

1100.1

1. Considered 7-21, 1976
2. Name of Applicant IVAN T. & DOROTHY U. SHONLEY
3. Post Office Address MITCHELL
4. Amount of water claimed .10
5. Source of water supply 700' - 1000' DEEP WELL PANASAPA
6. Water to be used for SUBURBAN HOME

Acres to be irrigated _____

7. Water to be diverted and used in LAWRENCE county
about 2N, 6E miles _____ of DEADWOOD
8. Proof of Publication Received 1st
Not received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____

10. Remarks:

No. 1100-1Map No. 911-1 Water Division No. 1 BELLE FOURCHÉ RIVER
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Ivan I. Shanley & Dorothy U. Shanley
Postoffice address 1120 North Foster, Mitchell State South Dakota
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract employment of others, or by direct labor) Contract to licensed So. Dak. Driller
3. Name of diversion work Well
4. Amount of water claimed (cubic feet per second) 1/10 C.F.S.
5. Source of water supply Proposed well in the Pahasapals Limestone
6. Location of point of diversion Well (See topog map)
- N 85 E of 14/15 Section Corner 1120' 15th P. 41 County Lawrence So. Dak.
7. Annual period or periods during which water is to be used Year around
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Domestic
9. For irrigation use, _____ Total number of acres to be irrigated _____

List below each forty-acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.

Attach sheet if more space is needed

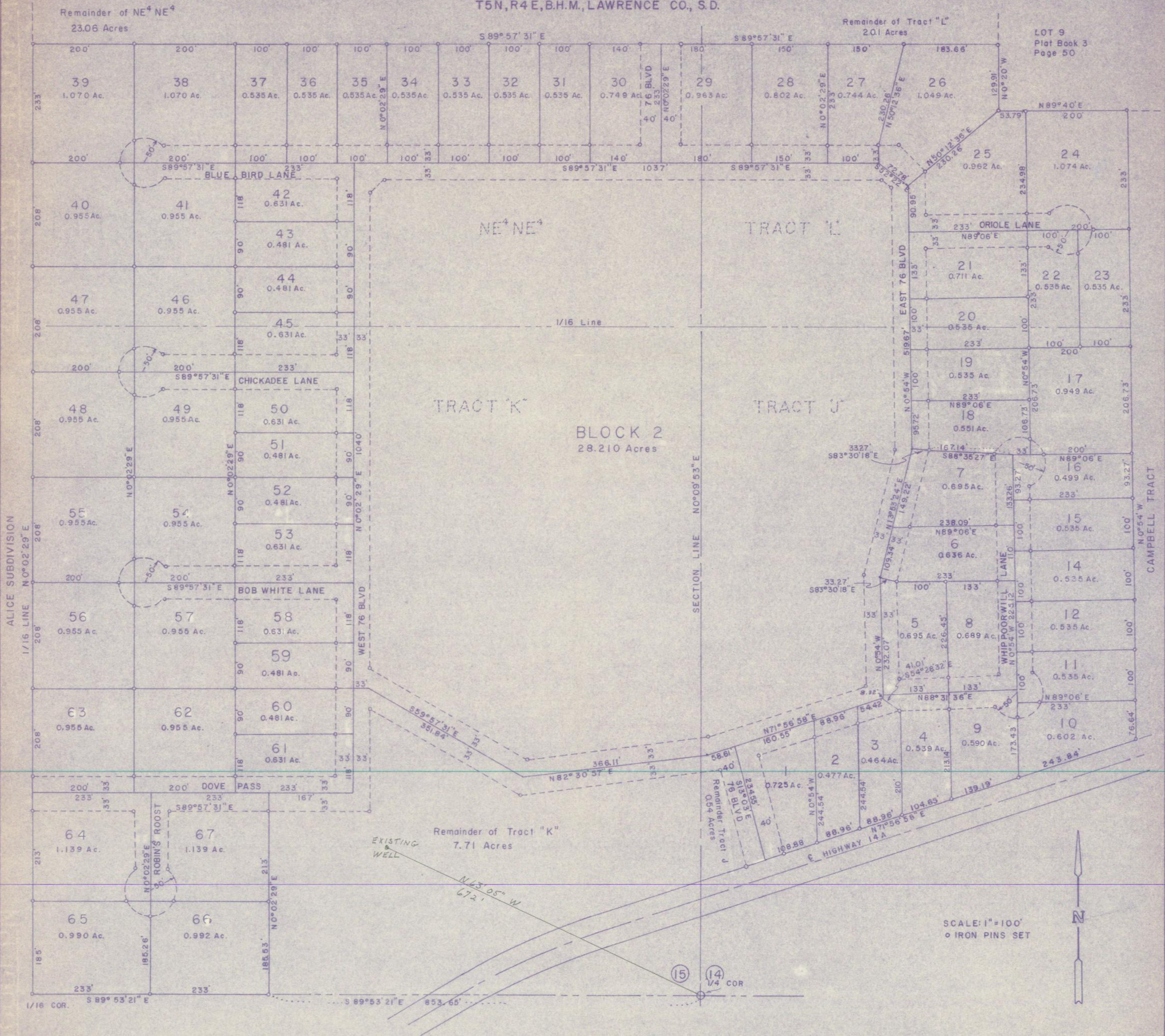
10. Time required to complete construction of water supply system Two years. Additional time required to complete application of water to the proposed beneficial use Two years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Deadwood Pioneer Times, Deadwood, S. D.
12. Principal Features of the Proposed Water Supply System: Well Storage Tank, & Distribution System
- A. Works proposed to divert water from its natural source.
- B. Works proposed to transport water to place of use.
- C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ 60,000.00Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

County of Lawrence) ss.I, Ivan I. Shanley & Dorothy U. Shanley the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary constructionSigned Ivan I. ShanleySubscribed and sworn to before me this 24 day of May 19 76Jeanette L. Roth
Notary Public (or other qualified officer)

PLAT OF BOULDER PARK
LOTS 1 THROUGH 12 & LOTS 14 THROUGH 67 OF BLOCK 1, AND BLOCK 2
FORMERLY PORTIONS OF NE¹NE¹8 TRACT K, SEC.15 and TRACTS J&L, SEC.14
T5N,R4E,B.H.M.,LAWRENCE CO., S.D.



SURVEYOR'S CERTIFICATE

I, Marie D. Gieser, Registered Land Surveyor #1007, do hereby certify that this plat was made from notes taken during an actual field survey, and that, to the best of my knowledge and belief, it correctly represents the lands involved, their dimensions and the monuments thereon as requested by owner, and is true and correct as shown.

In witness whereof I have hereunto set my hand and official seal.

Marie D. Gieser
Registered Land Surveyor #1007

ACKNOWLEDGMENT OF SURVEYOR

He it remembered that on this 25th day of October, 1975, before me, the undersigned, a Notary Public, personally appeared Marie D. Gieser, known to me to be the person whose name is affixed to the foregoing certificate.

My commission expires August 10, 1981.

Arthur J. Gieser
Notary Public

OWNER'S CERTIFICATE

I (we) Ivan T. Shonley and Dorothy U. Shonley, owner (s) of the lands herein described as Boulder Park, Lots 1 through 12 and Lots 14 through 67, Block 1, and Block 2, formerly portions of the NE¹NE¹8 Tract K, Section 15 and Tracts J and L, T5N, R4E, B.H.M., Lawrence County, South Dakota, do hereby approve this included plat. We hereby dedicate a strip of land ten feet wide along and either side of all lot lines and the streets within this plat to be used for the construction and maintenance of utilities. All acreage indicated herein are 66' unless otherwise indicated and are hereby dedicated to public use for ingress and egress to the lands involved herein.

Ivan T. Shonley Dorothy U. Shonley
(owner)

ACKNOWLEDGMENT OF OWNER

He it remembered that on this 25th day of October, 1975, before me, the undersigned, a Notary Public, personally appeared Ivan T. Shonley and Dorothy U. Shonley, owner (s) of the lands herein described.

My Commission Expires Aug 10, 1981.

Arthur J. Gieser
Notary Public

CERTIFICATE OF THE COUNTY TREASURER

COUNTY OF LAWRENCE, STATE OF SOUTH DAKOTA

I, _____, the County Treasurer of Lawrence County, South Dakota, do hereby certify that all taxes which are liens upon the lands indicated herein, according to the records of my office, have been fully paid to date. DATE: _____

County Treasurer, Lawrence County.

OFFICE OF THE DIRECTOR OF EQUALIZATION

LAWRENCE COUNTY, SOUTH DAKOTA

I, _____, Director of Equalization of Lawrence County, South Dakota, do hereby certify that I have received a copy of this plat.

Director of Equalization, Lawrence County.

OFFICE OF THE LAWRENCE COUNTY PLANNING COMMISSION

LAWRENCE COUNTY, SOUTH DAKOTA

I, _____, Chairman of the Lawrence County Planning Commission, do hereby certify that the Planning Commission of Lawrence County, South Dakota, does approve the included plat. DATE: _____

Chairman, Planning Commission, Lawrence County.

OFFICE OF THE COUNTY COMMISSIONERS

LAWRENCE COUNTY, SOUTH DAKOTA

I, _____, Chairman of the Board of County Commissioners of Lawrence County, South Dakota, do hereby certify that the Board of County Commissioners does approve the included plat.

Attest: _____
Lawrence County Auditor

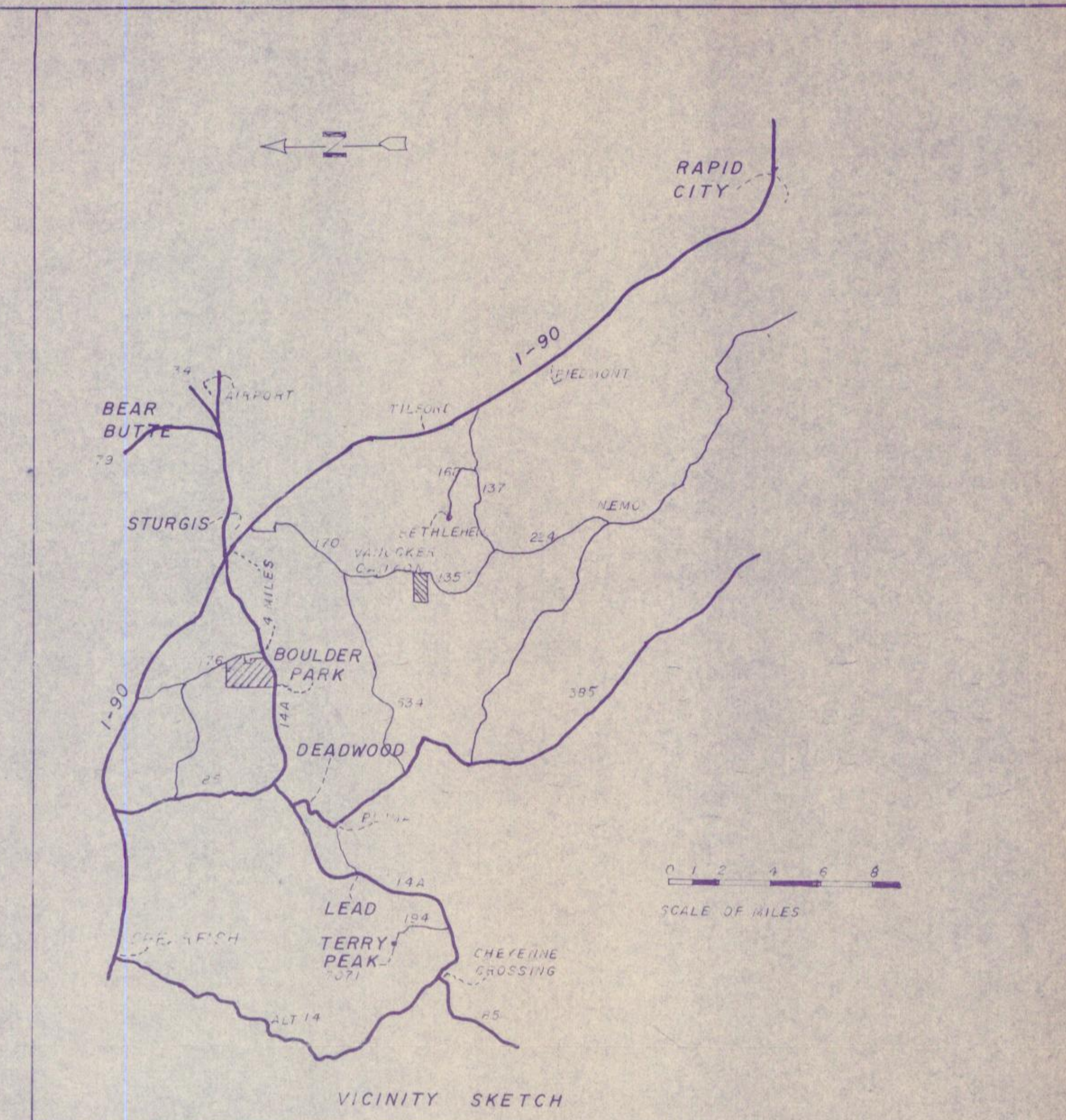
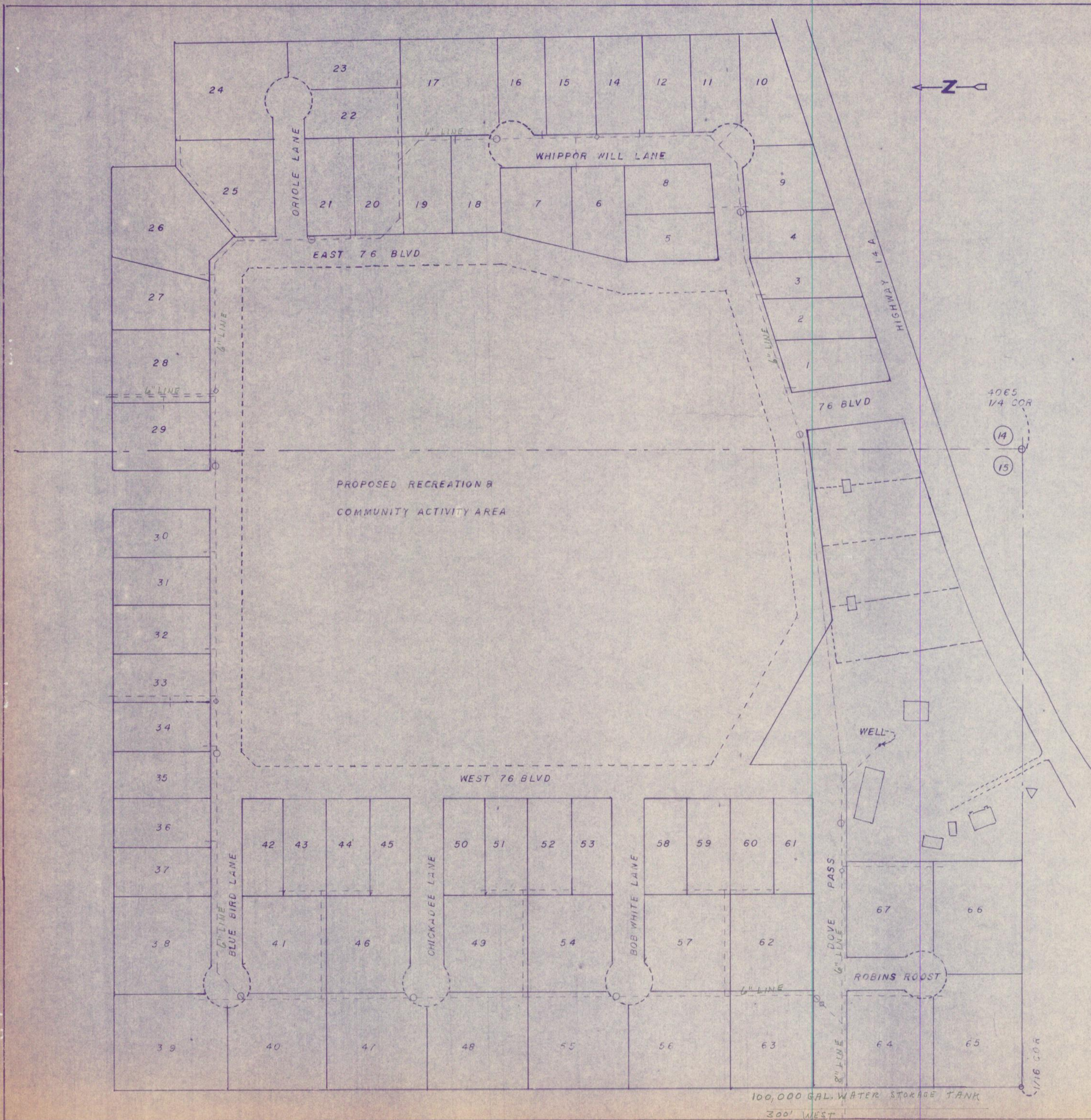
Chairman, Board of County Commissioners, Lawrence County.

OFFICE OF THE REGISTER OF DEEDS

LAWRENCE COUNTY, SOUTH DAKOTA

Filed for record this _____ day of _____, 1975, at _____ o'clock, _____ M., and recorded in Book _____ of plats on page _____ therein.

Register of Deeds, Lawrence County.



NAME - BOULDER PARK SCALE 1" = 100'
 LOCATION - SECTION 14 & 15 TOWNSHIP 5 NORTH RANGE 4
 OWNER & SUBDIVIDER - IVAN T. SHONLEY
 ENGINEER - MIDSTATE ENGINEERING
 SURVEYOR (for topographic map) FRED BRADY
 SURVEYOR (for lots) GIGEAR SURVEYING
 REVISED - DEC. 23 1975

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1100-1

IVAN T & DOROTHY U SHAWLEY
(Applicant)

H20 N FOSTER MITCHELL
(Post Office Address)

SOUTH DAKOTA 57785
(State)

BOULDER PARK SUBDIVISION,

With the following modifications: BOULDER CANYON Rte
STURGIS

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

Date of first receipt of application MAY 25 19 76
Date of return to applicant for correction, amendments or changes required — 19 76
Date of receipt of corrected application — 19 76
Approved SEPTEMBER 30 19 76, Recorded in Book 16 Page 288

WATER RIGHT PERMIT NO. 1100-1

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1100-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is MAY 25 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 30 19 77
3. The whole of said work is to be completed on or before SEPTEMBER 30 19 78 ⁸³
4. The limit of time from start of beneficial use of water appropriated in accordance herewith SEPTEMBER 30 19 86 ⁸⁷
5. The water appropriated shall be used for the purpose of SUBURBAN HOUSING
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed .10 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for ~~home fire protection~~ and it for the irrigation purposes and appropriation must be limited to not more than 1 acre foot per acre per year and be limited to not more than one month (1/70) of the public foot of water per second of time for each acre of land to which water is USED FOR SUBURBAN HOUSING DEVELOPMENT actually and beneficially ~~applied~~ applied on or before SEPTEMBER 30 19 86 ⁸⁷; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 7TH day of FEBRUARY 19 77

WATER RIGHTS COMMISSION

By:

John Walsh
Chief Engineer, Executive Officer

Certificate of Construction Issued — 19 —

Water License Issued — 19 —

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to Form 2)

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 8 5/8" (inches), Depth 700 to 1000 ft.
 (2) Casing, Type Steel, Diameter 7 inches I.D., Thickness 20# K-55 Grade
 (wood, concrete, steel, etc.)
 (3) Perforated Screen, None
 Type _____, Diameter _____, Length _____
 (4) Gravel Pack, Thickness None, Length of gravel pack _____

E. Dugout Information or Estimates

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials	Anticipated log (Cavernous Limestone)	
Spearfish SW	50	50
Minnekahta	40	90
Cycache	110	200
Minnelusa	450	650

Pahasapals 200 to 400 850 to 1050

Depth to top of water bearing material 650 ft.

Depth to bottom of water bearing material 1000 ft.

Thickness of water bearing material 350 ft.

Depth to water (ground surface to water level) 550 ft.

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property _____ rds. On property owned by others 300 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Ivan J. Shonley

Signature of Applicant

Form 6. - Notice of Intent to Appropriate Water

No. 1100-1

Publish first publication, on or before

July 8, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 24, 1976

Notice is hereby given that Ivan T. & Dorothy U. Shonley

whose post office address is Mitchell, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use .10 cubic feet of water per second of time from ~~the~~ ground water (Pahagupa Well) through the Shonley Well #2, the point of diversion of which is to be located in the _____

SW 1/4 SW 1/4

of Section 11, Twp. 5N, Range 4E. Said water to be used for the purpose of providing ~~irrigation on the following described land~~ supplies for suburban housing development

This application No. 1100-1 will be considered by the Water Rights Commission at the Court House at Winner, S.D. upon the 21st day of July, 1976 at 10:00 A.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/bw
cc:

Ivan T. Shonley, 1120 N. Foster, Mitchell, S.D. 57301

Affidavit of Publication

STATE OF SOUTH DAKOTA,

COUNTY OF LAWRENCE, ss.

James W. Feith, of said county and state, being duly sworn, on his oath, says:

That the Lead Daily Call is a legal newspaper of general circulation, printed and published in Lead, in said county and state, by the Seaton Publishing Company, and has been such a newspaper during the times hereinafter mentioned; and that I, James W. Keith, the undersigned, am the Business Manager of the said newspaper, in charge of the advertising department thereof, and have personal knowledge of all the facts in this affidavit, and that the advertisement headed

Notice of Intent to appropriate water

a printed copy of which is hereto attached, was

for 2 successive and consecutive

publications thereof being made on July

and on

NOTICE OF INTENT TO APPROPRIATE WATER
Notice is hereby given that Ivan T. and Dorothy U. Shenley whose post office address is Mitchell, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit (to appropriate) for beneficial use 10 cubic feet of water per second of time from ground water (existing Minnelusa Well) through the Shenley Well No. 1, the point of diversion of which is to be located in the SE 1/4 NE 1/4 of Section 15, Twp. 4N, Range 4E, Sd. Said water to be used for the purpose of providing supplies for suburban housing development.
This application No. 1039-1 will be considered by the Water Rights Commission at the Court House at Winner, S.D. upon the 21st day of July, 1976, at 10:00 a.m. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION
Barton F. Jones,
Water Rights Specialist

and the last publication thereof on July 13 1976

and that the full amount of fees charged for publishing the same, to-wit: the sum of \$ 10.69 inures solely to the benefit of aforesaid publisher and that

no arrangement or understanding for a division thereof has been made with any person other than the publisher, and that no part thereof has been agreed to be paid to any other person whomsoever.

James W. Keith

Subscribed and sworn to before me this 5

day of January 1977

Bruce E. Haber

Notary Public, Lawrence County, S. Dak.

My commission expires Nov. 24, 1981.



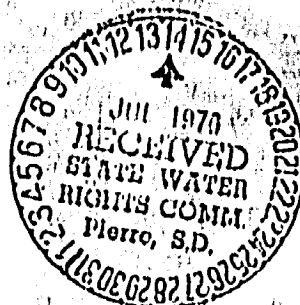
14.08 x 4.54 = 5.94
+ 80.50 = 4.75
10.69

C
O
P
Y

JOHN PAUL GRIES
Consulting Geologist
Rapid City, South Dakota

November 7, 1962

Mr. Lynn Milne
Boulder Park Country Club
Sturgis, South Dakota



Dear Mr. Milne:

I have summarized below my observations on groundwater conditions in Boulder Park, based upon the field data we collected on November 6th, and upon well logs and water records in the files of the Department of Geological Engineering at the School of Mines and Technology.

Water supplies are withdrawn from five general zones, listed from the top down:

- a. water in the alluvium, tapped by dug wells only
- b. water in the bottom of the Spearfish redbeds, usually just above the Minnekahta limestone
- c. water from crevices within the Minnekahta limestone
- d. water from crevices, broken zones and solution openings within the Opeche redbeds. This is the most commonly used source.
- e. water from the sandstones of the Minnelusa formation.

Most of the drilled wells in the area range between 75 and 135 feet in depth. They draw water from sources b, c and d, above. The water enters these formations nearby, and moves rapidly through them. It is to be expected that the water level in these wells will reflect seasonal and annual variations in rainfall.

I have found only four wells, within a 3/4th mile radius of the Country Club well which penetrate the Minnelusa sandstone. These are the Country Club well itself, the well at the Big Bear Drive-In, the old Willey well at the Trailer Court and the uncompleted well at the Nordstrom-Stokes property. These range from 235 to 560 feet deep, and penetrate from 51 to 351 feet of the Minnelusa formation.

Static level in the three functional wells lies between 3655 and 3685 feet elevation. It has apparently remained nearly stable since the first of the three was drilled roughly 20 years ago. Movement of water through the sandstone is probably so slow that seasonal and even annual fluctuations are pretty well ironed out. This level is far below the static level in any of the nearby wells in the 100-foot category. This offers confirming proof that there is no natural connection between the Minnelusa sandstone and the upper aquifers.

It is to be noted that the uncompleted well on the Nordstrom and Stokes property has a surface elevation of 4030 feet, and a reported depth of 235 feet. The bottom of the well, then lies at elevation 3795 feet or a minimum of 110 feet above the static water level in the Minnelusa formation. The water which is reported to have originally stood about 100 feet below the surface was obviously water from a higher source. Either the source has dried up, or the water has found a way to seep down into the upper dry part of the

over.

Minnelusa sandstone above elevation 3685 feet. This could be turned into a productive Minnelusa well by deepening it an additional 150 to 200 feet.

The low static level in each of the three functional Minnelusa wells not only shows that the Minnelusa water is not in communication with the upper waters, but also proves that the upper waters are effectively sealed out of these three wells. In the case of the Country Club well, 303'8" of 8-inch casing was set and cemented into the cap rock at the top of the Minnelusa formation. Even protracted pumping of any of these three wells can in no way affect the many local wells which draw only from the upper aquifers.

The Minnelusa formation in this area is 490 feet thick. The upper 180 feet is almost all sandstone; an additional 100 feet of sand occurs as beds 5 to 35 feet thick in the lower 300 feet of the formation. This is a tremendous reservoir, and I cannot believe that the seasonal pumping at the Golf Course will seriously affect either of the other two wells which now depend upon the same source of supply.

In summary, I believe the fears of the surrounding property owners are largely unfounded. For your own information and protection, I would suggest the static level in your well be measured once a year, in the non-pumping season, and that the record be filed with the Water Resources Commission at Pierre, and at the School of Mines.

Yours very truly,

J. P. Gries

JPG/me

REPORT ON
IVAN AND DOROTHY SHONLEY WATER RIGHT APPLICATIONS NO. 1099-1 AND 1100-1
SEPTEMBER 20, 1976

The Water Rights Commission deferred action at the July 21-22 meeting on the Ivan and Dorothy Shonley water right applications No. 1099-1 and 1100-1 pending investigation by the Commission Staff. An investigation was conducted on the 14 and 15 of September.

Proposed Project

The applications call for .1 cfs from each of two wells, one an existing well 560 feet deep into the Minnelusa formation and the other an approximately 1000 ft. deep well into the Madison formation. One well is to serve the housing development and the other well to serve as a back up.

Objections

The Commission deferred action upon receiving objections from Thomas Braun, Gale Hanuman, Irma Stephens and Christine Braun representing the Boulder Canyon Association. The objectors were concerned that groundwater withdrawals from the proposed project would affect their domestic water supplies.

Persons Contacted

Seventeen members of the Boulder Canyon Association were present at an informal meeting held Tuesday night September 14. The next morning I met with Ivan Schonley the applicant and also talked to a few other neighbors.

Discussion

The report entitled GROUNDWATER RESOURCES BOULDER PARK, LAWRENCE COUNTY, SOUTH DAKOTA by J. P. Gries illustrates the situation quite well. Some of the important ideas to consider from the report are:

- 1). There seems to be little leakage between the Opeche and Minnelusa formations because of the significant differences in the static water levels of each formation indicating an effective barrier between the two formations. This means pumping water from the Minnelusa should have no effect upon all the overlying formations. Most of the domestic wells in Boulder Canyon are in these overlying formations.
- 2). Only one well into the Madison formation exists at this time (Potter's). The Madison is virtually an untapped source. Also there are only a few wells into the Minnelusa with the Egger well the nearest to the Shonley well.
- 3). The fact that the Water Rights Commission observation well located on the golf course has fluctuated little since 1963

ever; though the golf course is watering from the Minnclusa. In fact the observation well is almost as high as it ever has been (201.6).

Recommendations and Conclusions

Based upon the report by J. F. Gries and the field investigation confirming the report, there is unappropriated water available. The Commission staff recommends that the Ivan and Dorothy Shonley Water Right Applications No. 1099-1 and 1100-1 each be approved for 0.1 cfs with the following qualification:

"The wells 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 loaded water supplies in existing domestic wells or in wells having prior water rights."

James A. Goodman
Water Resources Engineer

Form 18.

No. _____

APPLICATION FOR EXTENSION OF TIME

TO: Water Rights Commission
Foss Building
Pierre, South Dakota 57501

Date Aug. 21, 1978

Dear Sirs:

In Water Right Permit No. 1100-1 it is specified that the water diversion system is to be completed by Sept. 30, 1978 and that the water is to be put to the limit of beneficial use by Sept. 30, 1980.

I hereby request that the date for completing the diversion system be extended to Sept. 30, 1983 and that the date for putting the water to the limit of beneficial use be extended to Sept. 30, 1985.

The extension of time for the completion of these works is requested for the following reasons: We do not have enough residents in our subdivision at this time to use the water required to pump two wells, or to use the water that is appropriated in this permit No. this soon.

Apparently we made a mistake when we filed for the water rights in the dates we asked for and we are sorry about this. I guess that our engineer did not understand all of the technicalities.

Enclosed herewith is a fee of Two Dollars and Fifty Cents (\$2.50) to pay the cost of filing this request for extension of time.

D. U. Shanley
Mrs. (i.e. Dorothy U. Shanley)

1100-1
Permit Number

APPROVED: 9-13-78

WATER RIGHTS COMMISSION

BY: [Signature]

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 8411

FERRE, August 4, 1981

RECEIVED OF Dorothy Shonley, Sturgis, SD 57705

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

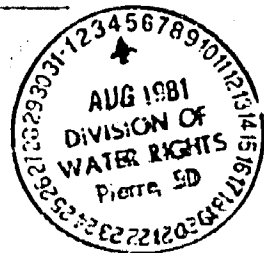
Fee for Application for Permit to Appropriate Water No. _____ examination, processing, recording and filing) _____		
Fee for inspecting Construction, and issuing Cert. of Construction No. _____		
Fee for inspecting Beneficial Use, and issuing Water License No. _____		
Fee for issuing Location Certificate-Dry Draw, No. _____		
Fee for filing _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ extension of time on 1100-1		2.50
(any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By *(Signature)*
Chief Engineer, Executive Officer
JOHN HATCH / *(Signature)*

Form 18.

No. 1100-1



APPLICATION FOR EXTENSION OF TIME

TO: Water Rights
Foss Building
Pierre, South Dakota 57501

Date 8 - 3 - 81

Dear Sirs:

In Water Right Permit No. 1100-1 it is specified that the water diversion system is to be completed by Sept. 30, 1981 and that the water is to be put to the limit of beneficial use by Sept. 30, 1985.

I hereby request that the date for completing the diversion system be extended to Sept. 30, 1983 and that the date for putting the water to the limit of beneficial use be extended to Sept. 30, 1985.

The extension of time for the completion of these works is requested for the following reasons: _____

Enclosed herewith is a fee of Two Dollars and Fifty Cents (\$2.50) to pay the cost of filing this request for extension of time.

Donny W. Sherry
(Signed)

1100-1
Permit Number

APPROVED: July 29, 1981

Board of Water Management

BY:



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1100-1

July 12, 1988

Ivan T. and Dorothy Shonley
Boulder Canyon Route
Sturgis, South Dakota 57785

Dear Mr. & Mrs. Shonley:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 1100-1 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Maxine Stirling
Secretary

ms/

NOTE: On check or money order, please indicate the number of the water permit. This insures proper handling of the fee.

DWNR-814 8/83

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

411316

Pierre, July 15 1938

RECEIVED OF Ivin T. Shonley, Boulder Canyon Pt., HC 55, Box 241, Sturgis, SD 57785
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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. 1100-1 _____

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

50 00

By

Chief Engineer

JOHN HATCH

ms

WELL DRILLERS REPORT

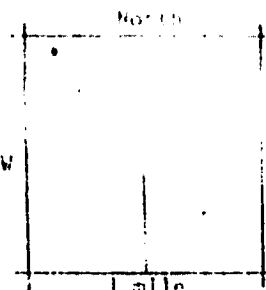
Location Wichita Falls County Wichita

County

Wichita

Lawrence

Please mark well location with an "X"



Well Completion Date 9/2/83

PROPOSED USE:

☒ Domestic ☐ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Rotary

WELL CONSTRUCTION:

Diameter of hole 8 1/2 inches Depth 690 feet

Casing: ☒ Steel ☐ Plastic ☐ Other

Specify 6 3/4 8 5/8

Pipe Weight Diameter From To

24 lb/ft. 8 5/8 inches 0 feet 693 feet

1 lb/ft. 8 5/8 inches 0 feet 0 feet

Was a well screen used? ☐ Yes ☒ No

If Not Specify open hole completion

Screen Type 0 Slot Size 0

Length 0 Diameter 0

Was Casing left open end? ☒ Yes ☐ No

Was a Packer or seal used? ☐ Yes ☒ No

If so what material? 0

Was well gravel packed? ☐ Yes ☒ No

Was well grouted? ☒ Yes ☐ No

Describe grouting procedure pressure grouted

from bottom to top

To what depth? 693 Feet

What was grouting material? concrete

If cement, how many sacks? 225

Location of packer(s) and screen or perforated pipe 0

Was well plugged or abandoned? ☐ Yes ☒ No

If so how and with what material? 0

WNR-836 4/82

Well Owner:

Name John Shenley

Address Red Park Subdivision, Sturgis

Well Depth

	From	To
red shale	0	16
limestone	16	55
red siltstone	55	58
brown siltstone	58	68
red siltstone	68	80
red shale	80	91
siltstone broken	91	93
shale	93	101
siltstone	101	103
shale	103	117

STATIC WATER LEVEL 400 Feet

If flowing: closed in pressure 0 PSI

GPM flow 0 through 0 inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify 0

Can well be completely shut off? 0

WELL TEST DATA:

☐ Pumped

☐ Bailed Describe: 0

☒ Other air test

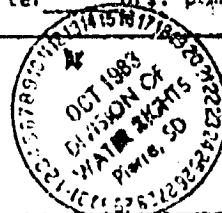
Pumping Level Below Land Surface

680 ft. After 0 Hrs. pumped 175-200 GPM

730 ft. After 0 Hrs. pumped 200-250 GPM

860 ft. After 0 Hrs. pumped 250-300 GPM

Remarks:



This well was drilled under license 1331

and this report is true and accurate.

Drilling Firm Taylor Drilling Co. Signed by Ralph Taylor

Date 9/19/83 PRINT BACK SIDE

(PRINTED BACK SIDE)

Permit No 1100-1

_____ Water District

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Ivan T. and
Dorothy Shonley of Boulder Canyon Rt., Sturgis, S.D. 57785 holder of
 Permit No. 1100-1, bearing the priority of May 25 1976 authorizing
 the diversion of 0.1 cu. ft. per second of the waters of ground-water, Minnelusa well
 for Suburban housing purposes, in Lawrence County.

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

A. Works used to divert the water:

A submersible pump, 32 gallons per minute capacity.

A submersible motor, 5 horse power.

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

6-8 inch Polyvinyl Chloride (PVC) pipe, total length 1500 feet.

C. Works used to apply water to beneficial use:

The water is used for a suburban housing development.

The system is in the following condition very good

The point of diversion is located approximately 350 feet east, 430 feet south from the Northwest
corner of Section 14, T5N-R4E- NW1/4 NW1/4.

The works are capable of diverting and conveying to the place of use 0.07
 cu. ft. per second of water which is to be used for supplying water for a suburban housing project.

Water has been put to beneficial use to the maximum extent as follows: _____

The water is used to supply the needs of a suburban housing development. The number
of houses may increase in a near future and consequently more water may be needed.

At the present time, 0.07 cubic feet of water per second are all they use.

comprising a total of NA acres of land and the license should be issued for 0.07 cfs

Applicable permit qualifications have been complied with X Yes No

Exceptions to compliance are: _____ Date 6/22/88

(signature)

MPA Rad

LICENSE FOR PERMIT NUMBER 1100-1

1. Legal location of wells: NW1/4 NW1/4 Section 14, T5N-R4E

dams & structures: NA

2. Well Information: Well Drilling Firm Taylor Drilling Company,

No. of wells 1 Depth 870 feet

Casing a) diameter 6 5/8 inches Screen a) type none used
b) length 693 feet b) length _____
c) type steel Static Water Level 400 feet

Pump a) make Submersible Motor a) make Submersible
b) model _____ b) model no. _____
c) size _____ c) horsepower rating 5
d) capacity 32 GPM d) motor efficiency rating _____
e) turbine pump
no. of stages _____

3. Distribution lines:

- a) size of lines 6-8 inches
b) type Polyvinyl Chloride (PVC)
c) length 1500 feet totally from the well to the nearest house.

4. Dam information:

- a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____
h) Distribution lines or canals:

i) Outlet tubes:

- 1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

5. System Type: a) sideroll:

- 1) length _____ feet
2) diameter of pipe _____
3) make, model & number of sprinklers _____
4) spacing of sprinklers _____
5) nozzle size _____

b) towline:

- 1) length _____ feet
2) make, model & number of sprinklers _____
3) spacing of sprinklers _____
4) nozzle size _____

5. System Type: c) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running _____
- 9) GPM _____

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES NO Check Items

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.
☐ NA ☐
2. Special Qualifications to permit being abided by.
☒ ☐
3. All Structures, wells and lands on map.
☒ ☐

REMARKS: Mr. Shonley did not have any information regarding the pump and the motor.

Taylor Drilling Company was contacted and asked about the pump. The Company stated that they did not install the pump.

State of South Dakota

Water License No. 1100-1

(1) Ivan T. and Dorothy U. Shonley
of HC 55, Box 841, Sturgis, South Dakota 57785
made Application No. 1100-1, May 25, 1976 for a water permit to appropriate
0.10 cubic feet per second of water from groundwater
Lawrence County, South Dakota for suburban housing development purposes.
Permit No. 1100-1, with a priority date of May 25, 1976
was approved September 30, 1976 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before September 30, 1983 and for the application to beneficial use of said
water on or before September 30, 1985.

and

(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 0.07 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is approximately 350 feet East, 430 feet
South from the NW Corner of Section 14, T5N, R4E (NW1/4)

and

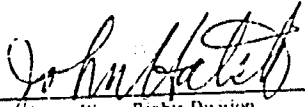
(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, _____

(4) Pursuant to §46-5-301 Ivan T. and Dorothy U. Shonley

of HC 55, Box 841, Sturgis, South Dakota 57785

the holder(s) and/or owner(s) of Water Permit No. 1100-1 is issued a license to appropriate water, the right to use 0.07 cubic feet per second of water from groundwater (one well) with a priority date of May 25, 1976 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of suburban housing development

This license is subject to any limitations or qualifications listed in Water Permit No. 1100-1 and subject to South Dakota State Law.


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

JOHN HATCH

MAR 10 1989

**SOUTH DAKOTA Department of
Water & Natural Resources**

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

MAR 10 1989

Ivan T. and Dorothy U. Shonley
HC 55, Box 841
Sturgis, South Dakota 57785

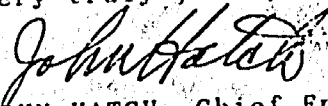
Dear Mr. & Mrs. Shonley:

Enclosed is Water License No. 1100-1. This is the final water right document completing your process of obtaining a Water Right.

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. 1100-1, 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 Division
605 773-3352

enclosures





Department of Water & Natural Resources

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

1100-1

October 26, 1988

Ivan & Dorothy Shonley
Boulder Canyon Route
HC 55, Box 841
Sturgis SD 57785

Dear Mr. & Mrs. Shonley:

I am writing in response to your water permit application to specify the correct location of an existing well in section 14-T5N-R4E used to supply a housing development.

The Chief Engineer may allow a diversion point to be moved a distance up to 660 feet, if the move does not increase the potential for interference with existing diversions pursuant to SDCL 46-5-13.1. The existing well authorized by Water Permit No. 1100-1 is within 660 feet of the advertised well location. The present well location has not resulted in any disputes which indicates the potential for interference with existing diversions has not been increased. Therefore, I am returning your application for a water permit and the application fee will be refunded in 2 to 3 weeks.

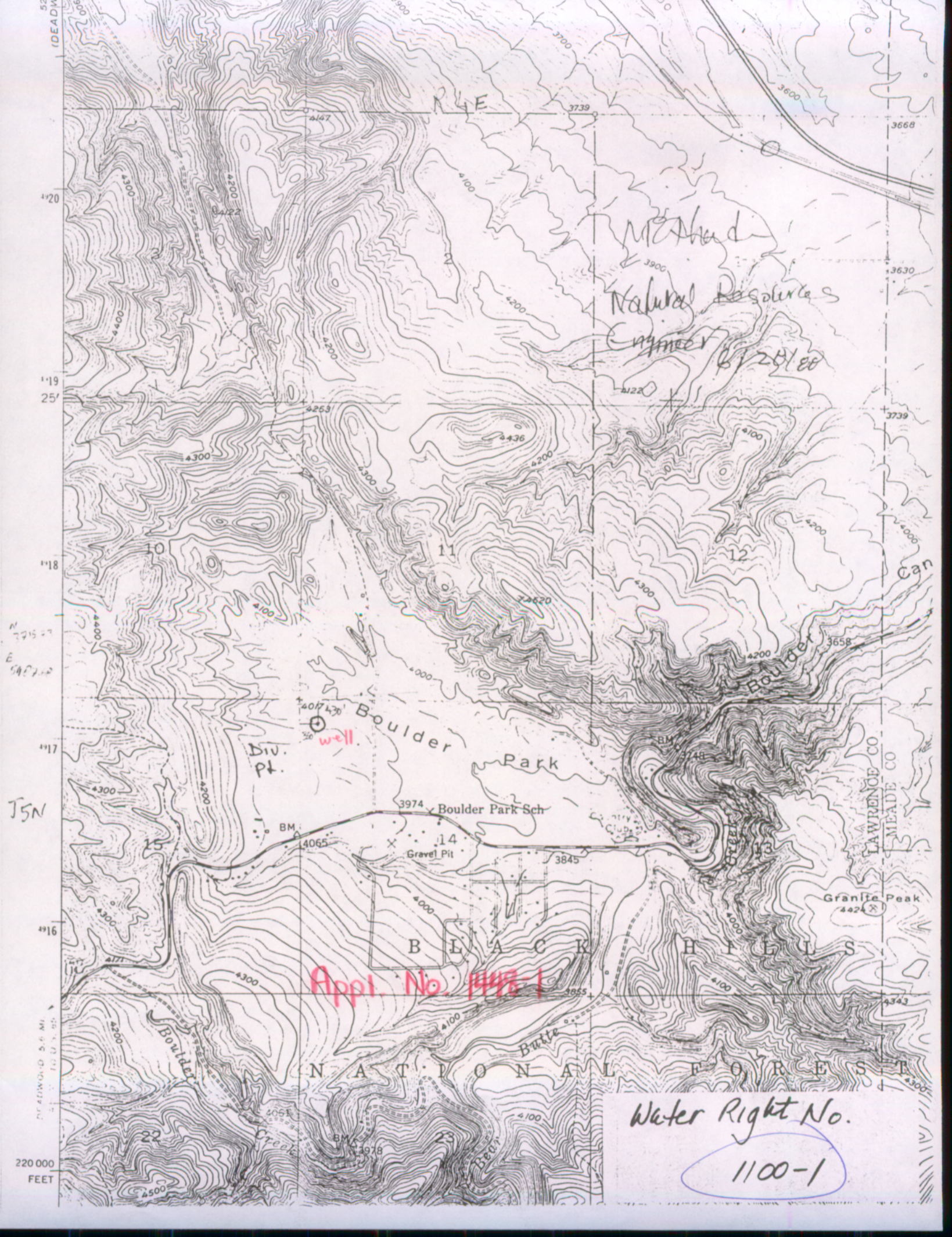
Please contact us if you have any questions.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division
605 773-3352

enclosure





Method
Natural Resources
Engineer
6/20/80

Appl. No. 1100-1

Water Right No.
1100-1

RECEIPT

Division of Water Rights

411382

South Dakota Department of Water and Natural Resources

Pierre, August 30, 1988

RECEIVED OF Ivan & Dorothy Shonley, Boulder Canyon Route, HC 55 Box 841, Sturgis SD
the following amount in fees for services rendered as provided for by law: 57785

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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 Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)		
Total	50	00

By John Hatch
Chief Engineer JOHN HATCH MS

1100-1

STATE OF SOUTH DAKOTA VOUCHER

X Do not use this space.

- ☒ Direct
☐ (Z) Travel
☐ (N) Non-Cash
☐ (C) Cash Receipt
- ☐ (T) Cash Transfer
☐ (I) Investment
☐ (B) Appropriation-Budget Transfer
- ☐ (E) Expenditure Correction
☐ (R) Revenue Correction
☐ (P) Period Ending Adjustment
☐ (A) Other Adjustment

AGENCY USE ONLY			APPROVAL OFFICE ONLY	
Application Area 75	Vendor Number	Invoice ID	Voucher Number	Date
Date	Purchase Order ID	Document ID	Delivery Date	Payment Due Date
(Payee, Billed Agency) to: Ivan Shonley Boulder Canyon Route 10 HC 55, Box 841 Sturgis, SD 57785			(Department, Billing Agency) FROM: Water Rights Division DWNR Foss Bldg. Pierre, SD 57501	

FUNDING INFORMATION								Debit/Credit		Invoices		Other		U C S O R E
S E Q	Company	Account		Center		Project		Amount	Code	Dr.	Cr.	Dr.	Cr.	
		Required	User	Required	User	Company	Number			1	6	Dr.	Cr.	
1														
2														
3														
4														
5														
6														
7														
8														
9														
10														
Total														

Description of Service, Product, or Transfer	
Refund of application fee. Well included in application is already covered under Water Permit No. 1100-1	50 00
Total	50 00

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federally assisted programs.

1100-1



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.gov

July 13, 2011

1099-1
1100-1
1680-1

Judy Louis
20722 76 Loop
Sturgis SD 57785

Dear Ms. Louis:

Thank you for taking the time to visit with me about the ownership changes needed for Water Right Nos. 1099-1 and 1100-1 and Water Permit No. 1680-1.

Enclosed as we discussed are partially completed "Notice of Transfer of Ownership" forms for filing the ownership changes. Upon completion, please sign the forms (on behalf of the association) and return them to our office with a required filing fee of \$50.00 each (total of \$150.00). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Genny McMath'.

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

enclosures

RECEIVED

AUG - 9 2011

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1100-1

Date: 7/28/11

I/We request that Water Right No. 1100-1

formerly owned by: Ivan T & Dorothy U Shonley

be transferred to: (name & address) Boulder Park Water User's Association, Inc.
12204 US Hwy 14A
Sturgis SD 57785 Telephone No. 605-347-3588

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

Madison well located: NW ¼ NW ¼ Section 14, T5N, R4E

I/We understand that the validity of Water Right No. 1100-1 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 BPWUA, Inc., the new owner, certify that the above information is true and correct.

Quincy L Lewis, Sec/Treas
(Signed by new owner) BPWUA
Board of Directors

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 8/9, 20 11

RECEIVED OF Boulder Park Water Users Assn 12204 US Hwy 14A Sturgis SD 57785

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>1100-1</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. **05013**

By

Heidi Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.gov

August 9, 2011

1099-1
1100-1
1680-1

Judy L Lewis, Sec/Treasurer
Boulder Park Water Users Association
12204 US Hwy 14A
Sturgis SD 57785

Dear Ms. Lewis:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on Water Right Nos. 1099-1 and 1100-1 and Water Permit No. 1680-1. The ownership changes have been completed.

Water Right Nos. 1099-1 and 1100-1 and Water Permit No. 1680-1 formerly listed in Ivan and Dorothy Shonley's names are now listed in the name of "Boulder Park Water User's Association". Enclosed, for your records, are Receipt Nos. 05012, 05013 and 05014.

If you have any questions, please contact me.

Sincerely,

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

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

APR 25 2012

1100-1
1680-1

Judy L Lewis, Secretary-Treasurer
Boulder Park Water Users Association Inc.
12204 US Hwy 14A
Sturgis SD 57785

Dear Ms. Lewis:

Enclosed is Water License No. 1680-1. This is the final water right document completing the process of obtaining a Water Right. Included with the license is a map prepared by the staff engineer who conducted the field investigation.

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. 1680-1, 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

enclosures

Note: The applicable portions of Water Right No. 1100-1 were incorporated into Water License No. 1680-1.