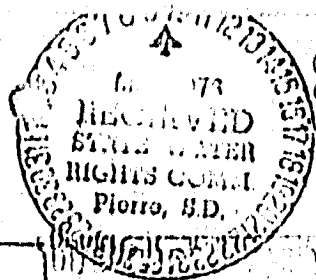


1377-2

1. Considered 7-21, 1976
2. Name of Applicant PEACEFUL PINES ESTATES N^o 1
3. Post Office Address RAPID CITY
4. Amount of water claimed .06
5. Source of water supply 450' DEEP WELL
6. Water to be used for SUBURBAN HOUSING
- Acres to be irrigated _____
7. Water to be diverted and used in MEADE county
about 4N, 3W miles _____ of RAPID CITY.
8. Proof of Publication Received 6-25-76
Not received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:



Map No. 1165-2 Water Division No. 2 PAPIO CREEK
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

NOV 19 1975

To Appropriate Water within the State of South Dakota

(NOTE - Draw a rough sketch of the items not applicable)

1. Name of Applicant PEACE PINE S. WELL NO. 1
Postoffice address Box 446 RR Rapid City State SOUTH DAKOTA
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) _____
3. Name of diversion work Peaceful Pines Estates Well No. 1
4. Amount of water claimed (cubic feet per second) Normal House hold use 25 gpm (0.056 cfs)
5. Source of water supply WELL
6. Location of point of diversion Lot 3 Block 4 of Gov. Lot #1 E 1/2 NW 1/4 Sec. 7 - T2N - R7E

7. Annual period or periods during which water is to be used Continuous County Meade
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Household subdivisions
9. For irrigation use, 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 5 1972 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 Rapid City Journal

12. Principal Features of the Proposed Water Supply System.

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

well ALA

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

pipng - distribution system

C. Works proposed to apply water to beneficial use.

PIPELINE COMPLETED IN 1972

Estimated Total Cost \$ DON'T KNOW

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 MEADE

I, LEONARD MARON 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.

X Signed Leonard Maron

Subscribed and sworn to before me this 1st day of May 1976

W. R. Rame
Notary Public (or other qualified officer)

787-4564

PLAT NO. 2 OF
 PEACEFUL PINES ESTATES
 LOCATED IN
 TRACT A AND TRACT B OF GOV'T. LOT 7 OF SECTION 6, T2N, R7E, B.H.M.
 TRACTS A, B, C, D OF S $\frac{1}{2}$ OF THE SE $\frac{1}{4}$ OF SECTION 1, T2N, R6E, B.H.M.
 N $\frac{1}{2}$ OF NE $\frac{1}{4}$ OF SECTION 12, T2N, R6E, B.H.M.
 MEADE COUNTY, SOUTH DAKOTA

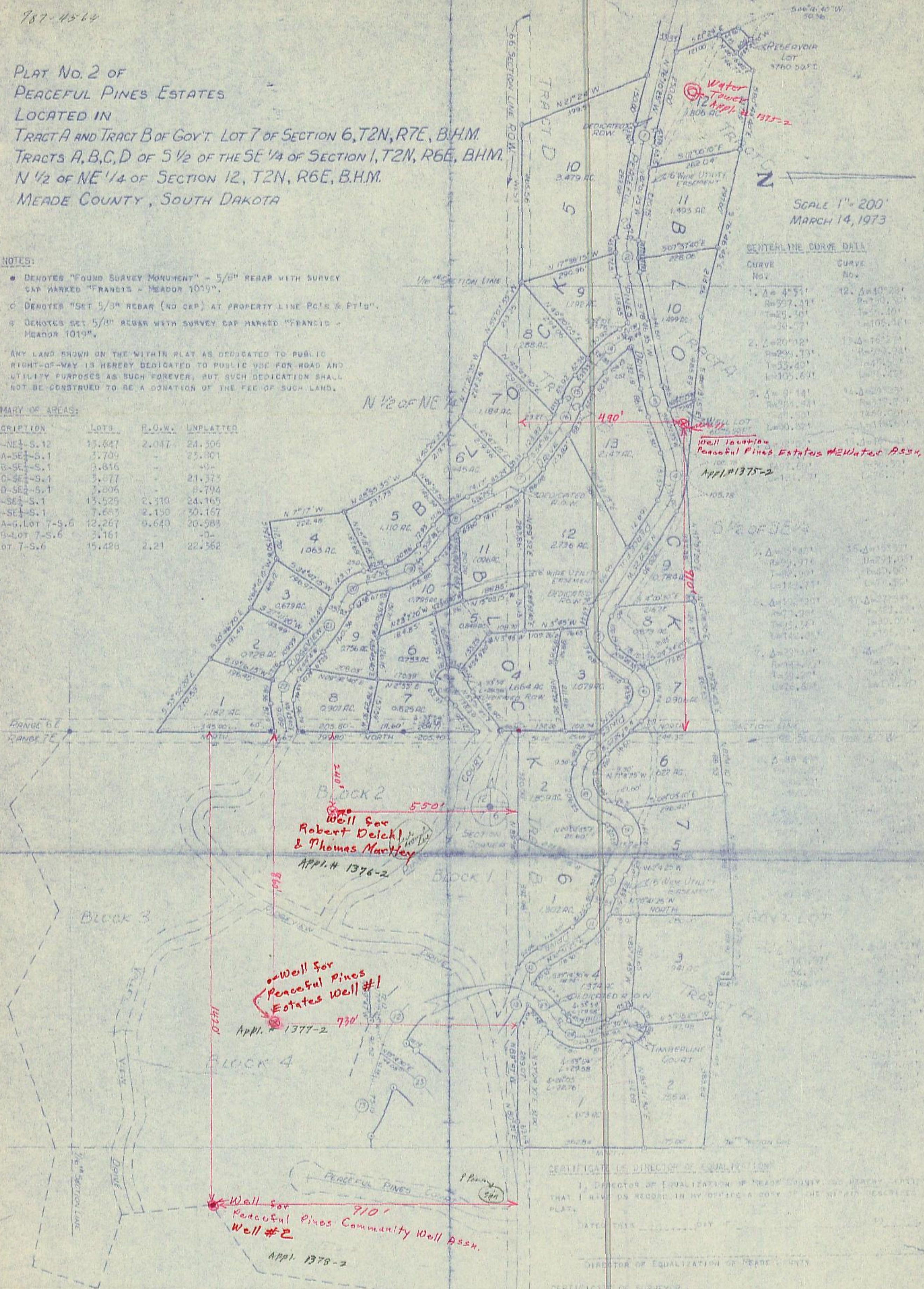
NOTES:

- DENOTES "FOUND SURVEY MONUMENT" - 5/8" REBAR WITH SURVEY CAP MARKED "FRANCIS - MEADOR 1019".
- DENOTES "SET 5/8" REBAR (NO CAP) AT PROPERTY LINE PO'S & PT'S".
- ◊ DENOTES SET 5/8" REBAR WITH SURVEY CAP MARKED "FRANCIS - MEADOR 1019".

ANY LAND SHOWN ON THE WITHIN PLAT AS DEDICATED TO PUBLIC RIGHT-OF-WAY IS HEREBY DEDICATED TO PUBLIC USE FOR ROAD AND UTILITY PURPOSES AS SUCH FOREVER, BUT SUCH DEDICATION SHALL NOT BE CONSTRUED TO BE A DONATION OF THE FEE OF SUCH LAND.

SUMMARY OF AREAS:

DESCRIPTION	LOTS	R.O.W.	UNPLATTED
NE $\frac{1}{4}$ - NE $\frac{1}{4}$ - S. 12	13.647	2.047	24.306
TR. A - SE $\frac{1}{4}$ - S. 1	3.704	-	23.001
TR. B - SE $\frac{1}{4}$ - S. 1	3.816	-	40-
TR. C - SE $\frac{1}{4}$ - S. 1	3.77	-	21.373
TR. D - SE $\frac{1}{4}$ - S. 1	3.804	-	8.794
SE $\frac{1}{4}$ - SE $\frac{1}{4}$ - S. 1	13.525	2.310	24.165
SW $\frac{1}{4}$ - SE $\frac{1}{4}$ - S. 1	7.663	2.130	30.167
TR. A - G. LOT 7 - S. 6	12.267	9.640	20.585
TR. B - LOT 7 - S. 6	3.161	-	0-
G. LOT 7 - S. 6	15.426	2.21	22.362



CERTIFICATE OF OWNER

STATE OF SOUTH DAKOTA
 COUNTY OF _____

I, CLARENCE D. BORDEN, VICE-PRESIDENT OF BORDEN & SON DAIRY, INC. DO HEREBY CERTIFY THAT THE SAID BORDEN & SON DAIRY, INC. IS THE OWNER OF THE LAND SHOWN AND DESCRIBED HEREON, THAT I DO AUTHORIZE AND DO HEREBY APPROVE THE SURVEY AND WITHIN PLAT OF SAID LAND FOR AND ON BEHALF OF BORDEN & SON DAIRY, INC.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL.

OWNER: BORDEN & SON DAIRY, INC.

CLARENCE D. BORDEN, VICE-PRESIDENT

ON THE _____ DAY OF _____, 19____, BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED CLARENCE D. BORDEN, KNOWN TO ME TO BE THE VICE-PRESIDENT OF THE BORDEN & SON DAIRY, INC. AND THE PERSON DESCRIBED IN THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE SIGNED THE SAME.

NOTARY PUBLIC: _____ MY COMMISSION EXPIRES: _____

RESOLUTION BY GOVERNING BOARD

STATE OF SOUTH DAKOTA
 COUNTY OF MEADE

I, AUDITOR OF MEADE COUNTY, DO HEREBY CERTIFY THAT AT AN OFFICIAL MEETING HELD ON _____, 19____, THE COUNTY COMMISSIONERS BY RESOLUTION DID APPROVE THE PLAT AS SHOWN HEREON.

MEADE COUNTY AUDITOR

CERTIFICATE OF DIRECTOR OF EQUALIZATION

I, DIRECTOR OF EQUALIZATION OF MEADE COUNTY, DO HEREBY CERTIFY THAT I HAVE ON RECORD IN MY OFFICE A COPY OF THE WITHIN DESCRIBED PLAT.

DATED THIS _____ DAY OF _____, 19____.

DIRECTOR OF EQUALIZATION OF MEADE COUNTY

CERTIFICATE OF SURVEYOR

STATE OF SOUTH DAKOTA
 COUNTY OF BENNINGTON

I, RODNEY H. MEADOR, REGISTERED LAND SURVEYOR NO. 1035 OF THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT BEING SO AUTHORIZED, MADE THE SURVEY AND WITHIN PLAT OF THE LAND SHOWN AND DESCRIBED HEREON AND THAT THE SAME IS, IN ALL PARTS, TRUE AND CORRECT. THE AREA AMOUNTS SHOWN ON THE WITHIN PLAT SHALL BE FOLLOWED WITH THE WORDS "MORE OR LESS".

REGISTERED LAND SURVEYOR: _____
 RODNEY H. MEADOR

OR, I, _____, A NOTARY PUBLIC, PERSONALLY APPEARED RODNEY H. MEADOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE SIGNED THE SAME.
 NOTARY PUBLIC: _____
 MY COMMISSION EXPIRES: _____

CERTIFICATE OF COUNTY TREASURER

I, TREASURER OF MEADE COUNTY, DO HEREBY CERTIFY THAT ALL TAXES WHICH ARE DUE UPON THE WITHIN DESCRIBED LANDS ARE PAID ACCORDANT TO THE RECORDS OF MY OFFICE.

DATED THIS _____ DAY OF _____, 19____.

TREASURER OF MEADE COUNTY

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1377-2
PEACEHILL PLIS ESTATES #1 WELL (Applicant) RT 4, Box 464, RAPID CITY (Post Office Address)
SOUTH DAKOTA 57701 (State) With the following modifications:

Date of first receipt of application NOVEMBER 19, 1975
 Date of return to applicant for correction, amendments or changes required —
 Date of receipt of corrected application MAY 10, 1976
 Approved JULY 22, 1976 Recorded in Book 15 Page 215

WATER RIGHT PERMIT NO. 1377-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1377-2 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 MAY 10, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 22, 1979
3. The whole of said work is to be completed on or before JULY 22, 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 22, 1985
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 .06 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 use~~ and if for irrigation purposes, said appropriation must be limited to not more than 1 acre-foot per acre and be used for not more than one-tenth (1/10) of one cubic foot of water per acre and of time for each acre of land to which water is
USED FOR SUBURBAN HOUSING
 actually and beneficially applied for irrigation on or before JULY 22, 1985; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 27TH day of JULY, 1976

WATER RIGHTS COMMISSION

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued MARCH 23, 1979

Water License Issued MARCH 23, 1979

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 6", Depth 450'
- (2) Casing, Type STEEL (wood, concrete, steel, etc) Diameter 6" Thickness 1/4"
- (3) Perforated Screen.
Type BRASS, Diameter 4", Length 4"
- (4) Gravel Pack, Thickness 0', Length of gravel pack 0'

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 P

Depth to top of water bearing material ?

Depth to bottom of water bearing material P

Thickness of water bearing material ?

Depth to water (ground surface to water level) 320 ft

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

On same owner's property _____ rds. On property owned by others _____ rds.

G. Water Storage Dams.

COMMUNITY WELL

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.

LOT THREE (3) IN BLOCK FOOT (4) 0-0 PLASE PINES ESTATES, PLAIN
NO. 1 LOCATED IN THE NORTHWEST 1/4 SECTION 7 IN TOWNSHIP 2 NORTH
RANGE 7, EAST OF THE BLACK HILLS MERIDIAN, MEADE COUNTY,
SOUTH DAKOTA, 1

Edward Mason
Signature of Applicant
President of Well No. 1

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1377-2

(1) WHEREAS, On the 19th day of November A. D. 19 75
Peaceful Pines Estates

made Water Right Application No. 1377-2 for a permit to use .06 cubic feet per second of the waters
of groundwater (one well)

County of Meade State of South Dakota, for
suburban housing purposes; and

(2) WHEREAS, On the 22nd day of July A. D. 19 76
Permit No. 1377-2 with a date of priority of May 10, 1976

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 22nd day of July A. D. 19 81 and for the
application to beneficial use of said water on or before the 22nd day of July A. D. 19 85

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 .06 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 to be used for suburban housing purposes

(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 Peaceful Pines Estates of Rapid City the holder _____ and owner _____ of said permit No. 1377-2 a water right, dating from May 10, 1976 to use of .06 cubic feet per second of the waters of groundwater (one well) in the County of Meade and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at 730 ft. South and 360 ft. East of the NW Corner of Section 7-T2N-R7E

and ~~conducted through the water distribution system~~ _____ for the purpose of suburban housing

Subject to any limitations listed in Water Right Permit No. 1377-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota this 23rd day of March A. D. Nineteen Hundred and Seventy-nine

WATER RIGHTS COMMISSION
By: John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Permit No. 1377-2

Water Diversion No. 2 Rapid Creek Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Peaceful Pines Estates

_____ the holder _____ of
Permit No. 1377-2, issued upon Application No. 1377-2, bearing date of priority of
May 6, 1976 authorizing the diversion of .06 cu. ft. per second of the waters of
groundwater (one well) County of Heade, State of South Dakota +
730 feet South and 860 feet East of the NW Corner of Section 7-T2N-R7E

_____, for Suburban Housing

purposes, has s 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 .11 cu. ft. per second of water.

Date March 23, 1979

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Commission

Form 6. - Notice of Intent to Appropriate Water

No. 1377-2

Publish first publication, on or before

July 8, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 11, 1976

Notice is hereby given that Peaceful Pines Estates Well #1
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 .06 cubic feet of water per
second of time from ~~the~~ ground water through the
Peaceful Pines Well #1, the point of diversion of which is to
be located in the _____

NE 1/4 NW 1/4

of Section 7, Twp. 2N, Range 7E. Said water to be used
for the purpose of providing ~~irrigation on the following described land:~~

supplies for a suburban housing development

This application No. 1377-2 will be considered by the Water Rights
Commission at the Court House in Winner, South Dakota
upon the 21st day of July, 1976 at 10:00 A.M. All
interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/bw

cc: Leonard Haron, President, Peaceful Pines Estates Well #1,
Route 4, Box 464B, Rapid City, S.D. 57701

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Pennington) ss.

I, Helena M. Bauer, Bookkeeper hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Rapid City Journal

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

_____ city _____ of Rapid City

County of Pennington and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

June 16, 1976

June 23, 1976

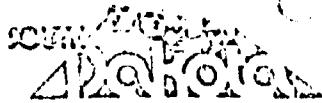
Helena M. Bauer
(Signature)

Bookkeeper
(Title)

June 24, 1976
(Date Signed)

June 23, 1976
NOTICE OF INTENT
TO APPROPRIATE WATER
No. 1377-2
Pierre, South Dakota 57501
June 11, 1976
Notice is hereby given that Peaceful
Pines Estates Well No. 1, whose post of-
fice 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 40 cubic feet of water
per second of flow from ground water
through the Peaceful Pines Well No. 1,
the point of diversion of which is to be
located in the NE 1/4 NW 1/4 of Section 7,
Twp. 2N, Range 7E. Said water to be used
for the purpose of providing supplies for a
suburban housing development.
This application No. 1377-2 will be con-
sidered by the Water Rights Commission
at the Courthouse in Winner, South
Dakota upon the 21st day of July, 1976 at
10:00 A.M. All interested persons may
appear and be heard.
WATER RIGHTS COMMISSION
By: BURTON F. JONES
Water Rights Specialist
Leonard Maron, President
Peaceful Pines Estates Well No. 1,
Route 4, Box 444 E.,
Rapid City, S.D. 57701





Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501
Phone 605/773-3151

June 5, 1978

James H. Wilson
Wilson, Olson & Goodsell-Lawyers
P. O. Box 1552
Rapid City, SD 57709

Dear Mr. Wilson:

In answer to your letter of May 30, 1978 regarding wells drilled for a community well association.

The following are the permit numbers, description and name of the person who signed the permit and to whom we send the correspondence, for Peaceful Pines.

- 1375-2 Peaceful Pines Estates #2 Water System-Clarence D. Borden,
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 1-T2N-R6E
- 1376-2 Robert Deichl-Thomas Martley-NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7-T2N-R7E
- 1377-2 Peaceful Pines Estates Well #1-Leonard Maron, NE $\frac{1}{4}$ MW $\frac{1}{4}$ Sec.
7-T2N-R7E
- 1378-2 Peaceful Pines Community Water Assoc.-Ralph C. Beil,
NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7-T27-R7E

Enclosed are Notice of Transfers for your convenience.

You will note the well on the permit signed by Clarence Borden, is not the description noted in your letter.

I hope this is the information you are seeking and if you have any further questions please feel free to contact this office.

Sincerely,

Betty Westlund
Water Rights Specialist

BW:plh

Enclosures

Peovata Mines Estate Well #

1377-2. Leonard Morero

4-5-78 Not at home. Well down at location
on the map.

9-20-78 Not at home.

12-12-78 Flood Morero and Hamilton well
information.

Well depth 380 ft. to rock 330 ft.

Pumping 50 gpm water

5 H.P. Submersible on a 2" dia.
pipe.

Permit No. 1377-3Water Division 2 Rapid Creek Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by Poweful Plains EstatesWell #1 Leonard Maren of RL #4, Box 464 B, Rapid City, S. Dak. 57101 holderof Permit No. 1377-3, hearing date of priority of May 10, 1976authorizing the diversion of .06 cu. ft. per second of the waters of One wellfor Suburban Housing purposes, in Meade 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:

5 HP submersible pump on 2" dia pipe

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

Pipeline system to Housing Development

C. Works used to apply water to beneficial use.

Houses water systemThe system is in the following condition: GoodThe point of diversion is located 730 ft South and 860 ft East of the NW
corner of section 7, T2N, R7EThe works are capable of diverting and conveying to the place of use .11cu. 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.

Well: Depth 380 ft.
Static 330 ft.
pumping 50 gpm.50 ÷ 445 = .11 cfs11 cfs ÷ .06 cfsDate December 12, 1978Leroy J. Mernagh
(Signature)

RECEIPT
WATER RIGHTS COMMISSION
State of South Dakota

No 4 6866

PIERRE, _____, March 16, 1979

RECEIVED OF Peaceful Plains Estate Mall No. 1, Box 25, Rapid City, SD 57709
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. <u>1377-2</u>	50	00
Fee for Inspecting Beneficial Use, and Issuing Water License No. <u>1377-2</u>		
Fee for Issuing Location Certificate-Dry Draw, No. _____		
Fee for filling _____		
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
JOHN HATCH gy gur