

WATER PERMIT NO. 1605-1

Phone: 787-5265

Name of Applicant: Woodland Hills Community Association

Post Office Address: PO Box 17, Blackhawk SD 57718

Amount of Water Claimed: 0.197 cfs (89 gpm) ~~0.03 cfs (14 gpm)~~ Total Acres: _____

Source of Water Supply: groundwater

Water to be used for: rural water system County: Meade

Location: _____

PRIORITY _____ Date Received: 8-15-94 Fee: \$50.00

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

Remarks: Same well as authorized by Permit No. 1534-1 - increase diversion rate

Diversion Point: SW 1/4 SW 1/4 Sec 1-T2N-R6E

Land to be Irrigated: _____

			1		
	⊗				

Well Log: Driller: Cimmaron Drilling Licensed: YES X NO _____

Depth of Well: 250 feet REMARKS: _____

Type of Map: same map as Permit No. 1534-1 Prepared By: _____ Reviewed and the Number

Assigned on: 8-17-94 By: Karen Schlaak

**SOUTH DAKOTA
WATER PERMIT NO. 1605-1**

Date of first receipt of application August 15, 1994.

Date of return to applicant for corrections, amendments or changes September 8, 1994.

Date of receipt of corrected application October 12, 1994.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1605-1 to Woodland Hills Community Association, PO Box 17, Blackhawk SD 57718-0017 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. 1605-1 appropriates 0.197 cubic feet of water per second (89 gallons per minute) from one existing well (Deadwood Formation) 950 feet deep located in the SW 1/4 SW 1/4 Section 1-T2N-R6E. This well was originally authorized by Water Permit Nos. 1295-2 and 1534-1 to appropriate a total of 0.167 cfs from the Madison Formation. Since the well is constructed into a different water source, the Deadwood Formation, this water permit is necessary.
2. The water appropriated shall be used for the purpose of supplying water to a rural water system and may not exceed the amount of water needed for beneficial use for rural water system use.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date of approval of Permit No. 1605-1 is November 21, 1994.
5. The date from which applicant may claim right is August 15, 1994.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

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.

WATER MANAGEMENT BOARD

By: 
John Hatch, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

DEC 28 1994
date

FORM 2: Application for uses other than irrigation
(type or print)

Mail to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

No. 1605-1 Hydrologic Unit 10120117
Basin Upper Cheyenne
Newspaper Meade Co Times-Tribune, Sturgis
(office use only)



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

Check use of water:

☐ Municipal ☐ Suburban Housing ☐ Recreational ☐ Institutional
☒ Rural Water System ☐ Commercial ☐ Fish & Wildlife ☐ Geothermal Heat
☒ Domestic ☐ Industrial ☐ Other _____
(over 18 gpm)

Type of Application: ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☒ Amendment/Correction to Permit No. 1534-1

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____
Pump 89 G.P.M. instead of 75 G.P.M.
Well pump more efficient than estimated.

- Name of Applicant Woodland Hills Community Association Phone 787-5265
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address PO Box 17 Blackhawk State SD 57718
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed 0.197 cfs add 1 *CFS or 89 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply Well Deadwood Formation
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) _____
SW 1/4, SW 1/4, Sec 1 Twp 2N RG 6E County Meade
- County or counties where water will be used Meade
- Annual period during which water is to be used Entire year Jan 1 - Dec 31
- Give a description of the 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)

Correct amount of water pumped from original estimate.

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

STATE OF SOUTH DAKOTA)

County of Meade)^{SS}

I, Evan L. Hutchings, 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 [Signature]

Subscribed and sworn to before me this 10 day of August 19 94

Comm expires - 3-2-98 [Signature]
Evan L. Hutchings

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8 3/4 Depth 950'
- b) Casing Type Steel Diameter 7" Thickness _____
- c) Screen Type N/A Diameter _____ Thickness _____
- d) Gravel Pack Thickness Rubber Seal? Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 910
- f) Depth to Water (ground surface to water level) 370
- g) Distance to nearest existing domestic well:

On applicants property A few feet On property owned by others _____

2. Dugout Information

- 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 for each dam. The locations of the dams need to 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

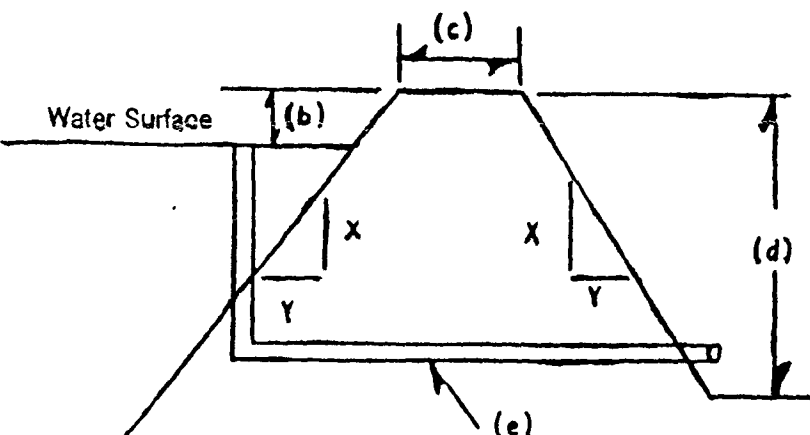
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres

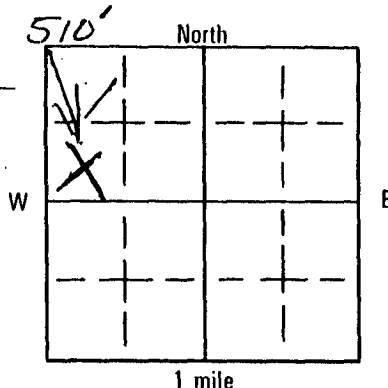


SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location SW 1/4 SW 1/4 Sec 1 Twp 2N Rg 6ECounty Meade

Please mark well location with an "X"

Well Completion Date Nov. 15 - 1991

PROPOSED USE:

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

Method of Drilling:

Rotary Air-Water

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>25#</u> LB/FT	<u>7</u> IN	<u>0</u> FT	<u>50</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? 850' FEETWhat is grouting material? Type I-II Neat CementIf cement, number of sacks? 150 SacksDescribe grouting procedure Pressure grouted 80 bagsThrough casing up to cavityTremie piped 70 bags to 400'What was grout weight? 94/16 to 6 gal 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 ☐ NOIf so, what material? RubberDescribe packer(s) and location? Packer placedAbove cavity at 400'Was well disinfected upon completion? ☒ YES ☐ NO

Explain _____

Bacteriological analysis ☒ YES ☐ NO OK.Laboratory sent to Twin City Lab.

Well Owner:

Name Woodland Hills SubdivisionAddress 8307 Woodland DriveWell Log: BLACK HAWK SD Depth 57718

Formation

	From	To
<u>Red Sand</u>	<u>0'</u>	<u>40'</u>
<u>Red Shale & Sandstone</u>	<u>40'</u>	<u>100'</u>
<u>gray limestone</u>	<u>100'</u>	<u>120'</u>
<u>yellow Sandstone</u>	<u>120'</u>	<u>150'</u>
<u>Red Sandstone</u>	<u>150'</u>	<u>175'</u>
<u>Red & yellow Sandstone</u>	<u>175'</u>	<u>320'</u>
<u>(Mankato)</u>		
<u>limestone</u>	<u>320'</u>	<u>420'</u>
<u>(Madison)</u>	<u>420'</u>	<u>425'</u>
<u>Fracture - Blind</u>	<u>420'</u>	<u>425'</u>
<u>Rest of Hole</u>		
<u>limestone</u>	<u>420'</u>	<u>840'</u>
<u>(Englewood to Winkler)</u>	<u>800'</u>	<u>900'</u>
<u>(Dendwood)</u>	<u>900'</u>	<u>950'</u>

STATIC WATER LEVEL 370' Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers

If other; specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped☐ Bailed☐ OtherDescribe: Lesser THAN
50' draw down
at 70 GPM in 2 Hrs

Pumping Level Below Land Surface

726 ft. After 2 Hrs. pumped 70 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

Because of Cavity,
 NO Return After 420'
 Drilled blind, had to
 Pressure grout up to
 cavity, set packer and Tremie
 pipe the top 400'

This well was drilled under license # 568

And this report is true and accurate.

Drilling firm Cimarron Drilling

Signature of License Representative:

Michael J. Deutch

Signature of Well Owner:

Harold A. SmithDate 8 Dec 1991

RECEIPT

Division of Water Rights

414250

South Dakota Department of Environment and Natural Resources

Pierre, _____

August 15, 19 94

RECEIVED OF Woodland Hills Community Assoc, PO Box 17, Black Hawk, SD 57718

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

Fee for Application for Permit No. <u>1605-1</u> to Appropriate Water, to construct and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Blatch
Chief Engineer

RECEIPT

Division of Water Rights

414295

South Dakota Department of Environment and Natural Resources

Pierre, _____ October 12, 19 94

RECEIVED OF Woodland Hills Community Assoc., PO Box 17, Black Hawk, SD 57718

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

Fee for Application for Permit No. <u>1605-1</u> to Appropriate Water, to construct and to put water to beneficial use _____	100	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 _____		

(Any Other Work Provided by Law)	Total	100 00

By John Hatch
Chief Engineer

RECEIPT

414706

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ December 11, 19 95

RECEIVED OF Woodland Hills Community Assoc, P.O. Box 17, 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>1605-1</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 Hatcher* 
Chief Engineer

ERIC:

HERE IS THE ADDITIONAL
\$100⁰⁰ TO AMEND OUR PERMIT
(APPLICATION #1605-1)

THANKS FOR YOUR HELP
L. S. M. —



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 8, 1994

Evan Hutchings
Woodlands Hills Community Association
PO Box 17
Blackhawk, SD 57718

Dear Mr. Hutchings:

I am writing in regards to the water permit application you submitted on behalf of Woodland Hills Community Association. The application was to increase the diversion rate from the amount of water previously appropriated by Water Right No. 1295-2 and Water Permit No. 1534-1. The permitted water source of these current permits is the Madison Formation.

A report on the Association's new water permit application has been prepared by a staff engineer. During the course of the investigation it was discovered that the well authorized by the permit was constructed into a different formation. The well was apparently constructed to a greater depth than originally planned and the water source is now the Deadwood Formation.

Since the Association utilizes 89 gallons per minute (gpm) from this well, this entire amount would be considered a new appropriation of water. I can amend your current application to reflect a new appropriation of 89 gpm. However, the application filing fee will need to reflect this as a total new appropriation of water. The application filing fee for 89 gpm is \$225. You previously submitted \$50 with your application. Please submit the additional \$175 so that we may proceed with processing the Association's application.

I realize this may be somewhat confusing, please do not hesitate to contact me if you have any questions.

Sincerely,

Eric Gronlund
Water Rights Division
605 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 14, 1994

Evans Hutchings
PO Box 17
Black Hawk, SD 57718

Dear Mr. Hutchings:

This letter is a follow-up to our discussion of Woodlands Hills Community Association's water permit application. The following is a brief summary of past water permitting for Woodland Hills.

1. The Association obtained Water Permit No. 1133-2 in 1973 to appropriate 19.8 gallons per minute (gpm) from an existing well. The application filed stated the well was 700 feet deep. This application was filed by Utility Engineering Corporation.
2. Water Permit Application No. 1295-2 was filed in 1975 to appropriate additional water from this existing 700 foot deep well. This Permit was ultimately licensed for 45 gpm and incorporated applicable portions of Permit No. 1133-2.
3. The Association filed Water Permit Application No. 1534-1 in 1991. The new well appropriated an additional 30 gpm bringing the Association's total permitted water use to 75 gpm. The original well was to be maintained as a back up water supply.

Application No. 1534-1 submitted by the Association states that the new well would be completed into the Madison Formation (see enclosed application form and the Supplemental Information form). The supplemental information form also stated the proposed Madison well would be 850 feet deep and that the top of the Madison formation at that location was at 640 feet.

An inspection in July, 1994 by Rassool Ahadi found the works capable of diverting a greater amount of water than permitted.

4. In response to Mr. Ahadi's inspection, the Association properly filed an application for additional diversion of water (Application No. 1605-1). This application stated that the well was 950 feet deep and the well completion report for the well specifically states the well is constructed into the Deadwood Formation.

The Association's current permits do not include the Deadwood Formation as a water source. I feel the most appropriate manner to handle this is to amend the Association's pending application to be for the entire amount of water (89 gpm) that is being diverted from this well. This would constitute a new appropriation of water.

State statutes (SDCL 46-2-13) set forth application filing fees that must be submitted. The fifty dollar application filing fee that was submitted with the original application was correct for an additional appropriation of water of less than 0.1 cubic feet of water per second (45 gpm). This application, if amended, will now be for an appropriation of 89 gpm from the Deadwood Formation. The fee would be \$225 based strictly on the diversion rate. However, if the Association does not use a volume of water greater than 120 acre feet of water, the application filing fee is \$150. I doubt that the Association's water use exceeds 120 acre feet of water annually. If this is correct the Association will need to submit an additional \$100 instead of the \$175 stated in my September 8, 1994 letter. The Association will also be responsible for paying the publication cost of the notice of hearing.

The water permitting process is intended to protect the Association's right to the use of water. Please contact me if you have any questions.

Sincerely,



Eric Gronlund

Water Rights Division
605 773-3352

enclosure

REPORT ON WATER PERMIT APPLICATION NO. 1605-1
for Woodland Hills Community Association
August 25, 1994

Application No. 1605-1 proposes to appropriate 0.197 cfs (89 gpm) from one well approximately 950 feet deep located in the SW 1/4 SW 1/4 of section 1, T2N R6E in Meade County. An existing well authorized by Water Permit Nos. 1534-1 and 1295-2 will be maintained as a backup water source for the water system.

AQUIFER - DEADWOOD FORMATION (DDWD)

The Deadwood Formation consists of sandstone, shale and local lenses of conglomerate and varies in thickness from 150 to 300 feet (Cattermole, 1969). The Deadwood is confined and under artesian conditions at this site. The Deadwood underlies 2.217 million acres and contains an estimated 44.35 million acre feet of recoverable water in storage in Meade County (Allen, 1984). The aquifer is areally extensive around the entire Black Hills and is hydraulically connected into Pennington County to the south and into Lawrence County to the north and west. In general, very little is known about the Deadwood Formation and its hydraulic characteristics. The Deadwood Formation is considered a minor source of water supply in this area (Peter, 1985) primarily because it is little used.

According to the well log submitted with the application, the top of the Deadwood was encountered at a depth of 900 feet. The completed well was capable of producing 70 gpm and had a static water level of 370 feet below land surface. The well is completed in accordance with SD Well Construction Standards.

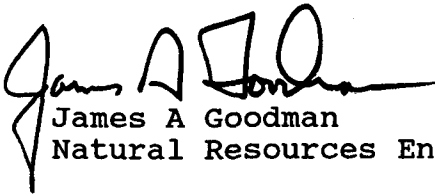
The Division of Water Rights does not monitor any observation wells completed into the Deadwood Formation in this area. In fact, only one Deadwood observation well exists. That is PE-84A and is located about 11 miles south of this application. Water levels for this well show response to climatic conditions, that is rising water levels due to recharge and gradually declining water levels due to discharge (wet versus dry years). The record for this well indicates the aquifer is capable of sustaining additional withdrawals (Water Rights, 1994).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing Water Permit/Right which obtains water from the Deadwood Formation is No. 1864-2 and it is located about 2 miles north of this application. There are two other Deadwood Formation Water Rights/Permits Nos. 1852-2, and 1705-2 both located about 3 to 4 miles south of this application. Interference is not expected to be a concern. All these diversions are relatively small and significant drawdown is not expected.

CONCLUSIONS

1. ~~Water is available from the Deadwood Formation.~~
2. The Deadwood is confined and under artesian conditions. Interference is not expected to be a concern.
3. This well is completed into the Deadwood Formation and is completed in accordance with SD Well Construction Standards.
4. The other permits for Woodland Hills (Nos. 1543-1 and 1295-2) are for wells completed into the Madison Formation.
5. The application should be requesting the full amount of water 89 gpm (0.197 cfs) from this new well.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Allen, J.C., D.L. Iles, A.K. Petres, 1984, Analysis of Groundwater and Streamflow Data Western Dakotas of South Dakota, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

Cattermole, M.J., 1969, Geologic Map of the Rapid City West Quadrangle, USGS, Washington, DC.

Peter, K.D., 1985, Availability and Quality of Water From the Bedrock Aquifers in the Rapid City Area, South Dakota, USGS WRI 85-4022, USGS, Rapid City, SD, 57701.

Water Rights, 1994, Unpublished Observation Well Records for the Deadwood Formation, SD DENR, Division of Water Rights, Pierre, SD, 57501.

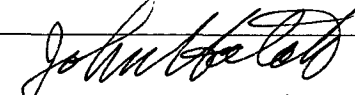
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1605-1, Woodland Hills Community Association

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 16045-1, Woodland Hills Community Association, c/o Evan Hutchings, PO Box 17, Black Hawk, SD 57718.

The Chief Engineer is recommending APPROVAL of Application No. 1605-1 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 report on application for additional information.


JOHN HATCH, Chief Engineer
August 31, 1994



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

October 26, 1994

Evan Hutchings
Woodland Hills Community Association
PO Box 17
Black Hawk, SD 57718

Dear Mr. Hutchings:

Water Permit Application No. 1605-1 for rural water system 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 Meade County Times-Tribune printed at Sturgis, SD (Ph # 605-347-2503). 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 Hearing 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. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 26, 1994

Meade County Times-Tribune
Box 69
Sturgis, SD 57785-0069

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1605-1 to be published twice. Please publish the first notice on November 2, 1994, 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 Woodland Hills Community Association, PO Box 17, Blackhawk, SD 57718 (Ph # 605-787-5265).

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. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
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 November 2, 1994, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1605-1 to Appropriate Water

Notice is given that Woodland Hills Community Association, PO Box 17, Blackhawk, SD 57718 has filed an application for a water permit to appropriate 0.197 cubic feet of water per second (89 gallons per minute) from one existing well (Deadwood Formation) 950 feet deep located in the SW 1/4 SW 1/4 Section 1-T2N-R6E. This well was originally authorized by Water Permit Nos. 1295-2 and 1534-1 to appropriate a total of 0.167 cfs from the Madison Formation. Since the well is constructed into a different water source, the Deadwood Formation, a new water permit is necessary. The water is to be used by the rural water system.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1605-1 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by November 21, 1994.

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 the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to this application. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss
 County of Meade)

I, Faye D. Pate

certify that the attached printed Notice was

taken from the Meade County

Times-Tribune

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County of Meade and State of

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 the newspaper on the following two dates:

November 2, 1994

November 9, 1994

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Faye D. Pate
 (Signature)

Accountant

(Title)

November 9, 1994

(Date Signed)

Water application

NOTICE OF APPLICATION

NO. 1605-1 to

Appropriate Water

Notice is given that Woodland Hills Community Association, P.O. Box 17, Blackhawk, SD 57718, has filed an application for a water permit to appropriate 0.197 cubic feet of water per second (89 gallons per

minute) from one existing well (Deadwood Formation) 950 feet deep located in the SW 1/4 SW1/4 Section 1-T2N-R6E. This well was originally authorized by Water Permit Nos. 1295-2 and 1534-1 to appropriate a total of 0.167 cfs from the Madison Formation. Since the well is constructed into a different water source, the Deadwood Formation, a new water permit is necessary. The water is to be used by the rural water system.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1605-1 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting the chief engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by November 21, 1994.

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 the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to this application. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

Publ Nov. 2 and 9, 1994
 Meade County Times-Tribune





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 28 1994

Evan Hutchings
Woodland Hills Community Association
PO Box 17
Blackhawk, SD 57718-0017

Dear Mr. Hutchings:

Enclosed is Water Permit No. 1605-1 authorizing construction of your water diversion system and beneficial use of the water, 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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 14, 1995

1605-1

Evans Hutchings
Woodland Hills Community Association
P.O. Box 17
Black Hawk, SD 57718

Dear Mr. Hutchings:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 1605-1, has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and 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

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

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.

Permit No. 1605-1
Upper Cheyenne - 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, 7/26/1994, made a thorough examination of the water use system owned by Woodland Hills Community Association of PO Box 17, Black Hawk, SD 57718, holder of Permit No. 1605-1, bearing the priority of August 15, 1994, authorizing the diversion of 0.197 cu. ft. per second of the waters of groundwater for purpose of supplying water to a rural water system, in Meade County.

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

- A. Works used to divert the water:
A submersible pump, 89 gallons per minute capacity.
A submersible motor, 15 horse power.
- B. Works used to transport water to place of use:
2600 feet of 2 inch PVC pipe.
- C. Works used to apply water to beneficial use:
Water is used in a housing development.

The system is in the following condition **Good**. The point of diversion is located about **520 feet east, 220 feet north from the southwest corner of Section 1, T2N-R6E (SW1/4 SW1/4)**. The works are capable of diverting and conveying to the place of use **0.197 cu. ft. per second** of water which is used in a rural water system.

The license should be issued for 0.197 cfs.

Applicable permit qualifications have been complied with: Yes **X** No

Exceptions to compliance are: **None**

Date Report Completed: **10/24/1995**



M. Rassool Ahadi
Natural Resources Engineer
DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 1605-1

Other permit(s) associated with the project: 1534-1/1295-2

DATE OF INSPECTION: 7/26/1994

NAME & ADDRESS OF INSPECTION CONTACT/ Evans Hutchings, PO Box 17, Black Hawk, SD 57718

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: President

NAME & ADDRESS OF PERMIT HOLDER: Woodland Hills Community Association

DIVERSION POINT LEGAL LOCATION: SW1/4 SW1/4 Section 1, T2N-R6E

WELL INFORMATION:

- 1) Well Drilling Firm: **Cimarron**
- 2) No. of Wells **1**
- 3) Depth(s) **950** feet
- 4) Well log is available **Y**

Casing:

- 1) Diameter **7** inches
- 2) Length **850** feet
- 3) Type **Steel**

Screen: None

- 1) Type
- 2) Length feet
- 3) Static water level **370** feet

Pump:

- 1) Make **Baker-Submersible**
- 2) Model **3PS101**
- 3) Size **6** inches
- 4) Capacity **89** GPM

Motor:

- 1) Make **Submersible**
- 2) Model No.
- 3) Horsepower rating **15** hp

DISTRIBUTION LINES OR CANALS:

1) Type **PVC** 2) Size **2 inches** 3) Length **2600 feet**

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit **NA**
- 2) Special qualifications to permit being abided by **Y**
- 3) All structures, well on map **Y**
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period **NA**

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1605-1

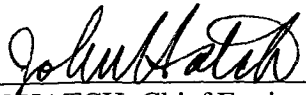
(1) Woodland Hills Community Association, PO Box 17, Black Hawk SD 57718 made Application No. 1605-1, August 15, 1994 for a water permit to divert 0.197 cubic feet of water per second from groundwater (one well-Deadwood Formation), Meade County, South Dakota for rural water system use purposes. Permit No. 1605-1, with a priority date of August 15, 1994 was approved November 21, 1994 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

The well authorized by Water Right No. 1295-2 (Madison Formation) is maintained as a backup water supply for Woodland Hills Community Association.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.197 cubic feet of water per second for beneficial use. The location of the diversion point is 520 feet east and 220 feet north from the southwest corner of Section 1-T2N-R6E (SW 1/4 SW 1/4).

(3) The applicant has 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 ~~Woodland Hills Community Association, PO Box 17, Black Hawk SD 57718~~ the holder and/or owner of Water Permit No. 1605-1 is issued a license to appropriate water, the right to use 0.197 cubic feet of water per second from groundwater (one well) with a priority date of August 15, 1994 from the location specified in (2) of this license. The water is to be used for the purpose of rural water system use. This license is subject to any limitations or qualifications listed in Water Permit No. 1605-1 and subject to South Dakota State Law.



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

APR 4 1996

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 4 1996

1605-1

Evans Hutchings, President
Woodland Hills Community Association
P.O. Box 17
Black Hawk, SD 57718

Dear Mr. Hutchings:

Enclosed is Water License No. 1605-1. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414706 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1605-1, 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

ks
enclosures

SW Cor Sec 1,
T2N, R6E, B41A

