

1628-2

1. Considered 3-28 9 78
2. Name of Applicant COPPER OAKS WATER ASS'N.
3. Post Office Address RAPID CITY
4. Amount of Water claimed 1.03
5. Source of Water supply 450' DEEP WELL (MADISON)
6. Water to be used for SUBURBAN HOUSING

Acres to be irrigated _____

7. Water to be diverted and used in PENNINGTON County
about 3W, 6S miles of RAPID CITY

8. Proof of Publication Received ☒ 4-11-78
Not Received ☐

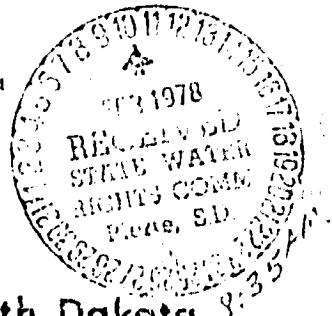
9. Application Approved ☐

Subject to _____

Not Approved ☐

Action Deferred ☐

10. Remarks:

No. 1628-2Map No. 1392-2 Water Division No. 2 BATTLE CREEK District
(Blanks to be Filled by the Engineer for the W. H. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant: COPPER OAKS WATER ASSOCIATION
 Postoffice address: P. O. BOX 8002 State: SOUTH DAKOTA
 If a corporation show date and place of incorporation: October 7, 1977, Rapid City, South Dakota
2. Method of accomplishing work (contract, employment of others, or by direct labor): Direct Labor
3. Name of diversion work: COPPER OAKS WELL
4. Amount of water claimed (cubic feet per second): thirty-five (35) to forty (40) gallons per hour
5. Source of water supply: Well
6. Location of point of diversion: Lot 12, Copper Oaks Subdivision No. 1, filed in plat book 15, Page 121, Pennington County
 County: Pennington
7. Annual period or periods during which water is to be used: Year-round usage
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.): Residential SUBSIDIARY HOUSING
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: _____ years. Additional time required to complete application of water to the proposed beneficial use: _____ 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 pump and motor
- B. Works proposed to transport water to place of use:
Pipeline
- C. Works proposed to apply water to beneficial use:

Pump

Estimated Total Cost \$ 180,000.00

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, Ted Venners

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

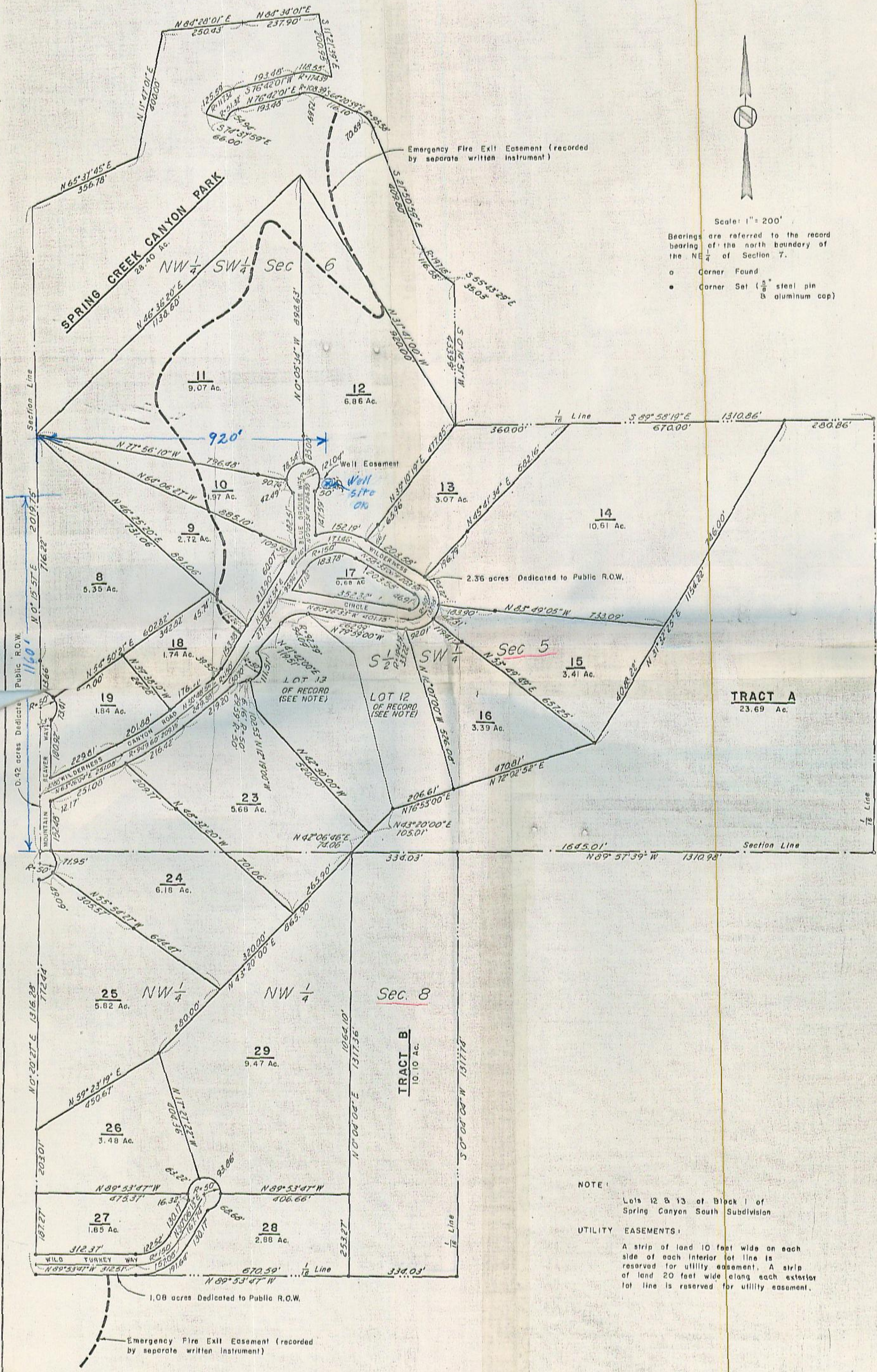
Signed Ted VennersSubscribed and sworn to before me this 9th day of December, 19 77

Notary Public (or other qualified officer)

PLAT OF COPPER OAKS NO. 1

A SUBDIVISION IN
THE NW $\frac{1}{4}$ SW $\frac{1}{4}$ & THE S $\frac{1}{2}$ SW $\frac{1}{4}$ OF SECTION 5, THE E $\frac{1}{2}$ SW $\frac{1}{4}$ & THE SE $\frac{1}{4}$ OF SECTION 6,
THE N $\frac{1}{2}$ NE $\frac{1}{4}$ & THE SE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 7 AND THE NW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 8

T1S, R7E, B.H.M.
PENNINGTON COUNTY, SOUTH DAKOTA



Scale: 1" = 200'
Bearings are referred to the record bearing of the north boundary of the NE $\frac{1}{4}$ of Section 7.
o Corner Found
• Corner Set (3/8" steel pin & aluminum cap)

NOTE:
Lots 12 & 13 of Block 1 of Spring Canyon South Subdivision
UTILITY EASEMENTS:
A strip of land 10 feet wide on each side of each interior lot line is reserved for utility easement. A strip of land 20 feet wide along each exterior lot line is reserved for utility easement.

PLAT OF COPPER OAKS NO. 1

A SUBDIVISION IN
THE NW $\frac{1}{4}$ SW $\frac{1}{4}$ & THE S $\frac{1}{2}$ SW $\frac{1}{4}$ OF SECTION 5, THE E $\frac{1}{2}$ SW $\frac{1}{4}$ & THE SE $\frac{1}{4}$ OF SECTION 6,
THE N $\frac{1}{2}$ NE $\frac{1}{4}$ & THE SE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 7 AND THE NW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 8

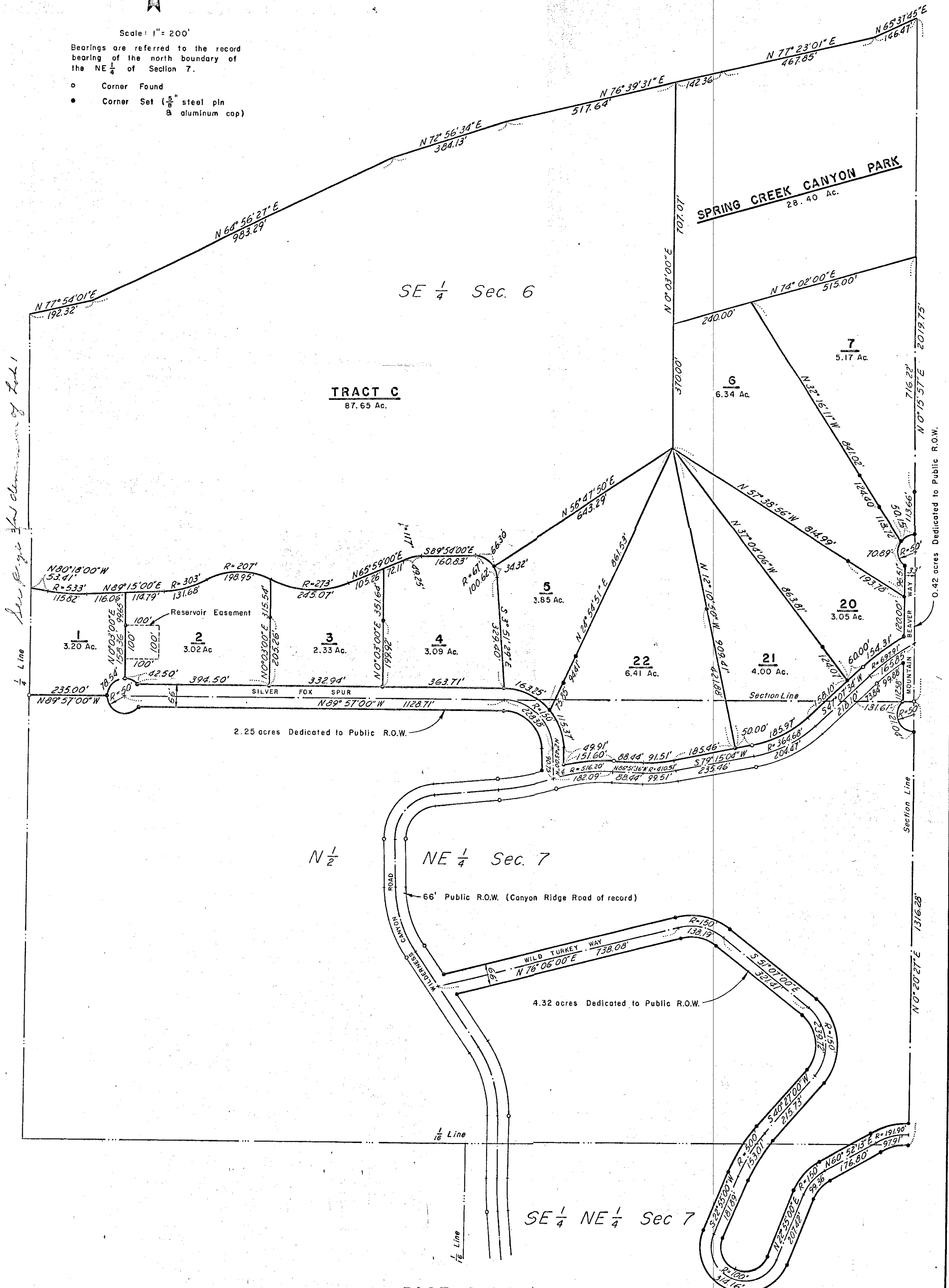
T1S, R7E, B.H.M.
PENNINGTON COUNTY, SOUTH DAKOTA



Scale: 1" = 200'

Bearings are referred to the record bearing of the north boundary of the NE $\frac{1}{4}$ of Section 7.

- o Corner Found
- Corner Set ($\frac{5}{8}$ " steel pin & aluminum cap)



PLAT OF COPPER OAKS NO. 1

A SUBDIVISION IN
THE NW $\frac{1}{4}$ SW $\frac{1}{4}$ & THE S $\frac{1}{2}$ SW $\frac{1}{4}$ OF SECTION 5, THE E $\frac{1}{2}$ SW $\frac{1}{4}$ & THE SE $\frac{1}{4}$ OF SECTION 6,
THE N $\frac{1}{2}$ NE $\frac{1}{4}$ & THE SE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 7 AND THE NW $\frac{1}{4}$ NW $\frac{1}{4}$ OF SECTION 8

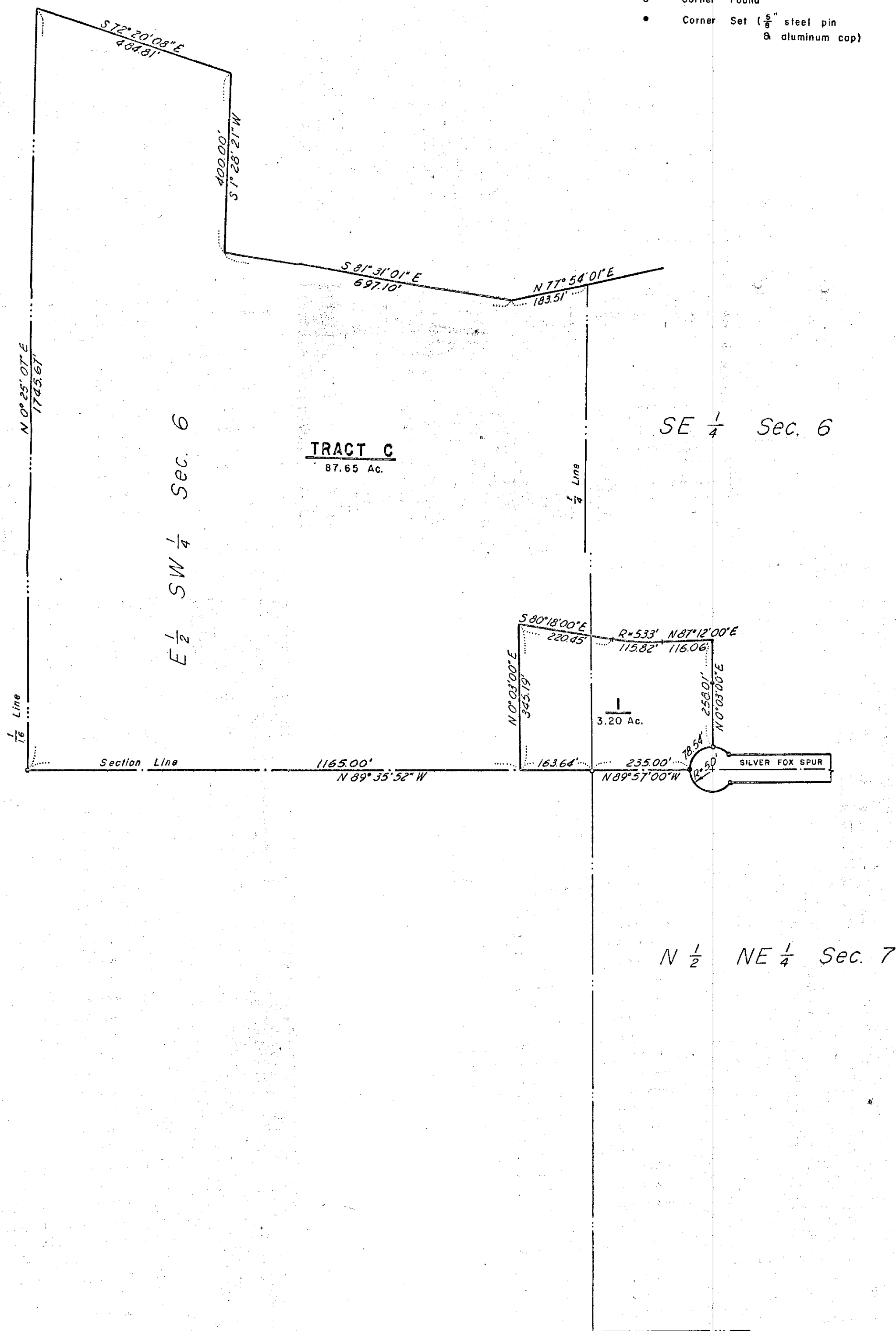
T1S, R7E, B.H.M.
PENNINGTON COUNTY, SOUTH DAKOTA



Scale: 1" = 200'

Bearings are referred to the record bearing of the north boundary of the NE $\frac{1}{4}$ of Section 7.

- o Corner Found
- Corner Set ($\frac{5}{8}$ " steel pin & aluminum cap)



PLAT OF COPPER OAKS NO. 1

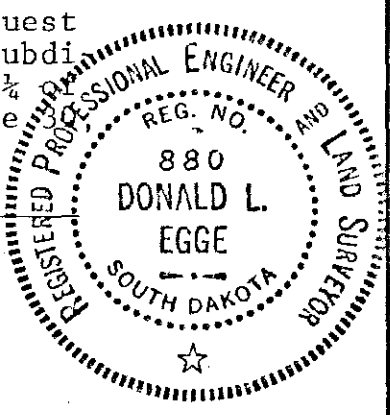
A SUBDIVISION IN
THE NW 1/4 SW 1/4 & THE S 1/2 SW 1/4 OF SECTION 5, THE E 1/2 SW 1/4 & THE SE 1/4 OF SECTION 6,
THE N 1/2 NE 1/4 & THE SE 1/4 NE 1/4 OF SECTION 7 AND THE NW 1/4 NW 1/4 OF SECTION 8

T1S, R7E, B.H.M.
PENNINGTON COUNTY, SOUTH DAKOTA

CERTIFICATE OF SURVEYOR

I, Donald L. Egge, registered land surveyor in the State of South Dakota, do hereby certify that at the request of B.F.L., Inc., and Paul H. H. Reinke and Ingrid H. Reinke, owners, I have surveyed Copper Oaks No. 1, a subdivision in the NW 1/4 SW 1/4 & the S 1/2 SW 1/4 of Section 5, the E 1/2 SW 1/4 & the SE 1/4 of Section 6, the N 1/2 NE 1/4 & the SE 1/4 NE 1/4 of Section 7 and the NW 1/4 NW 1/4 of Section 8, T1S, R7E, B.H.M., Pennington County, South Dakota, on or before June 1977, as shown on the attached plat and that the plat is a true and correct representation of the survey.

Donald L. Egge
Registered Land Surveyor



ACKNOWLEDGMENT OF SURVEYOR

State of South Dakota
County of Meade

On this 2nd day of July, 1977, before me, a Notary Public, personally appeared Donald L. Egge known to me to be the person described in the foregoing certificate and acknowledged to me that he executed the same.

My commission expires 2-18-85

Tei Jensen
Notary Public

CERTIFICATE OF OWNER

I, Bruce H. Lien, President of B.F.L., Inc., do hereby certify that B.F.L., Inc., a Colorado corporation, is the owner of record (Ted Venners, contract owner) of the portions of the NW 1/4 SW 1/4 & the S 1/2 SW 1/4 of Section 5, the E 1/2 SW 1/4 & the SE 1/4 of Section 6 and the NW 1/4 NW 1/4 of Section 8 comprising Copper Oaks No. 1, T1S, R7E, B.H.M., Pennington County, South Dakota, and that it does hereby join in and approve the plat thereof.

All lands shown on the attached plat as dedicated to public right-of-way are hereby dedicated to public use and public utilities but such dedication shall not be construed to be a donation of the fee of said lands. Easements for installation and maintenance of utilities and drainage facilities are reserved over, under and along the strips as noted on this plat as utility easements. Easements are reserved for well and reservoir facilities as shown on the attached plat.

Ted Venners
Contract Owner, Optionee

B.F.L., Inc. (Owner of Record)
Bruce H. Lien
President

ACKNOWLEDGMENT OF OWNER

State of South Dakota
County of Pennington

On this 5th day of July, 1977, before me, a Notary Public, personally appeared Bruce H. Lien known to me to be the President of B.F.L., Inc., and the person described in the foregoing certificate and acknowledged to me that he executed the same.

My commission expires 6-16-85

Dolores Hunter
Notary Public

ACKNOWLEDGMENT OF OWNER

State of South Dakota
County of Pennington

On this 5th day of July, 1977, before me, a Notary Public, personally appeared Ted Venners known to me to be the person described in the foregoing certificate and acknowledged to me that he executed the same.

My commission expires 6-16-85

Dolores Hunter
Notary Public

CERTIFICATE OF OWNERS

We, Paul H. H. Reinke and Ingrid H. Reinke, owners of the N 1/2 NE 1/4 & the SE 1/4 NE 1/4 of Section 7, T1S, R7E, B.H.M., Pennington County, South Dakota, do hereby join in and approve the plat thereof.

All lands shown on the attached plat as dedicated to public right-of-way are hereby dedicated to public use and public utilities but such dedication shall not be construed to be a donation of the fee of said lands. Easements for installation and maintenance of utilities and drainage facilities are reserved over, under and along the strips as noted on this plat as utility easements.

Witness our hands this 5th day of July, 1977:

Paul H. H. Reinke
Ingrid H. Reinke
Owners

ACKNOWLEDGMENT OF OWNERS

State of South Dakota
County of Pennington

On this 5th day of July, 1977, before me, a Notary Public, personally appeared Paul H. H. Reinke and Ingrid H. Reinke known to me to be the persons described in the foregoing certificate and acknowledged to me that they signed the same.

My commission expires 6-16-85

Dolores Hunter
Notary Public

CERTIFICATE OF TREASURER

I, Betty Matson, Deputy, Treasurer of Pennington County, do hereby certify that all taxes which are liens upon the within described lands are fully paid according to the records of my office.

Dated this 6th day of July, 1977.

Betty Matson, Deputy
Treasurer

APPROVAL OF COUNTY PLANNING COMMISSION

Approved by the Planning Commission of Pennington County this _____ day of _____, 1977.

Attest: _____
Secretary

Chairman

RESOLUTION OF GOVERNING BOARD

I, Helen Saughenbaugh, Auditor of Pennington County, do hereby certify that at an official meeting held on the 19th day of July, 1977, the Board of Commissioners by resolution did approve the attached plat.

Helen Saughenbaugh
Auditor

OFFICE OF COUNTY DIRECTOR OF EQUALIZATION

I, _____, County Director of Equalization, certify that I have received a copy of this plat.

Maurice Hurd
County Director of Equalization

OFFICE OF REGISTER OF DEEDS

Filed for record this 25 day of July, 1977, at 11:05 o'clock a.m. MDT and recorded in Book 15 of Plats on Page 121 herein.

88166
Fee \$ 8.00

Isabelle Swenson
Register of Deeds
Lea Benne, Deputy

MAURICE HURD
Director of Equalization
Pennington County
Date July 6 1977

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1628-2
COPPER OAKS WATER ASSOC. Box 2102 - RAPID CITY
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57101 With the following modifications:
 (State)

The ~~well~~ well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The ~~well owner~~ well owner, under this Permit, shall control his ~~withdrawals~~ withdrawals so there is not a reduction of needed water supplies in adequate domestic wells.

Date of first receipt of application FEBRUARY 10 19 78
 Date of return to applicant for correction, amendments or changes required _____ 19 ____
 Date of receipt of corrected application APRIL 11 19 78
 Approved MAY 25 19 78, Recorded in Book 19 Page 343

WATER RIGHT PERMIT NO. 1628-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1628-2 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 FEBRUARY 10 19 78
2. The equivalent of at least one-fifth of the work above specified is ~~not~~ completed not
3. The whole of said work is ~~not~~ completed not
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 PURPOSES
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 .08 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 the irrigation purposes said appropriation must be limited to not more than three feet per acre per year and to ~~four hundred and seventy (470) of one cubic foot of water per second of time for each acre of land to which water is~~
USED FOR SUBURBAN HOUSING
 actually and beneficially/applied for irrigation on or before THIS DATE said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 30th day of MAY 19 78

WATER RIGHTS COMMISSION

By:

John H. Hahn
 Chief Engineer, Executive Officer

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

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 8 inch borehole, Depth 450 feet(2) Casing, Type steel Diameter 2" OD Casing Thickness 317 inches
(wood, concrete, steel, etc)

(3) Perforated Screen

Type Open hole, Diameter -----, Length -----(4) Gravel Pack, Thickness None, 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 Fractured and cavernous in Madison formation-----

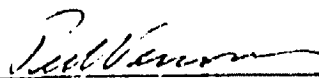
-----Depth to top of water bearing material 400 feetDepth to bottom of water bearing material 450 feetThickness of water bearing material 50 feetDepth to water (ground surface to water level) 400 feet

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

On same owner's property 7800 ft. 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.



Signature of Applicant

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1622-2.

(1) WHEREAS, On the 10th day of February A.D. 19 73

~~the Copper Oaks Water Ass'n~~

made Water Right Application No. 1422-2 for a permit to use .03 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 25th day of May A. D. 1978

Permit No. 1623-2, with a date of priority of February 10, 1978

Permit No. 1068-4, with a date of priority of , recognizing
was issued to said applicant S for the diversion of said water, and ~~permitted~~ recognized for the completion of construction of the water
supply system therein described ~~on or before the~~ ~~XXXXXX~~ ~~XXXXXX~~ and for the
application to beneficial use of said water on ~~or before the~~ ~~XXXXXX~~ ~~XXXXXX~~

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 95 cubic feet per second of water for beneficial use and,

(1) 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.

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(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 Copper Oaks Water Ass'n

of Rapid City
the holder S and owner S of said permit No. 1628-2 a water right, dating from February 16, 1972
to use of .05 cubic feet per second of the waters
of groundwater (one well)

in the County of Penningson and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 1160 feet north and 920 feet east of the
Sil corner, Section 5, T15, R7E

and conducted ~~to and from~~ thru the developments water distribution system

for the purpose of suburban housing development

Subject to any limitations listed in Water Right Permit No. 1628-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 15th day of March A. D.
Nineteen Hundred and Eighty-One

WATER MANAGEMENT BOARD

By:

John M. Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 1628-2

Water Diversion No. 2 Upper Cheyenne Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Copper Oaks Water Ass'n

_____ the holder _____ of
Permit No. 1628-2, issued upon Application No. 1628-2, bearing date of priority of February 10,
1978 authorizing the diversion of .08 cu. ft. per second of the waters of _____
groundwater (one well) County of Pennington, State of South Dakota at _____
a point 1160 feet north and 920 feet east of the SW corner,
Section 5, T15, R7E
_____, for suburban housing development

purpose, has yes 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 .05 cu. ft. per second of water.

Date March 16, 1981

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Pennington

ss.

I, 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 within 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 7th day of March, 1978, that the fees charged for the publication thereof are twenty three Dollars and seventy two cents.

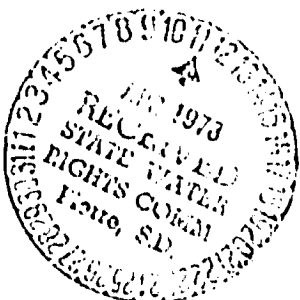
Jerry J. Shoener

Subscribed and sworn to before me this 14th day of

March, 1978

John A. [Signature]
Notary Public.

March 7, 14 1978 L350
No. 1628-2
NOTICE OF HEARING ON
APPLICATION
TO APPROPRIATE WATER
Pierre, South Dakota 57501
February 24, 1978
Notice is hereby given that Copper
Data Water Association whose post office
address is Rapid City, South Dakota, has
made an application in accordance with
the provisions of SDCL 46-1-1 thru 46-1-8;
46-2-1 thru 46-2-11; 46-2-13; 46-3-1 thru 46-3-
2; 46-5-10 thru 46-5-22; 46-5-24; 46-6-1; 46-6-
3; 46-6-6.1; 46-6-10; 46-6-14 and Commis-
sion Rules ARSD 52:01-01:01 thru
52:01-01:13, for a permit to appropriate
for beneficial use .08 cubic feet of water
per second of time from groundwater
(one well), through the Copper Oaks well,
the point of diversion of which is to be
located in the SW 1/4 of Section 2, Twp.
15, Range 7E. Said water to be used to
provide water for Suburban housing pur-
poses.
This Application No. 1628-2 will be con-
sidered by the Water Rights Commission
at The Guest House, Watertown, S.D.,
upon the 28th day of March, 1978 at 10
a.m. The Commission is authorized to
make a determination on this applica-
tion at the hearing. All interested per-
sons may appear and be heard. Any
person who may be affected by a Com-
mission decision who desires to present
evidence or cross-examine witnesses ac-
cording to SDCL 1-26 may notify the Com-
mission in writing prior to the hearing or
orally at the hearing.
WATER RIGHTS COMMISSION
Betty Westlund
Water Rights Specialist



RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7947

PIERRE, January 26, 1921

RECEIVED OF Copper Oaks, P.O. Box 8002, 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. 1628-2)	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 1628-2)		
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
JOHN HATCH (K.V.)

Permit No. 1628-2Water Division 2 Battle 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 Copper Oaks
Water Association of Box 8002, Rapid City, S. Dak. 57701 holder
 of Permit No. 1628-2, bearing date of priority of February 10, 1978
 authorizing the diversion of .08 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:

5 HP. Submersible Pump
Pumping 22 GPM

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

PVC Main Lines To Houses
2 - 25,000 Gallon Storage Tanks

C. Works used to apply water to beneficial use.

Houses, Lawns and Gardens

The system is in the following condition: Good

The point of diversion is located 1160 ft N and 920 ft E of the SW
Corner of Sec. 5, T15 R7E

The works are capable of diverting and conveying to the place of use .05cu. 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 = 1150 ftLicense fee .05000

Date June 24 1980
L. J. J. McManis
 (Signature)

