

137B-2

1. Considered 7-21, 1976
2. Name of Applicant PEACEFUL PINES COMMUNITY WATER ASSN.
3. Post Office Address BLACK HAWK
4. Amount of water claimed .06
5. Source of water supply 460' 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 4 1/2 N 3 W 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:

No. 1378-2Map No. 1165-2 Water Division No. 2 RAPID CREEK
(Blanks to be filled by the Engineer for the W. R. C.)District
NOV 1 1975

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not of)

1. Name of Applicant Peaceful Pines Community Well Association
Postoffice address Po Box 156 Black Hawk, State S. Dakota
If a corporation show date and place of incorporation N/A
2. Method of accomplishing work (contract, employment of others, or by direct labor) Completed -
3. Name of diversion work Peaceful Pines Community Well Association
4. Amount of water claimed (cubic feet per second) 25 gpm (0.56293)
5. Source of water supply Well #2
Government Lot #1
6. Location of point of diversion Block 4 of E 1/2 NW 1/4 Sec. 7 - T2N - R7E

County Meade

7. Annual period or periods during which water is to be used Continuous
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Domestic subdivision water only
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

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 Rapid City Journal
12. Principal Features of the Proposed Water Supply System.

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

Well

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

pipng

C. Works proposed to apply water to beneficial use.

Well and piping completed 1972

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 MeadeI, Ralph C Bell

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

Ralph C Bell

Subscribed and sworn to before me this

12

day of

May1976James H. Vincent
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 1/2 OF THE SE 1/4 OF SECTION 1, T2N, R6E, B.H.M.
 N 1/2 OF NE 1/4 OF SECTION 12, T2N, R6E, B.H.M.
 MEADE COUNTY, SOUTH DAKOTA

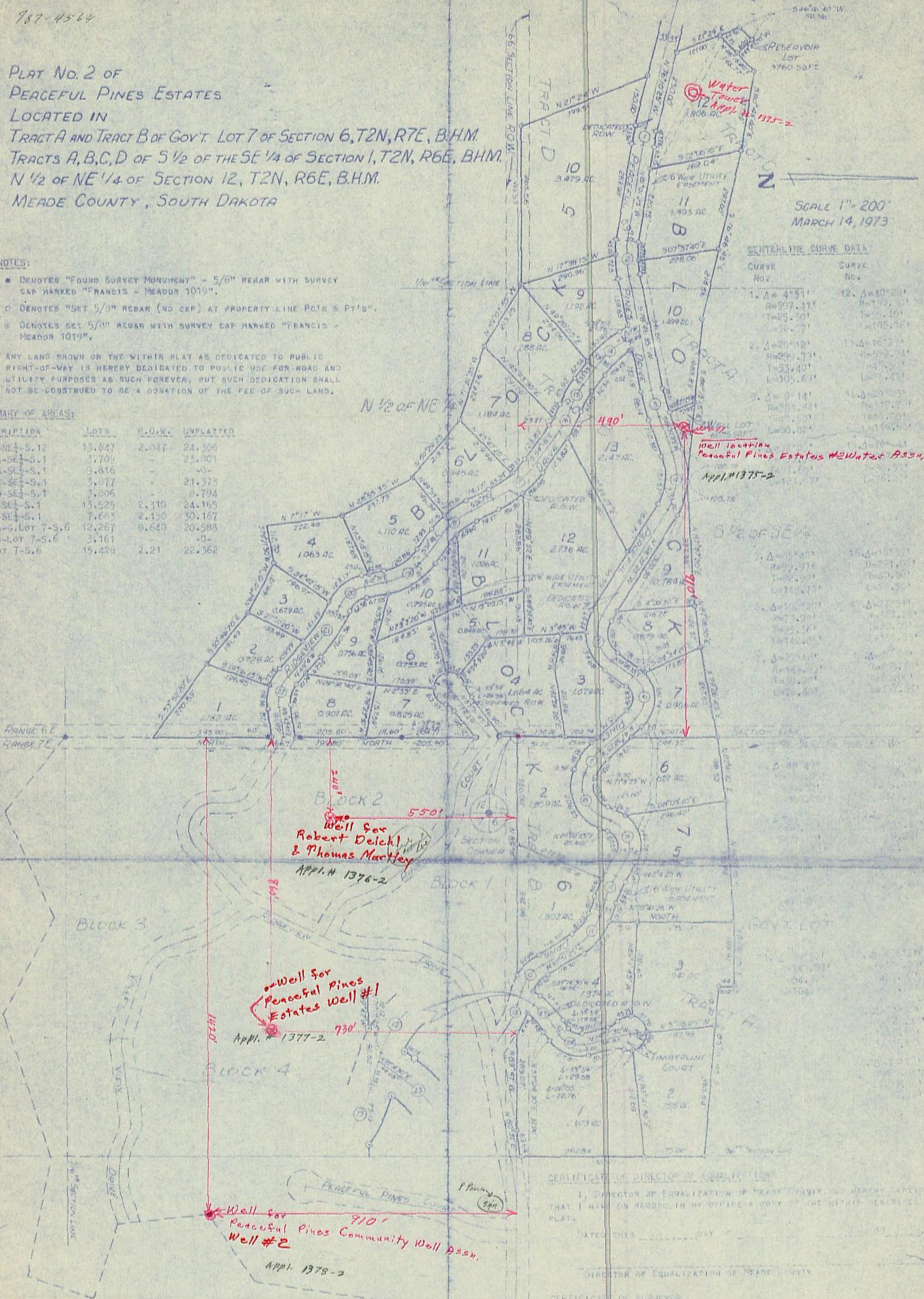
NOTES:

- DENOTES "FOUND SURVEY MONUMENT" - 5/8" REBAR WITH SURVEY CAP MARKED "FRANCIS - MEADOR 1019".
- DENOTES "SET 5/8" REBAR (NO CAP) AT PROPERTY LINE P.O.'S & P.T.'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 1/4 - NE 1/4 - S. 12	13.647	2.047	24.306
TR. A - SE 1/4 - S. 1	3.704	-	23.001
TR. B - SE 1/4 - S. 1	3.816	-	40-
TR. C - SE 1/4 - S. 1	3.777	-	21.373
TR. D - SE 1/4 - S. 1	3.804	-	8.794
SE 1/4 - SE 1/4 - S. 1	13.525	2.310	24.165
SW 1/4 - SE 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 - G. 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 DID 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

BEFORE ME, 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: _____

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 ACCORDING 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. 1378-2
PEACEFUL PINES COMMUNITY WELL AGEN. P.O. Box 166, BLACK HAWK
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57718 With the following modifications:
 (State)

Date of first receipt of application NOVEMBER 19, 1975
 Date of return to applicant for correction, amendment or changes required _____ 19____
 Date of receipt of corrected application MAY 17, 1976
 Approved JULY 22, 1976 Recorded in Book 15 Page 216

WATER RIGHT PERMIT NO. 1378-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1378-2 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 17, 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 IRRIGATION 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 ~~surface~~ used for suburban housing and if for the irrigation purpose, said appropriation must be limited to not more than ~~3 acre feet per acre per year~~ and be limited to not more than 1 (1/2) acre feet per acre per year and of time for each acre of land to which water is actually and beneficially ~~applied~~ used for suburban housing 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 DECEMBER 27, 1978

Water License Issued DECEMBER 27, 1978

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 _____, Depth 460'
 (2) Casing, Type Steel Diameter _____ Thickness _____
 (wood, concrete, steel, etc)
 (3) Perforated Screen.
 Type Brass, 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 _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

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

On same owner's property No rds. On property owned by others _____ 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.

Well located at the intersection of the corner of lots 1, 10 and 11 in block 4 of Peaceful Pines Estates in the Northwest Quarter (NW 1/4) of Section 7, Township Two North, Range Seven East of the Black Hills meridian, Meade County South Dakota

Note

This well was drilled in 1972 by Clarence Borden the developer of this development who in turn hired a well drilling company to drill the well

Ralph C. Hill President Well No. 2
 Signature of Applicant

WATER LICENSE NO. 1378-2

(1) WHEREAS, On the 19th day of November A. D. 1975
Peaceful Pines Community Water Assoc.

made Water Right Application No. 1378-2 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

purpose: and
(2) WHEREAS, On the 22nd day of July A. D. 1975
Permit No. 1378-2 with a date of priority of May 17, 1906

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 22nd day of July A. D. 1981 and for the
application to beneficial use of said water on or before the 22nd day of July A. D. 1985

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 in place 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 Community Water Assoc.

of Rapid City SD

the holder s and owner s of said permit No. 1378-2 a water right, dating from May 17, 1976

to use of .06 cubic feet per second of the waters

of groundwater (one well)

in the County of Heade and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at 910 feet South and 1420 feet East of the NW corner,

Section 7-T2N-R7E

and conduct to and upon conducted thru the Suburban Housing distribution system
XXXXXXXXXXXXXXXX

for the purpose of Suburban housing

Subject to any limitations listed in Water Right Permit No. 1378-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 27th day of December A. D.

Nineteen Hundred and Seventy-eight

WATER RIGHTS COMMISSION

By:

John Hatch

Civil Engineer, Executive Officer

, JOHN HATCH

Form 15.

Permit No. 1378-2

Water Diversion No. 2 Rapid Creek Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Reaceful Pines Community Water Assoc.

_____ the holder _____ of
Permit No. 1378-2, issued upon Application No. 1378-2, bearing date of priority of May 17, 1976
_____ authorizing the diversion of .06 cu. ft. per second of the waters of _____
groundwater (one well) County of Heade, State of South Dakota ~~XX~~
910 feet South and 1420 feet East of the NW corner, Section 7-T2N-R7E
_____, for suburban housing

_____ purposes, has ^{va} 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 .06 cu. ft. per second of water.

Date December 27, 1973

By:

WATER RIGHTS COMMISSION

John Hatch
JOHN HATCH, Chief Engineer

No. 1378-2

Publish first publication, on or before

July 8, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 11, 1976Notice is hereby given that Peaceful Pines Community Well Association

whose post office address is Black Hawk, 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 .00 cubic feet of water per second of time from ~~the~~ ground water through the

Peaceful Pines Community Well, 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 of the following described land:~~ supply for a suburban housing development

This application No. 1378-2 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

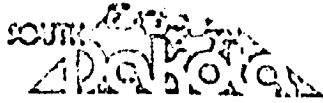
BFJ/bv
cc:

XXXXXX

Ralph C. Bell, Peaceful Pines Community Well Assoc.,
Box 166, Black Hawk, S.D. 57718

STATE OF SOUTH DAKOTA)
) ss.
County Pennington)

(Date Signed)



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 $\frac{1}{4}$ NW $\frac{1}{4}$ Sec.
7-T2N-R7E
- 1378-2 Peaceful Pines Community Water Assoc.-Ralph C. Bell,
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

1978-2 Peaceful River Community Water
4-5-78 Assoc. Alice School - Sec.
Well Depth 400 ft est July 96.
Pump Submersible - HP Not known.
Capacity 40 g.p.m. est.
Depth to water
No pressure tank.

I. M. School had not known all particulars
probably some familiar & mostly small

Alice School's July 96 report
6/11

Permit No. 1378-2Water 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

Pedestal Pines Community
Water Assoc.% Alice Schellof P.O. Box 1457, Rapid City, S.Dak. 57709 holderof Permit No. 1378-2, bearing date of priority of May 17, 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:

Submersible pump & Pumping Hogpen

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

Housing Development Water System
Pressure Tank.

C. Works used to apply water to beneficial use,

Houses in the developmentThe system is in the following condition: GoodThe point of diversion is located 910 ft south and 1420 ft East of the
N.W. corner of section 7, T2N R7EThe works are capable of diverting and conveying to the place of use .09
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.

Date December 1, 1978Leroy J. Mernagh
(Signature)

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

N^o 4 6655

PIERRE, December 26, 1974

RECEIVED OF Alice Schad (Peaceful Pines Community Water Assoc.) Rapid City, SD
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. (1378-2) _____	12	00
Fee for inspecting Beneficial Use, and issuing Water License No. (1378-2) _____		
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 *[Signature]*
Chief Engineer, Executive Officer
JOHN HATCH 9Y