

Water RI number 1678-2

To be considered Sept. 27, 1979

County DeWitt, about 3/4 miles

City limits of Grand City

APPLICATION

Name Waterbury Mining & Water Co. Address Grand City

Priority

Date July 12, 1979 Complete-yes no ☒ reason app. for

4-13-79

Completed in fee - W.B. - received Consent 8-14-79

Fee Received-yes ☒ amount no ☐ reason received 8-14-79

Map Received-yes ☒ no ☐ reason received 8-14-79

Log Received-yes ☒ no ☐ reason received 8-14-79

received 8-14-79

REMARKS

WATER QUALITY

N/A

Date Received Approved/Conditional (Circle one)

Disapproved date reason

Date Disapproved Application returned

WI-1 Land Description - same as Application-yes no ☐ remarks

APPLICATION INFORMATION

Use Suburban Housing acres - c.f.s. 606

Acre-feet Diversion Location

Suburban (one well) SW 1 NE 1 - 26-2N-7E

Land to be Irrigated

period of annual use Continuous

MAP

Type of Map Engy Prepared by James-McCord Lockhart Inc.

Map No. 1438-2 Map located in W/R ☒ Map file

LOG

Driller Walter Brown Licensed in SD-yes ☒ no ☐

Depth and Formation 320' deep - LAKOTA

OTHER
INFORMATION
FILED
WITH
WATER RIGHT

1678-2

REVIEWED

This application was reviewed within 30 days of receipt, accepted as complete, number assigned, and written up for advertisement before the Board on

Sept 30, 1979

Petty W. Miller
(Signed)

This application was unable to be completed - Reason _____

PUBLICATION

Dates published - 1st 8-24-79 2nd 8-31-79

Date _____

Affidavit received 9-5-79 remarks _____

Pat. R. F. ...

PROTESTS

Letters/Petitions in File yes _____ no _____ remarks _____

STAFF REC-
COMMENDATIONS

BOARD ACTION

Date Approved 9-27-79 Qualifications well informed

Deferred - date _____ reason _____

Denied - date _____ reason _____

REMARKS
F.F. & C. OF
LAW, FINAL
DECISIONS,
ETC.

No. 1678-2
 Map No. 1438-2 Water Division No. 2 RAPID CREEK District
 Above for Office Use



APPLICATION FOR PERMIT To appropriate Water within the State of South Dakota

Check one of the following:

New XX Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____ % Verna Mollerud

1. Name of Applicant Harmony Heights Water Co. Phone No. 343-1228
 Post Office Address City-Delivery-12, Rapid City State South Dakota 57701
 (Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) X employment of others

3. Name of diversion work Harmony Heights well

4. Amount of water claimed (cubic feet per second) X .06

5. Source of water supply X Deep Well (S.DAKOTA)

6. Location of point of diversion X From Well - N 24° 16' E, 587.8' FROM CENTER
OF SEC. 26-T2N-R7E-SW 1 NE 1

County Pennington

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.) suburban 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 2 years. Additional time required to complete application of water to the proposed beneficial use 1 years.

11. Choice of county newspaper for publication of Notice of Intent to appropriate Water Rapid City Journal

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.
 from well to water storage tank to mains.

B. Works proposed to transport water to place of use.
 water mains to curb stops

C. Works proposed to apply water to beneficial use.

X

Estimated Total Cost \$ 60,000

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 _____) ss.

Verna Mollerud

I, _____ 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 Verna Mollerud

Subscribed and sworn to before me this 13 day of August, 1970

John H. Galt
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Board of Water Management hereby approves Water Right Application No. 1678-2

HARMONY HEIGHTS WATER CO. % VERA MOLLERUD - CITY DELIVERY 12

SOUTH DAKOTA 57701
(Applicant) (State)

RAPID CITY
(Post Office Address)

With the following qualifications.

The ~~well~~ well approved under this Permit will be located near domestic wells and other ~~well~~ 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 or in irrigation wells having prior water rights.

Date of first receipt of application JULY 13, 1979
Date of return to applicant for correction, amendments or changes required JULY 19, 1979
Date of receipt of corrected application AUGUST 14, 1979
Approved SEPTEMBER 27, 1979, Recorded in Book 21 Page 43

WATER RIGHT PERMIT NO. 1678-2

The Board of Water Management hereby grants and issues this Water Right Permit No. 1678-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is JULY 13, 1979
2. The equivalent of at least one fifth of the work above specified is to be completed on or before SEPTEMBER 27, 1980
3. The whole of said work is to be completed on or before SEPTEMBER 27, 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 27, 1982
5. The water appropriated shall be used for the purpose of SUBURBAN HOUSING

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed .06 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for ~~beneficial uses served, and if for irrigation purposes said appropriation must be limited to not more than 2 acre-feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied~~

FOR SUBURBAN HOUSING
for irrigation on or before SEPTEMBER 27, 1982; said water to be used during the following described

annual period: CONTINUOUSLY

Witness my hand this 3RD day of OCTOBER, 1979

THE BOARD OF WATER MANAGEMENT

By: John Hatch
Chief Engineer, Water Rights

Certificate of Construction Issued MARCH 17, 1981

Water 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

- (1) Drill Hole, Diameter 6 1/4", Depth 320'
 (2) Casing, Type Steel, Diameter 5", Thickness 1/4"
 (wood, concrete, steel, etc.)
 (3) Screen, Type _____, 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. (Attach a copy of test well log)

Depth to top of water bearing material 260'

Depth to bottom of water bearing material 320'

Depth to water (ground surface to water level) 150'

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

On same owner's property 71070 rds.

On property owned by others 110 rds.

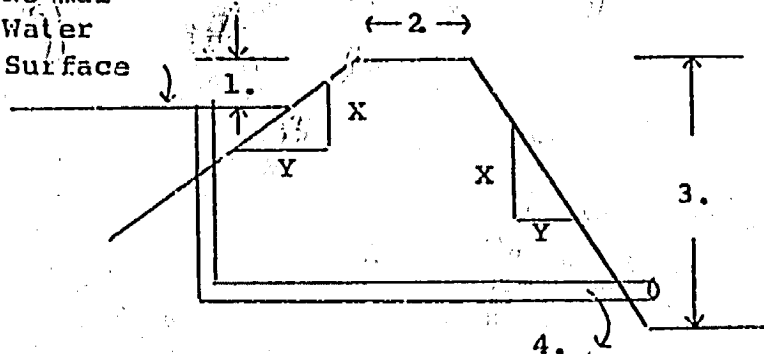
0-50' yellow sandstone
 50-150 gray shale with
 small sandstone layers
 150-260 gray shale
 260-320 w. fine sandstone
 to bedrock

water level 150 ft. from
 top, test 25 gal per min
 Pump at 210 ft.
 Puller Motor Power

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, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.

Normal
Water
Surface



1. Freeboard _____
 2. Crest width _____
 3. Height of Dam _____
 4. Outlet dimensions:
 Pipe diameter _____
 Spillway width _____
 X & Y slope:
 Upstream _____
 Downstream _____
 Surface area of impoundment _____
 Drainage area above dam _____

Terma Mollerud
 Signature Applicant

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1678-2

(1) WHEREAS, On the 13th day of July A. D. 19 79
the Harmony Heights Water Co., / Verna Hollerud

made Water Right Application No. 1678-2 for a permit to use .06 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 13th day of July A. D. 19 79

Permit No. 1678-2 with a date of priority of July 13, 1979

was issued to said applicant 5 for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 27th day of September A. D. 19 81 and for the application to beneficial use of said water on or before the 27th day of September A. D. 19 82

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 .04 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 supplies 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 Harmony Heights Water Co., Verna Mollerud

_____ of Rapid City SD

the holder S and owner S of said permit No. 1678-2 a water right, dating from July 13, 1979

_____ to use of .04 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 north 86° 16' east, 587.5 feet from the center of Section 25, T2N, R7E

and conducted ~~to and upon~~ thru the developments distribution system

for the purpose of suburban housing development

Subject to any limitations listed in Water Right Permit No. 1678-2 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. 1678-2

Water Diversion No. 2 Upper Cheyenne Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Harmony Heights Water Co.

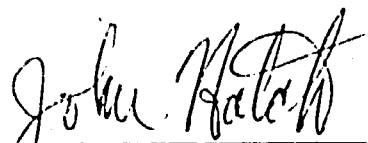
is Verna Mollerud

the holder is of
Permit No. 1678-2, issued upon Application No. 1678-2, bearing date of priority of July 13,
1979 authorizing the diversion of .06 cu. ft. per second of the waters of
groundwater (one well) County of Pennington, State of South Dakota at
a point north 86° 16' east, 587.5 feet from the center of Section 26, T2N,
R7E

for suburban housing development

purposes, he ve 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 .64 cu. ft. per second of water.

Date July 17, 1981



JOHN HATCH, Chief Engineer
Water Rights Division

No. 1673-2

Publish first publication, on or before August 31, 1979

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 15, 1979

Notice is hereby given that Harmony Heights Water Company whose post office address is Rapid City, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 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, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use .06 cubic feet of water per second of time from ground water (one well) through the Harmony Heights Well, the point(s) of diversion of which is(are) to be located in the SW 1/4 NE 1/4

of Section 26, Twp. 2N, Range 7E. Said water to be used for the purpose of providing ~~an irrigation system for the following land:~~
water supplies for suburban housing

This Application No. 1673-2 will be considered by the Water Management Board at the Community Room, City Hall
222 E Dakota, Pierre, South Dakota upon the 27th day of September, 1979

at 10 A.M. The Board 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 Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board 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 Board may be appealed to the Courts as provided by law.

WATER MANAGEMENT BOARD

BETTY WESTLUND
Water Rights Specialist

cc: Harmony Heights Water Company, % Verna Hollorud, City Delivery 12, Rapid City, SD 57701

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

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County _____) ss.

I, Mary K. Garness hereby

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

Water was taken from the Rapid City Journal

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

City Rapid City of _____

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

August 26 and August 31, 1979

Mary K. Garness
(Signature)

Paul R. Garness
(Title)

September 1, 1979
(Date Signed)

Aug. 24, 31 August 15, 1979 L387
NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE
WATER

Pierre, South Dakota 57501
Notice is hereby given that Harmony Heights Water Company whose post office address is Rapid City, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-14; 46-2-1 thru 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22; 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 12:01:01 thru 12:01:01:13, for a permit to appropriate for beneficial use of cubic feet of water per second of time from ground water (one well) through the Harmony Heights Well, the point of diversion of which is to be located in the SW 1/4 NE 1/4 of Section 26, Twp. 2N, Range 7E. Said water to be used for the purpose of providing water supplies for suburban housing.

This Application No. 1678-2 will be considered by the Water Management Board at the Community Room, City Hall, 222 E. Dakota, Pierre, South Dakota upon the 27th day of September, 1979 at 10 a.m. The Board 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 Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-24 may notify the Board 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 Board may be appealed to the Courts as provided by law.

WATER MANAGEMENT BOARD
Betty Westlund
Water Rights Specialist
c/o Harmony Heights Water Company,
c/o Verna Mollerud, City Delivery 12,
Rapid City, S.D. 57701.



RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 6996

PIERRE, August 14, 1979

RECEIVED OF Verna Hollarud, Harmony Heights, Rapid City, SD 57701
the following amount in fees for services rendered as provided for by law: FUND 290

Fee for Application for Permit to Appropriate Water No. 1678-2 (examination processing, recording and filing)	150	00
Fee for Inspecting Construction, and Issuing Cert. of Construction No.		
Fee for Inspecting Beneficial Use, and Issuing Water License No.		
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	150	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer)
JOHN HATCH gy

January 14, 1981

Called Verna Mollerud concerning address confirmation. She indicated that the "City Delivery 12" was dropped from her address. Mrs. Mollerud indicated that she felt she had already paid the fee for the Water License. Checking the file, I find no receipt confirming this. There is a receipt for the initial \$150.00 she paid for the application, but no fee for the Water License. She is going to check thru her checks. I re-sent the letter to her asking for the fee.

Genny

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7948

January 26, 19 81

PIERRE,

RECEIVED OF Harmony Heights Water Co., Verna Mollerud, Rapid City SD 57701
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. 1679-2)	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 1678-2)		
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

(102)

Permit No. 1678-2Water Division 2 Rapid 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 Harmony Heights Water Co.
 of Verna Mollerud of City Delivery 12, Rapid City, S.Dak. 57701 holder.
 of Permit No. 1678-2, bearing date of priority of July 13, 1977
 authorizing the diversion of .06 cu. ft. per second of the waters of 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:

1 1/2 H.P. Submersible Pump
Pumping 20 gpm

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

PVC Mains To Houses.
22,500 gal. Storage Tank.

C. Works used to apply water to beneficial use.

Houses, lawns and Gardens

The system is in the following condition: GoodThe point of diversion is located N 86° 16' E 587.5 ft from Center
of Sec. 26, T2N R7EThe works are capable of diverting and conveying to the place of use .04cu. 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 320 ft.Static 150 ft.Pump set at 210 ft.Pumping 20 gpmPumping .04 cfsDate July 24, 1980

Leroy J. Mernaugh
 (Signature)

WATER RIGHT MAP FOR WELL LOCATED IN LOT 2 OF TRACT 9 OF HARMONY HEIGHTS IN SW $\frac{1}{4}$ OF NE $\frac{1}{4}$ OF SECTION 26, T2N, R7E, BHM, PENNINGTON COUNTY, SOUTH DAKOTA



SCALE 1"=100'
JULY 26, 1979

INTERSTATE 90 R.O.W.

TRACT 3

HARMONY HEIGHTS
LANE

LOT 2

TRACT 9

WELL

TO E $\frac{1}{4}$ COR
SEC. 26

N84°16'E

587.8'

S88°40'E

2063.4'

SEC 1/4 LINE

5/8" REBAR
W/CAP 1019'
CENTER OF
SEC. 26, T2N, R7E

LOT 4

CERTIFICATE OF SURVEYOR

State of South Dakota
County of Pennington

S.S.

I, James P. Heald, Registered Land Surveyor No. 2199 of the State of South Dakota, do hereby certify that being so authorized, the survey and 99 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:

James P. Heald

DATE:

July 31, 1979



FRANCIS-MEADOR-GELLHAUS, INC.

RAPID CITY

PROJECT: VERNA MOLLERUD

N $\frac{1}{2}$ 26 - 2N - 7E

BY CES
7-26-79

SHEET
1 OF 1

JOB NO
3527.01

~~MAP No 7438-2~~ APPL. 1678-2