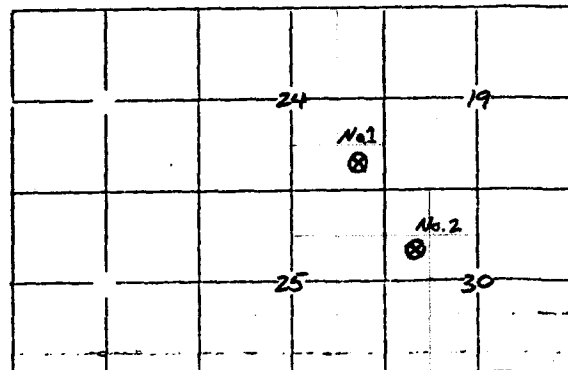


Considered: _____

WATER PERMIT NO. 1373-1MAP No. sameName of Applicant Eastridge Acres Development Association, Inc.Post Office Address Piedmont Rt, Box 483, Piedmont, SD 57769Amount of Water Claimed 0.09 cfs Total Acres NASource of Water Supply ground water 2 wellsWater to be used for Suburban Housing County MeadeAbout 2 miles NW of Black HawkPROOF OF PUBLICATION: Received ☒ Not Received ☐APPLICATION: Approved 3/4/87 Subject to _____

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

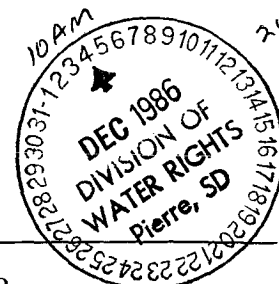
PRIORITY _____ Date Received Dec. 4, 1986 Fee 50⁰⁰ Remarks _____12/4/86Corrected Application Received _____ Period of Annual Use Jan 1 - Dec 31WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)WI-1 Description same as Application YES ☐ NO ☐ REMARKS _____Diversion Point well No. 1: SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 24 -T3N-R6E; well No. 2: SW $\frac{1}{4}$ NW $\frac{1}{4}$ section 30 -T3N-R7ELand to be Irrigated NAWell Log: Driller Taylor Drilling Licensed YES ☐ NO ☐Depth of Well 1542 ft 1600 ft REMARKS _____Type of Map plat PREPARED BY Ray M. Fraley Reviewed and the Numberassigned on December 29, 1986 By Ron Duvall

No. 1373-1 Hydrologic Unit 1012011
 Map No. same Basin Upper Cheyenne
 Newspaper Meade Co. Times Tr. Sturgis, Box 69 (weel)

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 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 Eastridge Acres Development Association, Inc. Phone No. 287-5261
Piedmont Route, Box 483 344 7189
 Post Office Address Piedmont, South Dakota State 57769
 (Street, RR or Box) Zip Code

2. Amount of water claimed (c.f.s.) 0.090 cubic feet/sec.3. Source of water supply Two wells

4. Location of point of diversion Well #1: SE 1/4, SE 1/4, Section 24, T3N, R6E, BHM
Well #2: SW 1/4, NW 1/4, Section 30, T3N, R7E, BHM

(See enclosed map)County Meade5. Counties where water will be used Meade County6. Annual period during which water is to be used Continuously all year Jan. 1-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)
 This water system (owned & operated by the Eastridge Acres Development Association, Inc.) consists of two wells, two 20,000 gal. storage tanks, and the necessary distribution lines. The system provides domestic-use water for 27 families at the present time plus the legal obligation to serve an additional ~~48~~ families or lots, in the future.

58

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 Meade)^{ss}

I, Eastridge Acres Develop. Assoc., Inc. R.W. Powles 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 W. Powles
 R. W. Powles

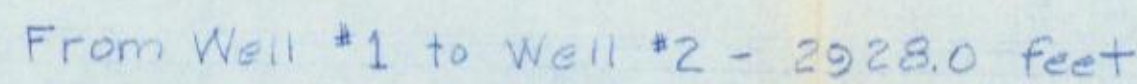
Subscribed and sworn to before me this 25th day of November 19 86

Notary Public (or other qualified officer)

140

MAP SHOWING

LYING IN PORTIONS OF SECTIONS 24 & 25, T3N,
R6E, E1M, AND SECTION 30, T3N, R7E, E1M,
MEADE COUNTY, SOUTH DAKOTA.

SW $\frac{1}{4}$ NW $\frac{1}{4}$

Drawn by Ray M. Fraley
Registered Professional Engineer



Appl. No. 1373-1

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 1373-1
Eastridge Acres Development Assn, Inc. Piedmont Route, Box 483
(Applicant) (Post Office Address)
SD 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 December 4, 19 86.
 Date of return to applicant for correction, amendments or changes required _____, 19____.
 Date of receipt of corrected application _____, 19____. Approved March 4, 19 87.

The Water Management Board hereby approves this Water Permit No. 1373-1 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 December 4, 19 86.
2. The equivalent of at least one-fifth of the specified work is to be completed on or before August 4, 19 89.
3. The whole of said work is to be completed on or before March 4, 19 92.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is March 4, 19 96.
5. The water appropriated shall be used for the purpose of supplying a suburban housing development
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 0.09 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 suburban housing development on or before March 4, 19 95; said water to be used during the following described annual period: Jan 1 - Dec 31

WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer

Division of Water Rights
 Dept. of Water and Natural Resources

APR 30 1987

_____, 19____

Supplemental Information

(type or print in ink)

Well #1
Eastridge Acres
Black Hawk, S.D.

1. Well Information - Proposed construction

- a) Drill Hole Diameter 6 1/4 in. Depth 1,542 ft.
- b) Casing Type steel Diameter 5 1/2 in. Thickness 0.250 in.
- c) Screen Type none Diameter -- Thickness --
- d) Gravel Pack Thickness none Length of Gravel Pack --
- e) Depth to Top of Water Bearing Material 1,533 ft.
- f) Depth of Water (ground surface to water level) 400 ft.
- g) Distance to nearest existing domestic well:
On applicants property 2,928 ft. On property owned by others 2,550 ft.

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

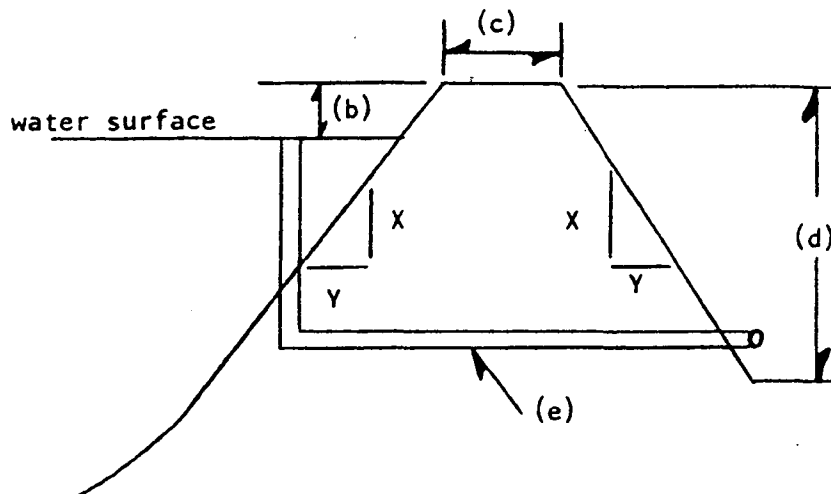
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Robert W. Park
Signature of Applicant

Supplemental Information

Well #2

(type or print in ink)

Eastridge Acres
Black Hawk, S.D.

1. Well Information - Proposed construction

- a) Drill Hole Diameter 6 1/4 in. Depth 1,600 ft.
- b) Casing Type steel Diameter 5 1/2 in. Thickness 0.250 in.
- c) Screen Type none Diameter -- Thickness --
- d) Gravel Pack Thickness none Length of Gravel Pack --
- e) Depth to Top of Water Bearing Material 1,519 ft.
- f) Depth of Water (ground surface to water level) 440 ft.
- g) Distance to nearest existing domestic well:
On applicants property 2,928 ft. On property owned by others 1,880 ft.

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 _____

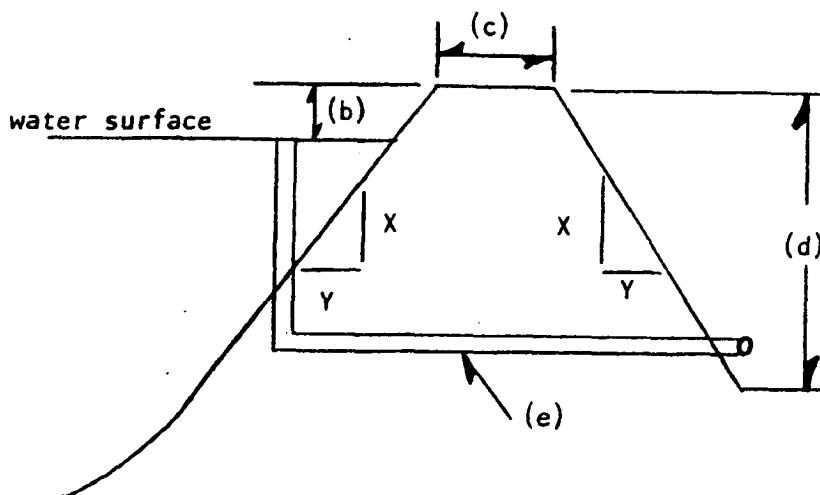
f) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Robert W. Fowler
Signature of Applicant

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410636

Pierre, December 4, 1986

RECEIVED OF Eastridge Acres Development Asso., Inc., Piedmont Rt., Box 483, Piedmont SD
the following amount in fees for services rendered as provided for by law: 57769

Fee for Application for Permit No. <u>1373-1</u> 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 



Estridge Acres Development Association, Inc.
6602 Estridge Road
Blackhawk, SD. 57718

20 July 1987

Department of Water & Natural Resources
Water Rights Division
Foss Building
Pierre, SD 57501

This letter covers two subjects: (1) our water rights application and (2) a change of address.

The water rights application (#1373-1) for Estridge Acres was submitted to your office in November, 1986. The hearing was scheduled for 4 March 1987. I would like to have a brief status report on the application for use at this Association's next membership meeting.

The new official address for the Association is:

Estridge Acres Development Association, Inc.
6602 Estridge Road
Blackhawk, SD. 57718

All future correspondence should be sent to that address.

Thank you,

Ernest F. Dieck,
President.

Eastridge Acres
Black Hawk, S.D.

QUAAL, TRUMAN

1

8-16-72

6E-3N-24, 3 miles S of Piedmont & E of 190 1 mile

Total Depth 1542'

Static 400'

1401' 5 1/2" O.D. Casing

60 GPM

0-5 yellow shale
5-62 yellow sandstone
62-96 black Shale (Fuson)
96-125 white sandstone (Lakota)
125-240 gray, red and maroon shale (Morrison)
240-275 white sandstone (unkpapa)
275-590 gray-green shale and limestone
590-660 brown white and red shale & siltstone
660-720 gray-green shale & lime
720-1217 hard red and brown shale & gyp (Spearfish)
1217-1263 white gray & buff limestone (Minnekahta)
1263-1377 purple to red shale
1377-1385 red sandstone
1385-1400 white limestone
1400-1419 pink limestone } *harder*
OVER

1400-1419 pink limestone
1419-1429 pink and orange shale
1427-1436 yellow and buff limestone
1436-1442 red shale
1442-1452 red sandstone
1452-1477 buff limestone
1477-1484 coarse red sandstone
1484-1496 white limestone
1496-1511 white coarse sandstone
1511-1522 buff and white limestone
1522-1528 red siltsone
1528-1537 gray limestone
1533-1542 loose red sandstone
1542 lost circulation (Water)

Mailing Address

TAYLOR DRILLING CO.
P.O. Box 7738
Rapid City, S.D. 57709

Meredith J. Taylor, Sec - Treas.

Total Depth 1600'	Static 440'
1298' 5½" O.D. Casing	120 GPM @ 800'
183' 4½" Casing	100 GPM @ 700'
open hole 131'	45 GPM @ 580'

0-160	multicolored sandstone & shale
160-220	green and gray waxy shale
220-300	white and red tight sandstone
300-380	fine yellow sandstone
380-600	hard green sandstone and shale
600-680	shaly red sandstone
680-755	green shale w/white sandstone
755-760	red sandstone
760-785	hard white sandstone
785-1235	red shale and siltstone
1235-1280	limestone No Return
1280-1297	shale " "

OVER

1297-1395	red siltstone
1395-1400	red sandstone
1400-1425	pink purple limestone
1425-1433	red shaly limestone
1435-1465	purple and white limestone
1465-1471	rese sandstone
1471-1519	purple and white limestone
1519-1535	pink sandstone
1535-1545	white limestone
1545-1575	pink and white sandstone
1575-1580	white limestone
1580-1595	broken sandstone
1595-1600	red limestone

produce sand above 45 GPM also trace of sand @ 45 GPM
larger amount of sand when blow off static head

Mailing Address

TAYLOR DRILLING CO.
P.O. Box 7738
Rapid City, S.D. 57709

Murdick J. Taylor, Sec.-Treas.

Eastridge Acres Development
Association, Inc.
Piedmont Route, P.O. Box 483
Piedmont, S.D.
57769
November 19, 1986

Water Rights Division
DWNR, Foss Building
Pierre, S. D.
57501

Attn: Mr. Ron Duvall

Dear Mr. Duvall:

As requested in your letter of July 8, 1986, a water-rights application is attached and includes the following:

- (1) Two notarized originals of your Form 2.
- (2) One original and one copy of your Form 2A for our well #1.
- (3) One original and one copy of your Form 2A for our well #2.
- (4) Two copies of our well log for well #1.
- (5) Two copies of our well log for well #2.
- (6) Two blue-line prints of the Eastridge Acres water system.
- (7) A \$50.00 check for the filing fee "to appropriate 0.10 cfs or less".

The amount of water claimed (0.090 cubic feet/sec.) on Line 2 of your Form 2 includes our current use and estimated future requirements.

The letter of July 8, 1986 also suggested that Eastridge Acres chlorinate the water supply and that radiological sample tests be run. The Eastridge Acres Development Association, Inc. members voted to not chlorinate the water, but to continue monthly bacteriological sample tests. The radiological tests are being done by Travis Labs in Rapid City and the results will be forwarded to your office by this lab.

Sincerely,

Ernest F. Diede

Ernest F. Diede, Pres.
Eastridge Acres Dev. Assoc., Inc.

EPD/ers
cc: Bob Powles
Eastridge Acres.
Gary Stephenson, Black Hills
Regional Office
36 E. Chicago St.
Rapid City, S.D., 57701



Report on Application No. 1373-1
Eastridge Acres Development Association, Inc.
December 31, 1986

Application No. 1373-1 proposes to appropriate 0.09 cubic feet of water per second from 2 wells, 1542 and 1600 feet deep located in the SE 1/4 SE 1/4 Section 24, T3N, R6E and SW 1/4 NW 1/4 Section 30, T3N, R7E. The water is for use by a suburban housing development.

Aquifer: Minnelusa Formation

Geology and Aquifer Characteristics

The Minnelusa Formation is a varied assemblage of sandstone, limestone, dolomite and shale approximately 550 feet thick in this area. Because the lithology of the Minnelusa is so variable, the porosity of the formation is also variable and difficult to determine. Well sorted sand lenses have porosities approaching 25%, but generally the sands have porosities of 10%. The average porosity of the Minnelusa is estimated to be 10% and the effective porosity is assumed to be 5% (Rahn, 1979). The Minnelusa Formation underlies approximately 2,172,800 acres of Meade County and contains an estimated 81,480,000 acre feet of recoverable water in storage within the county (Allen, et al., 1984).

The Minnelusa Formation is under artesian conditions in this area and received recharge through direct infiltration of precipitation falling on the outcrop. Recharge has not been quantified, however, Water Rights Division observation wells completed into the Minnelusa Formation in the area do not show a definite decline in the water level of the Minnelusa Aquifer.

The Division of Water Rights has record of several domestic wells in the area which may obtain their water supply from the same source.

Review of Existing Permits

The Division of Water Rights has record of seven existing water rights in the area, they include:

Permit

<u>#</u>	<u>Owner</u>	<u>Source</u>	<u>Use</u>	<u>Rate (cfs)</u>
1659-2	Sheridan Heights, Inc.	Minnelusa	SHD	0.26
1588-2	Wonderland Water Ass'n	Minnelusa	SHD	0.30
1620-2	Golden Meadow Water Ass'n	Minnelusa	SHD	0.11
1170-1	Niche Homeowners Ass'n Inc.	Minnelusa	SHD	0.11
0509-1	Stephen Micholla	Inyan Kara Spring	IRR & DOM	30 miners inches (0.6)
1334-1	Stage Stop Plaza	Minnelusa	COM	0.09
1907-2	Our Lady of the Black Hills Church	Minnelusa	COM	0.10

Conclusions

1. Permit No. 1373-1 proposed to appropriate 0.09 cfs from two Minnelusa Formation wells.
2. The well^s which supply this application have been in use for several years with no reported controversy.
3. Because the Minnelusa wells in this area are under artesian conditions interference is possible; however, the diversion rates are small and any effects would be minimal.
4. Observation wells in the area do not show a definite decline in the potentiometric surface of the Minnelusa Formation.
5. Water is available for appropriation from the Minnelusa Formation.
6. Domestic wells and senior permits are supplies^d by the same aquifer in the area.

Ken Buhler / ks
KEN BUHLER
Natural Resources Engineer

References

- Allen, J.C., D. L. Iles, A. K. Petres, 1984, Groundwater Resource Inventory Draft Final, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, US Army Corp of Engineers, DWNr, SDGS, Vermillion SD 57069.
- Division of Water Rights, 1986, "Domestic Well Files and Water Permit Files", DWNr, Water Rights Division, Joe Foss Building, Pierre SD 57501.
- Rahn, P. H., 1979, Groundwater Resources of Western South Dakota, U.S. Army Corps of Engineers, SDSM & T, Project #2533, Rapid City SD.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1373-1

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. 1373-1, Eastridge Acres Development Asso., Inc., Piedmont Rt, Box 483, Piedmont SD.

The Chief Engineer is recommending APPROVAL of Application No. 1373-1 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 qualification:

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

See the attached report for additional information.



JOHN HATCH, Chief Engineer
January 27, 1987



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

January 29, 1987

Meade County Times-Tribune
Box 69
Sturgis, South Dakota 57785

Dear Sir:

Enclosed is a Notice of Intent to Appropriate Water by Eastridge Acres Development Assoc., Inc.
Application No. 1373-1, in Meade County, South Dakota. Please publish this notice once each week for two consecutive weeks in your paper. The first publication should be on, or before February 4, 1987.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. The applicant is to pay the cost of publication and should make the necessary arrangements with you to pay these costs.

A copy of BOTH publications must be sent to the Water Rights Division. IMMEDIATELY after the FIRST publication, return a copy of the notice with the FIRST Publication Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made before the second notice is published.

Please be sure the SECOND publication is returned with the enclosed Proof of Publication form. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Thank you for your assistance.

Sincerely,

RON DUVALL
Natural Resources Engineer

cc: applicant

***** CUT HERE *****

FIRST
Publication
Transmittal

No. _____
TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter dated _____ and Notice of Hearing to Appropriate Water by Application No. _____. The notice was first published in our issue dated _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

NAME _____ NEWSPAPER _____

Equal Opportunity Employer



Department of Water & Natural Resources

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

Water Rights Division
(605) 773-3352

January 29, 1987

NOTE:

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

Eastridge Acres Development Assoc., Inc.
Piedmont Route, Box 483
Piedmont SD 57769

Dear Sir:

Your Application No. 1373-1 for a permit to appropriate water for
suburban housing use, has been examined and found to
comply with the South Dakota Water Laws and applicable rules. A notice of
your intent to appropriate water has been send to the Publisher of the

MEADE COUNTY TIMES-TRIBUNE

printed at Sturgis

South Dakota. For your information, a copy of this notice, the recommendation
of the Chief Engineer and a report on the application are enclosed. Please
review this notice prior to publication and notify this office, if you have
any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION
OF YOUR NOTICE OF INTENT TO APPROPRIATE WATER AND TO ARRANGE FOR PAYMENT.
Early contact with the paper can eliminate delays. The publisher has been
instructed to publish your notice once each week for two consecutive weeks
with the last publication to occur at least thirty days before the board
meeting. We must receive Proof of Publication before the application can be
considered by the Water Management Board.

Sincerely,

RON DUVAL
Natural Resources Engineer

enclosures

No. 1373-1

Instruction to Newspaper - Publish first publication of the following Notice on or before February 4, 1987 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1373-1 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that Eastridge Acres Development Association / Inc. whose mailing address is Piedmont Route, Box 483, Piedmont, South Dakota has made an application for a permit

to appropriate 0.09 cubic feet of water per second from 2 wells (Minnelusa Formation) 1,542 and 1600 feet deep located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24-T3N-R6E and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30-T3N-R7E. The water is for use by a suburban housing development.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1373-1 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 room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, March 4 19 87 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny 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 February 20, 1987. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons 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, 46-5-30.4, 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 February 20, 1987.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Meade) ss.

I, Sharon Allison hereby

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

Water was taken from the Black Hills Press and 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:

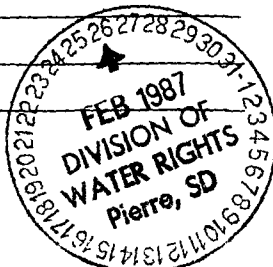
February 7, 1987 and February 11, 1987

Sharon Allison
(Signature)

Bookkeeper, Billing Clerk
(Title)

February 23, 1987
(Date Signed)

Cost of Printing: 47.07



**NOTICE OF INTENT
TO APPROPRIATE
WATER**

Notice is hereby given that Eastridge Acres Development Association, Inc. whose mailing address is Piedmont Route, Box 483, Piedmont, South Dakota has made an application for a permit to appropriate 0.09 cubic feet of water per second from 2 wells (Minnelusa Formation) 1,542 and 1,600 feet deep located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24-T3N-R6E and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30-T3N-R7E. The water is for use by a suburban housing development.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1373-1 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) it is in the public interest.

This application will be considered by the Water Management Board in Room 216, Joe Foss Bldg., 523 E. Capitol, Pierre, SD, March 4, 1987 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 1) approve, 2) approve with qualifications, 3) defer, or 4) deny 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 February 20, 1987. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons 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 46-1-12, 46-1-13, 46-2-1, 46-2-2, 46-2-11, 46-2-12, 46-2-17, 46-2-1 thru 46-2-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-5-1 thru 46-5-11, 46-5-12, 46-6-1, 46-6-10, 46-6-11, 46-6-12, 46-6-13, 46-6-14, 46-6-15, 46-6-16, 46-6-17, 46-6-18, 46-6-19, 46-6-20, 46-6-21, 46-6-22, 46-6-23, 46-6-24, 46-6-25, 46-6-26, 46-6-27, 46-6-28, 46-6-29, 46-6-30, 46-6-31, 46-6-32, 46-6-33, 46-6-34, 46-6-35, 46-6-36, 46-6-37, 46-6-38, 46-6-39, 46-6-40, 46-6-41, 46-6-42, 46-6-43, 46-6-44, 46-6-45, 46-6-46, 46-6-47, 46-6-48, 46-6-49, 46-6-50, 46-6-51, 46-6-52, 46-6-53, 46-6-54, 46-6-55, 46-6-56, 46-6-57, 46-6-58, 46-6-59, 46-6-60, 46-6-61, 46-6-62, 46-6-63, 46-6-64, 46-6-65, 46-6-66, 46-6-67, 46-6-68, 46-6-69, 46-6-70, 46-6-71, 46-6-72, 46-6-73, 46-6-74, 46-6-75, 46-6-76, 46-6-77, 46-6-78, 46-6-79, 46-6-80, 46-6-81, 46-6-82, 46-6-83, 46-6-84, 46-6-85, 46-6-86, 46-6-87, 46-6-88, 46-6-89, 46-6-90, 46-6-91, 46-6-92, 46-6-93, 46-6-94, 46-6-95, 46-6-96, 46-6-97, 46-6-98, 46-6-99, 46-6-100.

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 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 person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 20, 1987.

Publ Feb. 7 & 11, 1987
Black Hills Press &
Times-Tribune



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

APR 30 1987

Eastridge Acres Development Association, Inc.
Box 483, Piedmont Route
Piedmont, South Dakota 57769

Dear Sir:

Enclosed herewith is your Water Permit No. 1373-1 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. 1373-1.

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:ms

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.

Eastridge Acres Dev. Assoc., Inc.

Water Permit #1373-1

5 February 1988

Department of Water & Natural Resources

Water Rights Division

523 East Capitol St.

Pierre, South Dakota 57501

Attn: Chief Engineer

Enclosed is your Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, as requested in your letter of April 30, 1987. My apologies for the long delay to respond-Eastridge Acres can mislay things with the best.

You may schedule the inspection at your convenience.

If there are any questions contact either Mr. Robert Powles at 787-5261 or myself at 7874911.

Sincerely,

Ernest F. Diede

Ernest F. Diede, President

Eastridge Acres Dev. Assoc., Inc.



NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office Black Hawk, SD 57718

Date 5 February 1988

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

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to maximum extent it is going to be used, ⁽¹⁾ not exceeding the amounts as specified in Water Right No. 1373-1.

Water Right Permit No. 1373-1 states that the diversion system is to be constructed by 4 March 1992, and that the water is put to beneficial use by 4 March 1996.

The diversion system was completed on 27 Oct. 1976⁽²⁾. Applying the water to beneficial use was completed on 16 Aug. 1972⁽³⁾.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

(1) The Eastridge Acres subdivision is still growing (new houses being built) but we have not reached the max. rate specified in the permit; we may reach that rate by 1996.

(2) The second of two wells was completed this date.

(3) The first of two wells was completed this date and the first beneficial use was started.

WNR-810-7/79

Notice of Completion of Works and/or
Application of Water to Beneficial Use

Ernest F. Diede
(Signature)

Ernest F. Diede, President
Eastridge Acres Dev. Assoc., Inc.





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1373-1

May 25, 1988

Eastridge Acres Development Association, Inc.
6602 Eastridge Road
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. 1373-1 has been completed. Your final water right document, the Water License, can now be issued.

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

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

Sincerely,

Maxine Stirling
Secretary

ms/

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

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411239

Pierre, June 6, 19 88

RECEIVED OF Eastridge Acres Development Association, Inc., 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>1373-1</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 

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 Eastridge Acres
Development Association of 6602 Eastridge Rd., Black Hawk, S.D. holder of
Permit No. 1373-1, bearing the priority of December 4 1986 authorizing
the diversion of 0.09 cu. ft. per second of the waters of groundwater-Minnelusa wells
for Suburban housing purposes, in Meade County.

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

A. Works used to divert the water:

- 2 Jacussia submersible pumps- each 20 gallons per minute capacity.
- 2 Jacussia submersible motors- each 5 horse power.

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

- 1320 feet of Polyvinyl Chloride (PVC) 6 inches in diameter.
- 1320 feet of Polyvinyl Chloride (PVC) 3 inches in diameter.

C. Works used to apply water to beneficial use:

Water is used by approximately 50 houses for domestic use.

The system is in the following condition very good

The point of diversion is located Well #1: 808 feet north, 608 feet west from the Southeast corner
of Section 24, T3N-R6E. Well #2: 1644 feet south, 993 feet east from the Northwest corner
of Section 30, T3N-R7E.

The works are capable of diverting and conveying to the place of use 0.09
cu. ft. per second of water which is to be used for domestic use-suburban housing

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

The water distributed by the association is used by approximately 50 houses. The water is
used for domestic use including lawn watering and small non-commercial private gardens.

comprising a total of NA acres of land and the license should be issued for 0.09 cfsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: _____ Date 5/5/88MR Shadi
(signature)

LICENSE FOR PERMIT NUMBER 1373-1

1. Legal location of wells: SE1/4 SE1/4 Section 24, T3N-R6E (Well #1)

dams & structures: NA

2. Well Information: Well Drilling Firm Taylor Drilling Company

No. of wells 2 Depth 1542 feet

Casing a) diameter 5½ inches Screen a) type none used
b) length 1401 feet b) length _____
c) type steel Static Water Level 400 feet below surface

Pump a) make Jacussia Motor a) make Jacussia
b) model sumersible b) model no. submersible
c) size _____ c) horsepower rating 5
d) capacity 20 GPM d) motor efficiency rating _____
e) turbine pump
no. of stages _____

3. Distribution lines:

a) size of lines 3 inches (see remarks)
b) type Polyvinyl Chloride (PVC)
c) length 1320 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 _____

i) Outlet tubes:

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

h) Distribution lines or canals:

1) size _____
2) type _____
3) length _____

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.

X ___

2. Special Qualifications to permit being abided by.

X ___

3. All Structures, wells and lands on map.

REMARKS:

The water from Well #1 is pumped into a 20,000 gallons tank. It is then distributed through the main line, which is 1320 feet of 3 inch Polyvinyl Chloride (PVC), to the customers. The 3 and 6 inch main lines are attached by a valve.

LICENSE FOR PERMIT NUMBER 1373-1

1. Legal location of wells: SW1/4 NW1/4 Section 30, T3N-R7E (Well #2)

dams & structures: NA

2. Well Information: Well Drilling Firm Taylor Drilling Company

No. of wells 2 Depth 1680 feet

Casing a) diameter 5½ inches Screen a) type none used
b) length 1298 feet b) length _____
c) type steel Static Water Level 440 feet below surface

Pump a) make Jacussia Motor a) make Jacussia
b) model submersible b) model no. submersible
c) size _____ c) horsepower rating 5
d) capacity 20 GPM d) motor efficiency rating _____
e) turbine pump
no. of stages _____

3. Distribution lines:

a) size of lines 6 inches (see remarks)
b) type Polyvinyl Chloride (PVC)
c) length 1320 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) _____

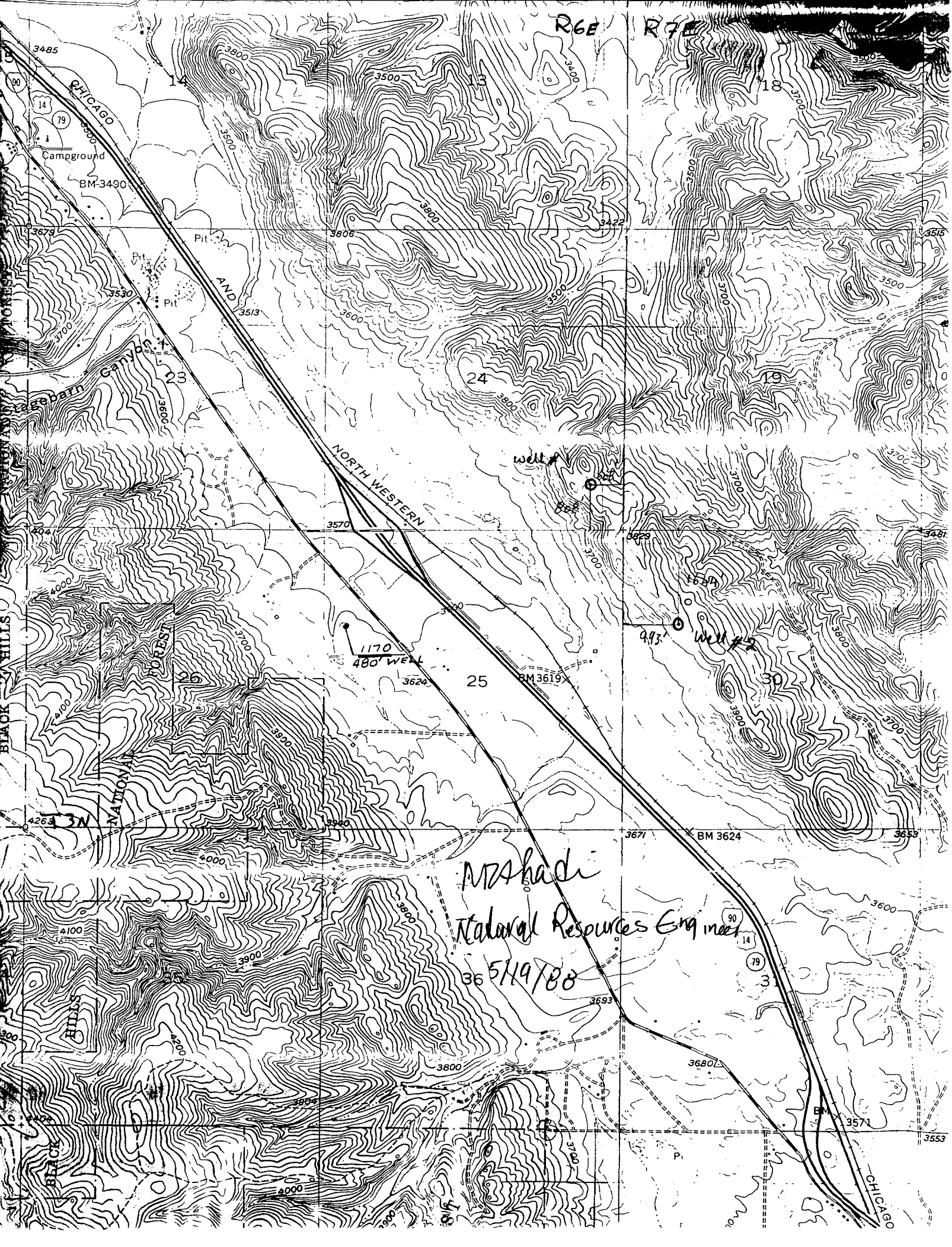
YES NO Check Items

____ NA ____ 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.

X ____ 2. Special Qualifications to permit being abided by.

X ____ 3. All Structures, wells and lands on map.

REMARKS: The water from the Well #2 is pumped to a 20,000 gallon tank. It is then distributed through the main line, which is 1320 feet of 6 inch Polyvinyl Chloride (PVC), to the customers.



R6E

R7E

3485

14

79

Campground

BM-3490

3679

Pit

3530

Pit

3513

3700

3696

3684

3671

3659

3647

3635

3624

3619

3607

3595

3583

3571

3559

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3451

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13

18

23

24

19

26

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21

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20

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28

19

18

29

NORTH WESTERN

1170
480' WELL

well #1

well #2

M4 hadi
Natural Resources Engineer

5/19/88

BLACK HILLS

NATONIA FOREST

BLACK HILLS

CHICAGO

State of South Dakota

Water License No. 1373-1

(1) Eastridge Acres Development Association, Inc.
of 6602 Eastridge Road, Black Hawk, South Dakota 57718
made Application No. 1373-1, December 4, 1986 for a water permit to appropriate
0.09 cubic feet per second of water from groundwater (two wells),
Meade County, South Dakota for Suburban Housing Development purposes.
Permit No. 1373-1, with a priority date of December 4, 1986
was approved March 4, 1987 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before March 4, 1992 and for the application to beneficial use of said
water on or before March 4, 1996.

and

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 0.09 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is are Well #1 - 808'N and 608'W from the
SE Corner of Section 24, T3N, R6E (SE $\frac{1}{4}$ SE $\frac{1}{4}$) and Well #2 - 1644'S and 993'E from the
NW Corner of Section 30, T3N, R7E (SW $\frac{1}{4}$ 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,~~ for Eastridge Acres Subdivision

(4) Pursuant to §46-5-30.1 Eastridge Acres Development Association, Inc.
of 6602 Eastridge Road, Black Hawk, South Dakota 57718
the holder(s) and/or owner(s) of Water Permit No. 1373-1 is issued a license to appropriate water, the right to use
0.09 cubic feet per second of water from groundwater (two wells) with a priority date
of December 4, 1986 from the location specified in (2) of this license. The water to be
conducted to and upon lands specified in (3) of this license for the purpose of suburban housing development

This license is subject to any limitations or qualifications listed in Water Permit No. 1373-1 and subject
to South Dakota State Law.


Chief Engineer, Water Rights Division
Department of Water and Natural Resources
MAR 10 1989

JOHN HATCH



Department of Water & Natural Resources

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

1373-1

MAR 10 1989

Eastridge Acres Development Association, Inc.
6602 Eastridge Road
Black Hawk, South Dakota 57718

Dear Sir:

Enclosed is Water License No. 1373-1. This is the final water right document completing your process of obtaining a Water Right.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1373-1, 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,

A handwritten signature in black ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

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

enclosures

