

Considered: _____

WATER PERMIT NO. 1341-1

MAP No. Same

Name of Applicant Black Hawk Water Co. Inc.

Post Office Address Box 476 Black Hawk S.D. 57718

Amount of Water Claimed 1.5 CFS Total Acres _____

Source of Water Supply Groundwater - Madison well

Water to be used for RWS County Meade

About _____ miles of in Black Hawk.

PROOF OF PUBLICATION: Received 9-5-85 Not Received _____

APPLICATION: Approved 10-16-85 Subject to _____

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

PRIORITY _____ Date Received Aug. 5, 1985 Fee \$425.00 Remarks _____

8-5-85

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 NW⁴NW⁴ sec. 8 T2N-R7E

Land to be Irrigated N.A.

⑧					
8					

Well Log: Driller Taylor Drilling Licensed YES X NO _____

Depth of Well ≈ 1120 Ft. REMARKS _____

Type of Map Plat PREPARED BY Jeroy Mernough Reviewed and the Number assigned on 8-20-85 By Kevin C. Larson

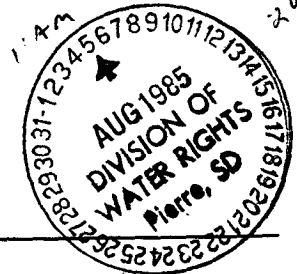
No. 1341-1 Hydrologic Unit 10/2011
 Map No. Same Basin Upper Cheyenne
 Newspaper Meade Co. Times Box 69 Sturgis (Wed)

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

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

Type of Application: Check one or more of the following

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



- Name of Applicant Black Hawk Water Co. Inc. Phone No. 605-787-5777
 Post Office Address Box 476 - Black Hawk S.D. State 57718
(Street, RR or Box) Zip Code
- Amount of water claimed (c.f.s) 1.5 C.F.S.
- Source of water supply Water Well - Madison Formation
- Location of point of diversion Tract 6 - Lots 2, 3, 4 in Block 3 of the Town of Black Hawk, Meade County, S.D. - 1,100' S and - 260' E of the NW Cor. Sec 8, in T2N-R7E-NW1/4 NW1/4 County Meade
- Counties where water will be used Meade
- Annual period during which water is to be used Continuous - all year
- 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)

Due to need for more water for expanding rural area, Company is applying for permit to drill Madison well. This well will be drilled on same sight as well #1 which has water rights. This well will be discontinued.

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 Pennington)^{ss}

I, Robert S Hall 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 Robert S Hall

Subscribed and sworn to before me this 2nd day of August 1983

Dwayne Dyer
 Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 1341-1

Black Hawk Water Co.

Box 476, Black Hawk

(Applicant)

(Post Office Address)

South Dakota

57718

(State)

(Zip Code)

With the following qualifications.

The construction of the proposed Madison Formation well shall include pressure grouting with cement (bottom to top) of the casing above the water producing formation and compliance with Board well construction rules, Chapter 74:02:04 effective September 29, 1985.

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.

If existing well No. 1 is abandoned after construction of the new well, it shall be plugged with neat cement (bottom to top) according to Board rules, Chapter 74:02:04.

Date of first receipt of application August 5, 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. 1341-1 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 August 5, 1985.

2. The equivalent of at least one-fifth of the specified work is to be completed on or before April 16, 1988.

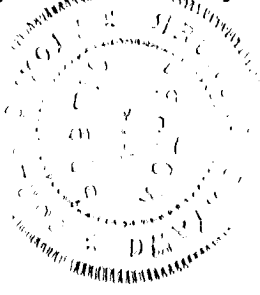
3. The whole of said work is to be completed on or before October 16, 1990.

4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is October 16, 1994.

5. The water appropriated shall be used for the purpose of rural water system

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 1.50 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 rural water system on or before October 16, 1994; said water to be used during the following described annual period: January 1 to December 31



WATER MANAGEMENT BOARD

By: _____

Chief Engineer

Division of Water Rights

Dept. of Water and Natural Resources

NOV 19 1985

, 19____

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 11" Depth 1100'
- b) Casing Type Steel Diameter 8 5/8" Thickness .289
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 800'
- f) Depth of Water (ground surface to water level) 50'
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

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 _____

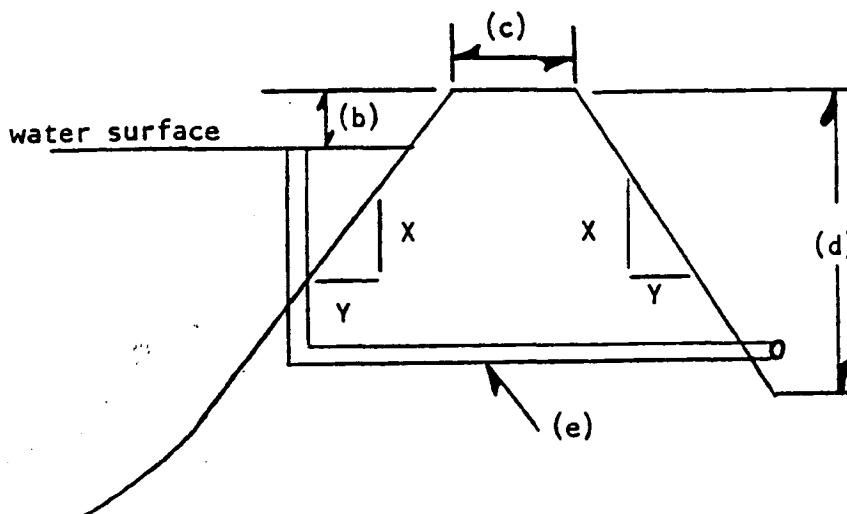
f) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

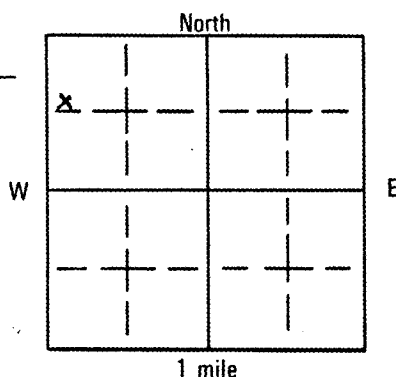
Drainage area above dam _____



Signature of Applicant _____

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location NW 1/4 NW 1/4 Sec 8 Twp 2N Rg 2ECounty
MeadePlease mark well
location with
an "X"Well Completion Date May 22, 1986

PROPOSED USE:

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

Method of Drilling:

Air Rotary

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>24</u> LB/FT	<u>8 5/8</u> IN	<u>0</u> FT	<u>947</u> FT	<u>11</u> IN
<u>53</u> LB/FT	<u>12 3/4</u> IN	<u>0</u> FT	<u>20</u> FT	<u>17 1/2</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 947 FEETWhat is grouting material? cementIf cement, number of sacks? 460Describe grouting procedure pressure groutedWhat was grout weight? 15.5 LB/GALSCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NOExplain granulated chlorine placed in wellBacteriological analysis ☐ YES ☒ NO

Laboratory sent to _____

Well Owner:

WELL # 4Name Black Hawk Water Company, Inc.Address Box 476 Black Hawk, SD 57718

Well Log:

Depth

Formation

From

To

Spearfish0280Minnekahta280320Opeche320440Minnelusa440940Madison9401160detailed copy is attachedSTATIC WATER LEVEL 1.5 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other, specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped☐ BailedDescribe: Air Developed☒ Other

Pumping Level Below Land Surface

1160 ft. After 9 Hrs. pumped 1100 GPM500 ft. After 1 1/2 Hrs. pumped 200 GPM300 ft. After 1 1/2 Hrs. pumped 600 GPM

REMARKS:

Attached well log from
John Paul Gries,
consulting Geologist

This well was drilled under license # 331

And this report is true and accurate.

Drilling firm TAYLOR DRILLING COMPANY

Signature of License Representative:

Ralph TaylorSignature of Well Owner: Black Hawk Water Co, IncBy Pres. Herbert OberlyBy Sec/Treas. Gary WilliamsonDate 6-10-86

A WATER WELL COMPLETION REPORT

10-85

wp 2N Rg 2E

Well Owner:

WELL # 4

JOHN PAUL GRIES

Consulting Geologist

238 ST. CHARLES STREET
RAPID CITY, SOUTH DAKOTA

Black Hawk Water Company, Water Well No. 4.

Location: SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ sec. 8, T. 2 N., R. 7 E., Meade Co., S. D.

Elevation: 3530 feet from topographic map

Total depth: 1180 feet from land surface.

Drilled May 1986 by Taylor Drilling Co., Rapid City, S. D.

Casing: 12 3/4-inch surface pipe set at 20 feet; 948 feet of 8-inch cemented with 440 sacks from bottom, and top 100 feet cemented from surface after running cement bond log.

Static level when completed: 15 feet below land surface

Yield: Preliminary pumping with air indicate a yield of approximately 1,000 gallons per minute.

Sample cuttings on file at School of Mines; described by J. P. Gries.

Spearfish formation. 0 to 280 feet

- 0 - 20 soil and redbeds
- 40 redbeds
- 60 gypsum, white
- 80 redbeds and white gypsum
- 120 redbeds
- 130 redbeds with streaks of gypsum
- 260 redbeds
- 280 redbeds with trace Minnekahta limestone

Minnekahta limestone. 280 - 320

- 280 - 300 limestone, very finely crystalline, white, gray, pink
- 320 limestone, same, gray to lavender

Opeche formation. 320 - 440 feet

- 320 - 340 shale, silty, lavender to maroon
- 420 redbeds, some with green spots
- 440 redbeds with trace round orange sand grains from Minnelusa

Minnelusa formation 440 - 940 feet

- 440 - 460 sample mostly redbeds
- 480 dolomite, finely crystalline, greenish white
- 500 dolomite, finely crystalline, earthy, pale green to pink
- 520 dolomite, same; trace milky chert
- 540 dolomite, same, and sand, fine to medium, white to salmon
- 560 sandstone, fine to medium, white to orange and red, cemented
- 580 sandstone, same and much spar calcite (scalenohedrons)
- 600 sandstone, very calcareous, pink to white, well cemented
- 640 sand, very fine with few round medium grains, colorless to yellow
- 660 sand, same but whiter
- 680 sand, very fine, nearly white
- 700 sand, fine, orange-pink
- 720 sand, same, 1/3; dolomite, very finely crystalline, gray, 2/3
- 740 dolomite, very finely crystalline, lavender to white
- 760 clay and silt, maroon
- 780 sand, very fine to few medium grains, lavender
- 800 dolomite, 1/2; sand as above, 1/2
- 810 dolomite, 2/3; sand as above, 1/3



Page 2. Black Hawk #4

Minnelusa formation, cont'd.

- 810 - 820 sand, very fine, white
830 sand, fine, orange to colorless
840 sand, fine, white to pink, 2/3; dolomite, gray to pink, 1/3
860 sand, fine to very fine, white to pink
870 dolomite, gray with lavender cast; trace sand from above
880 same, mostly dolomite
890 same, mostly sand
900 sand, 1/2; dolomite, 1/2
910 dolomite, very finely crystalline, gray to lavender
920 dolomite, anhydritic, very finely crystalline, gray
930 dolomite, same, drilled very fine
940 dolomite, nearly white, sandy, trace chert

Madison (Pahasapa) limestone -- 940 feet to total depth.

- 950 dolomite, very finely crystalline, white to slightly pink
960 dolomite, very finely crystalline, white to pale pink; tr. gn shale
970 dolomite, very finely crystalline, white to very pale green
980 dolomite, fine to medium crystalline, white
990 dolomite, same, white to faintly green and pink
1000 dolomite, same but more coarsely crystalline
10 dolomite, very finely crystalline to slightly earthy, off-white
20 dolomite, finely crystalline, white, trace green shale
30 dolomite, fine to medium crystalline, white
40 dolomite, same, trace green shale
50 dolomite, finely crystalline, white to light gray
60 dolomite, same; sample dirty
70 dolomite, very finely crystalline, white; trace calcite spar
80 dolomite, finely crystalline, very white
90 dolomite, same; some with faint pink cast
1100 dolomite, same, white
10 dolomite, same
30 dolomite, medium crystalline, rhombic crystals, porous
40 dolomite, finely crystalline, faintly pink
50 dolomite, same; some red cave filling
60 dolomite, very finely crystalline, white to faintly pink
80 no sample Total depth.

Samples described by J. P. Gries, consulting geologist. Cuttings, electric logs, and sample description are on permanent file at the Department of Geology, School of Mines, Rapid City, S. D.


John Paul Gries
Certified Professional
Geologist No. 771

Randy Taylor

341-5417

Westob

Black Hawk Water Co.

BORDEN, Clarence

Black Hawk

1/25/81

0

Total Depth 340' 8" Drilling Static 70
285' 7" Casing GPM 100
1 7" well cap 20 bags cement

0-14	red shale - Spearfish
14-55	limestone - Mankato
55-175	Opeche shale
175-220	sandstone & limestone
220-280	red & white limestone & sandstone
280-285	red sandstone
285-297	yellow sandstone
297-320	pink & yellow sandstone
320-340	yellow sandstone WATER

165'

Still drilling water producing sandstone to 165' well

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411524

Pierre, December 2, 19 88

RECEIVED OF Black Hawk Water Co., Inc., Box 476, Black Hawk, SD 57718

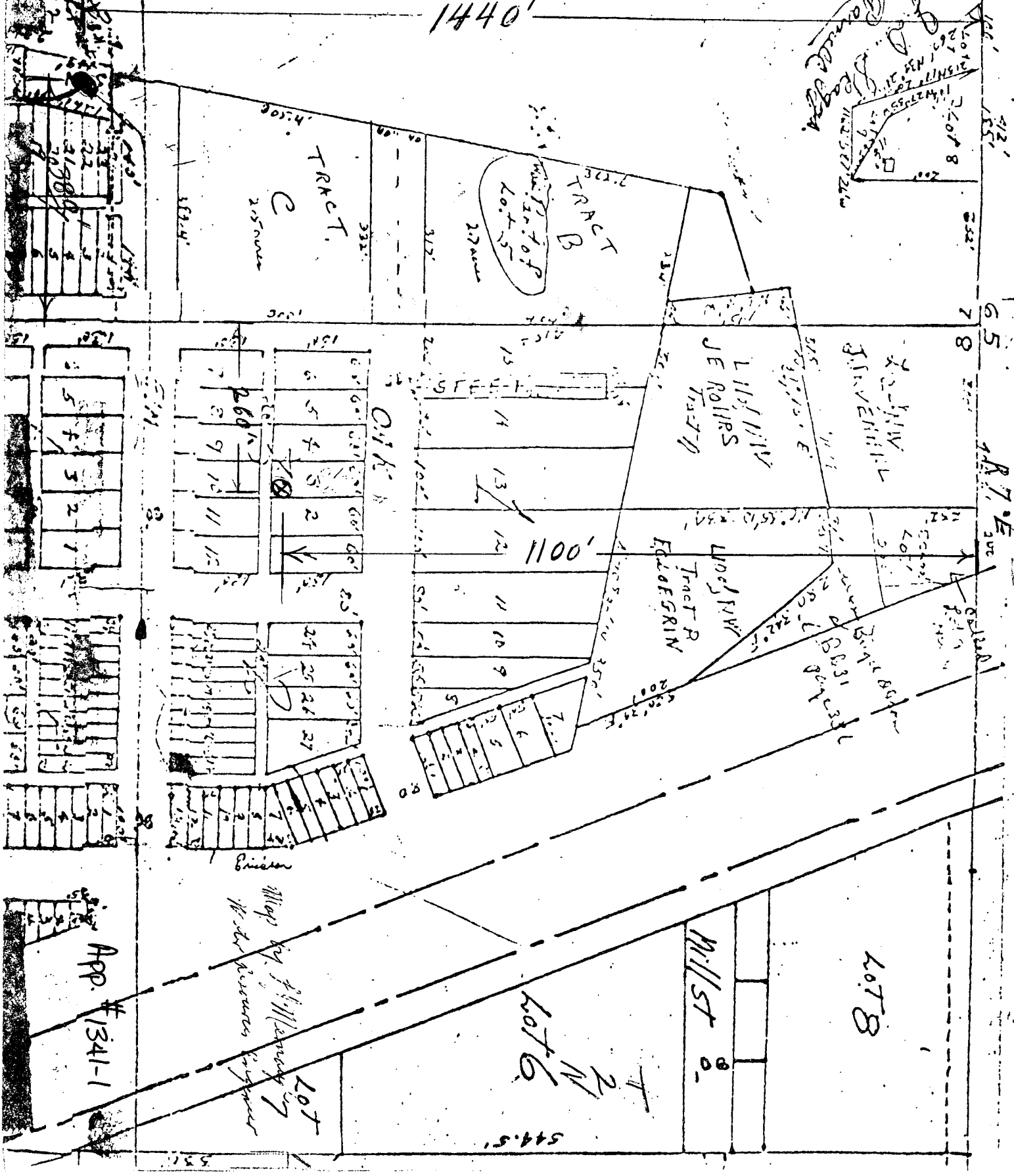
the following amount in fees for services rendered as provided for by law:

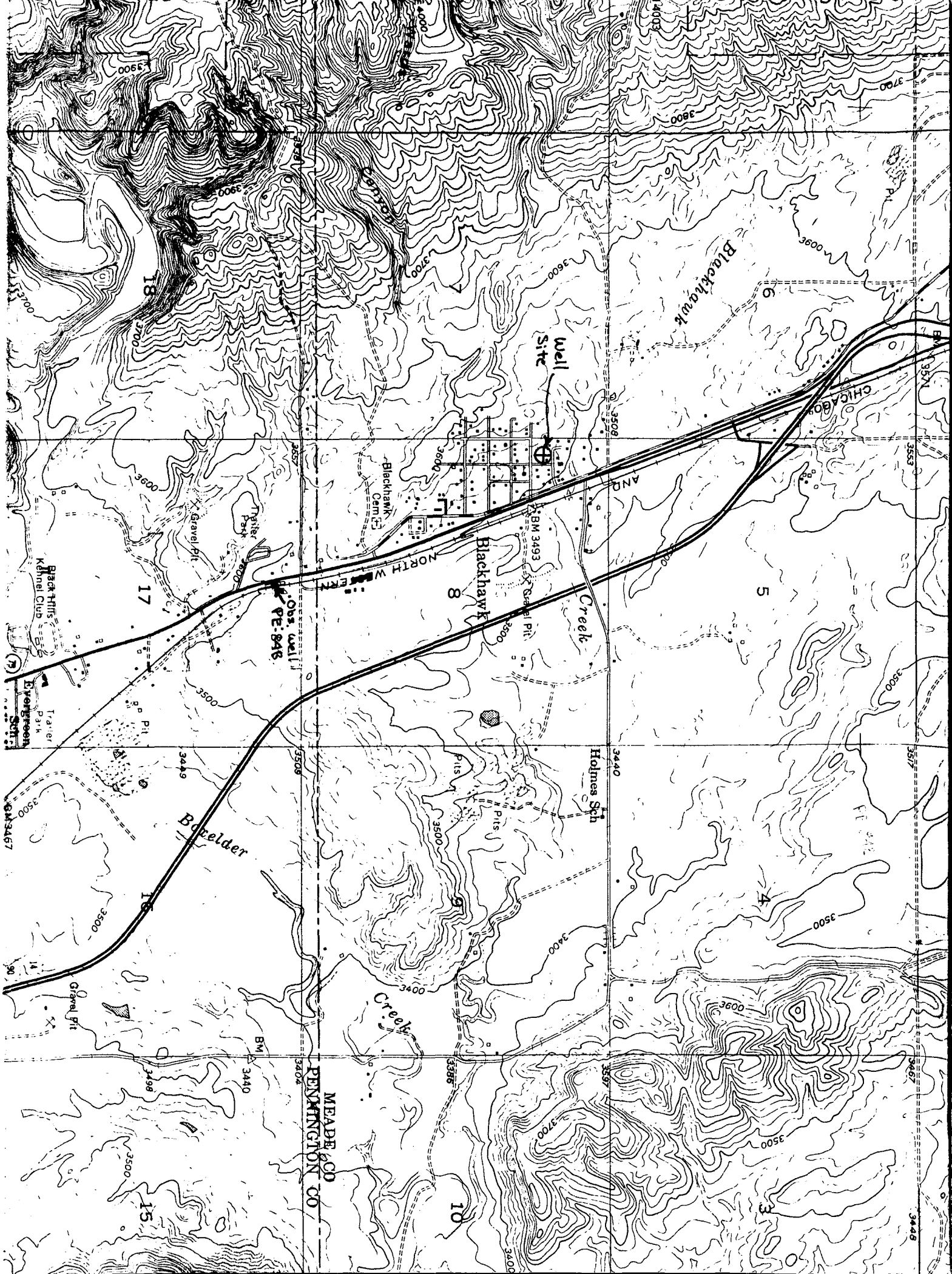
Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>1341-1</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
Chief Engineer JOHN HATCH (MS)

Black Hawk Water Co, Inc.

1440'





Anticipated log of the proposed well for the Black Hawk Water Co.

0 - 100 ft.	Spearfish
100' - 140'	Minnekahta
140' - 280'	Opeche
280' - 820'	Minnelusa
820' - 1120'	Madison

Information obtained from Randy Taylor, Taylor Drilling Co. 8-13-85

Kevin C. Larson

RECEIPT

Division of Water Rights

No 410150

South Dakota Department of Water and Natural Resources

Pierre, August 8, 1985

RECEIVED OF Black Hawk Water Co., Inc. Box 476, Black Hawk, SD 57718

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

Fee for Application for Permit No. <u>1341-1-</u> to Appropriate Water, to construct works and to put water to beneficial use	425	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	425 00

By

Chief Engineer

JOHN HATCH/ms

Water Rights Division
605 773-3352

August 6, 1985

Black Hawk Water Co. Inc.
Box 476
Black Hawk SD 57718

Mr. Hall:

Thank you for receipt of your application to appropriate 1.5 cfs from the Madison Formation. I am returning your check for \$450 as the filing fee for this application is \$425. The fee is calculated as follows:

$$1.5 \text{ cfs} \times 1.9835 \frac{\text{acre feet-day}}{\text{cfs}} \times 365 \text{ days} = 1,086 \text{ acre feet/year}$$

Upon receipt of the fee we will continue processing your application. If you have any further questions, please contact our office.

Thank you,

KEVIN C LARSON
Natural Resources Engineer

KCL:ks

enclosure

REPORT ON BLACK HAWK WATER COMPANY

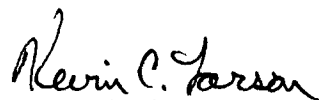
Application No. 1341-1

August 21, 1985

Water Permit Application No. 1341-1 is to appropriate 1.5 cubic feet per second from one Madison formation well. The proposed well will be approximately 1120 feet deep and will be located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8, T2N, R7E. The water will be supplied to customers of the Black Hawk Water Company.

The Madison Limestone is a massive light colored limestone dolomitic in part and cavernous in the upper part. The Madison is a very productive aquifer due largely to the presence of well developed secondary porosity through solution channels and caverns (Woodward & Clyde 1981). The Madison formation underlies about 2.2 million acres of Meade county and contains an estimated 83 million acre feet of recoverable water (Allen etal 1984). The Madison formation should be between 300-400 feet thick in this area and the completed well should have a static water level below ground surface (est. 50-70 ft.). There are no water permits on file that withdraw water from the Madison or the overlying Minnelusa formation. The nearest observation well monitoring the Madison formation is located in Rapid City about 10 miles southeast of Black Hawk (PE-65A). Continuous pressure readings on file indicate no significant fluctuations (60 psi) for the period of record. It is widely accepted that water from the Madison and Minnelusa intermingle at least in the outcrop area, but observation well pressure readings (PE-65A, PE-64A, PE-64B) from both formations indicate the pressure in the Madison to be 20 psi higher than the Minnelusa. The leakage of water between the two formations has not been quantified at this time. However, there is no data to indicate the amount of water requested will adversely effect wells completed into the Minnelusa.

- Conclusions:
1. Water is available from the Madison formation for this application.
 2. The completed well should not flow at ground surface.
 3. There are no Madison wells in the area and there should not be any interference with existing adequate Minnelusa wells.



Kevin C. Larson
Natural Resources Engineer

References:

- Allen, Johnette, etal: Analysis of Groundwater and Streamflow Data Western Dakota Region of South Dakota, D.W.N.R., Geological Survey, Vermillion, SD, 1984.
- Goodman, James A.: Report on Water Permit Application No. 1832-2 and 1833-2, DWR, Water Rights Division, Pierre, SD, 1983
- Water Rights Division: "Water Permit and Well Log Files", DWR, Division of Water Rights, Pierre, SD, 1985

RECOMMENDTION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION NO. 1341-1

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. 1341-1, Black Hawk Water Company, Box 476, Black Hawk, South Dakota.

The chief Engineer is recommending APPROVAL of Application No. 1341-1 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:

1. The construction of the proposed Madison Formation well shall include pressure grouting with cement (bottom to top) of the casing above the water producing formation and compliance with Board well construction rules, Chapter 74:02:04 which are effective September 29, 1985.
2. 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.
3. If existing well No. 1 is abandoned after construction of the new well, it shall be plugged with neat cement (bottom to top) according to Board Rules Chapter 74:02:04.

See attached report for additional information.



JOHN HATCH, Chief Engineer
August 28, 1985

No. 1341-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Meade) ss.

I, Jackie Allison he

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

Water was taken from the Meade County Times

A newspaper which during the whole time of publication of said no
herein after stated, has been and is printed and published in the

City of Sturgis

County of Meade and State of South Dak
that the said notice was published in said newspaper on the follow
two dates:

September 4, 1985

September 11, 1985

(Signature)

Billing Clerk

(Title)

September 4, 1985

(Date Signed)

Cost of Printing: \$40.61

NOTICE OF HEARING ON
APPLICATION NO. 1341-1 TO
APPROPRIATE WATER

Notice is hereby given that Black Hawk Water Co. Inc. whose mailing address is Box 476, Black Hawk, South Dakota has made an application for a permit to appropriate 1.5 cubic feet per second from one well approximately 1120 feet deep (Madison formation). The well will be located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8 T2N-R7E. Water will be for Rural Water System use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends approval of Application No. 1341-1 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 of 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-



46-24-1 thru 46-24-11, 46-24-12, 46-24-13, 46-24-14, 46-24-15, 46-24-16, 46-24-17, 46-24-18, 46-24-19, 46-24-20, 46-24-21, 46-24-22, 46-24-23, 46-24-24, 46-24-25, 46-24-26, 46-24-27, 46-24-28, 46-24-29, 46-24-30, 46-24-31, 46-24-32, 46-24-33, 46-24-34, 46-24-35, 46-24-36, 46-24-37, 46-24-38, 46-24-39, 46-24-40, 46-24-41, 46-24-42, 46-24-43, 46-24-44, 46-24-45, 46-24-46, 46-24-47, 46-24-48, 46-24-49, 46-24-50, 46-24-51, 46-24-52, 46-24-53, 46-24-54, 46-24-55, 46-24-56, 46-24-57, 46-24-58, 46-24-59, 46-24-60, 46-24-61, 46-24-62, 46-24-63, 46-24-64, 46-24-65, 46-24-66, 46-24-67, 46-24-68, 46-24-69, 46-24-70, 46-24-71, 46-24-72, 46-24-73, 46-24-74, 46-24-75, 46-24-76, 46-24-77, 46-24-78, 46-24-79, 46-24-80, 46-24-81, 46-24-82, 46-24-83, 46-24-84, 46-24-85, 46-24-86, 46-24-87, 46-24-88, 46-24-89, 46-24-90, 46-24-91, 46-24-92, 46-24-93, 46-24-94, 46-24-95, 46-24-96, 46-24-97, 46-24-98, 46-24-99, 46-24-100.

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, DWR, 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.

Times-Tribune
 October 4 & 11, 1985

No. 1341-1

Instruction to Newspaper - Publish first publication of the following Notice on or before September 4, 1985 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1341-1 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that Black Hawk Water Co., Inc. whose mailing address is
Box 476, Black Hawk, South Dakota has made an application for a permit

to appropriate 1.5 cubic feet per second from one well approximately 1120 feet deep (Madison formation). The well will be located in the NW1/4 Section 8 T2N-R7E. Water will be for Rural Water System use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends **APPROVAL** of Application No. 1341-1 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 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.

Rapid City, So. Dak.
Sept. 6, 1985 .

Dear Sir:

I note that in the Meade Co. times, There is an application for a well in Black Hawk. It says is beneficial use of water, and is in the Public Interest. for appropriation of Water. I own Lots D and E, SE $\frac{1}{2}$ SW $\frac{1}{2}$ Sec. 8 T2N of Range 7 East of BHM-The application's description is: NW $\frac{1}{2}$ NW $\frac{1}{2}$ S. 8 T. 2N R. 7E. Water will be used for Rural Water System use. Would I be permitted to hook onto this water? If so, how much would it cost? and if so, What would be the Minimum Water rate Per month? Charged for the use of this water? Maybe you also would mail me a copy of the Chief Engineer's recommendation. I would not oppose this application, but would like to hook onto it if feasible., as these lots are in Black Hawk.

Thankyou,

Mrs. Ruth Ackerman

P.O. Box 9323

Rapid City, 57709, S.D.





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

NOV 19 1985

BlackHawk Water Co.
Box 476
Black Hawk SD 57718

Dear Sir:

Enclosed herewith is your Water Permit No. 1341-1 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. ~~1341-1~~.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure

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

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

WNR-809-5/83



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1341-1

November 21, 1988

Black Hawk Water Company
Box 476
Black Hawk, South Dakota 57718

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. 1341-1 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.

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 Black Hawk
Water Company Inc. of Box 476, Black Hawk, S.D. 57718 holder of
Permit No. 1341-1, bearing the priority of August 5 19 85 authorizing
the diversion of 1.5 cu. ft. per second of the waters of groundwater- Madison well
for rural water system 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, 520 gallons per minute capacity.

A submersible motor, 75 horse power.

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

4 inch polyvinyl chloride (PVC) line, 300 feet long from the pump house
to the first place of use.

C. Works used to apply water to beneficial use:

Domestic and municipal use.

The system is in the following condition ExcellentThe point of diversion is located approximately 315 feet east, 1100 feet south from
the Northwest corner of Section 8, T2N-R7E (NW1/4 NW1/4).The works are capable of diverting and conveying to the place of use 1.15
cu. ft. per second of water which is to be used for rural water system, also for Town of Black HawkWater has been put to beneficial use to the maximum extent as follows: Water is supplied to the Town of Black Hawk and also for the Black
Hawk Water Company customers.comprising a total of NA acres of land and the license should be issued for 1.15 cfsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: Date 9/14/88
MShad

LICENSE FOR PERMIT NUMBER 1341-1

1. Legal location of wells: NW1/4 NW1/4 Section 8, T2N-R7E

dams & structures: NA

2. Well Information: Well Drilling Firm Taylor Drilling Company

No. of wells 1 Depth 1180 feet

Casing a) diameter 8 inches
b) length 948 feet
c) type steel

Screen a) type none used

b) length _____

Static Water Level 20 feet

Pump a) make Submersible
b) model _____
c) size _____
d) capacity 520 GPM
e) turbine pump
no. of stages _____

Motor a) make Submersible

b) model no. _____

c) horsepower rating 75

d) motor efficiency rating _____

3. Distribution lines:

a) size of lines 4 inches

b) type PVC

c) length 300 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

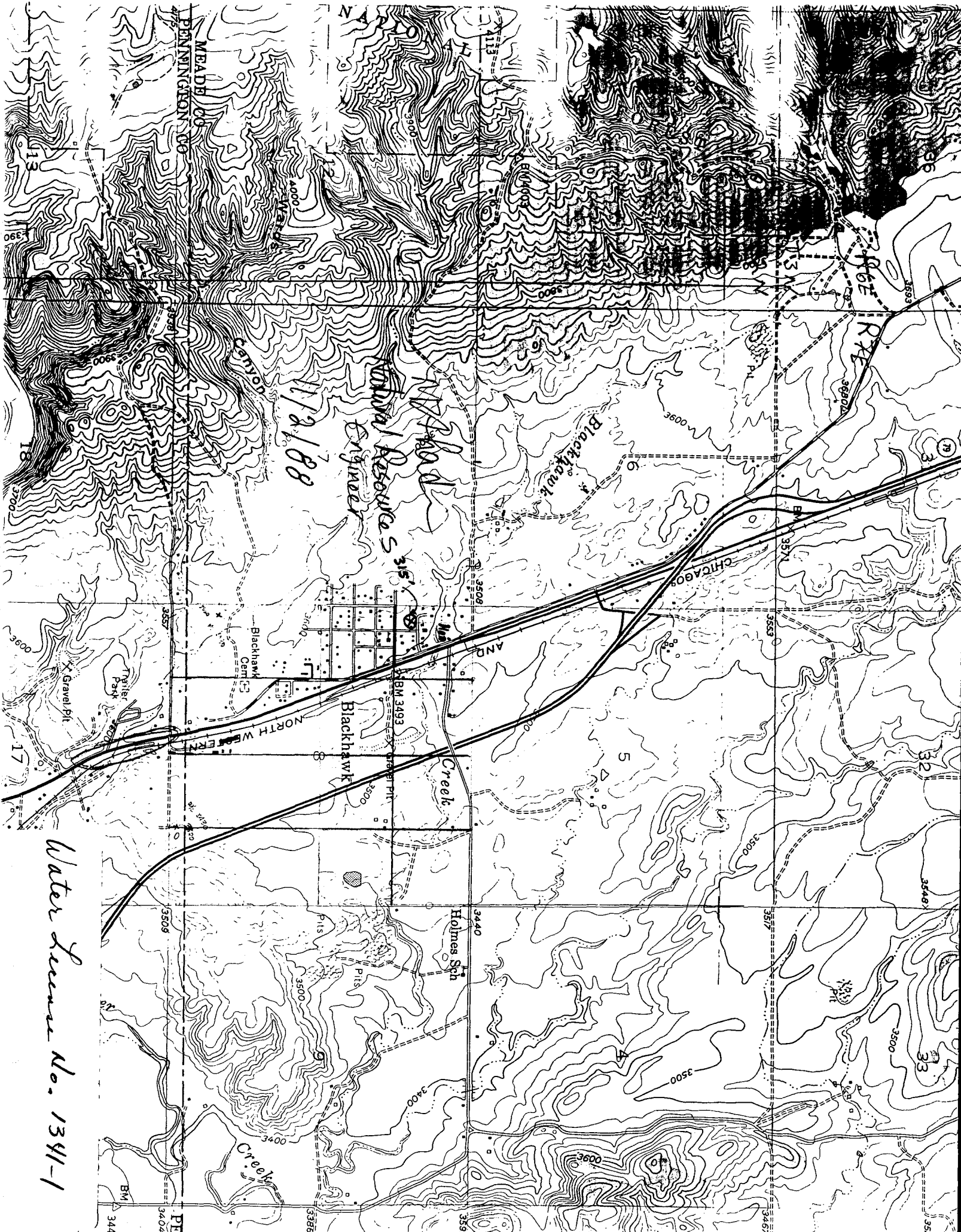
- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

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: The pump may have a capacity more than what is reported.

However, according to Albert Rieger, Black Hawk's water man, 520 gallons per minute is all they had been pumping since the well was constructed.



Water License No. 1341-1

State of South Dakota
Water License No. 1341-1

(1) Black Hawk Water Company, Inc.
of Box 476, Black Hawk, South Dakota 57718
made Application No. 1341-1, August 5, 1985 for a water permit to appropriate
1.5 cubic feet per second of water from groundwater (one well),
Meade County, South Dakota for rural water system purposes.
Permit No. 1341-1, with a priority date of August 5, 1985
was approved October 16, 1985 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before October 16, 1990 and for the application to beneficial use of said
water on or before October 16, 1994.

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 1.15 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is approximately 315 feet East and 1100 feet
South of the NW Corner of Section 8, T2N, R7E (NW $\frac{1}{4}$ NW $\frac{1}{4}$)

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,~~ through the Water Company's distribution system.

(4) Pursuant to §46-5-30.1 Black Hawk Water Company, Inc.
of Box 476, Black Hawk, South Dakota 57718
the holder(s) and/or owner(s) of Water Permit No. 1341-1 is issued a license to appropriate water, the right to use 1.15 cubic feet per second of water from groundwater (one well) with a priority date of August 5, 1985 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 rural water system use

This license is subject to any limitations or qualifications listed in Water Permit No. 1341-1 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

1341-1

Black Hawk Water Company
Box 476
Black Hawk, SD 57718

Dear Sirs:

Enclosed is Water License No. 1341-1. This is the final water right document completing your process of obtaining a Water Right. Also enclosed is Receipt No. 411524 in the amount of \$50.00 which you paid for the inspection and issuance of the 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. 1341-1, 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 ENVIRONMENT
and NATURAL RESOURCES**

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

May 1, 1996

1341-1
1801A-2
1801B-2

Black Hawk Water Co
PO Box 476
Black Hawk, SD 57718-0476

Attention: Cindy

Dear Cindy:

Enclosed, as you requested, are "Notice of Transfer of Ownership" forms for use in transferring Water Right Nos. 1341-1, 1801B-2, and Vested Water Right No. 1801A-2 to the Black Hawk Water Users District.

Please review the forms for accuracy and complete as needed. They will need to be signed in the presence of a notary public, by the new owner (representative of the newly formed water user district). Upon completion, please return the forms to our office with a required filing fee of \$2.50 each (\$7.50 total).

I am enclosing a copy of Water License No. 1341-1 and the report of examination of works. You indicated you had never received any papers for No. 1341-1. You may keep these copies for your files. If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures

RECEIPT

414959

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ May 13, 19 96

RECEIVED OF Black Hawk Water Co., Inc., P.O. Box 476, Black Hawk, SD 57718

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right No. 1341-1</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 1341-1

Date: 5-8-96

I/We request that Water Right No. **1341-1**

formerly owned by: **Black Hawk Water Company, Inc.**

be transferred to: (name & address) Black Hawk Water User District

5513 Oak St P.O. Box 476 Black Hawk SD 57718 Telephone No. 605 787-5777

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

Madison well + well #1
diversion point location: NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8, T2N, R7E Lots 2, 3, 4 in block 3 Town of Black Hawk

I/We understand that the validity of Water Right No. **1341-1** 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 attached to cover the filing fees as required under SDCL 46-2-13.

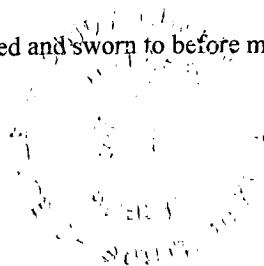
STATE OF SOUTH DAKOTA)

County of Meade)

I/We Brian Peterson being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Brian C Peterson
(Signed)

Subscribed and sworn to before me this 8th day of May, 19 96.



Gundy Lunden
(Notary Public)
my commission expires 4-5-99

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. 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**

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

May 13, 1996

1341-1

1801A-2

1801B-2

1802-2

Cindy Lundin
Black Hawk Water Co
PO Box 476
Black Hawk, SD 57718-0476

Dear Cindy:

This will acknowledge receipt of the "Notice of Transfer of Ownership" forms you submitted for transferring Water Right Nos. 1341-1, 1801B-2 and Vested Water Right No. 1801A-2 to the Black Hawk Water Users District. The transfers have been completed. Enclosed are Receipt Nos. 414959, 414960 and 414961 in the amount of \$2.50 each which you paid for filing fees.

Upon reviewing the transfer forms you submitted and noting the legal description change you made, I realized I should have also sent you a transfer of ownership form for Water Permit No. 1802-2. Water Permit No. 1802-2, listed in the name of the Black Hawk Water Company, Inc. authorizes a 340' deep well located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 6, T2N, R7E.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. The form will need to be signed in the presence of a notary public, by the new owner (representative of the newly formed water user district). Upon completion, please return the form to our office with a required filing fee of \$2.50 each.

I apologize for not including the form for 1802-2 in my initial correspondence. If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures