

- 1406-2
1. Considered 7-21-76
2. Name of Applicant TIMOTHY D. OLZ
3. Post Office Address BLACK HAWK
4. Amount of water claimed .4
5. Source of water supply 590' 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 7W miles of RAPID CITY
8. Proof of Publication Received ~~3E~~ 7-21-76
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 1406-2

Map No. 1192-2 Water Division No. 2 RAPID CREEK District 1
(Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE: Draw a line through items not applicable)

- Name of Applicant: Timothy D. Volz
Postoffice address: Box 126 - Blackhawk, State: S.D. 57718
If a corporation show date and place of incorporation: ---
- Method of accomplishing work (contract, employment of others, or by direct labor): Contract Well
- Name of diversion work: WELL
- Amount of water claimed (cubic feet per second): 11.75 gal. per minute
- Source of water supply: Well
- Location of point of diversion: 790' N & 180' E OF THE SW⁴ SECTION 8,
T2N, R7E
- County: Meade
- Annual period or periods during which water is to be used: Year - Round
- Use to be made of water (irrigation, industrial, municipal, commercial, recreation, etc.): Irrigation
- 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

- Time required to complete construction of water supply system: completed years. Additional time required to complete application of water to the proposed beneficial use: --- years.
- Choice of newspaper for Notice of Intent to Appropriate Water publication: Sturgis Tribune
- Principal Features of the Proposed Water Supply System: Sturgis, S.D.
 - Works proposed to divert water from its natural source.
 - Works proposed to transport water to place of use.
 - Works proposed to apply water to beneficial use.

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

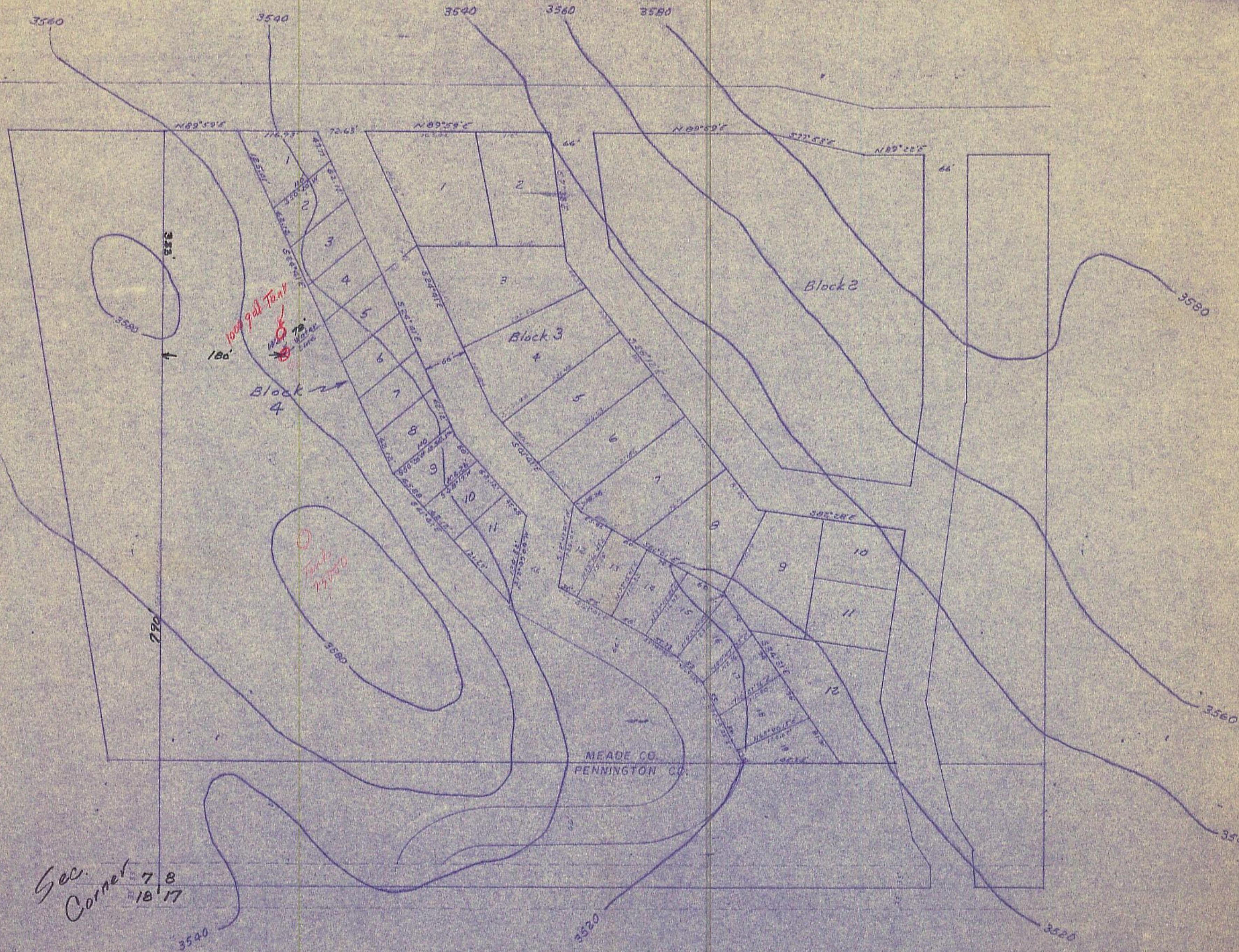
County of Meade

I, Timothy D. Volz, 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 Timothy D. Volz

Subscribed and sworn to before me this 15th day of June 1975

M. M. Larson
Notary Public (or other qualified officer)



PROPOSED SUBDIVISION LOT ARRANGEMENT		
TIM VOLZ PROPERTY BLACK HAWK, S.DAK.		
SCALE: 1" = 100'	APPROVED BY: <i>[Signature]</i>	DRAWN BY:
DATE: 5/19/75	REVISOR:	REVISOR:
Tract #1 SW 1/4 SW 1/4 Sec. 8, T2N, R7E.		
B.H.M. Meade Co. S.D.		
DRAWING NUMBER:		

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1406-2

TIMOTHY D. VOLZ
(Applicant)

P.O. Box 126, BLACK HAWK
(Post Office Address)

SOUTH DAKOTA 57718 With the following modifications:
(State)

Date of first receipt of application JUNE 28 1976
Date of return to applicant for correction, amendments or changes required _____ 19____
Date of receipt of corrected application _____ 19____
Approved JULY 22 1976 Recorded in Book 15 Page 225

WATER RIGHT PERMIT NO. 1406-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1406-2 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 28, 1976
2. The equivalent of at least one-fifth of the work above specified is ~~to be~~ completed on or before _____, 1976
3. The whole of said work is ~~to be~~ completed on or before _____, 1976
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is COMPLETED
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 11 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~~ used for suburban housing and if for the irrigation purpose said appropriation must be limited to not more than ~~three~~ four acre feet per year and be limited to not more than ~~one~~ one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied THIS DATE on or before CONTINUOUSLY; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 28TH day of JULY 1976

WATER RIGHTS COMMISSION

By: John H. H. H.
Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 2 1978

Water License Issued FEBRUARY 2 1978

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 6", Depth 590'
- (2) Casing, Type steel, Diameter 5", Thickness 1/4 in
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type open end, Diameter _____, Length _____
- (4) Gravel Pack, Thickness sand stone, length of gravel pack none

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 mineral sand

Depth to top of water bearing material 520'

Depth to bottom of water bearing material 590'

Thickness of water bearing material 545'-590'

Depth to water (ground surface to water level) 80'

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

On same owner's property _____ rds. On property owned by others 100 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.

Timothy J. Jorgensen
Signature of Applicant

WATER LICENSE NO. 1406-2

(1) WHEREAS, On the 28th day of June, A. D. 19 76

Timothy D. Volz

made Water Right Application No. 1406-2 for a permit to use .11 cubic feet per second of the waters of groundwater

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

(2) WHEREAS, On the 28th day of July, A. D. 19 76

Permit No. 1406-2, with a date of priority of June 28, 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 26th day of July, A. D. 19 76 and for the application to beneficial use of said water on or before the 28th day of July, A. D. 19 76

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 .11 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 is diverted through a common water distribution system for~~
~~suburban housing use.~~

(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 Timothy D. Volz

_____ of Black Hawk
the holder _____ and owner _____ of said permit No. 1406-2 a water right, dating from June 28, 1976
_____ to use of .11 cubic feet per second of the waters
of groundwater

in the County of Hende and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 790'N and 180'E of the SW corner,
Section 8, T2N, R7E

and conduct ~~OXONIPKX~~ through a common water distribution system

for the purpose of suburban housing use

Subject to any limitations listed in Water Right Permit No. 1406-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 2nd day of February A. D.
Nineteen Hundred and Seventy-eight

WATER RIGHTS COMMISSION

By:

John Halish
Chief Engineer, Executive Officer

Form 15.

Permit No. 1406-2

Water Diversion No. 2 Rapid Creek Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Timothy D. Volz

_____ the holder _____ of
Permit No. 1406-2, issued upon Application No. 1406-2, bearing date of priority of June 23,
1976 authorizing the diversion of .11 cu. ft. per second of the waters of _____
groundwater County of Beade, State of South Dakota at _____
a point 796" N and 180" E of the SW corner, Section 3, T2N, R2E
_____, for suburban housing

purposes, has 6 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 .17 cu. ft. per second of water.

Date February 2, 1978

By:

WATER RIGHTS COMMISSION

John Hatch
JOHN HATCH, Chief Engineer

Form 6. - Notice of Intent to Appropriate Water

No. 1408-2

Publish first publication, on or before

July 8, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 28, 1976

Notice is hereby given that Timothy D. Volz

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 .11 cubic feet of water per

second of time from the ~~xxx~~ ground water through the

Volz Well, the point of diversion of which is to

be located in the _____

SW1 SW1

of Section 8, Twp. 2N, Range 7E. Said water to be used for the purpose of providing irrigation on the ~~following described land~~

supplies for commercial operation of trailer park

This application No. 1408-2 will be considered by the Water Rights

Commission at the Court House at Winner, S.D.

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: Timothy D. Volz, Box 120, Black Hawk, S.D. 57718

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

No. 1406-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Meade) ss.

I, Teresa Shoun hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Sturgis Tribune

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

B.H. Publishers, Inc Sturgis

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

July 7, 14

Teresa Shoun
(Signature)

Bankpaper
(Title)

July 19, 1976
(Date Signed)

No. 1406-2
NOTICE OF
INTENT TO
APPROPRIATE WATER.
Pierre, South Dakota
57501, June 28, 1976.
Notice is hereby given that
Timothy D. Volz 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 .11 cubic feet of water
per second of time from
ground water through the
Volz Well, the point of
diversion of which is to be
located in the SW 1/4 SW 1/4 of
Section 8, Twp. 2N, Range
7E. Said water to be used for
the purpose of providing
supplies for commercial
operation of trailer park.
This application No. 1406-2
will be considered by the
Water Rights Commission at
the Court House at Winner,
S.D. upon the 21st day of
July, 1976 at 10:00 A.M. All
interested persons may
appear and be heard.
WATER RIGHTS
COMMISSION
by: s-Burton F. Jones
BURTON F. JONES,
Water Rights Specialist
July 7, 76



Permit No. 1406-2Water Division 2 Rapid Creek Water District

REPORT 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 Timothy D. Volz of P.O. Box 126, Black Hawk, S. Dak 57718 holder of Permit No. 1406-2, bearing date of priority of June 28, 1976 authorizing the diversion of .11 cu. ft. per second of the waters of Ground for Suburban Housing purposes, in Medda 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:
Pump 5 HP Submersible - REDA.
Pumping 75 gpm.

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

C. Works used to apply water to beneficial use.
Trailer House and Residential Housing Water Systems

The system is in the following condition: Excellent

The point of diversion is located 790 ft N and 180 ft E of the SW 1/4 of Section 8, T2N R7E

The works are capable of diverting and conveying to the place of use .17 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.

Well Data:

Depth 590 ft.
Depth to water bearing sand - 520 ft.
Static Water level. 80 ft.
Pump Set at 120 ft.

Date December 2, 1977
Leroy J. McNaugh
(Signature)



14062
DEPARTMENT of the ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

FACSIMILE TRANSMITTAL COVER SHEET

TRANSMITTAL DATE: May 21, 1998

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: Janice DESTINATION: Law Offices

PHONE: 605 347-2551 FAX: 605 347-4466

MESSAGE:

The following page is a partially completed transfer of ownership form for use in filing an ownership change with Water Right No. 1406-2.

The form will need to be completed with the name and address of the new owner and then signed by the new owner(s) in the presence of a notary. A \$2.50 filing fee is required and can be mailed back with the form to our office.

Thank you for calling and if you have any questions, please let me know. ☺

Genny

FROM: GENNY MCMATH AGENCY: DENR - WATER RIGHTS PROGRAM

ADDRESS: JOE FOSS BUILDING, 523 E CAPITOL, PIERRE, SD 57501-3181

PHONE: (605) 773-3352 FAX: (605) 773-4063 EMAIL: gennym@denr.state.sd.us

****THIS TRANSMISSION INCLUDES 2 PAGES INCLUDING THIS PAGE****

IF THERE IS ANY PROBLEM WITH THIS TRANSMITTAL, PLEASE CALL (605) 773-3352.

THANK YOU

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181



No. 1406-2

Date: 5-29-98

I/We request for Water Right No. 1406-2

formerly owned by: Timothy D Voltz, PO Box 126, Black Hawk, SD 57718

be transferred to: (name & address) Rodney L. Vollmer, P. O. Box 442, Murdo, SD 57559-0442

Telephone No. (605) 259-3450

Title to the following described land(s)/property has been transferred as described above:

well location: SW 1/4 SW 1/4 Section 8, T2N, R7E

I/We understand that the validity of Water Right No. 1406-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

STATE OF SOUTH DAKOTA)

County of Meade)

I/We Rodney L. Vollmer 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 that I know of my own personal knowledge that the information herein stated is true.

Rodney L. Vollmer
(Signed)

Subscribed and sworn to before me this 29th day of May, 1998.

Louise Chaffee
(Notary Public)

Louise Chaffee, Notary Public
My Commission Expires July 30, 2003

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

Pierre, _____

June 2, 19 98

RECEIVED OF High Plains Title Services, Inc. (Rodney L. Vollmer), 990 Main St., Ste. 2, Sturgis,
the following amount in fees for services rendered as provided for by law: 5778

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

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. _____

Fee for Filing Transfer Form Water Right No. 1406-2

Fee for Filing Extension Request _____

Fee for _____

2 50

(Any Other Work Provided by Law)

Total

2 50

By

Chief Engineer

John Hatch



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

July 15, 1998

No. 1406-2

High Plains Title Services, Inc.
990 Main Street, Suite 2
Sturgis, SD 57785

Dear Sirs:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 1406-2.

Our records now show Rodney L. Vollmer as the owner of Water Right No. 1406-2.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

enclosure

c: Rodney L. Vollmer, P.O. Box 442, Murdo, SD 57559-0442.