

1. Considered: 10-7, 1981 Water Right No. 1227-1
2. Name of Applicant VALLEY VIEW WATER SYSTEM
3. Post Office Address % DELMER D. HEMEYER-326 UPPER VALLEY Rd.
SPEARFISH 57703
4. Amount of Water Claimed .11 maximum acre feet
5. Source of Water Supply 40' WELL ~~(10' D. HEMEYER-326 UPPER VALLEY Rd.)~~
6. Water to be used for SHD acres to be irrigated -
7. County LAWRENCE about 1 mile NORTH of SPEARFISH
8. PROOF OF PUBLICATION: Received (X) 8-27-81 Not Received -
- APPLICATION: Approved 10-7-81 Subject to WI-3
- Not Approved - Action Deferred Reliance upon letter Exist. system

PRIORITY

Dated Received 7-23-81 Application complete-yes - no - FEE/50°°

Remarks HAS BEEN IN SP. BY MERNAUGH

Corrected Application received - Period of Annual Use CONTINUOUSLY

WATER N/A
QUALITY

Received yes - no - APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application-yes - no - Remarks -

Disapproved - Returned -

Diversion Point

SW⁴ NE⁴ SEC. 4 - TAN-R 2E

~~Land to be irrigated~~ -

WELL LOG

Driller KLAPPRICH #453 Licensed - (yes) no -

Depth 40' deep

Remarks -

MAP Map No. 806-1 Map located In Water Right _____ Map file _____
 Type of Map DRAWN Prepared by Reg Land Surveyor & Merriam

+++++

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:

August 10, 1981.

(Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS
F.F. & C.
OF LAW,
FINAL
DECISIONS
ETC.

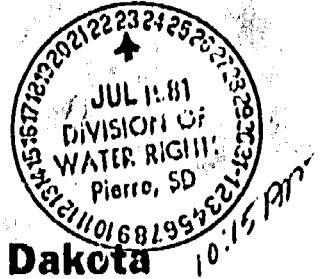
Date
Final Decision, including F.F. & C. of Law were adopted _____

Date
Final Decision mailed to parties and/or parties notified that Final Decision was adopted _____

Remarks _____

No. 1227-1Map No. 806-1 Water Division No. 1 BELLE FOURCHE RIVER District

Above for Office Use

10/20203

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New _____ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion X DN 978-1

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Valley View Water System Delmar D. Hemeyer Phone No. 642-2715
 Post Office Address 326 Upper Valley Rd. Spencer SD 57783
(Street, Rm. or Box) (Town) (State) (Zip Code)
 If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) _____

3. Name of diversion work VALLEY VIEW ADDITION4. Amount of water claimed (cubic feet per second) 0.11 cfs5. Source of water supply GROUNDWATER - 40' WELL6. Location of point of diversion 1375' S + 1610' W of the NE Cor. Sec. 4, T6N R2E (SW NE)County Lawrence7. Annual period or periods during which water is to be used Continuous8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) S.H.D.

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 1 years. Additional time required to complete application of water to the proposed beneficial use 1 years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Queen City Mail

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Sub Pump

B. Works proposed to transport water to place of use.

Main Lines

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ _____

Attachments: 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, Delmar D. Hemeyer 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 construction.Signed Delmar D. HemeyerSubscribed and sworn to before me this 13 day of July, 1981

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1227-1

VALLEY VIEW WATER SYSTEM % DELMER D. HEMEYER - 326 UPPER VALLEY RD.
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57783 SPEARFISH
 (State) With the following qualifications

The well approved under this Permit will be located near domestic wells and other irrigation 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 irrigation wells having prior water rights.

[REDACTED]

Date of first receipt of application JULY 23, 1981
 Date of return to applicant for correction, amendments or changes required _____, 19____
 Date of receipt of corrected application _____, 19____
 Approved OCTOBER 7, 1981 Recorded in Book 22 Page 330

WATER RIGHT PERMIT NO. 1227-1

The Water Management Board hereby grants and issues this Water Right Permit No. 1227-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is JULY 23, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before APRIL 7, 1982
3. The whole of said work is to be completed on or before OCTOBER 7, 1982
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is OCTOBER 7, 1983
5. The water appropriated shall be used for the purpose of SUBURBAN HOUSING DEVELOPMENT
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 0.11 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 beneficial uses served, ~~and if for irrigation purposes said appropriation must be limited to not more than 2 acre foot per acre per year and be limited to not more than one seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied~~ USED FOR SUBURBAN housing development ~~for irrigation~~ on or before OCTOBER 7, 1983 said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 11TH 23RD day of MARCH 82
~~DECEMBER~~, 1981

THE WATER MANAGEMENT BOARD

By John. Halen
 Chief Engineer, Water Rights

Certificate of Construction Issued MARCH 11, 1982
~~DECEMBER 23, 1981~~

Water License Issued MARCH 11, 1982
~~DECEMBER 23, 1981~~

D. Well Information

- (1) Drill Hole, Diameter 6", Depth 40'
- (2) Casing, Type Steel (wood, concrete, steel, etc), Diameter 6", Thickness 1/4"
- (3) Screen, Type _____, Diameter _____, Length _____
- (4) Gravel Pack, Thickness _____, 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. (Attach a copy of test well log)

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Depth to water (ground surface to water level) _____

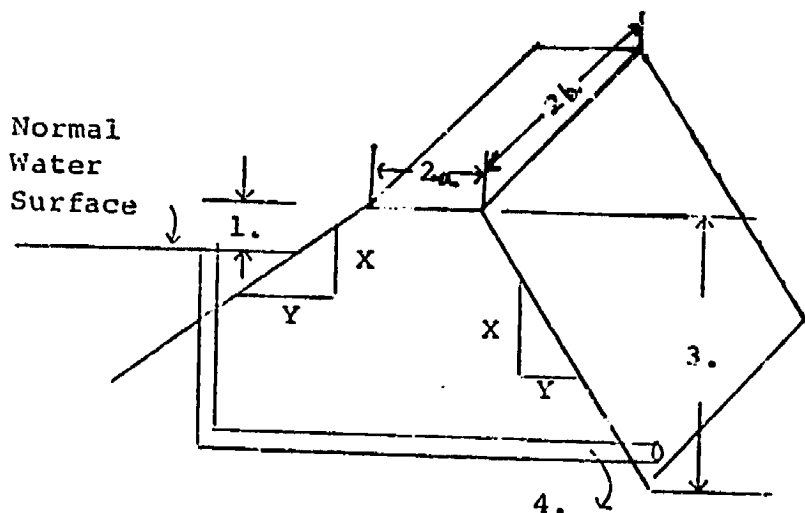
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property _____ rds.

On property owned by others _____ 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, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



1. Freeboard _____
- 2a Crest width _____ b. length _____
- 3 Height of Dam _____
4. Outlet dimensions:
 - Pipe diameter _____
 - Spillway width _____
- X & Y slope:
 - Upstream _____
 - Downstream _____
- Surface area of impoundment _____
- Drainage area above dam _____

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1227-1

(1) WHEREAS, On the 23rd day of July A. D. 19 81
Valley View Water System

made Water Right Application No. 1227-1 for a permit to use _____ cubic feet per second of the waters
of groundwater (two wells)

County of Lawrence, State of South Dakota, for Suburban Housing Development
_____ purposes; and

(2) WHEREAS, On the 7th day of October A. D. 19 81
Permit No. 1227-1, with a date of priority of .11 cfs from January 2, 1973 and

.11 cfs from July 23, 1981
was issued to said applicant _____ for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 7th day of October A. D. 19 82 and for the
application to beneficial use of said water on or before the 7th day of October A. D. 19 83

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert 0.22 cubic feet
per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to the application of water to beneficial use of the following extent,
water supplies for a suburban housing development

* The applicable portions of Permit No. 978-1 have been incorporated into this
Water License No. 1227-1

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Valley View Water System

of Spearfish, South Dakota

the holder S and owner S of said permit No. 1227-1 a water right, dating from January 2, 1973
and July 23, 1981 to use of 0.22 cubic feet per second of the waters
of groundwater (two wells)

in the County of Lawrence and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinafter mentioned, to be diverted at the N. well, 1789.64' S67° 45' 59" west of NE Corner
Section 4; S. well, 1375'S and 1610' W of the NE Corner Section 4; T-6N, R-2E

and conducted to and upon thru the housing developments' distribution system

for the purpose of Suburban Housing Development

Subject to any limitations listed in Water Right Permit No. 1227-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 11th day of March A. D.

Nineteen Hundred and Eighty-two

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Lawrence) ss.

I, Alice F. Hermann hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Lawrence City Mail

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

Lawrence City Mail of Spearfish

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

August 19 - '81

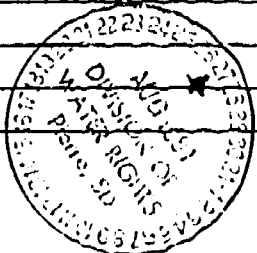
August 26 - '81

Alice F. Hermann
(Signature)

Barbara J. Hermann
(Title)

Aug 26 - '81
(Date Signed)

Cost of Printing: 4 30 92



NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER

Pierre, South Dakota 57501
August 11, 1981

Notice is hereby given that Valley View Water System whose post office address is Spearfish, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use .11 cubic feet of water per second of time from groundwater (one well) through the Valley View Addition to add a point of diversion on an existing permit of which is to be located in the SW 1/4 NE 1/4 of Section 4, Twp. 6N, Range 2E. Said water to be used for the purpose of providing water supplies for a rural housing development.

This Application No. 1227-1 will be considered by the Water Management Board at Staurolite Inn, Brookings, SD upon the 7th day of October, 1981 at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWR, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD
BETTY WESTLUND
Water Rights Specialist
(34-2c, 57 Lines)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8397

PIERRE, July 23, 1981

RECEIVED OF Valley View Water System, % Delmer D. Hemeyer, 326 Upper Valley Rd.,
the following amount in fees for services rendered as provided for by law: Spearfish, SD 57763

Fee for Application for Permit to Appropriate Water No. 1227-1 (examination, processing, recording and filing)	150.00
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 (any other work as provided by law)	
TOTAL	150.00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH / ACE

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8649

PIERRE, January 12, 1982

RECEIVED OF Valley View Water System, Delmer D. Hemeyer, 326 Upper Valley Road, Spearfish
the following amount in fees for services rendered as provided for by law: SD 57783

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)	
Fee for Inspecting Construction, and Issuing Cert. of Construction No. 1227-1-5778-1	50.00
Fee for Inspecting Beneficial Use, and Issuing Water License No. 1227-1-978-1	
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 (any other work as provided by law)	
TOTAL	50.00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH / ACE

Permit No. 1227-1Water Division 1 Belle Fourche River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Valley View
Water System of 326 Upper Valley Road, Spearfish, S.D. 57783 holder
of Permit N 1227, bearing date of priority of all cfs January 2, 1973 Permit # 978-1
 authorizing the diversion of all cu. ft. per second of the waters of Two Wells
 for Suburban Housing purposes, in Lawrence County.

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

The Water Use System consists of,

A. Works used to divert the water:

North Well - 2 HP Submersible Pump - pumps 50 gpm.
South Well 2 HP Submersible pump pumps 50 gpm.

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

Mains To Houses.

C. Works used to apply water to beneficial use.

Household use in the housing developmentThe system is in the following condition: Good

The point of diversion is located N. Well = 1789' 64" S 67° 45' 59" W of NE cor. Sec. 4.
S Well - 1375' S and 1610' W of the NE Cor Sec. 4, T 6 N R 2 E

The works are capable of diverting and conveying to the place of use 2.2cu. ft. per second of water which is to be used for Suburban Housing

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

comprising a total of _____ acres of land.

Well Data

N. Well 68' DeepStatic water @ 7 ft.pumping 50 gpm.

Permit # 978-1 incorporated
into this Permit

license for 2.2 cfsS Well 40 ft.Static 20 ftPumping 50 gpm.Date May 24, 1981

Leroy J. McManis
 (Signature)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 27, 2002

1227-1

Donna Webb, Secretary-Treasurer
Lourie Lane Homeowner's Association
12 Lourie Lane
Spearfish SD 57783

Dear Ms. Webb:

I am contacting you in regard to ownership of Water Right No. 1227-1. Linda Harris with our regional office in Rapid City called and indicated that the water right should be transferred.

Enclosed is a copy of Water Right No. 1227-1. You may keep it for your records. The water right authorizes diversion of water from two wells to be used for suburban housing development purposes.

Also enclosed is a partially completed Notice of Transfer of Ownership form for use in filing the ownership change. Please review the form and complete as needed. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions concerning the water right or filing the transfer form, please get in touch with me.

Sincerely,

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

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 18, 2003

No. 1227-1

Donna Webb, Secretary-Treasurer
Lourie Lane Homeowner's Association
12 Lourie Lane
Spearfish SD 57783

Dear Ms. Webb:

I am writing as a reminder that we have not received the *Notice of Transfer of Ownership* form for use in filing an ownership change on Water Right No. 1227-1. The water right is currently listed in the name of Valley View Water System.

In the event you no longer have the original form, enclosed is another partially completed *Notice of Transfer of Ownership* form. Please review and complete the form, making any necessary corrections or additions. The form should be signed by the new owner and returned to our office with a required filing fee of \$2.50. The check or money order can be made payable to the "Water Rights Program".

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date July 3, 2003

RECEIVED OF Lourie Lane Homeowners Assoc., 12 Lourie Lane, Spearfish SD 57783

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	2.50	
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>1227-1</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	2.50

No.

000822

By

Darland Eide
Chief Engineer

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED
JUL - 3 2003
WATER RIGHTS
PROGRAM

No. 1227-1

Date: 7-1-03

I/We request that Water Right/Permit No. 1227-1

formerly owned by: Valley View Water System

be transferred to: (name & address) Lourie Lane Homeowners Association

121 Lourie Ln Spearfish SD 57783

Telephone No. 717-4848

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

0.22 from two wells located in the W 1/2 NE 1/4 Sec 4-T6N-R2E

I/We understand that the validity of Water Right/Permit No. 1227-1 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 Two Dollars and Fifty Cents (\$2.50) 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 Lourie Lane Homeowners Association, the new owner, certify that the above information is true and correct.

Gonna Weiss, Sec. Treasurer
(Signed by new owner)

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

July 3, 2003

1227-1

Donna Webb, Secretary-Treasurer
Lourie Lane Homeowner's Association
12 Lourie Ln
Spearfish SD 57783

Dear Ms. Webb:

Thank you for following up on the ownership change for Water Right No. 1227-1. The transfer has been completed. The water right formerly listed in the name of Valley View Water System is now listed in the name of Lourie Lane Homeowner's Association.

Enclosed is your Receipt No. 000821 in the amount of \$2.50. You may keep this for your records. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure