

Considered: _____

WATER PERMIT NO. 2087-2 .41

HAP No. same 334-2371

Name of Applicant Kelly Inns, Ltd c/o Jeffrey D Wahl, Assist. Reg. Director

Post Office Address 2600 N. Louise Ave. Sioux Falls, SD 57107

Amount of Water Claimed 80 gpm (0.18 cfs) Total Acres NA

Source of Water Supply groundwater - 1 well (existing)

Water to be used for commercial / domestic County Lyman

About 2 miles NE of Cocoma

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F.C C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY Date Received April 12, 1989 Fee \$225.00 Remarks _____

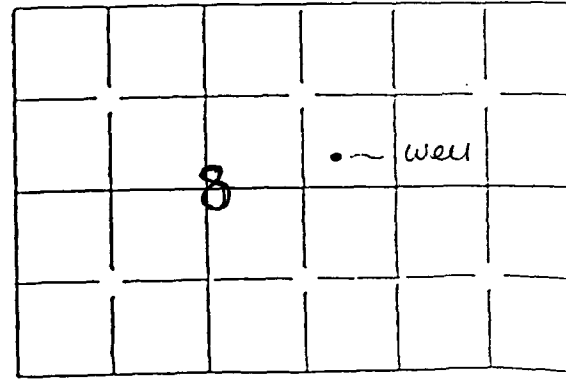
Corrected Application Received Jun 5, 1989 Period of Annual Use Jan 1 - Dec 31

WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES NO REMARKS _____

Diversion Point SE 1/4 NE 1/4 Section 8 - T104N - R71W

Land to be Irrigated NA



Well Log: Driller Hutmacher Drilling Licensed YES NO _____

Depth of Well 780' REMARKS Drilled in 1979 - previously used for

domestic purposes

Type of Map Surveyor's PREPARED BY Nohr / Fischer Reviewed and the Number

assigned on June 6, 1989 BY Susan A. Bowser

Mail to: Water Rights Div.
DWNR, Foss Bldg.
Pierre, SD 57501
(605) 773-3352

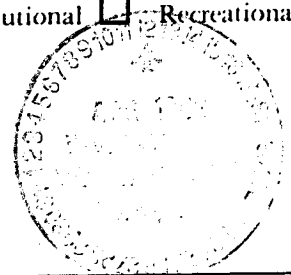
No. <u>2087-2</u>	Hydrologic Unit <u>10140101</u>
Map No. <u>same</u>	Basin <u>Missouri</u>
Newspaper <u>Lyman Co. Herald Box 280 Presho</u> <u>57568 (Wed)</u>	

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

- Check use of water: Industrial Commercial Municipal Other Common Distribution System
 Rural Water System Suburban Housing Geothermal Heat Institutional Recreational
 Domestic (above 18gpm) Other

Type of Application: Check one or more of the following

- New Vested Right Future Use Change Use
 Amend Permit No. _____ with old priority date retained
 Change diversion point(s) Add diversion point(s) Other _____
 Application to: Change diversion point(s) Add diversion point(s) on Permit No. _____
 Construction to use water reserved by Future Use Permit No. _____



- Name of Applicant Kelly Inns Ltd Phone No. 605-334-2371
 Post Office Address 2600 N. Louise Ave Sioux Falls State SD 57107
(Street, RR or Box) (City) Zip Code
- Amount of water claimed (c.f.s.) ~~0.18~~ (80 G.P.M.) 0.18
- Source of water supply Existing Dakota aquifer well groundwater - 1 well
- Location of point of diversion ~~SE 1/4 Sec 8 T104N R71W~~
NE 1/4 NE 1/4 Section 8, T104N, R71W
 County Lyman

- Counties where water will be used Lyman
- Annual period during which water is to be used yr. Around January 1 - December 31

7. Give a brief description of proposed 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)

River Ranch Resort - water for motel units and personal housing. The water usage of #2 is at peak usage only not 24 hours a day.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA)
County of _____) ss

Jeff. WAHL, Ast. Reg. Director Kelly Ltd
 I, _____ 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.

Signed Jeff. WAHL, Ast. Reg. Director Kelly Ltd

 Notary Public

Subscribed and sworn to before me this 11 day of April 1989

John L. Johnson
 Notary Public

comm. expires: 10/03/93

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 7 1/2 - 4 1/2 Depth 105', 105-780
- b) Casing Type Std. Steel, Sch 80 PVC Diameter 5", 2" Thickness 5", 0-105', 2" 0-780'
- c) Screen Type PVC Sch 80 Diameter 2" Thickness 80' Perforated
- d) Gravel Pack Thickness N/A Length of Gravel Pack N/A
- e) Depth to Top of Water Bearing Material 656
- f) Depth to Water (ground surface to water level) Flow (60 GPM, 1988 test, 44 PSI Shut in)
- g) Distance to nearest existing domestic well:
 On applicants property 3/4 - 1 mile ~~On property owned by others~~ 3/4 - 1 mile

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should 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 _____

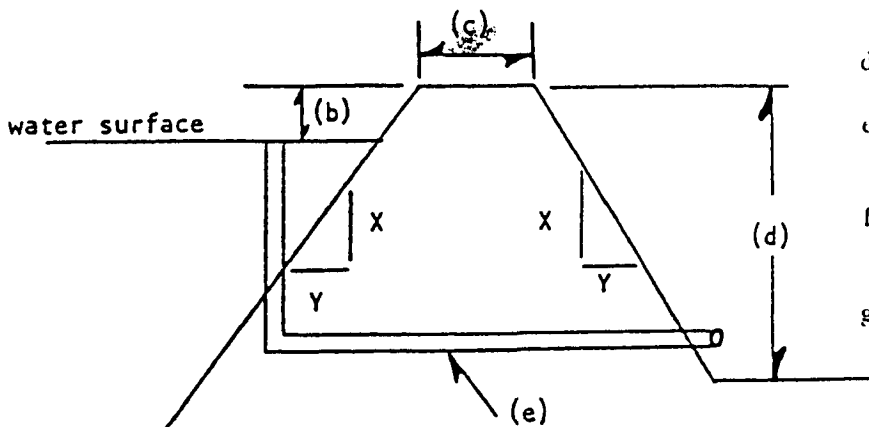
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



[Handwritten Signature]
 Signature of Applicant
 Kelly LLC

SOUTH DAKOTA
WATER PERMIT No. 2087-2

Date of first receipt of application April 12, 1989.

Date of return to applicant for corrections, amendments or changes April 14, 1989.

Date of receipt of corrected application June 5, 1989.

The Water Management Board approved Water Permit Application No. 2087-2 on September 27, 1989 for Kelly Inns, Ltd., 2600 N Louise Avenue, Sioux Falls SD 57107 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. 2087-2 appropriates 0.18 cubic feet of water per second from one well (Dakota Formation) approximately 780 feet deep located in the NE1/4 NE1/4 section 8-T104N-R71W.
2. The water appropriated shall be used for the purpose of supplying the Kelly Inn River Ranch Resort and may not exceed the amount of water needed for beneficial use for commercial and domestic purposes.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date from which applicant may claim right is April 12, 1989.
5. One-fifth of the construction is to be completed on or before March 27, 1992.
6. All construction is to be completed on or before September 27, 1994.
7. Water is to be put to beneficial use on or before September 27, 1998.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. Approval of Permit No. 2087-2 is subject to construction of a new Dakota Formation well.
2. The existing Dakota Formation well may not be used to supply water to the public. If the well will be used for livestock watering, it must be valved and the flow reduced to the amount needed. If this well is abandoned, it must be plugged pursuant to Water Management Board Rule 74:02:04:67.
3. The well authorized by Permit No. 2087-2 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted with cement (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:30.

(continued)

4. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

WATER MANAGEMENT BOARD

By: _____

John Hatch
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

NOV 20 1989

(date)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, May 4, 19⁸⁹

RECEIVED OF Oasis Inn, 1108 W. Bailey, Sioux Falls, SD 57104-1375

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

Fee for Application for Permit No. <u>2087-2</u> to Appropriate Water, to construct works and to put water to beneficial use _____	225.00
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 Certified Copy of _____	
Fee for Print Copy of Map _____	
Fee for Certifying _____	
Fee for _____	
(Any Other Work Provided by Law)	Total
	225 00

By John Hatch/mra
Chief Engineer

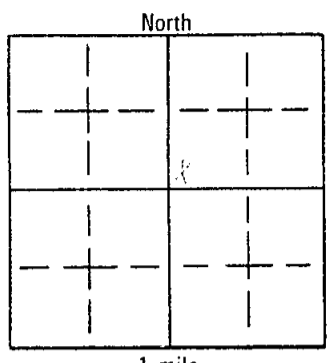
Investigation found well location to be on the SE 1/4 Sec 8.

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location SE 1/4 NE 1/4 Sec 8 Twp 104 Rg 71

County Lyman



Please mark well location with an "X"

Well Completion Date 8-1-90

Well Owner:
Name River Ranch Resort
Address 70 Regency Inn Management Inc
Well Log: 2600 Alameda Ave S. FSD. 57107 Depth

Formation	From	To
<u>Pierre</u>	<u>0</u>	<u>135</u>
<u>Niobrara</u>	<u>135</u>	<u>380</u>
<u>Carlile</u>	<u>380</u>	<u>515</u>
<u>Greenhorn</u>	<u>515</u>	<u>530</u>
<u>Graneros</u>	<u>530</u>	<u>650</u>
<u>Dakota</u>	<u>650</u>	<u>1000</u>

PROPOSED USE:

Domestic Municipal Test Holes

Irrigation Industrial Stock

Method of Drilling: Rotary

CASING DATA:

Steel Plastic Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>15</u> LB/FT	<u>5</u> IN	<u>0</u> FT	<u>656</u> FT	<u>8</u> IN
<u>Sch 80</u> LB/FT	<u>3</u> IN	<u>0</u> FT	<u>100</u> FT	<u>4 3/4</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

STATIC WATER LEVEL _____ Feet

If flowing: closed in pressure 37 PSI

GPM flow 100 through 3 inch pipe

Controlled by Valve Reducers Other

If other; specify _____

Can well be completely shut in? Yes

GROUT:

Was the well grouted? YES NO

To what depth? 656 FEET

What is grouting material? Portland

If cement, number of sacks? 13000 #

Describe grouting procedure pressure through
5" Steel w/ float shoe
check valve + sweep

What was grout weight? 16.1 LB/GAL

WELL TEST DATA:

Pumped _____

Bailed Describe: _____

Other _____

Pumping Level Below Land Surface

_____ ft.	After _____ Hrs.	pumped _____ GPM
_____ ft.	After _____ Hrs.	pumped _____ GPM
_____ ft.	After _____ Hrs.	pumped _____ GPM

SCREEN: Perforated pipe Manufactured

Diameter 3 IN Length 100 FEET

Material PVC Sch 80

Slot Size .025 Set From 660 Feet To 760 Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

REMARKS: SAND stone Poor Quality
Strips only none below
780'
Electric Log done
by Geological Survey

Was a packer or seal used? YES NO

If so, what material? _____

Describe packer(s) and location? _____

This well was drilled under license # 213

And this report is true and accurate.

Drilling firm Hutmacher Drilling Inc

Signature of License Representative: _____

Was well disinfected upon completion? YES NO

Explain Chlorine pumped & held

Bacteriological analysis YES NO

Laboratory sent to State Lab

Signature of Well Owner: _____

Date 8-3-90



Lynn County

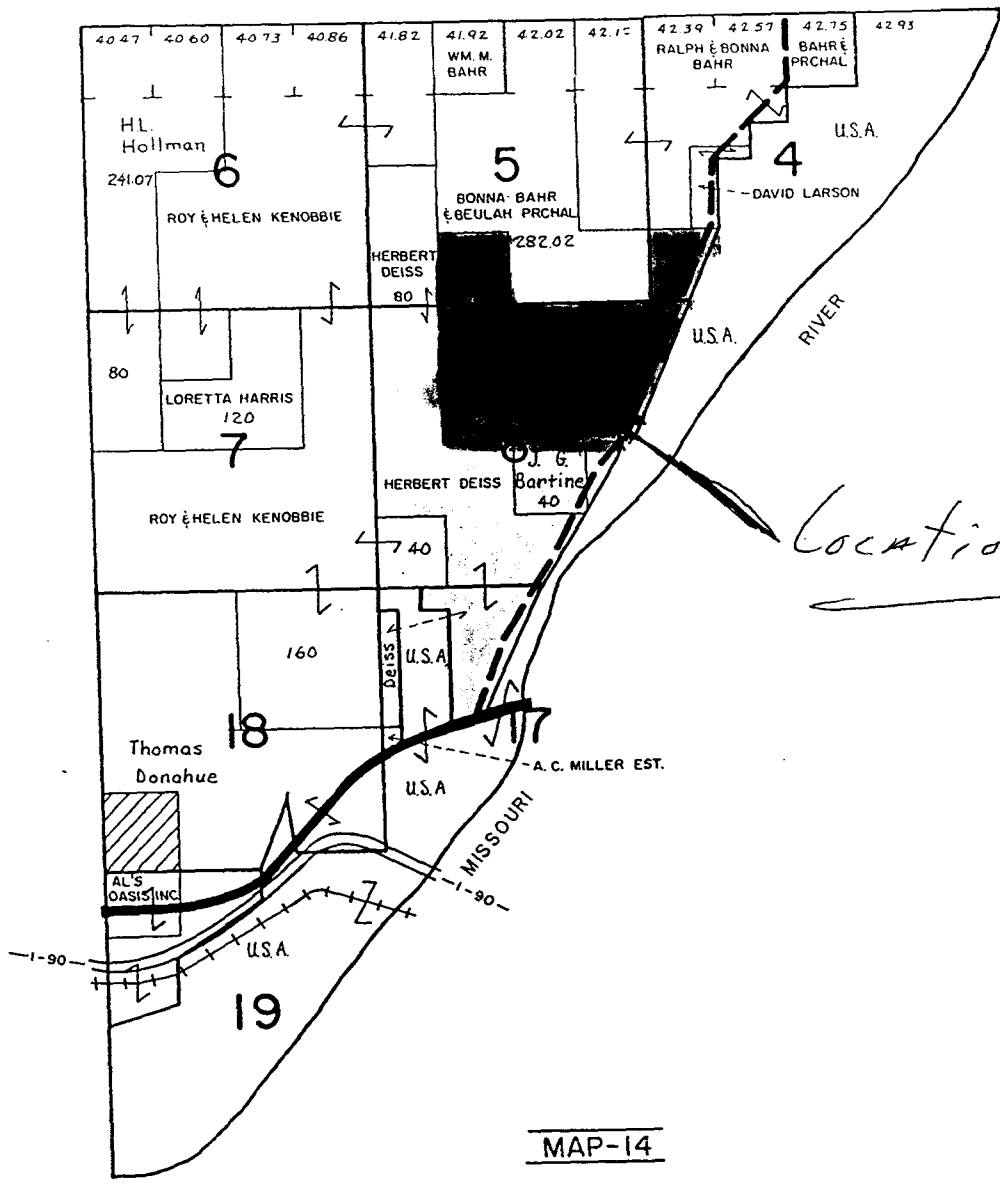
OACOMA

CODE · DY

Proposed Resort
for River Ranch Resort
By Ron Kelly Inc
Kelly Ltd

TWSP · 104 · NORTH

RANGE · 71 · WEST



Location of well



MAP-14

US Corp of Eng Land we want to lease

Land owned by us (River Ranch Resort) Kelly Ltd

Land Leased by us (River Ranch Resort)

By Jeff WAHL



KELLY INNS, LTD.

2600 N. Louise Ave.
Sioux Falls, South Dakota 57107

Phone (605) 334-2958

April 11, 1989

Water Rights Division
DWR, Foss Building
Pierre, SD 57501



To Whom it May Concern:

Enclosed please find our application and supporting documentation for commercial use on an existing well for use by the resort being built in the Chamberlain, SD, area.

If you have questions or need further information, please feel free to contact me.

Sincerely,

KELLY INNS, LTD.

A large, stylized handwritten signature in black ink, which appears to read "Jeffrey D. Wahl".

Jeffrey D. Wahl
Assistant Regional Director

JDW/cn
Enclosures

SOUTH
Dakota Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

April 14, 1989

Jeffrey D. Wahl
Assistant Regional Director
✓ Kelly Inns, Ltd.
2600 N. Louise Ave.
Sioux Falls, SD 57501

Dear Mr. Wahl:

This letter is in response to the water permit application received from you on April 12, 1989.

The water permit application is incomplete for the following reason(s):

- (1) The enclosed map needs to be signed by a South Dakota Licensed Land Surveyor, a South Dakota Registered Engineer, or by a government employee who normally prepares maps as part of his/her regular duties (see enclosed instruction sheet).
- (2) The correct fee for appropriating 80 gallons of water per minute is \$225 (see enclosed instruction sheet).
- (3) The well log submitted with your application, a copy of which is enclosed, indicates the well was drilled in the NE1/4 SW1/4 Section 8, T104N, R71W. Both the application form and the map submitted indicate the well was drilled in the SE1/4 NE1/4 Section 8, T104N, R71W. Please indicate at which location the well was drilled.

The Water Management Board cannot consider a water permit application until it is complete. Please return the enclosed map with the required signature, the correct fee, and a clarification of the location of the well to begin processing of your water permit application.

Feel free to contact me if you have any questions.

Sincerely,

Susan A. Bowar

Susan A. Bowar
Natural Resources Engineer
Water Rights Division
(605) 773-3352

enclosures





Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

May 9, 1989

Jeffrey D. Wahl
Assistant Regional Director
Kelly Inns, Ltd.
2600 N. Louise Ave.
Sioux Falls, SD 57501

Dear Mr. Wahl:

I am writing in response to the water permit application received from you on April 12, 1989 and the map received from you on May 4, 1989.

The enclosed map, signed by Ellwyn A. Nohr in December of 1987, does not meet the requirement of a signed map because the location of the well was added to the map after it was signed.

Please submit a map showing the location of the well with respect to a government section corner or quarter-corner that is signed by either a South Dakota Registered Engineer, a South Dakota Licensed Land Surveyor, or by a government employee who normally prepare maps as part of their duties.

Feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Susan A. Bowar".

Susan A. Bowar
Natural Resources Engineer
Water Rights Division
(605) 773-3352

enclosure



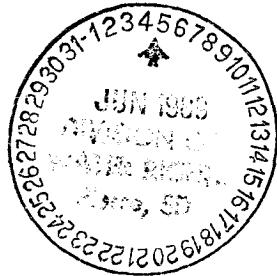


United States
Department of
Agriculture

Soil
Conservation
Service

P.O. Box 156
Kennebec, SD 57544

May 30, 1989



Jeff Wahl
Regency Inns Management, Inc.
2600 North Louise Avenue
Sioux Falls, SD 57107

Dear Jeff,

As per your request to locate the well on the River Ranch Resort property, I believe the location indicated on the enclosed map is accurate.

Sincerely,

Steve Fischer
District Conservationist
Kennebec



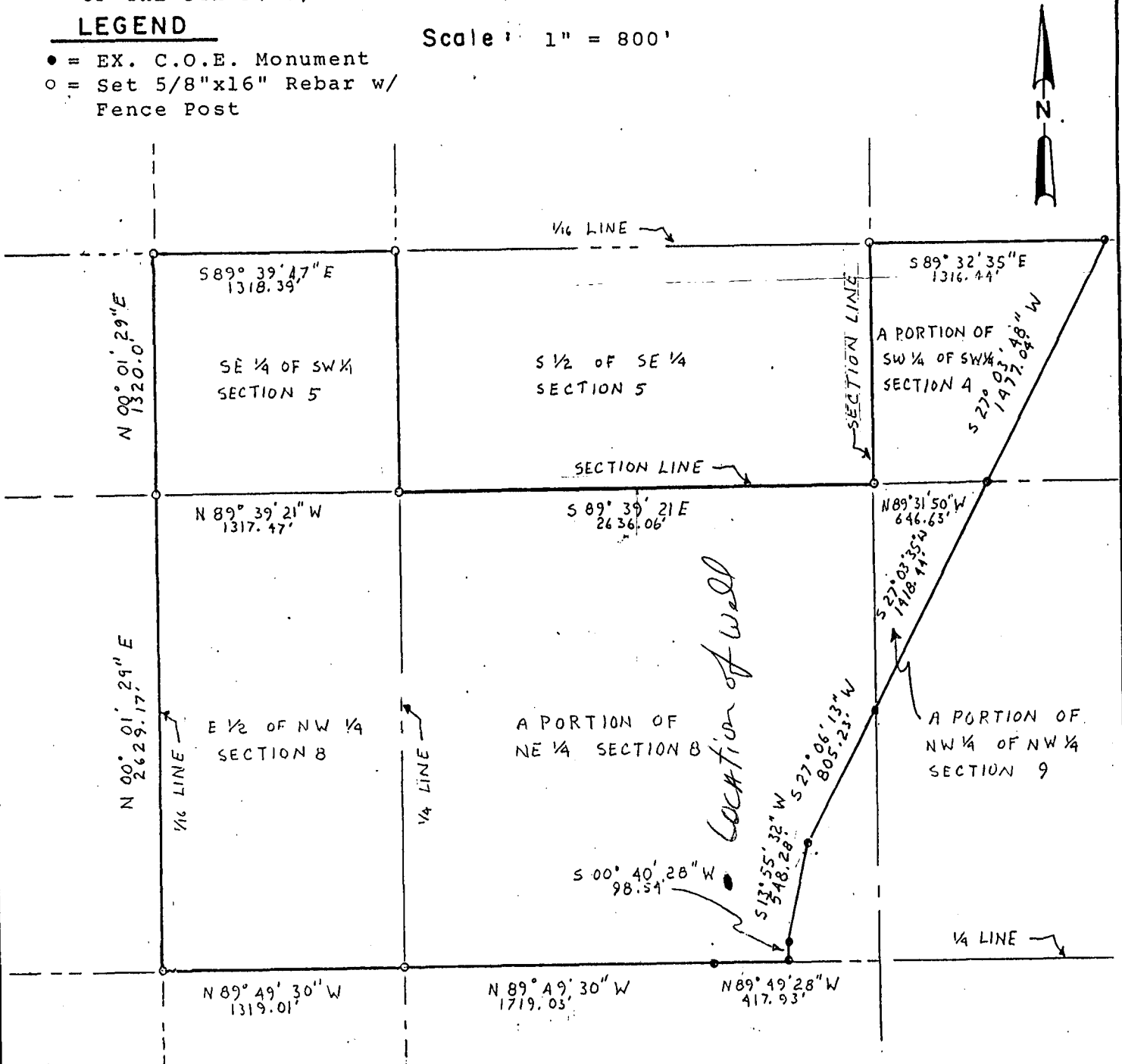
The Soil Conservation Service
is an agency of the
United States Department of Agriculture

DESCRIPTION: SE 1/4, SW 1/4 OF SECTION 5; E 1/2, NW 1/4 AND A PORTION OF NE 1/4 OF SECTION 8; A PORTION OF SW 1/4, SW 1/4 OF SECTION 4; A PORTION OF NW 1/4, NW 1/4 OF SECTION 9, T 104N, R 71W OF THE 5TH P.M., LYMAN COUNTY, SOUTH DAKOTA.

LEGEND

- = EX. C.O.E. Monument
- = Set 5/8"x16" Rebar w/ Fence Post

Scale: 1" = 800'



I, Ellwyn A. Nohr, a Registered Land Surveyor in and for the State of South Dakota, do hereby certify that I did survey the SE 1/4, SW 1/4 OF SECTION 5; E 1/2, NW 1/4 AND A PORTION OF NE 1/4 OF SECTION 8, A PORTION OF SW 1/4, SW 1/4 OF SECTION 4; A PORTION OF NW 1/4, NW 1/4 OF SECTION 9, T 104 N, R 71W OF THE 5TH P.M., LYMAN COUNTY, SOUTH DAKOTA; and that this drawing correctly shows the location of the described property to the best of my knowledge and belief.

Dated this 29th day of December, 1987.

Ellwyn A. Nohr
Registered Land Surveyor



STATE OF SOUTH DAKOTA)
)SS
COUNTY OF DAVISON)

On this, the 29th day of December, 1987, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Ellwyn A. Nohr, well known to me to be the person who is described in and who executed the foregoing and within instrument, and duly acknowledged that he executed the same in his official capacity as a Registered Land Surveyor for the uses and purposes therein set forth.

IN WITNESS WHEREOF I hereunto set my hand and official seal.

My Commission Expires:
December 11, 1993

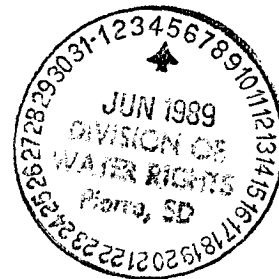
Mildred M. Tralins
Notary Public, South Dakota

Prepared by: **SCHMUCKER, PAUL, NOHR and ASSOCIATES** MITCHELL, S.D.
Consulting Engineers and Land Surveyors

Appl. No. 2087-2

REGENCY INNS MANAGEMENT, INC.

A Consultant and Management Corporation



June 2, 1989

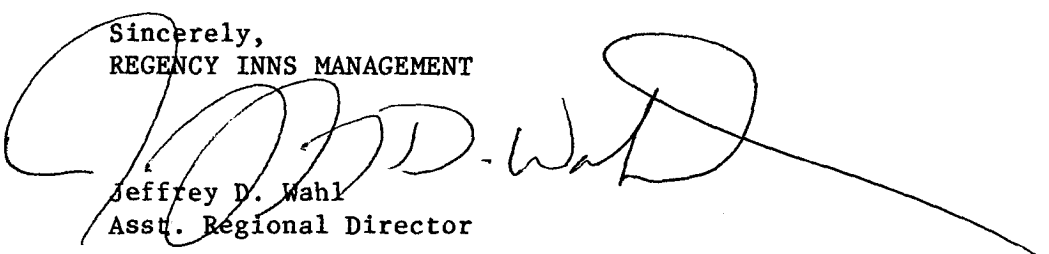
Water Rights Division
DWRN, Foss Building
Pierre, SD 57501

To Whom it May Concern:

Enclosed is the map showing the location of our well at the River Ranch Resort by Oacoma, SD. We have already sent you the permit and the application fee. This verification is from Steve Fisher of the SCS office of Kenebec, SD.

If you have any questions please call me 605-334-2371.

Sincerely,
REGENCY INNS MANAGEMENT



Jeffrey D. Wahl
Asst. Regional Director

JDW/cv
encl.

SECOND REVISED RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2087-2, Kelly Inns, Ltd.

Pursuant to SDCL 46-2A-2, the following is the Second Revised recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 2087-2, Kelly Inns, Ltd., 2600 North Louise Avenue, Sioux Falls SD.

The Chief Engineer is recommending APPROVAL of Application No. 2087-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. Approval of Permit No. 2087-2 is subject to construction of a new Dakota Formation Well.
2. The existing Dakota Formation well may not be used to supply water to the public. If the well will be used for livestock watering, it must be valved and the flow reduced to the amount needed. If this well is abandoned, it must be plugged pursuant to Water Management Board Rule 74:02:04:67.
3. The well authorized by Permit No. 2087-2 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted with cement (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:30.
4. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
September 12, 1989

REVISED RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2087-2, Kelly Inns, Ltd.

Pursuant to SDCL 46-2A-2, the following is the Revised recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 2087-2, Kelly Inns, Ltd., 2600 North Louise Avenue, Sioux Falls SD.

The Chief Engineer is recommending APPROVAL of Application No. 2087-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. Approval of Permit No. 2087-2 is subject to construction of a new Dakota Formation Well; and plugging of the existing Dakota Formation Well pursuant to Water Management Board Rule 74:02:04:67.
2. The well authorized by Permit No. 2087-2 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted with cement (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:30.
3. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

See the attached report for additional information.



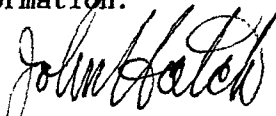
JOHN HATCH, Chief Engineer
September 6, 1989

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2087-2, Kelly Inns, Ltd.

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 2087-2, Kelly Inns, Ltd., 2600 North Louise Avenue, Sioux Falls SD.

The Chief Engineer is recommending DEFERRAL of Application No. 2087-2. The existing Dakota Formation well does not comply with Water Management Board Well Construction Rules, Section 74:02:04:30 for Public water supplies, which requires the well casing to be pressure grouted with cement (bottom to top) from the producing formation (656 feet depth) to the surface.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
August 3, 1989

Report on Application No. 2087-2
Kelly Inns, Ltd.
August 2, 1989

This application proposes to appropriate 0.18 cfs from an existing well 780 feet deep located in the SE1/4 NE1/4 of Section 8, T104N-R71W in Lyman County. The water is to be used for commercial and domestic purposes to supply the Kelly Inn River Ranch Resort.

Aquifer - Dakota Formation (DKDT)

The Dakota formation consists of approximately 300-350 feet of sands, sandstones and shale which underlie 1 million acres and contains 28.3 million acre-feet of water in Lyman County (Allen, 1984). The aquifer is under artesian conditions and information submitted with the application indicates this is an existing well which in 1988 would flow 60GPM and had a shut-in pressure of 44 psi.

The Division of Water Rights monitors an observation well BL-83A which is located approximately 4 miles southeast of this application. Water levels are available from 1983 to the present and that data indicates there are slight fluctuations due to area withdrawals (in winter months) but basically little change at all (Water Rights, 1989).


Review of Existing Water Rights

There is one existing Water Permit No. 4599-3 for water from the Dakota Formation which is within 2 miles of this application. That application authorizes 2.22 cfs for geothermal use from 3 wells (which also flow) completed into the Dakota Formation. There are many Dakota wells used for stock and domestic use in the area. The wells located along the river or along the river bottom will flow and those located on the bluffs or at higher elevations must be pumped. This well was completed in 1978. Drawdowns resulting from withdrawals by permit No. 4599-3 apparently have not adversely affected this existing well. Although drawdowns undoubtedly exist, the effect upon the observation well BL-83A is minimal. Interference should not be a problem.

Conclusions

1. Water is available from the Dakota Formation. The applicant should consider using the Missouri River as a source because of the water quality.

2. The aquifer is under artesian conditions and wells in the area do flow. The existing flow rates and pressures which have been reported indicate interference will not be a problem even though there will be drawdowns.
3. This is an existing well. The well as completed does not comply with present South Dakota Well Construction Standards for a public water supply.
4. Observation well records for BL-83A indicate water levels in the aquifer do not significantly change or fluctuate in this area. Also, the reported declining trend of water levels in the Dakota Formation is not obvious from the existing records for the last six years.
5. After checking with the Division of Land and Water Quality there is an approved plan for Waste Disposal using a septic system.


JAMES A. GOODMAN
Hydrologist

Bibliography

Allen, J.C., 1984, Analysis of Ground Water and Streamflow data Western Dakotas Region of SD, for US Army Corps of Engineers, SD DWR, SDGS, Vermillion, SD 57069

Water Rights, 1989, Observation Well Records for BL-83A, SD DWR, Division of Water Rights, Joe Foss Building, Pierre, SD 57501

SOUTH Dakota Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

August 22, 1989

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

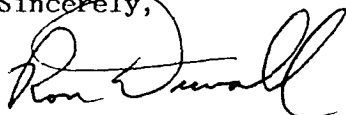
Jeff Wahl, Asst Regional Director
Kelly Inns Ltd.
2600 N. Louise Ave.
Sioux Falls, SD 57107

Dear Mr. Wahl:

Water Permit Application No. 2087-2 for commercial and domestic uses 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 Lyman Co. Herald printed at Presho SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation are also 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 Intent to Appropriate Water 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. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
August 22, 1989

Lyman Co. Herald
P.O. Box 280
Presho, SD 57568

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 2087-2 to be published twice. Please publish the first notice on or before August 30, 1989 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 Kelly Inns, Ltd., c/o Jeff Wahl, Asst. Regional Director, 2600 N. Louise, Ave., Sioux Falls, SD 57107.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. 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. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

TO: Ron Duvall
Water Rights Division
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 or before August 30, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2087-2 to Appropriate Water

Notice is given that Kelly Inns, Ltd., c/o Jeffrey D. Wahl, Assistant Regional Director, 2600 N. Louise Ave., Sioux Falls, SD 57107 has filed an application for a water permit to appropriate 0.18 cubic feet of water per second from one existing well (Dakota Formation) 780 feet deep located in the SE1/4 NE1/4 Section 8-T104N-R71W. Water is to be used for commercial and domestic purposes to supply the Kelly Inn River Ranch Resort.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends DEFERRAL of Application No. 2087-2 because the existing Dakota Formation well does not comply with Water Management Board Well Construction Rules, Section 74:02:04:30 for public water supplies, which requires the well casing to be pressure grouted with cement (bottom to top) from the producing formation (656 feet depth) to the surface. This application will be considered by the Water Management Board in Room 216 of the Joe Foss Building at 523 E. Capitol, Pierre, SD on September 27, 1989 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by September 15, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". 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 legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by September 15, 1989.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Lyman) ss.

I, Robert Cameron

certify that the attached printed Notice was taken from the Lyman to Herald

A newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the City of Preble

County of Lyman and State of South Dakota; that the said notice was published in said newspaper on the following two dates:

August 30, 1989
September 6, 1989

Robert Cameron
(Signature)

Publisher-editor
(Title)

September 8, 1989
(Date Signed)

Cost of Printing: \$ 32.42

NOTICE OF HEARING on Application No. 2087-2 to Appropriate Water

Notice is given that Kelly Inns, Ltd., c/o Jeffrey D. Wahl, Assistant Regional Director, 2600 N. Louise

Ave., Sioux Falls, SD 57107 has filed an application for a water permit to appropriate 0.18 cubic feet of water per second from one well (Dakota Formation) 780 feet deep located in the NE1/4 NE1/4 Section 8-T104N-R71W. Water is to be used for commercial and domestic purposes to supply the Kelly Inn River Ranch Resort.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends DEFERRAL of Application No. 2087-2 because the existing Dakota Formation well does not comply with Water Management Board Well Construction Rules, Section 74:02:04:30 for public water supplies, which requires the well casing to be pressure grouted with cement (bottom to top) from the producing formation (656 feet depth) to the surface. This application will be considered by the Water Management Board in Room 216 of the Joe Foss Building at 523 E. Capitol, Pierre, SD on September 27, 1989 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses, according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by September 15, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". 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 legal counsel if legal counsel is obtained. The applicant need not file a petition.



Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by September 15, 1989.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

Aug 30 & Sept 6

REGENCY INNS MANAGEMENT, INC.

A Consultant and Management Corporation



August 28, 1989

Ron Duval
Department of Water and Natural Resources
Water Rights Division
Joe Foss Building
523 East Capitol
Pierre, SD 57501

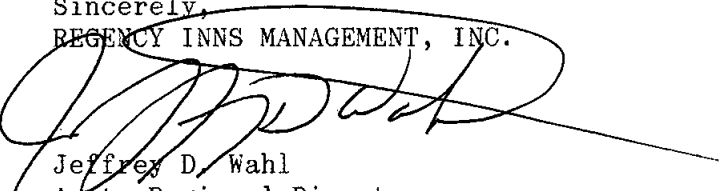
Dear Mr. Duval:

As per my conversation with Mr. Hatch, we have agreed to drill a new well for the River Ranch Resort in Oacoma, SD to replace the existing well. The new well will comply to state standards.

The location of the new well will be in the NE 1/4 of the NE 1/4 of section 8-T104-R71W of Lyman County. We would like for this to be the application for the hearings that will be advertised for September 27th.

If you have any questions, please contact me.

Sincerely,
REGENCY INNS MANAGEMENT, INC.



Jeffrey D. Wahl
Asst. Regional Director

JDW/cv



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

September 7, 1989

Jeff Wahl, Asst Regional Director
Kelly Inns Ltd.
2600 N. Louise Ave.
Sioux Falls, SD 57107

Dear Mr. Wahl:

Enclosed is a Revised Recommendation of the Chief Engineer for Water Permit Application No. 2087-2, Kelly Inns, Ltd. This application will be considered by the Water Management Board at the September 27, 1989 meeting.

Sincerely,

Karen Schlaak

KAREN SCHLAAK
Senior Secretary
605 773-3352

enclosure





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

September 13, 1989

Jeff Wahl, Asst Regional Director
Kelly Inns Ltd.
2600 N. Louise Ave.
Sioux Falls, SD 57107

Dear Mr. Wahl:

Enclosed is the second (September 12, 1989) Revised Recommendation of the Chief Engineer for Water Permit Application No. 2087-2, Kelly Inns, Ltd. This application will be considered by the Water Management Board at the September 27, 1989 meeting.

Sincerely,

A handwritten signature in cursive script that reads "Karen Schlaak".

KAREN SCHLAAK
Senior Secretary
605 773-3352

enclosure





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

NOV 20 1989

Jeff Wahl, Asst. Regional Director
Kelly Inns, Ltd.
2600 N Louise Ave
Sioux Falls SD 57107

Dear Mr. Wahl:

Enclosed is Water Permit No. 2087-2 as approved by the Water Management Board authorizing you to construct your water diversion system and put the water to beneficial use, 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,

A handwritten signature in black ink that reads "John Hatch". The signature is written in a cursive, flowing style.

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

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 17, 1998

2087-2

Kelly Inns, Ltd.
%Jeffrey D. Wahl
2600 N. Louise Ave.
Sioux Falls, SD 57107

Dear Mr. Wahl:

The investigation of your water use system was conducted on September 2, 1998, by Jeff Shafer, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 2087-2. Your final water right document, the Water License, can now be issued.

Statutes require 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 begin processing your Water License.

**Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181**

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

№ 415873

Pierre, September 24, 1998

RECEIVED OF River Ranch Developers, LTD. Partnership (Kelly Inns, Ltd.), 2600 N. Louise, Sioux Falls, SD 57107
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. <u>2087-2</u>	50	00
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

Permit No. 2087-2
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

On, September 2, 1998, I made a thorough examination of the water use system constructed by Kelly Inns, Ltd. of 2600 N. Louise Ave, Sioux Falls, SD 57107 holder of Permit No. 2087-2, bearing the priority of April 12, 1989 authorizing the diversion of 0.18 cfs cu. ft. per second of groundwater for commercial and domestic purposes, in Lyman County.

I have to report on the conditions of the same as follows:

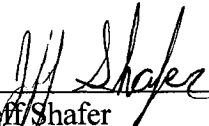
A. Works used to divert the water:

Controlled Flowing Well

The system is in the following condition Excellent. The point of diversion is located 1420' south and 550' west of the NE corner of Section 8 T104N-R71W. The works are capable of diverting and conveying to the place of use 0.18 cu. ft. per second of water which is to be used for commercial and domestic purposes. The license should be issued for 0.18 cfs.

Applicable permit qualifications have been complied with: Yes

Exceptions to compliance are: None



Jeff Shafer
Natural Resources Engineer
DENR, Water Rights Program

9/25/98

Date

REPORT ON INSPECTION OF PERMIT NO. 2087-2

DATE OF INSPECTION: September 2, 1998

Other permit(s) associated with the project: none

Contact Person & Address: Kelly Inns, Ltd c/o Jeffrey D. Wahl, 2600 N. Louise Ave, Sioux Falls SD 57107

DIVERSION POINT LEGAL LOCATION: SE ¼ NE ¼ Section 8 T104N-R71W

WATER SUPPLY Source: Groundwater

Well Information:

- 1) Well Drilling Firm: Hutmacher Drilling Inc 2) No. of Wells 1
3) Depth(s) 1000 feet 4) Well log is available Yes

Casing:

- 1) Diameter 5 inches, 3 inches 2) Length 656 feet, 344 feet
3) Type plastic

Screen:

- 1) Type PVC schedule 80 2) Length 100 feet
3) Static water level flowing feet 4) Pressure 37 psi

PERMIT QUALIFICATIONS AND REGULATIONS:

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

Approval of Location Change and/or Additional Diversion Point(s)

NAME: Kelly Inns, Ltd

ADDRESS: 2600 N Louise Ave, Sioux Falls SD 57107

DATE: 9/10/98 **COUNTY:** Lyman **TELEPHONE:** (605) 334-2371

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

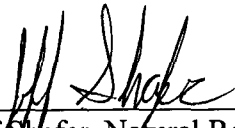
Yes

- **Review of Existing Diversions**

The permit was issued for a well to be drilled in the NE ¼ NE ¼ of Section 8 T104N-R71W. During the water permit inspection it was found that the well was actually drilled in the SE ¼ NE ¼ of Section 8 T104N-R71W. No additional water will be appropriated and no wells are affected by this change.

RECOMMENDED ACTION


Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.



Jeff Shafer, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.

 9-11-98

John Hatch, Chief Engineer
Water Rights Program

Inspection Map Water Permit No. 2087-2

9/10/98



T104N-R71W



0 500 1000 1500 2000 2500 Feet

Prepared By:

Jeff Shafer
Natural Resources Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2087-2

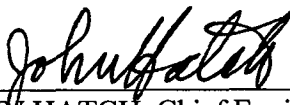
(1) Kelly Inns, Ltd, 2600 N Louise Avenue, Sioux Falls, SD 57107 made Application No. 2087-2, April 12, 1989 for a water permit to divert 0.18 cubic feet of water per second from ground water (one well), Lyman County, South Dakota for commercial and domestic purposes. Permit No. 2087-2, with a priority date of April 12, 1989 was approved September 27, 1989 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before September 27, 1994 and for the application to beneficial use of said water on or before September 27, 1998.

Water Permit No. 2087-2 authorizes a well located in the NE ¼ NE ¼ Section 8, T104N, R71W. A September 2, 1998, investigation of the water use system found the well was actually drilled in the SE ¼ NE ¼ Section 8. No additional water was appropriated by the change in location. Pursuant to SDCL 46-5-13.1, the Chief Engineer made a finding that the change in location of the diversion point does not increase the potential for interference or impair existing diversions.

(2) It is certified that the applicant 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 0.18 cubic feet of water per second for beneficial use. The location of the diversion point is 1,420'S and 550'W of the NE corner of Section 8, T104N, R71W (SE ¼ NE ¼).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use in supplying water to the Kelly Inn River Ranch Resort.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Kelly Inns Ltd., 2600 N Louise Avenue, Sioux Falls, SD 57107 the holder and/or owner of Water Right No. 2087-2 is issued a license to appropriate water, the right to use 0.18 cubic feet of water per second from ground water (one well) with a priority date of April 12, 1989 from the location specified in (2) of this license, for commercial and domestic purposes. This license is subject to any limitations or qualifications listed in Water Right No. 2087-2 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

SEP 29 1998

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 29 1998

2087-2

Kelly Inns Ltd.
%Jeffrey D. Wahl
2600 N. Louise Avenue
Sioux Falls, SD 57107

Dear Mr. Wahl:

Enclosed is Water License No. 2087-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415873 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. 2087-2, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as 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.

Very truly yours,

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

gm
enclosures

2000 South Dakota Water Use Questionnaire

To:

KELLY INNS LTD
2600 N LOUISE AVE
SIOUX FALLS SD 57107

Address correction requested:

Oasis Inn
Po Box 39
Sioux Falls SD
57365

One questionnaire is being provided for each permitted water source. The following information is based on Water Permit\Right No. 2087-2. If you have other permits\rights in the same water source, also include water use under those permits\rights on this questionnaire.

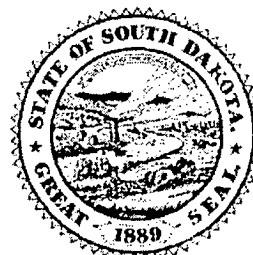
Water Source: GROUNDWATER
Aquifer: NOT APPLICABLE
Management Unit: NOT APPLICABLE

County: LYMAN
Pumping Pt. Legal: SEC 08-T104N-R71W
Type of Water Use: COMMERCIAL

- 1) Please estimate your year 2000 water use from the above water source: 1.2 million gallons
- 2) If no water use in 2000, please list the reason(s) why in the comments section.

Comments:

Contact Person: Dave Halden
Telephone No: 605 734 6061



Questions? Please call Mark Rath or Ron Duvall at 605 773-3352 for assistance.

Thank you for completing the 2000 water use questionnaire.

Water Rights on the Web: www.state.sd.us/dcnr/wr





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 8, 2001

2087-2

Oasis Inn
c/o Dave Halder
PO Box 39
Oacoma SD 57365

Dear Mr. Halder:

Thank you for returning the 2000 SD Water Use Questionnaire. The form indicates a change of ownership has occurred. Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Permit No. 2087-2. The water permit is currently listed in the name of Kelly Inns, LTD.

The transfer form should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

2-15-01

Dave Halder called

Kelly Inns, Ltd still owns this.

It is for Oasis Inn.