

Water Right Number 1112-2

1. Considered JULY 12, 1972
2. Name of Applicant C. & J. SANDERS, INC.
3. Post Office Address R.R. 1 - BOX 256, RAPID CITY, S.D.
4. Amount of Water claimed 1.00
5. Source of Water supply GROUND WATER
6. Water to be used for SUBURBAN HOUSING

Acres to be irrigated -

7. Water to be diverted and used in PENNINGTON County
about 7W miles of RAPID CITY

8. Proof of Publication

Received 7-10-72

Not Received _____

9. Application

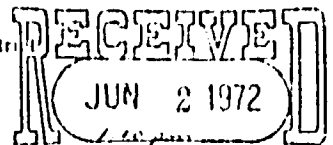
Approved _____

Subject to _____

Not Approved _____

Action Deferred _____

10. Remarks:

Map No. 945-2 Water Division No. 2 RAPID CREEK
(Returns to be Filed by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant C. and J. Sanders, Inc.
 Postoffice address ~~XXXXXX, BOX 256, Rapid City~~ State South Dakota
RR #8, BOX 417
 If a corporation show date and place of incorporation November 29, 1971
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Sanders Water Service System
4. Amount of water claimed (cubic feet per second) 1.00 additional to Water Right-- No. 732-2
5. Source of water supply Existing well and infiltration gallery plus extensions as needed
6. Location of point of diversion South 24° 20' East, 1530 feet from the NW Corner of Section 9, T1N, R6E
- County Pennington
7. Annual period or periods during which water is to be used Year around
8. Use to be made of water (irrigation, industrial, municipal, commercial, recreation, etc.) Suburban Housing development
9. For irrigation use --- Total number of acres to be irrigated ---

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.

Attach sheet if more space is needed

5

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Gate City Guide, Rapid City, S.D.
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Existing well and infiltration gallery plus extensions as needed, including storage, centrifugal pumps.

B. Works proposed to transport water to place of use.

Existing mains and laterals plus new main and laterals and storage works in the new suburban housing areas to be served.

C. Works proposed to apply water to beneficial use.

Approximately 300 service connections

See attached list giving legal descriptions of lands to be serviced together with names of owners or immediately prior owners. (before lots were sold). Estimated Total Cost \$ ---

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.

(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

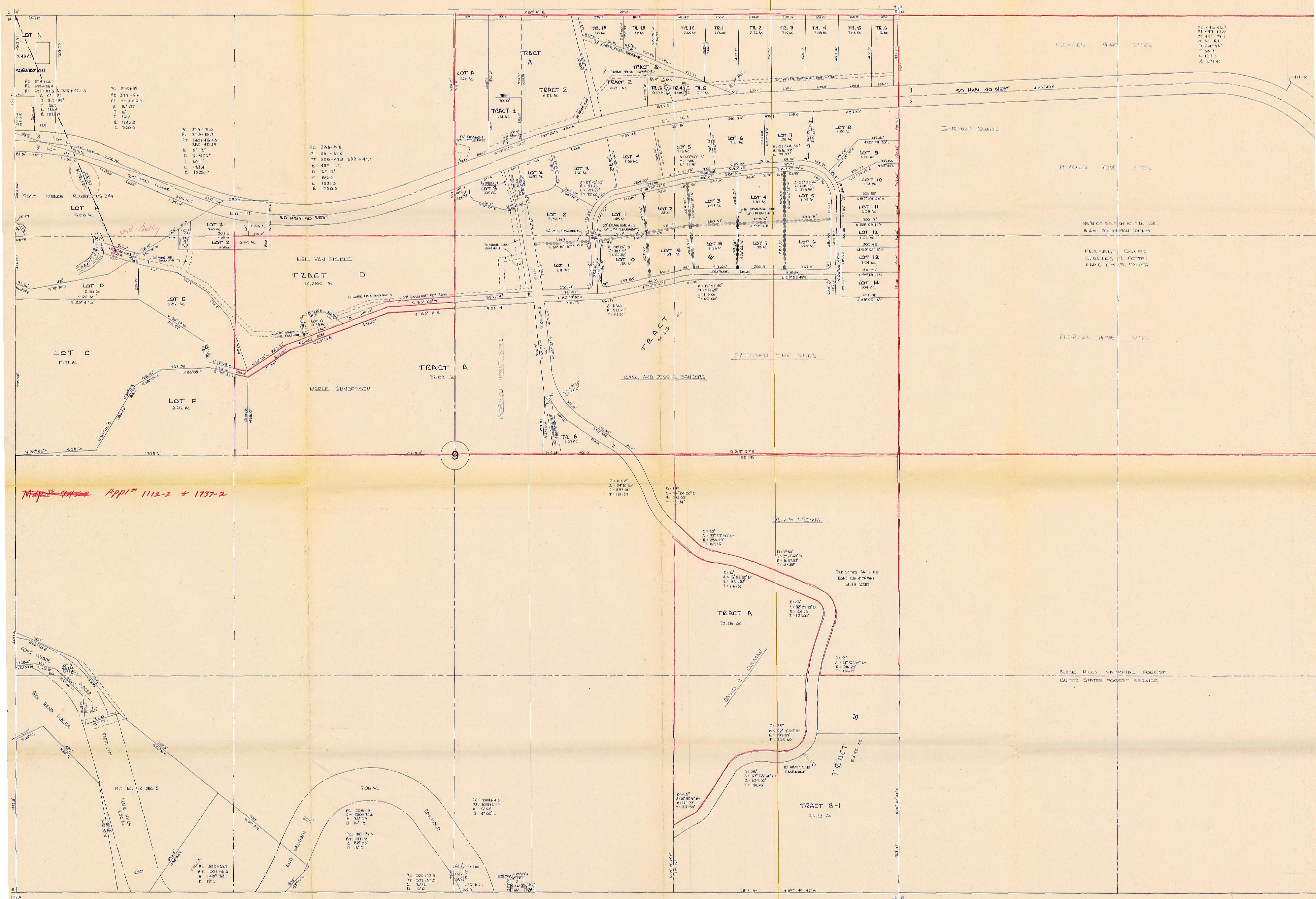
County of PenningtonI, Charles J. Sanders, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Subscribed and sworn to before me this 2nd day of June 19 72

Signed

Charles J. SandersDonald Driscoll

Notary Public (or other qualified officers)

Deputy Chief Engr. W.C.



Map # 9452 App# 1112-2 + 1737-2

THIS PLAN REPRESENTS A TRACING OF THE ORIGINAL PLAT BLUEPRINTS. DIMENSIONS AND DIRECTIONS (METES AND BOUNDS) OF EACH LINE WERE TRACED AS SHOWN. FOR EXACT PLAT INFORMATION REFER TO ORIGINAL DOCUMENTS AS RECORDED.



**PHIL A. NICHOLS**
consulting engineer
post office box 1411
rapid city, south dak.

REVISED JUNE 2, 1972

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1112-2
C. & J. SANDERS, INC. RT #1, BOX 256, RAPID CITY
(Applicant) (Post Office Address)
SOUTH DAKOTA RR #9, Box 417
(State) With the following modifications.

Date of first receipt of application JUNE 2 19 72
 Date of return to applicant for correction, amendments or changes required --- 19 ---
 Date of receipt of corrected application --- 19 ---
 Approved JULY 12 19 72 Recorded in Book 12 Page 125

WATER RIGHT PERMIT NO. 1112-2

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1112-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is JUNE 2 19 72
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 12 19 75
3. The whole of said work is to be completed on or before JULY 12 19 77
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 12 19 81
5. The water appropriated shall be used for the purpose of SUBURBAN HOUSING
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 1.00 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which a water is actually and beneficially applied for irrigation on or before JULY 12 19 81; said water to be used during the following described annual period: YEAR ROUND

Witness my hand this 13TH day of JULY 19 72

WATER RESOURCES COMMISSION

By: [Signature]
 Chief Engineer, Executive Officer

Certificate of Construction Issued MARCH 16 19 81
 Water License Issued MARCH 16 19 81

C. and J. Sanders Inc.
Water Service System

List giving legal descriptions of lands to be serviced together with names of owners or immediately prior owners. (before lots were sold)

Carl and Jessie Sanders

The NE $\frac{1}{4}$ of Section 9, T1N, R6E.

Charles R. and Minnie V. Potter

The NW $\frac{1}{4}$ of Section 10, T1N, R6E.

Neil Van Sickle

That part of Tract "D" in the SE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 9, T1N, R6E.

Merle Gunderson

That part of Tract "A" in the SE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 9, T1N, R6E.

Dr. H. E. Fromm

That part of the NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 9, T1N, R6E.

David R. Oulman

Tract "A" of the E $\frac{1}{2}$ of the SE $\frac{1}{4}$, Section 9, T1N, R6E.

Permit No. 1112-2

Water Diversion No. 2 Upper Cheyenne Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That C and J Sanders, Inc.

_____ the holder _____ of
Permit No. 1112-2, issued upon Application No. 1112-2, bearing date of priority of December 11,
1961 and June 2, 1972* authorizing the diversion of 1.85* cu. ft. per second of the waters of _____
groundwater (one well) County of Pennington, State of South Dakota at _____
a point south 24° 20' east, 1530 feet from the NW corner of Section 9,
T11N, R6E
_____, for suburban housing development

_____ purposes, have _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use .30 cu. ft. per second of water.

Date March 16, 1981


JOHN HATCH, Chief Engineer
Water Rights Division

NOTE: Applicable portions of Water Right No. 732-2 have been incorporated
into the Water License No. 1112-2

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1112-2

(1) WHEREAS, On the 2nd day of June A. D. 19 72

C and J Sanders, Inc.

made Water Right Application No. 1112-2 for a permit to use 1.35* cubic feet per second of the waters of groundwater (one well)

County of Pennington State of South Dakota, for suburban housing development

_____ purposes; and

(2) WHEREAS, On the 12th day of July A. D. 19 77

Permit No. 1112-2, with a date of priority of December 11, 1961 & June 2, 1972*

was issued to said applicant 5 for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 12th day of July A. D. 19 77 and for the application to beneficial use of said water on or before the 12th day of July A. D. 19 81

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert .30 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

water supplies for suburban housing development

* The applicable portions of Water Right No. 732-2 have been incorporated into this Water License No. 1112-2

(5) NOW, THEREFORE, by the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to C & J Sanders, Inc.

of Rapid City SD
the holder S and owner S of said permit No. 1112-2 a water right, dating from December 11, 1961 and June 2, 1972 to use of .30 cubic feet per second of the waters of groundwater (one well)

in the County of Pennington and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point south 24° 20' east, 1530 feet from the NW corner of Section 9, T111, R6E

and conducted ~~XXXXXXXXXX~~ through the Sanders Water Service distribution system

for the purpose of suburban housing development

Subject to any limitations listed in Water Right Permit No. 1112-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 16th day of March A. D.
Nineteen Hundred and Eighty-one

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

112-2

Publish first publication, on or before June 15, 19 72

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

June 8, 19 72

Notice is hereby given that G. and J. Sanders, Inc.

whose post office address is Rapid City, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use

_____ cubic feet of water per second of time from the ground water through the

Sanders Inter Service System, the point of diversion of which is to be located in the

lot A., Ft. Meade Placer N.S. 246 in the NW 1/4

of Section 9, Twp. 1N, Range 6E. Said water to be used for the purpose of providing irrigation to the following described land:

providing supplies for suburban development in the NW 1/4, Section 10, NE 1/4,

Tract A and Tract D in SE 1/4 NW 1/4, Tract A of the E 1/4 SE 1/4, and a portion of the

NE 1/4 SE 1/4, all in Section 9, T1N, R6E

This application No. 112-2 will be considered by the Water Resources Commission at their office at Pierre upon the 12th day of July, 19 72, at 2:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

cc: Carl G. Sanders, R.R. #1, Box 256, Rapid City, S.D. 57701

RECEIVED
JUL 1 0 1972

STATE OF SOUTH DAKOTA }
COUNTY OF PENNINGTON }

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

John J. Gerken of said County and State, being first duly sworn, on his oath says that THE HILL CITY PREVAILER and THE GUIDE is a legal weekly newspaper of general circulation, printed, and published in Hill City in said County and State and has been such legal weekly newspaper during the time hereinafter mentioned, and I, John J. Gerken, am the publisher of said newspaper, and have personal knowledge of all the facts stated in this affidavit, and that advertisement headed,

Notice Intent to Appropriate Water

a printed copy of which is hereunto attached, was printed and published in the said newspaper for four successive weeks, not in a supplement, but in the regular and entire issue of every number of the paper during the time and period of the publication, to-wit: the first publication being

made on the 15th day of June, 19 72
the second on the 22nd day of June, 19 72
the third on the 29th day of June, 19 72
the fourth on the day of , 19
the fifth on the day of , 19
the sixth on the day of , 19
and the last on the 6th day of July, 19 72

That the full amount of the fees charged for publishing the same, to-wit: the sum of

Eighteen and 74/100 Dollars, \$ 18.74

inures solely to the benefit of the publisher of THE HILL CITY PREVAILER and THE GUIDE. That no agreement or understanding for any division thereof has been made with any person, and that no part thereof has been agreed to be paid to any person whomsoever.

John J. Gerken

Subscribed and sworn to before me this 7th day of

July, 19 72

Marvin L. [Signature]
Notary Public

My Commission Expires June 16, 1980

NOTICE INTENT TO APPROPRIATE WATER
STATE OF SOUTH DAKOTA
COUNTY OF PENNINGTON
Notice is hereby given that C. and J. Sanders, Inc., whose post office address is Rapid City, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use, 1.10 cubic feet of water per second of time from ground waters through the Sanders Water Service System, the point of diversion of which is to be located in Lot A-5, Fl. A-5, Tract A-5, in the NW 1/4 of Section 7, Twp. 14 N, Range 66 E, said water to be used for the purpose of providing supplies for suburban development in the NW 1/4, Section 10, NE 1/4, Tract A and Tract D in SE 1/4 NW 1/4, Tract A of the E 1/2 SE 1/4, and a portion of the NE 1/4 SE 1/4, all in Section 7, T14N, R66E, S14W, 1972.
This application No. 11122 will be considered by the Water Resources Commission at their office at Pierre, SD, on the 12th day of July, 1972 at 2:00 p.m. All interested persons may appear and be heard.
STATE WATER RESOURCES COMMISSION
By: BURTON F. JONES,
Water Rights Specialist
Filed June 13-22-29 July 6

RECEIPT

WATER RIGHTS COMMISSION
State of North Dakota

No 4 7981

PIERRE, February 11, 1931

RECEIVED OF C & J Sander's Inc., Rt. 8, Box 417, Rapid City, SD 57701
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit - Appropriate Water No. (examination, processing, recording and filing)	1112-2	50.00
Fee for Inspecting Construction, and Issuing Cert. of Construction No.	1112-2	
Fee for Inspecting Beneficial Use, and Issuing Water License No.	1112-2	
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL		50.00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
J. H. HATCH / C.E.

732-2.

1112-2 C & J. Sanders, Inc.

6-11-30 Well - 26' diameter, 100' long. 8' down to water and collecting water.

Well has 2 pump. Each is 1 1/2 H.P.

3 floor H.S. Elev. Change motor on now and then.

Pumps are 5 stage, running 5. Sumping rate 40 gpm / pump. Water is sold another 100 gpm pump as left standby and supply.

Total pumping 120 gpm

Storage Reservoir - 1 ea. 10,000

galen tank, 3 ea. 18,000 gal tank

1 ea 26,000 gal tank. Others are other

storage tanks. Efficient system

Sander's says permit 732-2 is for same well as for 181 which has been out.

Quinted. He wants to buy paper for
also wanted the 1000's. I said
we could not do that much. Possibly they
may allow the 1000's or only
the 1000's now being used.

1-17-00 Boston June 10-1-1900 per. 3 crs.
 Can't #732-2 as all he can get
 would be using. Can apply for
 more labor.

Permit No. 1112-2Water Division Upper Cheyenne Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by C. I. J. Sanders, Inc.of Box 256, Rapid City, S.Dak. holder
of Permit No. 1112-2, bearing date of priority of December 11, 1961
1.00 cfs June 2 1972authorizing the diversion of 1.85 cu. ft. per second of the waters of One well
for Suburban Housing purposes, in Pennington County.

I have to report on the condition of the same as follows.

The Water Use System consists of,

A. Works used to divert the water:

3 each 7½ HP, 3 Ph US Elec. Motors.3 each 5 stage Demming pumps. 40 gpm per pump = 120 gpm
under ground pump house 50 ft N of well

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

under ground mains to 2 - 10,000 gal. and 2 - 15,000 gal. 150,000 gal.
storage tanks. Plans to add more storage tanks.

C. Works used to apply water to beneficial use.

House holds and lawns and gardensThe system is in the following condition: ExcellentThe point of diversion is located South 24° 20' East, 1530 ft from the NW
Corner of Section 9, T1N R6EThe works are capable of diverting and conveying to the place of use 3cu. ft. per second of water which is to be used for Suburban Housing

Water has been put to beneficial use to the maximum extent as follows:

comprising a total of 11 acres of land.Notes: Permit # 732-2 Pertinent information is incorporated
into this permit.

License for .3 cfs.

Date

June 11, 1980LeRoy J. McLaughlin
(Signature)4611 1980
cut 5

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

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

June 17, 1981

C & J Sanders, Inc.
Rt 8, Box 417
Rapid City SD 57701

Dear Sirs:

Enclosed herewith are, Water License No. 1112-2 and Certificate of Construction.

Water License No. 1112-2 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, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:kw

enclosures

NOTE: Applicable portions of Water Right No. 732-2 have been incorporated into this Water License No. 1112-2

Water Rights Division - DWR
Telephone Reference Sheet

NAME OF PERSON (Called/Calling): Attorney, R.C. for C. & L. Hanson
ADDRESS: R.C. COUNTY: Peru, Indiana
DATE: Aug 25, 1981 TELEPHONE: _____
RE: Water License 1112-2

COMMENTS:

Atty questioned the cfs on the license advised him that
L. Mernagh investigated the Permit June 11, 1980
and the Permit was issued for the amt of cfs
he was asking. Law states this etc etc.
Atty did not believe what I stated. Mernagh was
called to the phone & reported what I had said.
He said R.C. also advised him if he was (earlier)
planning on using more water he would have
to re apply for additional cfs.

File in Permit file when necessary. Use to make a record of conversations and what the
other party was told.

NAME: Deety Westlund & L. Mernagh

Bangs, McCullen, Butler, Foye & Simmons

George A. Bangs
W. A. McCullen
J. M. Butler
Thomas H. Foye
Thomas E. Simmons
Ronald E. Clabaugh
Charles L. Riter
Allen G. Nelson
James P. Hurley
Michael M. Hickey

Lawyers

818 St. Joe Street, P. O. Box 2670
Rapid City, South Dakota 57709

Area Code 605
343-1040

November 4, 1981



341116 @
40 GPM
• 08 x 3
= .30

Ms. Betty Westland
S.D. Department of
Water & Natural Resources
Water Rights Division
Joe Foss Building
Pierre, SD 57501

Re: C & J Sanders, Inc.
Water License No. 1112-2

Dear Ms. Westland:

Our client, C & J Sanders, Inc., have ask us to forward on to you their check in the amount of \$50.00 to cover the issuance of the above mentioned water license. In reviewing their file, it appears that the Division issued a receipt no. 47981 dated February 11, 1981. Accordingly, I am unsure as to the need for this check but my client wished me to submit it anyway. Would you please review your records to determine what, if anything, this check is needed for and advise accordingly.

I thank you for your assistance and cooperation and if you have any questions or comments, please advise.

Sincerely,

BANGS, McCULLEN, BUTLER, FOYE & SIMMONS

Michael M. Hickey
Michael M. Hickey

MMH/sfd
Enc.

cc: C & J Sanders, Inc.

46-5-29
46-5-30

1112-2

Water Rights Division
605 773-3352

November 8, 1981

Michael H Hickey
Bangs, McCullen, Butler, Foye & Simmons
P.O. Box 2670
Rapid City SD 57709

Dear Mr. Hickey:

As per our phone conversation on November 6, 1981, enclosed is Check # 1490
in the amount of \$50 signed by Jessy Sanders.

Sincerely,

BETTY WESTLUND
Water Rights Specialist

BW:ks

enclosure



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

1112-2

June 3, 1988

Alan Smoot
615 Kansas City Street
Rapid City, South Dakota 57701

Dear Mr. Smoot:

Enclosed are copies of Water Rights Nos. 732-2 and 1112-2 for Carl and Jessie Sanders. The Sanders' are currently authorized diversion of 0.30 cfs from one well to be used for suburban housing development purposes.

The applicable portions of Water Right No. 732-2 were incorporated into Water License No. 1112-2. No. 1112-2 contains the pertinent information concerning the diversion point, diversion rate, priority dates, and purpose of use.

If you have any questions, please contact me.

Sincerely,

Genny McIlath
Natural Resources Analyst

GM:ms
Enc.





1112-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOV 14 1994

1957-2

Doris Sanders
C & J Sanders, Inc.
10050 West Hwy. 44
Rapid City, SD 57702

Dear Mrs. Sanders:

Enclosed is Water License No. 1957-2 and Receipt No. 414121 for \$50.00 which was assessed for an inspection and issuance of the license. Water License No. 1957-2 is the final document which completes the 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.

Very truly yours,

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

rd
enclosures

NOTE: The applicable portions of Water Right No. 1112-2 have been incorporated into this Water License No. 1957-2.