

1-120110
248-2

Water Right No. 1748-2

1. Considered March 25 19 81
2. Name of Applicant Warren Water Company, Inc.
3. Post Office Address Keystone Route, Box 211, Rapid City 57701
4. Amount of Water Claimed .05
5. Source of Water Supply 760' well
6. Water to be used for Suburban Housing Development
7. Acres to be irrigated = ^{maximum} acre feet
8. Water to be diverted and used in Pennington County
about 4 1/2 miles south of Rapid City
9. PROOF OF PUBLICATION Received 3-9-81

*5/27/80
13 connections
Dorothy Lundquist
Plans & Specs*

Not Received _____

Approved 3/25/81

Subject to DW Water Quality?

Not Approved _____

Action deferred _____

Priority Date Aug 27.80 Application Complete yes X no _____ FEE 150.00

8-27-80

Remarks Revised water right of and going to attend WMS met.

WATER
QUALITY

Date information and/or
fee or corrected Application received March 23, 1981

Period of Annual use continuously

Received yes _____ no _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application yes _____ no _____ Remarks _____

Disapproved _____

Returned _____

Diversion Point _____

NE 1/4 NW 1/4, 8-1S-8E

Lands to be irrigated _____

WELL
LOG

Remarks _____

Driller Taylor Drilling Licensed yes X no _____

Depth 760 feet deep

1504-2

MAP Map No. drawn Map located in Water Right X Map file _____
 Type of Map drawn Prepared by Gellhaus PF

+++++

REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 3/25/81

[Signature]
 (Signed)

+++++

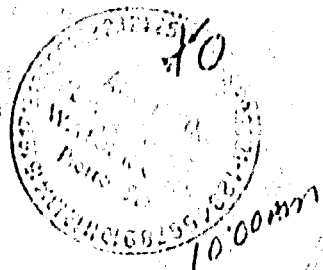
PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date _____
 F.F. & C Final Decision, including F.F. & C of Law were adopted _____
 OF LAW, Date _____
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision
 DECISIONS was adopted _____
 ETC.

Remarks _____

No. 1748-2Map No. 1504-2 Water Division No. 2 UPPER CHEYENNE District
(Blank to be Filled by the Engineer for the W. B. C.)

10/20/80



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Warren Water Co., Inc.
Postoffice address Keystone Route, Box 211 State Rapid City, SD 57701
If a corporation show date and place of incorporation October 20, 1978, Rapid City, SD
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work there was no diversion work
4. Amount of water claimed (cubic feet per second) 12 gallons per minute (estimated) .03
5. Source of water supply Well
6. Location of point of diversion extreme northeast corner of Lot 7 of Reub Subdivision, Penn. Co., SD
NE 1/4 NW 1/4 SEC. 8 - T18S - R8E County Pennington

7. Annual period or periods during which water is to be used entire year
8. Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.) suburban housing development
9. For irrigation use. Total number of acres to be irrigated None

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. It is completed.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Rapid City Journal, Rapid City, SD
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.
WellB. Works proposed to transport water to place of use.
Underground linesC. Work proposed to apply water to beneficial use.
distribution system for 14 residential lotsEstimated Total Cost \$ 22,100Attachments: 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) ss.I, David A. Schwieter, 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 David A. Schwieter
David A. Schwieter, its PresidentSubscribed and sworn to before me this 25th day of August, 1980

Notary Public (or other qualified officer)

Attached as Exhibit "1" is Form 2A

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1748-2

WARREN WATER CO., INC.
(Applicant)

KEYSTONE RT. BOX 211, RAPID CITY
(Post Office Address)

SOUTH DAKOTA 57701 With the following modifications.
(State)

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

Date of first receipt of application AUGUST 27 19 80

Date of return to applicant for correction, amendments or changes required _____ 19 ____

Date of receipt of corrected application _____ 19 ____

Approved MARCH 25 19 81, Recorded in Book 22 Page 54

WATER RIGHT PERMIT NO. 1748-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1748-2 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 AUGUST 27 19 80
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before COMPLETED 19 ____
3. The whole of said work is to be completed on or before COMPLETED 19 ____
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is COMPLETED 19 ____
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, not not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed .03 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 served, ~~and 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 one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land on which water is~~
USED FOR SUBURBAN HOUSING
actually and beneficially applied ~~for irrigation~~ on or before THIS DATE 19 ____; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 17th day of APRIL 19 81

WATER RIGHTS COMMISSION

By:

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

Certificate of Construction Issued _____ 19 ____

Water License Issued _____ 19 ____

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

D Well Information

- (1) Drill Hole, Diameter 6 1/4, Depth 760'
- (2) Casing, Type steel, Diameter 5 1/2" OD, Thickness 250
(wood, concrete, steel, etc.)
- (3) Screen, Type none, 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. (Attach a copy of test well log)

- Depth to top of water bearing material 680
- Depth to bottom of water bearing material 760
- Depth to water (ground surface to water level) 600'

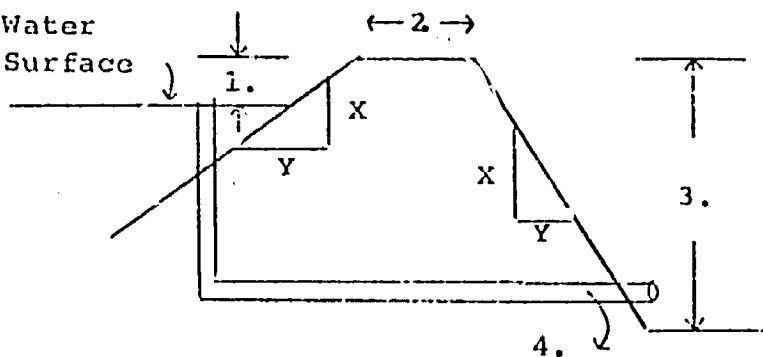
(2) Distance to nearest existing household or livestock watering well.

- On same owner's property _____ 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, 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 _____

"Taylor Drilling Company well log attached as Exhibit "A"

TAYLOR DRILLING CO.

2310-12 Commerce Road
RAPID CITY, SOUTH DAKOTA 57701

RALPH L. TAYLOR, SR.
RALPH L. TAYLOR, JR. (Pandy)
KIM E. TAYLOR

TELEPHONE:
Office 605-348-3600
After Hours 605-342-7119

Well Log: Warren Rieb
Completed 3/23/78

Total Depth 760'
640' 5 1/2" O.D. Casing
600' Static
G.P.V.

0-1	topsoil
1-15	yellow sandstone
15-18	brown shale
18-30	limestone
30-100	mostly red sandstone w/white limestone layers(some shale)
100-209	mostly limestone w/yellow sandstone layers
209-213	red shale
213-224	white limestone
224-240	hard purple shale
240-250	white limestone
250-256	red limestone
256-282	hard red sandstone
282-285	red shale
285-290	white sandstone hard lost circulation @ 335'
290-630	mostly white limestone fractured & hard some yellow & brown limestone caves @ 335-390 cavernous 400-420' 440-450' & 460-470'
680-760	fractured but not as hard

Ralph L. Taylor, Jr.

EXHIBIT 11

No. 1748-2.

Publish first publication, on or before February 27, 1991

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER.

Pierre, South Dakota 57501

February 19, 1981

Notice is hereby given that Warren Water Co., Inc. 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 groundwater for beneficial use .03 cubic feet of water per second of time from groundwater (one well) Project through the Warren Water Co., Inc./, the point ~~of~~ of diversion of which is ~~(770)~~ to be located in the NE 1/4 NW 1/4

of Section 8, Twp. 1S, Range 8E. Said water to be used for the purpose of providing ~~water for a suburban housing development~~

This Application No. 1748-2 will be considered by the Water Management Board at
the Holiday Inn, Sandy Shore Room,
Watervorn, South Dakota _____ upon the 25th day of March, 1981

at 1:00 P.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.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DVNR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Warren Water Co., Inc.
Keystone Bt, Box 211
Rapid City, SD 57701

BETTY WESTLUND
Water Rights Specialist

WNR-806A-7/79 Notice of Intent to Appropriate Water
GROUNDWATER.

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

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Pennington) ss.

I, Melena M. Bauer 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:

February 27, 1981

March 6, 1981

Melena M. Bauer
(Signature)

Bookkeeper

(Title)

March 6, 1981

(Date Signed)

Feb 27, Mar 6, 1981 L454
NOTICE OF HEARING
ON APPLICATION
TO APPROPRIATE WATER
Pierre, South Dakota 57501
February 15, 1981

Notice is hereby given that Warren
Water Co., Inc., whose post office ad-
dress is Rapid City, South Dakota, has
made an application in accordance with
the provisions of SDCL 45-1-1 thru 45-1-9,
45-1-14; 45-2-9 thru 45-2-11; 45-2-13; 45-5-1
thru 45-5-3; 45-5-10 thru 45-5-22; 45-5-41;
46-6-3; 46-6-3.1; 45-6-5; 46-6-6.1; 46-6-10; 46-
6-14 and Board Rules 45-52-01:01 thru 52-01:01:13,
for a permit to ap-
propriate for beneficial use 03 cubic feet
of water per second of time from ground-
water (one well) through the Warren
Water Co., Inc. Project, the point of diver-
sion of which is to be located in the NE 1/4
NW 1/4 of Section 8, Twp. 15, Range 8E.
Said water to be used for the purpose of
providing water for a suburban housing
development.

This Application No. 17482 will be con-
sidered by the Water Management Board
at the Holiday Inn, Sandy Shore Room,
Watertown, South Dakota upon the 25th
day of March, 1981 at 1:00 P.M.

The Board is authorized to make a
determination on this application at the
hearing. All interested persons may ap-
pear 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 pro-
ceeding. 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.

Any handicapped person wishing to at-
tend this hearing can contact the Water
Rights Division, DWR, Joe Foss
Building, Pierre, S.D., prior to the hear-
ing date for assistance to assure access to
the hearing.

WATER MANAGEMENT
BOARD
BETTY WESTLUND
Water Rights Specialist



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7665

PIERRE,

August 27, 1980

RECEIVED OF Warren Water Co., Revereone Rd, 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)	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 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	150.00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH / *et*

1748-2

Warren Water, N. D.,
Dorothy Lunsford, N. D.,

8-6-80

West 760 ft.

640 ft. Camp

Gravelly Unknown

Submerged

Recessed

WARREN WATER CO., INC. APPLICATION NO. 1748-2
NARRATIVE REPORT FOR SOUTH DAKOTA WATER MANAGEMENT BOARD

ATTACHMENT "A"

This narrative report is being submitted in support of Warren Water Co., Inc.'s suburban housing groundwater system Application No. 1748-2 and is intended to aid the Water Management Board at its hearing on the corporation's application to be heard at the Holiday Inn at Watertown, South Dakota, on March 25, 1981.

1. Attached hereto is a portion of a plat of the Reub Subdivision which shows all the lots which are within the water company corporation.

2. There are 14 residential lots in the water corporation. The covenants and restrictions allow only 1 residential unit per lot. As such, the water company is limited in size to provide water for a maximum total of only 14 residential units.

3. At present, there are 5 residential units and the corporation is supplying 12 to 14 people.

4. WELL: The well is located in the northeast corner of Lot 7. Water is pumped from the well in a 1½" pipe to a 19000 gallon underground storage tank located in the very southeast corner of Lot 9. Lot 9 is the high elevation point of the surrounding land. A 4" pipe then runs along the utmost east boundaries of Lot 9 through 4 at the present time. The line is at a level 5' in depth. All people hook up to this line for their residences.

5. There is no other use of the line except for residential purposes. The lines, the storage tank on Lot 9, and the present houses are shown on the attached plat.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Rights Division
605 773-3352

No. 1748-2

October 10, 1984

Rapid City Journal
PO Box 450
Rapid City SD 57709

Dear Sir:

Enclosed is a Notice of Intent to Appropriate Water by Warren Water Co. Inc.

Application No. 1748-2, in Pennington County, South Dakota. Please publish this notice once each week for two consecutive weeks in your paper. The first publication should be on, or before October 17, 1984.

Please bill the Water Rights Division for the cost of the publications.

Please receipt for this notice IMMEDIATELY after first publication attaching thereto a copy of the first publication so that it may be compared with the records. For your convenience, you may use the printed form below for this purpose.

After final publication please complete and mail to this office, the enclosed Form to furnish Proof of Publication. The permit to appropriate water cannot be considered by the Water Management Board until proof of publication has been received.

Very truly yours,

KEVIN C LARSON
Water Resources Engineer

enclosures

No. 1748-2

Date _____

TO: Water Rights Division
Joe Foss Building
Pierre SD 57501

We are in receipt of your letter of _____, 1984 enclosing Notice of Proposed Appropriation of Water, as proposed in Application No. _____ which was first published in our issue of _____, 1984. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

NAME _____

NEWSPAPER _____

Equal Opportunity Employer

Instruction to Newspaper - Publish first publication of the following Notice on or before October 17, 1984 with 2nd publication 1 week later. The ~~applicant~~ ^{Water Rights Division} is responsible for payment.

NOTICE OF HEARING on Application No. 1748-2 to Appropriate Water
and/or to Amend Water Permit or Water Rights No. _____

Notice is hereby given that Warren Water Co., Inc. whose mailing address is Keystone Rt., Box 211, Rapid City, South Dakota has made an application for a permit to appropriate water for beneficial use 0.03 cubic feet per second of time from groundwater (one well) through the Warren Water Co. Inc. Project, the point of diversion of which is to be located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8, T1S, R7E. Said water to be used for the purpose of providing water for a suburban housing development.

This is a readvertisement. The original advertisement stated the diversion point would be in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8, T1S, R8E it should have been NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8, T1S, R7E.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 1748-2 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Room 216, Joe Foss Building, 523 E Capitol, Pierre SD on December 5 19 84 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by November 23, 1984. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~ 46-5-38 thru 46-5-40, ~~(transfer lands)~~ 46-5-30.4, 46-5-33 thru 46-5-35, ~~(10,000 AFA)~~ 46-5-20.1, 46-5-8.1, and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; ~~(future use)~~ 74:02:01:24 thru 74:02:01:25, ~~(10,000 AFA)~~ 74:02:01:15:02 thru 74:02:01:15:05.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by November 23, 1984.

Oct. 22, 79 1.084
NOTICE OF HEARING
ON APPLICATION FOR
TO APPROPRIATE WATER

Notice is hereby given that the Water Rights Division of the State Engineer's Office, located at the State Capitol, Pierre, South Dakota, will hold a public hearing on the application for appropriation of water for agricultural use of 6.0 cubic feet per second of water from the Rapid City River, located in the Rapid City area, South Dakota, on October 23, 1964, at 10:00 a.m. The hearing will be held in the Board Room of the State Engineer's Office, located at the State Capitol, Pierre, South Dakota, on October 23, 1964, at 10:00 a.m.

This is a mandatory hearing. The original application, showing the diversion and use of water in the Rapid City area, should have been filed with the State Engineer's Office, Pierre, South Dakota, on or before October 15, 1964.

Pursuant to SDCL 38-22-4 the Chief Engineer of the Water Rights Division recommends approval of application No. 1748 (b) (1) for appropriation of water for agricultural use of 6.0 cubic feet per second of water from the Rapid City River, located in the Rapid City area, South Dakota, on October 23, 1964, at 10:00 a.m.

The application will be considered by the Water Management Board of Rapid City, South Dakota, on October 23, 1964, at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on the application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a board decision and who wishes to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by November 21, 1964. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 38-22-4, 38-22-5, 38-22-6, 38-22-7, 38-22-8, 38-22-9, 38-22-10, 38-22-11, 38-22-12, 38-22-13, 38-22-14, 38-22-15, 38-22-16, 38-22-17, 38-22-18, 38-22-19, 38-22-20, 38-22-21, 38-22-22, 38-22-23, 38-22-24, 38-22-25, 38-22-26, 38-22-27, 38-22-28, 38-22-29, 38-22-30, 38-22-31, 38-22-32, 38-22-33, 38-22-34, 38-22-35, 38-22-36, 38-22-37, 38-22-38, 38-22-39, 38-22-40, 38-22-41, 38-22-42, 38-22-43, 38-22-44, 38-22-45, 38-22-46, 38-22-47, 38-22-48, 38-22-49, 38-22-50, 38-22-51, 38-22-52, 38-22-53, 38-22-54, 38-22-55, 38-22-56, 38-22-57, 38-22-58, 38-22-59, 38-22-60, 38-22-61, 38-22-62, 38-22-63, 38-22-64, 38-22-65, 38-22-66, 38-22-67, 38-22-68, 38-22-69, 38-22-70, 38-22-71, 38-22-72, 38-22-73, 38-22-74, 38-22-75, 38-22-76, 38-22-77, 38-22-78, 38-22-79, 38-22-80, 38-22-81, 38-22-82, 38-22-83, 38-22-84, 38-22-85, 38-22-86, 38-22-87, 38-22-88, 38-22-89, 38-22-90, 38-22-91, 38-22-92, 38-22-93, 38-22-94, 38-22-95, 38-22-96, 38-22-97, 38-22-98, 38-22-99, 38-22-100.

This hearing is an adversary proceeding. The Applicant or any person, after filing a petition, 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on the application or to secure access to the hearing or the transcript can contact the Water Rights Division, DWRM, Joe Foss Bldg., Pierre, S.D., (605-773-3282) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition in opposition or support of the application. The request for extension must be filed with the Chief Engineer by November 23, 1964.

Affidavit of Publication



STATE OF SOUTH DAKOTA

ss.

County of Pennington

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 twenty-second day of October, 1964, that the fees charged for the publication thereof are seventy-one Dollars and forty cents.

Jerry J. Shoener

Subscribed and sworn to before me this 29th day of

October, 1964

Ernest W. Anderson
Notary Public.

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 seventeenth day of October, 1984, that the fees charged for the publication thereof are seventy-two dollars and

forty-six cents.

[Signature of Jerry J. Shoener]

subscribed and sworn to before me this 24th day of

October, 1984

[Signature of Notary Public]
Notary Public.

Oct. 17, 84 L453

NOTICE OF HEARING ON APPLICATION 1748-2 TO APPROPRIATE WATER

Notice is hereby given that Warren Water Co., Inc., whose mailing address is Keystone Rd., Box 211, Rapid City, South Dakota has made an application for a permit to appropriate water for beneficial use 0.63 cubic feet per second of flow from ground water (one well) through the Warren Water Co., Inc. Project, the point of diversion of which is to be located in the NE1/4 NW1/4 Section 8, T15, R7E. Said water to be used for the purpose of providing water for a suburban housing development.

This is a readvertisement. The original advertisement stated the diversion point would be in the NE1/4 NW1/4 Section 8, T15, R7E. It should have been NE1/4 NW1/4 Section 8, R15, R7E.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends Approval of Application No. 1748-2 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) beneficial use of water and 4) is in the public interest.

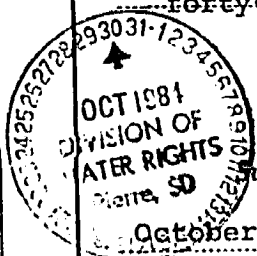
This application will be considered by the Water Management Board at Room 216, Joe Ross Building, 522 E. Capitol, Pierre, S.D., on December 5, 1984 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-24, must file a written petition with BOTH the Applicant and the Chief Engineer by November 21, 1984. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-3 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-2-1 thru 46-2-16, 46-2-24, 46-2-25, 46-2-27, 46-2-31; 46-2A-1 thru 46-2A-70; 46-2A-12; 46-3-1, 46-3-3, 46-3-5, 46-3-7, 46-3-11, 46-3-13, 46-3-14; and Board Rules ARSD 74.02:01:01 thru 74.02:01:151.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, has the right to be present or to be represented by a lawyer. Testimony and other due process rights will be withheld if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information of this application or to answer access to the hearing by the handicapped can contact the Water Rights Division, DWRR, Joe Ross Bldg., Pierre, S.D. (605-773-3321) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by November 21, 1984.



STATE OF SOUTH DAKOTA)
) ss.
County _____)

[illegible]

LICENSE FOR PERMIT NUMBER 1748-2

1. Legal location of wells: NE 1/4 NW 1/4 Section 8-T15-R7E
S 28° 26' 25" W 1505.19 ft from the N 1/4 corner

dams & structures: _____

2. Well Information: Well Drilling Firm Taylor Drilling Co.

No. of wells 1 Depth 760 ft

Casing a) diameter 5 1/2" Screen a) type none
b) length 690 ft b) length _____
c) type steel Static Water Level _____

Pump a) make submersible Motor a) make _____
b) model unknown b) model no. _____
c) size _____ c) horsepower rating _____
d) capacity _____ GPM d) motor efficiency rating _____
e) turbine pump
no. of stages _____

3. Distribution lines:

a) size of lines 1 1/2" 4"
b) type Buried PVC Buried PVC
c) length approx 580 ft. approx. 1400 ft.

4. Dam information:

a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____
h) Distribution lines or canals:
1) size _____
2) type _____
3) length _____

- i) Outlet tubes:

1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet
2) diameter of pipe _____
3) make, model & number of sprinklers _____
4) spacing of sprinklers _____
5) nozzle size _____

- b) towline:

1) length _____ feet
2) make, model & number of sprinklers _____
3) spacing of sprinklers _____
4) nozzle size _____

5. System Type: c) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running _____
- 9) GPM _____

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES

NO

Check Items

NA _____

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.

X _____

2. Special Qualifications to permit being abided by.

Y _____

3. All Structures, wells and lands on map.

REMARKS:

South Dakota
Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501
Division of Water Rights
605 773-3352

No. 1748-2

December 21, 1984

Warren Water Company, Inc.
Box 2985
Rapid City, South Dakota 57709

Dear Sir:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 1748-2 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Maxine Stirling
Staff Assistant

NOTE: On form of payment, please include the number of the water permit. This insures proper handling of the fee.

DWNR-814 8/83

Department of Water
Natural Resources
523 East Capitol
Pierre, SD 57501

Dear Maxine Strick:

Enclosed please our check for
water right #1748-2 in compliance
with your letter of December 21, 1984.

Sincerely

Cheryl Trubson
Secretary, Treasurer



Permit No. 1748-2Upper Cheyenne Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Warren
Water Co. Inc. of Box 2785 Rapid City holder of
 Permit No. 1748-2, bearing the priority of August 27 19 80 authorizing
 the diversion of 0.03 cu. ft. per second of the waters of groundwater
 for suburban housing purposes, in Pennington County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

submersible pump

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

approx 540 ft. of 1 1/2" & 1400 ft. of 4"
buried PVC pipe

C. Works used to apply water to beneficial use:

distribution system for 14 residential lotsThe system is in the following condition GoodThe point of diversion is located in the NE 1/4 NW 1/4 Section 8-T1S-R7E
S 28° 26' 25" W / 1509.19 ft from the NW cornerThe works are capable of diverting and conveying to the place of use 0.03
 cu. ft. per second of water which is to be used for suburban housingWater has been put to beneficial use to the maximum extent as follows: currently 6
homes are hooked up to the systemcomprising a total of _____ acres of land and the license should be issued for 0.03 cfsApplicable permit qualifications have been complied with X Yes _____ NoExceptions to compliance are: _____ Date September 18, 1984Timothy H. Schaal
(signature)

State of South Dakota
Water License No. 1748-2

(1) Warren Water Company
of Box 2985, Rapid City, South Dakota 57709
made Application No. 1748-2, August 27, 1980 for a water permit to appropriate
0.03 cubic feet per second of water from groundwater (one well)
Pennington County, South Dakota for Suburban Housing purposes.
Permit No. 1748-2, with a priority date of August 27, 1980
was approved March 25, 1981 and issued to applicant(s) for diversion of water with construction of the described
water supply system ~~and~~ completed ~~on or before~~ and ~~for~~ the application to beneficial use of said
water ~~on or before~~ completed.

and

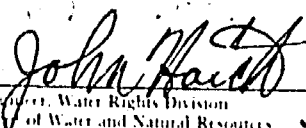
(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 0.03 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is S28°26'25"W 1509.19 feet from the N½
Corner of Section 8, T1S, R7E (BA)

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, water is diverted through the Water Company's distribution system

(4) Pursuant to §16-5-30.1 Warren Water Company, Inc.
of Box 2985, Rapid City, South Dakota 57709
the holder(s) and/or owner(s) of Water Permit No. 1748-2 is issued a license to appropriate water, the right to use 0.03 cubic feet per second of water from groundwater with a priority date of August 27, 1980 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of suburban housing

This license is subject to any limitations or qualifications listed in Water Permit No. 1748-2 and subject to South Dakota State Law.



Chief Engineer, Water Rights Division
Department of Water and Natural Resources **JOHN HATCH**
January 18, 1985

RECEIPT

Division of Water Rights

No 4 9879

South Dakota Department of Water and Natural Resources

Pierre, January 4, 1935

RECEIVED OF Warren Water Company, Keystone Route, Rapid City, SD 57701

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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. 1740-2	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer JOHN HATCHMAN

No. 1748-2

**South Dakota Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

January 21, 1985

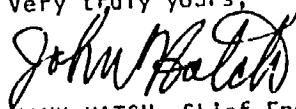
Warren Water Company, Inc.
Box 2985
Rapid City, South Dakota 57709

Dear Sir:

Enclosed herewith is, Water License No. 1748-2. This is the final water right document completing your process of obtaining a water right.

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.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

Enclosures

WNR-817 3/83
Transmittal of Water License

WATER RIGHTS MAP FOR WELL LOCATED IN: LOT 7 OF REUB SUBDIVISION LOCATED
IN THE W 1/2 OF NE 1/4 OF NW 1/4 AND IN THE NW 1/4 OF SE 1/4 OF NW 1/4 OF
SECTION 8 T1S, R7E, BHM, PENNINGTON COUNTY, SOUTH DAKOTA

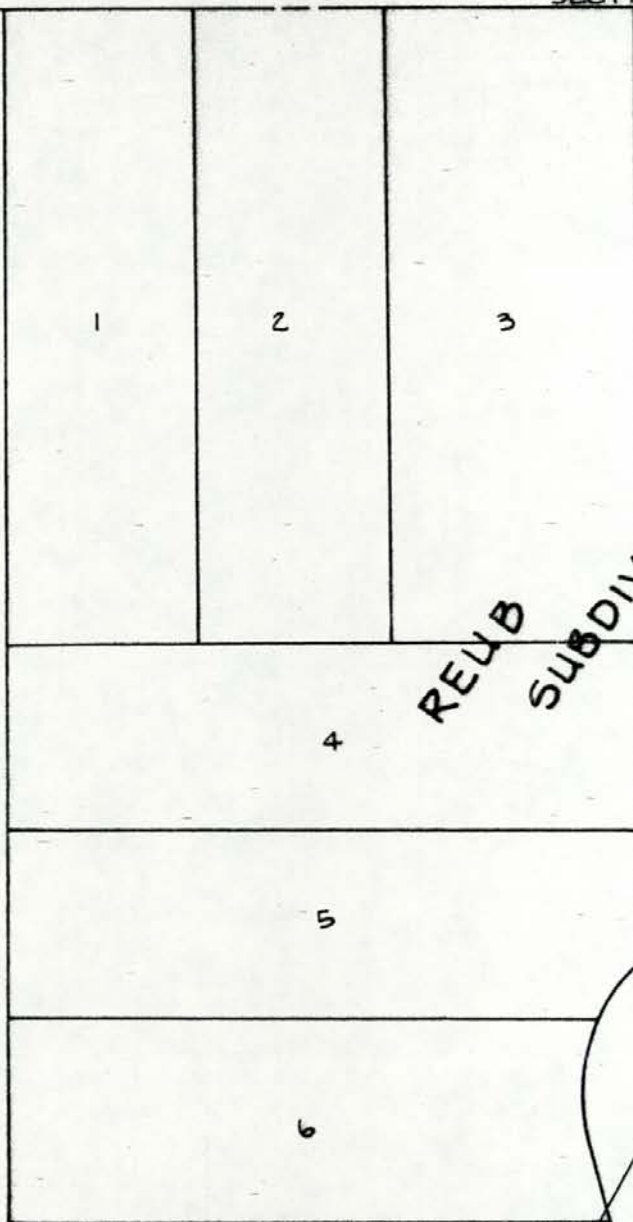


SCALE 1"=200'
AUG. 22, 1980

SECTION LINE 7

SEC. 5
SEC. 8

STONE
SEC. 1/4
CORNER
N 1/4 COR.
SEC. 8



REUB
SUBDIVISION

1505.19'

N 28° 26' 25" E

SEC. 1/4 LINE

CERTIFICATE OF SURVEYOR
State of South Dakota
County of Pennington

I, Ronald D. Davis, Registered Land Surveyor
No. 3095 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 responsi-
ble 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:

Ronald D. Davis

DATE: 8-22-80



FRANCIS-MEADOR-GELLHAUS, INC.
1823 West Main
Rapid City, S. D. 57701

PROJECT: JOHN MORRELL

NW 8 - 1S - 8E

BY T.C.B.
8/22/80

LOCATION

JOB NO.

4534.20

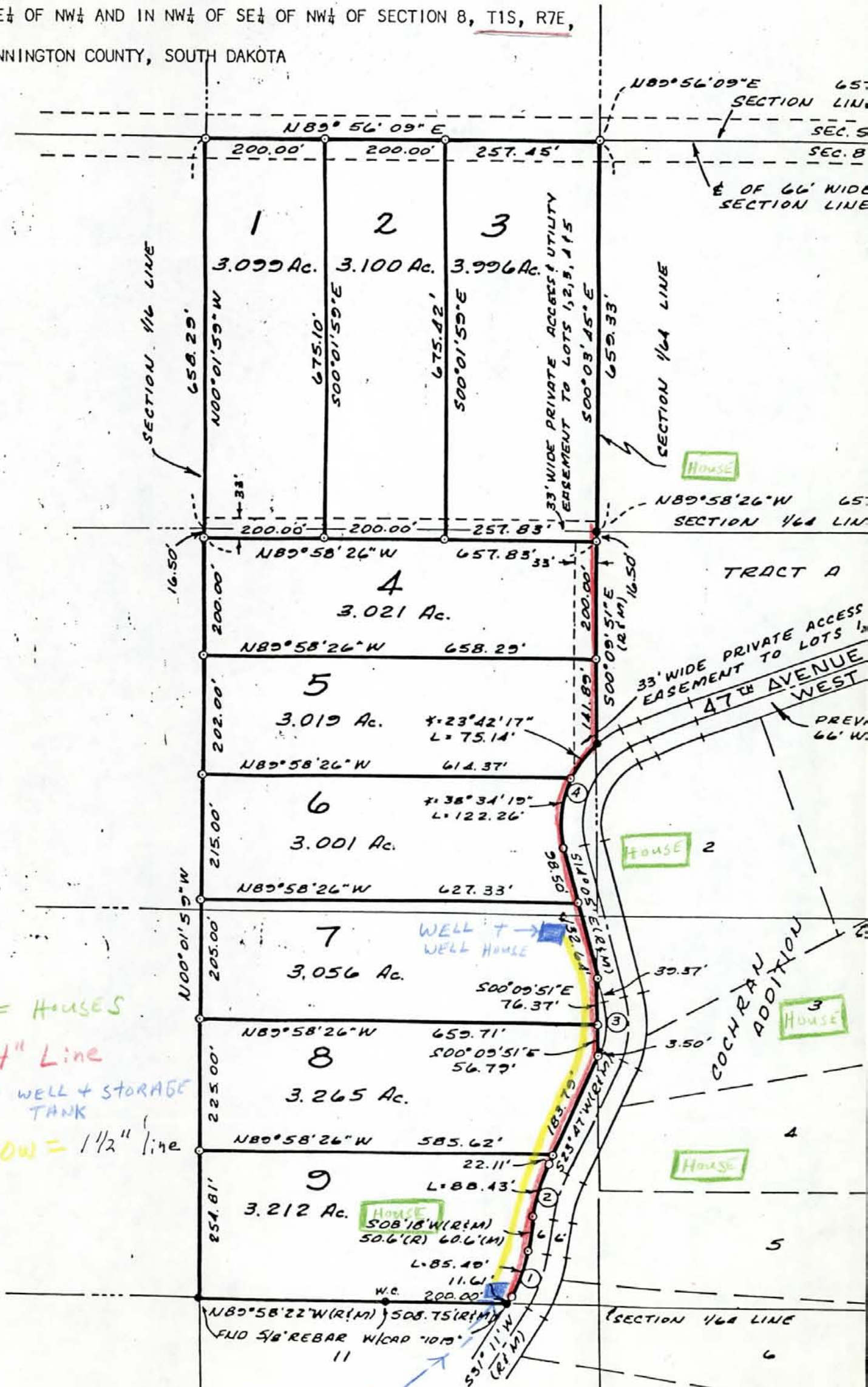
Map # 1504-2 Appl # 1748-2

PLAT OF REUB SUBDIVISION IN THE COUNTY OF PENNINGTON, INCLUDING:

LOTS 1 THRU 9 OF REUB SUBDIVISION

LOCATED IN

W $\frac{1}{2}$ of NE $\frac{1}{4}$ OF NW $\frac{1}{4}$ AND IN NW $\frac{1}{4}$ OF SE $\frac{1}{4}$ OF NW $\frac{1}{4}$ OF SECTION 8, T1S, R7E,
BHM, PENNINGTON COUNTY, SOUTH DAKOTA



GREEN = HOUSES
RED = 4" Line
BLUE = WELL + STORAGE TANK
YELLOW = 1 1/2" line



1748-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 18, 2008

Warren Water Co.
13736 47th Ave W
Rapid City SD 57702

Dear Sir:

I am writing in regard to a well driller's report filed by Dakota Bice. The report shows a new well was completed for Warren Water Co. on September 13, 2007 located in the NW ¼ NE ¼ Section 8-T1S-R7E.

A review of our files indicates that Warren Water Co. holds Water Right No. 1748-2 for 0.03 cubic feet per second or 13.5 gallons per minute (gpm) from one well, approximately 760 feet deep located in the NE ¼ NW ¼ Section 8-T1S-R7E.

Is this well a replacement well or an additional well which does not increase the total appropriation of 13.5 gpm? If the authorized diversion rate is to be increased, a new water permit will need to be obtained. Once we know this information we can determine what additional action, if any, needs to be taken to ensure the water rights accurately reflect the Company's water supply system.

Please contact Eric Gronlund or me regarding the status of this well or if you have any questions.

Sincerely,

Karen Schlaak

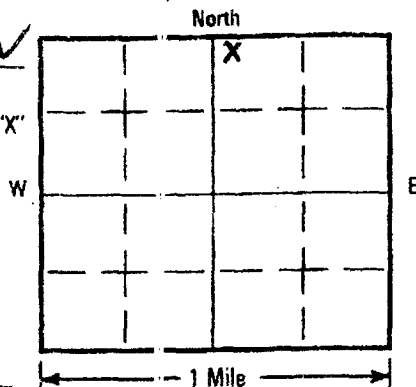
Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location NW 1/4 NE 1/4 Sec 8 Twp 1S Rg 7ECounty Pennington

Please mark well location with an "X"



Well-Completion Date

9/13/07

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 300 ft. from Septic (identify source).PROPOSED USE: Home Owners Association
☐ Domestic/Stock ☐ Municipal ☐ Business ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

AIR RotaryCASING DATA: ☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>17</u> LB/FT	<u>5.5</u> IN	<u>165</u> FT	<u>845</u> FT	<u>7 7/8</u> IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Portland</u>	<u>150</u>	<u>14</u> lb./gal	<u>845</u> ft	<u>0</u> ft

Describe grouting procedure PRESSURE grouted through casingSCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____
Slot Size _____ Set From _____ Feet to _____ Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

☒ YES, how: Chlorine

Laboratory sent to for water quality analysis _____

Well Owner: WARREN WATER CO.

Business Name: _____

Address: 13736 47th AVE W.
Rapid City SD 57702

WELL LOG:

DEPTH

FORMATION	FROM	TO
Multicolored limestone	0	40
Purple gray limestone	40	140
yellow to orange limestone	140	200
Purple gray limestone	200	245
orange limestone/shale	245	280
Madison limestone	280	585
DEADWOOD	585	920

STATIC WATER LEVEL 594 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? _____

WELL TEST DATA:

☐ PumpedDescribe: AIR Developed☐ Bailed☒ Other _____

Pumping Level Below Land Surface

920 ft. After 2 Hrs. pumped 35 GPM740 ft. After 2 Hrs. pumped 15 GPM

If pump installed, pump rate _____ GPM

REMARKS

RECEIVED

JAN - 9 2008

WATER RIGHTS
PROJECTThis well was drilled under license # 705

And this report is true and accurate.

Drilling firm Dakota Bore

Signature of License Representative:

Frank Conway

Signature of Well Owner or Equitable Property Holder

Date: _____

Water Rights Program - File Documentation

NAME: Wayne Bunge, Warren Water Co.

ADDRESS: Rapid City SD

DATE: 1-31-08 **COUNTY:** PE **TELEPHONE:**

RE: Well Completion Report

COMMENTS:

Wayne Bunge with Warren Water Co called regarding my letter January 18th letter. Wayne stated this well was to be a backup supply for their existing permit. Because of problems with the water quality they may not be able to use the well at all.

Wayne stated he had been in the office and talked with Eric and Jim about the well situation.



Karen Schlaak
Environmental Scientist