

Considered: _____

WATER PERMIT NO. 1442-1

MAP No. same 892-2266

Name of Applicant Grandview Property Owner's Water Association

Post Office Address 1236 Walworth, Belle Fourche SD 57717

Amount of Water Claimed 0.165 Total Acres NA

Source of Water Supply ground water 1 well

Water to be used for REC, DOM, SHD County Butte

About 4 miles W of Belle Fourche.

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received May 5, 1988 Fee \$150⁰⁰ Remarks _____

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

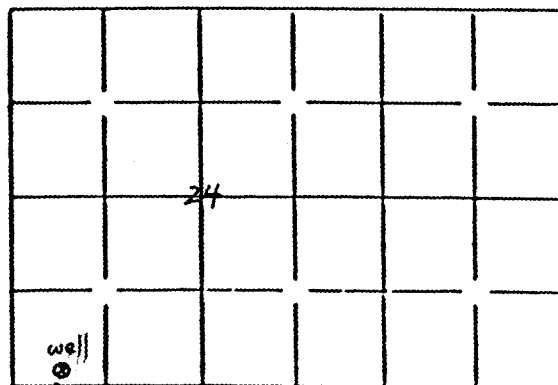
WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

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

Diversion Point well: SW 1/4 SW 1/4 section 24-

T8N-R1E

Land to be Irrigated NA



Well Log: Driller Graf Drilling Licensed YES ☒ NO ☐

Depth of Well 2060 feet REMARKS _____

Type of Map plat PREPARED BY Donald L. Eggs Reviewed and the Number

assigned on May 23, 1988 By Ron Jewell

**SOUTH DAKOTA
WATER PERMIT**

Date of first receipt of application May 5, 1988

Date of return to applicant for correction, amendments or changes required _____

Date of receipt of corrected application _____

The Water Management Board approved Water Permit Application No. 1442-1

on July 27, 1988 for Grandview Property Owner's Water Association
(Applicant)

1236 Walworth

(Street, RR or Box)

Belle Fourche,

(City)

South Dakota

(State)

57717

(Zip Code)

authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 1442-1 appropriates 0.165 cubic feet of water per second from one well (Madison formation) 2060 feet deep in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 24, T8N, R1E

2. The water appropriated shall be used for the purpose of supplying the Grandview Property Owner's Association

and may not exceed the amount of water needed for beneficial use for recreation, domestic & SHD

3. The water is to be used during the following described annual period: January 1 - December 31

4. The date from which applicant may claim the right is May 5, 1988

5. One-fifth of the construction is ~~to be~~ completed ~~on or before~~ _____

6. All construction is ~~to be~~ completed ~~on or before~~ _____

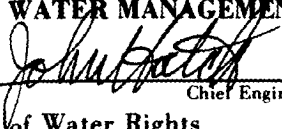
7. Water is ~~to be~~ put to beneficial use ~~on or before~~ _____

8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit will be valved and the flow reduced to the amount needed or to a minimum when not being used. The well shall also be equipped with a pressure gauge and a record kept of any pressure fluctuations. Such records shall be available to the Chief Engineer upon request.
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.

WATER MANAGEMENT BOARD

By: 
Chief Engineer

NOV 23 1988

Division of Water Rights
Dept. of Water and Natural Resources

No. 1442-1 Hydrologic Unit 10120203
 Map No. same Basin Belle Fourche R.
 Newspaper Belle Fourche Daily Post, 1004 5th Ave

Mail to: Water Rights Div.
 DWNR, Foss Bldg.
 Pierre, SD 57501
 (605) 773-3352

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 Grandview Property Owner's Water Association Phone No. (605) 892-2266
 Post Office Address 1236 Walworth, Belle Fourche, State South Dakota 57717
(Street, RR or Box) Zip Code
- Amount of water claimed (c.f.s.) ~~0.47~~ 0.165
- Source of water supply Minnelusa and Madison Formations 1 Well
- Location of point of diversion Lot 11 of Grandview Property Owner's Water Association, A Sub-
division of the SW $\frac{1}{4}$ of Section 24 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25 T8N, R1E.
B.H.M. (Well is in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 24-T8N-R1E) County Butte
- Counties where water will be used Butte
- Annual period during which water is to be used Throughout the year January 1 - December 31
- 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)

The well supplies domestic water needs of Grandview Property Owner's Water Association. There are at the present time three (3) households using the water. The subdivision has an additional 40 to 45 Lots for future expansion.

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 Butte ss

I, Clayland Pres 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 Clayland Pres

Subscribed and sworn to before me this 3rd day of May 1988

Mike Mc Mahon
 Notary Public (or other qualified officer)

Exhibit "A"

PLAT OF LOT R1, LOT R2 AND LOTS 1 THRU 34 OF GRANDVIEW SUBDIVISION
LOCATED IN THE SW $\frac{1}{4}$ OF SECTION 24 AND THE NE $\frac{1}{4}$ NW $\frac{1}{4}$ & E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 25
TOWNSHIP 8 NORTH, RANGE 1 EAST, BLACK HILLS MERIDIAN
BUTTE COUNTY, SOUTH DAKOTA

SUMMARY OF AREAS

Lots 1 thru 34: 116.42 Acres
Lot R1: 1.40
Lot R2: 5.01
122.83 Acres

RIGHT-OF-WAY CURVE DATA

PI	ANGLE	R	T	L
1	57°53'	420'	232.25'	424.31'
2	20°23'	800'	143.82'	284.61'
3	90°00'	300'	300.00'	471.24'
4	96°36'	360'	404.06'	606.96'

WATER SYSTEM

A central water distribution system will be provided. Water will be supplied from the existing well on Lot 11.

OFFICE OF THE REGISTER OF DEEDS

Filed for record this 24 day of April, 1984 at 2:00 o'clock Pm, M T and recorded in Plat Book 12 on Page 27a.

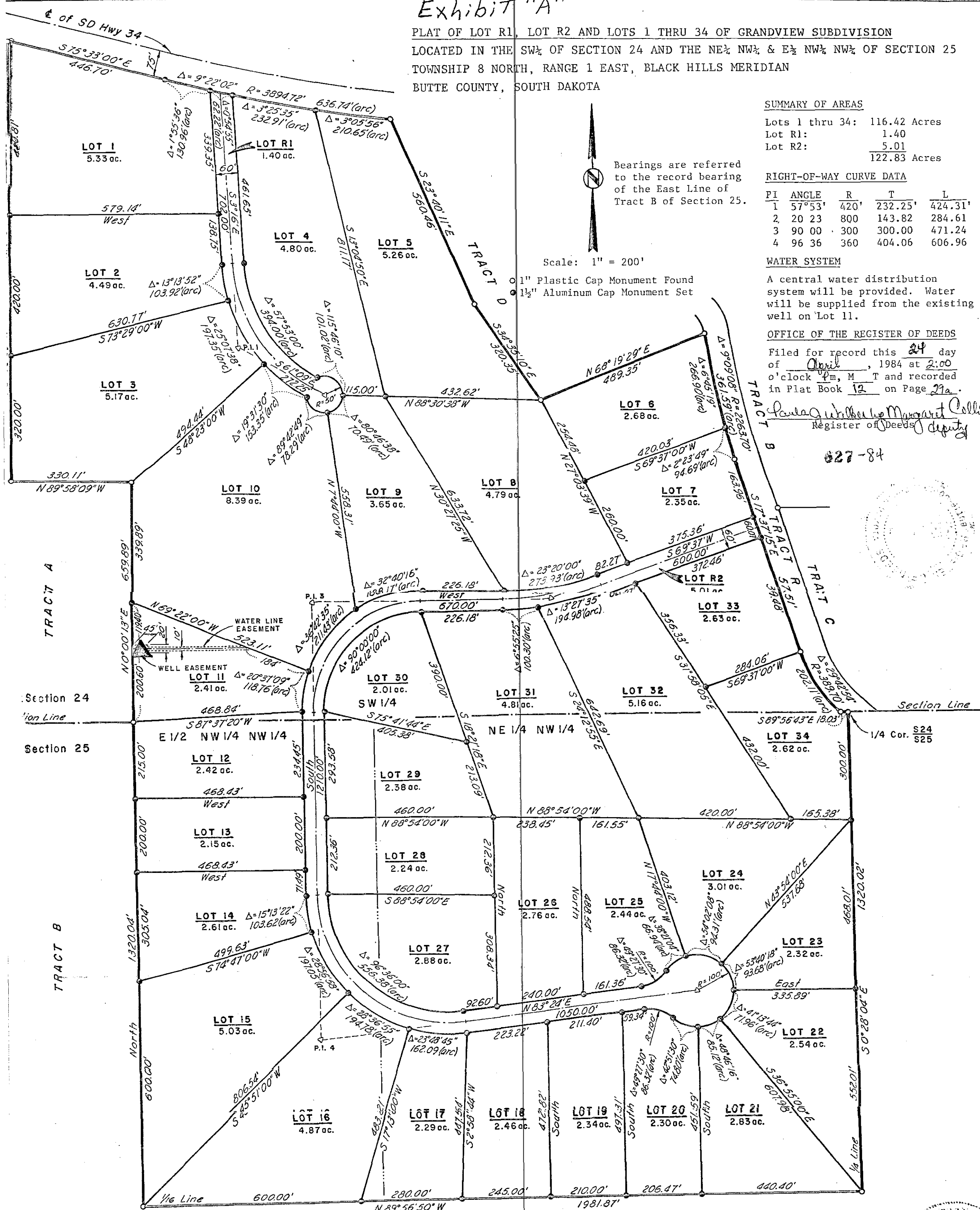
Paula G. Schaefer Margaret Collins
Register of Deeds Deputy

627-84

Bearings are referred to the record bearing of the East Line of Tract B of Section 25.

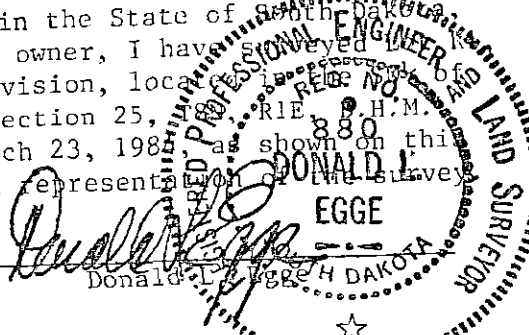
Scale: 1" = 200'

1" Plastic Cap Monument Found
1/2" Aluminum Cap Monument Set



CERTIFICATE OF SURVEYOR

I, Donald L. Egge, registered land surveyor in the State of South Dakota, do hereby certify that at the request of the owner, I have surveyed and platted Lot R2 and Lots 1 thru 34 of Grandview Subdivision, located in the SW $\frac{1}{4}$ of Section 24 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ & E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Butte County, South Dakota, on or before March 23, 1984, and that the plat is a true and correct representation of the survey.



State of South Dakota
County of Meade

On this 22 day of March, 1984, before me, a Notary Public, personally appeared Donald L. Egge known to me to be the person described in the foregoing certificate and acknowledged to me that he signed the same.

My commission expires 3-21-87 Margaret L. Wille
Notary Public

CERTIFICATE OF OWNER

I, John E. Apland, owner of the SW $\frac{1}{4}$ of Section 24 less Tracts A, R & D and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ & E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, T8N, R1E, B.H.M., Butte Co., South Dakota, certify that this plat was made at my request and under my direction for the purposes indicated thereon and that development of this land shall conform to all existing applicable zoning, subdivision and erosion and sediment control regulations. I dedicate Lots R1 & R2 to the public use and utility and reserve a strip of land 5 feet on each side of all interior lot lines and a strip of land 10 feet wide on the interior of all exterior boundary of Grandview Subdivision as easements for the installation, operation and maintenance of utilities. I also reserve the land designated in Lot 11 as Well Easement & Water Line Easement as utility easements.

John E. Apland
Owner

State of South Dakota
County of Butte

On this 26 day of March, 1984, before me, a Notary Public, personally appeared John E. Apland known to me to be the person described in the foregoing certificate and acknowledged to me that he signed the same.

My commission expires Mar 1, 1987 Lawrence Mc Mahon
Notary Public

CERTIFICATE OF TREASURER

I, Markus Fendrick, County Treasurer of Butte County, do hereby certify that all taxes which are liens upon the within described lands are fully paid according to the records of my office.

Dated this 2nd day of April, 1984.

Markus Fendrick
County Treasurer

APPROVAL OF THE COUNTY PLANNING COMMISSION

This plat is recommended for approval by the Butte County Planning Commission this 27 day of March, 1984.

John M. Esk
Chairman

APPROVAL OF ACCESS TO ADJUTING HIGHWAYS

I, Blair Schaefer, County Highway Dept. for the County of Butte do hereby approve the proposed access to the County Highway as shown on this plat.

Blair Schaefer
Butte County Highway Department

I, Albert G. Peterson, Aved Engineer for the State of South Dakota do hereby approve the proposed access to the State Highway as shown on this plat.

Albert G. Peterson
South Dakota Division of Highways

RESOLUTION OF THE GOVERNING BOARD

WHEREAS, the Butte County Planning Commission has recommended approval of this plat, and it has been reviewed by the Board of County Commissioners, Butte County, South Dakota, NOW THEREFORE BE IT RESOLVED, that this plat be and hereby is approved this 3 day of April, 1984.

Attest: Lawrence Mc Mahon Lawrence Mc Mahon
Auditor Chairman

OFFICE OF COUNTY DIRECTOR OF EQUALIZATION

I, Stanley J. Burns, County Director of Equalization, certify that I have received a copy of this plat.

Stanley J. Burns
County Director of Equalization

April 11, 1984 11-2-1

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 6½ inches Depth 2060
- b) Casing Type Steel Diameter 4 inches Thickness _____
- c) Screen Type N/A Diameter N/A Thickness N/A
- d) Gravel Pack Thickness N/A Length of Gravel Pack N/A
- e) Depth to Top of Water Bearing Material Approx 2060'
- f) Depth to Water (ground surface to water level) Approx 2060'
- g) Distance to nearest existing domestic well:
 On applicants property none On property owned by others ½ Mile

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) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

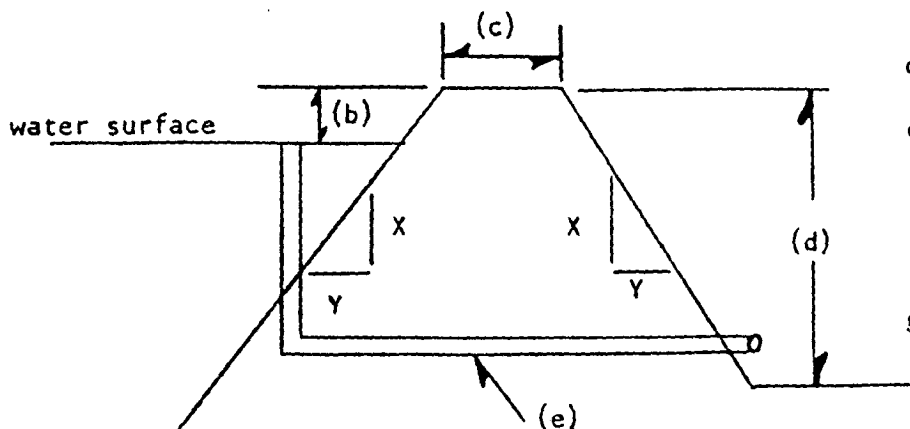
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant

RECEIPT

415484

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ October 6, 19 97

RECEIVED OF Grandview Water Association, 1841 - 7th Ave., Belle Fourche, SD 57717
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. <u>1442-1</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

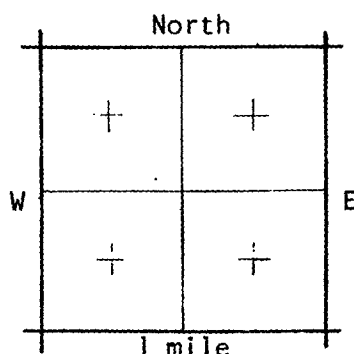
(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer

STATE OF SOUTH DAKOTA WELL DRILLERS REPORT

Location SW 1/4 Sec 24 Twp 8 N Rg 1 ECounty BUTTE

Please mark well location with an "X"

Well Completion Date Aug 9 1984

PROPOSED USE:

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

Method of Drilling:

FORWARD ROTARY

WELL CONSTRUCTION:

Diameter of hole 6 1/2 inches Depth 2065 feetCasing: ☒ Steel ☐ Plastic ☐ OtherSpecify 10.50" 1000' 4"
 Pipe Weight 10.5 lb/ft Diameter 11" inches From 0 feet To 2065 feet
lb/ft inches feet feet
Was a well screen used? ☐ Yes ☒ NoIf Not Specify 50 P 2 1/2 40 1 1/2 2 1/2Screen Type 3 1/2" Slot Size 2 1/2"Length 11 Diameter 11"Was Casing left open end? ☒ Yes ☐ NoWas a Packer or seal used? ☐ Yes ☐ NoIf so what material? Was well gravel packed? ☐ Yes ☒ NoWas well grouted? ☒ Yes ☐ NoDescribe grouting procedure PRESSUREGRAVITYTo what depth? 2065 FeetWhat was grouting material? CEMENTIf cement, how many sacks? 186Location of packer(s) and screen or perforated pipe WAS WELL PLUGGED OR ABANDONED ☐ Yes ☐ NoIf so how and with what material?

Well Owner:

Name JOHN APPLINAddress BUTTE COUNTY

Well Log: Depth

Formation	From	To
SILLALE	0	280
LAKOTA	280	340
SUNDANCE	340	730
RED BEDS	730	1630
MINNEAPOLIS LIME	1630	1680
OPACHE	1680	1750
MINNEAPOLIS	1750	2120
MADISON LIME	2120	2305

STATIC WATER LEVEL FLOW Feet 1070If flowing: closed in pressure 80 PSIGPM flow 40 through 4 inch pipeControlled by ☒ Valve ☐ Reducers ☐ OtherIf other; specify Can well be completely shut off? YES

WELL TEST DATA:

☐ Pumped☐ Bailed Describe: ☐ Other

Pumping Level Below Land Surface

 ft. After Hrs. pumped GPM ft. After Hrs. pumped GPM ft. After Hrs. pumped GPMRemarks: This well was drilled under license # 207

and this report is true and accurate.

Drilling Firm Signed by Date

BENNETT & MAIN

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

DONN BENNETT
MAX MAIN
NEIL CARSRUD
EDWARD J. NELSON

618 STATE STREET
BELLE FOURCHE, SOUTH DAKOTA 57717
TELEPHONE (605) 892-2011
TELECOPIER (605) 892-4084

May 4, 1988

Department of Water & Natural Resources
Division of Water Rights
Joe Foss Building
523 East Capitol Ave.
Pierre, SD 57501



Re: Grandview Property
Owner's Water Permit;
Our File #H2201.002.

Dear Water Rights Division:

Please find enclosed the following.

1. 2 form 2 Application for water permit
2. 2 form 2 a's-water well information
3. a map of Grandview Property Owner's Water
Association
subdivision

Each application has these same attachments.

4. Well drillers report
5. A check made payable to the Water Rights
Division, in the amount of \$150.00 to serve
as the filing fee.

If you need any further information, please feel free to
contact this office.

Sincerely,

BENNETT & MAIN, P.C.

Mike McMahon

Mike McMahon,
Legal Assistant

MM/cl

Enc.

cc: John Apland

Conversation or File Documentation

NAME OF PERSON OR FILE: Leonore AplandADDRESS: 1236 Walworth, Belle Fourche SD COUNTY ButteDATE: 5/9/88 TELEPHONE 892-2266RE: Status of Water Permit Application For Grandview

COMMENTS:

I called Jack Apland in regard to the water appropriation specified on the application (0.17cfs) and spoke his wife, Leonore Apland. I informed Mrs Apland that the diversion rate exceeded 75 gpm and the current fee structure required an additional \$75⁰⁰. I told Mrs. Apland that the fee would not increase if the diversion rate was limited to 75 gpm. Mrs Apland gave permission for me to change the diversion rate to approximately 75 gpm.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Ron Durrall

REPORT ON PERMIT APPLICATION No. 1442-1
GRANDVIEW PROPERTY OWNER'S WATER ASSOCIATION
June 7, 1988

Permit application No. 1442-1 proposes to appropriate 0.165 cubic feet of water per second from one well 2060 feet deep located in the SW⁴SW⁴ Sec. 24-T8N-R1E. Water is used by the Grandview Property Owner's Water Association for recreational, domestic and suburban housing purposes.

Aquifer: Madison Limestone

Geology and Aquifer Characteristics:

This permit application requests appropriation of groundwater from the Minnelusa and the Madison aquifers from an existing well. The completion report submitted with this application indicates this well is completed "open hole" into the Madison aquifer only, and that the well is not opened into the Minnelusa aquifer. The Madison (Pahasapa) limestone is a fine to medium crystalline, cavernous limestone and dolomite, approximately 700 feet thick in this area. The Madison aquifer underlies approximately 1,440,000 acres of Butte County, and contains an estimated 57,600,000 acre-feet of recoverable water in storage in the county (Allen, 1984). The importance of the Madison as an aquifer is largely due to well developed zones of secondary porosity and permeability formed by weathering of exposed surfaces and ground water solution. The average porosity of the Madison is estimated to be 11% and the effective porosity is estimated to be 5% (Rahn, 1979)

Investigators of the Madison aquifer generally all agree the Madison is an excellent aquifer near the outcrop (recharge) area of the Black Hills. Recharge to the Madison is accomplished primarily through infiltration of precipitation falling on the outcrop area, runoff over the outcrop, and streamflow losses. In a report prepare for the Bureau of Land Management by Woodward-Clyde Consultants (1981), the upper and lower bounds of average annual recharge to the Madison Limestone are 400,000 acre-feet per year and 140,000 acre-feet per year respectively.

There are no aquifer test information available from the Madison aquifer in this area, therefore, the transmissivity and the storage coefficient of the aquifer are unknown. Estimates from regional studies of the aquifer indicate that the transmissivity may range from 0.01 to 8600 ft²/d; the storage coefficient may range from 2×10^{-5} to 3×10^{-4} (Kyllonen, 1987). The completion report submitted with this application indicates the well has a shut in pressure of 80 psi, and is capable of flowing 40 gpm. This well has been in use since 1984.

The Madison Limestone is possibly hydrologically connected with the overlying Minnelusa Formation. The relationship between these two aquifers is not totally understood, however most evidence indicates the water levels in the Madison Formation are higher than the water levels of the Minnelusa Formation, indicating a potential for upward leakage from the Madison to the Minnelusa.

Review of Existing Water Rights:

The Division of Water Rights has record of 23 domestic wells within approximately 2 miles of this proposed diversion point, all of the wells appear to obtain water from strata shallower than the Madison.

There are two existing Water Permits appropriating ground water within two miles of this application's diversion point. Permit No. 243-1, for Mrs. Hazel McKay, obtains water from a well 1500 feet deep which is probably completed into the Minnelusa Formation. The permit is licensed for (0.31 cfs). Permit No. 1428-1, for Enrico Bonato, obtains water from a well 1640 feet deep which is completed into the Minnelusa Aquifer.

Conclusions:

1. Permit application No. 1442-1 proposes to appropriate 0.165 cfs from one well 2060 feet deep. The application proposes to appropriate water from the Minnelusa and Madison Aquifers.
2. The well that is to be used to supply this permit has been in use since 1984. The State of South Dakota Well Drillers Report that was submitted with this application suggests that this well is supplied by the Madison Aquifer alone.
3. The Madison Aquifer is a viable aquifer in this area. There is a reasonable probability that unappropriated water is available from the aquifer.
4. The Madison aquifer is under artesian conditions and the well that is to supply this permit will utilize the head pressure as a means of diversion. This is a flowing well (40 gpm) with a shut in pressure of 80 psi. The well will need to be controlled when not in use to prevent wasting water.
5. This proposed appropriation should have no adverse affect on adequately constructed wells in this area.

Kent Buhler /ks

Kent Buhler
Natural Resources Engineer

References:

- Allen, J.C., D. Iles, A. Petres, 1984, Analysis of Groundwater and Streamflow Data, Western Dakotas Region of South Dakota, DWNRR-Division of Geologic Survey, Vermillion, SD, US Army Corps of Engineers contract No. DAWC45-82-C-0151
- Division of Water Rights, 1988, "Domestic Well Log Files and Water Permit Files", DWNRR-Division of Water Rights, Joe Foss Building, Pierre SD
- Kyllonen, D.P., K. Peter, 1987, Geohydrology and Water Quality of the Inyan Kara, Minnelusa, and Madison Aquifers of the Northern Black Hills, South Dakota and Wyoming, and Bear Lodge Mountains, Wyoming, US Geological Survey, Water Resources Investigations Report 86-4158, Rapid City SD
- Rahn, P.H., 1979, Ground Water Resources of Western South Dakota, US Army Corps of Engineers, SDSM&T Project # 2533, South Dakota School of Mines and Technology, Rapid City SD
- Woodward-Clyde Consultants, 1981, Well-Field Hydrology, Bureau of Land Management, Final Technical Report.

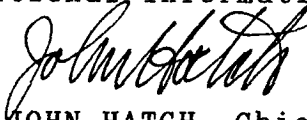
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1442-1,
Grandview Property Owner's Water Association

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. 1442-1, Grandview Property Owner's Water Association, 1236 Walworth, Belle Fourche SD.

The Chief Engineer is recommending APPROVAL of Application No. 1442-1 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 well approved under this Permit will be valved and the flow reduced to the amount needed or to a minimum when not being used. The well shall also be equipped with a pressure gauge and a record kept of any pressure fluctuations. Such records shall be available to the Chief Engineer upon request.
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.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
June 14, 1988



Department of Water & Natural Resources

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

Water Rights Division
(605) 773-3352

June 21, 1988

NOTE:

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

Jack Apland
Grandview Property Owner's Water Association
1236 Walworth
Belle Fourche, South Dakota 57717

Dear Mr. Apland:

Your Application No. 1442-1 for a permit to appropriate water for
recreation, domestic & 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 sent to the Publisher of the

Belle Fourche Daily Post printed at Belle Fourche
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 twenty days before the board
meeting. We must receive Proof of Publication before the application can be
considered by the Water Management Board.

Sincerely,

RON DUVALL
Natural Resources Engineer

enclosures



Department of Water & Natural Resources

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

June 21, 1988

Belle Fourche Daily Post
1004 5th Avenue
Belle Fourche, South Dakota 57717

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 1442-1 to be published twice. Please publish the first notice on or before June 28, 1988 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Jack Apland, Grandview Property Owner's Water Association, 1236 Walworth, Belle Fourche SD

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST 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 in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE
No. _____

TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

Date _____

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

Name

Newspaper

Instruction to Newspaper - Publish first Notice on or before June 28, 1988
with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1442-1 to Appropriate Water
and/or to Amend Water Permit or Water Right No. _____

Notice is given that Grandview Property Owner's Water Association, 1236 Walworth,
Belle Fourche, South Dakota has filed an application for a water permit

to appropriate 0.165 cubic feet of water per second from 1 well (Madison Formation) 2060
feet deep located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 24-T8N-R1E. Water is used by the Grandview
Property Owner's Water Association for recreational, domestic and suburban housing
purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends
APPROVAL of Application No. 1442-1 because 1) unappropriated water is available, 2)
existing rights will not be unlawfully impaired, 3) it is a 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 Building, 523 E. Capitol, Pierre, South Dakota on
July 27, 1988 at 10:00 am. The Chief Engineer's recommendation is not final
or binding upon the Board. The Board is authorized to 1) approve, 2) approve with
qualifications, 3) defer or 4) deny this application based on the facts presented at the
public hearing.

Any interested person that intends to participate in the hearing before the Board by
presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a
written petition with BOTH the applicant and Chief Engineer by July 15, 1988.
The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol,
Pierre SD (605 773-3352)". The petition may be informal, but must include a statement
describing the petitioner's interest in the application, the petitioner's reasons for
opposing or supporting the application and the signature and mailing address of the
petitioner or legal counsel if legal counsel is obtained. The applicant need not file a
petition. Contact the Water Rights Division to request information on this application or
to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the
applicant have the right to be represented by a lawyer. These and other due process
rights will be forfeited if not exercised. Decisions of the Board may be appealed to the
Circuit Court and State Supreme Court as provided by law. The time of the hearing will
also be automatically delayed for at least twenty days upon written request to the Chief
Engineer from the applicant or a petitioner. The request for a delay must be received by
July 15, 1988.

This application is made pursuant to 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) 46-5-33 thru 46-5-35; (10,000 AF)~~
~~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 AF) 74:02:01:15:02 thru 74:02:01:15:05.~~

No. 1442-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Butte) ss.

I, Marian Sues
certify that the annexed printed copy of Notice

Water was taken from the Belle Fourche

A newspaper which during the whole time of
herein after stated, has been and is printed and

city of Belle

County of Butte and
that the said notice was published in said newspaper
two dates:

June 28, 1988

July 7, 1988

Marian Sues
(Signature)

Editor
(Title)

7-7-88
(Date Signed)



Cost of Printing: \$37.70



NOTICE OF HEARING
on Application No. 1442-1
to Appropriate Water

Notice is given that Grandview Property Owner's Water Association, 1236 Walworth, Belle Fourche, South Dakota, has filed an application for a water permit to appropriate 0.165 cubic feet of water per second from 1 well (Madison Formation) 2060 feet deep located in the SW1/4SW1/4 Section 24-T8N-R1E. Water is used by the Grandview Property Owner's Water Association for recreational, domestic and suburban housing purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1442-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a 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 Building, 523 E. Capitol, Pierre, South Dakota on July 27, 1988 at 10:00 a.m. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by July 15, 1988. The Chief Engineer's address is "Water

Rights Division, Foss Building, 523 E. Capitol, Pierre SD (605-773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by July 15, 1988.

This application is made pursuant to 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) 46-5-33 thru 46-5-35, (10,000 AF) 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 AF) 74:02:01:15:02 thru 74:02:01:15:05.

2/6/28-7/7

SOUTH Dakota Department of
Water & Natural Resources

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

NOV 23 1988

Jack Apland
Grandview Property Owner's Water Association
1236 Walworth
Belle Fourche, South Dakota 57717

Dear Mr. Apland:

Enclosed is your Water Permit No. 1442-1 as approved by the Water Management Board authorizing construction of the water system and the application of water to beneficial use, not exceeding the limits as specified in the Water Permit.

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

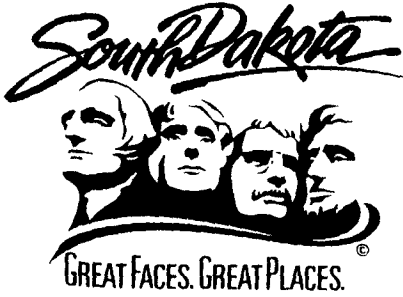
Very truly yours,



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

JH:ms

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 25, 1997

1442-1

Grandview Property Owner's Water Association
%Richard Drabek, President
RR 1, Box 430
Belle Fourche, SD 57717

Dear Mr. Drabek:

The investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 1442-1, 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 investigation and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

**Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181**

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

Division of Water Rights

411244

South Dakota Department of Water and Natural Resources

Interview Property Owner's Water Association
Pierre, May 1988, 19

RECEIVED OF Carl Apland, 1236 Walworth, Belle Fourche, SD 57717

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

Fee for Application for Permit No. <u>1442-1</u> to Appropriate Water, to construct works and to put water to beneficial use	150	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. _____ after _____ 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	150 00

By John Hatch

Permit No. 1442-1
Belle Fourche River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, August 12, 1997, made a thorough examination of the water use system constructed by Grandview Property Owner's Water Association of RR 1, Box 430, Belle Fourche SD 57717 holder of Permit No. 1442-1, bearing the priority of May 5, 1988 authorizing the diversion of 0.165 cu. ft. per second of the waters of ground water (Madison Formation) for recreation, domestic, and suburban housing purposes, in Butte County.

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

A. Works used to divert the water:

Flowing Madison Formation well

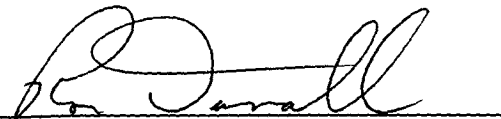
B. Works used to transport/apply water to place of use:

Water is diverted to a 17,000 gallon pressure tank and then distributed via pipeline to 12 lots with expansion up to 37 lots possible.

The system is in the following condition fair. The point of diversion is located Well: $\approx$ 750 feet E and 200 feet N from the SW corner section 24-T8N-R1E (SW $\frac{1}{4}$ SW $\frac{1}{4}$). The works are capable of diverting and conveying to the place of use 0.095 cu. ft. per second of water which is to be used for recreation, domestic, and suburban housing. Water has been put to beneficial use to the maximum and the license should be issued for 0.095 cfs.

Applicable permit qualifications have been complied with: Yes X No

Exceptions to compliance are: none Date report completed: September 24, 1997



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR PERMIT NO. 1442-1

DATE OF INVESTIGATION	August 12, 1997
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Richard Drabek, President and his wife Joyce
NAME & ADDRESS OF PERMIT HOLDER	Grandview Property Owner's Water Assn c/o Richard Drabek, President RR 1, Box 430 Belle Fourche SD 57717
DIVERSION POINT LEGAL LOCATION	Well: $\approx$ 750 feet E and 200 feet N from the SW corner section 24-T8N-R1E (SW$\frac{1}{4}$SW$\frac{1}{4}$)

Other permit(s) associated with the project: none

WELL INFORMATION:

- 1) Well Drilling Firm: Graf Drilling
- 2) No. of Wells 1
- 3) Depth(s) 2305 feet
- 4) Well log is available Y
- 5) Comment: Well completed prior to approval
of No. 1442-1

Casing:

- 1) Diameter 4 inches
- 2) Length 2065 feet
- 3) Type steel

Screen:

- 1) Type none
- 2) Length _____ feet

Static water level flowing well

Pump/Motor:

- 1) Make none

DISTRIBUTION LINES:

Well flows into a 17,000 gallon pressure tank and is then distributed to 12 lots with the potential for delivery to 37 lots. Flow rate has been gradually diminishing and a pump may soon be installed to get back to about 43 gpm.

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y



Don Duvall
Natural Resources Engineer
9/24/97

No. 1442-1

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1442-1

(1) The Grandview Property Owner's Water Association, RR 1 Box 430, Belle Fourche, SD 57717 made Application No. 1442-1, May 5, 1988 for a water permit to divert 0.165 cubic feet of water per second from ground water (one Madison formation well), Butte County, South Dakota for recreational, domestic and suburban housing development purposes. Permit No. 1442-1, with a priority date of May 5, 1988 was approved July 27, 1988 and issued to the applicants for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

(2) It is certified that the applicants have 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 0.095 cubic feet of water per second for beneficial use. The location of the diversion point is approximately 750'E and 200'N of the SW corner of Section 24, T8N, R1E (SW¼ SW¼).

(3) The applicants have complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

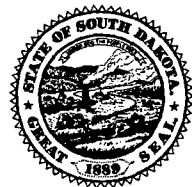
(4) Pursuant to South Dakota Water Law 46-5-30.1 the Grandview Property Owner's Water Association, RR #1 Box 430, Belle Fourche, SD 57717 the holders and/or owners of Water Permit No. 1442-1 are issued a license to appropriate water, the right to use 0.095 cubic feet of water per second from ground water (one Madison formation well) with a priority date of May 5, 1988 from the location specified in (2) of this license, for recreational, domestic and suburban housing development purposes. This license is subject to any limitations or qualifications listed in Water Permit No. 1442-1 and subject to South Dakota State Law.



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

NOV 12 1997

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 12 1997

1442-1

Grandview Property Owners Water Association
%Richard Drabek, President
RR 1, Box 430
Belle Fourche, SD 57717

Dear Mr. Drabek:

Enclosed is Water License No. 1442-1. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415484 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1442-1, 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 Program
(605) 773-3352

gm
enclosures