

1648-2

1. Considered NOVEMBER 15, 1978
2. Name of Applicant JOSEPH L. THEBERGE
3. Post Office Address RAPID CITY, S.D.
4. Amount of Water claimed .12
5. Source of Water supply 41' DEEP WELL
6. Water to be used for SUBURBAN HOUSING

Acres to be irrigated —

7. Water to be diverted and used in PENNINGTON County
about 7 miles WEST of RAPID CITY

8. Proof of Publication ~~for~~ Received 11-3-78

Not Received

9. Application Approved 11-15-78

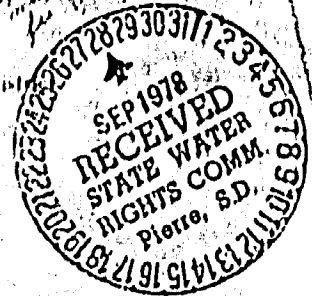
GRADES & GRAPES ALONG
RAPID CREEK-

Subject to (1) Non-mat. Well

Not Approved Change

Action Deferred

10. Remarks: FROM QUADRANGLE IT APPEARS THE WELL IS
ABOUT 150' FROM R.C.

No. 1648-2Map No. 1412-2 Water Division No. 2 RAPID CREEK
(Blank to be Filled by the Engineer for the V. 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 -JOSEPH-L-THEBERGE Thrall Mountain Property Owners Assoc., Inc.
RT #1, Box 1204, Rapid City
 Postoffice address RT #1, Box 1204, Rapid City, State SOUTH DAKOTA 57701

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) HAS BEEN CONSTRUCTED3. Name of diversion work MISSION HILLS WELL No. 14. Amount of water claimed (cubic feet per second) .12 CFS5. Source of water supply WELL6. Location of point of diversion S-65°30'W, 2410' FROM THE NE CORNER,SECTION 6, T1N, R6ENW 1 NE 1County PENNINGTON7. Annual period or periods during which water is to be used CONTINUING USE8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) SUBURBAN HOUSING
RESIDENTIAL9. For irrigation use, Total number of acres to be irrigated 35 ACRE

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 COMPLETED years. Additional time required to complete application of water to the proposed beneficial use NONE years.11. Choice of newspaper for Notice of Intent to Appropriate Water publication HILL CITY PREVAILED

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source

2 H.P. SUBMERSIBLE PUMP - 1978 MODEL

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

2" STEEL PIPE TO 30,000 GAL. POURED CONCRETE RESERVOIR INTO PUMPING STATION
THRU 2 PRESSURE PUMPS INTO 4" PVC MAIN REDUCED TO 2" PVC AT 3 ENDING LINES.

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ 100,000.00Attachments. 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 PENNINGTONI, JOSEPH L. THEBERGE 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 Joseph L. ThebergeSubscribed and sworn to before me this 27 day of August 1978

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1648-2
Joseph L. THEBERGE RR 8 - Box 658A - RAPID CITY
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57701 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 SEPTEMBER 28 19 78
 Date of return to applicant for correction, amendments or changes required _____ 19 ____
 Date of receipt of corrected application _____ 19 ____
 Approved NOVEMBER 15 19 78, Recorded in Book 20 Page 96

WATER RIGHT PERMIT NO. 1648-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1648-2 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 28, 19 78
2. The equivalent of at least one-fifth of the work above specified is ~~to be completed on or before~~ completed
3. The whole of said work is ~~to be completed on or before~~ completed
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 .12 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 purpose said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than 11 (11/70) 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 17th day of NOVEMBER 19 78

WATER RIGHTS COMMISSION

By:

John Kates
 Chief Engineer, Executive Officer

Certificate of Construction Issued MARCH 17, 1981Water License Issued MARCH 17, 1981

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 7", Depth 41 FT.

(2) Casing, Type STEEL Diameter 6 1/2" Thickness 1/4"
(wood, concrete, steel, etc)

(3) Perforated Screen. No

Type _____, Diameter _____, Length _____

(4) Gravel Pack, Thickness NONE, 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.) NO TEST LOG AVAILABLE

Character of Water bearing materials SAND AND GRAVEL

Depth to top of water bearing material 8'

Depth to bottom of water bearing material 41'

Thickness of water bearing material 33' OF WATER TABLE

Depth to water (ground surface to water level) 8'

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

On same owner's property NONE rds. On property owned by others 1 1/4 MILE rds.
BY EASEMENT

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.

Joseph L. [Signature]
Signature of Applicant

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1648-2

(1) WHEREAS, On the 28th day of September A. D. 19 78
Joseph L. Thobergo

made Water Right Application No. 1648-2 for a permit to use .12 cubic feet per second of the waters
groundwater (one well)
 County of Pennington, State of South Dakota, for suburban housing development

purposes; and
 (2) WHEREAS, On the 15th day of November A. D. 19 78
 Permit No. 1648-2, with a date of priority of September 28, 1978
 was issued to said applicant 9 for the diversion of said water, and provided 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 XXXXXX XXXXXX XXXXXX

WHEREAS, on the 22nd day of January, 1979, this Permit was transferred to the
 Thrall Mountain Property Owners Association Inc., 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 .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 to be used 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 Thrall Mountain Property Owners Assoc., Inc.

of Rapid City SD
the holder S and owner S of said permit No. 1648-2 a water right, dating from September 28, 1978
to use of 11 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 65° 30' west, 2410 feet from the
NE corner of Section 6, T11N, R36E

and conducted ~~200,000 GPM~~ through the developments distribution system

for the purpose of suburban housing development

Subject to any limitations listed in Water Right Permit No. 1648-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 17th day of March A.D.
Nineteen Hundred and Eighty-one

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

Permit No. 1648-2

Water Diversion No. 2 Upper Chayonno Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Thrall Mountain Property Owners Assn., Inc.

_____ the holder _____ of
Permit No. 1648-2, issued upon Application No. 1648-2, bearing date of priority of September 28,
1978 authorizing the diversion of .12 cu. ft. per second of the waters of _____
groundwater (one well) County of Pennington, State of South Dakota at _____
a point south 65° 30' west, 2410 feet from the NE corner of Section 6,
T1N, R6E
_____, for suburban housing development

purposes, have 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 17, 1981

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

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

No. 1648-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA
County Pennington ss.

I, Georgia L. Garken hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Hill City Prevalier

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

town _____ of Hill City

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

October 19, 1978

October 26, 1978

Georgia L. Garken
(Signature)

Business Manager
(Title)

October 27, 1978
(Date Signed)

NOTICE OF HEARING ON
APPLICATION TO AP-
PROPRIATE WATER

Pierre, South Dakota 57501

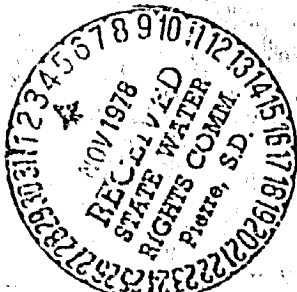
October 16, 1978

Notice is hereby given that
Joseph L. Theberge 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; 46-2-9 thru 46-2-11; 46-2-13;
Rules ARSD 52:01:01 thru
52:01:01; for a permit to
appropriate for beneficial use, 12
cubic feet of water per second of
time, from a ground water (one
well) through the Mission Hills
Well No. 1, the point of diversion
of which is to be located in the
NW 1/4 NE 1/4 of Section 6, Twp. 1N,
range 6E. Said water to be used
for the purpose of providing
water supplies for suburban
housing.

This Application No. 1648-2 will
be considered by the Water
Rights Commission at the DEA
Auditorium, 411 E. Capitol,
Pierre S. D. upon the 15th day of
November, 1978 at 10 A.M. The
Commission is authorized to
make a determination on this
application at the hearing. All
interested persons 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 according to
SDCL 52-6 may notify the
Commission in writing prior to
the hearing or orally at the
hearing.

This hearing is an adversary
proceeding. Any person has the
right to be present or to be
represented by a lawyer. These
and other due process rights will
be forfeited if they are not
exercised at the hearing.
Decisions of the Commission
may be appealed to the Courts as
provided by law.

WATER RIGHTS COMMISSION
S. Betty Westlund
Water Rights Specialist
Prev. Oct. 19, 26



Publish first publication, on or before October 26, 1978 No. 1548-2

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 16, 1978

Notice is hereby given that Joseph L. Theberge 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; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41, 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use .12 cubic feet of water per second of time from groundwater (one well)

through the Mission Hills Well No. 1, the point of diversion of which is to be located in the NW 1/4 NE 1/4

of Section 6, Twp. 1N Range 6E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

water supplies for suburban homes

This Application No. 1548-2 will be considered by the Water Rights Commission at Auditorium, 411 E. Capitol, Pierre, SD upon the 15th day of November, 1978 at 10 A.M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Commission may be appealed to the Courts as provided by law.

WATER RIGHTS COMMISSION

Betty Westlund

Water Rights Specialist

cc: Joseph L. Theberge, RR 2, Box 658A, Rapid City, SD 57701

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
Foss Building
Pierre, SD 57501

Date: December 15, 1978
transfer date - November 14, 1978

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

Lot 2 of lot D, and subdivision of lot 30 into lot 30A and
lot 30-B, All in NW 1/4, NE 1/4, Section 6 T1N, R6E, BHM, Pennington Co., S.D.

formerly owned by Joseph Theberge, Rapid City, SD

has been transferred to Thrall Mountain Property Owners Association Inc.,

RR #1, Box 120M, Rapid City, SD 5701
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1648-2 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 Commission 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, Joseph L. Theberge 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.

Joseph L. Theberge
(Signed)

Subscribed and sworn to before me this 15 Day of December 1978.

James Wells Olson
(Notary Public)
JAMES WELLS OLSON, Notary Public, S. D.
My Commission Expires June 27, 1984

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8055

PIERRE, March 9, 1931

RECEIVED OF R. Quatier, Thrall Mountain Property Owners Assn., Rt. 1, Box 120M, Rapid City, SD
the following amount in fees for services rendered as provided for by law: 57701

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No. 1648-2	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 164802		
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 (bt)

Permit No. 1648-2Water Division 2 Rapid Creek Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR DIVERSION 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 Phyll Mountain{ Property Owners of Rt #1, Box 120M, Rapid City, S.D. 57701 holder Association Incof Permit No. 1648-2, bearing date of priority of September 28, 1975authorizing the diversion of .12 cu. ft. per second of the waters of Wellfor 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:

Submersible pump Est 1 1/2 HP.
pumping 50 gpm

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

P.V.C. Mains to Houses.2" P.V.C. pipe from Pump to Storage Tanks.
Est 60-70,000 gal. Storage Tanks.

C. Works used to apply water to beneficial use.

Houses, Lawns and Gardens 33 Hook-upsThe system is in the following condition: GoodThe point of diversion is located S 65° 30' W, 2410 ft from the NE
Corner of Sec. 6, T1N R6EThe 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.

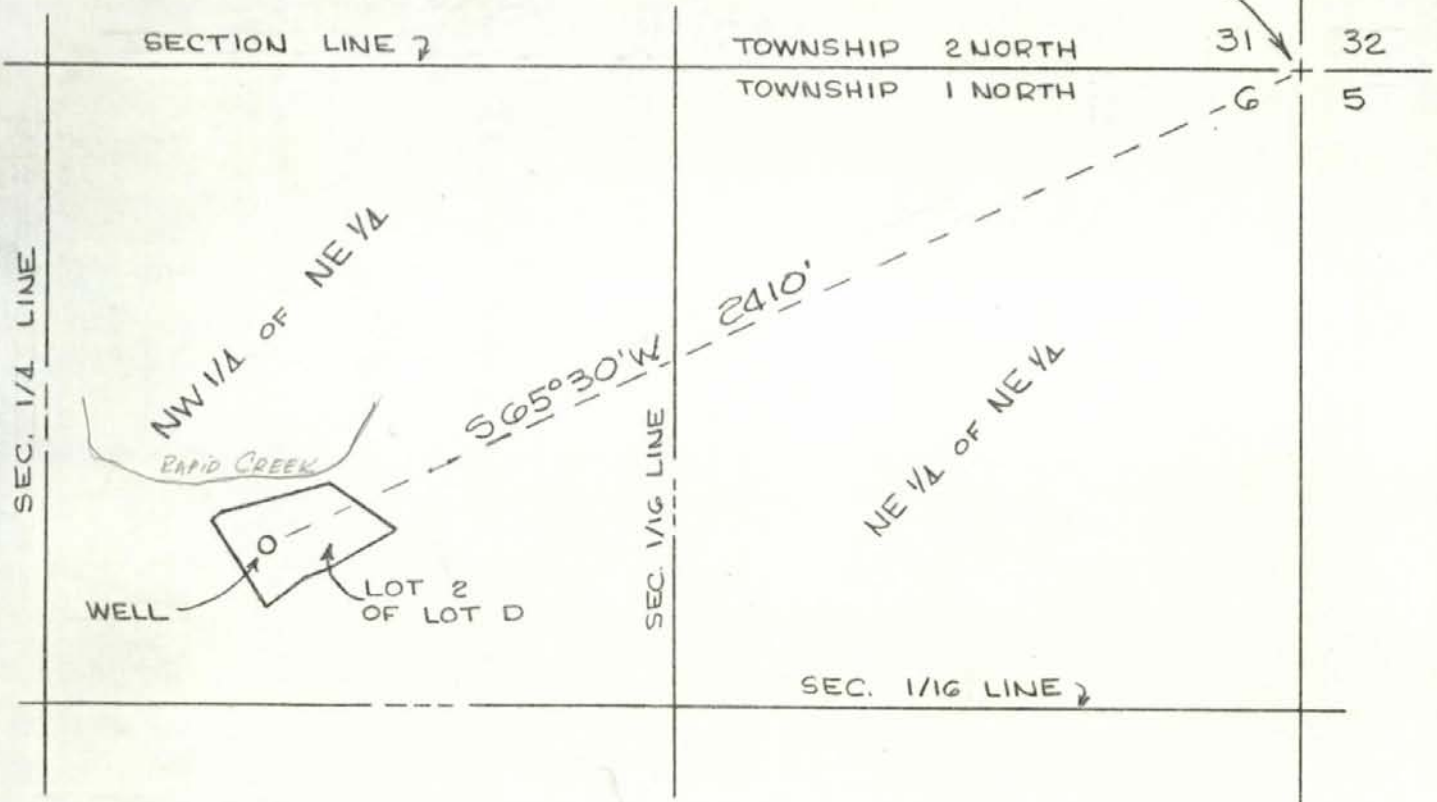
Well Data

Depth 41 ft.because .11 cfs.Date June 10, 1980
Leroy J. Hanning
(Signature)



SCALE 1"=400'
SEPTEMBER 26, 1978

NORTHEAST CORNER
SEC. 6, T. 1 N., R. 6 E., B. 1 M.



CERTIFICATE OF SURVEYOR

State of South Dakota

County of Pennington

S.S.

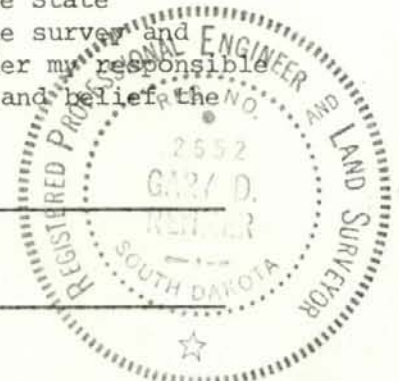
I, Gary D. Renner, Registered Land Surveyor No. 2652 of the State of South Dakota, do hereby certify that being so authorized, the survey and within map of the land shown and described hereon were made under my responsible direction and supervision and that to the best of my knowledge and belief the within map is a representation of said survey.

REGISTERED LAND SURVEYOR:

Gary D Renner
Gary D. Renner

DATE:

September 27, 1978



FRANCIS-MEADOR-GELLHAUS, INC.

RAPID CITY

PROJECT: L.L. THEBERGE

NEG - IN - GE

BY C.E.S.

9-26-78

SHEET

OF

JOB NO.

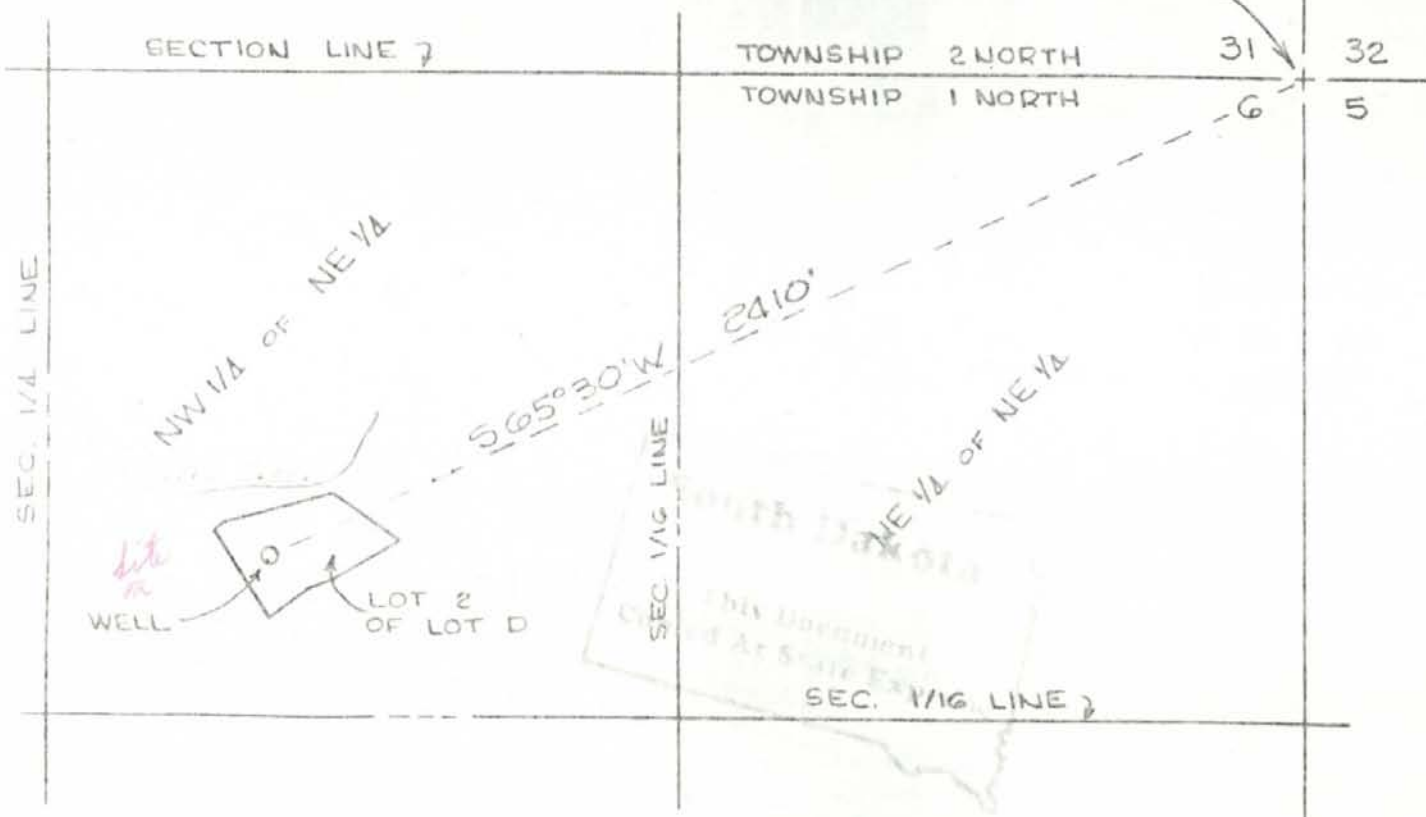
dn

MAP # ~~1412-2~~ APP 1648-2



SCALE 1"=400'
SEPTEMBER 26, 1978

NORTHEAST CORNER
SEC. 6, T1N, R6E, BHM



CERTIFICATE OF SURVEYOR

State of South Dakota

County of Pennington

S.S.

I, Gary D. Renner, Registered Land Surveyor No. 2652 of the State of South Dakota, do hereby certify that being so authorized, the survey and within map of the land shown and described hereon were made under my responsible direction and supervision and that to the best of my knowledge and belief the within map is a representation of said survey.

REGISTERED LAND SURVEYOR: Gary D Renner
Gary D. Renner

DATE: September 27, 1978



FRANCIS-MEADOR-GELLHAUS, INC.

RAPID CITY

PROJECT: L.L. THEBERGE

NEG - IN - GE

BY CES

9-26-78

SHEET

OF

JOB NO

dn

AAAP # 14-2-2 ADD 1678-2

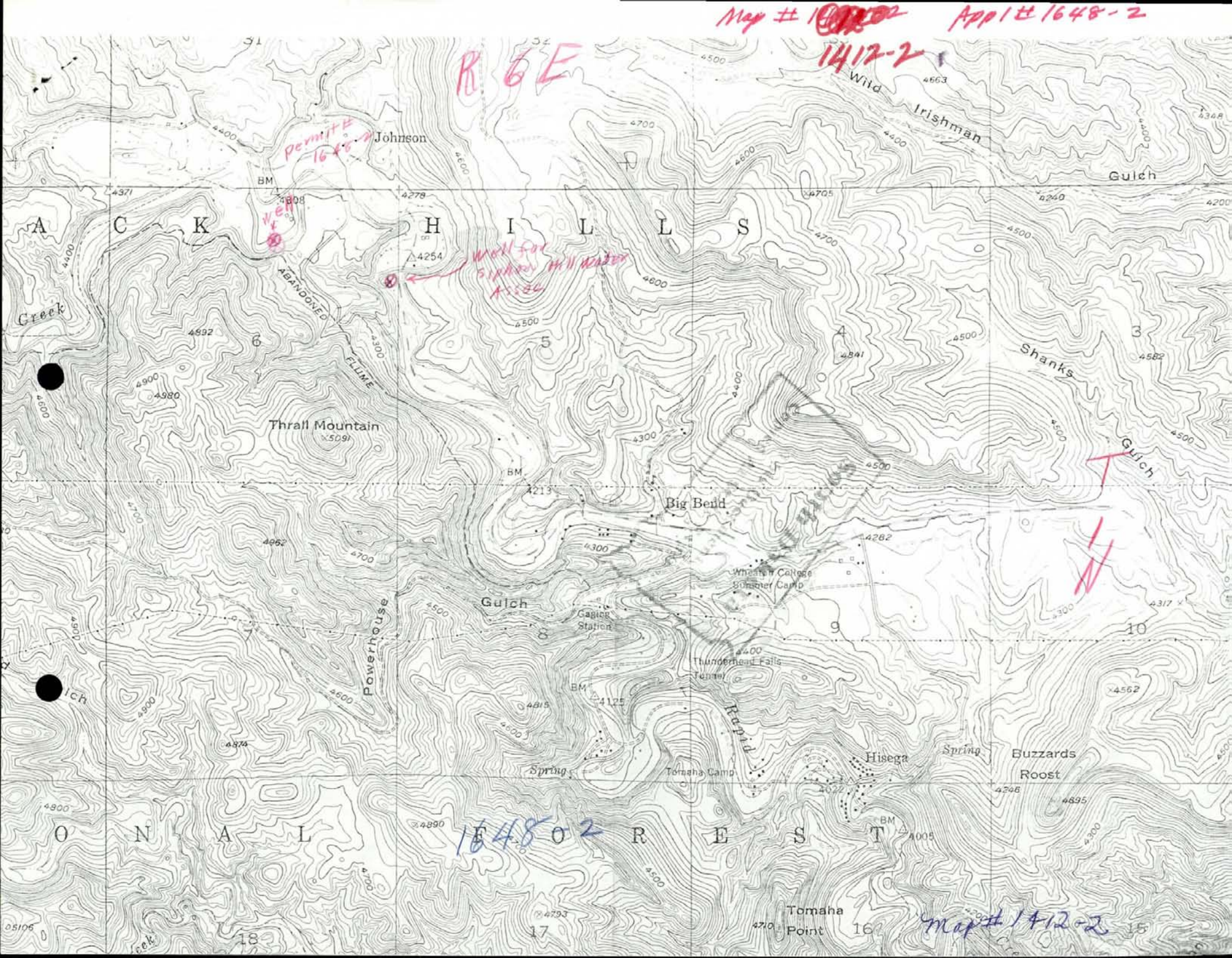
Map # ~~1412-2~~ App # 1648-2

1412-2

R 6 E

permit # 1648-2 Johnson

Well for
Siphon Hill Water
Assoc.



1648-2

TMPOA

Thrall Mtn. Property Owners' Assn., Inc. - 13110 Mission Hills Loop - Rapid City, SD 57702

July 19, 2006

RECEIVED

JUL 24 2006

WATER RIGHTS
PROGRAM

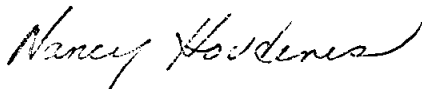
Mr. Ron Duvall
Department of Environment and Natural Resources
Water Rights Division
523 E. Capitol
Pierre, SD 57501

Re: Water Right 1648-2

Dear Mr. Duvall,

I'm writing this letter to follow-up on our telephone conversation today regarding bringing our second well on-line. This well is located in the vicinity of Well #1 (approximately 30' southwest) and was completed 8-19-94 by Lewis Drilling. A copy of the S.D. Water Well Completion Report is enclosed. Well #1 is currently pumping at 16 gpm. It is my understanding this second well does not require a separate water right as long as we do not exceed 50 gpm total usage for our water system.

Sincerely,



Nancy Hovdenes
President

Enclosure

07-92

Well Completion Date 8-19-94

Well Owner: Wayne Wari
Business Name: THALL MTN Property
Address: owners assc
RR 8 Bx 1140
Rapid City 57702

[illegible]

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.): 1000 ft. from Septic (identify source).

☒ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

3. If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
33 LB/FT	7 IN	+2 FT	21 FT	7 IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

STATIC WATER LEVEL _____ 7 _____ Feet
 If flowing: closed in pressure _____ PSI
 GPM flow _____ through _____ inch pipe
 Controlled by ☐ Valve ☐ Reducers ☐ Other _____
 Reduced Flowrate _____ GPM
 Can well be completely shut in? _____

Grout Type	No. of Sacks	Grout Weight	From	To
CC/MKANT	8	18 lb./gal	6 ft.	16 ft.
		lb./gal	ft.	ft.

Describe grouting procedure

SCREEN: ☒ Perforated pipe ☐ Manufactured
Diameter 7 IN Length 6 FEET
Material _____
Slot Size 3/8 Set From 15 Feet to 21 Feet
Other information _____

☒ Pumped Describe: 60 g pm
☐ Bailed no Grow Down
☐ Other _____

Pumping Level Below Land Surface
8 ft. After 2 Hrs. pumped 60 GPM
 _____ ft. After _____ Hrs. pumped _____ GPM
 If pump installed, pump rate _____ GPM

REMARKS

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material?

Describe packer(s) and location?

DISINFECTION:

Was well disinfected upon completion? X YES, How: #111
 _____ NO, Why Not? _____

This well was drilled under license # 492

And this report is true and accurate.

Drilling firm Lewis Drilling

Signature of License Representative:

Signature of Well Owner or Equitable Property Holder:

Date: 8-20-94

Laboratory sent to for water quality analysis

Approval of Location Change and/or Additional Diversion Point(s)

NAME: Thrall Mountain Property Owners' Assn. c/o Nancy Hovdenes, President

ADDRESS: 13110 Mission Hills Loop, Rapid City SD 57702

DATE: August 9, 2006 **COUNTY:** Pennington

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

Water Right No. 1648-2 authorizes diversion of 50 gpm from a well located in NW¼NE¼ section 6-T1N-R6E for suburban housing purposes. The license for No. 1648-2 was issued March 17, 1981. On July 24, 2006 notice was received that a second well was drilled in 1994 and that the permit holder wished to begin using the well with the understanding that the licensed diversion rate of 50 gpm could not be exceeded. Attached to the request for authorization to use the second well was a copy of the well completion report. The report indicates that the 1994 well is 20 feet deep as compared to 41 feet deep as specified on the Form 2A for the original well. Both wells are shallow wells so the permitted water source remains unchanged.

- **Review of Existing Diversions**

A search of the well completion reports database for the original well did not yield a copy of the well log. The search did find 7 other shallow wells less than 100 feet in depth are located in the same section. The nearest permitted well (Siphon Hills Water Assn, No. 2170-2) is located approximately 1,800 feet from the wells covered by No. 1648-2. No record of interference between wells is noted in the file for Water Right No. 1648-2.

RECOMMENDED ACTION

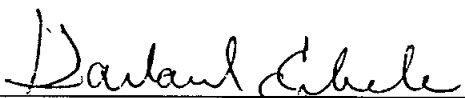
Based on the above criteria, it is recommended that the additional diversion point be included in a reissued water license with no increase in the licensed diversion rate of 50 gpm.



Ron Duvall, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
Water Rights Program



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

AUG 17 2006

1648-2

Nancy Hovdenes, President
Thrall Mountain Property Owners Association
13110 Mission Hills Loop
Rapid City SD 57702

Dear Ms. Hovdenes:

Enclosed is Reissued Water License No. 1648-2. The license was reissued to include Well #2.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right No. 1648-2, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosure

STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 1648-2

(1) Thrall Mountain Property Owners Association Inc, 13110 Mission Hills Loop, Rapid City SD 57702 was issued Water License No. 1648-2, March 17, 1981 for a water right to divert 0.11 cubic feet of water per second from ground water (one well), Pennington County, South Dakota for suburban housing development purposes. Water License No. 1648-2, with a priority date of September 28, 1978 was issued to the permit holder for diversion of water with construction of the described water supply system completed and the application to beneficial use of water completed.

The original water license authorized one well in the NW ¼ NE ¼ Section 6, T1N, R6E. In 1994, a second well was drilled for the association. On July 19, 2006, the water right holder requested authorization to bring the second well on-line with no increase in the licensed diversion rate. The second well is located approximately 30 feet southwest of the original well and is in the same aquifer.

Pursuant to SDCL 46-5-13.1 and ARSD 74:02:01:14.01, the Chief Engineer made a finding that the additional diversion point does not increase the potential for adverse effects to existing diversions.

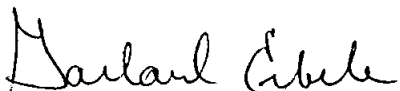
The original water license is being reissued to include Well #2. The reissued license does not allow for an increase in the diversion rate.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, Thrall Mountain Property Owners Association Inc, 13110 Mission Hills Loop, Rapid City SD 57702 the holder and/or owner of Water Right No. 1648-2 is issued a license, bearing a priority date of September 28, 1978 to appropriate 0.11 cubic feet of water per second from ground water (two wells) to be used for suburban housing development purposes.

The diversion points are both located in the NW ¼ NE ¼ Section 6, T1N, R6E. Well #1 is located S65°30'W, 2,410 feet from the NE corner of Section 6. Well #2 is located 30 feet southwest of well #1.

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1648-2 including the following qualification:

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



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

AUG 17 2006

date

