

Considered: _____

WATER PERMIT NO. 2053-2

HAP No. same 341-6639

Name of Applicant Spring Canyon Water Company

Post Office Address 5703 Pioneer Circle, Rapid City SD 57702

Amount of Water Claimed 35gpm (0.08 cfs) Total Acres _____

Source of Water Supply ground water 2 wells

Water to be used for suburban housing development County Pennington

About 5 miles S of Rapid City

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received Oct. 20, 1986 Fee \$50⁰⁰ Remarks _____

2/18/88

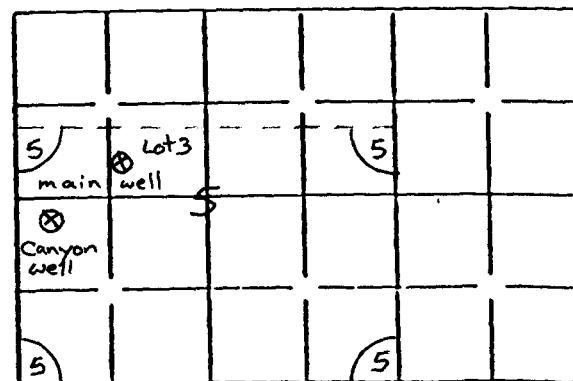
Corrected Application Received Feb. 18, 1988 Period of Annual Use Jan 1 - Dec 31

WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point canyon well: NW 1/4 SW 1/4; main well:
government Lot 3; both in section 5-T1S-R7E

Land to be Irrigated NA



Well Log: Driller _____ unavailable _____ Licensed YES _____ NO _____

Depth of Well 40 & 420 feet REMARKS well info on the Form 2's is

supplied by Downen Drilling

Type of Map plat PREPARED BY Francis-Meador-Gellhaus + Dean Draxton Reviewed and the Number

assigned on February 23, 1988 By Ron Duval

No. 2053-2 Hydrologic Unit 10/20/09
 Map No. same Basin Upper Cheyenne R
 Newspaper Rapid City Journal, Po Box 450, 57701

DWNR, Foss Bldg.
 Pierre, SD 57501
 (605) 773-3352

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use of water: Industrial ☐ Commercial ☐ Municipal ☐ Other Common Distribution System ☐
 Rural Water System ☐ Suburban Housing ☒ Geothermal Heat ☐ Institutional ☐ Recreational ☐
 Domestic ☐ (above 18gpm) Other ☐

Type of Application: Check one or more of the following

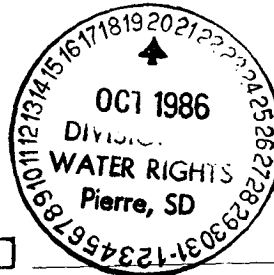
New ☒ Vested Right ☐ Future Use ☐ Change Use ☐

☐ Amend Permit No. _____ with old priority date retained

Change diversion point(s) ☐ Add diversion point(s) ☐ Other ☐

☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____

☐ Construction to use water reserved by Future Use Permit No. _____



1. Name of Applicant Spring Canyon Water Company Phone No. 341-6639

Post Office Address 5703 Pioneer Circle, Rapid City State SD Zip Code 57702
 (Street, RR or Box)

2. Amount of water claimed (c.f.s.) 35 GPM (.08 CFS) (23 GPM Main/12 GPM Canyon)

3. Source of water supply Ground Water 2 Wells

4. Location of point of diversion Main well is in Government Lot 3 of Section 5, T1S, R7E, BHM and is located 1560 feet N 72° 20' E of the west quarter corner of said Section 5.
Canyon well is in the NW 1/4 of the SW 1/4 of Section 5, T1S, R7E, BHM and is located 620 feet S 56° 00' E of the West Quarter Corner of said Section 5. County Pennington

5. Counties where water will be used Pennington

6. Annual period during which water is to be used Year Round January 1 - December 31

7. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Two wells with (2) 15,000 gallon holding tanks (1 15000 gallon future)
Serving 26 existing homes and approximately 6 future homes.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA)
 County of Pennington)^{ss}

I, Dean E. Draxton Member the applicant, certify that I have read the foregoing application, 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 O. C. Craft

Subscribed and sworn to before me this 17th day of February 1988

Mary Jane Olson
 Notary Public (or other qualified officer)

**SOUTH DAKOTA
WATER PERMIT**

Date of first receipt of application October 20, 1986

Date of return to applicant for correction, amendments or changes required October 20, 1986

Date of receipt of corrected application February 18, 1988

The Water Management Board approved Water Permit Application No. 2053-2

on May 11, 1988 for Spring Canyon Water Company
5703 Pioneer Circle Rapid City SD 57702
(Street, RR or Box) (City) (State) (Zip Code)

authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2053-2 appropriates 0.08 cubic feet of water per second
from 2 wells (Madison Limestone) 40 feet and 420 feet deep,
respectively. The 40 feet deep well is located in the NW 1/4 SW 1/4 and the 420
feet deep well is located in Government Lot 3; both in section 5-T1S-R7E.
2. The water appropriated shall be used for the purpose of supplying the Spring Canyon
Water Company
and may not exceed the amount of water needed for beneficial use for suburban housing development.
3. The water is to be used during the following described annual period: Jan 1 - Dec 31
4. The date from which applicant may claim the right is February 18, 1988
5. ~~One-fifth of the construction is to be completed on or before~~
6. All construction is ~~to be completed on or before~~
7. Water is ~~to be put to beneficial use on or before~~
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

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

WATER MANAGEMENT BOARD

By: 
Chief Engineer

Division of Water Rights
Dept. of Water and Natural Resources

DEC 1 1988

*Applicable
for no
cost*

December 12, 1983

Re: 5.4 Spring Canyon Estates, Rapid City

Mr. William Colson
5703 Pioneer Circle
Rapid City, South Dakota 57701

Dear Mr. Colson:

Attached is a report entitled, "Routine Sanitary Survey of Spring Canyon Estates". This report has been prepared on the basis of a routine sanitary survey by the Department of Water and Natural Resources and is submitted for correction of the unsanitary features noted. Hopefully, these recommendations will be complied with at your earliest convenience. Please acknowledge receipt of this report together with action contemplated on the recommendations included in the report within 30 days.

You or your representative are invited to attend meetings and training short courses sponsored in part by the South Dakota Municipal League and the South Dakota Water and Wastewater Association. If you have any questions concerning dates and locations of training courses, contact Mr. George Vansco at 773-4219 or write Suite 222, Joe Foss Building, Pierre, South Dakota 57501 at your convenience.

The State Office of Drinking Water is now administering the Public Water System Supervision program in South Dakota. This program was previously supervised by the Environmental Protection Agency in Denver. All water supply matters such as reporting laboratory analysis results, public notification for violations, and technical assistance will be handled through our Office in Pierre and the three State regional offices.

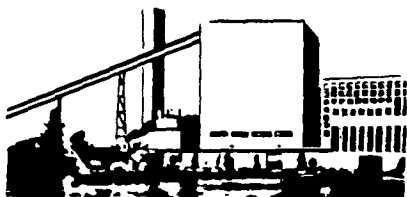
Copies of State drinking water regulations may be obtained from this office.

Sincerely,

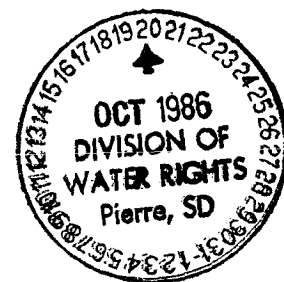
Mark E. Stelchen
Office Administrator
Office of Drinking Water
Phone: (605) 773-3754

cc: Gary Stephenson, BIR0

S433.dv



DRAXTON SALES, INC.



October 14, 1986

Mr. Robert Duvall
Water Right Division
DWNR, Foss Bldg.
Pierre, SD 57501

RE: Spring Canyon Water Company

Dear Ron,

As per our discussions of October 14, 1986, I enclose the water permit application for our neighborhood. This system has been in existence for over 15 years, and no water permit was previously obtained. Therefore, we also enclose the \$150.00 filing fee.

You advised that the enclosed section map with the Francis-Meador-Gellhaus title block and my signature would be sufficient to satisfy your instruction in Number 2, which required signed maps.

As I advised, we have been unable to obtain a drilling log due to the age of the system. However, we have included applicable well data as known by our current well service group, Downen Pump Co.

The "canyon" well is quite different in character from the "main" well because it is drilled down in the flood plain of Spring Creek, which flows from Sheridan Lake.

If you have any questions or comments, please contact me at 605-341-2552.

Sincerely,

Dean E Draxton

DED/nh

enc.

WATER RIGHTS DIVISION
(605) 773-3352

October 20, 1986

Dean Draxton
Spring Canyon Water Company
5703 Pioneer Circle
Rapid City, South Dakota 57702

Dear Mr. Draxton:

This letter is in response to the Spring Canyon Water Company permit application received on October 20, 1986.

Enclosed is your check for \$150.00. I made an error regarding the amount of the application fee. The application fee for 35 gpm is \$50.00 not \$150.00. Please send a check for \$50.00 to cover the application fee.

I also need further information regarding the wells and the legal descriptions of the wells. The wells on the enclosed map are designated as well No. 1 and No. 2 and as the main well and canyon well on the application. Specify which well is the main well and canyon well by labeling well No. 1 and No. 2 on the application. The location of the points of diversion also needs to be clear on the enclosed applications (Question No. 4). Please list the legal descriptions for well No. 1 and No. 2 individually and label which description is for which well. Contact us if you have any questions regarding this letter.

Sincerely,

Ron Duvall
Natural Resources Engineer

RD:ms
Enc.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, February 18, 19 88

Spring Canyon Water Co.

RECEIVED OF Dean E. Draxton, PO Box 8047 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 _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
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

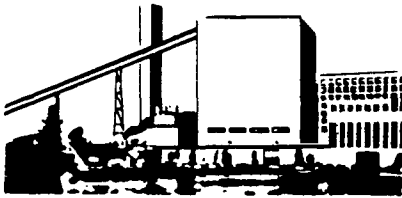
By

John Hatch

Chief Engineer

JOHN HATCH

(MS)



DRAXTON SALES, INC.



February 17, 1988

Mr. Ron Duvall
Water Rights Division
DWNR, Foss Bldg.
Pierre, SD 57501

RE: Spring Canyon Water Company

Dear Ron,

As per our discussions of February 17, 1988, I enclose the water permit application for our neighborhood. This system has been in existence for over 16 years, and no water permit was previously obtained. Therefore, we enclose the \$50.00 filing fee.

As per your request, we obtained more accurate well location information from Mr. Francis of Francis, Meador, Gellhaus, and I signed the attached map below their title block.

We obtained the well information from the Downen Well Company who service our system.

If you have any questions, please call me at 605-341-2552.

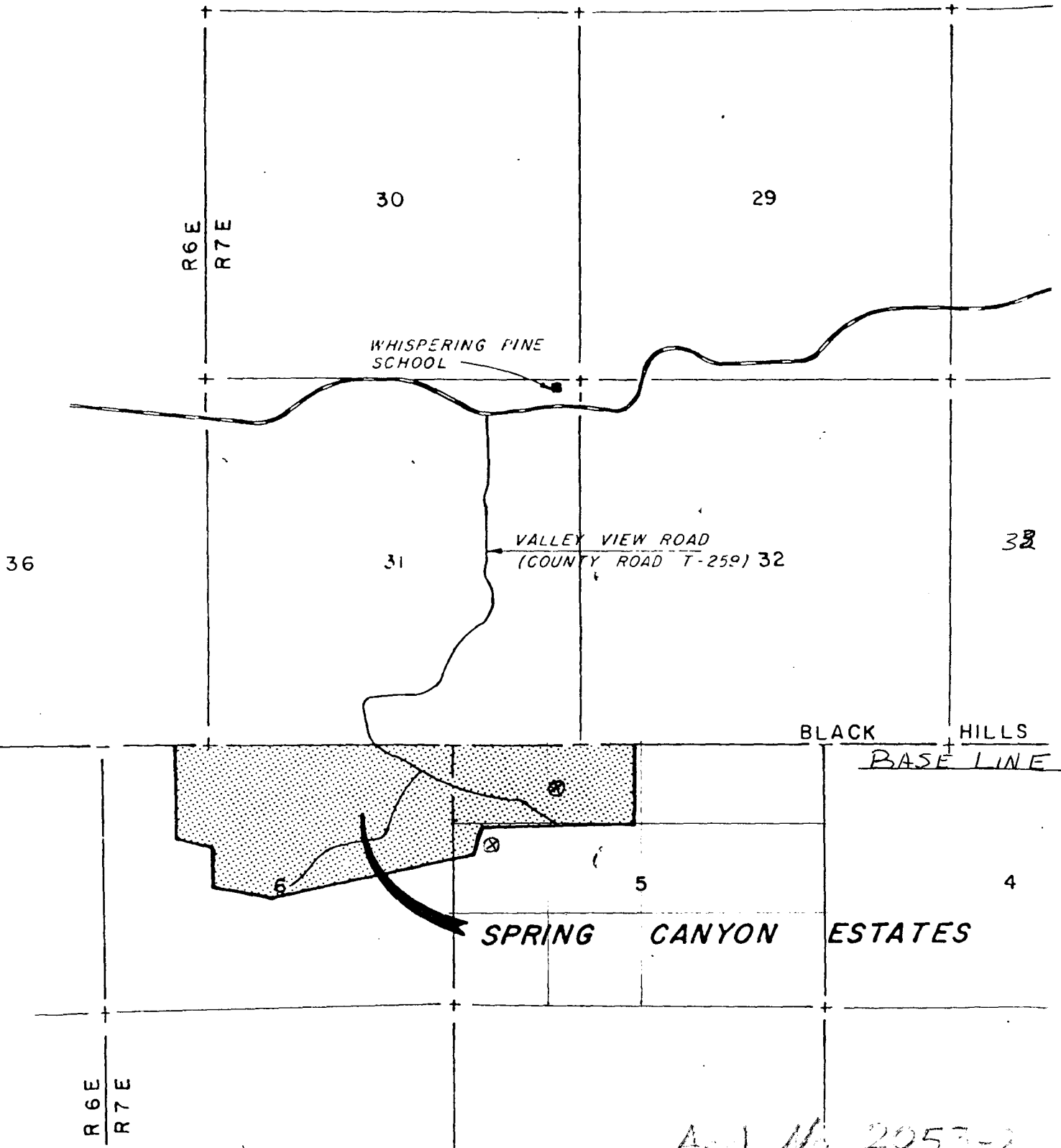
Sincerely,

Dean E. Draxton

DED/nh

enc.

Dea L. O. Oult Oct 14, 1986
Denn E. Draxton
Spring Canyon Water Co.



Appl No 2053-2

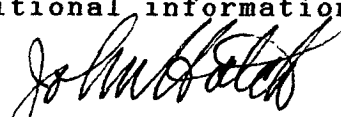
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2053-2, Spring Canyon Water Company

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 2053-2, Spring Canyon Water Company, 5703 Pioneer Circle, Rapid City SD.

The Chief Engineer is recommending APPROVAL of Application No. 2053-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualification:

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

See the attached report for additional information.


JOHN HATCH, Chief Engineer
March 21, 1988

REPORT ON PERMIT APPLICATION NO. 2053-2
SPRING CANYON WATER COMPANY
March 18, 1988

Permit application No. 2053-2 proposes to appropriate 0.08 cubic feet of water per second from 2 wells, 40 feet and 420 feet deep respectively. The well 40 feet deep is located in the NW SW and the well 420 feet deep is located in government lot 3; both in Sec. 5, T1S-R7E. Water is used to supply a suburban housing development.

Aquifer: Madison Limestone

Geology and Aquifer Characteristics:

Well logs are not available for either of the applicant's wells, however, a comparison of the reported well depths and static water levels with other domestic wells in the area (Division of Water Rights, 1988), a Division of Water Right's observation well located approximately 2 miles east of the applicant's wells (Division of Water Rights, 1988), and a review of the area geology (Darton, 1925), suggest the wells are completed into the Madison Limestone.

The Madison (Pahasapa) Limestone is a fine to medium crystalline, cavernous limestone and dolomite as much as 750 feet thick, underlying approximately 1,489,920 acres of Pennington County (Allen, 1984). The importance of the Madison as an aquifer is largely due to well developed zones of secondary porosity and permeability formed by weathering of exposed surfaces, and ground water solution. Investigators of the Madison Limestone generally all agree the Madison is an excellent aquifer near the outcrop. The Madison aquifer is under water-table conditions in this area. Well yields from the Madison aquifer may range from 22 to more than 500 gallons/minute. The Madison Limestone contains an estimated 29,352,000 acre-feet of recoverable water in storage in Pennington County (Allen, 1984). The average porosity of the Madison is estimated to be 11%, and the effective porosity from which recoverable water can be obtained by wells is assumed to be 5% (Rahn, 1979). There is no aquifer test data available for the Madison aquifer in this area, therefore, the aquifer transmissivity and storage coefficient are unknown. Estimates from regional studies of the aquifer indicate the aquifer transmissivity may range from 86 to 25,000 ft²/d, and the storage coefficient may range from 1 E⁻⁴ to 1 E⁻⁶ (Peter, 1985). The Madison is recharged through infiltration of precipitation falling directly on the outcrop, and streamflow on the outcrop. In a report prepared for the U.S. Bureau of Land Management by Woodward-Clyde Consultants, estimates of average annual recharge range from 400,000 acre-feet per year to 140,000 acre-feet per year.

The Division of Water Rights monitors an observation well completed into the Madison, located approximately 2 miles east of this well site. Measurements indicate the potentiometric surface of the aquifer fluctuates seasonally in response to recharge, with the highest water level occurring in late spring-early summer, and the lowest water level occurring in late winter-early spring (hydrograph included).

This suburban housing development has been using water from these wells for over 16 years and there has been no reported controversy. The housing development utilizes individual septic tanks for disposal of effluent. The housing development is located on the outcrop (recharge area) for the Madison aquifer and the Minnelusa aquifer.

Review of Existing Water Rights

The Division of Water Rights has record of 22 domestic wells within approximately 3 miles of this permit. Seven of the domestic wells are completed into the Madison aquifer, and the nearest of these is approximately 3/4 of a mile south of this permit. There are 13 existing Water Permits or Licenses within approximately 3 miles of this permit which are supplied by groundwater. They are:

Permit	Owner	Aquifer	cfs	Use
1147-2	Calvin Knock	Minnelusa	0.8	SHD
1450-2	Bear Country USA, Inc.	Deadwood	0.2	COM
1628-2	Copper Oaks Water Assn	Madison	0.08	SHD
1726-2	Colonial Village Water Co	Deadwood & Madison	0.5	SHD
1749-2	Builder's Development Group, Inc.	Deadwood	0.3	SHD
1819-2	Strato-Rim Estates, Inc.	Deadwood	0.5	SHD
1871-2	Vista Hills Water Assn	Minnelusa	0.09	SHD
1883-2	Reptile Gardens	Minnelusa	0.07	COM
1913-2	Happy Holiday Campground	Minnelusa	0.1	COM
1925-2	Ponderosa Park Develop.	Madison or Deadwood	0.1	SHD
1939-2	Motel Valley	Minnekahta	0.08	COM
1984-2	Black Hills Natural Spring Water, Inc.	Springs	0.1	COM
2006-2	Flying T Chuckwagon Suppers	Alluvium	0.055	COM

The nearest permit which appropriates water from the Madison aquifer is Permit No. 1628-2. It is approximately 1/2 mile from this permit. Permit Nos. 1726-2 and 1925-2 also appropriate water from the Madison aquifer they are located 1 mile and 1 1/2 miles respectively, from this permit.

Conclusions:

1. Permit application No. 2053-2 proposes to appropriate 0.08 cfs from two wells completed into the Madison Aquifer.

2. The wells that are to be used to supply water for this permit have been in use for over 16 years without any reported controversy.
3. The Madison aquifer is a viable aquifer under water-table conditions in this area, and unappropriated water is available.
4. There are several domestic wells and existing water rights which are supplied by the Madison aquifer in this area. The diversion rates of the existing permits are relatively small and well interference should not be a problem.
5. Effluent is disposed of through individual septic tanks. The septic tanks discharge onto the outcrop and recharge area of the Madison aquifer and the Minnelusa aquifer.

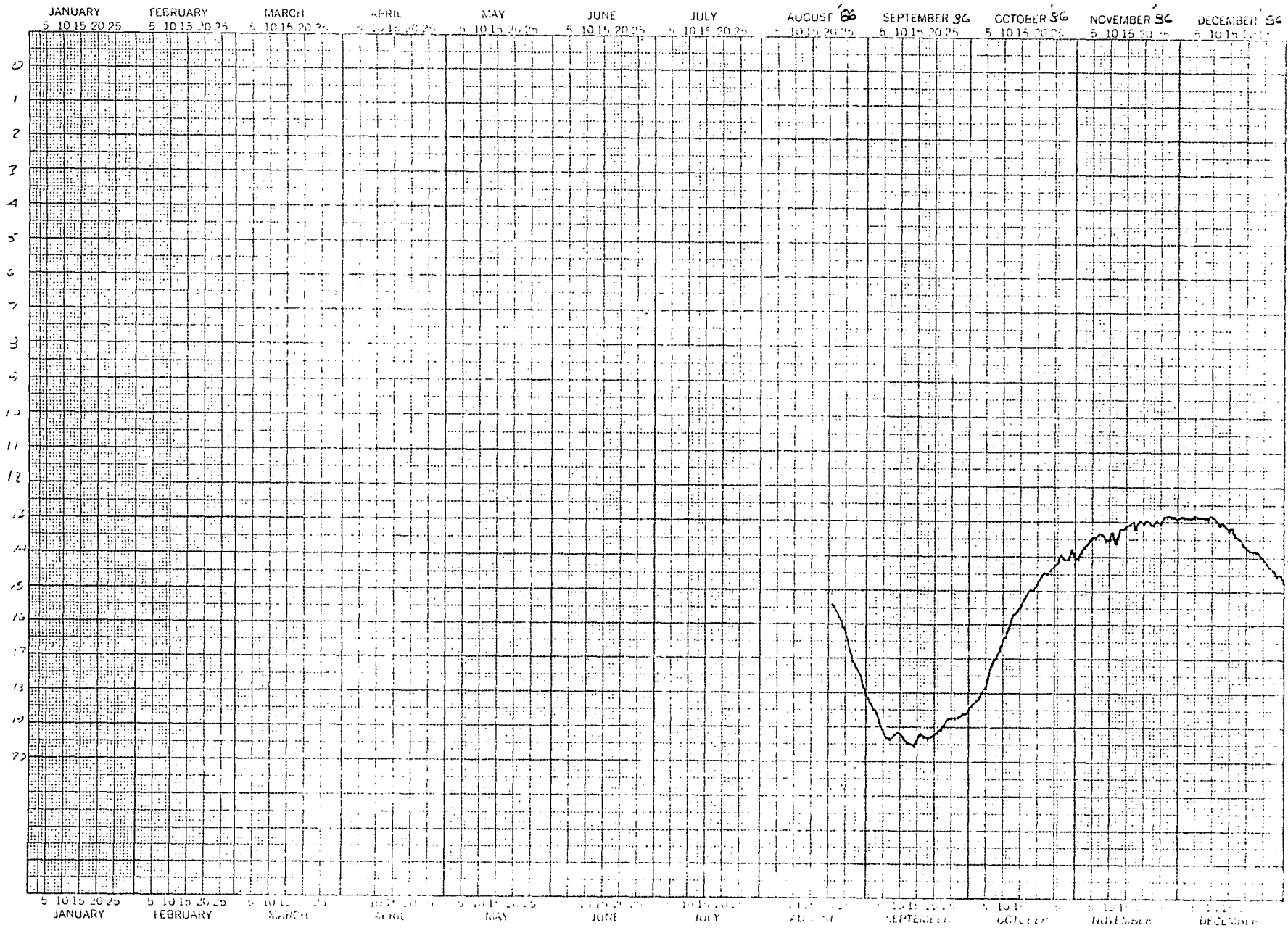


Kent Buhler
Natural Resources Engineer

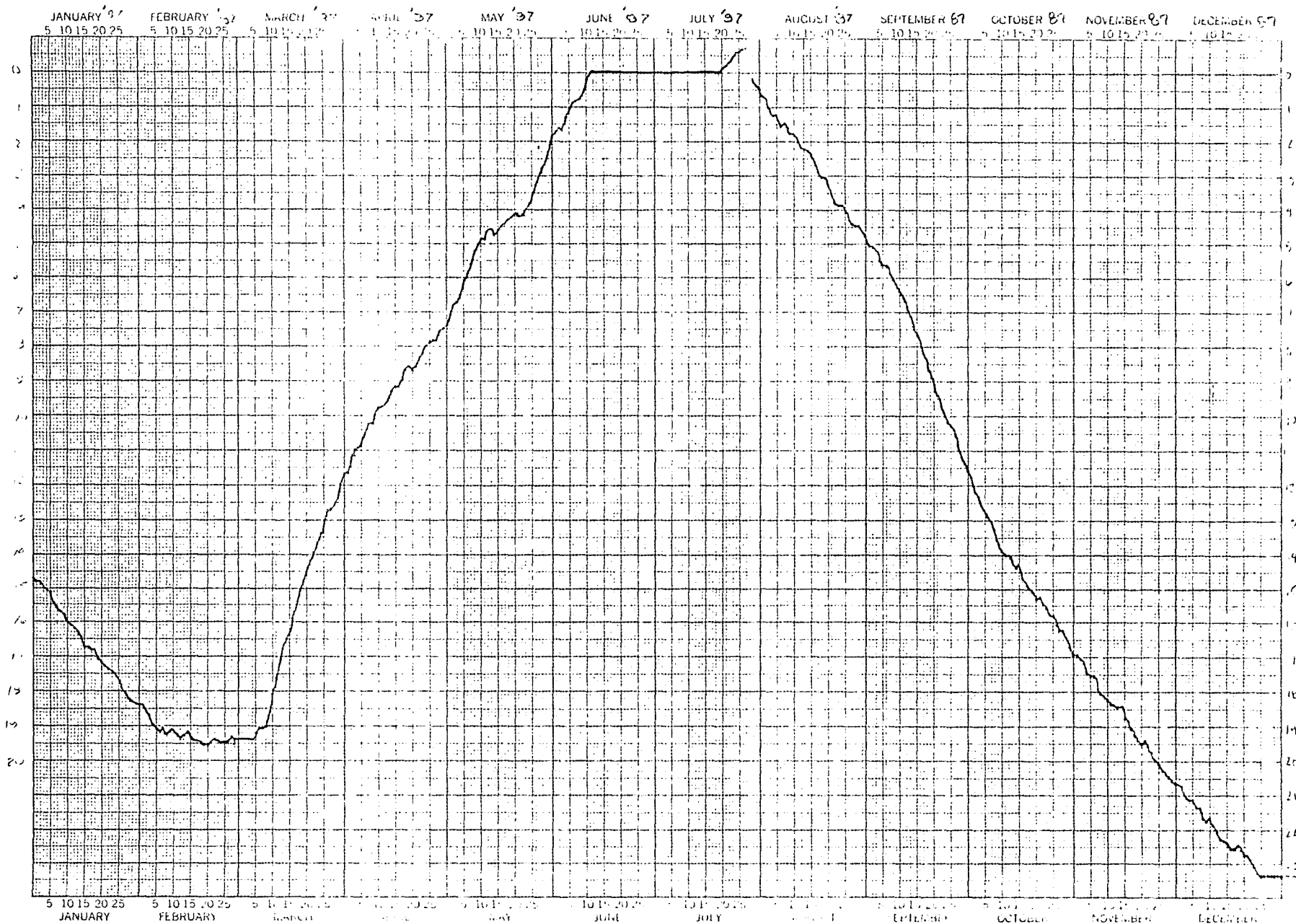
References:

- Allen, J.C., D. Iles, A. Petres, 1984, Analysis of Groundwater and Streamflow Data, Western Dakotas Region of South Dakota, Task 3 & 4: Groundwater Resource Inventory, US. Army Corps of Engineers Contract DAWC 45-82-C-0151, SD DWRN- Division of Geological Survey, Vermillion, SD
- Darton, N.H., S. Paige, 1925, Geologic Atlas of the United States, Central Black Hills Folio, South Dakota; USGS, Folio No. 219
- Division of Water Rights, 1988, "Domestic Well Log Files, Observation Well Files, and Water Permit Files", DWRN-Division of Water Rights, Joe Foss Building, Pierre SD
- Peter, K.D., 1985, Availability and Quality of Water From Bedrock Aquifers in the Rapid City Area, South Dakota; U.S. Geological Survey, Water Resources Investigations Report 85-4022
- Rahn, P.H., 1979, Ground Water Resources of Western South Dakota, U.S. Army Corps of Engineers, SDSM&T, Rapid City SD
- Woodward-Clyde Consultants, 1981, Well-Field Hydrology, Bureau of Land Management, Final Technical Report

PE-86A



PE-86A





Department of Water & Natural Resources

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

March 24, 1988

Rapid City Journal
PO Box 450
Rapid City, South Dakota 57701

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 2053-2 to be published twice. Please publish the first notice on or before March 31, 1988 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Spring Canyon Water Company, 5703 Pioneer Circle, Rapid City, SD 57702.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE
No. _____

TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

SOUTH Dakota Department of
Water & Natural Resources

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

Water Rights Division
(605) 773-3352

March 24, 1988

NOTE:

TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT THE
NEWSPAPER RIGHT AWAY.

Spring Canyon Water Company
5703 Pioneer Circle
Rapid City, South Dakota 57702

Dear Sir:

Your Application No. 2053-2 for a permit to appropriate water for

suburban housing use, has been examined and found to
comply with the South Dakota Water Laws and applicable rules. A notice of
your intent to appropriate water has been sent to the Publisher of the

Rapid City Journal printed at Rapid City

South Dakota. For your information, a copy of this notice, the recommendation
of the Chief Engineer and a report on the application are enclosed. Please
review this notice prior to publication and notify this office, if you have
any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION
OF YOUR NOTICE OF INTENT TO APPROPRIATE WATER AND TO ARRANGE FOR PAYMENT.
Early contact with the paper can eliminate delays. The publisher has been
instructed to publish your notice once each week for two consecutive weeks
with the last publication to occur at least twenty days before the board
meeting. We must receive Proof of Publication before the application can be
considered by the Water Management Board.

Sincerely,



RON DUVALL
Natural Resources Engineer

enclosures

Instruction to Newspaper - Publish first publication of the following Notice on or before March 31, 1988 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2053-2 to Appropriate Water
and/or to Amend Water Permit or Water Right No. _____

Notice is hereby given that Spring Canyon Water Company whose mailing address is
5703 Pioneer Circle, Rapid City, South Dakota has made an application for a permit

to appropriate 0.08 cubic feet of water per second from 2 wells (Madison Limestone) 40 feet and 420 feet deep respectively. The 40 feet deep wells is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the 420 feet deep well is located in government Lot 3; both in Section 5-T1S-R7E. Water is used to supply a suburban housing development.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends

APPROVAL of Application No. 2053-2 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, South Dakota, May 11 19 88 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny 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 April 29, 1988. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons 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; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2 46-5-30.4, 46-5-31; (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 April 29, 1988.

STATE OF SOUTH DAKOTA)
) ss.
County _____)

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 (605 773-3332) 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 April 29, 1988.



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

DEC 1 1988

Dean Draxton
Spring Canyon Water Company
5703 Pioneer Circle
Rapid City, South Dakota 57702

Dear Mr. Draxton:

Enclosed is your Water Permit No. 2053-2 as approved by the Water Management Board authorizing the water diversion system and apply the water to beneficial use, not exceeding the limits as specified in the Water Permit.

We will schedule an inspection so that the Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

A handwritten signature in black ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 1, 2001

2053-2 & 2305-2

Spring Canyon Water Company
Bob Powles, Operator
PO Box 862
Rapid City SD 57709

Dear Mr. Powles:

On October 9, 2001 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit Nos. 2053-2 (Madison Formation well) and 2305-2 (Deadwood Formation well), was completed by Ken Buhler, a staff engineer with our program. The final water right documents, the water licenses, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of each water license. Upon receipt of the \$100.00 fee from you, we will complete processing the water licenses. The check or money order for the fee should be made payable to the "Water Rights Program".

The licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
Water Rights Program
(605) 773-3352

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NO 417021

Pierre, December 14, 2001

RECEIVED OF Spring Canyon Water Co., PO Box 862, Rapid City, SD 57709
the following amount in fees for services rendered as provided for by law:

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

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. 2053-2 _____

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By


Chief Engineer

October 30, 2001

South Dakota DENR
Attn: Ken Buhler
Fax: 773-4068

SPRING CANYON
Well #1 KB 10/30/01

SPRING CANYON		#2	7-8-75
400' FNL	1650' FWL	5	- 7E - 1.5
Total Depth 5400'			
0-5	clay brown		
5-10	brown sandstone		
10-12	limestone		
12-15	brown sandstone		
15-16	limestone		
16-18	sandstone brown		
18-21	limestone		
21-24	limestone w/some shale		
24-26	purple shale		
26-27	limestone		
27-40	light sandstone w/limestone layers		
40-70	yellow limestone fairly soft w/hard probably chert		
70-75	yellow sandstone		
75-113	limestone yellow w/some clay layers		
113-122	red siltstone w/harder limestone layers		
		OVER	

122-129 white limestone
129-172 purple siltstone w/fractured limestone layers
172-175 red shale
175-179 limestone, red
179-182 shale
182-210 red siltstone and some limestone
210-217 limestone fractured
217-260 softer yellow limestone w/hard fractured layers
235-260 quite fractured
VOIL. at 270' (1') lost air
260-460 hard limestone some cracks
370-381 broken area
401-422 broken area some water

This is all the information I could find. I recall setting intermediate casing to something over 200 ft. I am sure that we have 5 1/2" casing in the bottom.

Sincerely yours,

Randy Taylor

Permit Nos. 2053-2, 2053A-2 & 2305-2
Upper Cheyenne River - Water District

Other permit/license(s) associated with project: 2053-2, 2053A-2, 2305-2

Contact Person & Address: Bob Powles, HC 80, Box 483, Piedmont, SD 57769, (system operator)

Report Of Examination Of Works

On, October 9, 2001, I made a thorough examination of the water use system constructed by Spring Canyon Water Company of PO Box 862, Rapid City, SD 57709 holder of Permit Nos. 2053-2, 2053A-2 and 2305-2, bearing the priorities of February 18, 1988, and February 25, 1994 authorizing the diversion of 0.08 cu. ft. per second and 0.044 cu. ft. per second respectively of the waters of groundwater for suburban housing development purposes, in Pennington County.

The system is in the following condition good. The points of diversion are located #1: 470 feet south and 1720 feet east of the north east corner of Sec. 5, T1S-R7E (longitude of -103.312791, latitude of 43.993632); #2: 360 feet south and 2000 feet east of the north east corner of Sec. 5, T1S-R7E (longitude of -103.311707, latitude of 43.993911). The works are capable of diverting and conveying to the place of use 0.05 cu. ft. per second of water from well #1 (Madison aquifer); and 0.044 cu. ft. per second of water from well #2 (Deadwood aquifer) which is to be used for suburban housing development purposes. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.05 cfs from the Madison aquifer and 0.044 cfs from the Deadwood aquifer.

Review of Permit Qualifications And Regulations:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period na
- 4) Exceptions to compliance are: none

Report On the Specifics of the System

Diversion Point #1 Information:

- | | |
|--------------------------------------|-------------------------------------|
| 1) Well Drilling Firm: <u>Taylor</u> | 2) No. of Wells <u>one</u> |
| 3) Depth(s) <u>460</u> feet | 4) Well log is available <u>yes</u> |

Casing:

- | | |
|---------------------------------------|--|
| 1) Diameter <u>7 & 5 ½</u> inches | 2) Length <u>200</u> feet of <u>7"</u> , <u>unknown amount of 5 ½"</u> |
| 3) Type <u>steel</u> | |

Screen:

- | | |
|-------------------------------------|-------------------------------|
| 1) Type <u>open hole completion</u> | 2) Length <u>unknown</u> feet |
|-------------------------------------|-------------------------------|

3) Static water level ≅200 feet

Pump\ Motor:

1) Pump Make Grundfos

2) Pump Model 25S50-26

3) Capacity 25 GPM

4) Motor Make Franklin Electric

5) Horsepower rating 5 hp

Diversion Point #2 Information:

1) Well Drilling Firm: Dennis V. Johnson & Cimarron

2) No. of Wells one

3) Depth(s) 740 feet

4) Well log is available yes

Casing:

1) Diameter 7 inches

2) Length 440 feet

3) Type steel

Screen:

1) Type open hole completion

2) Length 300 feet

3) Static water level 200 feet

Pump\ Motor:

1) Pump Make Grundfos

2) Pump Model 25S50-26

3) Capacity 20 GPM

4) Motor Make Franklin Electric

5) Horsepower rating 5 hp

Distribution System:

Main Lines 1) Type Asbestos Cement 2) Size 4 inches 3) Length 3100 feet

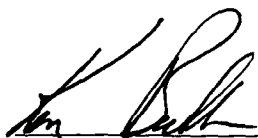
#2 well to #1 well 1) Type PVC 2) Size 2 inches 3) Length 300 feet

#1 well to reservoir 1) Type PVC 2) Size 6 inches 3) Length 2250 feet

Service connections 1) Type Polyethylene 2) Size 1 inch

COMMENTS: The Spring Canyon Water Co. services 30 houses with the two wells. The No. 1 well, the main well, produces 25 gallons per minute. The No. 2 well, capable of producing 20 gpm is a standby well used infrequently. Water is pumped into the distribution system just downstream of the pumphouse located by well No. 1 through the 6-inch PVC and 4-inch AC mainlines. A single line delivers water from the wells to the reservoir and from the reservoir to the houses on the system. The mainlines lead to a reservoir consisting of three 5000

gallon concrete tanks located 890 feet south and 1880 feet east of the NW corner of Sec. 6, T1S-R7E. Water is chlorinated at the pumphouse located by well No. 1.



Ken Buhler

Natural Resources Engineering Specialist
DENR, Water Rights Program

10/30/01
Date

Water Right Map
2053-2, 2053A-2
& 2305-2

LINE

Well #1

Well #2

Sec. 5, T1S-R7E

0 1000 2000 Feet

Ken Buhler
Natural Resources Engineering Specialist
DENR-Water Rights Program

South Dakota
GIS

South Dakota
Water Rights


Ken Buhler
Natural Resources Engineering Specialist
DENR-Water Rights Program



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2053-2

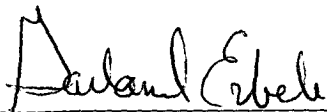
(1) Spring Canyon Water Company, PO Box 862, Rapid City SD 57709 made Application No. 2053-2, October 20, 1986 for a water permit to divert 0.08 cubic feet of water per second from groundwater (two wells-Madison Formation), Pennington County, South Dakota for suburban housing development purposes. Permit No. 2053-2, with a priority date of February 18, 1988 was approved May 11, 1988 and issued to the applicant for diversion of water with construction of the described water supply system and the application to beneficial use of said water completed.

Water Permit No. 2053A-2 authorized a change in location for one of the wells authorized by No. 2053-2. This well was drilled into different water source (Deadwood Formation). Water Permit No. 2305-2 was issued for the deeper well. The applicable portions of No. 2053A-2 are incorporated into No. 2053-2. Nos. 2053-2 and 2305-2 will not be incorporated because they authorize use of water from different sources.

(2) It is certified that the permit holder 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 0.05 cubic feet of water per second for beneficial use. The location of the diversion point is 470 feet south and 1,720 feet east of the northeast corner of Section 5-T1S-R7E (Government Lot 3).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Spring Canyon Water Company, PO Box 862, Rapid City SD 57709 the holder and/or owner of Incorporated Water Right No. 2053-2 is issued a license to appropriate water, the right to use 0.05 cubic feet of water per second from groundwater (one well-Madison Formation) with a priority date of February 18, 1988 from the location specified in (2) of this license for suburban housing development purposes. This license is subject to any limitations or qualifications listed in Incorporated Water Right No. 2053-2 and subject to South Dakota State Law.



GARLAND ERBELE, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JAN 15 2002

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JAN 15 2002

2305-2 & 2053-2

Spring Canyon Water Company
PO Box 862
Rapid City, SD 57709

Dear Sir:

Enclosed are Water License No. 2305-2 & 2053-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 417022 & 417021 in the amount of \$50.00 each which you paid for the investigation and issuance of the Water License.

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. 2053-2 & 2305-2, 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

NOTE: The applicable portions of No. 2053A-2 are incorporated into Water License No. 2053-2.

enclosures