

Water Right Number 1122-2

1. Considered November 8, 72
19

2. Name of Applicant Utility Engineering Corporation

3. Post Office Address Rapid City, S.D.

4. Amount of Water claimed .045

5. Source of Water supply ground water

6. Water to be used for Municipal

Acres to be irrigated --

7. Water to be diverted and used in Pennington County

about 1 1/2 miles S of PACTOLA Reservoir

8. Proof of Publication

Received 9-28-72

Not Received _____

9. Application

Approved _____

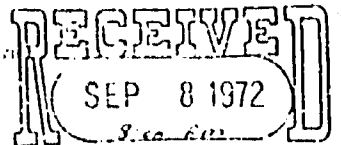
Subject to _____

Not Approved _____

Action Deferred _____

10. Remarks:

Map No. 953-2 Water Division No. 2 RAPID CREEK
 (Blank's to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant ~~Betty Engineering Corporation~~ Bear Den Sub-Division
W.H. "Buck" Anderson 3725 Hall Street, Rapid City
625 Ninth Street, Suite 900 South Dakota 57701
 If a corporation show date and place of incorporation February 4, 1972 Rapid City, South Dakota
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Bear's Den Subdivision
4. Amount of water claimed (cubic feet per second) .045 ft³/sec
5. Source of water supply Well
6. Location of point of diversion SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 8 and NE $\frac{1}{4}$ of Section 17, T. 1N, R. 5E, R.H.M.

County Pennington

7. Annual period or periods during which water is to be used Continuously
8. Use to be made of water (irrigation, industrial, municipal, commercial, recreation, etc.) Municipal
9. ~~For irrigation~~ Total number of acres to be irrigated None

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

10. Time required to complete construction of water supply system 2 months years. Additional time required to complete application of water to the proposed beneficial use 2 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Rapid City Journal
12. Principal Features of the Proposed Water Supply System:

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

37' deep well

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

Water distribution system consists of approximately 3200' of 2" PVC main.

C. Works proposed to apply water to beneficial use:

3/4" service lines to each individual houseEstimated Total Cost \$ 25,000.00

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

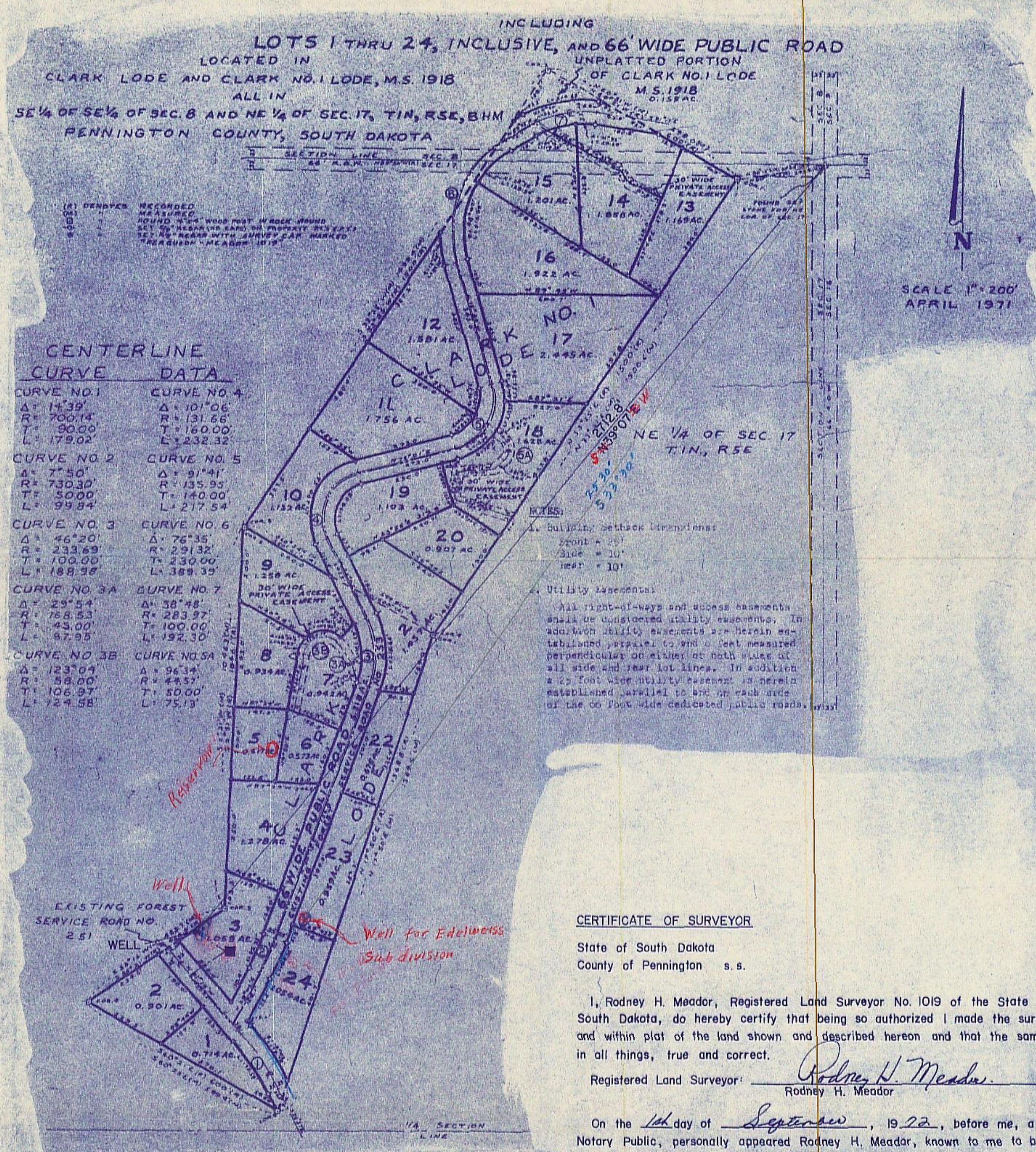
County of PENNINGTON

I, ALAN L. LUNDGREN, 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.

Signed Alan L. LundgrenSubscribed and sworn to before me this 5th day of September, 1972
Alvin C. Alvin
 Notary Public (or other qualified officer)

MAP NO. 953-2 APP. NO. 122-2

BEAR'S DEN SUBDIVISION



WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1122-2 3725 Hail Street
 Bear Den Sub-Division 2 W.R. "Buck" Anderson
~~UTILITY ENGINEERING CORPORATION~~ 625 NINTH ST. SUITE 800, RAPID CITY
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57701 With the following modifications:
 (State)

Date of first receipt of application SEPTEMBER 8 19 72
 Date of return to applicant for correction, amendments or changes required --- 19 ---
 Date of receipt of corrected application --- 19 ---
 Approved NOVEMBER 8 19 72 Recorded in Book 12 Page 161

WATER RIGHT PERMIT NO. 1122-2

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1122-2 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 SEPTEMBER 8 19 72
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before DECEMBER 8 19 72
3. The whole of said work is to be completed on or before JANUARY 8 19 73
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 8 19 75
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 .045 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 ~~irrigation purposes and appropriation shall be limited to not more than one acre-foot per year, and in~~
~~limited to not more than one acre-foot per year, and in~~
USED FOR SUBURBAN HOUSING
 actually and beneficially ~~applied for irrigation~~ applied for irrigation on or before JANUARY 8 19 75; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 9TH day of NOVEMBER 19 72

WATER RESOURCES COMMISSION

By: [Signature]
 Chief Engineer, Executive Officer

Certificate of Construction Issued ME 19 81

Water License Issued MARK 16 19 81

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well information or Estimates

- (1) Drill Hole, Diameter 6", Depth 37'
(2) Casing, Type Steel Diameter 6" Thickness 3/8"
(wood, concrete, steel, etc.)
(3) Perforated Screen
Type None, Diameter _____, Length _____
(4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout information or Estimates

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials Slate (See Driller's Log)

Depth to top of water bearing material 24'

Depth to bottom of water bearing material 35'

Thickness of water bearing material 11'

Depth to water (ground surface to water level) 6'

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property No other rds. On property owned by others exceeds 1 mi. rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

[Signature]
Signature of Applicant

DRILLER'S LOG OF WELL

Location of Well: NE 1/4, Section 17, Township 1N, Range 5E

Well to be drilled for: Theodore Kerner, Hwy. 385 - Rapid City
(Name) (Address)

Owner of land (if other than above): Same - well # 2
(Name) (Address)

Date well drilling started July 9 '72 finished July 14 '72

Purpose of well domestic
(domestic, irrigation, municipal, industrial, other)

Diameter
6"
Inches

0-14 14 Feet

Topsoil, talus.

Ground Surface Elevation: N/A
(If Available)

14-18 4 Feet

Slote
Describe kind of material drilled through (add layers on back of form if necessary)
put in casing
water 1/2 gal.
surface water

Kind and thickness of casing to be installed:

Slote 1/4"

18-30 12 Feet

Slote. med. H.S. gr.
24 gal. water
10 gal. min.

Size of casing to be installed:

22 feet of 6 inches diameter

_____ feet of _____ inches diameter

_____ feet of _____ inches diameter

30-37 7 Feet

Slote - Slote - 1/4"
32' c Rock, water
30 gal. min.
33-35' c Rock (water)
water 36 gal. min.

Type of Seal between casing sizes:

1 pc.

Kind of perforated screen to be installed:

Material none
(steel, wood, concrete, etc.)

Size of Screen:

Diameter _____ inches

Length _____ feet

Size open _____ inches

Depth below ground surface to which water rises

in well _____ feet

Water bearing material

Note - Tracked down track w/ bailer - 24'
Well bailed 36 gal. min. for 30 min.
Grouted casing 9' to 16'

Roy Alexander
Driller

Permit No. 1122-2

Water Diversion No. 2 Upper Cheyenne Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Bear Ben Sub-Division

S. W. H. "Duck" Anderson

the holder of

Permit No. 1122-2, issued upon Application No. 1122-2, bearing date of priority of September 8,

1972 authorizing the diversion of .045 cu. ft. per second of the waters of

groundwater (one well) County of Pennington, State of South Dakota at

a point south 30° 07' west, 2712.8 feet from the NE corner of Section 17,

T1N, R5E

for suburban housing development

purpose, has 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 .045 cu. ft. per second of water.

Date March 16, 1981


JOHN HATCH, Chief Engineer
Water Rights Division

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1122-2

(1) WHEREAS, On the 8th day of September A. D. 19 72
Utility Engineering Corporation

made Water Right Application No. 1122-2 for a permit to use .045 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 8th day of November A. D. 19 72

Permit No. 1122-2, with a date of priority of September 8, 1972

was issued to said applicant S for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 8th day of January A. D. 19 73 and for the application to beneficial use of said water on or before the 8th day of January A. D. 19 75

WHEREAS, on the 26th day of January 1981 this Permit No. 1122-2 was transferred to the Bear Ben Sub-Division, & W. H. "Buck" Anderson, Rapid City SD

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 .045 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 a Suburban housing development

(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 the Bear Dam Sub-Division, % W. H. "Buck" Anderson

of Rapid City SD
the holder S and owner S of said permit No. 1122-2 a water right, dating from September 8, 1972
to use of 0.045 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 39° 07' west, 2712.8 feet from the
northeast corner, of Section 17-T1N-R5E

and conducted ~~XXXXXX~~ from the sub-division distribution system

for the purpose of suburban housing development

Subject to any limitations listed in Water Right Permit No. 1122-2 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

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7943

PIERRE, January 26, 1931

RECEIVED OF Bear Den Sub-Division, W.H. Anderson, Box 461, Rapid City SD 57701
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No. 1122-2)	12	00
Fee for inspecting Beneficial Use, and issuing Water License No. 1122-2)		
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	12	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH (13)

Permit No. 1122-2Water Division 2 Rapid Creek 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 Bear Den
Subdivision of 3725 Hall St, Rapid City, S.Dak. holder 1/2 W.H. "Buck" Andersen
 of Permit No. 1122-2, bearing date of priority of September 8, 1972
 authorizing the diversion of .045 cu. ft. per second of the waters of 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:

1 1/2 H.P. Submersible Pump Pumping 20 gpm

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

Main lines PVC Pipe to Houses.
Has Storage Reservoir in Lot 5.

C. Works used to apply water to beneficial use.

Houses.The system is in the following condition: GoodThe point of diversion is located S 34° 07' W 2712.5' from the NE
Cor of Sec. 17, T1N R5EThe works are capable of diverting and conveying to the place of use .045
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 as follows:

comprising a total of _____ acres of land.

Recorded 0.045 cfs

Well Data.

Depth 37 ftPumping 20 gpmDate June 11, 1980
L. Roy J. McLaughlin
(Signature)

NO. 1122-2

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 12-31-80

This is to notify you that the title to the lands described as follows:

Portions of SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 8 and NE $\frac{1}{4}$ Section 17, T1N. R5E

formerly owned by Utility Engineering Corporation

has been transferred to Bear Den Sub-Division, % W.H. "Buck" Anderson

3725 Hall St., Rapid City SD 57701
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1122-2 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of PENNINGTON) ss.

I, W.H. Buck Anderson, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

W.H. Buck Anderson
(Signed)

Subscribed and sworn to before me this 31st day of DECEMBER, 1980

W.H. Buck Anderson
(Notary Public)
Orville J. Hope
5/18/81

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7944

% W.H. Anderson

PIERRE,

January 26, 1931

RECEIVED OF Bear Den Sub-Division, Box 451, Rapid City 57701

the following amount in fees for services rendered and for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)

Fee for Inspecting Construction, and Issuing Cert. of Construction No.

Fee for Inspecting Beneficial Use, and Issuing Water License No.

Fee for Issuing Location Certificate-Dry Draw. No.

Fee for filling transfer of water Right No. 7122-2

Fee for certified copy of

Fee for Print copy of map

Fee for Certifying

Fee for

(any other work as provided by law)

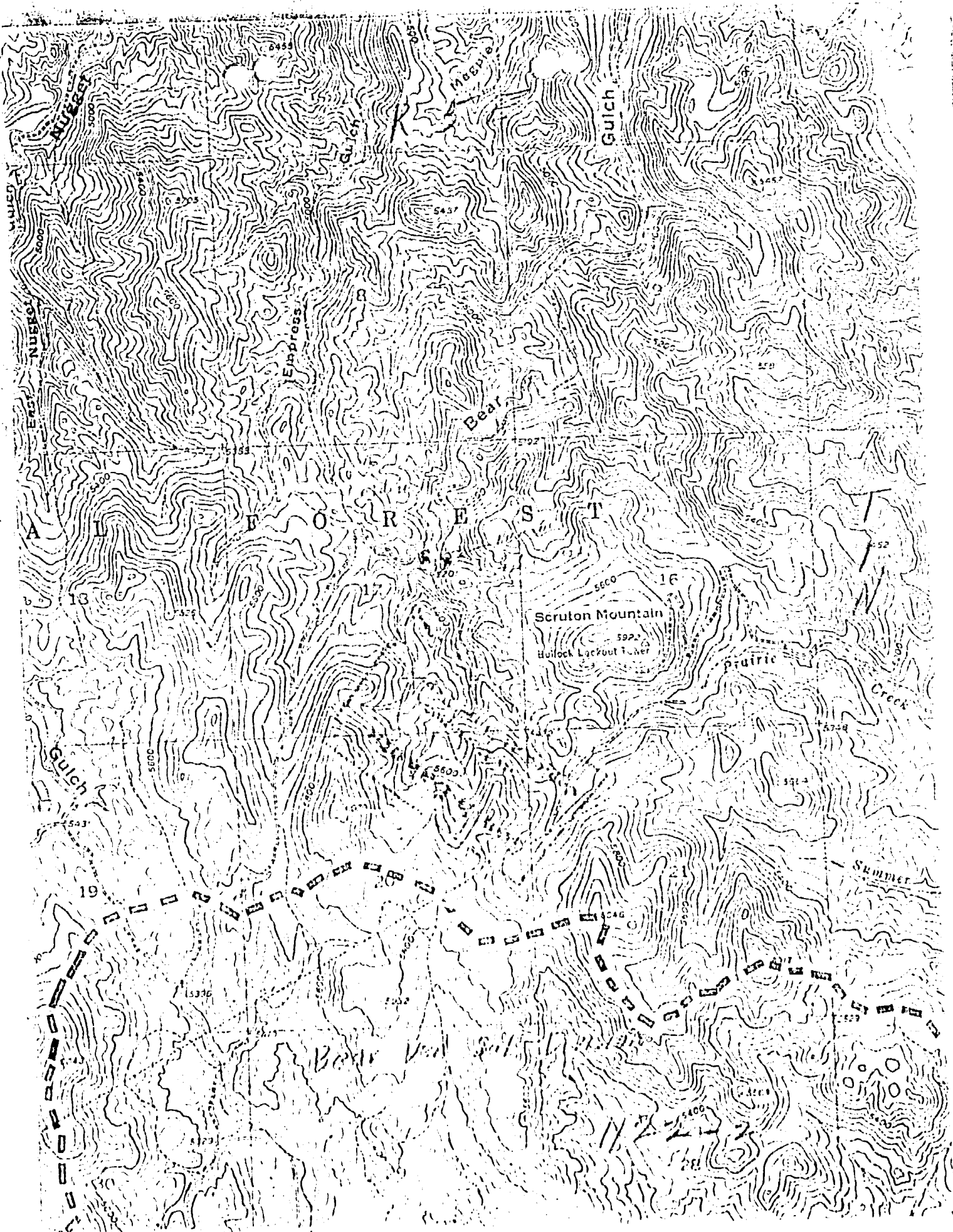
2 50

TOTAL

2 50

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH



Affidavit of Publication

STATE OF SOUTH DAKOTA }
County of Pennington } ss.

..... Jerry J. Shoener, being first duly sworn, upon his oath says: That he is now and was at all times hereinafter mentioned, an employee of the RAPID CITY JOURNAL COMPANY, a corporation, of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bonafide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and with an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said RAPID CITY JOURNAL, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said newspaper once each week for two successive weeks, the first publication thereof being on the 19th day of September, 19 72, that the fees charged for the publication thereof are Ten Dollars and 02 cents.

Jerry J. Shoener

Subscribed and sworn to before me this 26th day of

September , 19 72

George McElroy
Notary Public.

I, Jerry J. Shoener, Circulation Manager of the Rapid City Journal certify that the average daily paid circulation of the Rapid City Journal for the month of August, 1972, was 33,795.

Jerry J. Shoener
Jerry J. Shoener

Subscribed and sworn to before me this 26th day of September, 1972

Notary Public

Sept. 19, 26
NOTICE
INTENT TO APPROPRIATE WATER
Pierre, South Dakota 57501
September 12, 1972
Notice is hereby given that Utility Engineering Corporation, 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 64 cubic feet of water per second of time from ground water through the Bear's Den Subdivision Well, the point of diversion of which is to be located in the SE 1/4 of Section 17, Twp. 1N, Range 53. Said water to be used for the purpose of providing water supplies for a suburban housing development. This application No. 1122-2 will be considered by the Water Resources Commission at their office at Pierre upon the 30th day of November, 1972, at 2:00 P.M. All interested persons may appear and be heard.
WATER RESOURCES COMMISSION
By: BURTIN E. JONES
Water Rights Specialist

RECEIVED
SEP 28 1972

STATE WATER RESOURCES CO. INC.
PIERRE, SOUTH DAKOTA

1122-2

Publish first publication, on or before October 25, 19 72

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

September 12, 1972

Notice is hereby given that Utility Engineering Corporation
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
.04 cubic feet of water per second of time from the ground water through the
Bear's Den Subdivision Well, the point of diversion of which is to be located in the

SE 1/4 NE 1/4

of Section 17, Twp. 1N, Range 5E. Said water to be used for the purpose

of providing irrigation on the following described land:

water supplies for a suburban housing development.

This application No. 1122-2 will be considered by the Water Resources Commission at their office at
Pierre upon the 8th day of November, 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: Floyd Matthew, Utility Engineering Corp., 625 Ninth St., Rapid City, S.D. 57701

