

Assigned on: 9-30-94 By: Karen Schlaak

SOUTH DAKOTA WATER PERMIT NO. 1609-1

Date of first receipt of application September 15, 1994.

Date of return to applicant for corrections, amendments or changes September 19, 1994.

Date of receipt of corrected application September 28, 1994.

The Water Management Board approved Water Permit Application No. 1609-1 on November 30, 1994 for Blucksberg Mt. Water Association, Darrell Vig, Secretary, 8262 S Blucksberg Mt. Rd., Sturgis SD 57785 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. 1609-1 appropriates 0.22 cubic feet of water per second (100 gallons per minute) from one well (Madison Formation) approximately 1600 feet deep located in the SW 1/4 SE 1/4 Section 25-T5N-R5E.
2. The water appropriated shall be used for the purpose of supplying water for suburban housing development and may not exceed the amount of water needed for beneficial use for suburban housing development purposes.
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 September 15, 1994.
5. One-fifth of the construction is to be completed on or before May 30, 1997.
6. All construction is to be completed on or before November 30, 1999.
7. Water is to be put to beneficial use on or before November 30, 2003.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

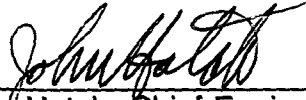
QUALIFICATIONS

1. In accordance with SDCL 46-1-14 and 46-2A-20, Permit No. 1609-1 is issued for a twenty year term. Pursuant to SDCL 46-2A-21, the twenty year term may be deleted at any time during the twenty year period or following its expiration. If the twenty year term is not deleted at the end of the term, the permit may either be cancelled or amended with a new term limitation of up to twenty years. Permit No. 1609-1 may also be cancelled for nonconstruction, forfeiture, abandonment or three permit violations pursuant to SDCL 46-1-12, 46-5-37, 46-5-37.1, and Board Rule ARSD 74:02:01:37.
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.

(continued)

3. The well authorized by Permit No. 1609-1 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.

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. 1609-1 Hydrologic Unit 10120202
Basin Belle Fourche River
Newspaper Meade Co. Times-Tribune, Box 69, 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. _____

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____
N/A

- Name of Applicant Blucksberg Mt. Water Association Phone (605) 347-2961
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 8262 S. Blucksberg Mt. Rd. Sturgis State SD 57785
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed 0.22 *CFS or 100 **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 Madison aquifer well
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) _____
POD - 132 rods west and 75 rods north of SE corner of Section 25 - T5-R5
SW 1/4 SE 1/4 Section 25 T5N R5E County Meade
- County or counties where water will be used Meade
- Annual period during which water is to be used throughout 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)
New well to be drilled into the Madison formation to supplement two existing Minnelusa wells of the Blucksberg Mountain Water Association system.

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, Blucksberg Mt. Water Assoc., 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.

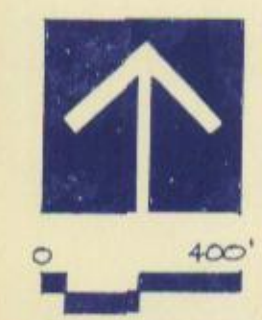
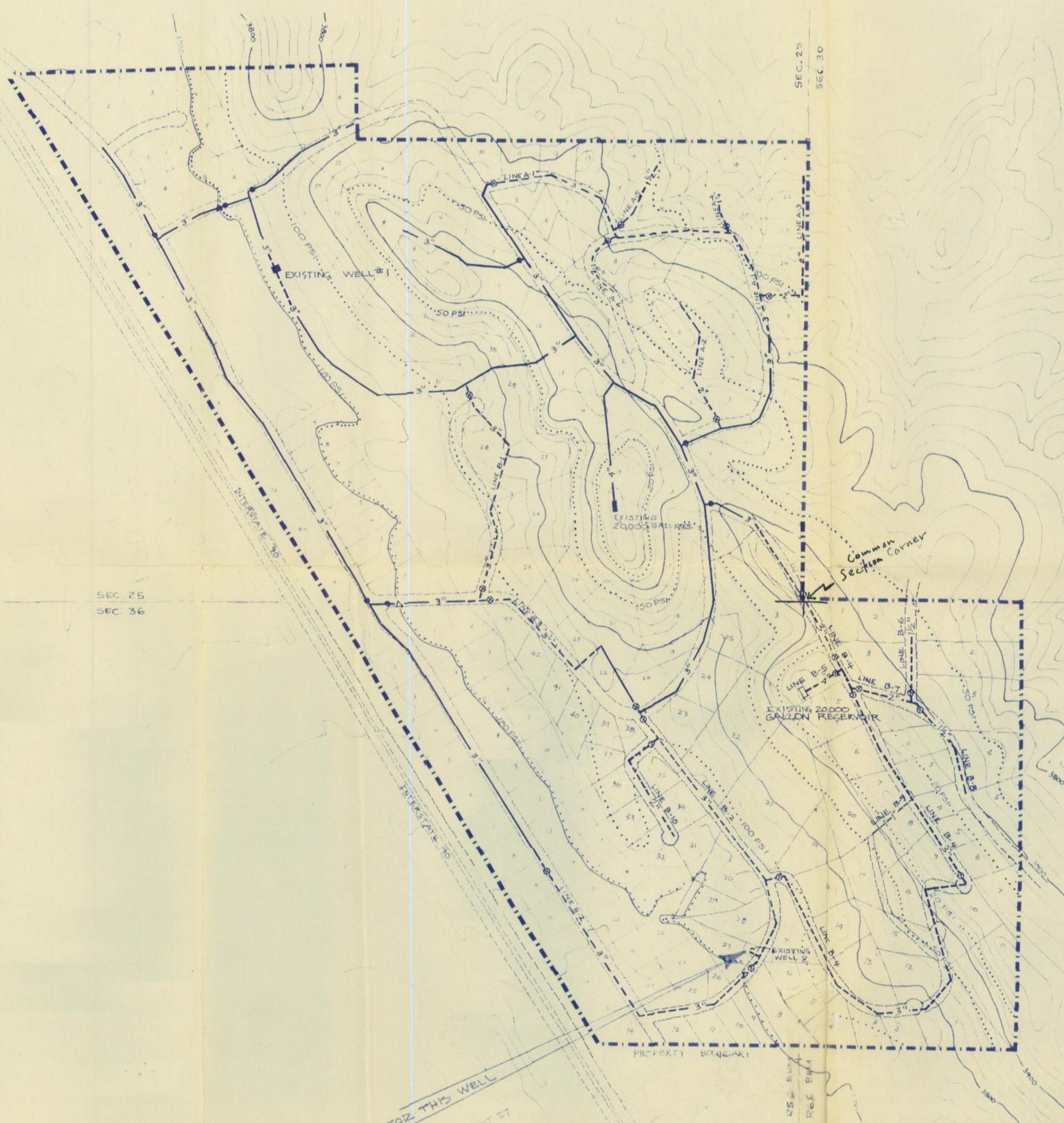
Signed

Danell Viz, Secretary B.M.W.A.

Subscribed and sworn to before me this 13th day of September 19 94

My commission expires 8/19/98

Carlene M. Rosenbaum



CONTOUR INTERVAL 20 FT

- 3" — EXISTING WATER MAIN
- - - 3" — FUTURE WATER MAIN
- EXISTING GATE VALVE
- FUTURE GATE VALVE
- ▲ EXISTING PRESSURE REDUCING VALVE
- △ FUTURE PRESSURE REDUCING VALVE
- 50 PSI..... LINE OF EQUAL STATIC PRESSURE

NOTE: MOST OF SYSTEM HAS BEEN COMPLETED AT THIS DATE - JAN. 26, 1979

SEC. 30 T5N R6E B4M
SEC. 31 T5N R6E B4M

WATER SYSTEM FOR BLUCKSBERG MOUNTAIN

meade county, s.d.

FRANCIS-MEADOR-GELLHAUS, INC.
RAPID CITY CUSTER



I, Rodney H. Meador, Registered Professional Engineer and Land Surveyor S.D. No. 1019, do hereby certify that, at the request of Goodwin Penney, I have prepared the enclosed map showing the location of the water well for which a Water Appropriation Grant has been requested from the State of South Dakota.

Witness my hand and seal this 29th day of JANUARY, 19 1979.

Rodney H. Meador
REGISTERED PROFESSIONAL ENGINEER & LAND SURVEYOR

DATE: JAN. 26, 1979

PROJECT NO. 2442 SHEET 1 OF 1

WATER RIGHT REQUEST FOR THIS WELL
JAN 26, 1979
LOW APPROPRIATION: WELL LOT NO. 2 OF LOT 27
OF BLOCK 2 OF BLUCKSBERG MOUNTAIN II

Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8 3/4" Depth 1600'
- b) Casing Type black steel Diameter 7 1/2" o.d. Thickness 0.318
- c) Screen Type N/A Diameter N/A Thickness N/A
- d) Gravel Pack Thickness None Length of Gravel Pack None
- e) Depth to Top of Water Bearing Material est. 1500'
- f) Depth to Water (ground surface to water level) 350'
- g) Distance to nearest existing domestic well:
On applicants property 1150' 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

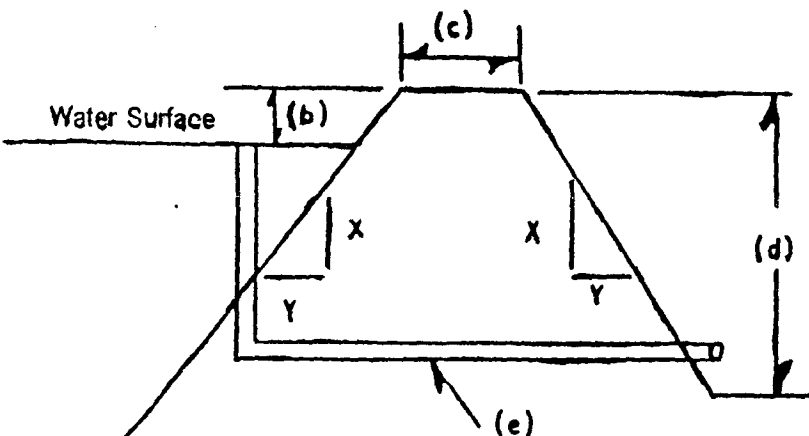
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



RECEIPT

414273

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, September 15, 19 94

RECEIVED OF Blucksberg Mt. Water Assoc, 5262 S Blucksberg Mt. Rd., Sturgis, SD 57785
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>1409-1</u> to Appropriate Water, to construct 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 _____		

(Any Other Work Provided by Law)	Total	225 00

By John Hatch
Chief Engineer

Location of Well



N

Scale:
8" = 1 mile

Blacksberg Mt. Water Assoc.
Well Location (Proposed)

SE corner of
Sec. 2, T5N-R5E

Map drawn by
Darrell Vig, Sr.
Soil Conservation Service
2320 So. Junction Ave.
Sturgis, SD 57785

Darrell Vig

1607-1



23
(5-5)

T1047

I3
(5-5)

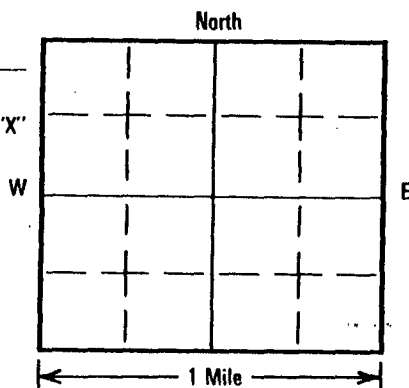
SOUTH DAKOTA WATER WELL COMPLETION REPORT

1609-1

07-92

Location Lot 4 B1K1 Sec 25 Twp 5 Rg 5County Meade

Please mark well location with an "X"

Well Completion Date Aug 1 - 1997

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 600 ft. from Septic (identify source).

PROPOSED USE:

☐ Domestic/Stock ☒ Municipal ☐ Business ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Rotary - Water

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>20.6 LB/FT</u>	<u>7" IN</u>	<u>0 FT</u>	<u>1326 FT</u>	<u>8 3/4 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Poelard</u>	<u>240</u>	<u>94/6 lb./gal</u>	<u>0</u> ft.	<u>1326</u> ft.
<u>Type II</u>		<u>lb./gal</u>	<u>ft.</u>	<u>ft.</u>

Describe grouting procedure Pressure grout TARD
Casing with mud pump to
surface - Cementing
Float shoeSCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

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? _____

DISINFECTION:

Was well disinfected upon completion? ☒ YES, How: chlorine injection
☐ NO, Why Not? _____

Laboratory sent to for water quality analysis

Maxim Tech
 Well Owner: Well #3
 Business Name: Blacksberg Mt Water Assn.
 Address: 8262 S. Blacksberg Mt. Rd.
Sturgis S.D. 57785

WELL LOG:

DEPTH

FORMATION	FROM	TO
Top soil	0'	6'
Blue & Green Shale Red Lenses	6'	320'
(Sundance)		
Red Siltstone & Shale	320'	745'
(Spearfish)		
Hard Red Siltstone & Gyp	745'	795'
(Minnekahta) Limestone	795'	840'
Red-Mann Shale & Siltstone	840'	985'
(Opelika)		
Hard Red Limestone	985'	1000'
Red Sand Layers & Sh	1000'	1040'
No Return (voids)	1040'	1140'
Red & White Sand Layers & Sh	1140'	1240'
CREAM SANDS & Limestone	1240'	1300'
Minnekahta		
Cream to White Limestone	1300'	1400'
Fractured	1350'	1400'

STATIC WATER LEVEL 520' Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☒ Reducers ☐ Other

Reduced Flowrate _____ GPM

Can well be completely shut in? ☐ YES ☒ NO

WELL TEST DATA:

☒ Pumped Describe: Set Pump.☐ Bailed 1000'☐ Other _____

Pumping Level Below Land Surface

1000' ft. After 1 Hrs. pumped 60-70 GPM1000' ft. After 2 Hrs. pumped 50-60 GPMIf pump installed, pump rate 80 GPM GPM

REMARKS

Finished well into
Fractured limestone
1360' to 1400'
Air developed
70 GPM @ 1200'
This well was drilled under license # 568

And this report is true and accurate.

Drilling firm Cimarron DrillingSignature of License Representative: Michael J. Dauter

Signature of Well Owner or Equitable Property Holder: _____

Date: 8/17/97



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 19, 1994

Darrell Vig, Secretary
Blucksberg Mt. Water Association
8262 S Blucksberg Mt. Rd.
Sturgis SD 57785

Dear Mr. Vig:

In regard to your water permit application received on September 15, 1994, the following information needs to be submitted in order to process the application.

1. A map showing the location of the diversion point (place where the well is located) in relation to a government section corner or quarter corner by direction and distance. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local SCS or ASCS office).
2. Please specify the type of wastewater disposal system that is utilized (ie. septic tank, drainfield). Also, specify the capacity of the system and the approximate year of construction.

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

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
605 773-3352



8262 S. Blacksburg Mt. Rd
Sturgis, SD 57785

9/27/94

Karen Schlaak
Environmental Scientist
Dept. ENR

Joe Foss Bldg. 523 E. Capitol
Pierre, SD 57501-3181

Dear Karen,

Enclosed is an aerial photo on which I indicated the location of the proposed well in relationship to the SE corner of Section 25-T5-R5 as you requested. I forgot to send this with the water right application.

Blacksburg Mt. Estates is a development with 148 homes. Each home has an individual septic tank waste system.

Presently, our water system consisted of 2 wells in the Mammelusa aquifer (1000' deep) ~~which~~ ^{with} 2 (two) 20,000 gal. underground storage tanks. The new well ~~will~~ is planned to be dug into the Madison with a potential 75 to 100 gpm pumping capacity.

If you have any more questions, let me know.

Sincerely,

David Eja, Secretary
Blacksburg Mt. Water Users Assoc.

office (605) 347-4330
home (605) 347-6522



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 6, 1994

Mike Deutsch
9017 South Ridge Trail
Sturgis, SD 57785

Dear Mr. Deutsch:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, Blucksberg Mt. Water Association is authorized to construct a test well into the Madison Aquifer, prior to approval of a water permit. A water permit must be approved prior to any use of water. The well is to be located in the SW 1/4 SE 1/4 Section 25, T5N-R5E. The test well must be constructed in accordance with the South Dakota Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the South Dakota Well Construction Standards.

Sincerely,

James A. Goodman P.E.
Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

c: Blucksberg Mt. Water Association, Darrell Vig, Secretary, 8262 S. Blucksberg Mt. Rd.,
Sturgis, SD 57785

WATER PERMIT APPLICATION NO. 1609-1
BLUCKSBERG MT. WATER ASSOCIATION
OCTOBER 6, 1994

Water Permit Application No. 1609-1 proposes to appropriate 0.22 cubic feet of water per second (100 gallons per minute) from one well (Madison Formation) approximately 1600 feet deep located in the SW 1/4 SE 1/4 Sec. 25, T5N-R5E. The water is for use in a suburban housing development.

INTRODUCTION:

SDCL 46-2A-9 requires that a permit to appropriate water may only be issued if there is reasonable probability that there is unappropriated water available for the applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will address the questions of water availability and the affects on existing rights.

The Madison Aquifer is a massive, carbonate (limestone and dolomite) aquifer which underlies most of western South Dakota. It is estimated that the aquifer contains at least 640 million acre-feet of recoverable water in storage in the State (Allen, 1984). The importance of the Madison as an aquifer is largely due to randomly distributed zones of secondary porosity and permeability formed by weathering of exposed surfaces, groundwater solution and fracturing. These zones also play an important role in determining the hydraulic behavior of the Madison aquifer system and the response of the system to stress. Recharge to the Madison aquifer occurs through streamflow losses and direct infiltration of precipitation at the outcrop area. Recharge for the entire Madison Aquifer in South Dakota has been estimated to range from 140,000 to 400,000 acre-feet per year (Woodward Clyde, 1981). The aquifer is under confined (artesian) conditions at this location.

The Division of Water Rights monitors 13 observation wells completed into the Madison aquifer. Records from the observation wells indicate the potentiometric surface of the aquifer fluctuates 30-40 feet per year near the recharge area, in response to seasonal and climatic variations. The limited period of record available from observation wells completed into the Madison Aquifer, (all but one of the wells have been installed since 1986), does not lend itself easily to interpretation. Water-level declines apparent from some of the hydrographs of this data can be attributed to dry climatic conditions in the Black Hills area from the late 1980's that continued into the early 1990's in some localized areas. Observation well data suggest that at the existing level of development, natural influences dominate the water level of the aquifer and the effects of pumping as yet are not obvious.

The high cost of Madison wells, except very near the outcrop, and the availability of groundwater from shallower aquifers, has limited domestic development and generally restricted usage from the Madison to those uses which require water rights. There are

a total of 104 permits/rights which appropriate water from the Madison aquifer in South Dakota. The majority of the water rights/permits from the aquifer are from Butte(14), Lawrence(22), Meade(12), Pennington(35) and Fall River(8) Counties. The Madison supplies water for irrigation, geothermal, industrial, and commercial use. However, by far the major use of the aquifer is for common distribution systems (suburban housing development and municipal use). The cities of Spearfish, Belle Fourche, Sturgis, Rapid City, Box Elder, and Edgemont all depend on water from the Madison Aquifer.

If the worst case assumptions are made that (1) permits/rights with an annual withdrawal limitation (ac-ft/yr) will use the maximum allowable; and (2) permits/rights that are limited by a diversion rate only, will use 60% of the maximum allowable (considered reasonable for water distribution systems); the total water use from the Madison would be less than 50,000 acre-feet per year. The actual amount of water used from the Madison is considerably less than this estimate. Comparison of the estimated annual recharge to the Madison with the water use estimated from the aquifer, indicates unappropriated water is available from the Madison aquifer.

AFFECTS ON EXISTING RIGHTS:

The major obstacle to potential development of the Madison Aquifer is consideration of the affects pumping may have on existing water rights. The drawdown caused by pumping an individual well could have an affect on nearby wells (well interference), and the cumulative affect of numerous withdrawals from an area, may have an affect on area water rights.

WELL INTERFERENCE:

Since the Madison is under artesian conditions except very near the outcrop, withdrawals from a well can cause a decline in the potentiometric surface over fairly widespread areas. The well proposed by this application is to be located within approximately one mile of three Water Rights/Permits appropriating water from the Madison Aquifer. They include:

NO.	OWNER	LOCATION	USE	ACRES	CFS
1483-1	B H Nat. Cemetery	Sec.26,T5N-R5E	irr	37	.52
1484-1	B H Nat. Cemetery	Sec.26,T5N-R5E	irr	6.2	.05
1277-1	Pleasant Valley	Sec.36,T5N-R5E	SHD		.04

Any influence this proposed use would have on these water rights/permits is not expected to be adverse, due to the distance between wells and the relatively low pumping rates of the wells involved.

CUMULATIVE AFFECT OF WITHDRAWALS:

The cumulative affect of numerous withdrawals from a concentrated area, may lower the water levels over a fairly large area. A significant lowering of the potentiometric surface of the Madison Aquifer could theoretically affect not only the Madison, but also other aquifers, spring flows and surface water flows. In recent years, a number of new wells have been completed into the Madison aquifer.

The relationship between the Madison Aquifer and the overlying Minnelusa Aquifer is not fully understood. A hydrologic connection may exist between these two aquifers.

Measurements taken in the Division of Water Rights' Observation Wells indicate the water level of the Madison is generally higher than the water level of the Minnelusa, thus suggesting the potential of the Madison contributing recharge to the Minnelusa. If a hydraulic connection exists, lower water levels in the Madison Aquifer would also result in lower water levels in the Minnelusa Aquifer. While significant effects to the Minnelusa water level do not appear to have resulted from present development, this connection cannot be ignored when considering long-term development.

As stated previously, a major percentage of the recharge to the Madison occurs from streamflow losses. Streamflow losses to the aquifer are directly influenced by the gradient between the surface water and the groundwater. An increase in the gradient caused by a decline in water levels in the Madison aquifer may increase the streamflow losses.

Springs and seeps sustain the base flow of all major streams that drain the Black Hills. Many of these springs or seeps are points of natural discharge from the Madison Aquifer. Small fluctuations in the Madison water table may have large fluctuations in spring discharge. Seasonal fluctuations and climatic effects of spring discharge may be evident in discharge from some area springs. Most of the springs discharging from the Madison are at or near the outcrop where the aquifer is under unconfined conditions. Historic data of water table fluctuations in the unconfined portion of the Madison aquifer are not available, and the relationship between spring discharge and water level fluctuations is unknown.

If the cumulative affect of development from the Madison Aquifer requires the lowering of pumps in existing wells (either domestic wells or those wells with existing permits), or reduces flows of area streams, unlawful impairment of existing rights questions may need to be answered. SDCL 46-6-6.1 authorizes the Water Management Board to protect domestic water use by controlling large capacity wells without the necessity of requiring maintenance of artesian head pressure in a domestic use well. The statute also provides for the lowering of a water lift mechanism to a depth near the bottom of the groundwater supply or, in artesian aquifers to a substantial depth below the geological formation confining the ground water. Based on this statute, although water levels may be affected, the affect may not be unlawful impairment.

TERM LIMITATION:

SDCL 46-2A-20 requires that "... no water permit for construction of works to withdraw water from the Madison formation in Butte, Fall River, Custer, Lawrence, Meade and Pennington counties may be issued for a term of more than twenty years, unless the water management board determines, based upon the evidence presented at the hearing that:

- (1) Sufficient information is available to determine whether any significant adverse hydrologic effects on the supply of water in the Madison formation would result if the proposed withdrawal were approved; and
- (2) The information, whether provided by the applicant or by other means, show that there is a reasonable probability that issuance of the proposed permit would not have a significant adverse effect on nearby Madison

formation wells and springs."
Evidence is not available to justify issuing this permit without a term limitation of 20 years.

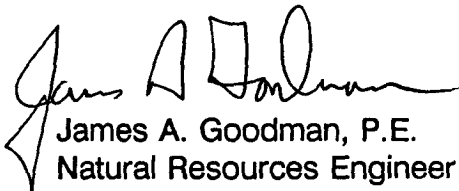
CONCLUSIONS:

1. The Madison Aquifer is a viable aquifer in this area, and water is available for this appropriation.
2. Well interference should not be a problem in this area.
3. Adverse impacts on area water levels, due to this increased appropriation from the Madison Aquifer are not expected.



Ken Buhler
Natural Resources Engineer

Approved by:


James A. Goodman, P.E.
Natural Resources Engineer

REFERENCES:

Allen, J.C., D.Iles, A.Petres, 1984, Analysis of Groundwater and Streamflow Data, Western Dakotas Region of South Dakota, Task 3 & 4: Groundwater Resources Inventory, US Army Corp of Engineers Contract DAWC 45-82-C-015, SD DENR-Division of Geological Survey, Vermillion SD

Darton, N.H., Paige, S., 1925, Geologic Atlas of the United States, Central Black Hills Folio, USGS Folio No. 219.

Division of Water Rights, 1994, "Domestic Well Log Files, Observation Well Files, and Water Permit Files", DENR-Water Rights Division, Joe Foss Building, Pierre, SD 57501

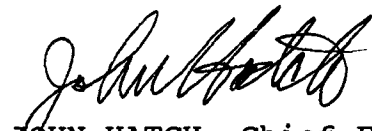
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1609-1, Blucksberg Mt. Water Association

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. 1609-1, Blucksberg Mt. Water Association, c/o Darrell Vig, 8262 S. Blucksberg Mt. Road, Sturgis, SD 57785.

The Chief Engineer is recommending APPROVAL of Application No. 1609-1 for a 20-year term pursuant to SDCL 46-1-14 and 46-2A-20 because 1) although evidence is not available to justify issuing this permit without a 20-year term limitation, 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) it is in the public interest with the following qualifications:

1. In accordance with SDCL 46-1-14 and 46-2A-20, Permit No. 1609-1 is issued for a twenty year term. Pursuant to SDCL 46-2A-21, the twenty year term may be deleted at any time during the twenty year period or following its expiration. If the twenty year term is not deleted at the end of the term, the Permit may either be cancelled or amended with a new term limitation of up to twenty years. Permit No. 1609-1 may also be cancelled for nonconstruction, forfeiture, abandonment or three permit violations pursuant to SDCL 46-1-12, 46-5-37, 46-5-37.1, and Board Rule ARSD 74:02:01:37.
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3. The well authorized by Permit No. 1609-1 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.

See report on application for additional information.



JOHN HATCH, Chief Engineer
October 26, 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 28, 1994

Darrell Vig, Secretary
Blucksberg Mt. Water Association
8262 S. Blucksberg Mt. Road
Sturgis, SD 57785

Dear Mr. Vig:

Water Permit Application No. 1609-1 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 Meade Co. 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
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 28, 1994

Meade Co. Times-Tribune
Box 69
Sturgis, SD 57785-0069

ATTENTION: Legal Department

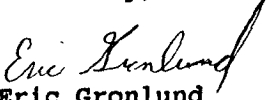
Enclosed is a Notice of Hearing on Application No. 1609-1 to be published twice. Please publish the first notice on November 2, 1994, with the second publication 7 days later.

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 Blucksberg Mt. Water Association, c/o Darrell Vig, Secretary, 8262 S. Blucksberg Mt. Road, Sturgis, SD 57785 (Ph # 605-347-2961).

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
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 HEARING on Application No. 1609-1 to Appropriate Water

Notice is given that Blucksberg Mt. Water Association, Darrell Vig, Secretary, 8262 S. Blucksberg Mt. Road, Sturgis, SD 57785 has filed an application for a water permit to appropriate 0.22 cubic feet of water per second (100 gallons per minute) from one well (Madison Formation) approximately 1600 feet deep located in the SW 1/4 SE 1/4 Section 25-T5N-R5E. The water is for use in a suburban housing development.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1609-1 for a 20-year term pursuant to SDCL 46-1-14 and 46-2A-20 because 1) although evidence is not available to justify issuing this permit without a 20-year term limitation, there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to 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.

The Water Management Board will consider this application at 10:00 a.m., Wednesday, November 30, 1994, Gallery E, Ramkota Inn Best Western, 920 West Sioux, Pierre, SD. 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. The November 30, 1994, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by November 21, 1994.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact Eric Gronlund by November 21, 1994, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-2A-20, 46-2A-21; 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, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PL

Water application

STATE OF SOUTH D

County of MeadeI, Faye

certify that the attach

taken from the Meade County

printed and publishe

County of MeadeSouth Dakota. The
the newspaper of thNovember 2November 9Cost of Printing: 57.157.1Faye C
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Accou

November
(DaNOTICE OF HEARING on
APPLICATION NO. 1609-1

to Appropriate Water

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1609-1 for a 20-year term pursuant to SDCL 46-1-14 and 46-2A-20 because 1) although evidence is not available to justify issuing this permit without a 20-year term limitation, there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest.

Any person interested in opposing or supporting this application, must file a written petition with BOTH the applicant and chief engineer. The applicant must also file a petition if opposed to 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.

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Water Rights Division address to request copies of information pertaining to this application.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-2A-20, 46-2A-21; 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, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15. 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

Darrell Vig, Secretary
Blucksberg Mt. Water Association
8262 S Blucksberg Mt Rd
Sturgis, SD 57785

Dear Mr. Vig:

Enclosed is Water Permit No. 1609-1 authorizing construction of your water diversion system and beneficial use of the water, 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,

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.



1609-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

November 10, 1999

Darrell Vig
Blucksberg Mt. Water Association
8262 S Blucksberg Mt. Road
Sturgis SD 57785

Dear Mr. Vig:

The investigation of the association's water use system was conducted on July 12, 1999, by Ron Duvall, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 1609-1 (Madison well). 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.

A review of the association's existing Water Right No. 1188-1 found that the original notice of hearing published in 1979 contained an error in the legal description of the well locations. Therefore, the notice of hearing needs to be readvertised to correct the error. 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 readvertisement are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

The cost of publication of this notice will be paid by the Water Rights Program.

After Water Right No. 1188-1 has been readvertised, the water license for the two Minnelusa wells will be reissued. Upon receipt of the \$50.00 fee, we will begin processing of the water license for the Madison well.

Mr. Vig, I realize this may be somewhat confusing, so if you have any questions, please feel free to contact Karen Schlaak or me.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

enclosures

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N~~2~~ 416293

Pierre, December 13, 1999

RECEIVED OF Blucksberg Mt. Water Association, 8262 S. Blucksberg Mt. Rd., Sturgis, SD 57785
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. 160891

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By

Chief Engineer

John Hatch



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

December 7, 1999

Darrell Vig
Blucksberg Mt. Water Association
8262 S Blucksberg Mt. Road
Sturgis SD 57785

Dear Mr. Vig:

On November 10, 1999, you were informed that Water Right No. 1188-1 was to be readvertised in the Meade County Times-Tribune to correct an error that occurred when the notice was originally published. That readvertisement has taken place and the water license can now be reissued to correct well locations.

As stated in that letter, statutes require that we charge a \$50.00 fee for the investigation and issuance of the Water License for No. 1609-1 (Madison Formation well). Upon receipt of the \$50.00 fee, both licenses will be issued to you.

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

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
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. 1609-1
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, July 12, 1999, made a thorough examination of the water use system constructed by Blucksberg Mt. Water Association of 8262 S Blucksberg Mt. Road Sturgis SD 57785 holder of Permit No. 1609-1, bearing the priority of September 15, 1994 authorizing the diversion of 0.22 cu. ft. per second of the waters of ground water (Madison Formation) for suburban housing purposes, in Meade County.

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

A. Works used to divert the water:

Pump\Motor:

- 1) Make Grundfos submersible
- 2) Size 25 hp
- 3) Capacity 80 GPM

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

Water is diverted to two, 20,000 gallon storage tanks and serves approximately 170 homes.

The system is in the following condition good. The point of diversion is located Well: 2,300 feet W and 1,190 feet N from SE corner section 25-T5N-R5E (SW¼SE¼). The works are capable of diverting and conveying to the place of use 0.18 cu. ft. per second of water which is to be used for suburban housing. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.18 cfs.

Applicable permit qualifications have been complied with: Yes X No

Exceptions to compliance are: none Date report completed: October 29, 1999



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

FIELD INVESTIGATION REPORT FOR PERMIT NO. 1609-1

DATE OF INVESTIGATION	July 12, 1999
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Carl Erickson, system maintenance
NAME & ADDRESS OF PERMIT HOLDER	Blucksberg Mt. Water Association 8262 S Blucksberg Mt. Road Sturgis SD 57785
DIVERSION POINT LEGAL LOCATION	Well: 2,300 feet W and 1,190 feet N from SE corner section 25-T5N-R5E

Other permit(s) associated with the project: 1188-1

WELL INFORMATION:

- 1) Well Drilling Firm: Cimarron Drilling
- 2) No. of Wells 1
- 3) Depth(s) 1,400 feet
- 4) Well log is available Y
- 5) Comment: pump installed by driller

Casing:

- 1) Diameter 7 inches
- 2) Length 1,326 feet
- 3) Type steel

Screen:

- 1) Type none
- 2) Static water level 520 feet

Pump\Motor:

- 1) Make Grundfos submersible
- 2) Size 25 hp
- 3) Capacity 80 GPM

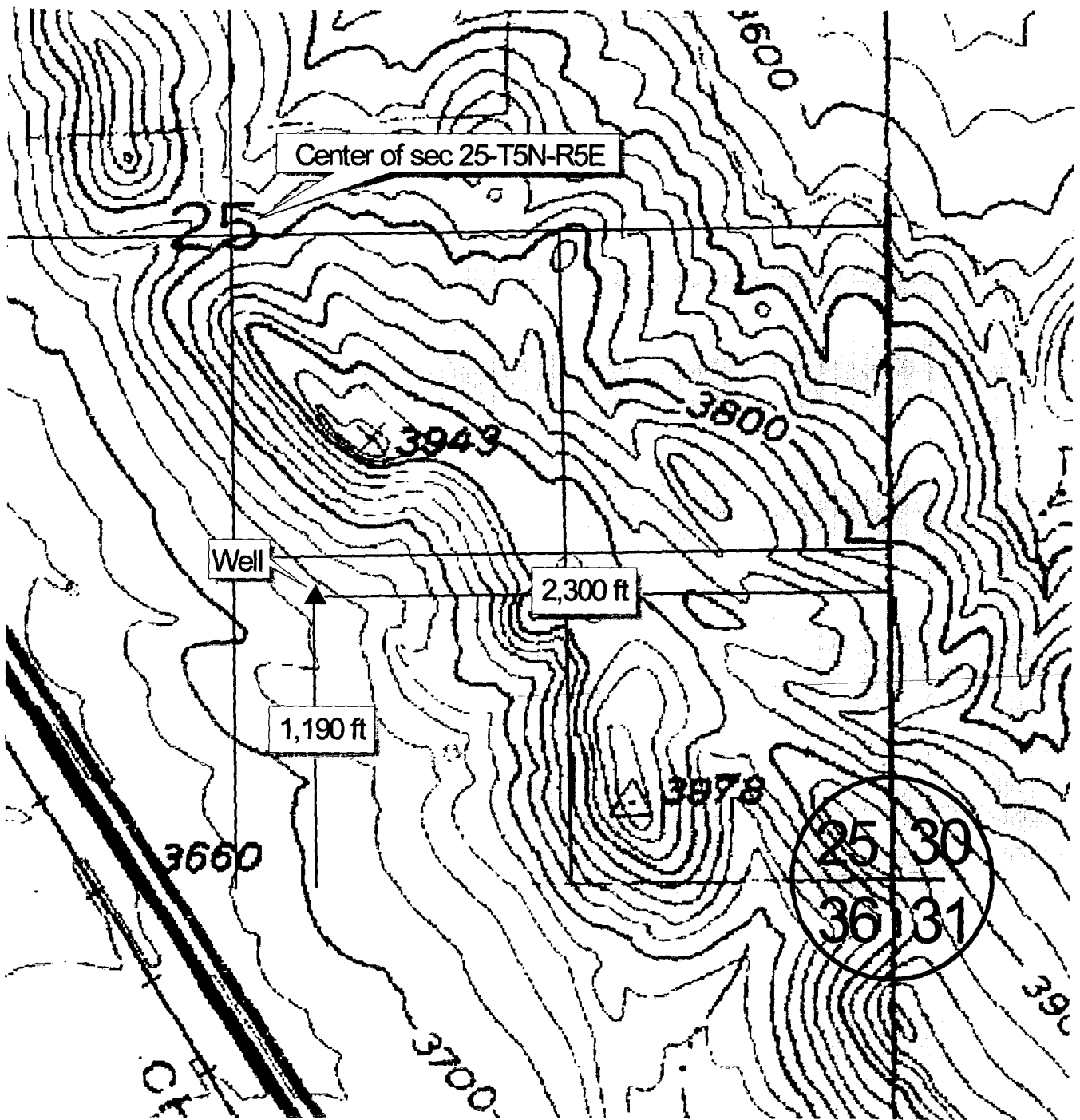
DISTRIBUTION LINES OR CANALS:

Water is diverted to two, 20,000 gallon storage tanks and serves approximately 170 homes.

PERMIT QUALIFICATIONS:

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

600 0 600 Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Ron Duvall, Nat Res Engineer Oct 29, 1999

Water Right No. 1609-1

STATE OF SOUTH DAKOTA

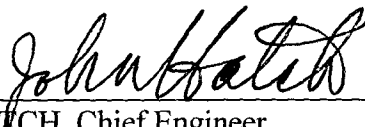
WATER LICENSE NO. 1609-1

(1) Blucksberg Mt. Water Association, 8262 S Blucksberg Mt. Road, Sturgis SD 57785 made Application No. 1609-1, September 15, 1994 for a water permit to divert 0.22 cubic feet of water per second from groundwater (one well), Meade County, South Dakota for suburban housing development purposes. Permit No. 1609-1, with a priority date of September 15, 1994 was approved November 30, 1994 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before November 30, 1999 and for the application to beneficial use of said water on or before November 30, 2003.

(2) It is certified that the permit holder 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 0.18 cubic feet of water per second for beneficial use. The location of the diversion point is 2,300 feet west and 1,190 feet north from the southeast corner Section 25-T5N-R5E (SW ¼ SE ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to supply water to approximately 170 homes.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Blucksberg Mt. Water Association, 8262 S Blucksberg Mt. Road, Sturgis SD 57785 the holder and/or owner of Water Right No. 1609-1 is issued a license to appropriate water, the right to use 0.18 cubic feet of water per second from groundwater (one well) with a priority date of September 15, 1994 from the location specified in (2) of this license for suburban housing development purposes. This license is subject to any limitations or qualifications listed in Water Right No. 1609-1 and subject to South Dakota State Law.



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

DEC 30 1999

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

DEC 30 1999

1188-1 and 1609-1

Darrell Vig
Blucksberg Mt. Water Association
8262 S Blucksberg Mt. Road
Sturgis SD 57785

Dear Mr. Vig:

Enclosed is Water License No. 1609-1 and receipt for \$50.00 assessed for the inspection and issuance of the license. Also, enclosed is Reissued Water License No. 1188-1. These water licenses are the final documents completing the process of obtaining a water right.

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

Very truly yours,

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 25, 2006

No. 1188-1
1609-1

Sage Water Works, Inc.
Allan Sage, Certified Operator
5310 Ebony Place
Piedmont SD 57769

Dear Mr. Sage:

Based on the return of the 2005 SD Water Use Questionnaire, enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 1188-1 and 1609-1. The water rights are currently listed in the name of Blucksberg Mtn Water Assn.

The transfer forms should be checked over for accuracy and signed by the new owner. Upon completion, return the forms to our office with a required filing fee of \$2.50 each (\$5.00 total).

I have tried for the past couple of days to reach you by phone. I wasn't certain if the water rights should be transferred to Sage Water Works, Inc. or if I just needed to change our records to indicate you as the contact person. If no transfer is required, please let me know; otherwise return the forms with the filing fee.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352
email: karen.schlaak@state.sd.us

enclosure

6/27/06
Called Allan Sage. He
indicated the permits should
not be transferred. He is just
the operator for the assn.