

WATER PERMIT NO. 6012-3

Name of Applicant: **Jensen's West Pollock Resort, Inc.**

Address: **PO Box 14, Pollock SD 57648**

Phone: **605 437-2797 or 889-2448**

Amount of Water Claimed: **0.035 cfs (16 gpm)**

Total Acres: **NA**

Source of Water Supply: **groundwater (one well)**

Water to be used for: **commercial**

County: **Campbell**

Type of Waste Disposal System: **septic tanks**

Location: **2 miles southeast of Pollock**

PRIORITY

Date Received: **7-16-97**

Fee: **\$50.00**

Corrected Application Received:

Period of Annual Use: **January 1 - December 31**

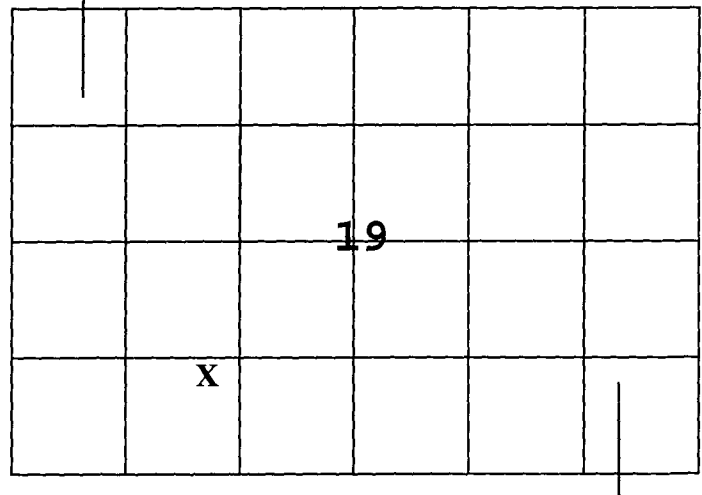
Remarks: **For use at a residence, convenience store and a trailer court**

Diversion Point: **SW 1/4 SW 1/4**

Sec 18-T128N-R78W

19

Land to be Irrigated: **NA**



Depth of Well: **151 feet deep**

Well Driller: **Dakota Boring Co.**

Remarks:

Type of Map: **aerial**

Prepared by: **Gloria Huber, Campbell Co, CFSA**

Reviewed and the Number Assigned on: **7-16-1997**

By: **Karen Schlaak**

Notice of Hearing - date to intervenè: _____

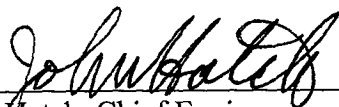
**SOUTH DAKOTA
WATER PERMIT NO. 6012-3**

Date of first receipt of application July 16, 1997.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 6012-3 to Jensen's West Pollock Resort, Inc., PO Box 14, Pollock SD 57648 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. 6012-3 appropriates 16 gallons per minute (0.035 cubic feet of water per second) from one well (Grand Aquifer) 151 feet deep located in the SW 1/4 SW 1/4 Section 19-T128N-R78W.
2. The water appropriated shall be used for the purpose of supplying water to a convenience store, trailer parks and a residence and may not exceed the amount of water needed for beneficial use for commercial use purposes.
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. 6012-3 is September 15, 1997.
5. The date from which applicant may claim right is July 16, 1997.
6. One-fifth of the construction is to be completed on or before March 15, 2000.
7. All construction is to be completed on or before September 15, 2002.
8. Water is to be put to beneficial use on or before September 15, 2006.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: 
John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

OCT 6 1997

date

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

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)
	No. <u>6012-3</u> Hydrologic Unit <u>10130102</u>
	Basin <u>Missouri River</u>
	Newspaper <u>Prairie Pioneer, Pollock, SD</u>



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

Check use(s) of water:

☐ Municipal ☐ Suburban Housing ☐ Recreational ☐ Institutional
☐ Rural Water System ☒ Commercial ☐ Fish & Wildlife ☐ Geothermal Heat
☐ Domestic (over 18 gpm) ☐ Industrial ☒ Other House Less than 18 GPM

Type of Application: ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. _____

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

1. Name of Applicant Jensen's West Pollock Resort, Inc Phone Temp. 437-2797
(check one) ☒ Owner ☐ Tenant/lessee Perm 889-2448
- Mailing Address P.O. Box 14 Pollock SD State SD 57648
(Street, RR. or Box) (Zip Code)
2. Amount of water claimed 0.035 *CFS or 16 GPM **GPM _____ ***AF _____
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
3. Source of water supply Well
4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
1 well SW-SW 19-128-78
- County Campbell
5. County or counties where water will be used Campbell
6. Annual period during which water is to be used Commercial May-Dec / House All-year Jan 1-Dec 31
7. Give a description of the project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)
This project includes 1 Home, 1 C-Store, & up to 70 lots in a trailer Court. The trailer Court is for seasonal & weekend use.

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

STATE OF SOUTH DAKOTA)

SS

County of Campbell

I, Neil Jensen, Vice President, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Jensen's West Pollock Resort, Inc

Signed by [Signature], its Vice President

Subscribed and sworn to before me this 15th day of July, 19 97

MY COMMISSION EXPIRES AUGUST 30, 2004

[Signature]
Notary Public

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

SEE Attached South Dakota Water Well Completion Report

- a) Drill Hole Diameter 7 7/8 Depth 151 ft
b) Casing Type 200 LB/FT Diameter 4 Thickness _____
c) Screen Type _____ Diameter _____ Thickness _____
d) Gravel Pack Thickness _____ Length of Gravel Pack _____
e) Depth to Top of Water Bearing Material _____
f) Depth to Water (ground surface to water level) _____
g) Distance to nearest existing domestic well:
On applicants property _____ On property owned by others _____

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) Septic Tanks - 675 Ft from well
b) System Capacity (gallons) 1000 c) Year Constructed 1997
d) Connected to the City of _____ Sanitary System.

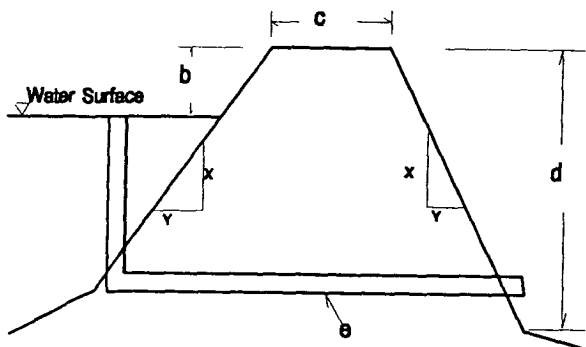
3. Dugout Information

- 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.

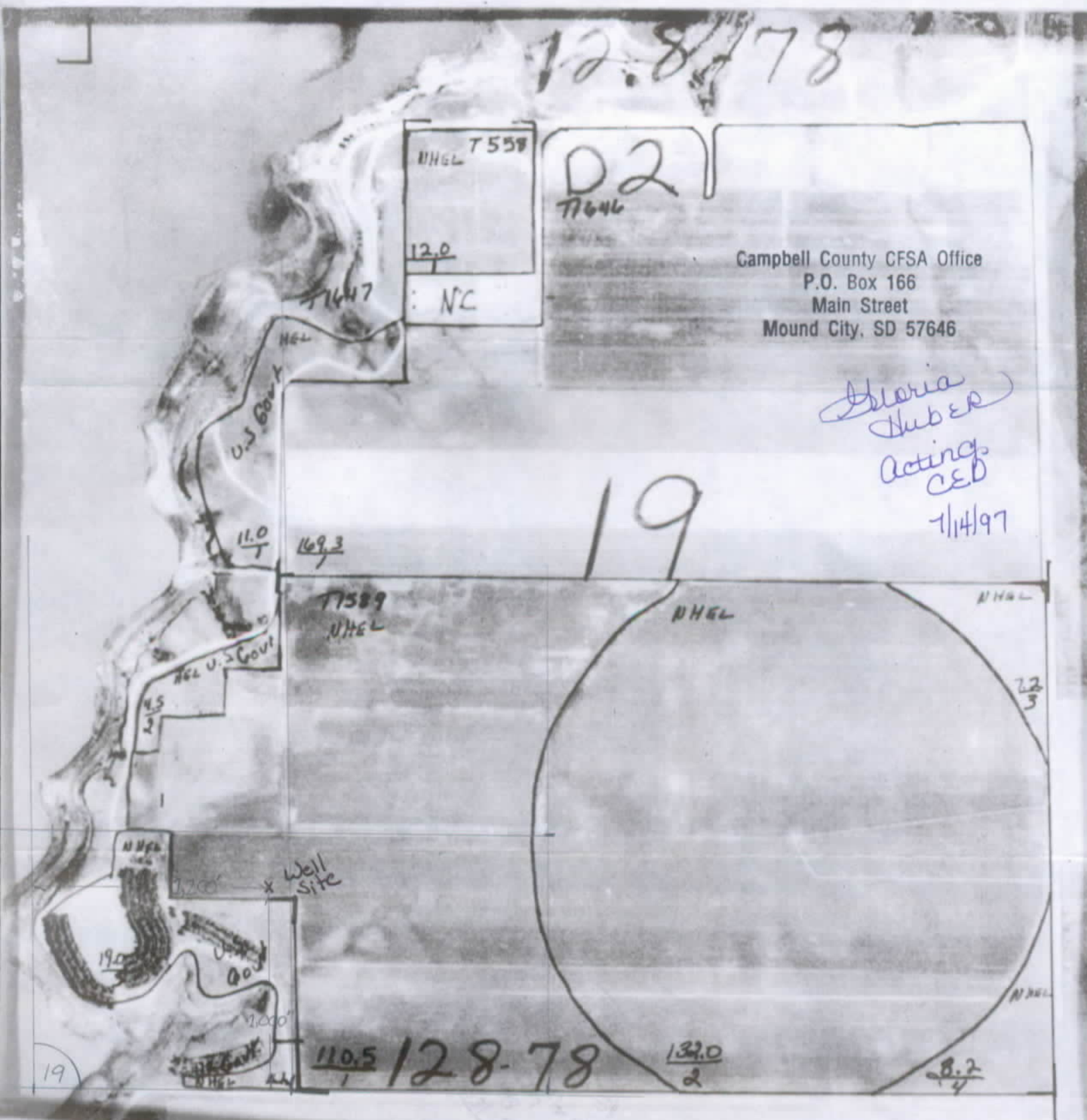
- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- 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
Upstream _____
Downstream _____
h) Surface Area of Impoundment _____
i) Storage _____ Acre Feet
j) Drainage Area Above Dam _____ Acres



MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP.



6012-3

RECEIPT

415418

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ July 16, 19 97

RECEIVED OF Jensen's West Pollock Resort, P.O. Box 14, Pollock, SD 57648

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

Fee for Application for Permit No. <u>60125</u> to Appropriate Water, to construct and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

July 7, 1997

NOTICE TO APPLICANTS

Dennis Jensen
Jensens West Pollock Resort, Inc
PO Box 14
Pollock SD 57648

Dear Mr. Jensen:

I am writing in regard to a well driller's report filed by Dakota Boring Company. The report shows a new well has been completed for you. Based on the information in the report, you may need a water rights permit for your water use.

1. According to state law, a water rights permit is needed for any water use except for reasonable, private domestic use. Examples of commercial uses that require a water rights permit are: truckstops; motels; restaurants; bars; clubs; tourist attractions; campgrounds or any other business operation. A vested water right can be claimed for water uses beginning on or prior to February 28, 1955, for ground water or March 2, 1955, for surface water.
2. Since you are a new well owner, I have enclosed a copy of "Well Owner Responsibilities" for your information.

I am also enclosing application forms for you to apply for a water rights permit. The completed forms with the application fee and map can be returned to the "Water Rights Program, 523 E. Capitol, Pierre, SD 57501." If you believe your water use does not require a water rights permit or that you have an existing permit, please contact Barry McLaury at (605) 773-3352.

Please respond by August 1, 1997. If you need assistance or have questions, please contact us. We will be happy to assist you in any way possible.

Sincerely,

Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

enclosures

(605) 773-3352 Ask for Eric Grunwald or Ron Duvall

REPORT ON WATER PERMIT APPLICATION NO. 6012-3
for Jensen's West Pollock Resort, Inc.
August 13, 1997

Application No. 6012-3 proposes to appropriate 0.035 cfs (16 gpm) from one well approximately 151 feet deep located in the SW 1/4 SW 1/4 of Section 19, T128N-R78W in Campbell County. The water is for commercial use at a convenience store, trailer park and a residence.

AQUIFER - GRAND (G)

The Grand is a buried aquifer consisting of mainly outwash (sand and gravel) and alluvium (sorted and stratified gravel, sand, and silt) from the ancient Grand River (Koch, 1970). The aquifer is confined and under artesian conditions over most of the area and at this site. Ground water movement is from east to west and toward the Missouri River (Oahe Reservoir). The aquifer underlies 97,900 acres and contains an estimated 1.469 million acre feet of recoverable water in storage in Campbell County (Hedges, 1982). The aquifer does extend into Walworth County to the south and into McPherson and Edmunds Counties to the east. The driller's log filed with the application indicates a static water level of 20 feet below land surface and that the well was capable of producing 20 gpm with eight feet of drawdown. The log also indicates that the well is completed in accordance with SD Well Construction Standards.

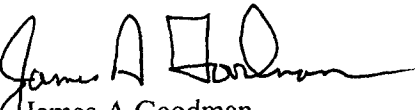
The Water Rights Program does monitor an observation well, CA-80A, which is completed into the Grand aquifer and located about three miles east of this application. The water level for this well does show good response to climatic conditions, that is, rising water levels during wet years and gradually declining water levels during dry years. The water level is also influenced by the lake level of Oahe reservoir. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1997). A hydrograph for this observation well is included with this report.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other existing water permits/rights which obtain water from the Grand aquifer in this area. Interference is not a concern.

CONCLUSIONS

1. Water is available from the Grand aquifer.
2. The aquifer is confined and under artesian conditions but drawdown will not be significant. Interference is not a concern.
3. The well for this application has been completed in accordance with SD Well Construction Standards.
4. Wastewater will be disposed of on site through septic tanks.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

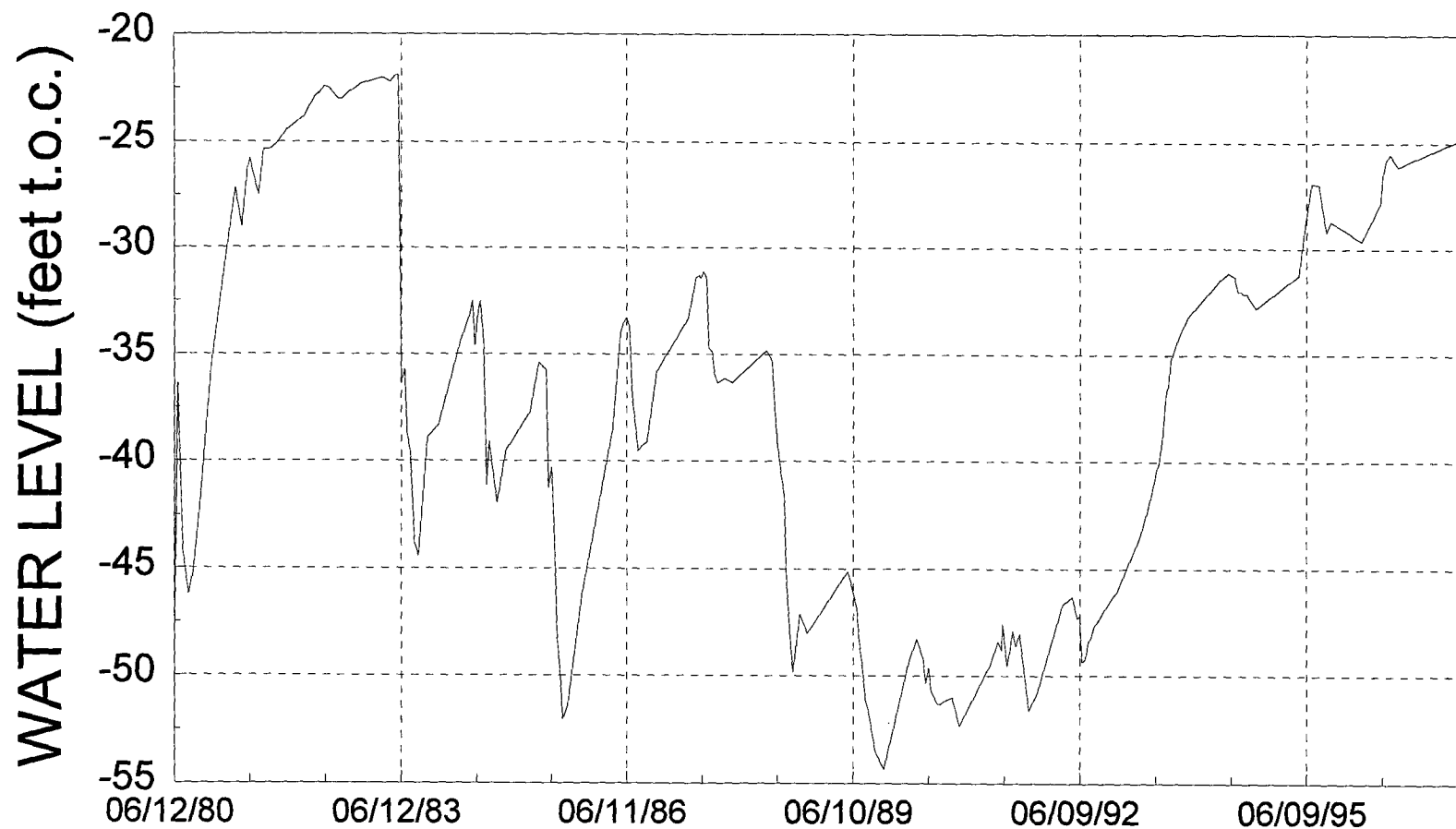
Hedges, L.S., etal, 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Koch, N.C., 1970, Geology and Water Resources of Campbell County, South Dakota, Bulletin 20, SD DENR, SDGS, Vermillion, SD, 57069.

Water Rights, 1997, Unpublished Observation Well Data for Campbell County, SD DENR, Division of Environmental Services, Water Rights Program, Pierre, SD, 57501.

WATER RIGHTS OBSERVATION WELL

CA-80A



**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 6012-3, Jensen's West Pollock Resort**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 6012-3, Jensen's West Pollock Resort, %Neil Jensen, P.O. Box 14, Pollock, SD 57648.

The Chief Engineer is recommending APPROVAL of Application No. 6012-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest.

See report on application for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", written in a cursive style.

JOHN HATCH, Chief Engineer
August 15, 1997



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

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

August 19, 1997

Jensen's West Pollock Resort, Inc.
%Neil Jensen
P.O. Box 14
Pollock, SD 57648

Dear Mr. Jensen:

Water Permit Application No. 6012-3 for commercial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Prairie Pioneer printed at Pollock, SD (Ph # (605) 889-2320). For your information, a copy of the notice, the recommendation of the Chief Engineer and a 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 of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

August 19, 1997

Prairie Pioneer
Box 218
Pollock, SD 57648-0218

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 6012-3 to be published twice. Please publish the first notice on August 28, 1997, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Jensen's West Pollock Resort, Inc., %Neil Jensen, P.O. Box 14, Pollock, SD 57648 (Ph # (605) 437-2797 or 889-2448).

A copy of BOTH publications must be SENT to the WATER RIGHTS PROGRAM. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on August 28, 1997, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 6012-3 to Appropriate Water

Notice is given that Jensen's West Pollock Resort, Inc., PO Box 14, Pollock SD 57648 has filed an application for a water permit to appropriate 16 gallons per minute (0.035 cubic feet of water per second) from one well (Grand Aquifer) 151 feet deep located in the SW 1/4 SW 1/4 Section 19-T128N-R78W. The water is for commercial use at a convenience store, trailer park and a residence.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6012-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by September 15, 1997.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.



Notice of Application No. 6012-3 to Appropriate Water

Notice is given that Jensen's West Pollock Resort, Inc. PO Box 14, Pollock SD 57648 has filed an application for a water permit to appropriate 16 gallons per minute (0.035 cubic feet of water per second) from one well (Grand Aquifer) 151 feet deep located in the SW1/4 SW1/4 Section 19-T128N-R78W. The water is for commercial use at a convenience store, trailer park and a residence.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 6012-3 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

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The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

35-36

Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF CAMPBELL

ss:

I, Brenda Larson, being first duly sworn under oath say: the **Prairie Pioneer** is a legal weekly newspaper of general circulation as required by South Dakota Codified Laws, and any acts amendatory thereto, published to Allan and Leah Burke in said county and state, and has been such legal newspaper during the time hereinafter mentioned; that during all of said time as an employee or officer of said newspaper, I have had personal knowledge of the facts stated in this affidavit; that the advertisement headed:

Notice of Application No. 6012-3 to Appropriate Water/Jensen's West Pollock Resort

A printed copy of which is hereto attached, was printed and published in said newspaper for2..... successive weeks upon the following dates, to wit:

August 28 , 19 97 19
September 4 , 19 97 19
..... , 19 19
..... , 19 19
..... , 19 19

That the full amount of the fees charged for publishing the same to wit: the sum of \$33.58

inures solely to the benefit of the publishers of said newspaper; that no agreement or understanding for any division of this sum has been made with any other person; and that no part of said sum has been agreed to be paid to any person whomsoever.

Brenda Larson

subscribed and sworn to before me this

4 day of, Sept, 19 97

Eric Gronlund

MY COMMISSION EXPIRES AUGUST 30, 2004



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

OCT 6 1997

Jensen's West Pollock Resort, Inc.
%Neil Jensen
P.O. Box 14
Pollock, SD 57648

Dear Mr. Jensen:

Enclosed is Water Permit No. 6012-3 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
605 773-3352

enclosures

PLEASE NOTE: Certain changes may be made to your water permit usually without affecting the priority date. The location of a point of diversion may be changed or additional points of diversion may be approved if the water source remains unchanged; no additional water is appropriated; and, if irrigating, no additional land is irrigated. The change may be allowed without application or publication, if the Water Rights Program is contacted and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

A new water permit application is required to change water sources, increase the permitted diversion rate, or increase the irrigated acreage. If the application is approved, the water permit will receive a new priority date.



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

Date 10-9-97

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: Jensen's West Pollock Resort, Inc. PO Bx 14
(name) (address)

Pollock SD 57648 605-889-2448
(city) (state) (zip) (phone)

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 6012-3.

Water Permit No. 6012-3 states that the diversion system is to be constructed by Sept. 15, 2003, and that the water is put to beneficial use by
(date)

Sept. 15, 2006
(date)

The diversion system was completed on NA
(date)

Applying the water to beneficial use was completed on 9-15-1997
(date)

You may schedule an inspection so that the Water License may be issued.

[Signature]
(signature)

Permit No. 6012-3
Missouri River - Water District

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

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

I have this day, July 10, 2000, made a thorough examination of the water use system constructed by Jensen's West Pollock Resort, Inc. of PO Box 14, Pollock SD 57648 holder of Permit No. 6012-3, bearing the priority of July 16, 1997 authorizing the diversion of 0.035 cu. ft. per second of the waters of ground water (Grand Aquifer) for commercial purposes, in Campbell County.

Inspection contact & relationship to permit holder, if applicable: **Donna Jensen**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Dakota Boring Co.
- 2) No. of Wells 1
- 3) Depth(s) 161 feet
- 4) Well log is available Y

Screen:

- 1) Type Manufactured
- 2) Length 10 feet
- 3) Static water level 20 feet

Casing:

- 1) Diameter 4 inches
- 2) Length 151 feet
- 3) Type Plastic

Pump/Motor:

- 1) Make Unknown submersible
- 2) Capacity 16 GPM

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

Water is distributed via pipeline to a home, convenience store and numerous lots for seasonal homes.

C. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Exceptions to compliance are: none

The system is in good condition with the point of diversion located as follows: One well: $\approx$ 1,000 feet N and $\approx$ 1,200 feet E from the SW corner section 19-T128N-R78W (SW $\frac{1}{4}$ SW $\frac{1}{4}$). The works are capable of diverting and conveying to the place of use 0.035 cu. ft. per second of water which is to be used for commercial use. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.035 cfs.

Comments or other permit(s) associated with the project: none

All structures, wells and lands on map Y

The well is located at the site shown on the original application map.



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: July 27, 2000



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

July 31, 2000

6012-3

Jensen's West Pollock Resort, Inc.
%Neil Jensen
P.O. Box 14
Pollock, SD 57648

Dear Mr. Jensen:

On July 10, 2000, the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 6012-3, was completed by Ron Duvall, a staff engineer with our program. Your final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NE 416597

Pierre, August 10, 2000

RECEIVED OF Jensen's West Pollock Resort, PO Box 14, Pollock, SD 57648
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 _____

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. 6012-3 _____

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

5000

By

Garland Erbele

Chief Engineer

GARLAND ERBELE

[Signature]



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

AUG 25 2000

6012-3

Donna Jensen
Jensen's West Pollock Resort, Inc
PO Box 14
Pollock, SD 57648

Dear Ms. Jensen:

Enclosed is Water License No. 6012-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 416597 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 6012-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

gm
enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 6012-3

(1) Jensen's West Pollock Resort, Inc, PO Box 14, Pollock, SD 67648-0014 made Application No. 6012-3, July 16, 1997, for a water permit to divert 0.035 cubic feet of water per second (16 gallons per minute) from ground water (one well – Grand Aquifer), Campbell County, South Dakota for commercial purposes. Permit No. 6012-3, with a priority date of July 16, 1997 was approved September 15, 1997 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before September 15, 2002 and for the application to beneficial use of said water on or before September 15, 2006.

On October 24, 1997, the permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*". The "*Notice*" stated the diversion system had been completed and the water applied to beneficial use on September 15, 1997.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.035 cubic feet of water per second for beneficial use. The location of the diversion point is ≈ 1,000'N and ≈ 1,200'E of the SW corner of Section 19, T128N, R78W (SW ¼ SW ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial. The water is distributed via pipeline to a home, convenience store and numerous lots for seasonal homes.

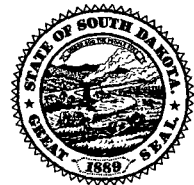
(4) Pursuant to South Dakota Water Law 46-5-30.1 Jensen's West Pollock Resort, Inc, PO Box 14, Pollock, SD 57648-0014 the holder and/or owner of Water Right No. 6012-3 is issued a license to appropriate water, the right to use 0.035 cubic feet of water per second from ground water (one well – Grand Aquifer) with a priority date of July 16, 1997 from the location specified in (2) of this license for commercial purposes. This license is subject to any limitations or qualifications listed in Water Right No. 6012-3 and subject to South Dakota State Law.



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

AUG 25 2000

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

September 7, 2017

6012-3

Bob Shadwell
PO Box 303
Herreid SD 57632-0303

Dear Mr. Shadwell:

Thank you for contacting our office concerning Water Right No. 6012-3.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and complete as needed. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

I have included a copy of the water right for your records. You can view a copy of the entire file for Water Right No. 6012-3 by following the "database" link located (left hand side of the page) on our website at <http://denr.sd.gov/des/wr/wr.aspx>

If you have any questions, please contact me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

SEP 18 2017

WATER RIGHTS
PROGRAM

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 6012-3

Date: 9/15/2017

I/We request that Water Right No. 6012-3

formerly owned by: Jensen's West Pollock Resort Inc.

be transferred to: (name & address)

West Pollock Association
P.O. Box 303
c/o Bob Shudwell
Harvard SD 57632
Telephone No. 605-437-2355

Title to the following described land(s)/property has been transferred as described above:

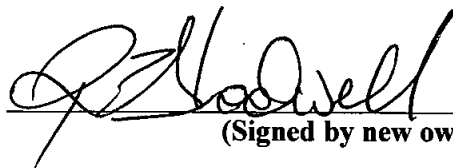
well located in the SW 1/4 SW 1/4 Section 19 T128N, R78W

I/We understand that the validity of Water Right No. 6012-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We West Pollock Assn., the new owner, certify that the above information is true and correct.


(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date September 18, 2017

RECEIVED OF West Pollock Association PO Box 303 Herried, SD 57632

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

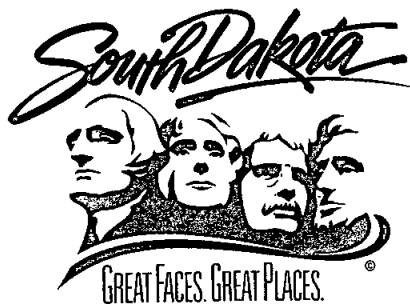
Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>6012-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **08333**

By

Jeanne Goodman
Chief Engineer

cm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

September 18, 2017

6012-3

Bob Shadwell
West Pollock Association
PO Box 303
Herreid SD 57632-0303

Dear Mr. Shadwell:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership of Water Right No. 6012-3.

The ownership change has been completed. Water Right No. 6012-3 formerly held by Jensen's West Pollock Resort Inc., is now listed under "West Pollock Association."

Enclosed for your records is Receipt No. 08333 in the amount of \$50. If you have any questions, please contact me.

Sincerely,

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

enclosures