

WATER PERMIT NO. 1925-1

Name of Applicant: **Boulder Canyon Country Club**

Address: **PO Box 305, Sturgis SD 57785** Phone: **605 720-5693**

Amount of Water Claimed: **0.03 cfs** Total Acres: **NA**

Source of Water Supply: **groundwater (one existing well)**

Water to be used for: **commercial** County: **Lawrence**

Type of Waste Disposal System: **septic tank**

Location: **2 miles west of Sturgis**

PRIORITY Date Received: **4-12-2011**

Application/License Fee: **\$300**

Corrected Application Received: **4-20-2011**

Period of Annual Use: **March 15 – November 1**

Remarks: **for use in the clubhouse**

Diversion Point: **SW ¼ NW ¼ Sec 13-T5N-R4E**

Land to be Irrigated: **NA**

Depth of Well: ⁴⁶
100 feet

Well Driller:

Remarks:

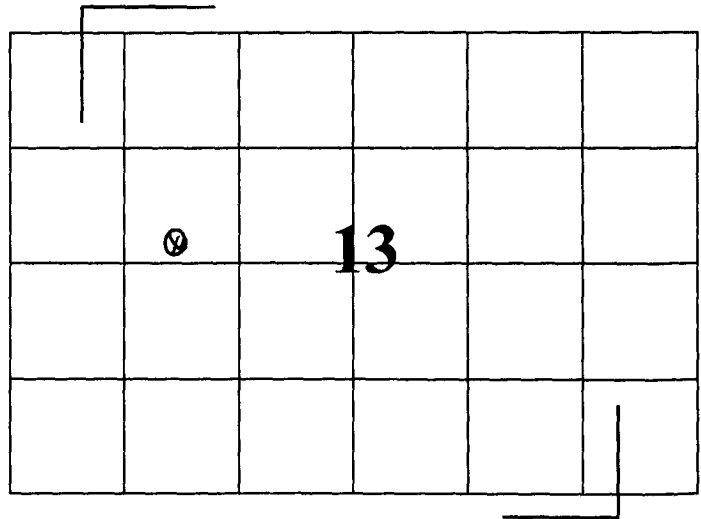
Type of Map: **aerial**

Prepared by: **Mike DeFea**

Reviewed and the Number Assigned on: **4-20-2011**

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



SD EForm - 1585LD V3
FORM 2: Application for uses other than irrigation
(type or print)

RECEIVED
APR 12 2011
WATER RIGHTS
PROGRAM

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>1925-1</u> (office use only) Hydrologic Unit <u>10120202</u>
	Basin <u>Belle Fourche River</u>
	Newspaper <u>Black Hills Pioneer P.O. Box 7</u> <u>605-642-2761</u> <u>Spencer 57783</u>

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

Check use(s) of water:

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

Type of Application:
(check one)

☐ New	☒ Vested Right (Use predates Mar 2, 1955)	☐ Future Use Reservation
☐ 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.)

- Name of Applicant Beaucher Canyon Country Club Phone 605-720-5044
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address Box 305 STURGIS SD 57785
(Address) (City) (State) (Zip Code)
- Amount of water claimed 0.03 *CFS or 12 **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 Ground Water
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Lawrence
Sec 13 T5N R4E (SW1/4 NW1/4)
- County or counties where water will be used Lawrence
- Annual period during which water is to be used March 15 Through Nov 1 Annually
- 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)

STATE OF SOUTH DAKOTA)
County of Mead) SS

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

I, Jerry Weber, 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.

Applicant's signature Jerry Weber

Subscribed and sworn to before me this 11 day of April 20 11

Kerrie Applegate, Notary Public
My Commission Expires January 31, 2013

Kerrie Applegate
Notary Public Signature

**SOUTH DAKOTA
WATER PERMIT NO. 1925-1**

Date of first receipt of application April 12, 2011.

Date of return to applicant for corrections, amendments or changes April 18, 2011.

Date of receipt of corrected application October 20, 2011.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1925-1 to Boulder Canyon Country Club, PO Box 305, 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. 1925-1 appropriate 0.03 cubic feet of water per second from one existing well completed into the Minnekahta Aquifer (approximately 46 feet deep) located in SW 1/4 NW 1/4 Section 13-T5N-R4E.
2. The water appropriated shall be used for the purpose of commercial use in the club house 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: March 15 – November 1.
4. The date of approval of Permit No. 1925-1 is January 2, 2012.
5. The date from which applicant may claim right is October 20, 2011.
6. One-fifth of the construction is to be completed on or before July 2, 2014.
7. All construction is to be completed on or before January 2, 2017.
8. Water is to be put to beneficial use on or before January 2, 2021.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

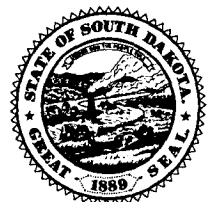
QUALIFICATION

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

MAY 02 2012
date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 6 Inch Depth 100 feet or less
- b) Casing Type Steel Diameter 6" Thickness
- c) Screen Type ? Diameter 6" Thickness
- d) Gravel Pack ? Length of Gravel Pack ?
- e) Depth to Top of Water Bearing Material ?
- f) Depth to Water (ground surface to water level) ?
- g) Distance to nearest existing domestic well: 300 yards
- On applicant's property Yes On property owned by others

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank drain field)
- b) System Capacity (gallons) ? Year Constructed ?
- c) Connected to the City of None Sanitary System

3. Dugout Information

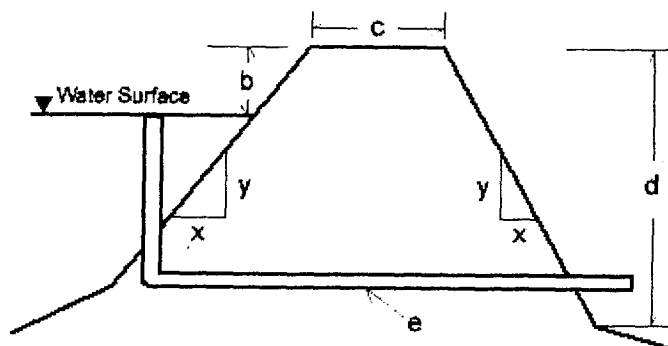
- a) Surface Dimensions ? Depth ?
- b) Depth to water (ground surface to water level) ?

4. Water Storage Dams

NA

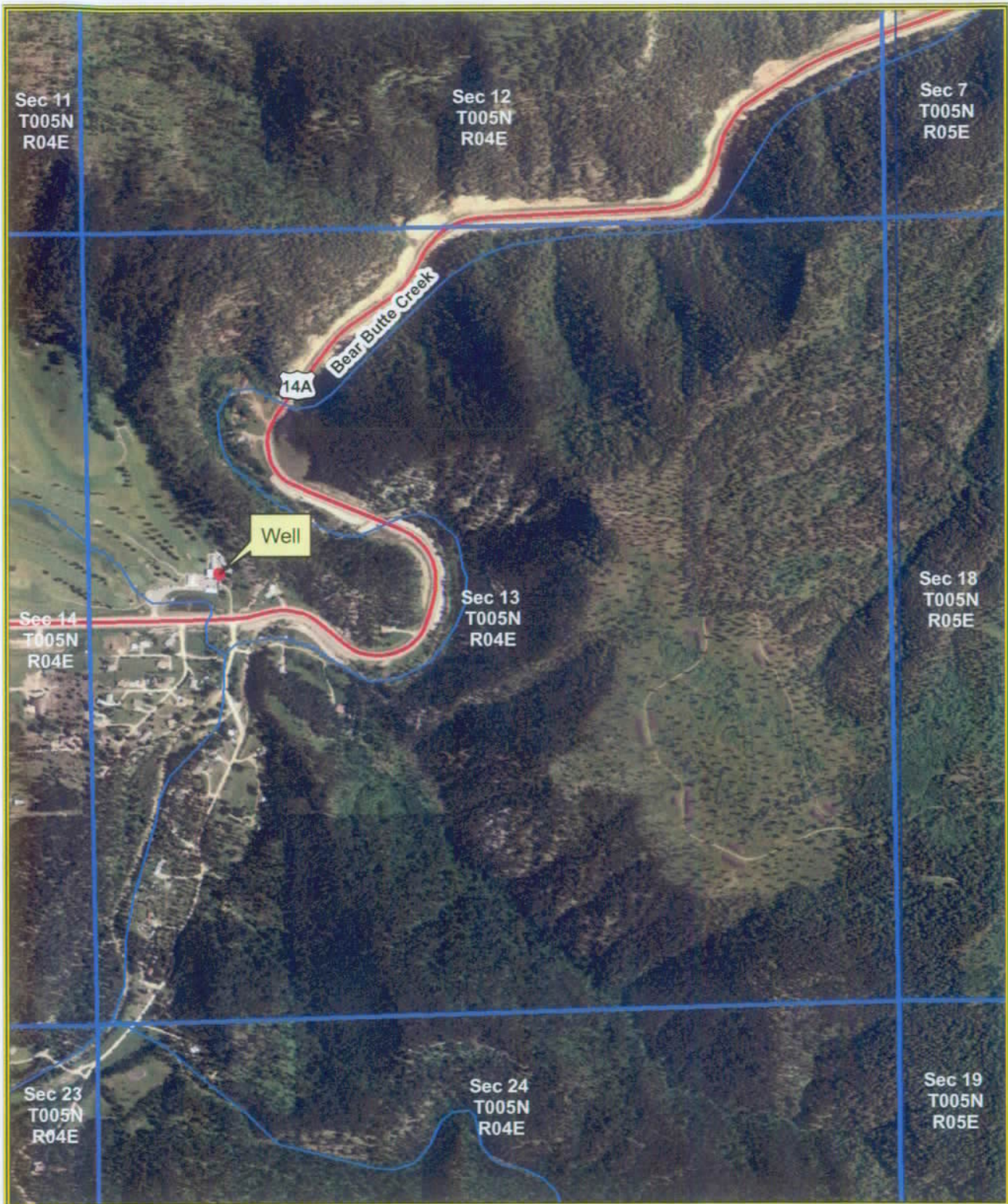
If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- 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 (e.g. 3 to 1 is a typical slope)
- Upstream
- Downstream
- h) Surface Area of Impoundment
- i) Storage Acre Feet
- j) Drainage Area Above Dam Acres

Boulder Canyon Country Club



0 800 1,600 3,200 Feet

Mike DeFea

Mike DeFea
Natural Resources Engineer
DENR, Water Rights Program
April 18, 2011



South Dakota
Department of Environment
& Natural Resources
Protecting SD's Tomorrow... Today

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 4-12, 20 11

RECEIVED OF Boulder Canyon Country Club, PO Box 305, Sturgis SD 57785

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

Fee for Application for Permit No. <u>1925-1</u> to Appropriate Water, to construct and to put water to beneficial use	100	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>1925-1</u>	200	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	300.00

No. 04965

By Harland Erbeley
Chief Engineer KS

In talking to wells plumbing the type of pump they put in is rated at 12 GPM and used in a well less than a hundred feet deep. I have no other records about the well and older members state that it was drilled in the late forties or early fifties. I am enclosing copies of all the paper work that I have on this well.

This is all I could find out about this
well let me know if you need anything
else

Joey

WELLS PLUMBING & FARM SUPPLIES
 HCR 30 BOX 26
 BELLE FOURCHE, SD 57717
 PHONE 605-892-2613
 FAX 605-892-6093

-0-

THANKS FOR YOUR BUSINESS!!!!

BOULDER CANYON COUNTRY CL.
 PO BOX 305

Ship To: General Account

STURGIS, SD 57785

tel: (605) 347-5108 | Account Nbr: 3435 - 1 Clerk 2 | Trans Nbr: 22551
 July 27, 1999 @ 4:24 P.M.

Quantity	PLU Number	Description	PT	List Price	Unit Price	Total
		7-19-99				
1		LABOR:ROBERT (7:00-9:30)	ea			
1		LABOR:ROBERT (5:30-3:30)	ea		\$75.00	\$75.00*
1		EXCISE	ea		\$285.00	\$285.00*
		THANK YOU!!			\$7.34	\$7.34*
		OS STURGIS				
		C16678				

Signature: _____
 0.0000% Sales Tax \$0.00 Sub-Total \$367.34
 Received above in good condition. Total \$367.34

All bills are due and payable on or before the 10th of the month following the date of purchase.
 Subject to a SERVICE CHARGE of 1.00% per month (min \$0.50).

THANKS!!!

WELLS PLUMBING & FARM SUPPLIES

HCR 30 BOX 26

BELLE FOURCHE, SD 57717

PHONE 605-892-2613

FAX 605-892-6093

THANKS FOR YOUR BUSINESS!!!!

BOULDER CANYON COUNTRY CL
PO BOX 305

Ship To: General Account

STURGIS, SD 57785

Tel: (605) 347-5108 1 Account Nbr: 3435 - 1 Clerk 2 1 Trans Nbr: 22560
July 27, 1999 @ 4:23 P.M

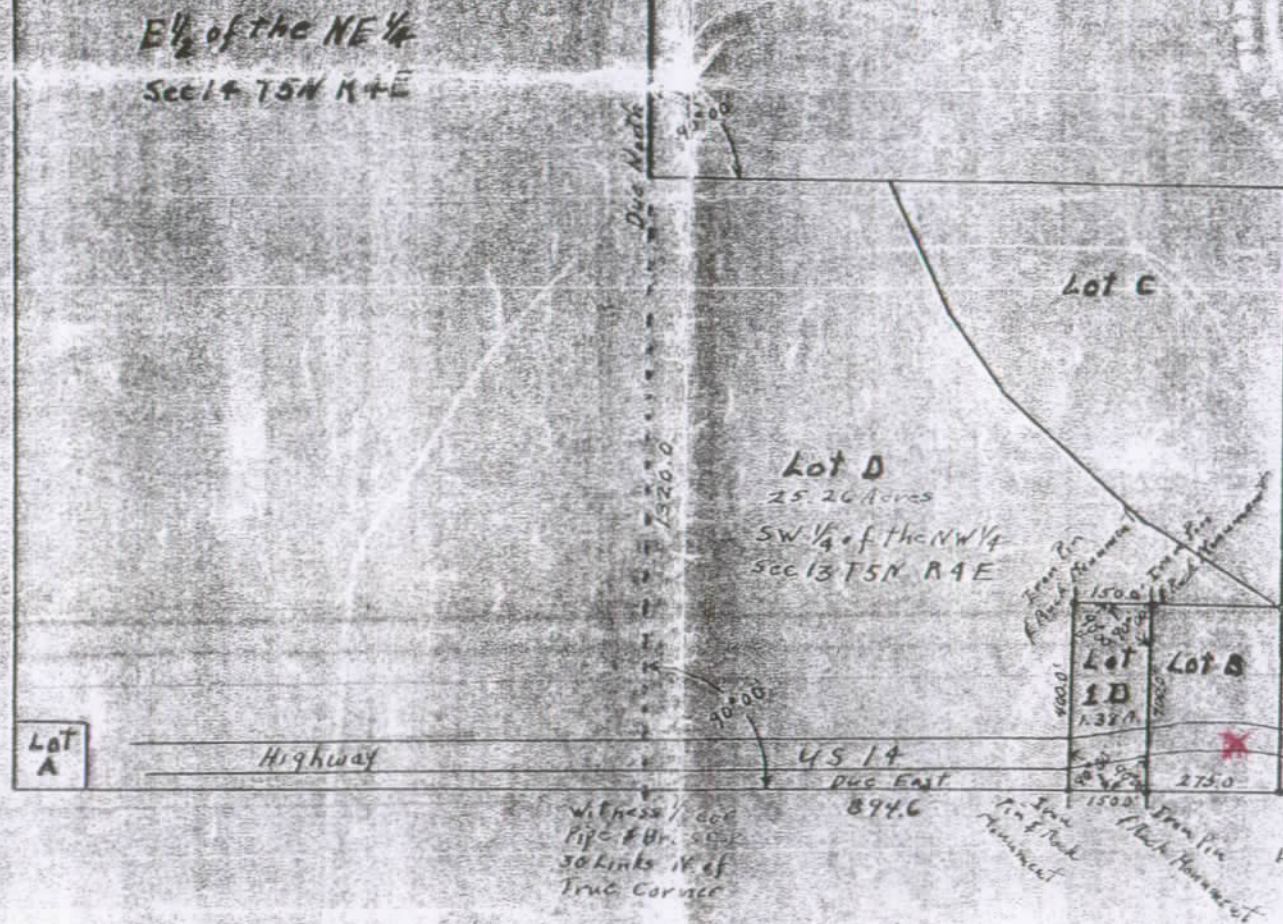
Quantity	PLU Number	Description	PT	List Price	Unit Price	Total
		7-19-99				
90		12-2 WG FLAT RUBBER WIRE	ea		\$0.59	\$53.10*
90		3/8 ROPE	ea		\$0.13	\$11.70*
45		3/4 80# POLY PIPE	ea		\$0.17	\$7.65*
84		1 160# POLY PIPE	ea		\$0.42	\$35.28*
2		RLOCS	ea		\$0.16	\$0.32*
1		11/4X1 GALV BUSH	ea		\$3.28	\$3.28*
1		11/4X3 GALV NIP	ea		\$1.79	\$1.79*
1		11/4 GALV PLUG	ea		\$1.93	\$1.93*
1		11/4 GALV COUP	ea		\$2.11	\$2.11*
1		6X11/4X1 WELL SEAL	ea		\$22.68	\$22.68*
1		CUTTING TORCH USE	ea		\$18.75	\$18.75*
1		RIG 11/2 HRS @ \$45.00 HR	ea		\$67.50	\$67.50*
116		MILES	ea		\$0.30	\$34.80*
1		4%	ea		\$5.59	\$5.59*
1		EXCISE	ea		\$5.44	\$5.44*
		THANK YOU!!				
		OS STURGIS				
		C16677				

Signature: _____ Sub-Total \$271.92
0.0000% Sales Tax \$0.00

Received above in good condition. Total \$271.92

All bills are due and payable on or before the 10th of the month following the date of purchase.
Subject to a SERVICE CHARGE of 1.00% per month (min \$0.50).

THANKS!!!



Surveyor's

Certificate

State of South Dakota } ss
County of Lawrence }

I, D.E. Matter, Registered Professional Engineer and Land Surveyor, do hereby certify that this plat was made from notes taken during an actual survey made under my direction by J.G. Pountain and that it correctly represents the lands involved, their dimensions and areas, and the monumenting thereof as requested by the owner, Buller Canyon Club, Inc. of Sturgis, So. Dak. In witness whereof I have hereunto set my hand and seal this 9 day of August, 1951.

D.E. Matter
Registered Professional Engineer
and Land Surveyor





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 23, 2011

Jerry Weber
Boulder Canyon Country Club
PO Box 305
Sturgis SD 57785

Dear Mr. Weber:

Enclosed as we discussed is a set of application forms for filing for a water permit for the clubhouse well at the golf course.

Currently, the Country Club holds Water Right No. 661-1 and Water Permit No. 1510-1 which collectively authorize irrigation of the golf course from a well and a pond. An inspection of the water use system used for irrigation purposes was conducted in June, 2010. A water license is currently being processed and will be forwarded to you under separate cover once it is completed.

If you have any questions when completing the application, please contact Eric Gronlund with our program at (605) 773-3352.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

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 18, 2011

Boulder Canyon Country Club
c/o Jerry Weber
PO Box 305
Sturgis SD 57785

Dear Mr. Weber:

Thank you for submitting the *Application for a Permit to Appropriate Water* for the well located near the clubhouse. In order to complete the application the following is required.

- On the application you marked "Vested Right" (use predates May 2, 1955). In order to qualify for a vested right claim, documentation of historical water use at the clubhouse will need to be provided. Enclosed is an Affidavit of Water Use form to be used for that purpose. From the note submitted with the application, I realize that you do not have much information regarding the well or its use.
- If documentation can not be provided to qualify for a vested right claim, then the application will be processed as a new application with an April 12, 2011 priority date, the date the application was received in our office.

Please return the completed Affidavit of Water Use form. If you can not document continuous water use at the clubhouse, let me know and we will proceed processing the application as a new application.

If you have any questions, please contact me.

Sincerely,

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

enclosure

Water Rights Program - File Documentation

NAME: Jerry Weber

ADDRESS: Sturgis SD

DATE: 4-20-11 **COUNTY:** Lawrence **TELEPHONE:** 605 720-5693

RE: Pending application for Boulder Canyon Country Club

COMMENTS:

Jerry Weber called regarding my letter dated April 18, 2011. Mr. Weber stated the well has been in place since the 1950's but he could not document continuous use to qualify for vested right status. Mr. Weber was okay with proceeding with the April 12, 2011 priority date.

Karen Schlaak

Karen Schlaak
Environmental Scientist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 16, 2011

Jerry Weber
Boulder Canyon Country Club
PO Box 305
Sturgis SD 57785

Dear Mr. Weber:

Boulder Canyon Country Club filed a water right permit application for the well used by the club house for numerous years. The application was filed as directed by DENR upon our learning that this well being used for a commercial use was not permitted. The application stated the well is 100 feet deep or less but that the Country Club has no real records regarding the well.

Water permits are evaluated and issued based on water source. A review of records shows discrepancies in the well depth. Routine drinking water sanitary surveys at intervals beginning in 1984 show the reported depth being 400, 250, 94 and 60 feet deep. This raises concern from DENR on the actual depth of the well given that so little is known about the well. However, it is important that the permit correctly identify the aquifer. Therefore, we are recommending that the Country Club contact a well driller to come on-site for the purpose of determining the well depth and static water level.

DENR recognizes there will be a cost to the Country Club associated with a driller coming on-site to make this determination. However, it is applicant's responsibility to provide accurate information so the application can be properly assessed. The Country Club's use of water will not have legal standing if the water source is not correctly identified.

Please feel free to contact me if you have any questions.

Sincerely,

Eric Gronlund

Water Rights Program, DENR
605 773-3352
eric.gronlund@state.sd.us

June 20, 2011

Mr. Jerry Weber called in response to my recent letter. He asked if it would be okay if they held off getting a well driller in to pull the pump and determine well depth until October when the golf course closes. I agreed that his approach would be satisfactory.

He did check with the pump installer who told him the pump is set at 84 feet.

Eric Gronlund

Water Rights Program, DENR

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OCT 20 2011

WATER RIGHTS
PROGRAM

**Farmers Supply LLC
2401 Bridge View Dr
Rapid City, SD 57701
Phone: 605-342-0800, Fax: 605-718-8702**

Oct. 18, 2011

**Boulder Canyon Golf Course
ATTN: Jerry Weber
12312 US Highway 14a
Sturgis, SD 57785
Phone 720-5693**

RE: Results of well inspection conducted on 10/05/2011.

**Well depth is 46'
Water static level is 38'
Well casing is 6" PVC
Aquifer is Mennekata**

Gary Albers

*ERIC
This is the information you requested in your
JUNE 16TH Letter*

Jerry



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1925-1, Boulder Canyon Country Club**

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. 1925-1, Boulder Canyon Country Club, c/o Jerry Weber, PO Box 305, Sturgis SD 57785.

The Chief Engineer is recommending APPROVAL of Application No. 1925-1 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.

Garland Erbele, Chief Engineer
December 2, 2011

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO.1925-1
BOULDER CANYON COUNTRY CLUB
NOVEMBER 3, 2011

Water Permit Application No. 1925-1 proposes to appropriate 0.03 cubic feet of water per second from an existing 46 foot deep well that is located in the SW¼ NW¼ of Section 13, T5S-R4E. Boulder Canyon Country Club intends to use the water for commercial use in the club house.

AQUIFER: Minnekahta Limestone (MNKT)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The existing well that this application proposes to use is located in an area known as Boulder Park (see figure 1). The area has been “downfolded” geologically from its normal position so that younger strata are preserved at the surface (see figures 2, 3, 4). There are five different aquifers supplying water to wells in the Boulder Park area (i.e. the Spearfish, the Minnekahta Limestone, the Opeche, the Minnelusa and the Madison aquifers). A well log is not available for the existing well that this application proposes to use, however the well depth (46’) and static water level (38’) reported for the well along its location, suggest that the well is completed into the Minnekahta Limestone. The Minnekahta Limestone is a grayish-pink, laminated, limestone approximately 40 feet thick.

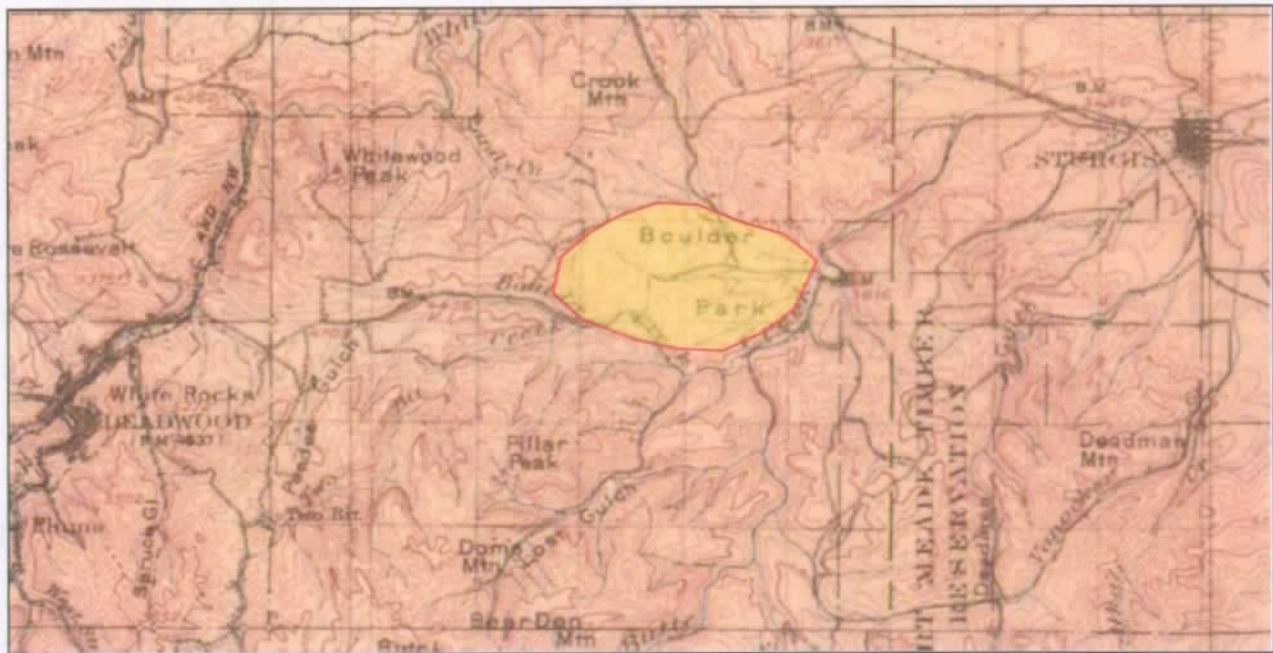


Figure 1. Boulder Park area (modified from Darton and Paige, 1925)

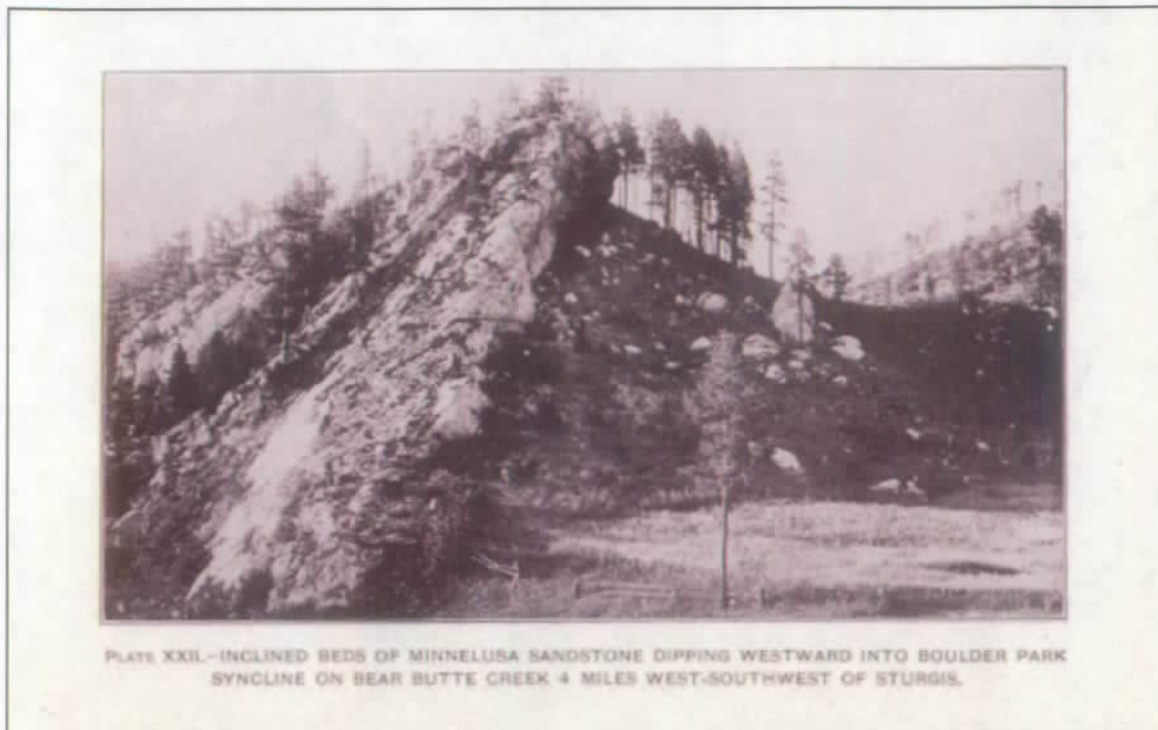


Figure 2. Photo showing strata “downfolded” into Boulder Park (from Darton and Paige, 1925)

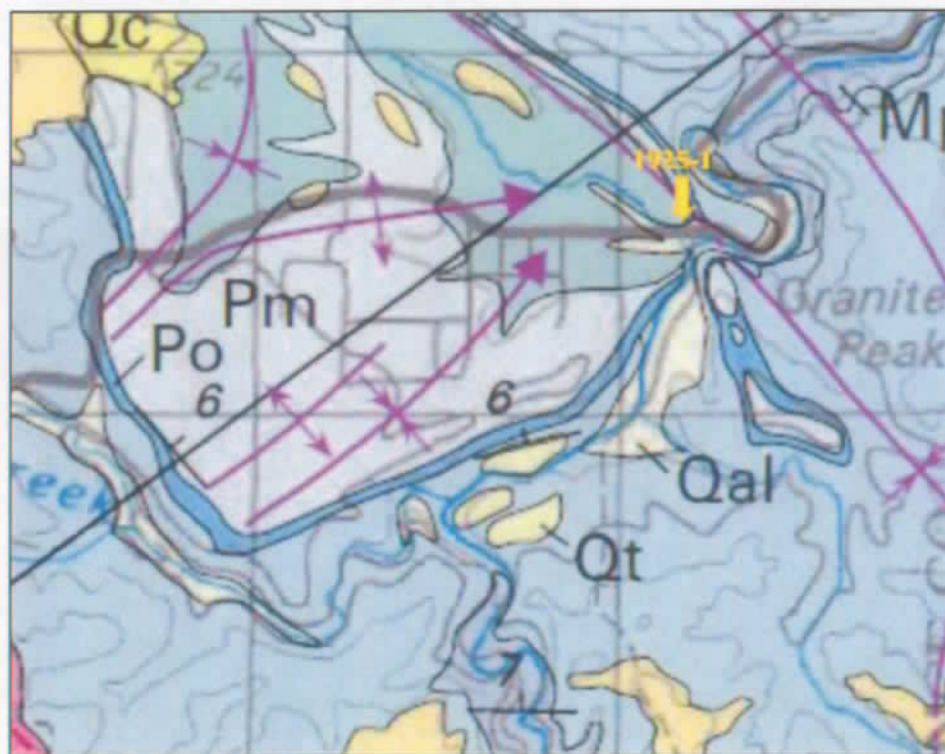


Figure 3. Geologic Map of Boulder Park with location of the well site for Application No. 1925-1(modified from Redden and DeWitt, 2008)

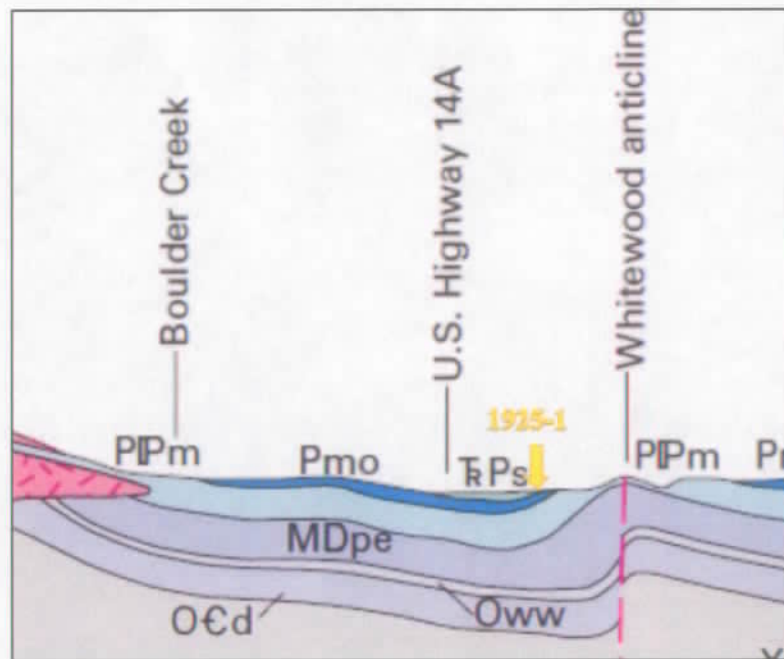


Figure 3. Geologic cross section of Boulder Park with location of the well site for Application No. 1925-1(modified from Redden and DeWitt, 2008)

Water Availability:

Although the Minnekahta Limestone is considered one of the major aquifers in the Black Hills (Driscoll and others, 2002), in the Boulder Park area the Minnekahta is probably isolated structurally from areas outside “the park” and is not part of the regional aquifer. The DENR-Water Rights Program does not monitor any observation wells completed into the Minnekahta aquifer in the Boulder Park area. Recharge to the Minnekahta in the Boulder Park area occurs locally through infiltration of precipitation into the fractures in the limestone over the approximately 1,000 acres of outcrop in Boulder Park (see figure 3). The average annual recharge through precipitation falling on the outcrop of the Minnekahta aquifer was estimated to average 1.08 inches per year for the Black Hills (Driscoll and Carter, 2001). Since precipitation records for water years 1961-1990 identify the annual precipitation for the entire Black Hills area averaged 19.06 inches and the average precipitation to the Boulder Park area averaged about 24 inches per year (Driscoll and others, 2000), using the average estimated recharge value (1.08 in/yr) can be considered conservative for Boulder Park. The average annual recharge to the Minnekahta aquifer in Boulder Park would total approximately 90 acre-feet per year.

Water Permit Application 1925-1 proposes to divert water at a maximum rate 0.03 cfs from March 15 through November 1 annually. The total annual diversion resulting from this appropriation is expected to be less than 5 acre-ft/yr. There are no Water Rights or Permits appropriating water from the Minnekahta aquifer in the Boulder Park area (Water Rights, 2011a). The DENR-Water Rights Program has record of approximately 100 domestic wells in the Boulder Park area. Review of the well logs for this area identifies most of the wells are completed into the Opeche shale but at least five wells in the park appear to draw water from the Minnekahta (Water Rights, 2011b). Total withdrawals from the Minnekahta aquifer from the

Boulder Park area, including domestic use, if this application is approved are estimated to be 10-15 acre-feet annually.

Effect on Existing Users:

There are not any water rights/permits appropriating water from the Minnekahta aquifer in this area. Completion Reports for domestic wells completed into the Minnekahta aquifer indicate the wells are sufficient distance from the well this application proposes to use that they should not be adversely impacted. This is especially the case when considering that there is only eight feet of water in the applicant's well so drawdown is very limited.

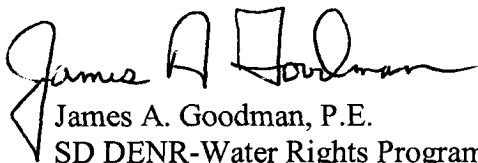
Conclusions:

1. Well has been used for a number of years with no complaints.
2. Comparison of the estimated average annual recharge with the estimated annual well withdrawal assuming approval of this application indicates that unappropriated water is available for this appropriation.
3. Approval of this application is unlikely to result in the impairment of existing rights.



Ken Buhler
SD DENR-Water Rights Program

Approved by:



James A. Goodman, P.E.
SD DENR-Water Rights Program

References:

- Darton, N.H., Paige, S., 1925, Central Hills folio, South Dakota: US Geological Survey Atlas of the United States Folio GF-219, 34 p.
- Driscoll, D.G., Carter, J.M., 2001, Hydrologic Conditions and Budgets for the Black Hills of South Dakota, Through Water Year 1998: U.S. Geological Survey Water-Resources Investigations Report 01-4226, 143 p.
- Driscoll, D.G., Carter, J.M., Williamson, J.E., and Putnam, L.D., 2002, Hydrology of the Black Hills Area, South Dakota: U.S. Geological Survey Water-Resources Investigations Report 02-4094, 150 p.
- Driscoll, D.G., Hamade, G.R., and Kenner, S.J., 2000, Summary of Precipitation Data for the Black Hills Area of South Dakota, Water Years 1931-98: U.S. Geological Survey Open-File Report 00-329, pg.12

Redden, J.A., and DeWitt, Ed, 2008, Maps showing geology, structure, and geophysics of the central Black Hills, South Dakota: U.S. Geological Survey Scientific Investigations Map 2777, 44-p. pamphlet, 2 sheets.

Water Rights, 2011a, Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

Water Rights, 2011b, Water Well Completion Report Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, SD.

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DEC 27 2011

WATER RIGHTS
PROGRAM

Affidavit of Publication

STATE OF SOUTH DAKOTA:

COUNTY OF LAWRENCE:

Letitia Lister of said County and State being first duly sworn, on her oath says: That the BLACK HILLS PIONEER is a legal daily newspaper of general circulation, printed and published in the City of Spearfish, in said County and State by Letitia Lister, and has been such a newspaper during the times hereinafter mentioned; and that said newspaper has a bonafide circulation of at least 200 copies weekly, and has been published within said County in the English language for at least one year prior to the first publication of the notice herein mentioned, and is printed in whole or in part in an office maintained at the place of publication; and that I, Letitia Lister, the undersigned, am the Publisher of said newspaper and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed:

Notice of Application
No. 1925-1

a printed copy of which is hereto attached, was printed and published in said newspaper for 2 successive and consecutive weeks, the first publication being made on the 14th day of Dec., 2011, and the last publication on the 21st day of Dec., 2011, that the full amount of fees charged for publishing same, to-wit: The sum of \$ 39.89, insures solely to the benefit of the publisher of the BLACK HILLS PIONEER, that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any other person whomsoever.

Subscribed and sworn to before me this 22nd day of Dec., 2011

[Signature]

Notary Public, Lawrence County, South Dakota

My commission expires: 10-24-2016

NOTICE OF APPLICATION NO. 1925-1

TO Appropriate Water

Notice is given that Boulder Canyon Country Club, c/o Jerry Weber, PO Box 305, Sturgis SD 57785 has filed an application for a water permit to appropriate 0.03 cubic feet of water per second from one existing well completed into the Mirmekahtha Aquifer (approximately 46 feet deep) located in SW 1/4 NW 1/4 Section 13-T5N-R4E for commercial use in the club house.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1925-1 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 this 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 this 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 January 2, 2012.

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.

Steven M. Pirner,
Secretary,
Department of
Environment
and Natural Resources.

Published twice at the
total approximate cost of
\$39.87.

#293

Dec. 14, 21



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 5, 2011

Black Hills Pioneer
PO Box 7
Spearfish SD 57783

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 1925-1 to Appropriate Water to be published twice. Please publish the first notice on December 14, 2011 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Boulder Canyon Country Club, c/o Jerry Weber, PO Box 305, Sturgis SD 57785 (Ph # 605-720-5693).

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

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

No. 1925-1

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

Date _____

We are in receipt of your letter of December 5, 2011 enclosing Notice to Appropriate Water by Application No. 1925-1 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

December 5, 2011

Boulder Canyon Country Club
Jerry Weber
PO Box 305
Sturgis SD 57785

Dear Mr. Weber:

Water Permit Application No. 1925-1 for commercial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Black Hills Pioneer printed at Spearfish SD (Ph # 605-642-2761). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and 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 and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also 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
eric.gronlund@state.sd.us

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.

Instruction to Newspaper - Publish first Notice on December 14, 2011 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 1925-1 TO Appropriate Water

Notice is given that Boulder Canyon Country Club, c/o Jerry Weber, PO Box 305, Sturgis SD 57785 has filed an application for a water permit to appropriate 0.03 cubic feet of water per second from one existing well completed into the Minnekahta Aquifer (approximately 46 feet deep) located in SW ¼ NW ¼ Section 13-T5^N-R4E for commercial use in the club house.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1925-1 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 this 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 this 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 January 2, 2012.

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. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published twice at the total approximate cost of _____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

MAY 02 2012

Boulder Canyon Country Club
PO Box 305
Sturgis SD 57785

Dear Sirs:

Enclosed is Water Permit No. 1925-1 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.

Sincerely,

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

enclosures

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 1925-1

I have this day, October 21, 2016 made a thorough examination of the water use system constructed by **Boulder Canyon Country Club, 12312 US Hwy 14A, Sturgis, SD** of Permit No. **1925-1**, bearing the priority of **10/20/2011** authorizing the diversion of **.03** cu. ft. per second of the water from one well for **commercial** purposes, in **Lawrence** County.

Inspection contact & relationship to permit holder, if applicable:

Tyler Evenson, Pro Shop Mgr.
605-347-5108

Correspondence to:

~~Jerry Weber, Secretary / Treasurer~~
PO Box 305, Sturgis, SD 57785

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Unknown
- 2) No. of Wells 1
- 3) Depth(s) 46 feet
- 4) Well log is available no

Note: Little is known about who drilled the well or when other than it is thought to have been drilled in the late 1940's or early 1950's. Gary Albers of Farmers supply in Rapid City determined the well to be drawing from the Minnekahta Aquifer.

Casing:

- 1) Diameter 6"
- 2) Length unknown feet
- 3) Type PVC

Screen:

- 1) Type unknown
- 2) Length - feet
- 3) Static water level 38 feet

Pump:

- 1) Make Unknown
- 2) Model Unknown
- 3) Size 4"
- 4) Capacity 12 GPM
- 5) Horsepower rating 1/2 hp

Note: Wells Plumbing in Rapid City gave Jerry Weber information that the type of pump installed is rated at 12 gpm and is used in wells less than 100 ft. deep. It is most likely a ½ hp. motor.

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

- 1) Type --
- 2) Size -- inches
- 3) Length -- feet

C. Works used to apply water to beneficial use:

The well supplies the club house which is located immediately adjacent to the well.

D. Compliance with Permit Requirements:

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

E. Condition and Location:

1. The system is in good condition with the point of diversion located as follows:
2,324' S and 688' E of the NW corner Section 13 T5N R4E (44.395369, -103.586528)
2. The works are capable of diverting and conveying to the place of use .03 cu. ft. per second (12 gpm) of water which is to be used for **commercial** use and the license should be issued for .03 cfs.
3. All structures, wells and lands on map: **No, only the well location.**

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



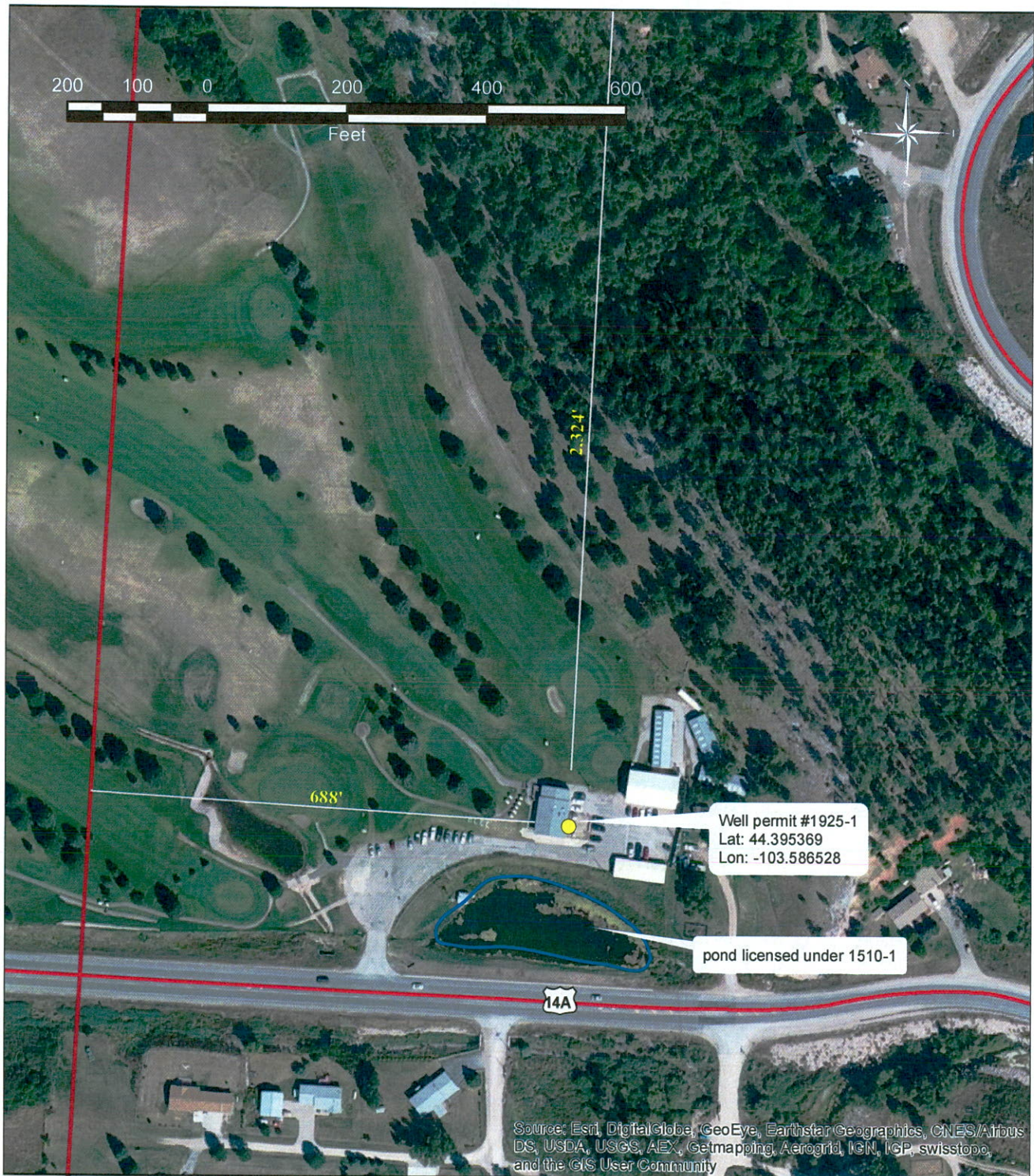
Steven Quissell
Water Rights Inspector
DENR, Water Rights Program

Date report completed: 10/20/2016



Well located next to club house in cart storage area

Water Right #1925-1
Boulder Canyon Country Club
10/21/2016

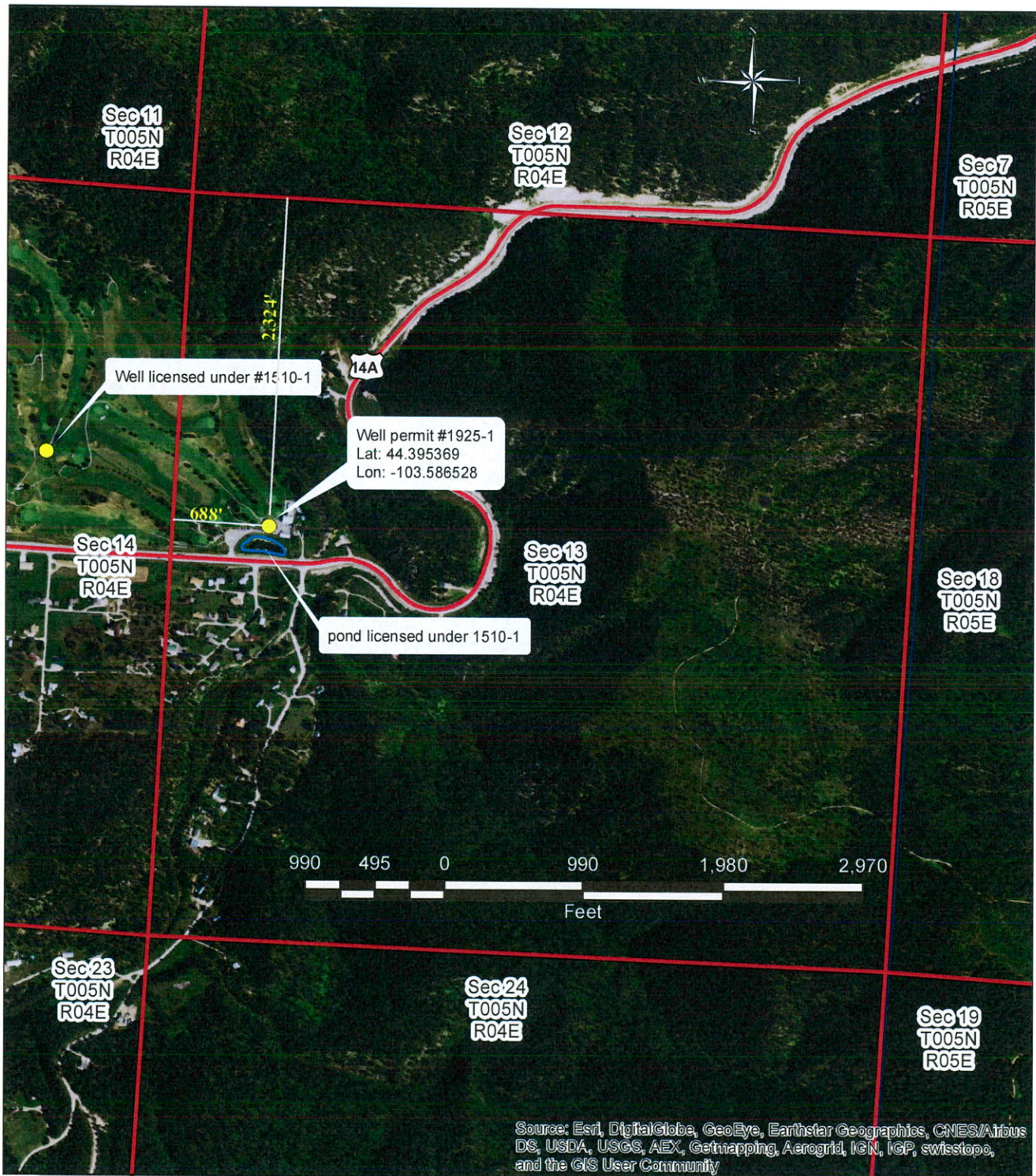


Steven Quissell

Steven Quissell
Water Rights Inspector
DENR Water Rights Program

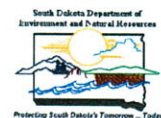


Water Right #1925-1
Boulder Canyon Country Club
10/21/2016



Steven Quissell

Steven Quissell
Water Rights Inspector
DENR Water Rights Program



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1925-1

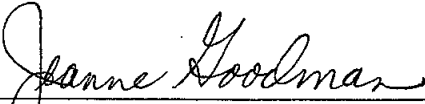
(1) Boulder Canyon Country Club, PO Box 305, Sturgis SD 57785 made Application No. 1925-1, April 12, 2011 for a water permit to divert 0.03 cubic feet of water per second from one well – Minnekahta Aquifer, Lawrence County, South Dakota for commercial use purposes. Permit No. 1925-1, with a priority date of October 20, 2011 was approved January 2, 2012 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before January 2, 2017 and for the application to beneficial use of water on or before January 2, 2021.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 1925-1 is issued a license, bearing a priority date of October 20, 2011 to appropriate 0.03 cubic feet of water per second from one well – Minnekahta Aquifer for commercial use purposes at the clubhouse.

The diversion point is located: 2,324 feet S and 688 feet E of the NW corner of Section 13-T5N-R4E (SW 1/4 NW 1/4).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1925-1 including 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.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JAN 30 2017

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 30, 2017

1925-1

Chad Anderson
Boulder Canyon Country Club
PO Box 305
Sturgis SD 57785

Dear Mr. Anderson:

Enclosed is Water License No. 1925-1. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1925-1, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

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

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