

WATER PERMIT NO. 2903-2

Name of Applicant: SnowBird HideAway

Address: PO Box 108, Hill City SD 57745

Phone: 605-391-0460

Amount of Water Claimed: 12.9 AF

Total Acres: N/A

Source of Water Supply: Groundwater

Water to be used for: WDS County: Pennington

Type of Waste Disposal System:

Location: Approx. 1.5 miles east of Hill City

PRIORITY Date Received: 01-08-26

Application/License Fee: \$700.00

Corrected Application Received: 01-09-26

Period of Annual Use: January 1 – December 31

Remarks: 4 wells

Diversion Point: NE 1/4 SW 1/4 Sec 28-T1S-R5E

Land to be Irrigated: N/A

Depth of Well: 205/195/225/200

Well Driller: Hamm Drilling

Remarks:

Type of Map: topo

			28		

Reviewed and the Number Assigned on: 01-09-26

By: Rachel Rodriguez

Notice of Hearing - date to intervene: _____

SOUTH DAKOTA
WATER PERMIT NO. 2903-2

Date of first receipt of application January 8, 2026.

Date of return to applicant for corrections, amendments or changes January 8, 2026.

Date of receipt of corrected application January 9, 2026.

The Acting Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2903-2 to SnowBird HideAway, PO Box 108, Hill City SD 57745, 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. 2903-2 appropriates up to 12.9 acre-feet of water annually at a maximum combined pump rate of 0.10 cubic feet of water per second (cfs) from four existing wells completed into the Crystalline Rock Aquifer (all approximately 200 feet deep) located in the NE 1/4 SW 1/4 Section 28 for use in a water distribution system located in the NE 1/4 SW 1/4 (Tract 8R Storm Hill Subdivision & Lots 3-5 Storm Hill Subdivision No. 2) Section 28; all in T1S-R5E. This site is located approximately one and one-half miles east of Hill City SD.
2. The water appropriated shall be used for the purpose of water distribution system use and may not exceed the amount of water needed for beneficial use.
3. The water is to be used during the following described annual period: January 1 – December 31.
4. The date of approval of Permit No. 2903-2 is March 23, 2026.
5. The date from which applicant may claim right is January 8, 2026.
6. One-fifth of the construction is to be completed on or before September 23, 2028.
7. All construction is to be completed on or before March 23, 2031.
8. Water is to be put to beneficial use on or before March 23, 2035.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The existing wells approved under Water Permit No. 2903-2 are located near domestic wells and other wells which may obtain water from the same aquifer. Water withdrawals must be controlled so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The permit holder must report to the Chief Engineer annually the amount of water withdrawn from the Crystalline Rock Aquifer.
3. Water Permit No. 2903-2 authorizes a total annual diversion of up to 12.9 acre-feet of water.

WATER MANAGEMENT BOARD

By: 
Adam Mathiowetz, PE
Acting Chief Engineer
Water Rights Program
Department of Agriculture and Natural Resources

May 15, 2026
date



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

\$700.
SD water rights
Fig 116 3

Mail to: SD DANR, Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352 605-773-559	No. <u>2903-2</u> Hydrologic Unit <u>10120109</u> Basin <u>Cheyenne</u> Newspaper <u>Rapid City Journal</u> (office use only)
--	--

RECEIVED

JAN 08 2026

Application for Permit to Appropriate Water in South Dakota Water Rights Program

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 Permit: SnowBird HideAway OWNERS Russ/Kim Johnson
Mailing Address P.O. Box 108 Hill City SD 57745
(Address) (City) (State) (Zip Code)
Phone _____ Mobile 605-391-0460 Email russjohnsonconstruction@gmail.com
COMPLETED
- Amount of water claimed 0.10 *CFS or X 43 **GPM and X 43 ***AF or X 12.9 AF 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 Wells x 4 NE 1/4 SW 1/4 Sec 28-T1S-R5E
- Location of point of diversion see map County PENN
(example - 3 wells in SW 1/4 NE 1/4 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 - NW 1/4 section 12-T104N-R53W)
- County or counties where water will be used Pennington
- Annual period during which water is to be used JAN 1 - Dec 31st
- 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)
36 Retirement Housing UNITS, Year around residence

I, Russ Johnson, 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.

2021-08

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

Supplemental Information
(type or print)

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JAN 08 2026
8,640
Water Rights
Program

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 4 Provide copy of log(s), if available. Drilled by ATTACHED OTHER THAN
WELL PRE 1983
WHICH INFO IS ATTACHED

For either existing or proposed wells:

c) Well Depth (required) ATTACHED Depth to Top of Water Bearing Material _____ Depth to Water from Surface _____

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

2. Wastewater Disposal System Information

a) Type of System (i.e. septic tank, drain field) NOT CONSTRUCTED WILL FOLLOW STANDARD SETBACKS

b) System Capacity (gallons) N/A Year Constructed N/A

c) Connected to the City of N/A Sanitary System

3. Dugout Information

a) Surface Dimensions N/A Depth _____

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

4. Water Storage Dams

N/A

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)

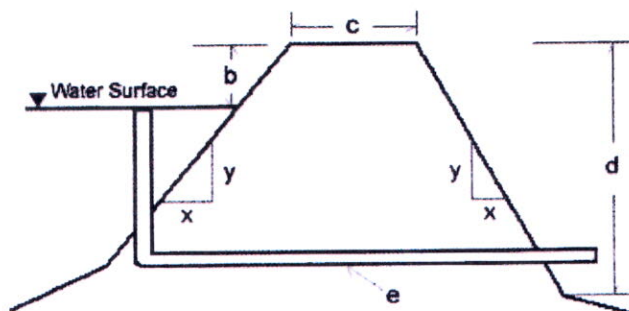
Upstream _____

Downstream _____

h) Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



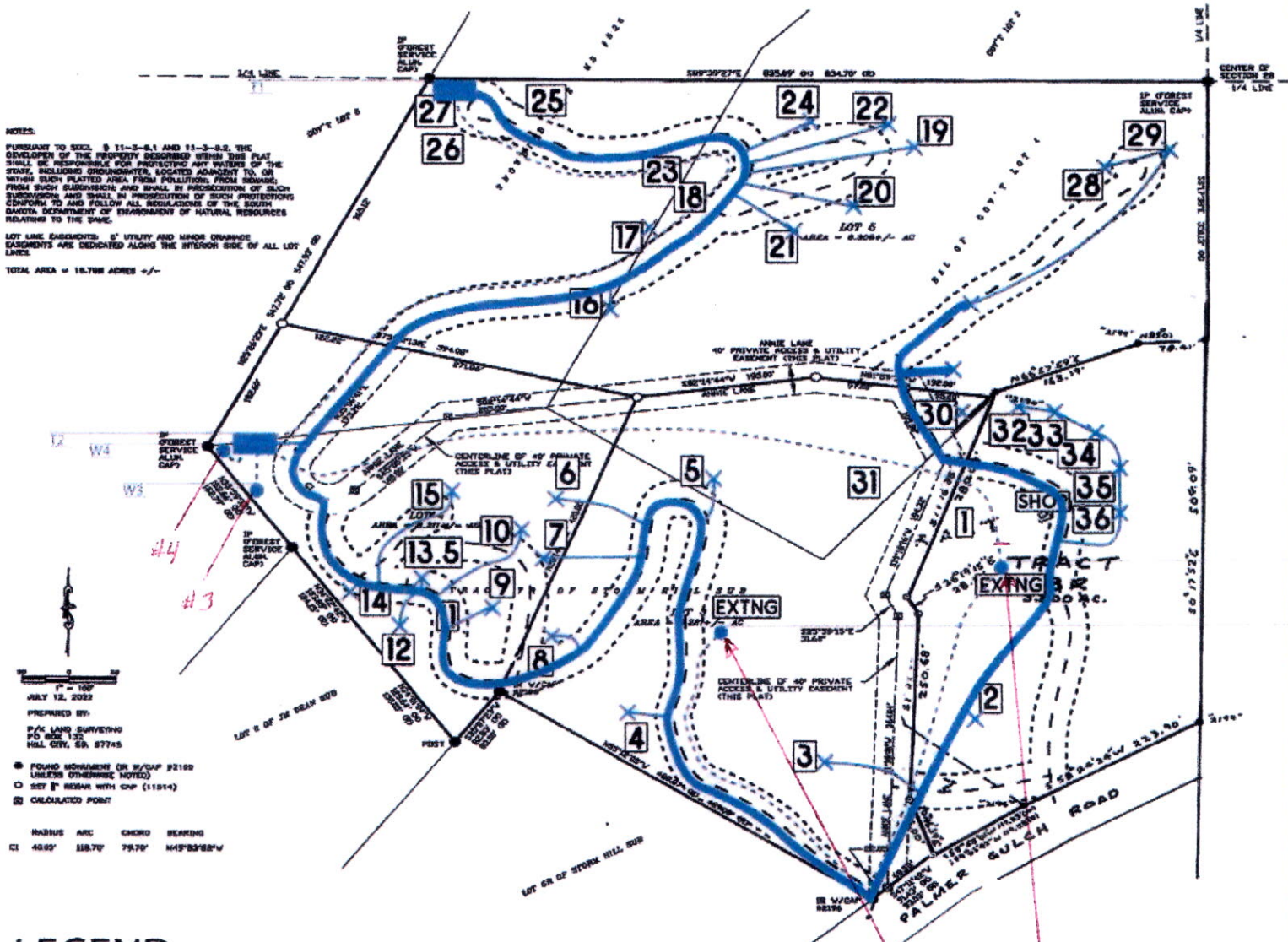
Water Rights Program

PLAT OF
LOTS 3 THRU 5 OF STORM HILL SUBDIVISION NO. 2
(FORMERLY TRACT 7R OF STORM HILL SUBDIVISION; THAT PART OF SNOWBIRD LODGE M.S. 526
IN THE NE1/4 SW1/4 LESS STORM HILL SUBDIVISION: THE BALANCE OF GOV'T LOT 4)

TRACTS 7R AND 8R OF STORM HILL SUBDIVISION
(Formerly Tracts 7 and 8 of Storm Hill Subdivision)
Located in NE1/4 of SW1/4 and in Gov't. Lot 4 of Section 28, T1S, R5E, B1M,
Pennington County, South Dakota.

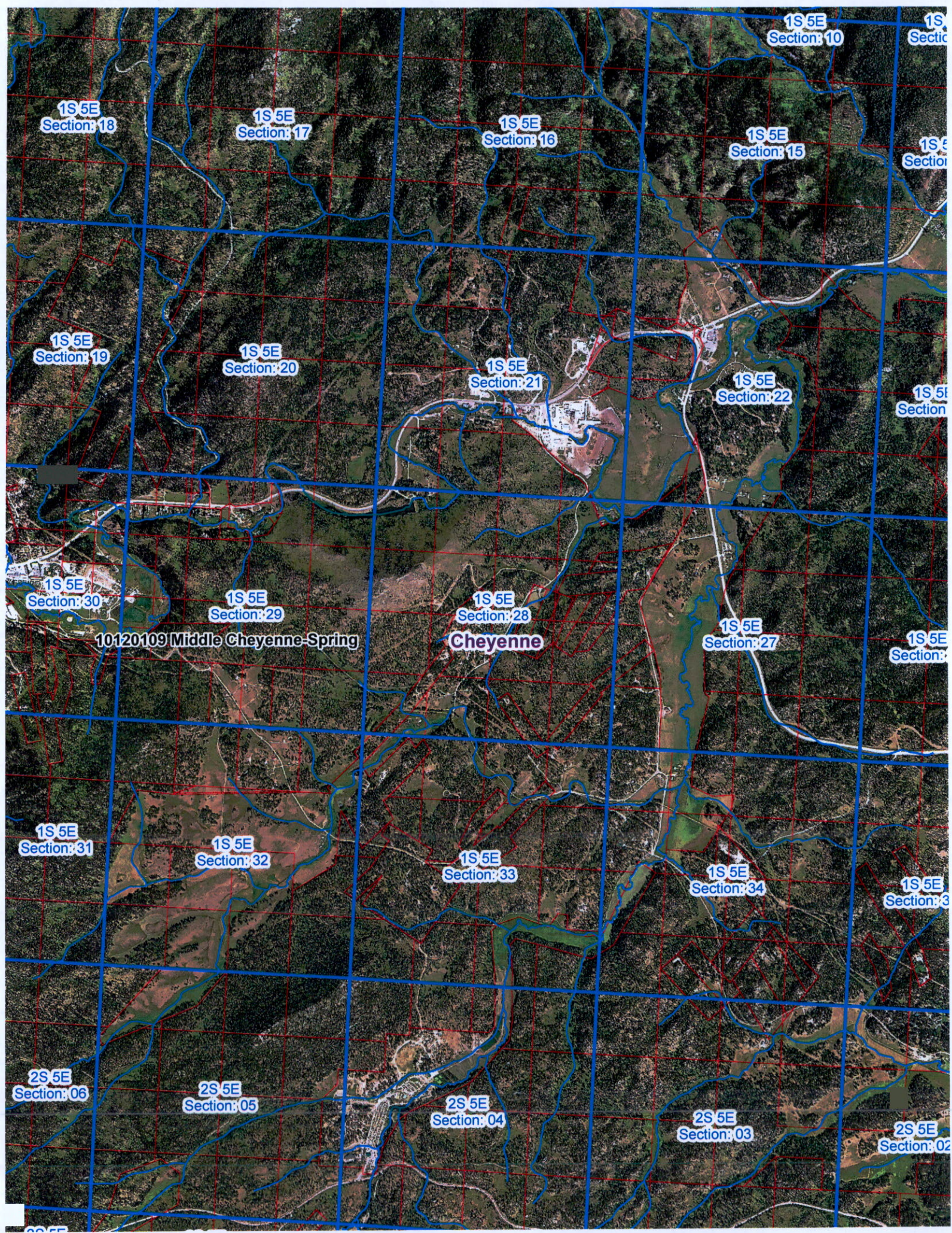
NOTES:
PURSUANT TO SECS. 11-3-6.1 AND 11-3-6.2, THE
DEVELOPER OF THE PROPERTY DESCRIBED WITHIN THIS PLAT
SHALL BE RESPONSIBLE FOR PROTECTING ANY REMAINS OF THE
STAKE, INCLUDING ORIGINATOR, LOCATED ADJACENT TO, OR
WITHIN SUCH PLATTED AREA FROM POLLUTION FROM SEWAGE,
FROM SUCH SUBDIVISION AND SHALL IN PROSECUTION OF SUCH
SUBDIVISION AND SHALL IN PROSECUTION OF SUCH PROTECTIONS
CONFORM TO AND FOLLOW ALL REGULATIONS OF THE SOUTH
DAKOTA DEPARTMENT OF ENVIRONMENT OF NATURAL RESOURCES
RELATING TO THE SAME.

LOT LINE EASEMENTS: 5' UTILITY AND MINOR DRAINAGE
EASEMENTS ARE DEDICATED ALONG THE INTERIOR SIDE OF ALL LOT
LINES.
TOTAL AREA = 16.768 ACRES +/-



LEGEND

	W/S T	T = Water Storage T1= 20,000 Gal. T2=10,000 Gal.
	W	W2, W3, W4
	6" Watermain	6" Watermain
	Distribution Line	Distribution Line
	Curb Stob	Curb Stob



1S 5E
Section: 18

1S 5E
Section: 17

1S 5E
Section: 16

1S 5E
Section: 15

1S 5E
Section: 10

1S 5E
Section: 14

1S 5E
Section: 19

1S 5E
Section: 20

1S 5E
Section: 21

1S 5E
Section: 22

1S 5E
Section: 23

1S 5E
Section: 30

1S 5E
Section: 29

1S 5E
Section: 28

1S 5E
Section: 27

1S 5E
Section: 26

10120109 Middle Cheyenne-Spring

Cheyenne

1S 5E
Section: 31

1S 5E
Section: 32

1S 5E
Section: 33

1S 5E
Section: 34

1S 5E
Section: 35

2S 5E
Section: 06

2S 5E
Section: 05

2S 5E
Section: 04

2S 5E
Section: 03

2S 5E
Section: 02

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NE 1/4 54 1/4 Sec 28 Twp 15 Rg 5E

Well Owner: Russ & Kim Johnson

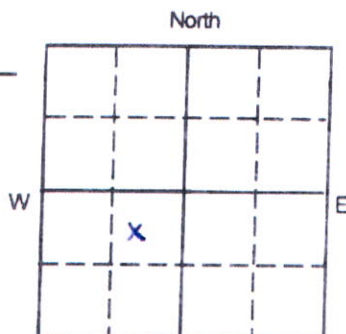
County Penn

Business Name: _____

Address: 23969 Palmer Gulch Rd

City, State, Zip: Hill City SD 57745

Please mark well location with an "X"



Well completion Date
09-05-23

1 Mile

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? ft. from None Close (Identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

AIR ROTARY

CASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
166 LB/FT	6 IN	0 FT	40 FT	8 1/2 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>1/2"</u>	<u>12</u>	<u>14.5 Lb/gal</u>	<u>0 Ft</u>	<u>40 Ft</u>
		Lb/gal	Ft	Ft

Describe grouting procedure permyzel cement down tremie tube from bottom up

SCREEN:

☐ Perforated pipe ☐ Manufactured
Diameter _____ Inches Length _____ Feet
Material _____
Slot Size _____ Set From _____ Feet to _____ Feet
Other information _____

WAS A PACKER OR SEAL USED?

☒ Yes ☐ No

If so, what material? Rubber

Describe packer(s) and location Flared Rubber 40 ft

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How?

Chlorine 9064700

Lab sample sent to for water quality analysis ☐ No, Why Not?

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Topsoil Clay</u>	<u>0</u>	<u>10</u>
<u>Miss. Schist</u>	<u>10</u>	<u>205</u>

STATIC WATER LEVEL

31 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: Blew with air

☐ Bailed

☒ Other

Pumping Level Below Land Surface

150 Ft. After 3 Hrs. pumped 15 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

This well was drilled under license # 171

And this report is true and accurate.

Drilling firm: Hamm Drilling

Signature of License Representative:

Russ Johnson

Signature of Well Owner or Equitable Property Holder:

Russ Johnson

RECEIVED

SEP 25 2023

Date: 09-20-23

OFFICE OF
WATER

523 E Capitol Ave. Pierre SD 57501

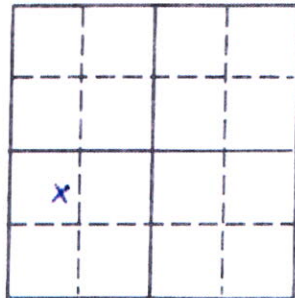
Please return WHITE COPY to: DENR Water Rights

SOUTH DAKOTA WATER WELL COMPLETION REPORT

11-02

Location NW 1/4 SW 1/4 Sec 28 Twp 15 Rg 5ECounty PennNorth
1 South

Please mark well location with an "X"



Well completion Date

11-30-24

Distance to nearest potential pollution source (Septic tank, abandoned well, feed lot, etc.)

? None Close ft. from (Identify source)

PROPOSED USE:

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

METHOD OF DRILLING:

AIR ROTARYCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>160 LB/FT</u>	<u>6 IN</u>	<u>0 FT</u>	<u>24 FT</u>	<u>5 1/2 IN</u>
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUTING DATA:

Grout Type	No. of Sacks	Grout Weight	From	To
<u>I</u>	<u>7</u>	<u>14.5 Lb/gal</u>	<u>0 Ft</u>	<u>24 Ft</u>
		Lb/gal	Ft	Ft

Describe grouting procedure pumped cement down tremie tube from bottom upSCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ Inches Length _____ Feet

Material _____

Slot Size _____ Set From _____ Feet to _____ Feet

Other information _____

WAS A PACKER OR SEAL USED? ☒ Yes ☐ NoIf so, what material? RubberDescribe packer(s) and location Flanged Rubber 24 ft

DISINFECTION: Was well disinfected upon completion?

☒ Yes, How? Chlorine SolutionLab sample sent to for water quality analysis ☐ No, Why Not? _____Well Owner: Russ + Kim Johnson

Business Name: _____

Address: 23965 Palmer Gulch RdCity, State, Zip: Will City SD 57745

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Mica Schist</u>	<u>0</u>	<u>195</u>

STATIC WATER LEVEL Flowing 1 gpm 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? yes

WELL TEST DATA:

☐ Pumped Describe: Blow with air
☐ Bailed
☒ Other _____

Pumping Level Below Land Surface

195 Ft. After 3 Hrs. pumped 7 GPM

_____ Ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate: _____ GPM

REMARKS

Well shut off with well sealThis well was drilled under license # 171

And this report is true and accurate.

Drilling firm: Hamm DrillingSignature of License Representative: Daughter Acem

Signature of Well Owner or Equitable Property Holder: _____

RECEIVED

Date: 12-10-24
523 E Capitol Ave. Pierre SD 57501

DEC 30 2024

OFFICE OF
WATER

Please return WHITE COPY to: DENR Water Rights

GUID	CompRptPr	WellComp	Depth	WellType	DrillerNo	LastName	FirstName	Business	Cnty	Lat	Long	Twnship
8c916fd7-f	https://dan	1/10/2014	220	IRR	666	JOHNSON	STEVE		BH	42.94121	-97.9481	94
ca672f14-f	https://dan	3/2/2017	55	DOM	108	JOHNSON	ADAM		BT	43.06559	-101.326	36
b85dd5c1-f	https://dan	3/5/2007	60	DOM	689	JOHNSON	NATHAN		DA	45.35182	-97.3103	122
aa229fcd-e	https://dan	11/5/1979	247	DOM	63	JOHNSON	HILDING		GT	45.09562	-96.7074	119
9c60fa8d-c	https://dan	7/19/2012	98	DOM	598	JOHNSON	SCOTT		GT	45.00612	-96.5773	118
dba95ab4-f	https://dan	5/2/1907	910	DOM	999	JOHNSON	A.	JOHNSON	KG	44.3036	-97.8077	110
50406070-f	https://dan	4/24/1976	55	DOM	305	JOHNSON	JOHN D.		LA	44.19116	-103.644	3
5f822a7d-e	https://dan	6/30/2001	60	STK	638	JOHNSON	JOHN D.		LA	44.19298	-103.637	3
21880670-f	https://dan	7/19/2018	485	DOM	603	JOHNSON	TROY	LONE MTN	LA	44.53379	-103.526	7
1b07c150-f	https://dan	9/5/2023	205	DOM	171	JOHNSON	RUSS & KIM		PE	45.23296	-103.52	15
03f4724d-c	https://dan	#####	195	DOM	171	JOHNSON	RUSS & KIM		PE	43.9318	-103.536	1
32ff0f8c-3	https://dan	4/18/1992	200	DOM	568	JOHNSON	DAVE		PE	44.02268	-103.647	1
616812d1-f	https://dan	6/28/1988	140	DOM	324	JOHNSON			PE	44.10223	-103.647	2
ca76c853-f	https://dan	2/18/1996	225	DOM	171	JOHNSON	RUSSELL		PE	43.93417	-103.525	1
bb8c5c0f-d	https://dan	10/1/2021	260	DOM	814	JOHNSON	BLAIR		PK	45.75359	-102.269	21
f9e11b68-c	https://dan	9/22/1979	20	DOM	368	JOHNSON	ALLEN		RB	45.76047	-97.0429	127
01bd761c-f	https://dan	1/27/1985	100	DOM	94	JOHNSON	ALLEN		RB	45.75008	-97.0419	127
539849fd-f	https://dan	6/14/1912	947	DOM	999	JOHNSON	GUST A.		SP	44.82497	-98.2983	116

#1 ALSO existing well pre 1985 200' 10 gpm

#2 well on attached map near site between site 4 & 5 8 gpm

#4 well on attached map near site 15 labeled W4 15 gpm

#3 well on attached map near site 15 labeled W3 10 gpm

TOTAL [43 gpm]

RECEIVED

JAN 08 2026

Water Rights
Program

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date January 08, 2026

RECEIVED OF Snowbird Hide Away c/o Russ & Kim Johnson PO Box 108 Hill City SD 57745

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ <u>500.00</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>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>700.00</u>

By


Chief Engineer



DL317609

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

ARTICLES OF ORGANIZATION

DOMESTIC LIMITED LIABILITY COMPANY
SDCL 47-34A-203, 212

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

Filing Fee: \$150

Total Fee: \$150

Article I

The name of the Company: **SnowBird HideAway LLC**

Article II

The address of the initial designated office in or out of the State of South Dakota where the company conducts its business:

Actual Street Address

**23965 PALMER GULCH ROAD
HILL CITY, SD 57745**

Mailing Address

**23965 PALMER GULCH ROAD
HILL CITY, SD 57745**

Article III

SDCL 59-11-6

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.

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

Name **Eileen Hamm**

Actual Street Address in this State

**12089 DEERFIELD RD
HILL CITY, SD 57745**

Mailing Address in this State

**PO BOX 927
HILL CITY, SD 57745**

Article IV

The name and address of each organizer

Name

Address

Russell Johnson

23965 Palmer Gulch Rd

Article V

The duration of the company if other than perpetual is: **Perpetual**

If the document is not to be effective upon filing by the Secretary of State, the delayed effective date is: _____

B0401-3250 01/09/2026 12:17PM Rec'd by SD SOS



B0401-3251 01/09/2026 12:17PM Rec'd by SD SOS

Article VI

☒ Member-Managed ☐ Manager-Managed

Article VII

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.

Signature/Authorization

The Articles of Organization must be executed by the organizers.
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).

Eileen Hamm	<i>Eileen Hamm</i>	Agent	01/09/2026
PRINTED NAME	SIGNATURE	TITLE	DATED

State of South Dakota

Office of the Secretary of State

Certificate of Organization

Domestic Limited Liability Company

I, **Monae L. Johnson**, Secretary of State of the State of South Dakota, hereby certify that the ARTICLES OF ORGANIZATION for

SnowBird HideAway LLC

BUSINESS ID# DL317609

with an effective date of: January 9, 2026, duly signed and verified, SDCL 47-34A-203, 212 has been received in this office and is found to conform to law.

ACCORDINGLY, and by virtue of the authority vested in me by law, I hereby issue this Certificate of Organization and attach hereto a duplicate of the ARTICLES OF ORGANIZATION.



IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of South Dakota, in Pierre, the Capital City, this day, January 9, 2026.

Monae L. Johnson

Monae L. Johnson
Secretary of State

01/09/2026 12:17 PM



**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. 2903-2, SnowBird HideAway**

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. 2903-2, SnowBird HideAway, PO Box 108, Hill City SD 57745.

The Acting Chief Engineer is recommending APPROVAL of Application No. 2903-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing domestic water uses and water rights, 3) the proposed use is a beneficial use and 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board with the following qualifications:

1. The existing wells approved under Water Permit No. 2903-2 are located near domestic wells and other wells which may obtain water from the same aquifer. Water withdrawals must be controlled so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The permit holder must report to the Chief Engineer annually the amount of water withdrawn from the Crystalline Rock Aquifer.
3. Water Permit No. 2903-2 authorizes a total annual diversion of up to 12.9 acre-feet of water.

See report on application for additional information.

Adam Mathiowetz, PE
Acting Chief Engineer
March 4, 2026

Report to the Chief Engineer
On Water Permit Application No. 2903-2
SnowBird HideAway

March 04, 2026

Water Permit Application No. 2903-2 proposes to appropriate up to 12.9 acre-feet of water annually at a maximum combined instantaneous diversion rate of 0.1 cubic feet per second (cfs) (approximately 45 gallons per minute (gpm)) from four existing wells completed into the Crystalline Rock aquifer (all approximately 200 feet deep) located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28 for use in a water distribution system located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ (Tract 8R Storm Hill Subdivision & Lots 3-5 Storm Hill Subdivision No. 2) of Section 28; all in T1S-R5E. The site of interest is located in Pennington County approximately one and one-half miles east of Hill City, SD.

AQUIFER: Crystalline Rock (CRSL)

HYDROGEOLOGY:

The Crystalline Rock aquifer consists of many localized aquifers within the Precambrian-aged, crystalline core of the Black Hills, where extensive fractures and weathering zones allow for the transmission of water (Driscoll and Carter, 2001). In the core of the Black Hills, the crystalline rock is generally exposed at land surface except where overlain by localized gravel deposits and alluvium along stream beds and topsoil (Martin et al., 2004; Redden et al., 2016). The crystalline rocks that comprise the aquifer have very low primary porosity, so water movement in the aquifer is controlled by secondary porosity. Secondary porosity is where groundwater flow is through fractures, joints, and faults (Rahn, 1979). The nature of secondary porosity is highly variable and unpredictable; therefore, local aquifer characteristics are site specific. The Crystalline Rock aquifer is estimated to have an outcrop area of approximately 574,000 acres (Rahn, 1979). Rahn (1979) estimated the effective porosity of the Crystalline Rock aquifer to be one percent of the outcrop area, while assuming groundwater is only recoverable in fractures and joints that typically only occur within a depth of 500 feet of ground surface, resulting in an estimated 2,900,000 acre-feet of recoverable water in storage for the Crystalline Rock aquifer in western South Dakota. Driscoll and Carter (2001) estimated the outcrop of the “Localized aquifers in the crystalline core area (Precambrian/Tertiary/Other)” to be approximately 616,800 acres.

The geology underlying the general location of the existing well sites consist primarily of the Tenderfoot Formation (Xtg) (muscovite phyllite and muscovite schist) (Redden et al., 2017).

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

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

Water well completion reports were submitted with Water Permit Application No. 2903-2 for three of the four existing wells (Water Rights, 2026c). A reiteration of the hydrogeology from the water well completion reports is displayed in Table 1. It was noted in the file with the application that the fourth well was drilled ‘pre-1985.’ The DANR-Water Rights Program did not require submittal of well completion reports until the mid-1980’s.

Table 1. Water well completion report submitted with Water Permit Application No. 2903-2 (Water Rights, 2026c)

Formation Log	From	To
Broken Schist	0	2
Mica Schist	2	225
Date of Well Completion	02/18/1996	
Estimated Static Water Level (at well completion)	65	

Formation Log	From	To
Topsoil Clay	0	10
Mica Schist	10	205
Date of Well Completion	09/05/2023	
Estimated Static Water Level (at well completion)	31	

Formation Log	From	To
Mica Schist	0	195
Date of Well Completion	11/30/2024	
Estimated Static Water Level (at well completion)	Flowing 1 GPM	

Figure 1 displays the location of the existing wells proposed to be used by Water Permit Application No. 2903-2, with the Crystalline Rock aquifer water rights/permits within approximately two miles (Water Rights, 2026b), and the significant fault locations (modified from Redden et al., 2016 and Redden et al., 2017). Table 1 lists the water rights/permits displayed in Figure 1. It is highly likely the localized portion of the Crystalline Rock aquifer this application proposes to use is limited by these mapped faults and other significant geological features (such as, synclines and anticlines). Furthermore, the actual areal extent of the localized aquifer is likely even further limited by localized secondary porosity. However, information is not available to delineate an exact extent of the localized aquifer.

Based on the geologic features shown in Figure 1, the existing wells proposed to be used are separated from the other nearby water rights/permits by several faults (modified from Redden et al., 2016 and Redden et al., 2017; Water Rights, 2026b).

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

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

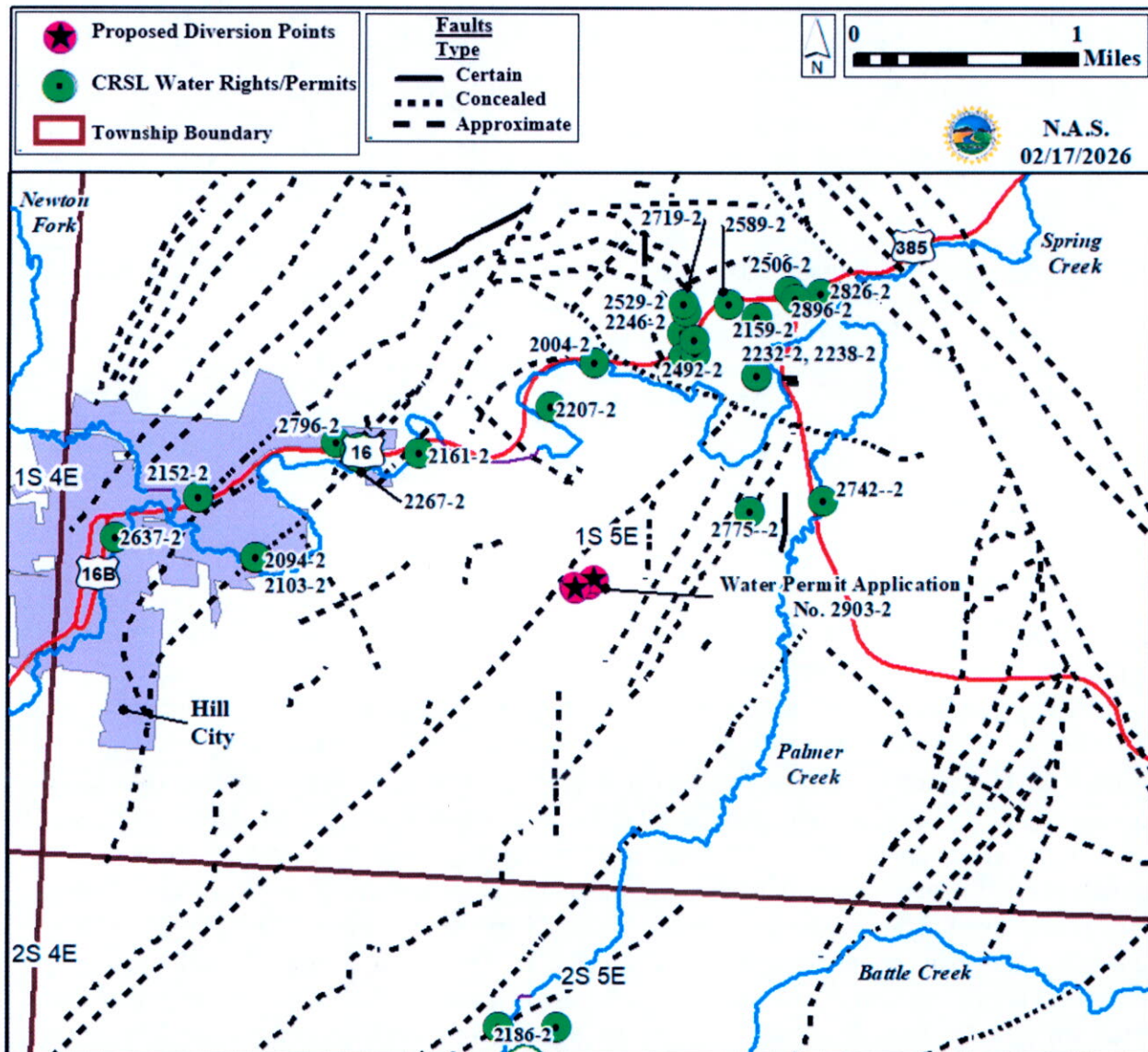


Figure 1. Location of the existing wells proposed to be used by Water Permit Application No. 2903-2 with the Crystalline Rock aquifer water rights/permits within approximately two miles (Water Rights, 2026b), and the significant fault locations (modified from Redden et al., 2016 and Redden et al., 2017)

Table 1. Water rights/permits authorized to appropriate water from the Crystalline Rock aquifer within approximately two miles of the existing wells, as shown in Figure 1 (Water Rights, 2026b)

Permit No.	Name	Status	Use	Authorized Diversion Rate (cfs)	Licensed/Permitted Volume (acre-feet/year)
2004-2	Gustave A Orloske	LC	COM	0.02	N/A
2094-2	City of Hill City	LC	MUN	0.25	N/A
2103-2	City of Hill City	LC	MUN	0.2	N/A
2152-2	Drew Dawson	LC	COM	0.05	N/A
2159-2	Daisy Enterprise LLC	LC	COM	0.07	N/A
2161-2	Lode Stone Motel	LC	COM, DOM	0.017	N/A
2186-2	Recreational Adventures	LC	COM	0.326	N/A
2207-2	Robins Roost Cabins	LC	COM	0.02	N/A
2232-2	Mountain View Lodge	LC	COM	0.034	N/A
2238-2	Larry & Karen Moore	LC	COM, DOM	0.022	N/A
2246-2	Gordon W Collins	LC	COM	0.022	N/A
2267-2	Larry & Karen Moore	LC	COM	0.1	N/A
2492-2	Rushmore Forest Products	LC	IND, DOM	0.52	N/A
2506-2	Daisy Enterprise LLC	LC	COM	0.01	N/A
2529-2	Addie Camp Water & Septic Association Inc	LC	COM	0.056	N/A
2589-2	Rolland & Dawnette Owens	LC	COM	0.022	N/A
2637-2	Black Hills Central Railroad Co	LC	COM	0.09	N/A
2719-2	Addie Camp Water & Septic Association Inc	LC	COM	0.06	N/A
2742-2	J&A Recreation LLC	LC	COM, DOM	0.056	10
2775-2	Chace or Leslie Larsen	LC	COM	0.031	2
2796-2	Nelson's Oil & Gas Inc	LC	COM	0.018	1
2826-2	Andy Edsen	PE	COM	0.033	6
2896-2	Country Store at Three Forks	PE	COM	0.22	1
LC: Licensed Water Right; PE: Water Permit; COM: Commercial; DOM: Domestic; IND: Industrial; MUN: Municipal					

WATER AVAILABILITY:

Water Permit Application No. 2903-2 proposes to appropriate water from the Crystalline Rock aquifer. The probability of unappropriated water being available from the aquifer can be evaluated by considering SDCL 46-6-3.1, which requires “No application to appropriate groundwater may be approved if, according to the best information reasonably available, it is probable that the quantity of water withdrawn annually from a groundwater source will exceed the quantity of the average estimated annual recharge of water to the groundwater source. An application may be approved, however, for withdrawals of groundwater from any groundwater formation older than or stratigraphically lower than the greenhorn formation in excess of the average estimated annual recharge for use by water distribution systems.” The Crystalline Rock aquifer is older than and stratigraphically lower than the Greenhorn Formation (Fahrenbach et al., 2010) and the applicant’s proposed use is for use in a water distribution system as defined by SDCL 46-1-6(17). Therefore, the Water Management Board’s authority to approve this application is not restricted by whether or not recharge exceeds withdrawals. However, since the Board needs to find that there is unappropriated water available, a hydrologic budget analyzing average annual recharge and average annual withdrawal rates to and from the Crystalline Rock

aquifer is included in this technical report for the information of the Chief Engineer and Water Management Board.

HYDROLOGIC BUDGET:

Recharge

Recharge to the Crystalline Rock aquifer is through the infiltration of precipitation and streamflow losses (Driscoll and Carter, 2001).

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

Carter and Driscoll (2001) estimated an average annual yield potential. The average annual yield potential is essentially how much precipitation is left after subtracting evapotranspiration. Carter and Driscoll (2001) utilized a recharge factor to estimate how much of the annual yield could infiltrate and recharge a bedrock aquifer in the Black Hills, such as the Madison and Minnelusa aquifers. However, Carter and Driscoll (2001) did not estimate a recharge factor for the crystalline core of the Black Hills because the localized Crystalline Rock aquifers are not extensive regional aquifers and are highly variable in nature.

Figure 2 displays a map of the estimated annual yield potential from Carter and Driscoll's (2001) report, with the location of the existing wells for Water Permit Application No. 2903-2, and the location of the Crystalline Rock aquifer observation wells in western South Dakota (Water Rights, 2026a). The Crystalline Rock aquifer near the existing well locations has an estimated average annual yield potential from approximately 1 and 2 inches per year (Driscoll and Carter, 2001). Average annual yield potential is not appropriate to use as a recharge rate for the

Crystalline Rock aquifer, but it does provide a general sense of an upper limit of a possible recharge rate.

Medler and others (2025) updated the recharge estimates from Carter and Driscoll's (2001) report for six major bedrock aquifers in the Black Hills; however, neither report included estimates for Crystalline Rock aquifer. The recharge estimates for the six major bedrock aquifers from Medler and others (2025) report included additional years of data (1931 to 2022) compared to the original Carter and Driscoll (2001) report (1931 to 1998). While Medler and others (2025) did not produce an updated annual yield map, the additional years of data did result in slightly increased average annual precipitation estimates to the six major bedrock aquifers in the Black Hills area included in both reports, which would presumably result in an increase to annual yield potential.

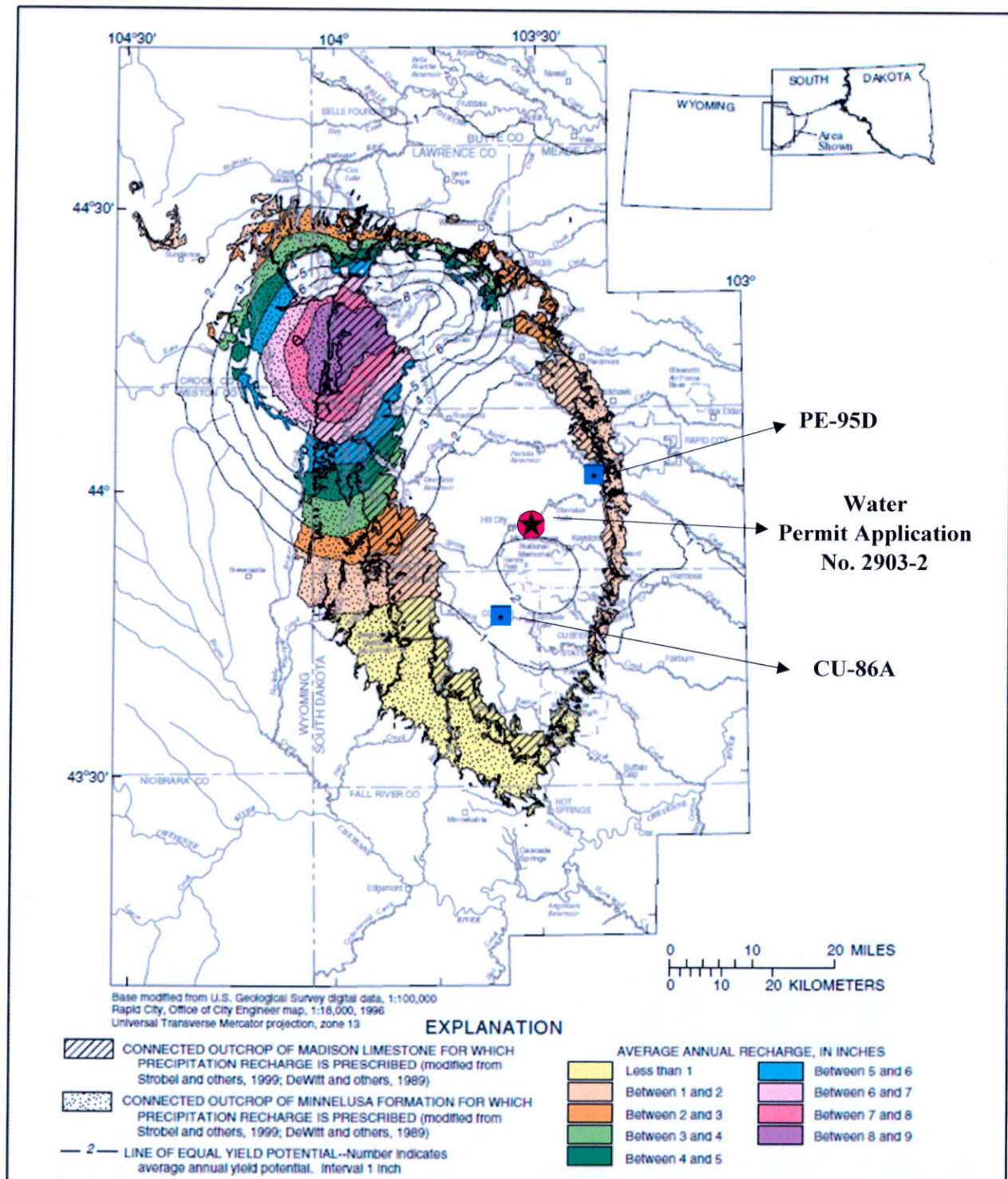


Figure 2. Estimated annual yield potential for the Black Hills in South Dakota and Wyoming for water years 1950 to 1998 (modified from Carter, J. M., Driscoll, D. G., Hamade, G. R., & Jarrell, G.J., 2001), with the location of the existing wells proposed to be used by Water Permit Application No. 2903-2, and the Crystalline Rock aquifer observation wells in western South Dakota (Water Rights, 2026a and 2026c)

Discharge

Discharge from the Crystalline Rock aquifer is primarily through well withdrawals (Water Rights, 2026c), seepage to streams and limited spring flow discharge (Driscoll and Carter, 2001), and evapotranspiration where the static water level of the aquifer is at or near the ground surface.

As shown in Figure 1, the existing wells proposed to be used by this application are separated from the other nearby water rights/permits by several faults (modified from Redden et al., 2016 and Redden et al., 2017; Water Rights, 2026b).

Historically, average water use by non-irrigation appropriations limited by an instantaneous diversion rate has 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. These are standard methods used by the DANR-Water Rights Program for estimating annual withdrawals by non-irrigation appropriations from an aquifer (Water Rights, 2026c). These methods are likely an overestimation of withdrawals.

There are a number of domestic wells completed into the Crystalline Rock aquifer within the area of the existing wells that do not require a water right/permit, so the withdrawal amount from those wells is unknown (Water Rights, 2026c). There could potentially be other domestic wells completed into the Crystalline Rock aquifer near the existing wells that are not on file with the DANR-Water Rights Program, or wells that are no longer in use. As noted earlier in the report, it is difficult to determine the areal extent of the localized Crystalline Rock aquifer due to the unpredictable nature of secondary porosity. Therefore, it is difficult to determine exactly how large of a component of the hydrologic budget domestic use may represent.

However, in the past, the Water Rights Program has used Carter and Neitzert's (2008) report on estimated water use in South Dakota, which has been accepted by the Water Management Board to estimate domestic water use using the following assumptions: 1) 2.5 residents per rural dwelling, and 2) either the average water use per capita by self-serve well users for the county of interest or an average use from across the state if county specific data is not available. For Pennington County, self-supplied domestic water users withdrew approximately 70 gallons per day per capita. That is equivalent to approximately 0.2 acre-feet per year for each rural dwelling, assuming each dwelling has one well, using the previously mentioned assumptions, and that the dwelling is occupied year-round. There were 30 domestic wells identified that are separated by faults from the other nearby well logs on file and near existing wells (shown in Figure 3) (modified from Redden et al., 2016 and Redden et al., 2017; Water Rights, 2026c). The well depths for these 30 domestic wells varies from 125 to 460 feet below the ground surface (Water Rights, 2026c). The DANR-Water Rights Program Well Completion Report database maps reports at the centroid of the smallest geographical division provided on the report submitted by the well driller. Therefore, the locations as mapped are not the exact locations of the well. However, the data provides a sense of how many wells are in the general area.

It is unlikely that each of the domestic wells as numbered in Figure 3 are completed within the same fault complex as the existing wells for this application. One reason for this is due to how well completion report locations are provided to the Water Rights Program and subsequently

how the completion reports are mapped. With that, it is unlikely due to the high variability of the fractures and faults that comprise the Crystalline Rock aquifers. Therefore, it is unlikely that each of the domestic wells as numbered in Figure 3 are withdrawing from the same localized portion of the Crystalline Rock aquifer as the applicant's existing wells (Water Rights, 2026c). However, to somewhat overestimate the domestic use withdrawal rate in this area, assuming 0.2 acre-feet per year for each rural dwelling, the 30 domestic wells estimated use equates to approximately six acre-feet per year. This estimate for domestic use is provided to give a sense of scale to local domestic use from the Crystalline Rock aquifer rather than be an estimate for the use of each domestic well that may be present but not on record with the Water Rights Program.

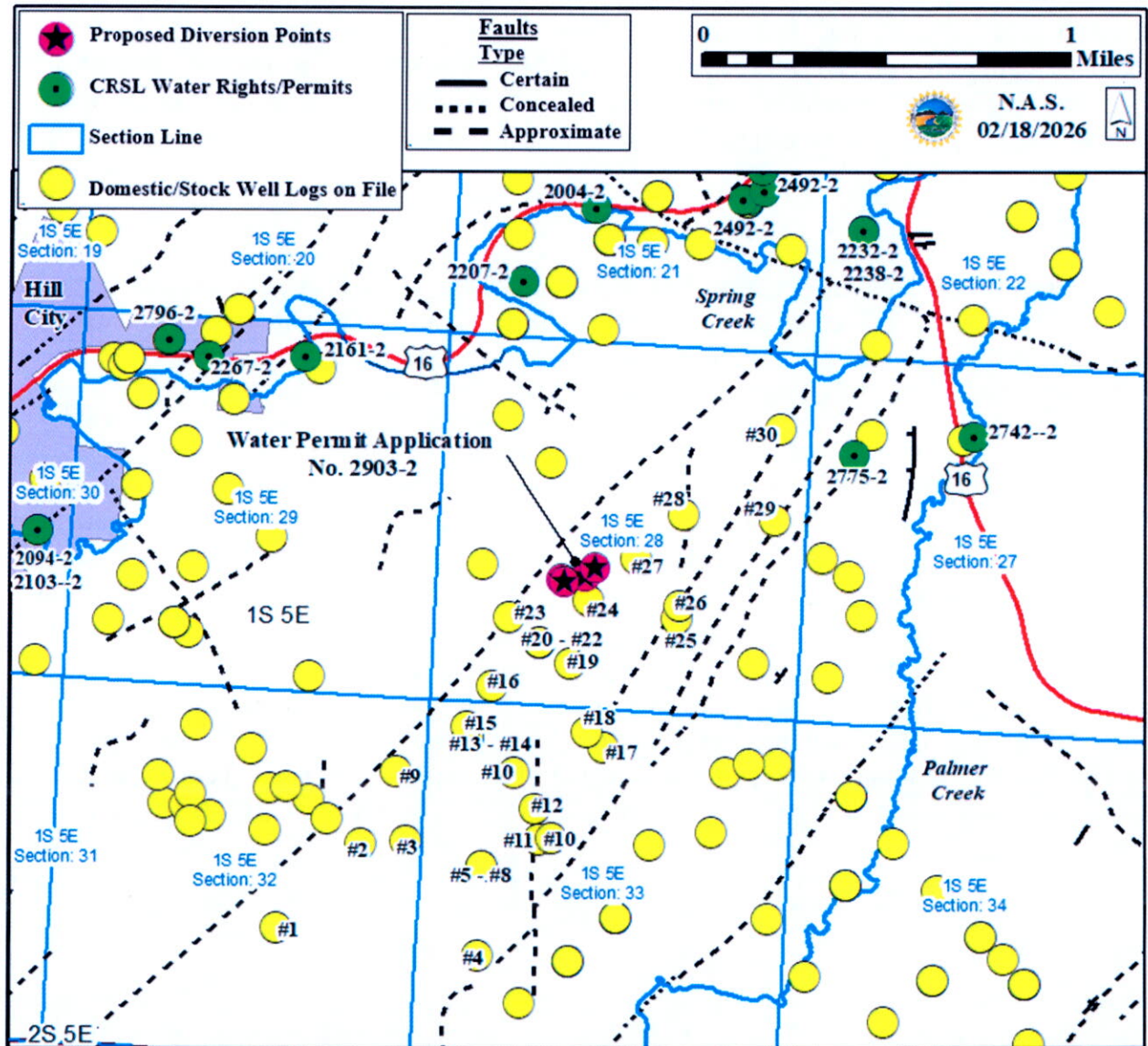


Figure 3. Location of the existing wells proposed to be used by Water Permit Application No. 2903-2 with the Crystalline Rock aquifer domestic wells within approximately two miles (Water Rights, 2026c), and the significant fault locations (modified from Redden et al., 2016 and Redden et al., 2017)

Hydrologic Budget Summary

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

The estimated average annual withdrawal rate for Water Permit Application No. 2903-2 (if approved) is approximately 12.9 acre-feet per year. Assuming 0.2 acre-feet per year for each rural dwelling, the 30 domestic wells near the existing wells equates to approximately six acre-feet per year. Collectively, the estimated average annual withdrawal rate is approximately 18.9 acre-feet per year.

OBSERVATION WELL DATA:

Administrative Rule of South Dakota (ARSD) 74:02:05:07 requires that the Water Management Board shall rely upon the record of observation well measurements in addition to other data to determine that the quantity of water withdrawn annually from the aquifer does not exceed the estimated average annual recharge of the aquifer.

Observation wells provide data on how the aquifer reacts to regional climatic conditions and local pumping. The DANR-Water Rights Program monitors two observation wells that have been historically considered as completed into the Crystalline Rock aquifer in western South Dakota (Water Rights, 2026a). These observation wells are PE-95D (approximately 10.2 miles northeast of the existing wells) and CU-86A (approximately 11.3 miles southwest of the existing wells) (Water Rights, 2026a). Kilts (2018) determined that observation well PE-95D is open to both the Deadwood Formation and the Crystalline Rock, so it is uncertain how representative observation well PE-95D is of either the Deadwood or Crystalline Rock aquifer. Therefore, only observation well CU-86A will be used in this analysis. The hydrograph for observation well CU-86A is displayed in Figure 4 (Water Rights, 2026a). The data points utilized to construct the hydrograph are measurements of the static water level in the observation wells from the top of the well casing.

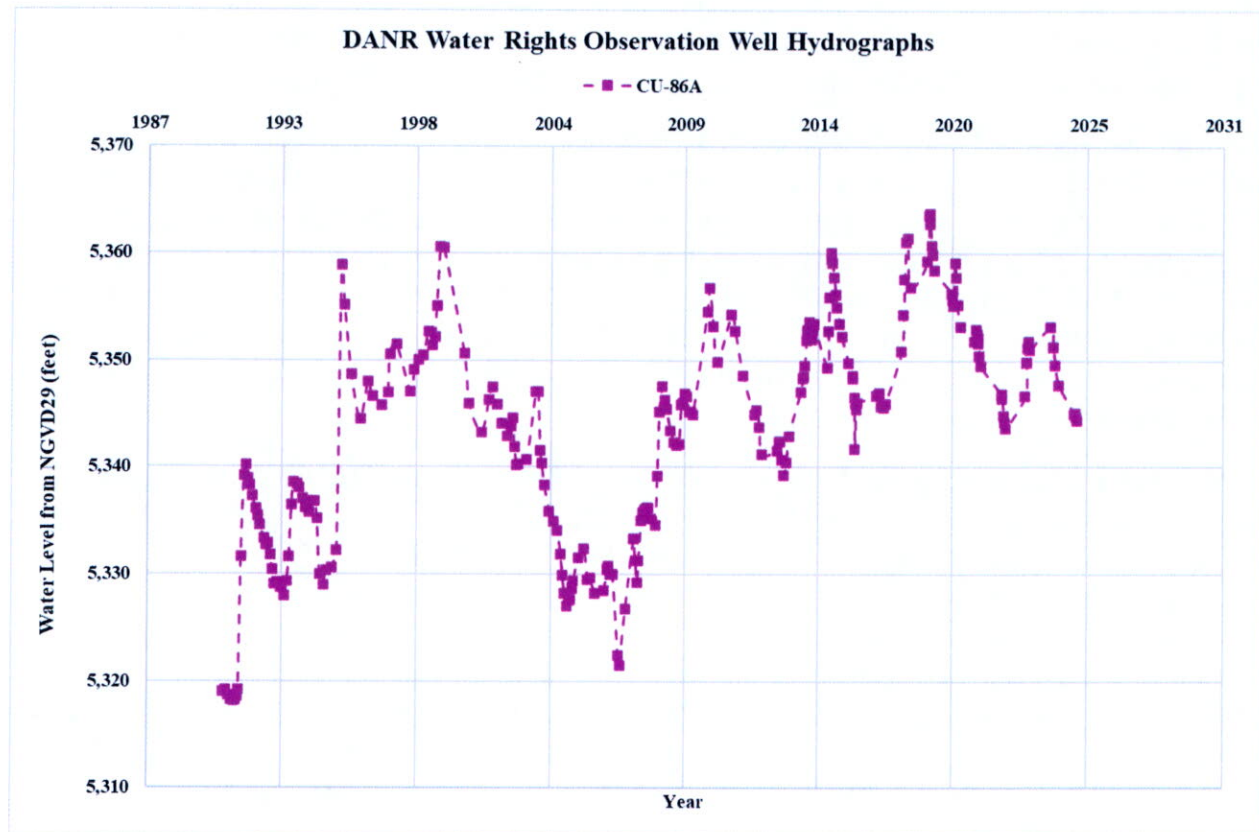


Figure 4. Hydrograph for observation well CU-86A (Water Rights, 2026a)

The hydrograph for CU-86A indicates the aquifer responds well to climatic conditions because water levels are rising during wetter periods (early spring snowmelt and precipitation) and declining to a stable water level during drier periods. Over the period of record, the water levels displayed on the hydrograph for observation well CU-86A have fluctuated approximately 45 feet in response to climatic conditions (Water Rights, 2026a). An examination of the hydrograph shows that any effects caused by pumping on the water levels of CU-86A are masked by climatic conditions indicating that changes in water levels are governed by natural conditions, that is to say recharge to and natural discharge from the aquifer. Both recharge to and natural discharge from an aquifer can be captured for pumping. Although observation well CU-86A is located approximately 11.3 miles southwest of the existing wells, the hydrograph still documents that recharge to the Crystalline Rock aquifer has occurred over the period of record (Water Rights, 2026a).

POTENTIAL FOR UNLAWFUL IMPAIRMENT OF EXISTING WATER RIGHTS:

As shown in Figure 1, the existing wells proposed to be used by this application are likely separated from the other nearby water rights by several faults (modified from Redden et al., 2016 and Redden et al., 2017; Water Rights, 2026b). The closest water right/permit to the existing wells is Water Right No. 2775-2, which is held by Chace or Leslie Larsen. The diversion point

for Water Right No. 2775-2 is located approximately 0.76 miles northeast of the nearest existing well proposed to be used by this application (Table 1) (Figure 1) (Water Rights, 2026b).

There are domestic wells on file with the DANR-Water Rights Program that are completed into the Crystalline Rock aquifer, with the closest domestic well on file (not held by the applicant) (205 feet deep) located approximately 0.06 miles (340 feet) south of the nearest existing well (Water Rights, 2026c). There could potentially be other domestic wells completed into the Crystalline Rock aquifer near the wells the applicant proposes to use 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.

In Pennington County, there has been one complaint submitted to the DANR-Water Rights Program regarding potential well interference for wells completed into the Crystalline Rock aquifer (Water Rights, 2026d). The complaint involved Water Right No. 2572-2, held by Sheridan Lake Highlands HOA, during the initial development of the permit. In October of 2006, the Chief Engineer limited Water Right No. 2572-2 to a maximum diversion rate of 18 gallons per minute, which is known as the limit for reasonable domestic use detailed in ARSD 74:02:01:01(7) (Water Rights, 2026b and 2026d). This well interference complaint was heard at a Water Management Board meeting and the Board concluded the permit holders had satisfied each of the factors set forth in SDCL 46-2A-9; additionally, no complaints have been reported since that hearing (Water Rights, 2026b and 2026d). The diversion points authorized under Water Right No. 2572-2 are located approximately 8.9 miles northeast of the existing wells (Water Rights, 2026b). There have been no other complaints submitted to the DANR-Water Rights Program regarding well interference for adequate wells completed into the Crystalline Rock aquifer within Pennington County (Water Rights, 2026d).

In May of 2021, the Chief Engineer received a complaint regarding a number of entities near Rockerville, South Dakota (Pennington County) that were suspected of using water without proper permitting. Since then, the entities mentioned in this complaint have obtained the proper permitting necessary for their respective water withdrawals (Mathiowetz, 2021a and 2021b; Water Rights, 2026c).

Development of both appropriative and domestic use wells completed into the Crystalline Rock aquifer have continued with minimal history of well interference complaints in Pennington County. Water Permit Application No. 2903-2 is requesting a relatively limited diversion rate, appropriation volume, the wells have been in place and are presumed to have been in use since approximately 'pre-1985', 1996, 2023, and 2024 without any reported well interference complaints, and the Crystalline Rock aquifer has large natural fluctuations of water levels that often mask or exceed drawdown caused by well pumping. Therefore, there is a reasonable probability this application can be developed without unlawful impairment of existing water right/permit holders or domestic users with adequate wells (Water Rights 2026b, 2026c, and 2026d).

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

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

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

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

Due to the very low primary porosity of the Crystalline Rock aquifer, and the highly variable and uneven nature of secondary porosity, 20 feet of saturated thickness above the pump inlet may not be sufficient for a dependable water supply. Without conducting an aquifer performance test, the precise drawdown effects caused by pumping a well cannot be determined. Over the period of record, the water levels shown on the hydrograph for observation well CU-86A (Figure 4) have fluctuated approximately 45 feet due to climatic conditions. Pump depth requirements for a well are detailed in ARSD 74:02:04:60(2), which states in part, “The depth of the pump setting shall be determined by dividing the specific capacity into the required yield and adding at least 10 additional feet to maintain pump inlet submergence below the maximum anticipated drawdown, where possible.”

There is a reasonable probability that the proposed diversion by Water Permit Application No. 2903-2 will not unlawfully impair adequate wells for existing water rights/permits and domestic users because:

- Continued development of the Crystalline Rock aquifer has occurred without a significant history of well interference complaints (Water Rights, 2026d);
- The hydrograph for observation well CU-86A (Figure 4) showing natural fluctuations in water levels over the period of record (Water Rights, 2026a), along with Driscoll’s and Carter’s (2001) commentary, indicate there is natural recharge to the Crystalline Rock aquifer;
- Adequate domestic wells are protected under South Dakota Codified Water Law;
- Water Permit Application No. 2903-2 seeks to appropriate a relatively small annual volume of water; and

- The existing wells proposed to be used have been in place and are presumed to have been in use since approximately 'pre-1985', 1996, 2023, and 2024 without any reported well interference complaints on file with the DANR-Water Rights Program (Water Rights, 2026d).

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

CONCLUSIONS:

1. Water Permit Application No. 2903-2 proposes to appropriate up to 12.9 acre-feet of water annually at a maximum combined instantaneous diversion rate of 0.1 cfs (approximately 45 gpm) from four existing wells completed into the Crystalline Rock aquifer (all approximately 200 feet deep) for use in a water distribution system. The site of interest is located in Pennington County approximately one and one-half miles east of Hill City, SD.
2. There is a reasonable probability that the proposed diversion by Water Permit Application No. 2903-2 will not unlawfully impair adequate wells for existing water rights/permits and domestic users.
3. If this application is approved, a qualification requiring the applicant to control their water withdrawals, so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights, should be included.
4. If this application is approved, a qualification requiring the applicant to report to the Chief Engineer annually the amount of water withdrawn each year from the Crystalline Rock aquifer should be included.

Nakaila Steen

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SD DANR - Water Rights Program

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- Redden, J.A. and Uzunlar, N., 2017. Geologic Map of the Hill City Quadrangle, South Dakota: 7.5 Minute Series Geologic Quadrangle Map 23. Rapid City: South Dakota Geological Survey Program.
- Water Rights, 2026a. Observation Well Data, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2026b. Water Right/Permit Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2026c. Well Completion Reports, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.
- Water Rights, 2026d. County Files, SD DANR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Rodriguez, Rachel

From: Russ Johnson <russjohnsonconstruction@gmail.com>
Sent: Friday, January 9, 2026 11:38 AM
To: Rodriguez, Rachel
Subject: Re: [EXT] Hill City_Wells - Water Permit Application

Good Morning Rachel,

I have responded to your question under reply to your original email.

Thank You,
Russ Johnson

On Thu, Jan 8, 2026 at 1:11 PM Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us> wrote:

Good afternoon,

In reviewing your application, I see a few issues:

- No.1, I just want to clarify that the water permit name is SnowBird HideAway or Snow Bird Hide Away?

Reply: We will be using; SnowBird HideAway

-
- No.2, In addition to the AF, we need a pump rate, is 43 value the gallons per minute for all 4 wells? See attachment.

Reply: Yes all four wells produce around 10 ish gallons per minute so the 43 is the current gallons per minute for all four wells combined

-

Once I receive the information above, I will begin processing your application.

Thank you,

Rachel Rodriguez

DANR | Program Assistant

Rachel.Rodriguez@state.sd.us



From: Dewell, Amanda <Amanda.Dewell@state.sd.us>

Sent: Thursday, January 8, 2026 9:46 AM

To: russjohnsonconstruction@gmail.com

Cc: Rodriguez, Rachel <Rachel.Rodriguez@state.sd.us>

Subject: FW: [EXT] Hill City_Wells

Russ,

Thank you for sending in your application, map, and supplemental documentation. I've cc'd Rachel with our program who will begin the review process.

Amanda Dewell

DANR - Water Rights Program

Permitting Administrator

Main Phone: 605 773-3352

Website: danr.sd.gov



From: Russ Johnson <russjohnsonconstruction@gmail.com>
Sent: Thursday, January 8, 2026 9:31 AM
To: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Subject: Re: [EXT] Hill City_Wells

Good morning,

I have attached my completed application and have called to pay the fee.

Thank you,

Russ Johnson

On Fri, Jan 2, 2026 at 9:05 AM Russ Johnson <russjohnsonconstruction@gmail.com> wrote:

Thank you for the information.

On Fri, Jan 2, 2026 at 8:50 AM Dewell, Amanda <Amanda.Dewell@state.sd.us> wrote:

Yes – please see attached. The application should be submitted for the MAXIMUM volume and pump rate desired (not averages) and include a map of the well locations and proposed place of use. Fees would be based on the total volume of water being requested annually. Please let me know if you have any questions after looking over the application.

Amanda Dewell

DANR - Water Rights Program

Permitting Administrator

Main Phone: 605 773-3352

Website: danr.sd.gov



From: Russ Johnson <russjohnsonconstruction@gmail.com>
Sent: Friday, January 2, 2026 9:47 AM
To: Dewell, Amanda <Amanda.Dewell@state.sd.us>
Subject: Re: [EXT] Hill City_Wells

Thank You,

Would you also share link to application for water usage for a small retirement park

Russ

On Fri, Jan 2, 2026 at 8:44 AM Dewell, Amanda <Amanda.Dewell@state.sd.us> wrote:

Russ –

I apologize I didn't get this email to you before the holiday, but here is a link to the database managed by our program for all Water Well Completion Reports submitted by well drillers across the state. The map is fully interactive and there should be PDF files linked to all well locations (yellow dots). The address you provided is located in Section 28-T1S-R5E; however, there are so many wells in that area I was not able to make an obvious determination as to which may be the ones you're searching for. [SD DENR Wells Completion Reports](#)

Please let me know if you have any issues with the link or additional questions, and Happy New Year!

Amanda Dewell

DANR - Water Rights Program

Permitting Administrator

Main Phone: 605 773-3352



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

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

March 5, 2026

SnowBird HideAway
c/o Russ Johnson
PO Box 108
Hill City SD 57745

Dear Mr. Johnson:

Water Permit Application No. 2903-2 has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Rapid City Journal printed in Rapid City SD (see contact information from Column). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Acting Chief Engineer and report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

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

Sincerely,

Rachel Rodriguez
Rachel Rodriguez
Water Rights Program
(605) 773-3352

enclosures

NOTE: If you plan to contest any part of the Acting 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. 2903-2 to Appropriate Water

Notice is given that SnowBird HideAway, PO Box 108, Hills City SD 57745, has filed an application for a water permit to appropriate up to 12.9 acre-feet of water annually at a maximum combined pump rate of 0.10 cubic feet of water per second (cfs) from four existing wells completed into the Crystalline Rock Aquifer (all approximately 200 feet deep) located in the NE 1/4 SW 1/4 Section 28 for a water distribution system located in the NE 1/4 SW 1/4 (Tract 8R Storm Hill Subdivision & Lots 3-5 Storm Hill Subdivision No. 2) Section 28; all in T1S-R5E. This site is located approximately one and one-half miles east of Hill City SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 2903-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing domestic water uses and water rights, 3) the proposed use is a beneficial use and 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board. The Acting Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Amanda Dewell 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 March 23, 2026.

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 March 23, 2026.

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.

Published once at the total approximate cost of_

Rodriguez, Rachel

From: Renniel Pasia <leelegals@column.us>
Sent: Thursday, March 5, 2026 9:40 AM
To: Rodriguez, Rachel; russjohnsonconstruction@gmail.com
Subject: Re: [EXT] 2903-2 SnowBird HideAway - Public Notice

Hi there,

Your notice is scheduled to be published in the The Rapid City Journal on March 12, 2026. Your Notice ID is: [AFhLcffupf5SqAwbZxph](#)

You will be receiving a notification from Column Support with your proof. If you don't see it, check your spam folder and any email restrictions you may have.

For the fastest and most reliable placement process, use [column.us](#) to quickly place notices yourself, get proofs, view pricing, and access your invoices and affidavits. Visit our [help center](#) for tips, or sign up for one of our [training webinars](#).

If you have any questions or concerns, please don't hesitate to let us know so we can look into it!

—
// Renniel



On March 5, 2026 at 9:28 AM EST [rachel.rodriguez@state.sd.us](#) wrote:

Attached is a notice to be published on March 12, 2026.

SnowBird HideAway, PO Box 108, Hills City SD 57745, 605-391-0460,
russjohnsonconstruction@gmail.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, Attn Rachel Rodriguez, 523 E Capitol Ave, Pierre SD 57501.

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

Thank you,

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



AFFIDAVIT OF PUBLICATION

Russ Johnson undefined
P.O. Box 108
Hill City, South Dakota 57745

State of Florida, County of Broward, ss:

I, Anjana Bhadoriya, 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:

- Mar 12, 2026

NOTICE ID: AFhLcfffupf5SqAwbZxph

NOTICE NAME: 2903-2 SnowBird HideAway - Public Notice

TOTAL AD COST: \$81.25

Anjana Bhadoriya

Agent

VERIFICATION

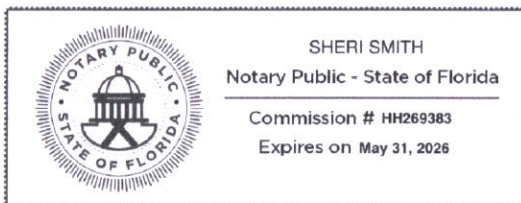
State of Florida
County of Broward

Signed or attested before me on this: 03/13/2026

S. Smith

Notary Public

Notarized remotely online using communication technology via Proof.



NOTICE OF APPLICATION NO. 2903-2 to Appropriate Water

Notice is given that SnowBird HideAway, PO Box 108, Hills City SD 57745, has filed an application for a water permit to appropriate up to 12.9 acre-feet of water annually at a maximum combined pump rate of 0.10 cubic feet of water per second (cfs) from four existing wells completed into the Crystalline Rock Aquifer (all approximately 200 feet deep) located in the NE 1/4 SW 1/4 Section 28 for a water distribution system located in the NE 1/4 SW 1/4 (Tract 8R Storm Hill Subdivision & Lots 3-5 Storm Hill Subdivision No. 2) Section 28; all in T1S-R5E. This site is located approximately one and one-half miles east of Hill City SD.

Pursuant to SDCL 46-2A-2, the Acting Chief Engineer recommends APPROVAL of Application No. 2903-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing domestic water uses and water rights, 3) the proposed use is a beneficial use and 4) it is in the public interest as it pertains to matters of public interest within the regulatory authority of the Water Management Board. The Acting Chief Engineer's recommendation with qualifications, the application, and staff report are available at <https://danr.sd.gov/public> or contact Amanda Dewell 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 March 23, 2026.

The petition shall include a statement describing the unique injury upon approval of the appli-

RECEIVED

MAR 23 2026

OFFICE OF
WATER

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 March 23, 2026.

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.

(Published March 12, 2026 for a total approximate cost of \$81.25 and may be viewed for free at www.sd-publicnotices.com)
Legal No: COL-SD-4354

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MAR 23 2026

OFFICE OF
WATER



Rodriguez, Rachel

From: Rodriguez, Rachel
Sent: Thursday, March 5, 2026 10:09 AM
To: russjohnsonconstruction@gmail.com
Subject: 2903-2 SnowBird HideAway - Public Notice
Attachments: 2903-2 Rec.pdf; 2903-2 Ltr.pdf; 2903-2 PubNotice.pdf; Re: [EXT] 2903-2 SnowBird HideAway - Public Notice

Good morning,

Attached is a copy of the report, acting chief engineer's recommendation, and information regarding the public notice for your water permit application. The Rapid City Journal uses an online portal called Column. You should receive the email with a proof of the publication if you click on the link after Notice ID. As stated in the letter, please contact the paper(s) as soon as possible to authorize publication and arrange for payment. This information is also being mailed to you today.

Let me know if you have questions. Please confirm 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

May 15, 2026

SnowBird HideAway
c/o Russ Johnson
PO Box 108
Hill City SD 57745

Dear Mr. Johnson:

Enclosed is Water Permit No. 2903-2 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,

Adam Mathiowetz, PE
Acting Chief Engineer
Water Rights Program

enclosures



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

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.: 2903-2

Name of Applicant: SnowBird HideAway, c/o Russ & Kim Johnson

Date of Posting: 3/9/2026

Date of Removal: 5/15/2026

Amanda Dewell, Permitting Administrator

5/15/2026

Date

Subscribed and sworn to before me, a notary public, this 15th day of May, 2026.

Notary Public - South Dakota

My commission expires:

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

(SEAL)

