

WATER PERMIT NO. 1682-1

Name of Applicant: Stanley W Scheurer, Tom Gunderson, Gene Gunderson

Address: 22514 Potter Road, Rapid City SD 57701

Phone: 605 342-2194

Amount of Water Claimed: 0.133 cfs Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: suburban housing development County: Meade

Type of Waste Disposal System: drain field and mound systems

Location: near Piedmont

PRIORITY Date Received: 3-11-1999

Fee: \$150

Corrected Application Received: 3-26-1999

Period of Annual Use: January 1 – December 31

Remarks:

Diversion Point: Lot 8 of Elk Mountain

Subdivision (SE ¼ SW ¼) Sec 9-T3N-R6E

Land to be Irrigated: NA

Depth of Well: 300 feet deep

Well Driller: Cimarron Drilling Inc.

Remarks:

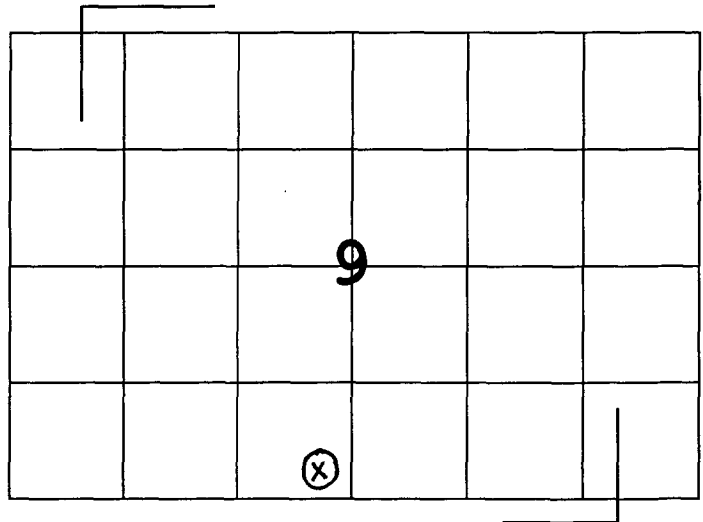
Type of Map: plat

Prepared by: Jerry Wendland, RLS

Reviewed and the Number Assigned on: 3-26-1999

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



SOUTH DAKOTA
WATER PERMIT NO. 1682-1

Date of first receipt of application March 11, 1999.

Date of return to applicant for corrections, amendments or changes March 12, 1999.

Date of receipt of corrected application March 26, 1999.

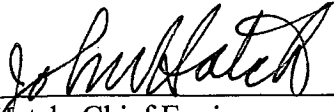
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1682-1 to Stanley W Scheurer, Tom Gunderson and Gene Gunderson, 22514 Potter Road, Rapid City SD 57701 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 1682-1 appropriates 0.133 cubic feet of water per second (60 gallons per minute) from one well (Minnelusa Formation) 300 feet deep located in Lot 8 of Elk Mountain Subdivision (SE ¼ SW ¼) Section 9-T3N-R6E.
2. The water appropriated shall be used for the purpose of supplying water for a suburban housing development and may not exceed the amount of water needed for beneficial 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. 1682-1 is May 24, 1999.
5. The date from which applicant may claim right is March 11, 1999.
6. One-fifth of the construction is to be completed on or before November 24, 2001.
7. All construction is to be completed on or before May 24, 2004.
8. Water is to be put to beneficial use on or before May 24, 2008.
9. 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 Program
Department of Environment and Natural Resources

JUN 25 1999

date



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

any questions
please call Stan
Scheurer
342-2194

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

No. 1682-1 Hydrologic Unit 10/20/11
Basin Upper Cheyenne
Newspaper Meade Co. Times-Tribune, Sturgis, SD
(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.) _____

1. Name of Applicant Stanley W. Scheurer - Tom Gunderson - Eugene Gunderson Phone 605-342-2194
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 22514 Potter Road Rapid City State So. Dak. 57701
(Street, RR, or Box) (City) (Zip Code)

2. Amount of water claimed 0.175 *CFS or 60 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply private well

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) Lots 1 thru 8,
Elk Mountain Subdivision, located in Lot 3, less lot A of Lot 3, All in the SE 1/4 and
(Lots) (SE 1/4 of the SW 1/4) Sec 9, T3N R6E, BHM, one well County Meade

5. County or counties where water will be used Meade

6. Annual period during which water is to be used All year Jan 1 - Dec 31

7. 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)
We have a private well on this land. We just platted the land and need permission to use our existing well for these homes. The water well is in the minilusa formation. We already platted, put roads in, and utilities for these lots.

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)

plat has been approved and signed by all parties

STATE OF SOUTH DAKOTA)

County of Meade ss

Thomas Gunderson, Eugene Gunderson,

I, Stan Scheurer, 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.

Eugene Gunderson Signed Stan Scheurer
Subscribed and sworn to before me this 10th day of February 19 99

My commission expires July 22, 1999

Edith Phelps

Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

- a) Drill Hole Diameter 6" Depth 300'
- b) Casing Type PVC Diameter 6" Thickness 1/4"
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Cement Length of Gravel Pack 200' to surface
- e) Depth to Top of Water Bearing Material 200'
- f) Depth to Water (ground surface to water level) 100'
- g) Distance to nearest existing domestic well:
 On applicants property 1/3 mile On property owned by others ✓

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) Not yet built
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System

3. Dugout Information

- a) Surface Dimensions None Depth _____
- b) Depth to water (ground surface to water level) _____

4. Water Storage Dams

None

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 _____

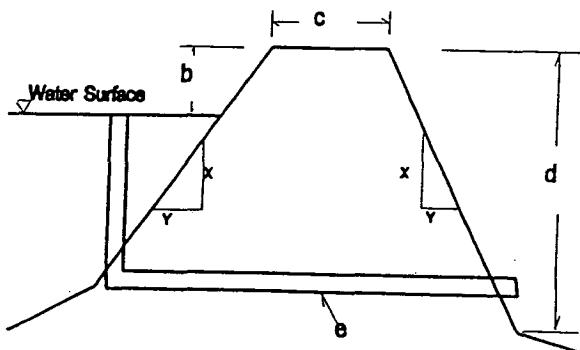
Upstream _____

Downstream _____

- h) Surface Area of Impoundment _____

- i) Storage _____ Acre Feet

- j) Drainage Area Above Dam _____ Acres



RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

№ 416066

Pierre, March 11, 1999

RECEIVED OF Stanley W. Scheurer & Tom & Gene Gunderson, 22514 Potter Rd., Rapid City, SD 57701
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>1682-1</u> to Appropriate Water, to construct and to put water to beneficial use _____	150	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after 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	150 00

By

Chief Engineer

John Hatch 

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NE 416078

Pierre, _____ March 26, 1999

RECEIVED OF Stanley W. Schenrrer, 22514 Potter Road, Rapid City, SD 57701
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. 1682-1

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

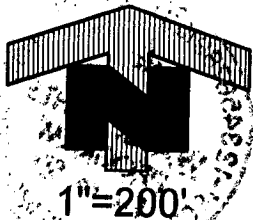
50 00

By _____
Chief Engineer

John H. Hatcher

Plat of Lots 1 through 8 of the Elk Mountain Subdivision

Located in Lot 3, less Lot A of Lot 3, all in the SE1/4 and SE1/4 of the SW1/4 of Section 9, T3N, R6E, B.H.M., Meade County, South Dakota



Prepared By:
Jerry J. Wendland
6909 Ridgeview Drive
Black Hawk SD 57718
(605) 787-4503

LEGEND:

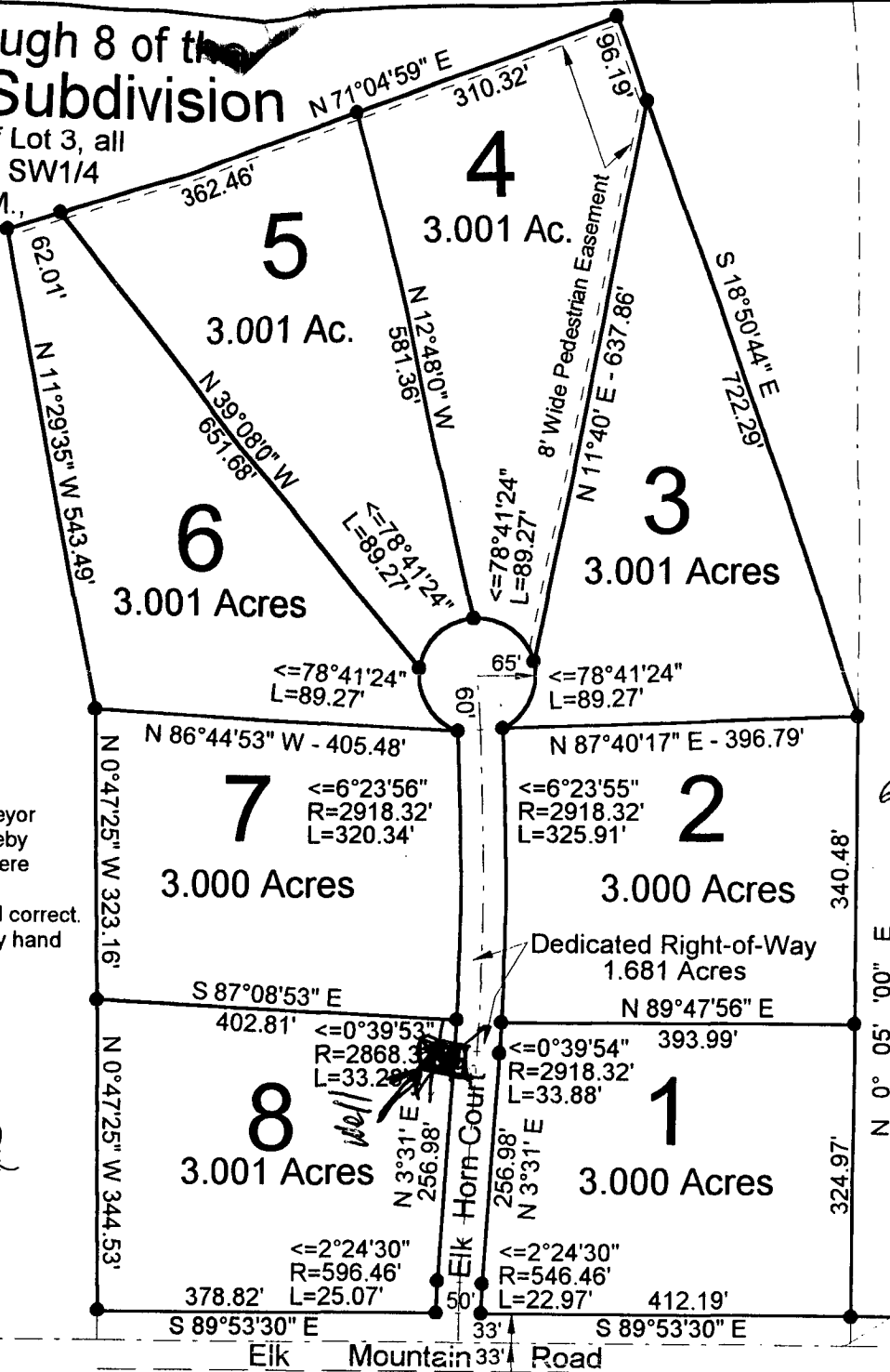
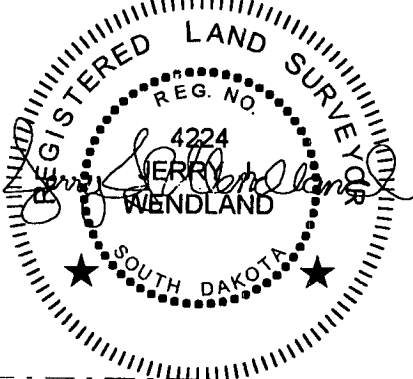
- Denotes: Set Property Corner: 5/8" rebar with cap #4224

Front Building Setback: 25 feet.

Utility and minor Drainage Easements: 8' wide on the interior side of all lot lines.

SURVEYORS CERTIFICATE

I, Jerry J. Wendland, Registered Land Surveyor #4224 in the State of South Dakota, do hereby certify that this plat and the survey thereof were performed by me and, that to the best of my knowledge, the same is in all things true and correct. IN WITNESS WHEREOF, I hereunto set my hand and seal, this 22th day of September, 1998.



CERTIFICATE OF STREET AUTHORITY

The location of the proposed access road to the County or State Highway, or City Street, as shown hereon is hereby approved. Any change in the access location shall require additional approval.

Signed: _____

OWNERS CERTIFICATE AND ACKNOWLEDGEMENT

We, Stanley Scheurer, Tom Gunderson, and Gene Gunderson, do hereby certify that we are the owners of the land shown and described hereon and that we did authorize and do hereby approve the survey and within plat of said land and that development of this land shall conform to all existing applicable zoning, subdivision, erosion and sediment control regulations.

Signed:

Stanley Scheurer - owner

Tom Gunderson - owner

Gene Gunderson - owner

On this _____ day of _____, 199____, before me a Notary Public, personally appeared Stanley Scheurer, Tom Gunderson, and Gene Gunderson, known to me to be the persons described in the foregoing instrument and acknowledged to me that he signed the same.

_____, Notary Public

My Commission Expires: _____

CERTIFICATE OF DIRECTOR OF EQUALIZATION

I, Meade County Director of Equalization, do hereby certify that I have on file in my office a copy of the within plat of land.

Signed this _____ day of _____, 199____, _____
Meade County Director of Equalization

CERTIFICATE OF COUNTY TREASURER

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

Dated this _____ day of _____, 199____,
Meade

CERTIFICATE OF PLANNING COMMISSION

Approved by the Meade County Planning Commission this _____ day of _____, 199____,

Signed: _____, Chairman.

CERTIFICATE OF COUNTY AUDITOR

I, Meade County Auditor, do hereby certify that at an official meeting held on the _____ day of _____, 199____, the

Meade County Board of Commissioners, by resolution, did approve the plat as shown hereon.

CERTIFICATE OF THE REGISTER OF DEEDS / State of South Dakota - County of Meade - ss

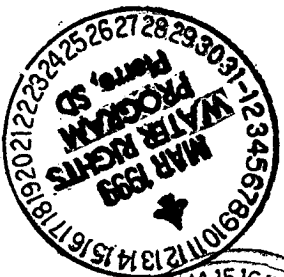
Filed for record this _____ day of _____, 199____, at _____ o'clock and _____ minutes _____ M, and

recorded in Book _____ of Plats on Page _____, Fees: _____

Meade County Register of Deeds

1682-1

Plaf approved and all
parties signed - registered
at Meade County Court house

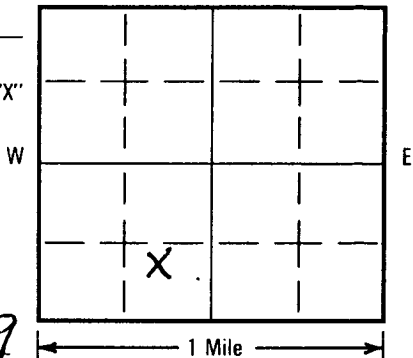


SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location SE 1/4 SW 1/4 Sec 9 Twp 3-N Rg 6-E
 County Hot 8 Elk Mt Sub. North
Meade

Please mark well location with an "X"



Well Completion Date

1-10-99

LOCATION:

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

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary-Air WaterCASING DATA: ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT DIAMETER FROM TO HOLE DIAMETER
200 LB/FT 5 IN 0 FT 300 FT 7 7/8 IN
 _____ LB/FT _____ IN _____ FT _____ FT _____ IN
 _____ LB/FT _____ IN _____ FT _____ FT _____ IN

GROUTING DATA

Grout Type No. of Sacks Grout Weight From To
Portland 40 94 lb./gal 0 ft. 250 ft.

Describe grouting procedure Pressure grout thru Tremie w/ pump from from packers to sand face

SCREEN: ☒ Perforated pipe ☐ ManufacturedDiameter 5 IN Length 40' FEETMaterial PVCSlot Size 1/16 Set From 260 Feet to 300 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☒ YES ☐ NOIf so, what material? Natural RubberDescribe packer(s) and location? 1@ 250' - 1@ 248'

DISINFECTION: Was well disinfected upon completion?

☒ YES, How: chlorine☐ NO, Why Not? Pellets

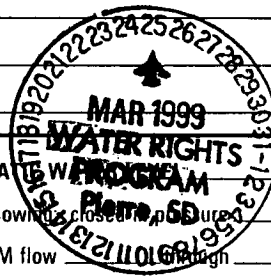
Laboratory sent to for water quality analysis

work to complete

Well Owner: Elk Mt. Estates (Stan Scherer)
 Business Name: Elk Mt. Estates
 Address: 22514 Potter Rd
Rapid City, S.D. 57702

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
<u>Limestone (Minnehaha)</u>	<u>0'</u>	<u>42'</u>
<u>Red Shale & S. Stone</u>	<u>42'</u>	<u>170'</u>
<u>(Opeche)</u>		
<u>Red & White Sand & ss.</u>	<u>170'</u>	<u>320'</u>
<u>(Minnehaha)</u>		

STATE WELL NO. 125 Feet

If flowing closed, pressure _____ PSI

GPM flow _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped Describe: Air developed☐ Bailed _____☒ Other _____

Pumping Level Below Land Surface

260 ft. After 2 Hrs. Blew 90 GPM220 ft. After 2 Hrs. Flow 70 GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 568

And this report is true and accurate.

Drilling firm Cimarron Drilling IncSignature of License Representative: Michael J. Deutch

Signature of Well Owner or Equitable Property Holder: _____

Date: _____



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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



March 12, 1999

Stanley W Scheurer
22514 Potter Road
Rapid City SD 57701

Dear Mr. Scheurer:

Thank you for submitting the *Application for a Permit to Appropriate Water* for suburban housing development. In order to complete the application the following is required.

Enclosed is the map submitted with the application. On the map, please mark the location of the well with an "X". Also the map needs to reference the location of the well in relation to a government section corner or quarter corner by direction and distance. The public notice prepared by our office needs to reference the location of the well to a specific quarter-quarter section.

What type of wastewater disposal system are you proposing to use (i.e. septic tank, drain field)?

A well log signed by a South Dakota licensed well driller must accompany the application.

We are in receipt of the \$150.00 application filing fee. In addition to the application filing fee, the Water Rights Program now collects the \$50 licensing fee at the time of filing. Please submit \$50 for the licensing of the water permit.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

*Stan Scheurer
called 3/24/99*

*Old well is located
in SE 1/4 SE 1/4 SW 1/4*

Sec 9.

*told him map would
be OK if he marked the
well.*

To D.E.N.A.,

Enclosed are the additional requirements you requested.

Please note lots 1, 2, and 4 are drain field sewers and lots 3, 5, 6, 7, and 8 are mound systems.

Any questions please feel free to call me at 605-342-2194 or 605-391-2094. Thank You!

Sincerely,
Stan Scheurer
22514 Potter Rd.
Rapid City, S.D.



**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1682-1, Stanley Scheurer, Tom Gunderson & Gene Gunderson**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 1682-1, Stanley W. Scheurer, 22514 Potter Road, Rapid City SD 57701.

The Chief Engineer is recommending APPROVAL of Application No. 1682-1 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) it is 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.

A handwritten signature in black ink, appearing to read "John Hatch", with a stylized flourish at the end.

JOHN HATCH, Chief Engineer
April 29, 1999

WATER PERMIT APPLICATION NO. 1682-1
STANLEY W. SCHEURER
APRIL 26, 1999

Water Permit Application No. 1682-1 proposes to appropriate 0.133 cubic feet of water per second (60 gallons per minute) from one well 300 feet deep (Minnelusa Formation) located in the SE ¼ SW ¼ Section 9, T3N-R6E. The water is for use in a suburban housing development.

AQUIFER: Minnelusa Aquifer (MNLS)

GENERAL:

The Minnelusa Aquifer is an assemblage of alternating beds of sandstone and dolomitic limestone with lesser amounts of red and black shale and chert approximately 450 feet thick in this area (Water Rights, 1999). Because the lithology of the Minnelusa is so variable, the porosity of the formation is also variable and difficult to determine. Well sorted sand lenses have porosity's approaching 25%, but generally the sands have porosity's of 10%. The average porosity of the Minnelusa is estimated to be 10% and the effective porosity is assumed to be 5% (Rahn, 1979). The Minnelusa formation underlies approximately 2,172,800 acres of Meade County and contains an estimated 81,480,000 acre-feet of recoverable water in storage (Allen, 1984). The aquifer is areally extensive around the Black Hills and is hydraulically connected into the counties surrounding Meade County. Ground water movement is probably toward the north and east. There is no aquifer-test data available for the Minnelusa Aquifer at this site; therefore, the aquifer transmissivity and storage coefficient values are unknown. Estimates from regional studies of the aquifer indicate the aquifer transmissivity may range from 30 to 1000 ft²/d, and the storage coefficient ranges from 6.6×10^{-5} to 2×10^{-4} (Kyllonen, 1987). The top of the Minnelusa is reported to be 170 feet below ground surface on the completion report that accompanies this application. The report indicates the static water level of the well is 125 feet below grade and the well produces 90 gallons per minute.

WATER AVAILABILITY:

The Water Rights Program monitors 23 observation wells completed into the Minnelusa aquifer in the Black Hills area. Water Rights Observation Well MD-84A is located within one mile of this well site. The hydrograph for the well (see figure 1), is fairly typical for the Minnelusa Aquifer. That is, the water levels reach their peak in the early summer each year and gradually decline until spring. The majority of the recharge to the system occurs between March and July.

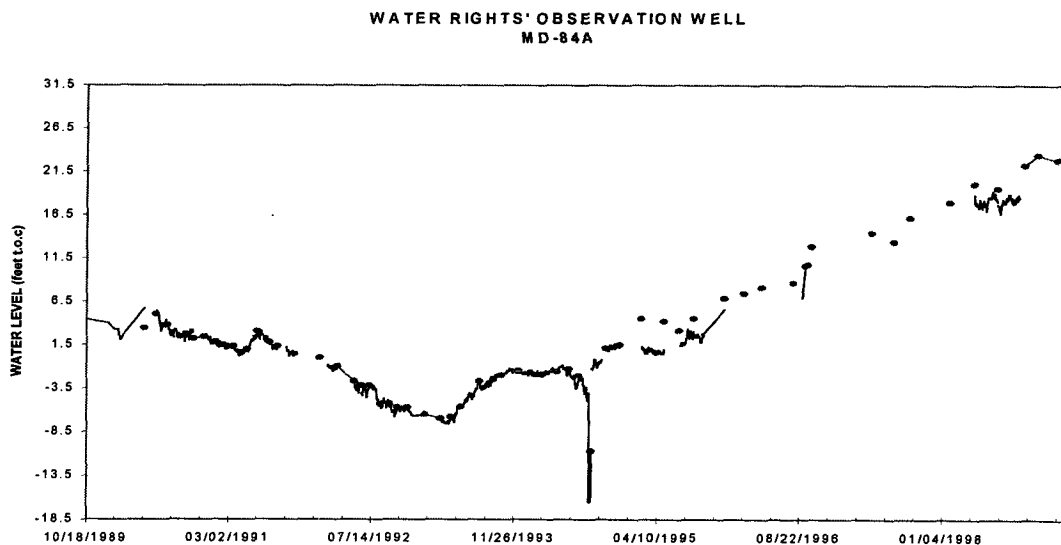


Figure 1. Typical Minnelusa Aquifer Hydrograph.

A hydrograph for this observation well shows a natural fluctuation of 31 feet between the highest water level recorded (12/01/98) and the lowest water level recorded (4/13/93). The hydrograph also shows 12-13' of drawdown at the observation well on August 23, 1994, which was the result of withdrawals from the Minnelusa aquifer during the installation of a Madison Observation well approximately 20 feet away.

It is obvious from the hydrograph that withdrawals have not exceeded recharge for the period of record. The observation well data suggests that at the existing level of development, the aquifer is capable of sustaining additional withdrawals.

AFFECTS ON EXISTING RIGHTS:

There are 155 Water Rights/Permits that appropriate water from the aquifer in South Dakota (Water Rights, 1999). There are 42 permits/rights appropriating water from the Minnelusa aquifer in Meade County (Water Rights, 1999), where the aquifer is used primarily for suburban housing development, commercial, municipal and irrigation use. There are a number of domestic wells completed into the Minnelusa Aquifer on file with the Water Rights Program (Water Rights, 1999).

There are 11 Water Rights/Permits appropriating groundwater within one and one half miles of the site proposed by this application. Nine of these appropriations are from the Minnelusa Aquifer. Two Minnelusa appropriations No. 1155-1 Donald Wittinger, and 1902-2 Carol's Slash J Bar are within approximately ½ mile of this well. Any well interference this proposed use would have on these or other water rights/permits is not expected to be adverse due to the distance between wells, and the relatively low diversion rate requested by this application.

Special Consideration:

This development is planned for eight, three-acre housing lots. The housing development plans to utilize individual drain fields or mound systems to dispose of effluent. This housing development is located on the outcrop (recharge area) of the Minnekahta Aquifer.

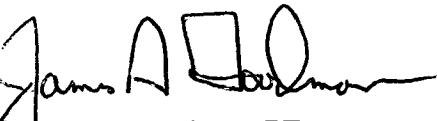
CONCLUSIONS:

1. The Minnelusa Aquifer is a viable aquifer in this area, and water is available for this appropriation.
2. The Minnelusa is under artesian conditions and drawdown due to this diversion can be expected. This drawdown is not expected to adversely affect adequate wells in the area.
3. The effluent from this suburban housing development will be disposed of through individual septic systems.
4. The Completion Report submitted with this application indicates the existing well has been constructed in compliance with the SD Well Construction Standards.
5. Although a map showing the location of this well in relation to a section corner is not available for this application as required by ARSD 74:02:01:07, the map does provide the legal description where the well and subdivision will be located.



Ken Buhler
Natural Resources Engineer

Approved by



James A. Goodman, PE
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 Corps of Engineers Contract DAWC 45-82-C-015, SD DENR-Division of Geological Survey, Vermillion SD
- Kyllonen, D.P., K. Peter, 1987, GeoHydrology and Water Quality of the Inyan Kara, Minnelusa, and Madison Aquifers of the Northern Black Hills, South Dakota and Wyoming, and Bear Lodge Mountains, Wyoming, U.S. Geological Survey, Water Resources Investigations Report 86-4158, Rapid City, SD
- Rahn, P.H., 1979, Ground Water Resources of Western South Dakota, US Army Corps of Engineers, Draft Report-Final
- Water Rights Program₁, 1999, "Observation Well Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD
- Water Rights Program₂, 1999, "Water Permit Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD
- Water Rights Program₃, 1999, "Domestic Well Log Files" DENR-Water Rights Program, Joe Foss Building, Pierre, SD



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

April 29, 1999

Stanley W. Scheurer
22514 Potter Road
Rapid City, SD 57701

Dear Mr. Scheurer:

Water Permit Application No. 1682-1 for suburban housing development 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
www.state.sd.us/denr

April 29, 1999

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

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 1682-1 to Appropriate Water to be published twice. Please publish the first notice on May 5, 1999, 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 APPLICANTS are Stanley W. Scheurer, and Tom and Gene Gunderson, 22514 Potter Road, Rapid City, SD 57701 (Ph # (605) 342-2194).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CU T HERE-----

No. 1682-1

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of April 29, 1999, enclosing Notice of Hearing to Appropriate Water by Application No. 1682-1 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 May 5, 1999, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1682-1 to Appropriate Water

Notice is given that Stanley W. Scheurer, Tom Gunderson, Gene Gunderson, 22514 Potter Road, Rapid City SD 57701 have filed an application for a water permit to appropriate 0.133 cubic feet of water per second (60 gallons per minute) from one well (Minnelusa Formation) 300 feet deep located in Lot 8 of Elk Mountain Subdivision (SE ¼ SW ¼) Section 9-T3N-R6E. The water is for use in a suburban housing development.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1682-1 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 Program, 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 May 24, 1999.

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 Program address to request copies of information pertaining to this application. Nettie H. Myers, Secretary, Department of Environment and Natural Resources.

OK

AFFIDAVIT OF PUBLICATION



STATE OF SOUTH DAKOTA
COUNTY OF MEADE

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

<u>May 5</u>	<u>1999</u>	<u>199</u>
<u>May 12</u>	<u>1999</u>	<u>199</u>
<u>199</u>	<u>199</u>	<u>199</u>
<u>199</u>	<u>199</u>	<u>199</u>
<u>199</u>	<u>199</u>	<u>199</u>

that the full amount of the fee charged for publishing the same, to-wit, the sum of \$ 37.33, inures solely to the benefit of the publisher of said newspaper; that no agreement or understanding for the division of the fee has been made with any person, and that no part of the fee has been agreed to be paid to any other person.

Joan M. Lewis
Bookkeeper

Subscribed and sworn to before me this

12th day of May, 1999
Christa Brunner
Notary Public, South Dakota

My Commission Expires
February 1, 2001



Water application

NOTICE OF APPLICATION NO. 1682-1 to Appropriate Water

Notice is given that Stanley W. Scheurer, Tom Gunderson, Gene Gunderson, 22514 Potter Road, Rapid City SD 57701 have filed an application for a water permit to appropriate 0.133 cubic feet of water per second (80 gallons per minute) from one well (Minnelusa Formation) 300 feet deep located in Lot 8 of Elk Mountain Subdivision (SE 1/4 SW 1/4) Section 9-T3N-R6E. The water is for use in a suburban housing development.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1682-1 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 Program, 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 May 24, 1999.

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 Program address to request copies of information pertaining to this application. Nettle H. Myers, Secretary, Department of Environment and Natural Resources.

Publ May 5 and 12, 1999
Meade County Times-Tribune



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 25 1999

Stanley W. Scheurer and
Tom and Gene Gunderson
22514 Potter Road
Rapid City, SD 57701

Dear Sirs:

Enclosed is Water Permit No. 1682-1 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Very truly yours,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 4, 2000

Stan Scheurer
22514 Potter Road
Rapid City SD 57702

Dear Mr. Scheurer:

I am writing in regard to a well driller's report filed by Cimarron Drilling Inc. The report shows a new well was completed for you on September 10, 1999. A review of our files indicates that Stanley Scheurer, Tom Gunderson and Gene Gunderson hold Water Permit No. 1682-1 for 60 gallons per minute (gpm) from one well, 300 feet deep located in the SE ¼ SW ¼ Section 9-T3N-R6E for suburban housing development use.

South Dakota Codified Law 46-5-13.1 provides that a point of diversion may be changed or additional points of diversion may be approved without application or publication of a notice of hearing if the additional point of diversion is from the same source of water, no additional water is appropriated and the Chief Engineer makes a finding that the change does not increase the potential for interference with existing diversions.

Mr. Scheurer, does the peak diversion rate from the two wells exceed 60 gpm? If so, a new permit application will be required for the additional diversion rate above 60 gpm. Enclosed are application forms and instructions. If the well is a replacement well or an additional well which does not increase the total appropriation of 60 gpm, please let me know.

If you have any questions, please contact Eric Gronlund or me. We will be happy to assist you in any way possible.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

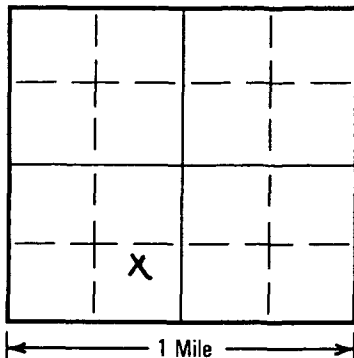
Location SE 1/4 SW 1/4 Sec 9 Twp 3-N Rg 6-E
 County Lot 20 Elk Mt. Estates North
Meade

Please mark well location with an "X"

W

E

Well Completion Date

9-10-99

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 300 ft. from Septic (identify source).

PROPOSED USE:

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

METHOD OF DRILLING:

Rotary Air - WaterCASING DATA: ☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>15.5 LB/FT</u>	<u>5 1/2 IN</u>	<u>0</u> FT	<u>460</u> FT	<u>7 7/8 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type Portland No. of Sacks 80 Grout Weight 94 1/4 lb./gal From 0 ft. To 460 ft.
Type I-II _____ lb./gal _____ ft. _____ ft.

Describe grouting procedure Pressure grout thru casing w mud pump displace w. water

SCREEN: ☐ 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☐ NO, Why Not? Pelletts

Laboratory sent to for water quality analysis

owner to complete

Well Owner: Stan Shurear
 Business Name: Elk Mt. Estate
 Address: 22514 Potter Rd.
Rapid City S.D. 57702

WELL LOG:

DEPTH

FORMATION	FROM	TO
<u>Minnekahta Limestone</u>	<u>0'</u>	<u>40'</u>
<u>Red shale</u>	<u>40'</u>	<u>170'</u>
<u>(Opeche)</u>		
<u>White & Yellow Sand</u>	<u>170'</u>	<u>370'</u>
<u>Red shale</u>	<u>370'</u>	<u>380'</u>
<u>Minnekahta Middle</u>		
<u>Red & White Sand & ss</u>	<u>380'</u>	<u>650'</u>
<u>(Minnekahta)</u>		

STATIC WATER LEVEL

200

Feet

If flowing: closed in pressure _____

GPM flow _____ through _____

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____

Can well be completely shut in? _____

WELL TEST DATA:

☐ PumpedDescribe: Air developed☐ Bailed☒ Other _____

Pumping Level Below Land Surface

400 ft. After 2 Hrs. Blow 12 GPM500 ft. After 2 Hrs. Blow 25 GPMIf pump installed, pump rate 25 GPM

REMARKS

This well was drilled under license # 568

And this report is true and accurate.

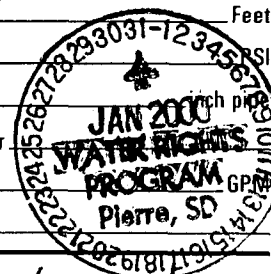
Drilling firm Cimarron Drilling Inc.

Signature of License Representative

Michael J. Deutrich

Signature of Well Owner or Equitable Property Holder:

Date: _____



WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME: Stanley W Scheurer

ADDRESS: 22514 Potter Road, Rapid City SD 57701

DATE: August 25, 2000 ? Feb. 25, 2000

RE: Addition of well to Water Permit No. 1682-1

COMMENTS:

Stanley Scheurer stopped by the office regarding construction of an additional well to serve the Elk Mountain Subdivision. Water Permit No. 1682-1 authorizes construction of one well to supply 0.133 cfs (60 gpm) to a housing subdivision. All construction associated with the project is to be completed by May 24, 2004.

Mr. Scheurer also delivered a copy of the well completion report for the new well drilled by Cimarron Drilling. According to Mr. Scheurer, the new well and the existing permitted well each produce 25 gpm for a total of 50 gpm. The well log also indicates that the well is in the same ground water formation (Minnelusa) as the original well. Mr. Scheurer also indicated that the nearest well on property not owned by the subdivision is approximately one third mile away but is a shallow well not in the Minnelusa Formation. The subdivision is surrounded on three sides by Forest Service property.

I instructed Mr. Scheurer to provide a copy of a plat map showing the location of the new well. While the well is within the same legal description as the existing well, the lot is not shown on the map submitted with No. 1682-1. After receipt of the map, a decision can be made whether the additional well can be added to the existing permit or whether a new permit will be needed.



Ron Duvall
Natural Resources Engineer
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 5, 2000

Stanley Scheurer
22514 Potter Road
Rapid City SD 57702

Dear Mr. Scheurer:

On February 4, 2000, I contacted you about a well completion report we received from Cimarron Drilling, Inc. Later, you stopped by our office and talked with Ron Duvall. You indicated this was an additional well to serve the Elk Mountain Subdivision. The new well and the existing well each provide 25 gallons per minute (gpm) for a total of 50 gpm.

Mr. Duvall requested that you provide a map showing the location of the new well. 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. Darrell Vig at the Meade County NRCS office). After receipt of the map, a decision can be made whether the additional well can be added to the existing permit or a new permit will be needed. To date, we have not received this map.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 15, 2003

Tom Gunderson
22514 Potter Rd
Rapid City SD 57701

1682-1

Dear Mr. Gunderson:

I am writing in regard to the licensing of Water Permit No. 1682-1, Stanley W Scheurer, Tom Gunderson, and Gene Gunderson for suburban housing water. This licensing process is the final step in obtaining a water right.

On May 12, 2003 I visited with you and completed the inspection which is necessary for this licensing to be completed. Typically, we do not license permits prior to expiration of the construction period which in the case of Permit No. 1682-1 is May 24, 2004 or until a "Notice of Completion of Works" form is received. We do this to ensure that the permit holder has developed their water use to the full extent before a license is issued.

When I completed the inspection of your permit on May 12, you indicated that the pump rate from the two wells is 50 gallons per minute (gpm) combined. The permit was originally approved for 60 gpm from only one well. Subject to approval by the Chief Engineer, it appears that we can also add your second well to the license. If licensing your permit for 50 gpm is acceptable to you, then we can license your permit now provided you complete and return the enclosed "Notice of Completion of Works" form. I have completed the form except for the last 2 blanks concerning the dates when your system was completed and when water use began. If you prefer you can submit the same form directly to our office over the internet at: <https://www.state.sd.us/eforms/secure/eforms/E1311V1-CompletionOfWorks.pdf> or go to www.state.sd.us/denr/wr and follow the "download forms" link to find the form.

I look forward to your response. I have the inspection report drafted and the license is ready for issuing if you choose to proceed at this time. Please let me know if you have any questions at 605 773-3352 or by email at ron.duvall@state.sd.us.

Sincerely,

Ron Duvall
Natural Resources Engineer
Water Rights Program

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 25, 2003

1682-1

Tom Gunderson
22514 Potter Rd
Rapid City SD 57701

Dear Mr. Gunderson:

On August 15, 2003, a letter and "Notice of Completion of Works" form was sent you regarding Water Permit No. 1682-1 (copies enclosed). As of today, we have not received this completed form.

If we do not receive the form by December 15, 2003, we will proceed with issuing your water license for 50 gallons per minute as explained in the August 15th letter.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

Permit No. 1682-1
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, May 12, 2003, made a thorough examination of the water use system constructed by Stanley W. Scheurer, Tom Gunderson and Gene Gunderson of 22514 Potter Road, Rapid City SD 57701 holder of Permit No. 1682-1, bearing the priority of March 11, 1999 authorizing the diversion of 0.133 cu. ft. per second of the waters of ground water (Minnelusa formation) for suburban housing purposes, in Meade County.

Inspection contact & relationship to permit holder, if applicable: **Tom Gunderson, owner**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Cimarron Drilling
- 2) No. of Wells 2
- 3) Depth(s) 320 (No.1) & 650 (No. 2) feet
- 4) Well log is available Y

Casing:

- 1) Diameter 5 (No. 1) & 5.5 (No. 2) inches
- 2) Length 300 (No. 1) & 460 (No. 2) feet
- 3) Type Plastic (No. 1) & Steel (No. 2)

Screen:

- 1) Type PVC (No. 1) unknown (No. 2)
- 2) Static water level 125 (No. 1) & 200 (No. 2) feet

Motor/Pump:

- 1) Make both submersibles
- 2) Capacity 50 combined GPM

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

Each well is connected to 3, 80 gallon pressure tanks and together serve 17 hookups with potentially 2 more hookups in the future.

C. Compliance with Permit Requirements:

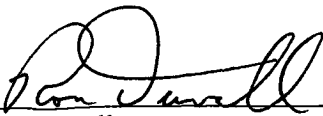
- 1) Permit qualifications being abided by Y
- 2) Exceptions to compliance are: need approval for a second well (see attached file documentation)

The system is in good condition with the points of diversion located as follows: Well No. 1: 1,775 feet W and 250 feet N (SW¼SE¼ - Lat 44.22825, Long -103.39956); Well No. 2: 3,600 feet W and 30 feet N (SE¼SW¼ - Lat 44.22777, Long -103.40645); both from the SE corner section 9-T3N-R6E. The works are capable of diverting and conveying to the place of use 0.11 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 0.11 cfs.

All structures, wells and lands on map Y

Comments or other permit(s) associated with the project:

A second well was constructed to supply sufficient water to the housing development. See the attached file documentation dated July 18, 2003 for details.



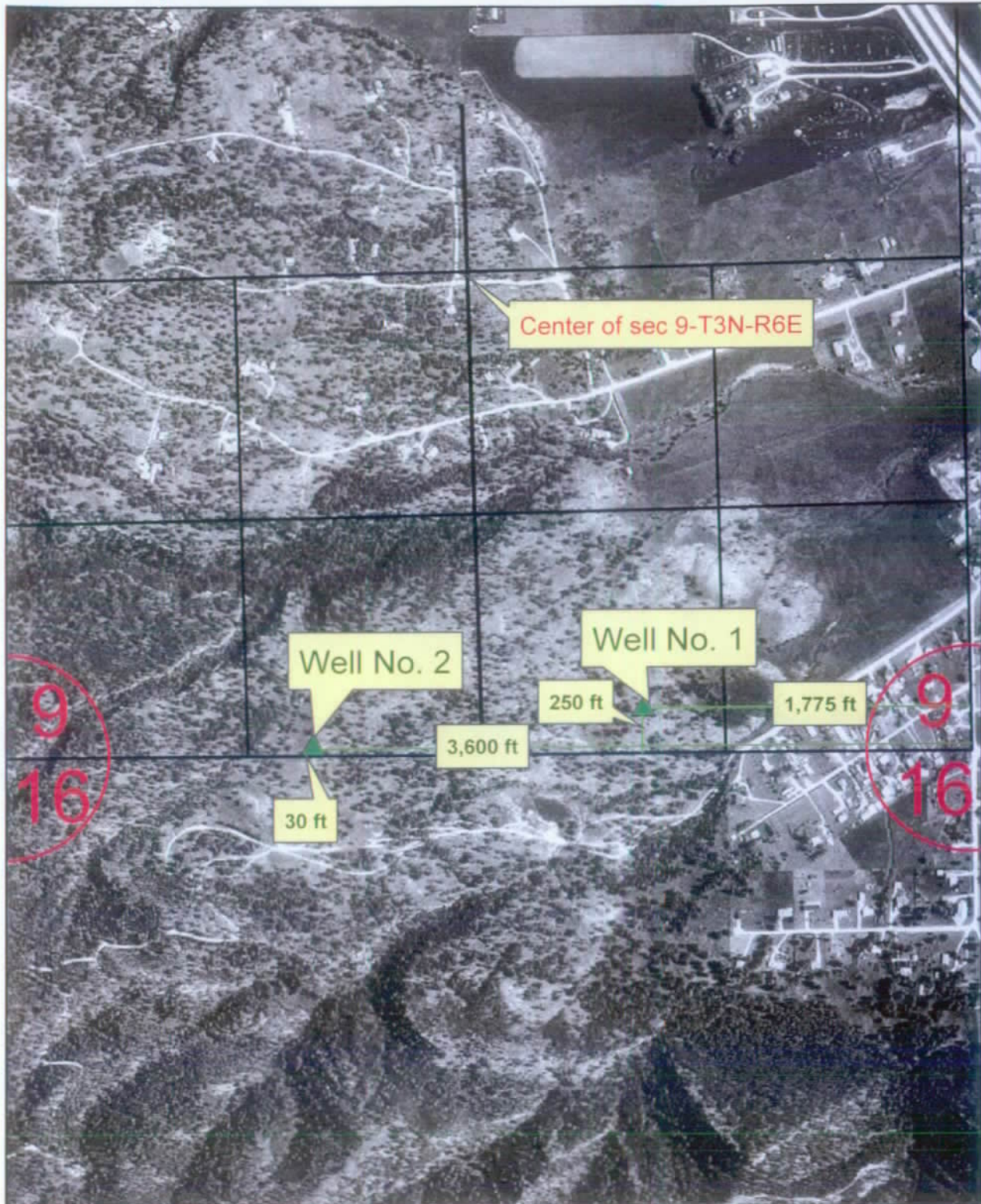
Ron Duvall
 Natural Resources Engineer
 DENR, Water Rights Program

Date report completed: July 18, 2003

Scale: 1 inch equals 815 feet

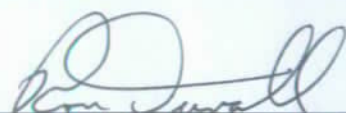
1,100

Feet



South Dakota
Department of Environment
& Natural Resources
Water Rights

Completed by:


Ron Duvall, Natural Resources Engineer
Water Rights Program

Diversion point(s) located using GeoExplorer II GPS

Date: July 17, 2003

Water Right No. 1682-1

Approval of Location Change and Additional Diversion Point

NAME: Stanley W. Scheurer, Tom Gunderson and Gene Gunderson

ADDRESS: 22514 Potter Road, Rapid City SD 57701

DATE: July 18, 2003 **COUNTY:** Meade

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

Water Permit No. 1682-1 authorized construction of one Minnelusa well in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ section 9-T3N-R6E with a diversion rate of 0.133 cfs for suburban housing purposes. An onsite inspection found two wells developed and both are located in the Minnelusa Formation according to the well completion reports and as confirmed by Jim Goodman, staff engineer. In addition, one of the two wells is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ section 9 which is outside of the permitted area. The combined diversion rate from the two wells is 0.11 cfs which is within the permitted diversion rate.

- **If irrigation, no new land is irrigated**

Not applicable.

- **Review of Existing Diversions**

The nearest other permitted Minnelusa well is located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ section 9 approximately 1,800 feet to the North. This well permitted under No. 1694-1 was drilled in 1972. There have been no reported instances of interference since the time of construction of the wells covered by No. 1682-1 in 1999 and 2000.

RECOMMENDED ACTION

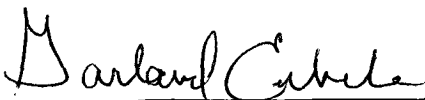
Based on the above criteria, it is recommended that the 2 diversion points be licensed as developed.



Ron Duvall, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and additional diversion point does not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
Water Rights Program

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1682-1

(1) Stanley W Scheurer, Tom Gunderson and Gene Gunderson, 22514 Potter Road, Rapid City SD 57701 made Application No. 1682-1, March 11, 1999 for a water permit to divert 0.133 cubic feet of water per second from groundwater (one well), Meade County, South Dakota for suburban housing development purposes. Permit No. 1682-1, with a priority date of March 11, 1999 was approved May 24, 1999 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before May 24, 2004 and for the application to beneficial use of water on or before May 24, 2008.

An investigation conducted for licensing purposes found an additional diversion point developed under Water Permit No. 1682-1. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the additional diversion point does not increase the potential for interference with existing water rights.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holders and/or owners of Water Right No. 1682-1 are issued a license, bearing a priority date of March 11, 1999 to appropriate 0.11 cubic feet of water per second from groundwater (two wells) for suburban housing development use (Elk Mountain Subdivision).

The diversion points are located: Well No. 1 – 1,775 feet west and 250 feet north (SW ¼ SE ¼) and Well No. 2 – 3,600 feet west and 30 feet north (SE ¼ SW ¼) both from the southeast corner of Section 9-T3N-R6E.

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1682-1 including the following now applicable qualification:

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



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

DEC 29 2003

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 29 2003

1682-1

Stanley Scheurer, Tom & Gene Gunderson
22514 Potter Road
Rapid City SD 57701

Dear Sirs:

Enclosed is Water License No. 1682-1. This is the final water right document completing your process of obtaining a Water Right.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Garland Erbele".

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

enclosures