

Considered: _____

WATER PERMIT NO. 1336-1

MAP No. Same

Name of Applicant Piedmont Senior Citizens Center

Post Office Address Box 134 Piedmont S.D.

Amount of Water Claimed 0.10 Total Acres _____

Source of Water Supply Groundwater 1 well

Water to be used for IRFS County Meade

About _____ miles _____ of in Piedmont

PROOF OF PUBLICATION: Received 1st 8-16-85 Not Received _____

APPLICATION: Approved 10-16-85 Subject to _____

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

PRIORITY Date Received 5-22-85 Fee \$5000 Remarks fee reviewed

5-22-85 on 6-12-85

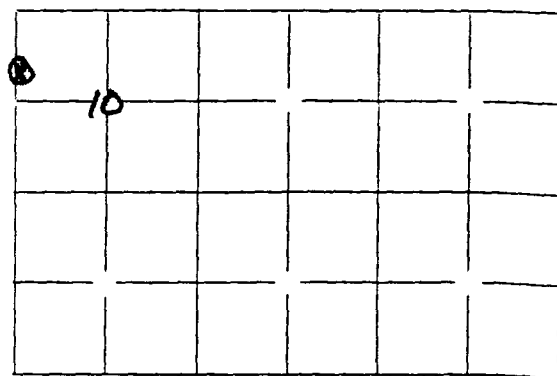
Corrected Application Received _____ Period of Annual Use Jan. 1 to Dec. 31

WATER QUALITY APPROVAL RECEIVED N.A. APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point SW4 NW4 sec. 10 T3N-R6E

Land to be Irrigated N.A.



Well Log: Driller Not available Licensed YES _____ NO _____

Depth of Well 160 FT. REMARKS no log available

Type of Map Plot PREPARED BY Claude Bangs Reviewed and the Number

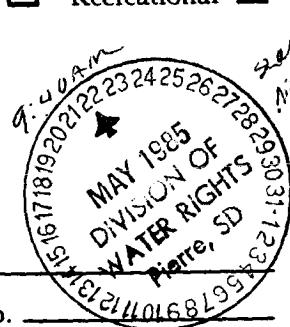
assigned on 6-14-85 By Kevin C. Larson

No. <u>1336-1</u>	Hydrologic Unit <u>10120111</u>
Map No. <u>Same</u>	Basin <u>Upper Cheyenne</u>
Newspaper <u>Meade Co. Times Box 69 Sturgis (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 ☒ Piedmont Senior citizens

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐☐ Amend Permit No. _____ with old priority date retainedChange 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. _____1. Name of Applicant Piedmont Senior citizens Phone No. 603-394 9995Post Office Address Box 134 Piedmont State S.D. Zip Code 57769
(Street, RR or Box)2. Amount of water claimed (c.f.s.) 200 very little unknown 0.103. Source of water supply C.O. Park well: Co. Park + Senior citizens (in closed)
Please find agreement between4. Location of point of diversion Lot B of Lot 1 SW 1/4 Sec. 10 T3N-R6ECounty Meade5. Counties where water will be used Meade Co.6. Annual period during which water is to be used Jan. 1, through Dec. 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)

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 Pennings)^{ss}I, Piedmont Senior citizens the applicant, certify that I have read the foregoing application, 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 Harold HowleySubscribed and sworn to before me this 17 day of May, 19 85
Marcin Webb
 Notary Public South Dakota
 My Commission Expires November 14, 1992

LOT A and LOT B of LOT I in SW1/4 of NW1/4 SECTION 10 T3N R6E BHM

Sept. 1954

MEADE Co., S.D.

Scale 1" = 100'

STATE of SOUTH DAKOTA
COUNTY of MEADE ss

We, Ida Fockler and Reese Fockler, do hereby certify that we are the owners of LOT I of the SW1/4 of the NW1/4 of Sec. 10 T3N R6E BHM and that we authorized the survey and plat of LOTS A & B of the above property as shown hereon.

Reese Fockler
Ida Fockler
owners

On the 7 day of Sept, 1954, before me, a notary public appeared Ida Fockler and Reese Fockler known to me to be the persons described in the foregoing instrument and acknowledged to me that they signed the same.

My commission expires Nov 24 1957 Eva H Bangs notary public

STATE of SOUTH DAKOTA ss
COUNTY of PENNINGTON

I, Claude E Bangs, a registered land surveyor, do hereby certify that, being so authorized, I made a survey and plat of LOTS A & B of LOT I of SW1/4 of NW1/4 of Sec. 10 T3N R6E BHM and that same is correctly shown hereon.

Claude E Bangs
land surveyor

On the 7th day of Sept, 1954, before me, a notary public, personally appeared Claude E Bangs, known to me to be the person described in the foregoing instrument and acknowledged to me that he signed the same.

My commission expires Nov 27 '57 Eva H Bangs notary public

I, J. L. Baker, Treasurer of Meade County, do hereby certify that all taxes which are liens on the above described lands are all fully paid according to the records of my office.

Sept. 8, 1954
date

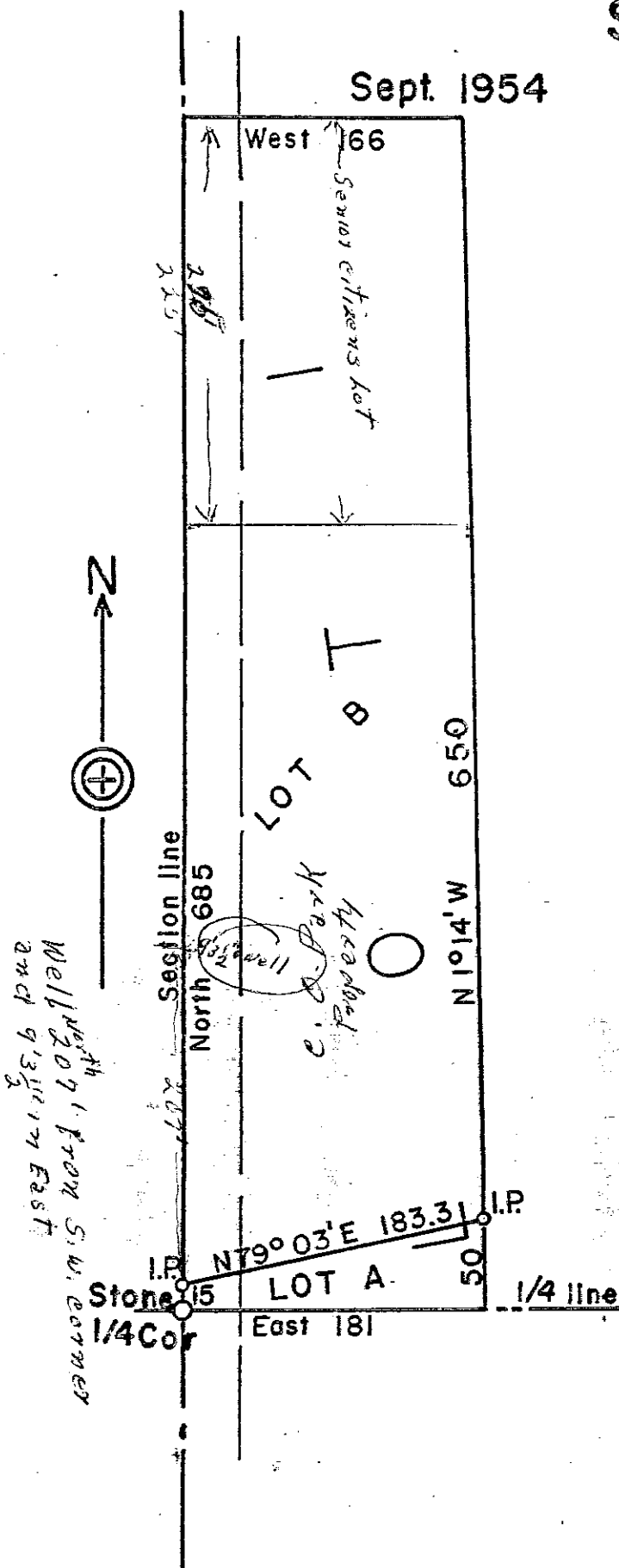
J. L. Baker
Meade County treasurer

#1278

STATE OF SOUTH DAKOTA, COUNTY OF MEADE-SS

Filed this 8 day of Sept, 1954, at 5:48 PM M. Sec. 10 P. 327

Pearl Noel By DEPUTY FEES \$ 1.00
REGISTER OF DEEDS



WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 1336-1
Piedmont Senior Citizens Center Box 134 Piedmont
(Applicant) (Post Office Address)
South Dakota 57769 With the following qualifications.
(State) (Zip Code)

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 needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

Date of first receipt of application May 22, 1985.
 Date of return to applicant for correction, amendments or changes required —, 19—.
 Date of receipt of corrected application —, 19—. Approved October 16, 1985.

The Water Management Board hereby approves this Water Permit No. 1336-1 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is May 22, 1985.
2. The equivalent of at least one-fifth of the specified work is to be completed on or before —, 19—.
3. The whole of said work is ~~to be~~ completed ~~on or before~~ —, 19—.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is —, 19—.
5. The water appropriated shall be used for the purpose of water supply for the Senior Citizens Center
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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 0.10 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 beneficial uses served and to which water is actually and beneficially applied for domestic on or before —, 19—, said water to be used during the following described annual period: January 1 to December 31

WATER MANAGEMENT BOARD
 By: John H. [Signature]
Chief Engineer
 Division of Water Rights
 Dept. of Water and Natural Resources

NOV 19 1985, 19—

Description of C. O. Park
Property as follows

Lot B of Lot One (1) of the
Southwest Quarter of the Northwest Quarter
(SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Ten (10) Township (3)
North of Range Six (6) East of Black Hills
Meridian Meade County South Dakota.

Piedmont

Senior citizens own North 22 $\frac{1}{2}$ of
the above description as you will see
on Plat inclosed

RECEIPT

Division of Water Rights

No 4 10067 -

South Dakota Department of Water and Natural Resources

Pierre, June 12, 1985

RECEIVED OF Piedmont Senior Citizens, Box 134, Piedmont, SD 57769

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 _____	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

STATEMENT

DOWNEN DRILLING CO.

Rt. 1 Box 537

Phone 787-4525

RAPID CITY, SOUTH DAKOTA 57701

Mr. C. O. Parks

Piedmont, S. Dak.

TERMS:

DATE 8/13/73

160' drilling
 135' 5" casing
 1-5" well seal

	540.00	800.00
	<u>16.50</u>	
	556.50	
Tax	<u>22.26</u>	
	578.76	
	<u>\$1,398.76</u>	

0-42' gravel
 42-135' red shale
 135-160' minnekata lime

national Bank

check # 1691
aug 15. 1973
Waren Downen

Wells: drilled (X) bored () dug () driven ()

Well depth 160 ft Well diameter ? unknown Casing material Steel

Casing diameter 5" Height casing top above ground 2 1/2 ft

Grouted YES Grouted to what depth unknown

Date of well construction 1973

Distance to: Septic tank 400 ft Disposal field 400 ft

Is well situated in a pit or depression where it will be subject to flooding
No

Any known private sewage systems nearby Along the pipe line going from the well to the building there are 3 septic tanks located parallel to the line and 20 ft away from the line

Any known source of contamination No

Pump:

Well pump type Submersible Capacity 50 gal/min GPM

Number of service connections 7 (seven)

Pumphouse floor/ housekeeping Clean

Storage:

Size and type of storage No Storage used

Cover/manhole conditions (overlapping cover?) N/A

Overflow and vents screened N/A

Distance from pits/ contamination/ drainage N/A

General condition N/A

NA= non-applicable

ID# 4600635

Survey taken by Steve Naylor, SDSMET Survey date 10-27-83

Is system active or inactive Active

If inactive, deactivation date NA

Deactivation reason NA

Location of NC PWS North edge of town, Piedmont is approx 10-12 NW of Rapid City
on I-90

Type of NC PWS (campground, motel, resort, etc.) Senior Citizens Building

Name of NC PWS Piedmont Senior Citizens Center

NC PWS mailing address Box 134, Piedmont Telephone # (605) 394-9995

Name of Operator/Manager Ottis Parks

Owner of NC PWS Ottis Parks

Owner's mailing address Box 133 Piedmont

Type of owner: private (X) city () state () federal () other ()

County NC PWS located in Lawrence Seasonal operation dates year

Number of people served: Average daily 25-30 Peak daily 60

Comments on type of people (transient vs. permanent) All are transient,

Building used by senior citizens for get-togethers, bingo, exercise groups etc.

Water source (well), spring, lake, river, other) _____

Source name Limestone

Visual inspection of water source (comments) NA

Observation of owner/operator making a turbidity test (if source is a surface supply). (comments) NA

Surface Area Characteristics Building clean + well kept Outside
grass lawn + graveled parking lot

COMMON WELL AGREEMENT

The parties to this Agreement are as follows:

- A. CHARLES OTIS PARK, a single person, hereinafter referred to as PARK, and
- B. PIEDMONT SENIOR CITIZENS CENTER, an incorporated association, hereinafter referred to as the SENIOR CITIZENS CENTER.

WHEREAS, PARK is the owner of Lot B of Lot One (1) of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Ten (10), Township Three (3) North of Range Six (6) East of the Black Hills Meridian, Meade County, South Dakota, as shown by the Plat recorded in the office of the Register of Deeds in Plat Book 3, Page 327, less the north 225 feet of said Lot B, and

WHEREAS, SENIOR CITIZENS CENTER is the purchaser of the north 225 feet of Lot B of Lot One (1) of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Ten (10), Township Three (3) North of Range Six (6) East of the Black Hills Meridian, Meade County, South Dakota, as shown by the Plat recorded in the office of the Register of Deeds in Plat Book 3, Page 327, and

WHEREAS, there is a well located upon real property owned by PARK, which well provides water to the improvements on the property owned by the SENIOR CITIZENS CENTER and which well provides water for the improvements on the property owned by PARK, and

WHEREAS, the parties desire to place in writing, their agreement concerning the use and maintenance of said water well, now therefore,

The parties agree as follows:

1. That the SENIOR CITIZENS CENTER shall have the right to use water from said well for domestic use on the property owned by them.
2. PARK shall have the right to use water from said well for domestic use for the improvements on the property owned by him.
3. That PARK and the SENIOR CITIZENS CENTER shall each pay one-half ($\frac{1}{2}$) of the electrical utility charges for the pump located on said well and that PARK and the SENIOR CITIZENS CENTER shall share equally all costs of maintenance and repair of the water well, including replacement of the pump, if necessary. It is

- 2 -

STATE OF SOUTH DAKOTA)

) SS.

COUNTY OF MEADE)

On this 6 day of September, 1983, before me a Notary Public within and for said County and State, personally appeared R. Duane Moss, who acknowledged him self to be the Board of Piedmont Senior Citizens Center, an incorporated association, and being authorized so to do, executed the within and foregoing instrument for the purposes therein contained by signing the name of the corporation by him self as such officer.

Notary Public
NOTARY PUBLIC

(SEAL.)

 **Department of
Water & Natural Resources**

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

June 21, 1984

Piedmont Seniors Citizens Center
Box 133
Piedmont, South Dakota 57468

Dear Mr. Parks:

The Division of Environmental Quality of this Department is conducting a survey of non-community public water supply systems. As a part of the survey, we have reviewed our records and we can not find any water rights on file for Piedmont Senior Citizens Center.

A water permit is required pursuant to SDCL 46-1-15 to use water from a private source for commercial use. Any use of water, except for private domestic use, requires a water permit. Examples of commercial use are: truckstops, motels, restaurants, tourist attractions, commercial campgrounds and any other business operation. Examples of non-commercial use that require permits for private supplies are: churches, hospitals and nursing homes (any amount of water) and schools that pump more than 18 gallons per minute.

If you have a water permit that has been issued under another name or if you believe a permit has been issued under another name, please contact us. We are enclosing the necessary permit application forms and instructions, if you need a permit. Please complete and submit with a (see instructions) filing fee.

An existing business without a water right has no right to the use of water. Except for private domestic use, any water user without a water right is not entitled to receive protection in the event of well interference by a new or future user who has a water right. The new user with a water right will have the senior priority over an existing user without a water right. In South Dakota, the first in time (senior priority) is the first in right, except for individual domestic use. Individual household, farm or ranch use does not require a permit and has preference over all other users of water.

If you have any questions or need assistance with completion of the forms, please feel free to contact us.

Sincerely,



Kevin C. Larson
Water Resources Engineer
Office of Water Rights
Phone: (605) 773-3352

Enclosures

Equal Opportunity Employer

SOUTH DAKOTA Department of
Water & Natural Resources

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

April 25, 1985

NOTICE

Piedmont Seniors Citizens Center
Box 133
Piedmont, South Dakota 57468

Dear Mr. Parks:

June 21, 1984 we notified you that State Law requires that a water permit be obtained for any use of water from a private source for use in a non-commercial operation. We have not heard from you on this. Failure to comply with State Laws--SDCL 46-1-6(6), 46-1-15, 46-5-8.2, 46-5-9, and 46-5-10 and Water Management Board Rule ARSD 74:02:01:03--can result in an order to stop water use until an application for a water permit has been submitted and approved.

If you have questions or need another set of permit applications forms or if you believe you already have the required water permit or need assistance in completing the forms, feel free to contact us. Please submit the completed application forms prior to June 25, 1985.

Sincerely,



John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

S519.WR

Please send us another set of permit application forms. No one here can recall having seen such forms.

Piedmont Senior Citizens
Harold Horsley, Pres.

Box 134

*App forms
mailed
5-6-85*



WATER RIGHTS DIVISION
(605) 773-3352

June 3, 1985

Piedmont Senior Citizens
Harold Horsley
Box 134
Piedmont, South Dakota 57769

Dear Mr. Horsley:

Thank you for submitting your permit application for the Senior Citizens Center. Before we can continue processing the application a filing fee of \$50.00 will be required. This will cover diversion of up to 45 gallons per minute. If this will cover your needs I will put 45 gpm on your application. If this is not satisfactory please inform us as to the correct pumping rate. Upon receipt of the filing fee we will continue to process your application.

Thank you,

Kevin C. Larson
Natural Resources Engineer

KCL:ms

REPORT ON APPLICATION NO. 1336-1

PIEDMONT SR. CITIZENS CENTER

August 1, 1985

This application proposes to appropriate 0.10 cfs from one existing well 160 feet deep located in the SW 1/4 NW 1/4 Section 10, T3N, R6E BHM. The water supplies the Senior Citizens Center.

Aquifer - Minnekahta Limestone

Geology and Aquifer Characteristics

The Minnekahta Limestone is a Permian age limestone, light brown to purple in color, medium to thick bedded, dolomitic in the lower part and about 40 feet thick (Cattermole, 1969). Ground water is contained in fractures within the limestone and very often at the contact between the Minnekahta and Spearfish or Minnekahta and Opeche the ground water has formed solution cavities which can yield large quantities of water. In a recently constructed observation well (MD-84A) near Piedmont, 37 feet of Minnekahta was penetrated, the Minnekahta flowed at that elevation and produced about 200 gpm. The observation well was not constructed into the Minnekahta but into the Minnelusa and the Minnekahta was cemented off. The drillers log submitted by Downen Drilling for this application indicates Minnekahta was encountered at a depth of 135 feet and the well construction appears to be adequate. The aquifer is under artesian conditions and the SDGS has estimated there is 5.4 million acre feet of recoverable water from the Minnekahta in Meade County (Allen, Etal., 1984).

Review of Existing Water Rights

There are two existing Water Permit Nos. 1902-2 and 1155-1 within 1/4 mile of this application (Goodman, 1984) but the producing formation is the Minnelusa not the Minnekahta. There is some questions whether the other permits in the area to the east are in the Minnekahta or Minnelusa Formation (see Goodman's report for explanation) but the well information is lacking for the two irrigation Permit Nos. 842-1 and 843-1 and a correlation is difficult to make. The report for No. 1902-2 assumed these two irrigation permits were into the Minnelusa Formation but it is possible they are only into the Minnekahta.

Conclusions

1. Water is available from the Minnekahta Limestone. The drillers log and other drilling in this area verify a good supply of groundwater.
2. The aquifer is under artesian conditions. Fluctuations of artesian pressure are likely while pumping.
3. There are numerous wells in both the Minnekahta limestone and Minnelusa Formation in this area (Water Rights Division, 1985).
4. Interference is possible, however, there is no indication that the water levels in the Minnekahta and Minnelusa are the same or are hydraulically connected. Any interference should be from wells in the same aquifer.
5. The relatively small diversion rate of this application should not impact any other user.
6. The Town of Piedmont may qualify for a vested right, if there is a well and common distribution system that have been in use since prior to 1955.


JAMES A GOODMAN
Hydrologist III

Bibliography

- Allen, J.C., D. Illes, A. Petres, 1984, Draft Final Analysis of Ground Water and Streamflow Data Western Dakotas Region of South Dakota, for U.S. Army Corps of Engineers, DWNr, Division of Geological Survey, Vermillion SD. 57069
- Cattermole, J.M., 1969, Geologic Map of Rapid City West Quadrangle Pennington County, South Dakota, USGS, Washington D.C.
- Goodman, J.A., 1984, Report on Application No. 1902-2 for Carol's Slash J Bar and Restaurant, DWNr, Water Rights Division, Joe Foss Building, Pierre SD.
- Water Rights Division, 1985, Water Rights Division Well Files, DWNr, Water Rights Division, Joe Foss Building, Pierre SD.

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 5" Depth 160'
- b) Casing Type steel Diameter 5" Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness yes Length of Gravel Pack 42'
- e) Depth to Top of Water Bearing Material 140'
- f) Depth of Water (ground surface to water level) level with ground
- g) Distance to nearest existing domestic well: about 400'
- On applicants property _____ On property owned by others C.O. Park

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) Outlet Dimensions:
Pipe diameter _____

Spillway width _____

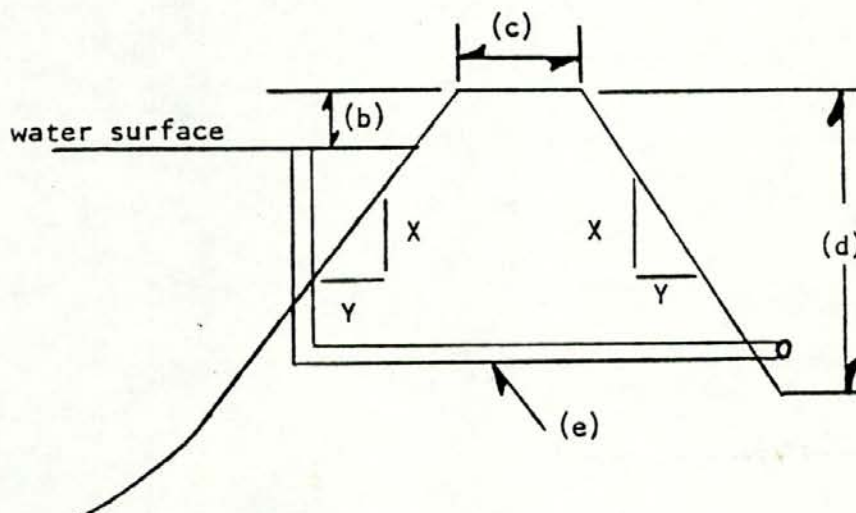
f) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Harold Housley president
Signature of Applicant

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

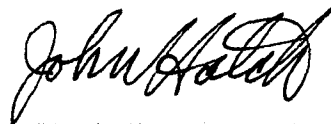
APPLICATION NO. 1336-1, Piedmont Senior Citizens Center

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. 1336-1, Piedmont Senior Citizens Center, Box 134, Piedmont SD.

The Chief Engineer is recommending APPROVAL of Application No. 1336-1 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:

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.

A handwritten signature in black ink, appearing to read "John Hatch", with a stylized, cursive script.

JOHN HATCH, Chief Engineer
August 1, 1985

No. 1336-1

Instruction to Newspaper - Publish first publication of the following Notice on or before August 14, 1985 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1336-1 to Appropriate Water and/or to Amend Water Permit or Water Right No. _____

Notice is hereby given that Piedmont Senior Citizens Center whose mailing address is Box 134, Piedmont, South Dakota has made an application for a permit

to appropriate 0.10 cubic feet per second from one existing well 160 feet deep located in the SW 1/4, Section 10, T3N-R6E. Water supply for use at Senior Citizens Center.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1336-1 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Howard Johnson Nebraska Room, 3300 W. Russell, Sioux Falls, SD October 16 19 85 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by October 4, 1985. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of 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, 46-5-31; (ground) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; (future use) ~~46-5-38 thru 46-5-40; (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35; (10,000 AFA) 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by October 4, 1985.

No. 1336-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Meade } ss.

I, Jackie Allison hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Meade County Times

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 Sturgis

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

August 14, 1985

August 21, 1985

Jackie Allison
(Signature)

Billings West
(Title)

August 14, 1985
(Date Signed)

Cost of Printing: \$39.22

NOTICE OF HEARING ON
APPLICATION NO. 1336-1 TO
APPROPRIATE WATER

Notice is hereby given that Piedmont Senior Citizens Center whose mailing address is Box 134, Piedmont, South Dakota has made an application for a permit to appropriate 0.10 cubic feet per second from one existing well 160 feet deep located in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10, T3N-R6E. Water supply for use at Senior Citizens Center.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends approval of Application No. 1336-1 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Howard Johnson, Nebraska Room, 3300 W. Russell, Sioux Falls, SD, October 16, 1985 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by October 4, 1985. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of 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, 46-5-31; 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.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRN, Joe Foss

Bldg., Pierre, SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by October 4, 1985.

Publ August 14 & 21, 1985
Times-Tribune





Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

NOV 19 1985

Piedmont Senior Citizens Center
Box 134
Piedmont SD 57769

Dear Sir:

Enclosed is your Water Permit No. 1336-1 as approved by the Water Management Board authorizing the water diversion system and apply the water to beneficial use, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

A handwritten signature in black ink, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ks

enclosure



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1336-1

November 15, 1988

Piedmont Senior Citizens Center
Box 134
Piedmont, South Dakota 57769

Dear Sir:

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. 1336-1 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

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

 **Department of
Water & Natural Resources**

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

February 17, 1989

SECOND NOTICE

Permit No. 1336-1

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Harold Horsley
Piedmont Senior Citizens Center
Box 134
Piedmont, SD 57769

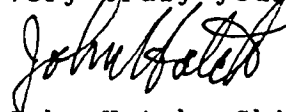
Dear Mr. Horsley:

On November 15, 1988, you were notified the final inspection fee of \$50.00 is due before Water License No. 1336-1 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,



John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352



● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check boxes for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to: Harold Horsley Piedmont Senior Citizens Center Box 134 Piedmont SD 57769	4. Article Number P 321 925 688 Type of Service: ☐ Registered ☐ Insured ☐ Certified ☐ COD ☐ Express Mail
5. Signature - Addressee X	Always obtain signature of addressee or agent and DATE DELIVERED.
6. Signature - Agent X <i>Gladya Doyle</i>	8. Addressee's Address (ONLY if requested and fee paid)
7. Date of Delivery 2-22-87 <i>dg</i>	

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411060

Pierre, March 2, 19 89

RECEIVED OF Piedmont Senior Citizens Center, Box 134, Piedmont, SD 57769

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. <u>Permit No. 1336-1</u>	50	00
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/mra
Chief Engineer John Hatch/mra

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

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

I have this day made a thorough examination of the water use system constructed by Piedmont Senior
Citizens Center of Box 134, Piedmont S.D. 57769 holder of
Permit No. 1336-1, bearing the priority of May 22 19 85 authorizing
the diversion of 0.1 cu. ft. per second of the waters of groundwater- Minnekahta well
for domestic purposes, in Meade County.

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

A. Works used to divert the water:

A submersible pump and motor, 50 gallons per minute capacity, $1\frac{1}{2}$ horse power.

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

450 feet of Polyvinyl Chloride pipe, 2 inches in diameter.

C. Works used to apply water to beneficial use:

Water is used for drinking and sanitary.

The system is in the following condition goodThe point of diversion is located approximately 308 feet E., 2360 feet S. from the Northwest corner
of Section 10, T3N-R6E (SW $\frac{1}{4}$ NW $\frac{1}{4}$)The works are capable of diverting and conveying to the place of use 0.11
cu. ft. per second of water which is to be used for domesticWater has been put to beneficial use to the maximum extent as follows: Water is used for drinking and sanitary in the center.comprising a total of NA acres of land and the license should be issued for 0.1 cfsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: Date 9/12/88

(signature)

MAhad

LICENSE FOR PERMIT NUMBER 1336-1

1. Legal location of wells: SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10, T3N-R6E

dams & structures: _____

2. Well Information: Well Drilling Firm Downen Drilling

No. of wells 1 Depth 160 feet

Casing a) diameter 5 inches Screen a) type non used

b) length 160 feet b) length _____

c) type steel Static Water Level ground level

Pump a) make submersible Motor a) make submersible

b) model _____ b) model no. _____

c) size _____ c) horsepower rating 1 $\frac{1}{2}$

d) capacity 50 GPM d) motor efficiency rating _____

e) turbine pump _____

no. of stages _____

3. Distribution lines:

a) size of lines 2 inches

b) type Polyvinyle Chloride (PVC)

c) length 450 feet

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:

1) size _____

2) type _____

3) length _____

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

- | | | | |
|----------|-------|-------|---|
| _____ | NA | _____ | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit. |
| <u>X</u> | _____ | _____ | 2. Special Qualifications to permit being abided by. |
| <u>X</u> | _____ | _____ | 3. All Structures, wells and lands on map. |

REMARKS:

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1336-1

(1) Piedmont Senior Citizens Center of Box 134 Piedmont, SD 57769 made Application No. 1336-1, May 22, 1985 for a water permit to appropriate 0.10 cubic feet of water per second from groundwater (one well), Meade County, South Dakota for institutional purposes. Permit No. 1336-1 with a priority date of May 22, 1985 was approved October 16, 1985 and issued to applicant(s) for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

(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 0.10 cubic feet of water per second for beneficial use. The location of the diversion point is: approximately 308 feet east and 2368 feet south from the NW corner of Section 10, T3N, R6E (SW1/4 NW1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use for drinking and sanitary purposes in the Piedmont Senior Citizens Center.

(4) Pursuant to Section 46-5-30.1 the Piedmont Senior Citizens Center of Box 134, Piedmont, South Dakota 57769 the holder(s) and/or owner(s) of Water Permit No. 1336-1 is issued a license to appropriate water, the right to use 0.10 cubic feet of water per second from groundwater (one well) with a priority date of May 22, 1985 from the location specified in (2) of this license, with the water to be used for institutional purposes. This license is subject to any limitations or qualifications listed in Water Permit No. 1336-1 and subject to South Dakota State Law.



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

SEP 14 1989



Department of Water & Natural Resources

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

1336-1

SEP 14 1989

Harold Horsley
Box 134
Piedmont Senior Citizens Center
Piedmont, SD 57769

Dear Mr. Horsley:

Enclosed is Water License No. 1336-1. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 411660 in the amount of \$50.00 which you paid for the inspection 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. 1336-1, 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

