ENGINEERING • SURVEY • LAND PLANNING • HYDROLOGY

1220 E. Minnesota Street
Rapid City, South Dakota 57701
Phone: 605-721-4040
www.longbrancheng.com

From: Kaski Homes <kaskihomes@rushmore.com>
Sent: Wednesday, March 12, 2025 5:47 PM
To: Kale McNaboe <kale@longbrancheng.com>
Subject: Fwd: Angostura Resort - Water Permit App

Sent from my iPhone

Begin forwarded message:

From: "Dewell, Amanda" <Amanda.Dewell@state.sd.us>
Date: March 12, 2025 at 10:36:43 AM MDT
To: kaskihomes@rushmore.com
Subject: Angostura Resort - Water Permit App

RE: [EXT] Angostura Resort - Water Permit App



kale@longbrancheng.com

To ● 'Kaski Homes'; ● Dewell, Amanda

Retention Policy 2 Year Delete (Default) (2 years)

Expires 03/13/2027

📧 You replied to this message on 03/13/2025 9:59 AM.

Amanda;

I believe it should be considered a **Commercial use**.

We would like the option to drill multiple wells throughout the resort.

We would like to allot 300 gpm as the MAXIMUM pump rate used.

If you have any questions or require additional information do not hesitate to contact me.

Kale R. McNaboe, P.E.

Principal Engineer



ENGINEERING • SURVEY • LAND PLANNING • HYDROLOGY

1220 E. Minnesota Street

Rapid City, South Dakota 57701

Phone: 605-721-4040

www.longbrancheng.com

Dewell, Amanda

From: Dewell, Amanda
Sent: Wednesday, March 12, 2025 11:37 AM
To: kaskihomes@rushmore.com
Subject: Angostura Resort - Water Permit App

Mr. Kaski,

I am reviewing the water permit application submitted on behalf of Angostura Resort LLC and had a few questions I was hoping you could answer before we assign it to one of our staff engineers.

On the application you've identified the use of water as "Water Distribution System".

SDCL 46-1-6 defines "**Water distribution system**," a system of piping, valves, storage tanks, pumps, and appurtenances by which water is conveyed for domestic or municipal use by a common distribution system, including a municipality as defined in § [9-1-1](#), a nonprofit rural water supply company as defined in § [10-36A-1](#), a water user district as defined in § [46A-9-2](#), a sanitary district as defined in chapter [34A-5](#), or homes, including mobile homes as defined in § [32-3-1](#), and manufactured homes as defined in § [34-34A-1.1](#) supplied by a common distribution system.

Administrative Rule 74:02:01:01 defines "**Commercial use**," water use supplied from other than a common water distribution system to a business such as a truck stop; tourist attraction; eating, drinking, or lodging establishment; commercial campground; convenience store; implement business; salvage business; or any other business or to a livestock confinement operation that exceeds reasonable domestic use.

Of these two options, water distribution system, or commercial use, would you agree that the definition for commercial use better fits the project?

Additionally, the project master plan identifies a single well location in Tract A (NE ¼ SE ¼ Section 25-T8S-R5E). With the project estimating 1,000 connections, will a single well be sufficient, or would you like to include the ability to drill multiple wells, throughout the resort?

Finally, the application identifies a desired pump rate of 187 gallons of water per minute to supply the resort; estimating pumping 12 hours/day. Please confirm that 187 gpm (0.42 cfs) will be the MAXIMUM pump rate used.

Thank you,

Amanda Dewell

DANR - Water Rights Program
Permitting Administrator
Main Phone: 605 773-3352
Website: danr.sd.gov



Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Friday, February 28, 2025 10:44 AM
To: kaskihomes@rushmore.com
Subject: Water Permit Application

Good morning,

I am in receipt of your water permit application for a water distribution system. The following issues are:

- The application needs to be signed by a representative of the LLC.
- A map needs to be submitted that references a government section corner or quarter corner including section, township, and range. Also, please mark an "X" of the existing well and outline the area where the water will be used.
- The application fee is \$750.00 + inspection fee \$200.00 = \$950.00

Once I receive the items above, I can begin processing your application.

Thank you,

Rachel Rodriguez
DANR | Program Assistant
Rachel.Rodriguez@state.sd.us





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

**RECOMMENDATION OF ACTING CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2886-2, Angostura Resort, LLC.**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Acting Chief Engineer, Water Rights Program, Department of Agriculture and Natural Resources concerning Water Permit Application No. 2886-2, Angostura Resort, LLC., 1935 Samco Road, Suite 102, Rapid City SD 57702.

The Acting Chief Engineer is recommending APPROVAL of Application No. 2886-2 with a twenty-year term pursuant to SDCL 46-1-14 and 46-2A-20 because 1) although evidence is not available to justify issuing this permit without a 20 year term limitation, 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. In accordance with SDCL 46-1-14 and 46-2A-20, Permit No. 2886-2 is issued for a twenty-year term. Pursuant to SDCL 46-2A-21, the twenty-year term may be deleted at any time during the twenty-year period or following its expiration. If the twenty-year term is not deleted at the end of the term, the permit may either be cancelled or amended with a new term limitation of up to twenty years. Permit No. 2886-2 may also be cancelled for nonconstruction, forfeiture, abandonment or three permit violations pursuant to SDCL 46-1-12, 46-5-37.1 and ARSD 74:02:01:37.
2. The wells will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under these Permits must control withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
3. The wells authorized by Permit No. 2886-2 must be constructed by a licensed well driller and construction of the well and installation of the pump must 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.
4. The Permit holder must report to the Chief Engineer annually the amount of water withdrawn from the Madison Aquifer.
5. Water Permit No. 2886-2 appropriates up to 149 acre-feet of water annually.

See report on application for additional information.

Mark Mayer, PE
Director of Office of Water
May 07, 2025

Report to the Chief Engineer
On Water Permit Application No. 2886-2
Angostura Resort LLC

May 2, 2025

Water Permit Application No. 2886-2 proposes to appropriate up to 149 acre-feet of water annually at a maximum instantaneous diversion rate of 0.67 cubic feet of water per second (cfs) from up to three wells completed, or to be completed, into the Madison aquifer (approximately 2,400 feet deep). One existing well is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25-T8S-R5E with up to two additional wells to be completed within the service area of the project in the NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 25-T8S-R5E; the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19; and the W $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30; all in T8S-R6E. The water will be used for commercial purposes in a campground to be located in Fall River County approximately seven miles south of Hot Springs, SD.

AQUIFER: Madison (MDSN)

HYDROGEOLOGY:

In the Black Hills of South Dakota, major aquifers that are extensively used exist within the Inyan Kara Group, Minnekahta Limestone, Minnelusa Formation, Madison Limestone, and Deadwood Formation (youngest to oldest) (Carter and Driscoll, 2001a; Fahrenbach et al., 2010; Water Rights, 2025b, 2025c, and 2025d). Individually, these aquifers are separated by relatively impermeable layers within the formations or by confining layers between the formations (Carter and Driscoll, 2001a; Fahrenbach et al., 2010). The direction of groundwater movement in these aquifers is generally radially outward from the outcrop in the Black Hills in South Dakota (Carter and Driscoll, 2001a). While the lateral component of groundwater flow dominates the movement of water in these aquifers, extremely variable leakage can also occur (Carter and Driscoll, 2001a).

The Madison Group in South Dakota is a Lower Mississippian and Upper Devonian aged group of formations that in the Black Hills consists of the Englewood and Pahasapa Limestone formations (Fahrenbach et al., 2010). The Pahasapa Limestone is a white, light gray to tan, fine- to medium-grained limestone and dolomite containing brown to gray chert (Martin et al., 2004). The Englewood Limestone is a pink to lavender to light-gray, thin- to medium-bedded, fine- to medium-grained, argillaceous, dolomitic limestone (Martin et al., 2004). The Madison aquifer consists of the permeable and porous portions of the Madison Group that are sufficiently saturated to deliver useful quantities of water. The Madison aquifer extends over more than 210,000 square miles in Montana, Wyoming, North Dakota, South Dakota, and Nebraska (Downey, 1984); although, it may not be suitable as a source of water in all of those areas due to extreme depth to the aquifer and poor water quality far from the outcrops (Carter et al., 2002). The Madison Group outcrops in the Black Hills but is otherwise buried in South Dakota (shown in Figure 1) (Martin et al., 2004). In South Dakota, the Madison aquifer is primarily under

confined conditions, except where it outcrops in the Black Hills (SDGS, 2025; Water Rights, 2025b and 2025d).

The Madison aquifer may be hydrologically connected to the underlying Deadwood aquifer (Carter et al, 2003; SDGS, 2025; Water Rights, 2025b). Putnam and Long (2007) postulate that “the hydraulic connection between the Madison Limestone and the Minnelusa Formation is spatially variable and probably results from faults, fractures, and breccia pipes.” The Minnelusa aquifer overlies the Madison aquifer unconformably (Fahrenbach et al., 2010), which means there was a period of erosion or weathering between when the Madison Group and the Minnelusa Formation were deposited. Transmissivity in the Madison aquifer mainly comes from secondary porosity features such as solution cavities, faults, and fractures (Long and Putnam, 2002). Because most of the transmissivity in the Madison aquifer comes from secondary porosity features, aquifer characteristics in the Madison aquifer vary greatly from location to location (Long and Putnam, 2002).

In the Black Hills Area of South Dakota, Carter and others (2003) estimated the Madison Group to underlie approximately 2,632,320 acres. The aquifer has an average saturated thickness of 521 feet in the study area and a documented maximum thickness of 1,000 feet (Carter et al, 2003).

A water well completion report for the existing well to be used for this application was submitted with Water Permit Application No. 2886-2. The report lists, “Morrison” from 50 feet to 750 feet below the ground surface, “Spearfish” from 750 to 1,180 feet, “Opeche” from 1,180 to 1,230 feet, “Minnekahta” from 1,230 to 1,450 feet, “Minnelusa” from 1,450 to 2,250 feet, “Madison” from 2,250 to 2,400 feet below the ground surface. The well was completed into an open hole at 2,400 feet (total depth) and had a static water level of approximately 200 feet at the time of well completion (November 3, 2024). The Madison aquifer is confined at the existing well site and is expected to be at the proposed diversion points based on the submitted well completion report, the well completion reports on file for nearby wells completed into the aquifer, and lithologic logs on file for nearby observation wells (SDGS, 2025; Water Rights, 2025d).

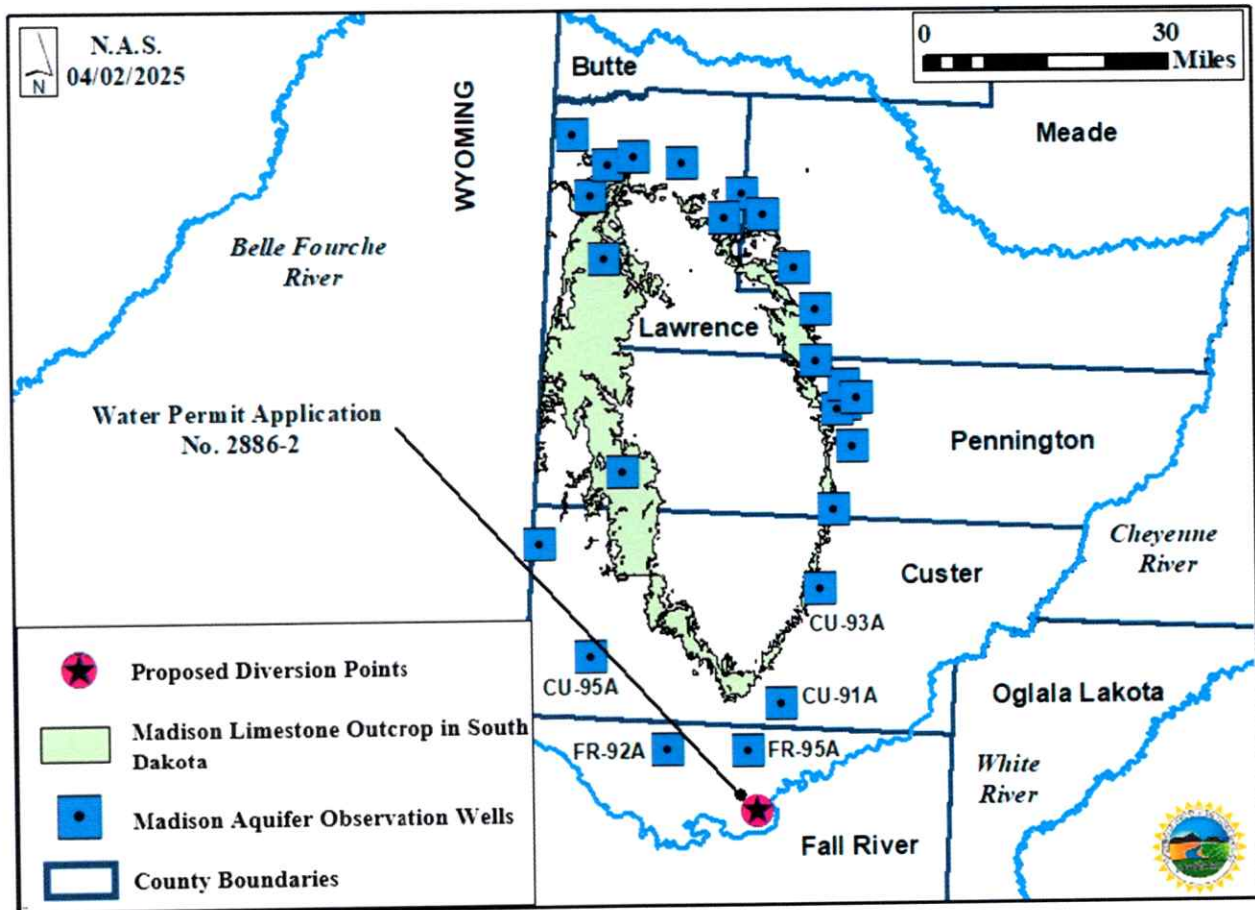


Figure 1. Madison Limestone outcrop in the Black Hills in South Dakota (Strobel et al., 1999), the Madison aquifer observation wells in the Black Hills (Water Rights, 2025b), and the existing well site and proposed diversion points for Water Permit Application No. 2886-2 (Water Rights, 2025d)

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 Madison aquifer.

Pursuant to SDCL 46-2A-20, **Term limitation on water withdrawal from Madison formation in certain counties.**

“Notwithstanding SDCL 46-1-14 and 46-2A-7, no water permit for construction of works to withdraw water from the Madison formation in Butte, Fall River, Custer, Lawrence, Meade and Pennington counties may be issued for a term of more than twenty years, unless

the Water Management Board determines, based upon the evidence presented at a hearing that:

- (1) Sufficient information is available to determine whether any significant adverse hydrologic effects on the supply of water in the Madison formation would result if the proposed withdrawal were approved; and
- (2) The information, whether provided by the applicant or by other means, shows that there is a reasonable probability that issuance of the proposed permit would not have a significant adverse effect on nearby Madison formation wells and springs.”

Water Permit Application No. 2880-2 proposes to withdraw water from the Madison aquifer in one of the counties listed above. Therefore, in addition to the other requirements, the Water Management Board must consider the effect this application may have on nearby Madison aquifer wells and springs. Water Permit Application No. 2880-2 is subject to a 20-year term limit.

WATER AVAILABILITY:

Water Permit Application No. 2886-2 proposes to appropriate water from the Madison 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 Madison 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 Madison aquifer must be considered.

STATEWIDE HYDROLOGIC BUDGET:

Statewide Recharge

Recharge to the Madison aquifer is primarily through streamflow losses and the infiltration of precipitation where the formation outcrops (Carter and Driscoll, 2001a; Driscoll et al., 2002). Driscoll and others (2002) noted that the Madison aquifer receives more recharge from streamflow losses than the Minnelusa aquifer as a result of the Madison outcrop having an upslope location to the Minnelusa outcrop within the Black Hills in South Dakota.

Woodward-Clyde Consultants (1981) estimated recharge to the outcrop of the Madison aquifer in the Black Hills as part of an environmental impact statement for the ETSI Coal Slurry Pipeline Project. The upper-bound estimate of recharge in the Woodward-Clyde Consultants (1981) report is approximately 400,000 acre-feet per year, assuming almost all of the precipitation that

falls on the outcrop infiltrates into the aquifer. Woodward-Clyde Consultants (1981) produced a lower-bound recharge estimate of 140,000 acre-feet per year based on the Rahn and Gries (1973) report. However, the Rahn and Gries (1973) report estimated recharge for all Paleozoic Limestone Formations in the Black Hills, which includes the Madison Group, the Minnelusa Formation, and the Minnekahta Formation. Rahn and Gries (1973) reported that 146.14 cfs was the minimum estimated recharge rate for all Paleozoic limestone from the infiltration of precipitation, which converts to approximately 106,000 acre-feet per year for all Paleozoic Limestone Formations. The Woodward-Clyde Consultants (1981) report did not acknowledge the fact that the Rahn and Gries (1973) report estimated minimum recharge for a larger group of formations than the Woodward-Clyde Consultants (1981) report covers; therefore, was likely to overestimate recharge to the Madison aquifer under the assumptions made.

Carter and others (2001a) analyzed streamflow and precipitation data from 1931 to 1998 within the Black Hills of South Dakota and Wyoming to determine the average annual recharge to the Madison and Minnelusa aquifers. The average annual recharge rate to the Madison and Minnelusa aquifers from streamflow contributions was estimated to be approximately 93 cfs, or 67,500 acre-feet per year; plus 251 cfs, or 181,760 acre-feet per year from precipitation falling on the outcrop in the Black Hills, for a combined estimated average annual recharge rate of 344 cfs, or 249,260 acre-feet per year.

Carter and others (2001a) determined that of the combined estimated average annual recharge rate, approximately 55% of the total recharge goes to the Madison aquifer, and the remaining 45% recharges to the Minnelusa aquifer. Therefore, the estimated average annual recharge rate to the Madison aquifer is approximately 137,093 acre-feet per year. This recharge rate estimate does not include possible inflow from adjacent aquifers or from the Madison aquifer outside of the Black Hills of South Dakota and Wyoming. The Carter and others (2001a) report uses additional and more recent years of data, and better assumptions than the Woodward-Clyde Consultants (1981) and Rahn and Gries (1973) reports. Therefore, the best estimate of recharge to the Madison aquifer is based on the Carter and others (2001a) report.

Statewide Discharge

Discharge from the Madison aquifer is primarily through well withdrawals (Water Rights, 2025d), leakage to other aquifers, and flow to headwater and artesian springs (Carter and Driscoll, 2001b).

Currently, there are 178 water rights/permits appropriating water from the Madison aquifer within South Dakota, plus one pending application – Water Permit Application No. 2044-1 requesting up to 270 acre-feet of water per year for water distribution system and commercial uses. The estimated use for the pending application will be included with the non-irrigation water rights/permits.

Additionally, there are 12 future use permits reserving water from the Madison aquifer (Water Rights, 2025c). For the purpose of estimating average annual withdrawals, the future use permits are assumed to be fully developable for a total of 14,549 acre-feet per year.

Water Permit No. 2773-2 is authorized for use from either the Minnelusa or Madison aquifers; however, the construction period has passed for this permit and the annual irrigation questionnaire indicates the well has not been constructed (Water Rights, 2025c). Therefore, the estimated use for Water Permit No. 2773-2 will not be included in this analysis, resulting in a total of 177 water rights/permits and one pending application.

Water Right No. 1709-1 authorizes a diversion rate of 0.333 cfs from three wells, two completed into the Minnelusa aquifer (110 gallons per minute or 0.245 cfs) and one completed into the Madison aquifer (40 gallons per minute or 0.089 cfs) for suburban housing development and commercial use (Water Rights, 2025c). The estimated use for the Madison aquifer well authorized by Water Right No. 1709-1 will be included with the non-irrigation water rights/permits in this analysis.

Of the 177 Madison aquifer water rights/permits (not including Water Permit No. 2773-2), 34 are for irrigation as a primary use, with exception of Water Permit No. 1096A-1 (see below), and 143 are for non-irrigation use (plus pending Water Permit Application No. 2044-1) (Water Rights, 2025c). Table 1 summarizes the 143 non-irrigation water rights/permits (plus one pending application) authorized to appropriate water from the Madison aquifer with the estimated annual use for each water right/permit as determined by their limiting diversion rate or annual volume. The use type determined for each water right/permit was based on the primary use categorized for each water right/permit as some permits have multiple uses (Water Rights, 2025c). Historically, average water use by non-irrigation appropriations limited by an instantaneous diversion rate have been assumed to be pumping 60% of full time at the respective permitted diversion rate. Water rights/permits limited by an annual volume are assumed to withdraw their entire respective annual volume limitation. This is a standard method used by the DANR-Water Rights Program for estimating annual withdrawals by non-irrigation appropriations from an aquifer (Water Rights, 2025c).

There are seven municipal water rights/permits (Water Right/Permit Nos. 1628-2, 1709-1, 1858-2, 272-1, 568-2, 574-2, and 743-1) authorized to appropriate water from the Madison aquifer that were identified as being connected to a rural water system (RWS) and likely maintain their wells for standby purposes (Drinking Water Program, 2025; Water Rights, 2025c). As such, the average annual water use for these water rights has been estimated to be zero acre-feet per year on Table 1. Overall, the average annual withdrawal rate for the Madison aquifer non-irrigation water rights/permits (including one pending application) is approximately 44,554 acre-feet per year (Table 1) (Water Rights, 2025c).

Table 1. Summary of the non-irrigation water rights/permits authorized to appropriate from the Madison aquifer with estimated annual use determined by their respective diversion rate or annual volume, including one pending application (Drinking Water Program, 2025; Water Rights, 2025c)

Use Type	No. of Water Rights/Permits	Authorized Annual Volume (acre-feet/year)	Authorized Diversion Rate (cfs)	Total Estimated Use (acre-feet/year)
RWS	20	5,152	3.85	6,826.7
SHD	40	339.2	7.189	3,463.8
REC	1	N/A	1	434.4
COM	16	1,346	0.89	1,733.6
DOM	4	71	0.22	166.6
INS	2	N/A	0.2	86.9
IND	11	301.3	4.88	2,422.3
MUN	36	18,156	16.82	25,466.6
GEO	2	N/A	1.43	621.5
WDS	13	3,332	N/A	3,331.8
TOTAL:	145	28,698	36.48	44,554
RWS: Rural Water System, SHD: Suburban Housing Development, REC: Recreation, COM: Commercial, DOM: Domestic; GEO: Geothermal; WDS: Water Distribution System INS: Institutional, IND: Industrial, MUN: Municipal				

Currently, there are 33 irrigation water rights/permits authorized to appropriate water from the Madison aquifer (Water Rights, 2025c). Irrigation water rights/permits have been typically required to report their annual usage on an irrigation questionnaire since 1979. The average annual reported withdrawal rate for the Madison aquifer irrigation water rights/permits that have reported over the period of record (1982 to 2023) is approximately 841 acre-feet per year (Water Rights, 2025a). To reflect the current development of irrigation water rights/permits more accurately, the average annual withdrawal rate for irrigation appropriations from 2014 to 2023 is approximately 828 acre-feet per year (Water Rights, 2025a). It is worth noting the average annual reported withdrawal rate does not include Madison aquifer water permit applications approved in 2024, or the applications approved prior to 2024 that have not reported a withdrawal rate at this time that may be undergoing development/construction phases (Water Rights, 2025a and 2025c).

Therefore, for comparison purposes, the average annual withdrawal rate for the 33 water rights/permits authorized for irrigation use from the Madison aquifer was estimated utilizing the following method: for the water rights/permits with greater than ten years of irrigation reports available, the average reported irrigation over the respective period of record was used to estimate withdrawals; for the water rights/permits with less than ten years of irrigation reports available, withdrawals were assumed to equal two acre-feet per authorized acre; although, actual usage is likely less for non-turf irrigation (Water Rights, 2025a and 2025c). Non-irrigation withdrawals from permit holders with irrigation also as a permitted use were assumed to withdraw at their maximum instantaneous diversion rate 60% of the time, and the water rights/permits limited by an annual volume were assumed to withdraw their entire respective

annual volume limitation. In the case of Water Right No. 1885-1, with irrigation also as a permitted use, if assumed to withdraw at their maximum instantaneous diversion rate 60% of the time plus applying two feet of water to each authorized acre, that sum (~91 acre-feet/year) would cause the total estimated withdrawal to exceed the rate they are physically capable of withdrawing, so instead their total estimated withdrawal is 100% of their maximum instantaneous diversion rate (~80 acre-feet/year).

Using the methods described above, the estimated average annual withdrawal rate for the Madison aquifer water rights/permits used for irrigation, including other uses for those water rights/permits with additional authorized uses, is approximately 9,546 acre-feet per year (Table 2) (Water Rights, 2025a and 2025c). This value will be used in this analysis to estimate the average annual withdrawal rate for the water rights/permits authorized for irrigation primarily and other uses from the Madison aquifer.

Water Right/Permit Nos. 1096A-1, 1496-1, and 1670-1 are all authorized to withdraw from the same well and one dam. Water Right Nos. 1096A-1, 1670-1 are authorized for irrigation use and Water Right No. 1096A-1 and Water Permit No. 1496-1 are authorized for rural water system use. Documentation in the administrative file for Water Right No. 1670-1 indicates that the well is not valved such that it can be shut off when not in use for the beneficial uses listed on the permits. A letter dated September 9, 1998, indicates that when the water for that well is not being used for the beneficial uses described in the permits, it is used for fish and wildlife propagation. The person writing the letter indicated they would prefer the Board not order the well to be shut off when not used for irrigation or rural water system withdrawals. It is likely the well continues to flow uncontrolled; thus, at the flow rate listed in Water Right No. 1096A-1 of 1.33 cfs, that well withdraws approximately 963.5 acre-feet per year from the Madison aquifer.

Water Right No. 1650-1 does not require the water right holder to report annual withdrawals and allocates no acreage. It provides supplemental water supply from a flowing well for Water Right No. 1231-1. Water Right No. 1231-1 permits a 110-acre-foot dam to provide water for a commercial livestock operation and irrigation of 134 acres. Water Right No. 1650-1 allows for direct irrigation from a Madison aquifer well of up to two acre-ft per acre for the land permitted by Water Right No. 1231-1. Kilts (2019) estimated that Water Right No. 1650-1 withdraws 55.9 acre-feet per year (Kilts, 2019). This water right was transferred to a new owner in 2021. For the 2023 irrigation season, the owner reported using 85.36 acre-feet of water for irrigation. As this is the only year this owner has reported, the value of 55.9 acre-feet per year will be used until more years of reporting can establish an average.

Two other applications requesting to appropriate water from the Madison aquifer are either deferred or held in abeyance. Water Permit Application No. 2585-2 for Southern Black Hills Water System proposes to appropriate 1,600 acre-feet per year but is deferred for further study. Water Permit Application No. 2685-2 for Powertech, Inc is held in abeyance pending federal permitting and proposes to appropriate 889 acre-feet per year.

Report on Water Permit Application No. 2886-2

Table 2. Estimated use for Madison aquifer water rights/permits with irrigation listed as one use (Water Rights, 2025a and 2025c)

Permit No.	Name	Status	Priority Date	Use Type(s)	Authorized Diversion Rate (cfs)	LC/PE Acres	Average Report (ac-ft/yr)	Years of Irrigation Reported	Estimated IRR Use (ac-ft/yr)	Estimated Non-Irr Use (ac-ft/yr)	Total Est Use (ac-ft/yr)
1009-1	Donald F/Ann J Brady	LC	02/01/1974	IRR	0.78	53.73	29	42	29		29
1185-1	Donald F/Ann J Brady	LC	01/18/1979	IRR, REC, FWP	0.38	22.52	109.9	42	109.9	0***	109.9
1223-1	P & L Water and Hay LLP	LC	03/10/1981	IRR	0.67	263	186.1	42	186.1		186.1
1363-1	Spearfish Canyon Country Club	LC	09/15/1986	IRR	0.9	80.1	66.3	37	66.3		66.3
1452-1	Black Hills State College	LC	12/19/1988	IRR, MUN	3.33	25.44	24.2	35	24.2	1,447.4	1,471.6
1725-2	Janice R Crowser	LC	08/20/1980	IRR	1.07	75.1	2.02	25	2.02		2.02
1911-2	Hart Ranch Development Co	LC	09/27/1984	IRR, SHD, REC	0.88	124	116.7	30	116.7	382.5	499
2106-2	Stuart Rice	LC	06/06/1990	IRR, DOM	0.08	2.8	0.74	33	0.74	34.8	35.5
2286-2	Donald Konechne	LC	04/28/1993	IRR	0.1	38.5	10.2	30	10.2		10.2
858-2	John & Heidi McBride	LC	02/05/1965	IRR	9.36	655.75	6.4	42	6.4		6.4
2313-2	Coca-Cola Bottling	LC	04/08/1994	IRR, COM	0.33	3	7.96	29	7.96	143.4	151.4
1635-1	Black Hills National Cemetery	LC	04/02/1990	IRR, INS	0.82	54.5	94.1	28	94.1	356.4	450.5
1670-1	Buddy, Peggy, & Kami Ireland	LC	06/09/1998	IRR	3.61	253	45.6	26	*	*	*
1096A-1	Butte-Meade Sanitary District	PE	04/16/1976	RWS, IRR	1.33	0	N/A	0	*	*	963.5
2458-2	City of Rapid City	LC	03/30/2001	IRR	0.8	107	109.4	23	109.4		109.4
1842-1	Tom C Davis	LC	04/05/2005	IRR	0.44	330	0	19	0		0
2593-2	Hart Ranch Development	LC	06/15/2006	IRR, SHD	0.49	72.5	31.72	17	31.7	213	244.7
1858-1	Glencoe Camp Resort II LLC	LC	03/08/2006	IRR, COM	0.86	34	0	17	0	373.8	373.8
1885-1	John T & Veronica Widdoss	LC	04/09/2007	IRR, DOM	0.11	22	18.4	7	44	47.8	79.6*
1899-1	Davis Ranches Inc	LC	08/25/2008	IRR	1.43	100	0	15			0
1923-1	Roger & Jean Ranschau	LC	02/15/2011	IRR, DOM	0.11	3	0.87	13	0.87	47.8	48.7
2673-2	Diocese of Rapid City	LC	05/27/2011	IRR	0.12	7	9	12	8.5		8.5
1960-1	One Diamond Inc	LC	08/17/2012	IRR, COM	1.28	150	130	8	300	29****	329
1931-1	Elkhorn Ridge @ Frawley Ranches LLC	LC	04/11/2016	IRR, COM	0.17	3.3	3	11	3	73.9	76.9
1707A-1	Elkhorn Ridge @ Frawley Ranches LLC	PE	01/06/2000	IRR, SHD, COM, DOM	3.705	100	0	4	0	1,610.3	1,610.3
1707E-1	Elkhorn Ridge @ Frawley Ranches LLC	PE	01/06/2000	IRR	0	0	48.2	17	48.2	n/a	48.2
1945-1	Frawley Ranches LLC	PE	02/10/2014	IRR	1.11	265	59.2	10	59.2	n/a	59.2
2773-2	Arrowhead Country Club	PE	07/27/2017	IRR	1.11	100	0	6	200	n/a	*
2741-2	Tubbs Land & Cattle LLC	PE	08/20/2018	IRR	3.34	567	194.6	5	1,134	n/a	1,134
2002-1	City of Spearfish	PE	12/28/2020	IRR	1.33	40	0	3	80	n/a	80
2012-1	Jesse Horstmann	PE	12/23/2021	IRR	0.5	43.5	0	2	87	n/a	87
2013-1	Santa Maria Land & Cattle Corp	PE	01/18/2022	IRR	2.22	460	0	1	920	n/a	920
2879-2	Weinreis Brothers	PE	05/24/2024	IRR	0.5	75	0	0	150	n/a	150
2037-1	Jared & Anna Lukens-Black	PE	06/24/2024	IRR, COM, DOM	0.055	0.6	0	0	1.2	23.9	25.1
2880-2	Jeremiah & Wendy Walla	PE	07/24/2024	IRR	0.390	23.5	0	0	47.08	n/a	47.1
419-2	Wind Cave National Park	LC	12/29/1955	COM, IRR	0.150	6			12	65.2	77.2
1650-1	Dennis L. Miller	LC	04/03/1997	COM, IRR	0.890	0.0	85.4	1	0	*	55.9
*Discussed in text **Extension of time to develop 1707A-1 ***Non-Irrigation use reported with irrigation use ****Non-irrigation use(s) limited by annual volume										TOTAL:	9,546
LC: Licensed Water Right; PE: Water Permit; COM: Commercial; DOM: Domestic; FWP: Fish & Wildlife Propagation; MUN: Municipal; REC: Recreation;											
RWS: Rural Water System; SHD: Suburban Housing Development											

There are domestic wells completed into the Madison aquifer that do not require a water right/permit, so the withdrawal amount from those wells is unknown (Water Rights, 2025d). However, Carter and others (2001b) estimated an average annual withdrawal rate from the Madison aquifer for domestic and livestock use from 1987 to 1996 to be approximately 247.4 acre-feet per year. It is likely that water withdrawals from the Madison aquifer for domestic and livestock use has increased since 1996; however, with the development of rural water systems in some of the areas where the Madison aquifer is a viable aquifer, it is likely some domestic users may have transitioned to rural water. Additionally, due to their relatively low diversion rates, withdrawals from domestic wells are generally not considered to be a significant portion of the

hydrologic budget. Therefore, the quantity of water estimated by Carter and others (2001b) (approximately 247.4 acre-feet per year) for average annual withdrawals for domestic and livestock use from the Madison aquifer will be assumed to be a probable minimum average annual withdrawal rate from the aquifer.

Statewide Hydrologic Budget Summary

The estimated average annual recharge rate to the Madison aquifer is approximately 137,000 acre-feet per year. The estimated average annual withdrawal rate from the Madison aquifer is approximately 71,534 acre-feet per year (including the estimated use for Water Permit Application Nos. 2044-1 and 2886-2, if approved) (shown in Table 3). Based on the hydrologic budget, there is a reasonable probability unappropriated water is available from the Madison aquifer for the proposed appropriation.

Table 3. Estimated use from Madison aquifer (Water Rights, 2025a and 2025c)

Type of Water Right/Permit	Estimated Use (acre-feet/year)
Future Use Reservations	14,549
Non-Irrigation (including pending Water Permit App No. 2044-1, if approved)	44,554
Irrigation	9,546
Domestic and Livestock Use	247.4
Deferred/Abeyence	2,489
Water Permit Application No. 2886-2 (if approved, assuming full volume appropriation)	149
TOTAL:	71,534

Localized Hydrologic Budget: *Carter, Driscoll, Hamade, & Jarrell (2001b)*

Carter and others (2001b) calculated hydrologic budgets for subareas of the Madison and Minnelusa aquifers for the Black Hills (in SD and WY) during the water years of 1987 to 1996. The budgets were calculated by dividing the Black Hills into nine subareas with the intent of minimizing groundwater flow to and from adjacent subareas. These subareas were determined based on several factors, including locations of major artesian springs, streamflow loss zones, and areas dominated by precipitation recharge. The existing well and proposed diversion points for Water Permit Application No. 2886-2 are located in Subarea 8 (Figure 2). The hydrologic budget for Subarea 8 is displayed in Table 4 (Carter et al., 2001b)

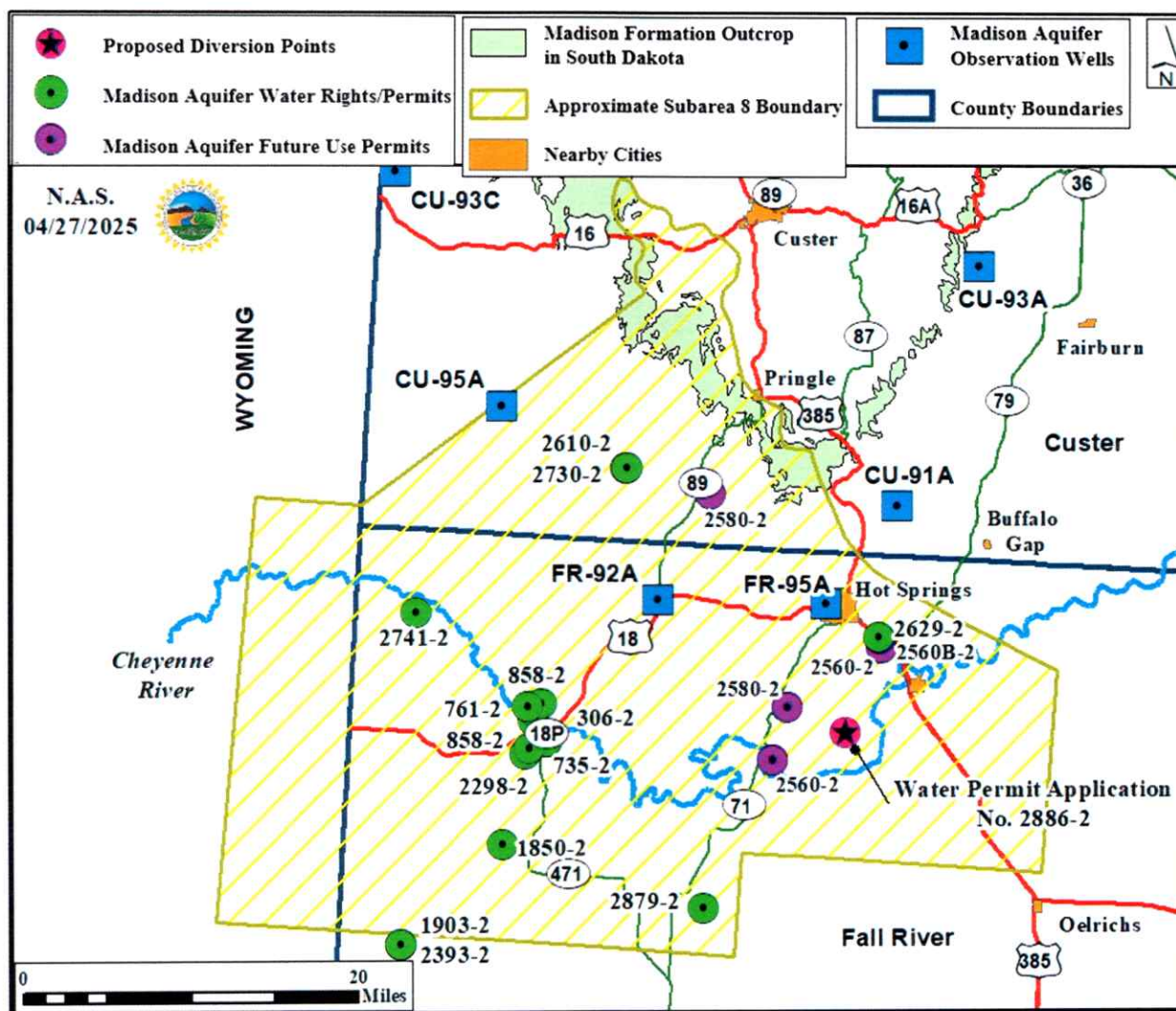


Figure 2. Subarea used for the Madison and Minnelusa aquifers localized hydrologic budgets (modified from Carter et al., 2001b), the Madison Limestone outcrop (Strobel et al., 1999), the location of the existing well site and proposed diversion points for Water Permit Application No. 2886-2, and the Madison aquifer water rights/permits, future use permits, and observation wells within Subarea 8 (Water Rights, 2025b and 2025c)

Table 4. Estimated average annual hydrologic budget for Subarea 8 for the Madison and Minnelusa aquifers in the Black Hills for the water years 1987 to 1996 (modified from Carter et al., 2001b)

Subarea 8	Inflow:			Outflow:		
	Streamflow Recharge	Precipitation Recharge	Net Groundwater Inflow	Artesian Springflow	Wells	Net Groundwater Outflow
cfs	4.4	6.1	35.6	44.3	1.8	0
acre-feet/year	3,185.5	4,416.2	25,773	32,071.7	1,303.1	0.0

As shown in Table 4, Carter and others (2001b) estimated the average annual recharge rate to Subarea 8 for the Madison and Minnelusa aquifers due to streamflow, precipitation, and groundwater inflow recharge to be approximately 25,773 acre-feet per year. Carter and others (2001a) determined that of the combined average annual recharge rate, approximately 55% of the total recharge goes to the entire Madison aquifer. Although 55% of the total recharge going to the Madison aquifer is for the entirety of the Madison Group outcrop area in the Black Hills, this percentage can still be used to roughly approximate the average annual recharge rate to the Madison aquifer in Subarea 8, which equates to approximately 14,175.2 acre-feet per year.

Groundwater models rely on several assumptions and the hydrologic budget for the subarea determined by Carter and others (2001b) does not account for other factors contributing to recharge. Additional recharge is likely available through upward leakage from underlying aquifers and through well withdrawals inducing groundwater inflow from outside the subarea.

Currently in Subarea 8, there are 14 water rights/permits authorized to withdraw from the Madison aquifer, and three future use permits reserving water (Water Rights, 2025c). For the water rights/permits authorized for irrigation use, an application rate of two feet per authorized acre per year was utilized for the purpose of estimating the average annual withdrawal rate from the Madison aquifer. The average annual withdrawal rate from the Madison aquifer for the non-irrigation water rights/permits was estimated utilizing the same methods used for the non-irrigation water rights/permits in Table 1. Including Water Permit Application No. 2886-2 (if approved, assuming full volume appropriation), the estimated average annual withdrawal rate from the Madison aquifer is approximately 5,440 acre-feet per year from Subarea 8. Based on the hydrologic budget for the water rights/permits within Carter and others (2001b) Subarea 8, there is a reasonable probability unappropriated water is available from the Madison aquifer for the proposed appropriation.

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 25 observation wells completed into the Madison aquifer (Water Rights, 2025b). The three closest observation wells to the existing and proposed diversion points are FR-95A (approximately 8 miles northwest), FR-92A (approximately 13.7 miles northwest), and CU-91A (approximately 14 miles northeast) (as shown in Figure 1) (Water Rights, 2025b). The hydrographs for these observation wells are displayed in Figures 3 to 5 (Water Rights, 2025b). The data points utilized to construct the hydrographs are measurements of the static water level in the observation wells from the top of the well casing.

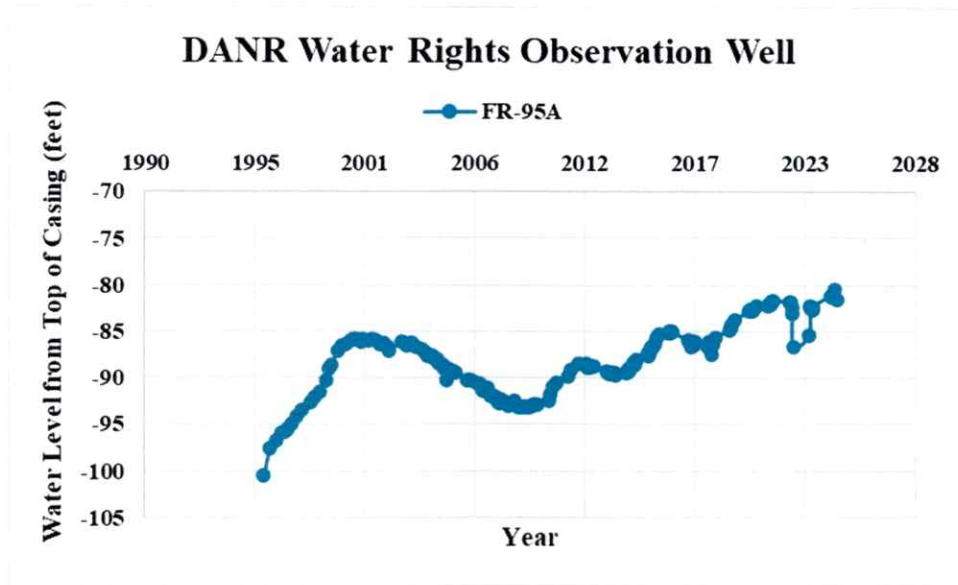


Figure 3. Hydrograph for observation well FR-95A (Water Rights, 2025b)

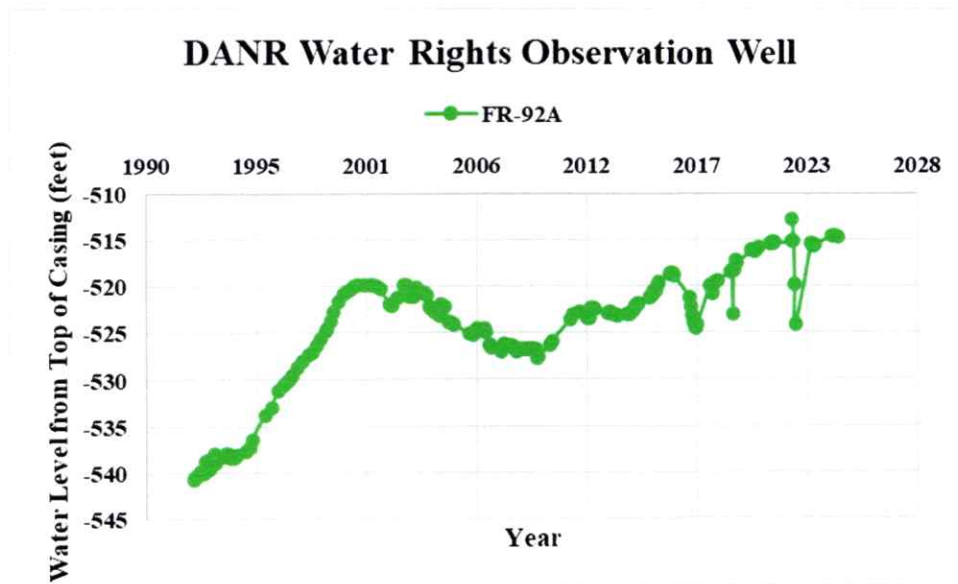


Figure 4. Hydrograph for observation well FR-92A (Water Rights, 2025b)

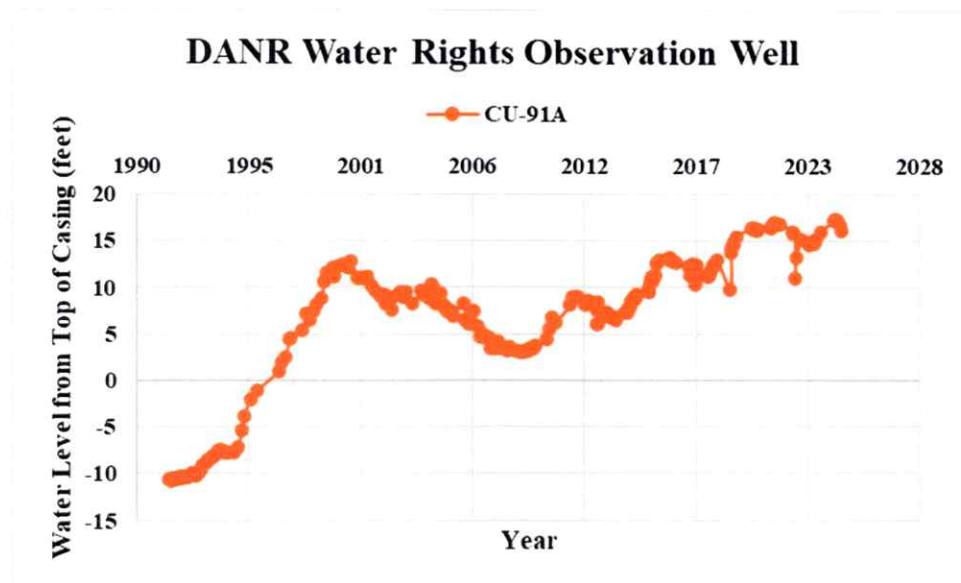


Figure 5. Hydrograph for observation well CU-91A (Water Rights, 2025b)

Observation well CU-91A is approximately four miles from the closest Madison Group outcrop. The outcrop is a primary recharge area for the Madison aquifer. As such, the hydrograph for CU-91A is more reactive to the magnitude of recharge occurring on the outcrop than areas downgradient from the outcrop, resulting in observation wells near the outcrop showing greater fluctuations to seasonal recharge and withdrawals than observation wells further away. Overall, the hydrographs for the observation wells used in this analysis and other Madison aquifer observation well hydrographs display generally stable to increasing water levels over their respective periods of record. The hydrographs for these three observation wells were compared to the hydrographs for the other observation wells completed into the Madison aquifer and each displayed a generally similar trend as shown on the hydrographs displayed in Figures 3 to 5 (Water Rights, 2025b). The hydrographs for the observation wells completed into the Madison aquifer indicate that the aquifer responds well to climatic conditions because water levels are rising during wetter periods and declining to a stable water level during drier periods. Additionally, the water levels in the observation wells display that the amount of recharge to and natural discharge from the aquifer greatly exceeds pumping with the aquifer returning to pre-pumping conditions annually. Aquifer recovery indicates that climatic conditions and therefore, the effects of recharge to and natural discharges from the aquifer govern the long-term fluctuations of water levels in the aquifer rather than the impacts of pumping from the Madison aquifer. By recognizing that both recharge to and natural discharge from an aquifer can be captured for pumping, the observation well hydrographs demonstrate unappropriated water is available for the proposed appropriation.

POTENTIAL FOR UNLAWFUL IMPAIRMENT OF EXISTING WATER RIGHTS:

Currently, there are 178 water rights/permits appropriating water from the Madison aquifer within South Dakota, plus one pending application, and 12 future use permits reserving water (Water Rights, 2025c). The closest water right/permit to the existing well and proposed diversion points is Water Right No. 2629-2, which is held by Fall River Water Users District. The

diversion point for Water Right No. 2629-2 is located approximately six miles northeast of the existing well and proposed diversion points for this application (Table 5) (Figure 6) (Water Rights, 2025c). The closest future use permit to the existing well and proposed diversion points is Future Use Permit No. 2560-2, which is held by Fall River Water Users District. The future use area for Future Use Permit No. 2560-2 is located approximately 5.5 miles northeast of the existing well and proposed diversion points for this application (Table 5) (Figure 6) (Water Rights, 2025c).

There are domestic wells on file with the DANR-Water Rights Program that are completed into the Madison aquifer, with the closest domestic well on file (not held by the applicant) located approximately 1.7 miles northeast of the existing well and proposed diversion points (Water Rights, 2025d). There could potentially be other domestic wells completed into the Madison aquifer near the existing well and proposed diversion points that are not on file with the DANR-Water Rights Program. The location of the domestic wells in the well completion report database maintained by the Water Rights Program is based on the location listed by the driller on the well completion report.

Table 5. Water rights/permits authorized to withdraw from the Madison aquifer as shown in Figure 6 (Water Rights, 2025c)

Permit No.	Name	Status	Use	Authorized Acres if IRR	Authorized Diversion Rate (cfs)	Annual Volume (acre-feet/year)
1850-2	Provo Township	LC	MUN, RWS		0.45	
1903-2	Tetrad Corporation	LC	IND		0.26	
2298-2	City of Edgemont	LC	REC, MUN		1	
306-2	City of Edgemont	LC	MUN		0.31	
735-2	Tennessee Valley Authority	LC	IND		0.66	
761-2	City of Edgemont	LC	MUN		0.41	
858-2	John & Heidi McBride	LC	IRR	655.75	9.36	
2393-2	Tetrad Corporation	LC	DOM		0	
2610-2	SDR Training Center	PE	SHD		0.21	
2730-2	SDR Training Center	PE	DOM		0.236	60
2741-2	Tubbs Land & Cattle LLC	PE	IRR	567	3.34	
2879-2	Weinreis Brothers	PE	IRR	75	0.5	
2580-2	Southern Black Hills Water System	FU	RWS		0	1,474
2560-2	Fall River Water Users District	FU	RWS		0	358
2560B-2	Fall River Water Users District	FU	RWS		0	*
2629-2	Fall River Water Users District	LC	RWS		0.72	524
LC: Licensed Water Right; PE: Water Permit; FU: Future Use; DOM: Domestic; IND: Industrial; IRR: Irrigation;						
MUN: Municipal; REC: Recreation; RWS: Rural Water System *Expands the future use area						

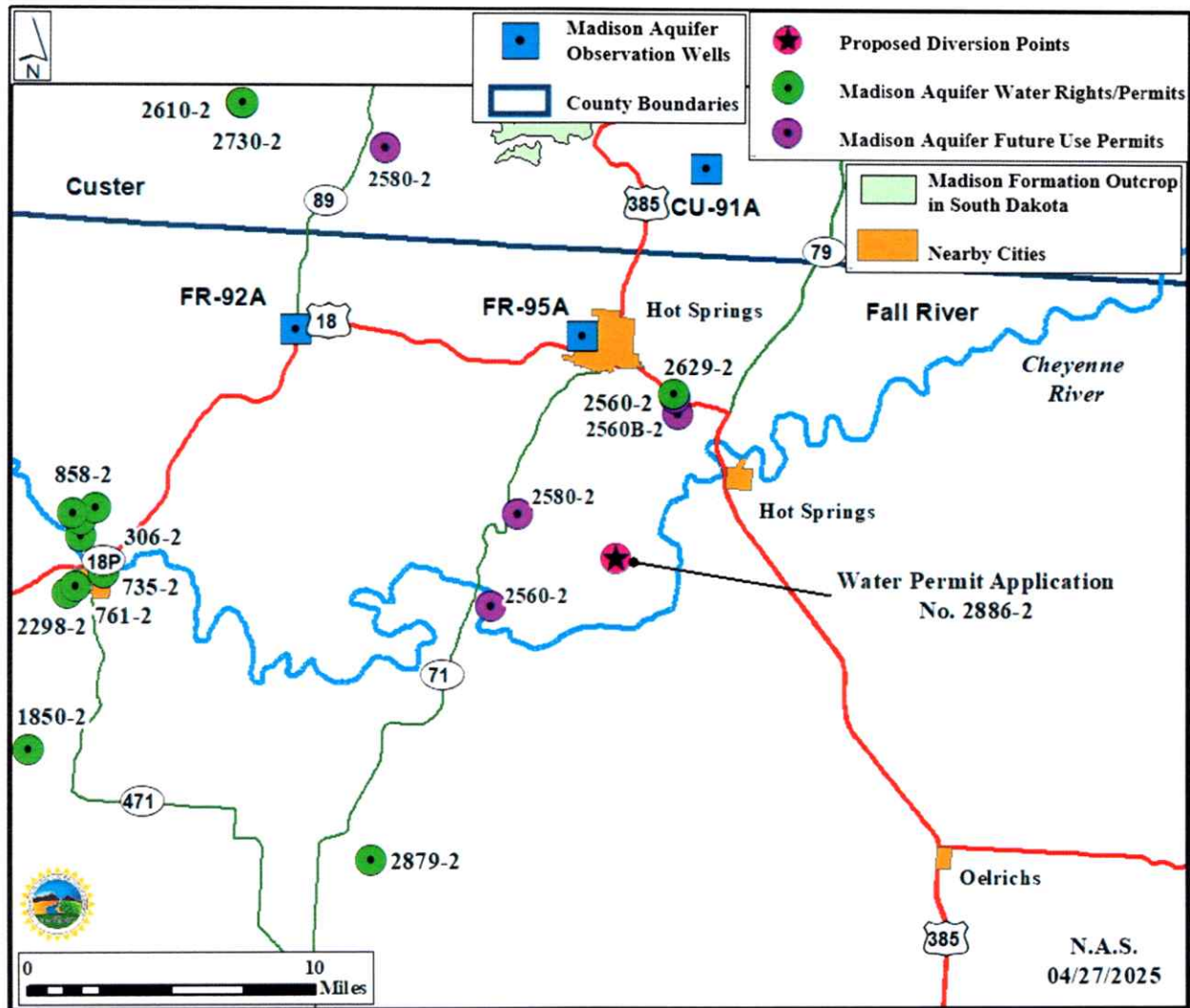


Figure 6. Location of the existing well and proposed diversion points for Water Permit Application No. 2886-2 with the Madison aquifer water rights/permits and observation wells within approximately twenty miles (Water Rights, 2025b and 2025c)

The Madison aquifer can exist under both confined and unconfined aquifer conditions (Water Rights, 2025b and 2025d). Based on the submitted water well completion report, the water well completion reports on file, and lithologic logs on file for nearby observation wells, the Madison aquifer is confined at the existing well site and is expected to be at the proposed diversion points (SDGS, 2025; Water Rights, 2025b and 2025d). Drawdown created by pumping a well generally does not extend far from the pumped well in an unconfined aquifer; however, in a confined aquifer, drawdown from pumping could extend a distance from the diversion point. The exact drawdown behavior of a well cannot be known without an aquifer performance test. However, observation wells completed into the Madison aquifer near permitted/licensed diversion points can provide some insight on how the aquifer responds to pumping.

Observation well FR-95A (approximately 8 miles northwest of the existing well and proposed diversion points) has one high-yield well (assumed to be a well with an authorized diversion rate

greater than 0.2 cfs) within approximately five miles of it (Water Rights, 2025b and 2025c). Some drawdown resulting from pumping can be seen on the hydrograph for FR-95A, along with the water level in the aquifer recovering in response to recharge during the spring season (Figure 3) (Water Rights, 2025b). The lithologic log on file for FR-95A noted the well was drilled approximately 915 feet below the ground surface, had a casing stick up height of 0 feet, and the top of aquifer materials approximately 865 feet below the ground surface (SDGS, 2025). The lowest recorded static water level on the hydrograph is approximately 101 feet below the top of the well casing (shown on Figure 3), which indicates there was still approximately 765 feet of artesian head pressure in FR-95A even during a drier period when wells are expected to be pumping more water and when water levels are generally naturally lower in response to drier conditions (SDGS, 2025; Water Rights, 2025b).

Within approximately five miles of the existing well and proposed diversion points, wells completed into the Madison aquifer have a saturated aquifer thickness ranging from approximately 50 to 300 feet (SDGS, 2025; Water Rights, 2025d). This would generally allow for enough thickness for a pump to be placed 20 feet below the top of the aquifer, which is required for the well to be considered adequate under ARSD 74:02:04:20(6). Any drawdown as a result of the proposed diversion for this application is not expected to unlawfully impair nearby adequate wells. In Fall River County, there are no substantiated complaints on file with the DANR-Water Rights Program regarding well interference for adequate wells completed into the Madison aquifer (Water Rights, 2025e).

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.”

The Water Management Board considered the delivery of water by artesian head pressure versus maximum beneficial use during the issuance of Water Right No. 2313-2 for Coca-Cola Bottling Company of the Black Hills. The Board adopted the Findings of Facts and Conclusions of Law that noted the reservation of artesian head pressure for delivery of water would be inconsistent with SDCL 46-1-4 which states, “general welfare requires that the water resources of the state be put to beneficial use to the fullest extent of which they are capable...” (Water Rights, 1995). Furthermore, the Water Management Board found if increased cost or decreased production as a result of impacts on artesian head pressure by legitimate users is to be considered as an unlawful impairment, it would also conflict with SDCL 46-1-4 (Water Rights, 1995). With that in mind, some existing well owners may need to install or lower pumps depending on the specific characteristics of the Madison aquifer at their location. However, when considering the statutes

(SDCL 46-1-4 and 46-6-6.1), rules (ARSD 74:02:04:20(6) and (7)), the saturated thickness of the Madison aquifer near the existing well and proposed diversion points, the artesian head pressure in observation wells near permitted/licensed diversion points, and the lack of well interference complaints, any drawdown created from the proposed diversion is not expected to cause an unlawful impairment to existing water right/permit holders or domestic users with adequate wells. Therefore, there is a reasonable probability that any interference from the proposed appropriation will not impose unlawful impairments to existing users with adequate wells.

Springs

In the past, there have been concerns that development of the Madison aquifer will affect spring discharge. The nearest spring to the existing well and proposed diversion points is Cascade Springs (approximately 3.5 miles west), which discharges from the Minnelusa Formation (Driscoll et al., 2002). The next nearest spring is Hot Springs (approximately 6.5 miles north of existing well and proposed diversion points) which was identified as discharging primarily from the Minnelusa Formation (Driscoll et al., 2002). Lastly, the next nearest spring is Beaver Spring (approximately 14.5 miles northeast of existing well and proposed diversion points) which was identified as discharging primarily from the Minnelusa Formation and Madison Limestone (Driscoll et al., 2002).

When considering the deferral of Water Permit Application No. 2585-2 for the Southern Black Hills Water System, the Water Management Board adopted a conclusion of law stating in part "...The only protection South Dakota law provides when considering an application for an underground water permit for flow from an artesian spring is under the public interest criteria" (Water Rights, 1997). Given the distance between the existing well and proposed diversion points, and the springs mentioned above, while considering the applicant's proposed maximum diversion rate, there is a reasonable probability Water Permit Application No. 2886-2 can be developed without making an impact that would be measurable above the natural fluctuations in the nearest spring(s) that likely are or could be influenced by water coming from the Minnelusa or Madison aquifers.

CONCLUSIONS:

1. Water Permit Application No. 2886-2 proposes to appropriate up to 149 acre-feet of water annually at a maximum instantaneous diversion rate of 0.67 cfs from up to three wells completed, or to be completed, into the Madison aquifer (approximately 2,400 feet deep). The water will be used for commercial purposes in a campground to be located in Fall River County approximately seven miles south of Hot Springs, SD.
2. One existing well is located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25-T8S-R5E with up to two additional wells to be completed within the service area of the project in the NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 25-T8S-R5E; the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19; and the W $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30; all in T8S-R6E.

3. Based on the statewide hydrologic budget (and localized hydrologic budget) and observation well data, there is a reasonable probability that unappropriated water is available from the Madison aquifer to supply the proposed appropriation.
4. There is a reasonable probability that the proposed diversion by Water Permit Application No. 2886-2 will not unlawfully impair adequate wells for existing water rights/permits and domestic uses.
5. Water Permit Application No. 2886-2 is subject to a twenty-year term limitation.
6. There is reasonable probability Water Permit Application No. 2886-2 can be developed without noticeable impact to nearby springs.

Nakaila Steen

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

Reviewed by: -

Adam Mathiowetz

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

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**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 NEWSPAPERS RIGHT AWAY.**

May 8, 2025

Angostura Resort LLC.
c/o Ryan Kaski
1935 Samco Road, Suite 102
Rapid City SD 57702

Dear Mr. Kaski:

Water Permit Application No. 2886-2 for water distribution system use have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Fall River County Herald-Star printed at Hot Springs (Ph # 605 745-3930) and the Rapid City Journal printed at Rapid City SD (see attachment for contact number). You will need to contact the newspapers 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 newspapers to authorize publication of your Notice and to arrange for payment. Early contact with the papers can eliminate delays. Upon receiving authorization from you, the publishers have been instructed to publish your notice. The newspapers have 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,

Rachel Rodriguez

Rachel Rodriguez
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.

NOTICE OF APPLICATION NO. 2886-2 to Appropriate Water

Notice is given that Angostura Resort LLC., 1935 Samco Road, Suite 102, Rapid City SD 57702, has filed an application for a water permit to appropriate up to 149 acre-feet of water annually at a maximum pump rate of 0.67 cubic feet of water per second from up to 3 wells completed, or to be completed, into the Madison Aquifer (approximately 2,400 feet deep). One existing well is located in the NE 1/4 SE 1/4 Section 25-T8S-R5E with up to two additional wells to be completed within the service area of the project in the NE 1/4, N 1/2 SE 1/4 Section 25-T8S-R5E; SW 1/4 SW 1/4 Section 19; W 1/2 NW 1/4, NW 1/4 SW 1/4 Section 30; all in T8S-R6E. The water will be used for commercial purposes in a campground to be located approximately seven miles south of Hot Springs SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 2886-2 with a twenty-year term pursuant to SDCL 46-1-14 and 46-2A-20 because 1) although evidence is not available to justify issuing this permit without a 20 year term limitation, 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. The Acting 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 Acting Chief Engineer. A petition opposing the application shall be filed on a form provided by the Acting Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Acting Chief Engineer. The Acting 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 Acting 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 May 27, 2025.

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 Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Acting 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 May 27, 2025.

If the applicant does not contest the recommendation of the Acting Chief Engineer and no petition to oppose the application is received, the Acting 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.



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Bill to
Ryan

Invoice number UOYQ0QJN-0001
Notice ID W0S8UurWR78fvVoooAd8
Publisher The Rapid City Journal
Date of issue May 7, 2025
Date due Jun 7, 2025
Amount due **\$88.54**

Description	Qty	Unit price	Amount
05/15/2025: General Legal Notice	1	88.54	88.54

=== Notes ===

Notice Name: 2886-2 Angostura Resort LLC - Public Notice
Order Number: COL-SD-2496

=== How to pay this invoice ===

Column Software PBC accepts online payment via credit or debit card, or ACH bank transfers. Please click here to pay online:

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Tax	0.00
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Select organizations may also pay via check. Checks will result in processing delays and should not be used if your notice requires upfront payment. Please pay the exact amount due, write your invoice number UOYQ0QJN-0001 on the memo, include a printed copy of your Invoice PDF, make the check payable to Column Software PBC, and mail to the address above.

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Questions? Visit help.column.us

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Wednesday, May 7, 2025 1:39 PM
To: ads.frcherald@gmail.com
Subject: 2886-2 Angostura Resort LLC - Public Notice
Attachments: 2886-2 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on May 15, 2025.

Angostura Resort LLC., c/o Ryan Kaski, 1935 Samco Road, Suite 102, Rapid City SD 57702, 605-342-9606 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 Ave, Pierre SD 57501.

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

Thank you,

Rachel Rodriguez
DANR | Program Assistant
Rachel.Rodriguez@state.sd.us



Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Wednesday, May 7, 2025 1:41 PM
To: RCY Legals
Subject: 2886-2 Angostura Resort LLC - Public Notice
Attachments: 2886-2 public.short_final.docx; FORM8.FRM.doc

Attached is a notice to be published on May 15, 2025.

Angostura Resort LLC., c/o Ryan Kaski, 1935 Samco Road, Suite 102, Rapid City SD 57702, 605-342-9606, kaskihomes@rushmore.com 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 Ave, Pierre SD 57501.

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

Thank you,

Rachel Rodriguez
DANR | Program Assistant
Rachel.Rodriguez@state.sd.us



AFFIDAVIT OF PUBLICATION

Ryan undefined

State of New Jersey, County of Burlington, ss:

I, India Johnston, of lawful age, being duly sworn upon oath depose and say that I am an agent of Column Software, PBC, duly appointed and authorized agent of the Publisher 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 on the following dates.

Publication Dates:

- May 15, 2025

NOTICE ID: W0S8UurWR78fvVoooAd8

NOTICE NAME: 2886-2 Angostura Resort LLC - Public Notice

TOTAL AD COST: \$88.54

India Johnston

Agent

VERIFICATION

State of New Jersey
County of Burlington

Signed or attested before me on this: 05/16/2025



Notary Public

Notarized remotely online using communication technology via Proof.

LIZA ORTIZ
NOTARY PUBLIC
STATE OF NEW JERSEY
My Commission Expires November 27, 2028

**NOTICE OF APPLICATION
NO. 2886-2 to Appropriate
Water**

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Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 2886-2 with a twenty-year term pursuant to SDCL 46-1-14 and 46-2A-20 because 1) although evidence is not available to justify issuing this permit without a 20 year term limitation, 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. The Acting 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.

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SD 57501" or call (605) 773-3352. The applicant's mailing address is given above. If contesting the Acting 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 May 27, 2025.

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.

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(Published May 15, 2025 for a total approximate cost of \$88.54 and may be viewed for free at www.sd-publicnotices.com)
Legal No: COL-SD-2496

RECEIVED

MAY 19 2025

OFFICE OF
WATER

Form 8

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of FALL RIVER) SS

I, SHERYL GRIMES

certify that the attached printed Notice was taken

from the FALL RIVER COUNTY
HERALD-STAR

printed and published in HOT SPRINGS

County of FALL RIVER and

state of South Dakota. The notice was published

in the newspaper on the following date:

5-15-2025

Cost of Printing \$54.94

Sheryl Grimes
(Signature)

PRODUCTION MANAGER
(Title)

5-15-25
(Date Signed)

RECEIVED

MAY 19 2025

OFFICE OF
WATER

Notice of Application No. 2886-2 TO APPROPRIATE WATER

Notice is given that Angostura Resort LLC., 1935 Samco Road, Suite 102, Rapid City SD 57702, has filed an application for a water permit to appropriate up to 149 acre-feet of water annually at a maximum pump rate of 0.67 cubic feet of water per second from up to 3 wells completed, or to be completed, into the Madison Aquifer (approximately 2,400 feet deep). One existing well is located in the NE 1/4 SE 1/4 Section 25-T8S-R5E with up to two additional wells to be completed within the service area of the project in the NE 1/4, N 1/2 SE 1/4 Section 25-T8S-R5E; SW 1/4 SW 1/4 Section 19; W 1/2 NW 1/4, NW 1/4 SW 1/4 Section 30; all in T8S-R6E. The water will be used for commercial purposes in a campground to be located approximately seven miles south of Hot Springs SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 2886-2 with a twenty-year term pursuant to SDCL 46-1-14 and 46-2A-20 because 1) although evidence is not available to justify issuing this permit without a 20 year term limitation, 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. The Acting 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 Acting Chief Engineer. A petition opposing the application shall be filed on a form provided by the Acting Chief Engineer. The petition form is available online at <https://danr.sd.gov/public> or by contacting the Acting Chief Engineer. The Acting 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 Acting 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 May 27, 2025.

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 Acting Chief Engineer. The comment shall be filed on a form provided by the Acting Chief Engineer and is available online at <https://danr.sd.gov/public> or by calling (605) 773-3352 or writing the Acting 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 May 27, 2025.

If the applicant does not contest the recommendation of the Acting Chief Engineer and no petition to oppose the application is received, the Acting 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.

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Published: May 15, 2025

Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Friday, May 9, 2025 10:11 AM
To: kaskihomes@rushmore.com
Subject: 2886-2 Angostura Resort LLC - Public Notice
Attachments: 2886-2 Rec.pdf; 2886-2 Ltr.pdf; 2886-2 PubNotice.pdf; RCJournal Info.pdf; Re: [EXT]
2886-2 Angostura Resort LLC - Public Notice

Good morning,

Attached is a copy of the report, chief engineer's recommendation, and information regarding the public notice for your water permit application. As stated in the letter, please contact the paper(s) as soon as possible to authorize publication and arrange for payment. For your convenience, I have attached the email from the Rapid City Journal which has the link for payment. Simply open the attachment and click on the hyperlink. This information is also being mailed to you today.

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

Thank you,

Rachel Rodriguez
DANR | Program Assistant
Rachel.Rodriguez@state.sd.us





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

JUN 11 2025

Angostura Resort LLC.
c/o Ryan Kaski
1935 Samco Road, Suite 102
Rapid City SD 57702

Dear Mr. Kaski:

Enclosed is Water Permit No. 2886-2 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,

Mark Mayer, PE
Director of Office of Water

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
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STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

**Affidavit of Public Notice
Posting on DANR Website**

Pursuant to SDCL § 46-2A-4, public notice of the following application was posted on the DANR web site at <https://danr.sd.gov/public>. The posted public notice is the same notice as published in the pertinent newspaper(s) and a copy of the public notice is maintained in the application file. If the application is contested, the posting is moved to the DANR contested case website at <https://danr.sd.gov/public/ContestedCase.aspx> until final action is taken on the application pursuant to SDCL § 46-2A-4.

Application No.: 2886-2

Name of Applicant: Angostura Resort, LLC.

Date of Posting: 5/12/2025

Date of Removal: 6/11/2025

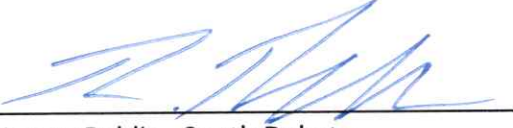


Ron Duvall, Engineer III

6/11/2025

Date

Subscribed and sworn to before me, a notary public, this 11th day of June, 2025.



Notary Public - South Dakota
My commission expires:

**Rachel Rodriguez
My Commission Expires
May 16, 2029**

(SEAL)

