

Considered: _____

WATER PERMIT NO. 1466-1 48

HAP No. Same 348-1900 or 341-3451
348-1900

Name of Applicant Quaal Subdivision Development Corp.

Post Office Address 722 Farlow Rapid City, SD 57701

Amount of Water Claimed 120 gpm (0.27 cfs) Total Acres —

Source of Water Supply groundwater - well

Water to be used for suburban housing County Meade

About 5 miles N of Rapid City

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received Jun 21, 1989 Fee \$225⁰⁰ Remarks _____

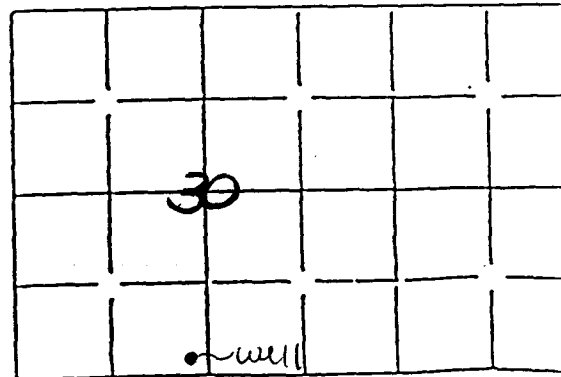
Corrected Application Received July 27, 1989 Period of Annual Use Jan 1 - Dec 31

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

WI-1 Description same as Application YES NO REMARKS _____

Diversion Point SE 1/4 SW 1/4 Sect 30 - T3N - R7E

Land to be Irrigated —



Well Log: Driller Taylor Licensed YES ☒ NO ☐

Depth of Well 1120' REMARKS Well drilled on June 30, 1988

Type of Hap plat PREPARED BY Greg Wierenga Reviewed and the Number

assigned on July 27, 1989 By Susan Bowar

SOUTH DAKOTA
WATER PERMIT No. 1466-1

Date of first receipt of application June 21, 1989.

Date returned to applicant for corrections, amendments or changes July 14, 1989.

Date of receipt of corrected application July 27, 1989.

The Water Management Board approved Water Permit Application No. 1466-1 on September 27, 1989 for Quaal Subdivision Development Corporation, 722 Farlow, Rapid City SD 57701 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. 1466-1 appropriates 0.27 cubic feet of water per second from one well (Minnelusa Formation) 1120 feet deep located in the SE1/4 SW1/4 section 30-T3N-R7E.
2. The water appropriated shall be used for the purpose of supplying Quaal Subdivision Development and may not exceed the amount of water needed for beneficial use for suburban housing development.
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 right is June 21, 1989.
5. One-fifth of the construction is to be completed on or before March 27, 1992.
6. All construction is to be completed on or before September 27, 1994.
7. Water is to be put to beneficial use on or before September 27, 1998.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

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

WATER MANAGEMENT BOARD

By: _____

John H. Hest
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

NOV 20 1989

(date)

Jenny

48

Mail to: Water Rights Div.
DWNR, Foss Bldg.
Pierre, SD 57501
(605) 773-3352
P.L. 8/19/88

No. <u>1466-1</u>	Hydrologic Unit <u>1012011</u>
Map No. <u>same</u>	Basin <u>Upper Cheyenne</u>
Newspaper <u>Sturgis Meade Co Times</u>	<u>Box 69 57785</u>

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

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

Type of Application: Check one or more of the following

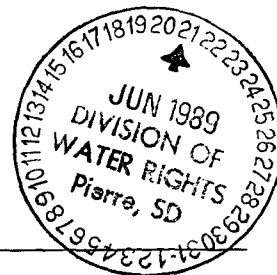
New ☒ Vested Right ☐ Future Use ☒ Change Use ☐

☐ 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. _____



348-1900 #230
 348-1400
 341-5451

1. Name of Applicant Good Quail Subdivision Development Corp Phone No. 341-5451

Post Office Address — ATTN: Leigh Goodrich
P.O. Box 41, Blackhawk 57718 State So Dak Zip Code 57701

2. Amount of water claimed (c.f.s) approx. 120 gallons per minute when subdivision complete (U. 27)

3. Source of water supply New well

4. Location of point of diversion See attached map SE 1/4 SW 1/4 Section 30-T3N-R7E

County Meade

5. Counties where water will be used Meade / Pennington January 1 - December 31

6. Annual period during which water is to be used year around Full time usage

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)
Water is to be used for Subdivision Housing area with between 25 + 39 single water hookups.

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 _____)

I, Ken Donnenwirth the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

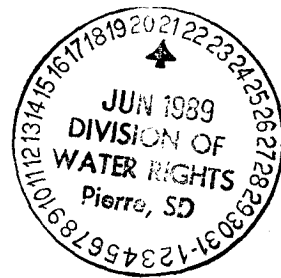
Signed Kenneth Donnenwirth, Pres.

Subscribed and sworn to before me this 23rd day of May 1989

Dianne
 Notary Public
 10-895

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 8 3/4 Depth 1120'
- b) Casing Type Steel Diameter 7" Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
 On applicants property 1.5 miles On property owned by others _____

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

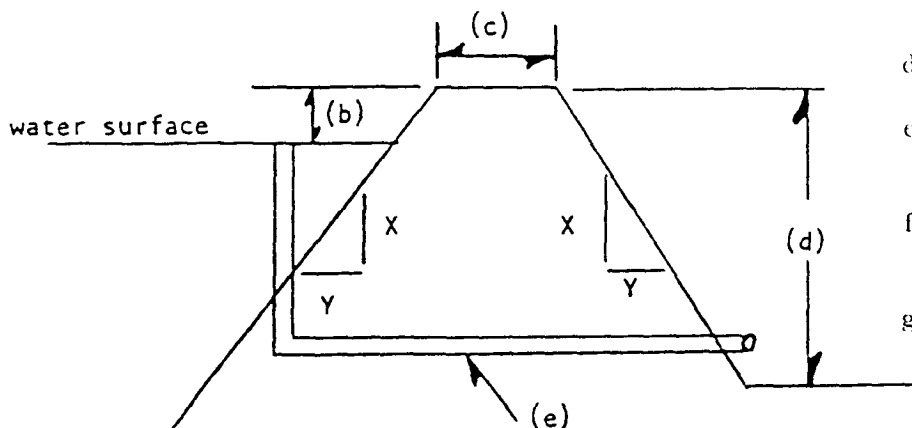
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Rural Subdivision Development Corp.

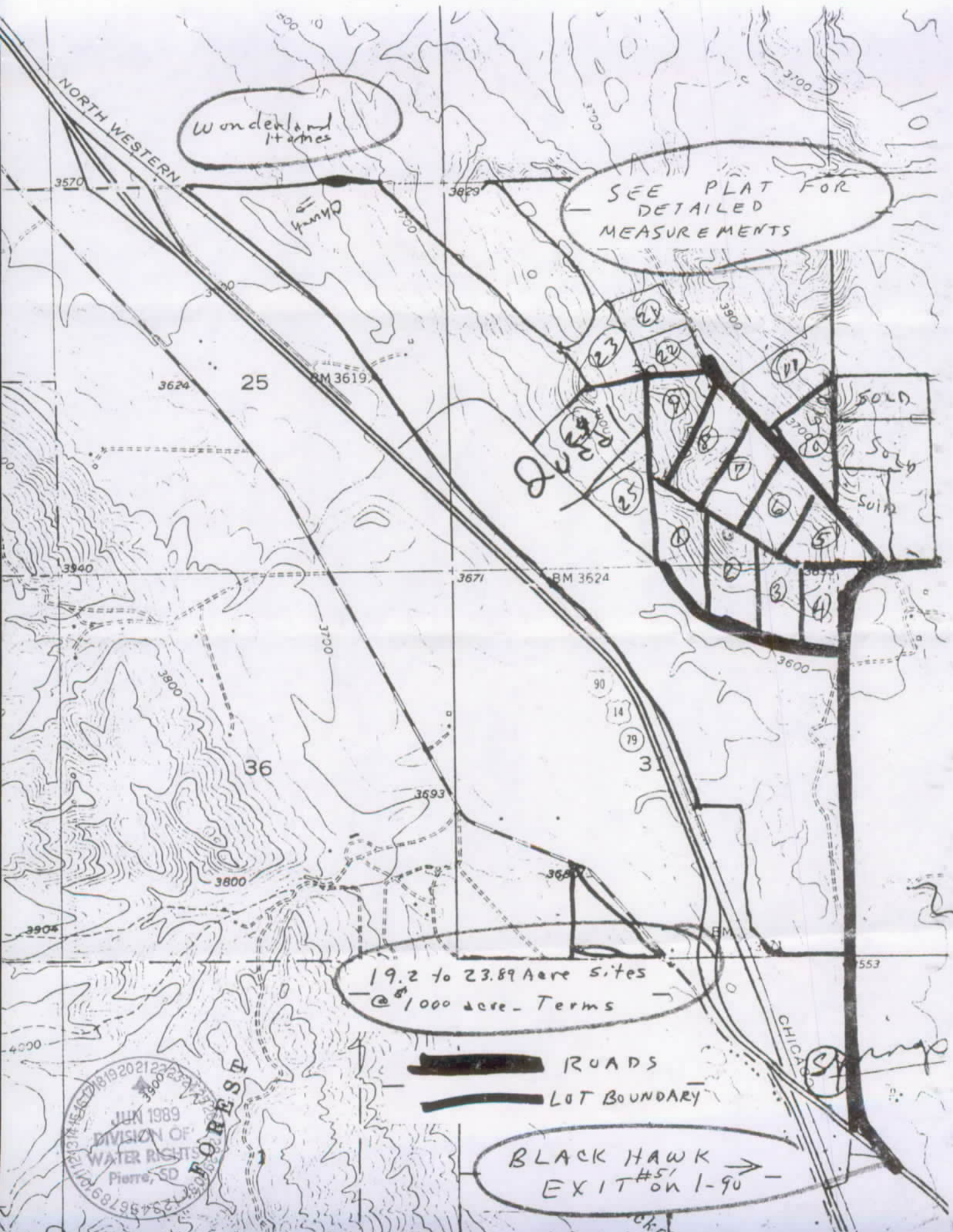
Kenneth D. Dornenwirth, President

Signature of Applicant

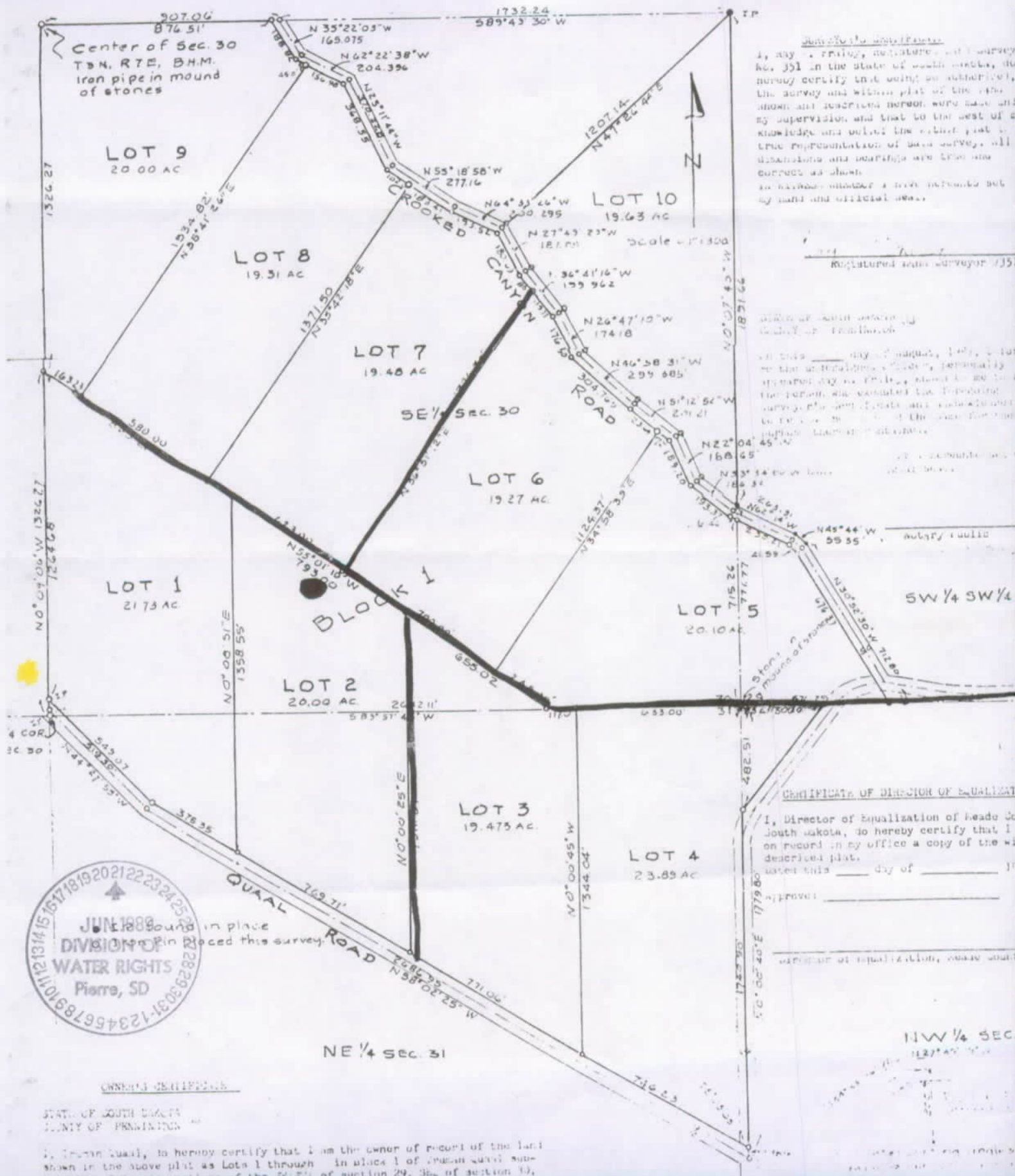
Don Grubick
773-3466



Appl. No.
1466-1



PLAT OF LOTS 1 THROUGH 10 IN BLOCK 1, TRUMAN QUAAAL SUBDIVISION,
 LYING IN PORTIONS OF THE SW $\frac{1}{4}$ SW $\frac{1}{4}$ SEC. 29, SE $\frac{1}{4}$ SEC. 30, NE $\frac{1}{4}$ SEC. 31 & NW $\frac{1}{4}$ SEC.
 ALL IN T3N, R7E, B.H.M., MEADE COUNTY, SOUTH DAKOTA.



RECEIPT

411858

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, July 27, 1989

RECEIVED OF Quaal Subdivision Evelopment Assoc., Inc., 722 Farlow, Rapid City
the following amount in fees for services rendered as provided for by law: SD 57701

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____	225	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	225 00

By John Hatch/mra
Chief Engineer John Hatch/mra

Travis Laboratories

Ken Donnenwirth P.O. Box 1828 RC, SD 57709

COAL — ORES — ENVIRONMENTAL WATERS — FEEDS — SOILS

787-6236

1854 Lombardy Dr.
Rapid City, South Dakota 57701

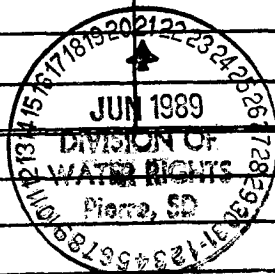
JAMES H. TRAVIS
Laboratory Director

Water Supply: Quaal Subdivision
City, County: Meade
Source Sampled: Well# _____ Depth _____
Date drilled _____ Other _____
Type of Sample: Raw _____ Treated _____ Composite _____
Treatment Process(s): _____

Date Collected: 11-2-88
Collected By: Randy Taylor
Report Mailed To: Randy Taylor
2310 Commerce Rd
Rapid City, SD 57702
Lat: _____ Long: _____
Comments: _____

Received By Lab: 11-2-88
Report Sent By Lab: JK 11-21-88

Parameter	Maximum Limit	Results	Parameter	Suggested Limit	Results
Arsenic (As)	50 ug/l		X Chloride (Cl)	250 mg/l	2
Barium (Ba)	1000 ug/l		X Iron (Fe)	0.3 mg/l	<0.05
Cadmium (Cd)	10 ug/l		X Manganese (Mn)	0.05 mg/l	<0.03
Chromium (Cr)	50 ug/l		X Sulfate (SO ₄)	250 mg/l	23
Lead (Pb)	50 ug/l		X Tot. Diss. Solids (TDS)	500 mg/l	296
Mercury (Hg)	2 ug/l		X pH	6.5-8.5	7.33
X Nitrate (NO ₃) (as N)	10 mg/l	<0.10	Alkalinity-M (CaCO ₃)	mg/l	
Selenium (Se)	10 ug/l		Alkalinity-P (CaCO ₃)	mg/l	
Silver (Ag)	50 ug/l		Bicarbonate (HCO ₃)	mg/l	
X Fluoride (F)	2.4 mg/l	0.22	Carbonate (CO ₃)	mg/l	
Gross alpha	15 pCi/l		Spec. Cond. @ °C	umhos/cm	
Gross radium	pCi/l		Calcium (Ca)	mg/l	
Radium 226	5 pCi/l		Magnesium (Mg)	mg/l	
OTHER PARAMETERS			X Hardness (CaCO ₃) gpg:	12.9 mg/l	220
			Langelier Index		
			Sodium (Na)	mg/l	
			Potassium (K)	mg/l	
			Field temperature	°F	°C
			Nitrite (NO ₂) (as N)	mg/l	
LAB COMMENTS: Percentage of Error: WNR - 606R - 6/82			mg/l = milligrams/liter = parts/million (ppm)		
			ug/l = micrograms/liter = parts/billion (ppb)		
			gpg = grains per gallon		
			pCi/l = picocuries per liter		
			LAB NUMBER: <u>D42</u>		

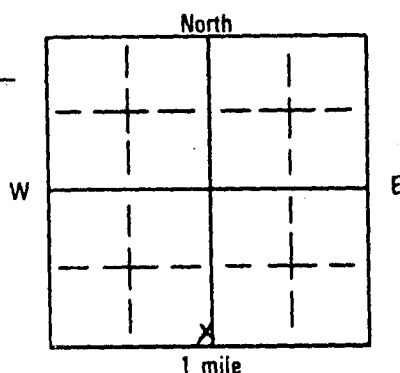


SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location SE 1/4 SW 1/4 Sec 30 Twp 3N Rg 7ECounty Deade

Please mark well location with an "X"

Well Completion Date June 30, 1988

PROPOSED USE:

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

Method of Drilling:

Air Rotary

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>23</u> LB/FT	<u>7</u> IN	<u>0</u> FT	<u>1040</u> FT	<u>8 3/4</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 1040 FEETWhat is grouting material? cementIf cement, number of sacks? 140Describe grouting procedure pressure grouted through casingWhat was grout weight? 15 1/2 LB/GALSCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☐ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NOExplain circulated chlorine solution + placed chlorineBacteriological analysis ☐ YES ☒ NO in hole

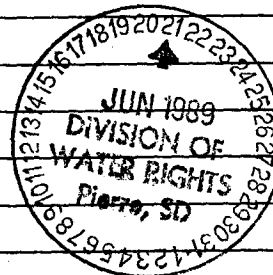
Laboratory sent to _____

Well Owner: Quaal Subdivision Development CorporationName c/o Kenneth DonnenwirthAddress 133 E. Nevada Dr. Rapid City, SD 57701

Well Log:

Depth

Formation	From	To
<u>Sundance fm.</u>	<u>0</u>	<u>370</u>
<u>Spearfish fm.</u>	<u>370</u>	<u>825</u>
<u>Minnekahta ls.</u>	<u>825</u>	<u>867</u>
<u>Opexha red shale + red shaley ss</u>	<u>867</u>	<u>980</u>
<u>Minnelusa</u>	<u>980</u>	<u>1130</u>

STATIC WATER LEVEL 200 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other, specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped☐ BailedDescribe: Air developed☒ Other

Pumping Level Below Land Surface

1120 ft. After 3 Hrs. pumped 120 GPM760 ft. After 1 Hrs. pumped 100 GPM660 ft. After 1 Hrs. pumped 75 GPM

REMARKS:

This well was drilled under license # 331

And this report is true and accurate.

Drilling firm TAYLOR DRILLING COMPANY

Signature of License Representative:

Ralph Taylor

Signature of Well Owner:

Date 7-28-88

**SOUTH Dakota Department of
Water & Natural Resources**

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

August 11, 1988

1466-1

Quaal Subdivision Development Corp.
c/o Kenneth Donnenwirth
133 E Nevada Dr.
Rapid City SD 57701

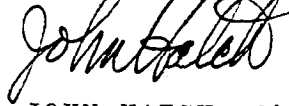
Dear Mr. Donnenwirth:

A well drillers report filed with this office by Taylor Drilling Company indicates you have recently completed a new well. The well driller is required by South Dakota Complied Laws (SDCL 46-6-11) to file a well construction report within 30 days of completion. The purpose of this letter and the enclosed "Summary of South Dakota Water Law and Water Right Information" are to provide general information and to inform you, the well owner, of the responsibilities you have incurred.

1. If your new well was drilled as a replacement well and if you do not plan to use the old well, the old well is considered abandoned and must be plugged pursuant to SDCL 46-6-27. Other abandoned wells must also be plugged.
2. If the old well is not to be abandoned, or will be used, the well must still be sealed or capped at the surface pursuant to SDCL 46-6-27.

Please feel free to contact us if you have questions, need information or water permit application forms.

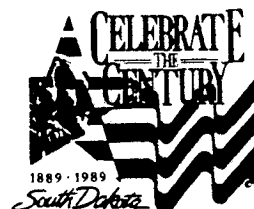
Very truly yours,



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

cc: Well Driller

enclosure





Department of Water & Natural Resources

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

July 14, 1989

Ken Donnenwirth, President
Quaal Subdivision Development Corp.
722 Farlow
Rapid City SD 57701

Dear Mr. Donnenwirth:

This letter is in response to the water permit application for Quaal Subdivision received on June 21, 1989. The following information is needed to complete the application:

The application fee to apply for a permit to appropriate 120 gallons per minute is \$225.00. The enclosed instruction sheet outlines the fee structure.

The application can not be processed for consideration by the Water Management Board until the application is complete. Please remit the \$225.00 application fee to complete the water permit application.

Please contact me if you have any questions.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352





Department of Water & Natural Resources

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

August 17, 1989

Kenneth Donnenwirth, President
Quaal Subdivision Development Corp.
722 Farlow
Rapid City, SD 57701

Dear Mr. Donnenwirth:

This is in response to the check in the amount of \$225 received from you today.

On July 14, 1989 a letter was sent to you requesting the required \$225 application fee for your water permit application (see enclosed copy). This fee was apparently received on July 27. I am enclosing your receipt.

For this reason I am enclosing the check received from you today.

Sincerely,

Susan A. Bowar

Susan A. Bowar
Natural Resources Engineer
Water Rights Division
(605) 773-3352

enclosure



Report on Application No. 1466-1
Quaal Subdivision
August 22, 1989

This application proposes to appropriate 0.27 cfs from one well approximately 1120 feet deep located in the SE1/4 SW1/4 of Section 30 T3N-R7E in Meade County. The water is to be used for a suburban housing development.

Aquifer- Minnelusa Formation (MNLS)

The Minnelusa Formation consists of interbedded sandstone, dolomitic limestone and shale. The Minnelusa is approximately 560 feet thick in this area and lies unconformably upon the Madison Limestone (Cattermole, 1969). The Minnelusa underlies 2.17 million acres and contains an estimated 81.48 million acre-feet of recoverable water in Meade County (Allen, 1984). The Minnelusa is under artesian conditions in this area; however, only a few miles to the west the Minnelusa outcrops and would be under water table conditions.

The Division of Water Rights monitors one observation well PE-84B completed into the Upper Minnelusa and this well is located about 3 miles south of this application. Water levels in this well fluctuate due to pumping and to climatic conditions. The historical record is not long enough to allow for definitive conclusions; however, the aquifer does recharge and is capable of sustaining existing withdrawals. The drought of 1988 has caused a decline of over 12 feet in water levels (Water Rights, 1989).

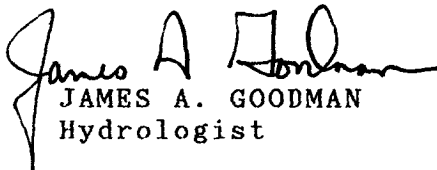
This is an existing well and has been completed in accordance with SD Well Construction Standards. The well has a very low yield (specific capacity approximately .2 gallons per foot of drawdown). The drillers completion report would indicate that 120 gpm could not be continuously diverted from this well.

Review of Existing Permits

There are numerous water permits from the Minnelusa between Blackhawk and Piedmont. The nearest permit to this application is Permit No. 1373-1 (Buhler, 1986) and this is approximately 1/2 mile to the northwest. A list of water permits for this area is included with that report. Interference should not be a problem because of the relatively low pumping rates and the distances between wells. Fluctuations in the water levels can be expected to occur and data from observation well PE-4B would indicate these should not adversely affect the water supply in the aquifer. There are domestic wells in the area. Over the years, there have been no complaints concerning water availability from wells from this area.

Conclusions

1. Water is available from the Minnelusa.
2. The Minnelusa is under artesian conditions and fluctuations due to pumping can be expected. Interference should not be a problem because of the relatively low pumping rates and the distance between wells.
3. This is a very low capacity well and may not produce the amount of water requested.
4. The well is completed in accordance with SD Well Construction Standards.


JAMES A. GOODMAN
Hydrologist

Bibliography

- Allen, J.C., 1984, Analysis of groundwater and Streamflow Data Western Dakota Region of South Dakota, for US Army Corps of Engineers, SD DWR SDGS, Vermillion, SD 57069
- Buhler, K., 1986, Report on Application No. 1373-1, Eastridge Acres Development Association, Inc., SD DWR, Division of Water Rights, Joe Foss Bldg, Pierre, SD 57501
- Cattermole, M.J., 1969, Geologic Map of the Rapid City West Quadrangle, USGS, Washington, DC 20012
- Water Rights, 1989, Records for Observation Well PE-89B, SD DWR, Division of Water Rights, Joe Foss Bldg, Pierre, SD 57501

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1466-1, Quaal Subdivision Development Corp.

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. 1466-1, Quaal Subdivision Development Corp., 722 Farlow, Rapid City SD.

The Chief Engineer is recommending APPROVAL of Application No. 1466-1 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 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
August 24, 1989



Department of Water & Natural Resources

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

August 25, 1989

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

Kenneth Donnawirth, President
Quaal Subdivision Development Corp.
722 Farlow
Rapid City SD 57701

Dear Mr. Donnawirth:

Water Permit Application No. 1466-1 for suburban housing use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Sturgis Meade Co. Times printed at Sturgis SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper 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 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
605 773-3352

enclosures





Department of Water & Natural Resources

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

August 25, 1989

Sturgis Meade Co. Times
Box 69
Sturgis SD 57785

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 1466-1 to be published twice. Please publish the first notice on or before August 30, 1989 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 Quaal Subdivision Development Corp., 722 Farlow, Rapid City SD 57701.

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

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

No. _____

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 August 30, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1466-1 to Appropriate Water

Notice is given that Quaal Subdivision Development Corp., 722 Farlow, Rapid City SD 57701 has filed an application for a water permit to appropriate 0.27 cubic feet of water per second from one well (Minnelusa Formation) 1120 feet deep located in the SE 1/4 SW 1/4 Section 30-T3N-R7E. Water is to be used for suburban housing purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1466-1 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 on September 27, 1989 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 September 15, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (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 September 15, 1989.

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; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA
COUNTY OF MEADE

Sharon Allison, being duly sworn, says:
That Meade County Times-Tribune is; and during all the times hereinafter mentioned was, a weekly legal newspaper as defined in SDCL 17-2-2, as amended, published at Sturgis, Meade County, South Dakota, by Allison Publishing Inc.; that affiant is and during all of said times was, an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a printed copy of which is attached, was published in said newspaper for two successive issues, bearing the following dates:

<u>Aug. 30</u>	198 <u>9</u>	_____	198_____
<u>Sept. 6</u>	198 <u>9</u>	_____	198_____
_____	198_____	_____	198_____
_____	198_____	_____	198_____
_____	198_____	_____	198_____

that the full amount of the fee charged for publishing the same, to-wit, the sum of \$ 39.94, inures solely to the benefit of the publisher of said newspaper; that no agreement or understanding for the division of the fee has been made with any person, and that no part of the fee has been agreed to be paid to any other person.

Sharon Allison
Billing Clerk

Subscribed and sworn to before me
on 6 day of September
Jackie Allison
Notary Public
County of Meade, South Dakota

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; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

Publ Aug. 30, Sept. 6, 1989
Meade County Times-Tribune



NOTICE OF HEARING ON APPLICATION NO. 1466-1 TO APPROPRIATE WATER

Notice is given that Quaal Sub-division Development Corp., 722 Farlow, Rapid City, SD 57701 has filed an application for a water permit to appropriate 0.27 cubic feet of water per second from one well (Minnelusa Formation) 1120 feet deep located in the SE 1/4 SW 1/4 Section 30-T3N-R7E. Water is to be used for suburban housing purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1466-1 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 public interest. This application will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 E. Capitol, Pierre on September 27, 1989 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 September 15, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre, SD 57501 (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 September 15, 1989.



Department of Water & Natural Resources

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

NOV 20 1989

Kenneth Donnewirth, Pres.
Quaal Subdivision Development Corp.
722 Farlow
Rapid City SD 57701

Dear Mr. Donnewirth:

Enclosed is Water Permit No. 1466-1 as approved by the Water Management Board authorizing you to construct your water diversion system and put the water to beneficial use, not exceeding the limits as specified in the Water Permit.

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 the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

A handwritten signature in dark 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

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.

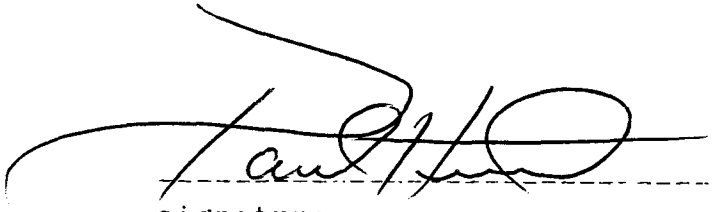
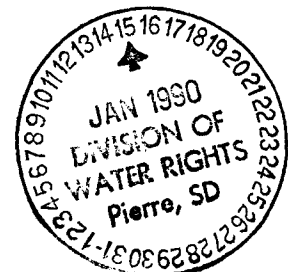
NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USEDate 1-8-90TO: Water Rights Division, DWR
Joe Foss Building
Pierre SD 57501-3181FROM: QUAAI WATER Dev. Assoc. P.O. Box 41 Black Hawk
name address city S.DAK.
57718

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 1466-1.

Water Permit No. 1466-1 states that the diversion system is to be constructed by Taylor Drilling Inc., and that the water it put to beneficial use by QUAAI WATER Dev. Assoc.

The diversion system was completed on Nov 1988.
Applying the water to beneficial use was completed on Nov 1988

You may schedule an inspection so that the Water License may be issued.


signature

1466-1

January 17, 2001

2000 South Dakota Water Use Questionnaire

To:

QUAAL SUBDIVISON DEV.
PO BOX 41
BLACKHAWK SD 57718 0041

Address correction requested:

Ron Barber / Water Operator
QUAAL Water Ass'n
Box 41
Black Hawk, SD. 57718-0041

One questionnaire is being provided for each permitted water source. The following information is based on Water Permit\Right No. 1466-1. If you have other permits\rights in the same water source, also include water use under those permits\rights on this questionnaire.

Water Source: GROUNDWATER
Aquifer: MINNELUSA GROUP
Management Unit: NOT APPLICABLE

County: MEADE
Pumping Pt. Legal: SEC 30-T003N-R07E
Type of Water Use: SUBURBAN HOUSING
DEVELOPMENT

- 1) Please estimate your year 2000 water use from the above water source: 2,628,700 gallons
2) If no water use in 2000, please list the reason(s) why in the comments section.

Comments:

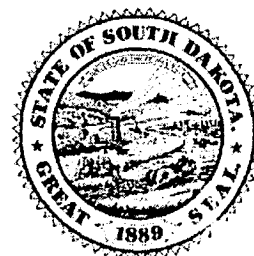
Contact Person:

Ron Barber

Telephone No:

605-394-4162 - work
605-787-5430 - home

Questions? Please call Mark Rath or Ron Duvall at 605 773-3352 for assistance.



Thank you for completing the 2000 water use questionnaire.

Water Rights on the Web: www.state.sd.us/denr/wr





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 8, 2001

No. 1466-1

Quaal Water Association
c/o Ron Barber, Water Operator
Box 41
Black Hawk SD 57718-0041

Dear Mr. Barber:

Thank you for returning the 2000 SD Water Use Questionnaire. The form indicates a change of ownership/name has occurred. Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership/name change on Water Permit No. 1466-1. The water permit is currently listed in the name of Quaal Subdivision Dev.

The transfer form should be checked over for accuracy and **signed by the new owner** in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

Water Rights Program - File Documentation

NAME: Ron Barber, Quaal Water Association

ADDRESS: Box 41, Black Hawk SD 57718-0041

DATE: 2-23-2001 **COUNTY:** **TELEPHONE:** 605 394-4162

RE: transfer/name change on permit

COMMENTS:

Ron Barber called concerning the Notice of Transfer I had sent to him.

Mr. Barber indicated they did not want to file the Notice of Transfer and we should just leave the permit in the name of Quaal Subdivision Development Corporation at the address listed above.

Karen Schlaak

Karen Schlaak
Environmental Scientist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 26, 2003

1466-1

Ron Barber
Quaal Subdivision Development Corporation
11500 Crooked Canyon Rd
Black Hawk SD 57718

Dear Mr. Barber:

On May 12, 2003 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 1466-1, was completed by Ron Duvall, a staff engineer with our program. Your final water right document, the water license, can now be issued.

State law requires 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 complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact me.

Sincerely,

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date October 30, 20 03

RECEIVED OF Quagel Subdivision Development Assn. Inc., PO Box 41, Black Hawk SD 57718

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>1466-1</u>	50	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50.00

No.

000906

By

Darland E. Eide
Chief Engineer *gm*

Permit No. 1466-1
Upper Cheyenne 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, May 12, 2003, made a thorough examination of the water use system constructed by Quaal Subdivision Development Corporation c/o Ron Barber of 11500 Crooked Canyon Rd, Black Hawk SD 57718 holder of Permit No. 1466-1, bearing the priority of June 21, 1989 authorizing the diversion of 0.27 cu. ft. per second of the waters of ground water (Minnelusa formation) for suburban housing purposes, in Meade County.

Inspection contact & relationship to permit holder, if applicable: **Ron Barber**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Taylor Drilling
- 2) No. of Wells 1
- 3) Depth(s) 1,120 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 7 inches
- 2) Length 1,040 feet
- 3) Type Steel

Screen:

- 1) Type open hole
- 2) Length 80 feet
- 3) Static water level 200 feet

Motor/Pump:

- 1) Make submersible
- 2) Size 5 hp
- 3) Capacity 28 GPM

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

Water is diverted to two 20,000 gallon storage tanks and serves approximately 29 homes.

C. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Y
- 2) Exceptions to compliance are: none

The system is in good condition with the point of diversion located as follows: Well: 100 feet N and 2,550 feet E from the SW corner section 30-T3N-R7E (SE $\frac{1}{4}$ SW $\frac{1}{4}$ -- Latitude 44.18419, Longitude -103.32235). The works are capable of diverting and conveying to the place of use 0.062 cu. ft. per second of water which is to be used for suburban housing purposes. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.062 cfs.

All structures, wells and lands on map Y

| Comments or other permit(s) associated with the project: none



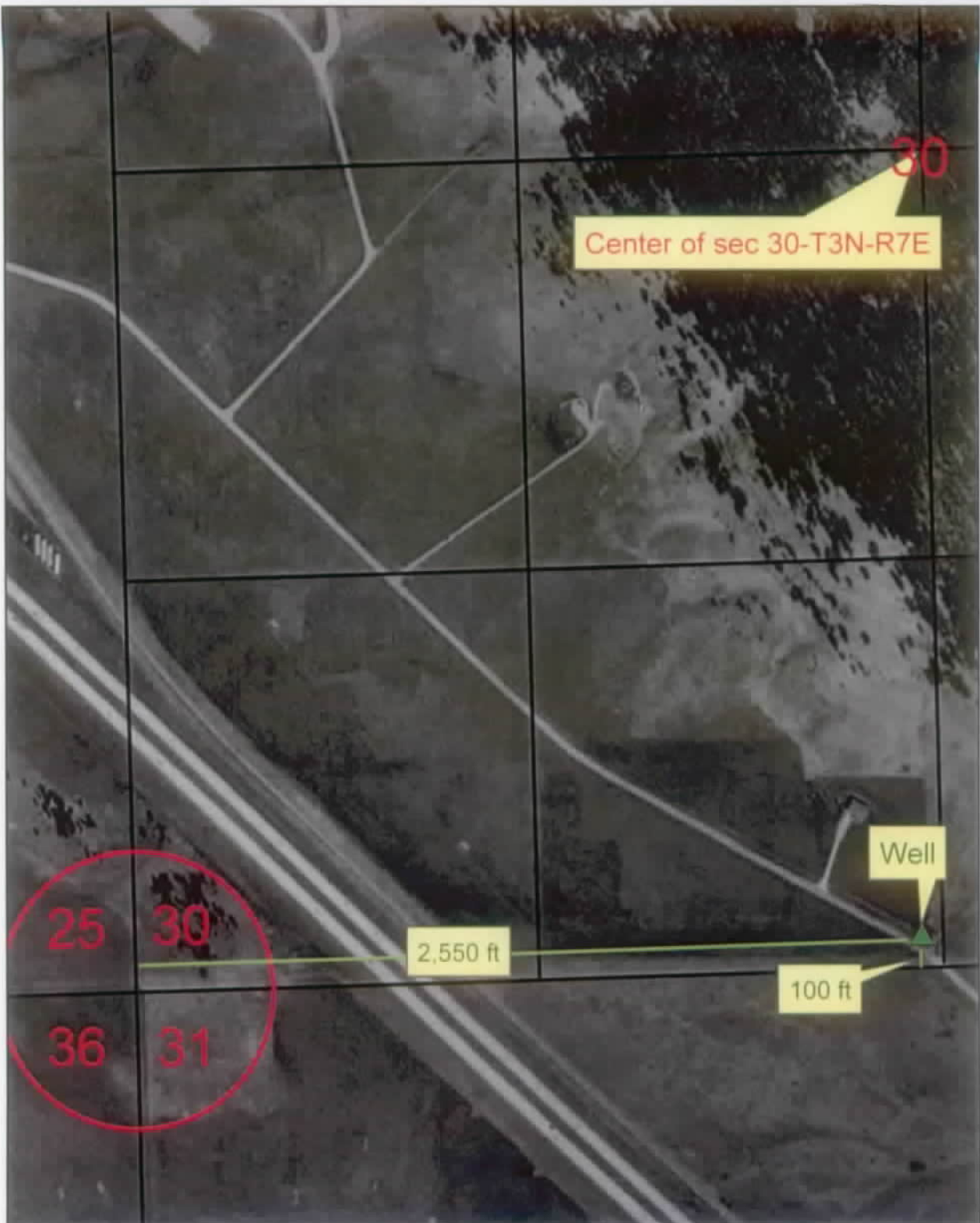
Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

Date report completed: September 25, 2003

Scale: 1 inch equals 489 feet

690

Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Completed by:


Ron Duvall, Natural Resources Engineer
Water Rights Program

Diversion point(s) located using GeoExplorer II GPS

Date: Sept 25, 2003

Water Right No. 1466-1

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1466-1

(1) Quaal Subdivision Development Corporation, 11500 Crooked Canyon Rd, Black Hawk SD 57718 made Application No. 1466-1, June 21, 1989 for a water permit to divert 0.27 cubic feet of water per second from groundwater (one well), Meade County, South Dakota for suburban housing development purposes. Permit No. 1466-1, with a priority date of June 21, 1989 was approved September 27, 1989 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before September 27, 1994 and for the application to beneficial use of water on or before September 27, 1998.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 1466-1 is issued a license, bearing a priority date of June 21, 1989 to appropriate 0.062 cubic feet of water per second from groundwater (one well) for suburban housing development.

The diversion point is located: 100 feet north and 2,550 feet east from the southwest corner of Section 30-T3N-R7E (SE ¼ SW ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1466-1 including the following now applicable qualification:

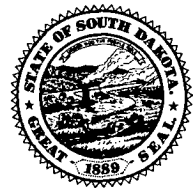
The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having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



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

FEB 20 2004

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 20 2004

1466-1

Quaal Subdivision Development Corp
%Ron Barber
11500 Crooked Canyon Rd
Black Hawk SD 57718

Dear Mr. Barber:

Enclosed is Water License No. 1466-1. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 000906 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

A handwritten signature in black ink that reads "Garland Erbele".

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures



1466-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

JUN 20 2017

1466-1
1863-1

Ron Barber
Quaal Subdivision Development Corp
11500 Crooked Canyon Rd
Black Hawk SD 57718

Dear Mr. Barber:

Enclosed is Water License No. 1863-1. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

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. 1863-1, 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.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: Upon licensing, the applicable portions of Water Right No. 1466-1 were incorporated into Water License No. 1863-1.