

Considered: _____

WATER PERMIT NO. 2070-2

HAP No. same 787-6187

Name of Applicant Lawrence J and Carol Seitz

Post Office Address Route 6, Box 3790 #19, Rapid City SD 57702

Amount of Water Claimed 0.10 cfs Total Acres NA

Source of Water Supply ground water - 1 well

Water to be used for suburban housing County Pennington

About 3 miles N of Rapid City.

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received Dec 30, 1988 Fee \$50.00 Remarks _____

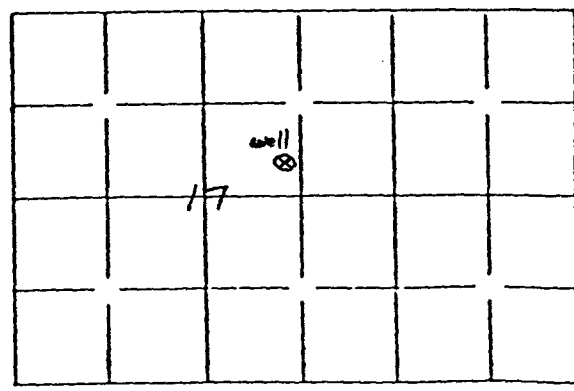
Corrected Application Received _____ Period of Annual Use _____

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

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

Diversion Point well: SW 1/4 NE 1/4 section 17-
T2N-R7E

Land to be Irrigated NA



Well Log: Driller not available Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map aerial photo PREPARED BY Jane Jensen, R.A. Reviewed and the Number assigned on February 7, 1989 By [Signature]

Mail to: Water Rights Div.
DWNR, Foss Bldg.
Pierre, SD 57501
(605) 773-3352

No. <u>2070-2</u>	Hydrologic Unit <u>10120110</u>
Map No. <u>same</u>	Basin <u>Upper Cheyenne R</u>
Newspaper <u>Rapid City Journal</u>	

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 Lawrence J. and Carol Seitz #1 Phone No. 787-6187

Post Office Address Rt. 6, Box 3790 #19, Rapid City State SD Zip Code 57702
(Street, RR or Box) (City)

2. Amount of water claimed (c.f.s.) 0.10

3. Source of water supply well

4. Location of point of diversion Adjacent to well SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 17-T2N-R7E

County Pennington

5. Counties where water will be used Pennington

6. Annual period during which water is to be used 12 months 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)

This application is being submitted pursuant to recommendation of Gene Nelson of Black Hills office of DWNR. The well, at the present time, is the source of water supply for 22 families in our mobile home court (Sunnyside). Water is pumped from the well into a 6000 gallon concrete reservoir and then pumped into water main.

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, Carol Seitz the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and correct.

Signed Carol Seitz

Subscribed and sworn to before me this 29 day of Dec. 1988

Jeri Lynn
Notary Public

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction existing well

- a) Drill Hole Diameter 4" Depth 500'
- b) Casing Type steel Diameter 4" Thickness 1/2"
- c) Screen Type unknown Diameter unknown Thickness unknown
- d) Gravel Pack Thickness unknown Length of Gravel Pack unknown
- e) Depth to Top of Water Bearing Material unknown
- f) Depth to Water (ground surface to water level) approx. 80'
- g) Distance to nearest existing domestic well:
 On applicants property approx. 1000' On property owned by others approx. 500'

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

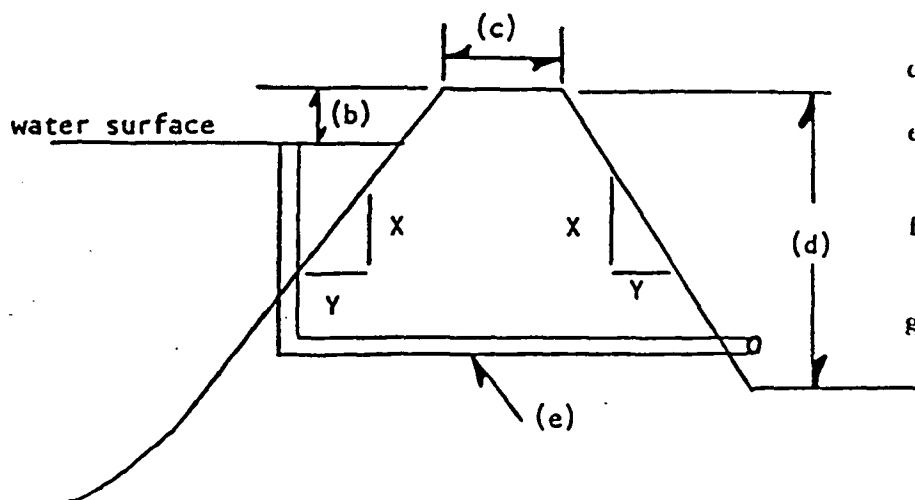
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

**SOUTH DAKOTA
WATER PERMIT No. 2070-2**

Date of first receipt of application December 30, 1988.

Date of return to applicant for correction, amendments or changes required December 30, 1988.

Date of receipt of corrected application February 7, 1989.

The Water Management Board approved Water Permit Application No. 2070-2 on May 10, 1989 for Lawrence J. and Carol Seitz, Rte 6, Box 3790 #19 Rapid City, SD 57702 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. 2070-2 appropriates 0.10 cubic feet of water per second from one existing well, 500 feet deep, located in the SW1/4 NE1/4 Section 17-T2N-R7E.
2. The water appropriated shall be used for the purpose of supplying the Sunnyside Mobile Home Court and may not exceed the amount of water needed for beneficial use for suburban housing purposes.
3. The water is to be used during the following described annual period: January 1 to December 31.
4. The date from which applicant may claim right is December 30, 1988.
5. One-fifth of the construction is completed.
6. All construction is completed.
7. Water is put to beneficial use.
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 well 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: _____

John Hubbert
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JUL 19 1989

(date)

The well referred to in this application was on the premises when we purchased the property in 1984. To the best of our knowledge, it was drilled a number of years ago by the first owner, a Mr. Rhoades, who may or may not have obtained a permit. We did not receive a well log at the time of purchase so most of the information on Form 2A is unknown to us. We purchased the property from Gary and Shirley Wolff, but there were other owners down through the years.

LOT 1
4.89 A

LOT HI
7.89
Ac.

LOT 2
26.44 A

Well #2

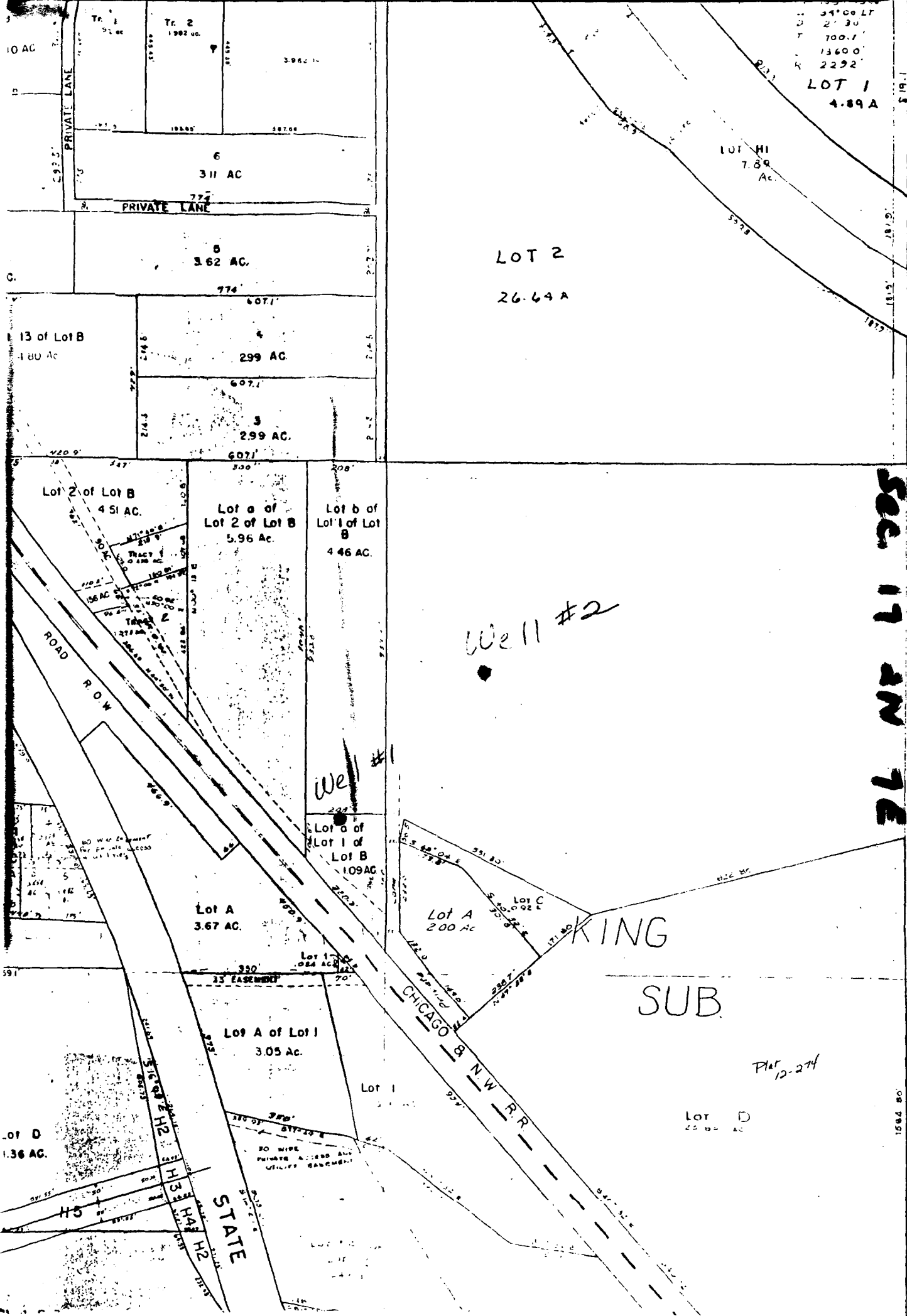
Well #1

KING
SUB

Plat 12-274

Lot D
25.12 AC

Sec 17 AN 7E



Sec. 8 3N 7E

377
T2167

7E

Well #2

Sec. 17

2N

281
427

Well #1

3N-7E M-10

NO

DOG TRACK

2N-7E

Cement Plant
Non ag

30

found
Non ag

Kilmer

907

Appl. No. 2070-2

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411572

Pierre, _____, December 30, 19⁸⁸

RECEIVED OF Sunnyside Mobile Home Court, Rt 1, Box 3790, No. 19, Rapid City SD 57702.
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>2070-2 & 2069-2</u> to Appropriate Water, to construct works and to put water to beneficial use _____	100	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	100 00

By

Chief Engineer

John H. Harty
KS

Conversation or File Documentation

NAME OF PERSON OR FILE: Carol SeitzADDRESS: Route 6, Box 3790 #19, Rapid City COUNTY PenningtonDATE: Feb. 7, 1989

TELEPHONE _____

RE: _____

COMMENTS:

Ms. Seitz called to determine the status of the water permit applications. I informed Ms. Seitz that the pumping capacity of the wells was needed to continue processing of the applications. Ms. Seitz stated she did not know the capacity of the wells, but one well had a 2 hp pump & the other well a 3/4 hp pump. I informed Ms. Seitz that the maximum amount of water that could be diverted with a \$50⁰⁰ application fee/application is 45 gpm each. Ms. Seitz stated that 45 gpm could be placed on the applications.

Ms. Seitz stated that she did return my Dec 30, 1988, phone call requesting a diversion rate and gave someone the same info I received.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Don L. Small

Report on Application Nos. 2069-2 and 2070-2
Lawrence J. and Carol Seitz
February 14, 1989

Application No. 2069-2 requests appropriation of 0.10 cfs from an existing well 720 feet deep located in the SE1/4 NE1/4 of Section 17, T2N R7E. Application No. 2070-2 requests appropriation of 0.10 cfs from an existing well 500 feet deep located in the SW1/4 NE1/4 of Section 17, T2N, R7E. The water is being used to supply the Sunnyside Mobile Home Court in Pennington County.

Aquifer - Minnelusa Formation (MNLS)

The Minnelusa Formation is a Permian and Pennsylvanian Age sandstone, limestone and dolomite which can range from 560 feet to 640 feet thick in this area (Cattermole, 1969). Typically the upper 200 feet to 300 of the Minnelusa is mostly sandstone and is in fact the most utilized aquifer in the Eastern Black Hills (Peters, 1985). The Minnelusa directly overlies the Madison Limestone and water, at least in the outcrop or recharge area, probably is leaking upward from the Madison into the Minnelusa. In general, water levels from the Madison are higher than those in the Minnelusa which at least suggests there is upward potential for water movement. This is supported by water well drilling and monitoring well construction (Water Rights, 1989). The Minnelusa is also under artesian conditions in this area.

The Division of Water Rights monitors three observation wells completed into the Minnelusa in Pennington County. One of these wells PE-84B is located within 1/2 mile of these applications and a hydrograph for this well is provided with this report. Water level records for PE-84B indicate there is a strong correlation between seasonal water use and recorded water levels and seems to illustrate the recent drought effect upon the water levels. The period of record for PE-84B is not sufficient to evaluate water level trends. However, there are records available from 1964 for wells PE-64A and PE-64B. The water level records for these wells from 1985 to present appear to follow the same general trends as does PE-84B. Based upon the records available since 1964, although there is considerable fluctuations from year to year, the aquifer is maintaining diversions without impairment.

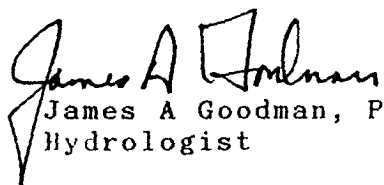
Review of Existing Water Permits

There are numerous other water permits in this area. There are eight separate water permits for water from the Minnelusa within 2 miles of this application. The nearest permitted well is Permit No. 1706-2 (Midwest Homes, .44 cfs) which is within 1/2 mile

of these applications. Interference is likely, however, the drawdowns caused by pumping should not adversely affect existing users. These wells have been in use for many years with no apparent problems.

Conclusions

1. Ground water is available from the Minnelusa Formation.
2. The Minnelusa is under artesian conditions. Fluctuations of the water levels are occurring. However, the observation well record indicates this is not adverse.
3. These are existing wells and have been in use for many years. There have not been any complaints concerning water availability from the Minnelusa in this area.


James A Goodman, P.E.
Hydrologist

Bibliography

Cattermole, M.J., Geologic Map of the Rapid City West Quadrangle, Pennington County, SD, USGS Map GQ-828, USGS, Washington D.C.

Peters, K.D., 1985, Availability and Quality of Water from Bedrock Aquifers in the Rapid City Area, SD, USGS WRI 85-4022, USGS, Rapid City, SD 57701

Water Rights 1989, Observation Well Data from Pennington and Meade Counties, SD, SD DWR, Div. of Water Rights, Joe Foss Bldg, Pierre, SD 57501

DIVISION OF WATER RIGHTS OBSERVATION WELL
PE-84B



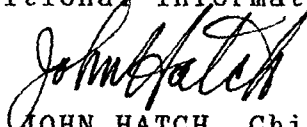
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2070-2, Lawrence J and Carol Seitz

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. 2070-2, Lawrence J. and Carol Seitz, Rt 6, Box 3790 #19, Rapid City SD.

The Chief Engineer is recommending APPROVAL of Application No. 2070-2 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 well 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
February 15, 1989



Department of Water & Natural Resources

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

March 29, 1989

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

Lawrence J. & Carol Seitz
Rte 6, Box 3790 #19
Rapid City, SD 57702

Dear Mr. & Mrs. Seitz:

Your Application Nos. 2069-2 & 2070-2 for permits to appropriate water for suburban housing use have 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 SD. For your information, a copy of the notice, the recommendations of the Chief Engineer and a report on the applications are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper 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 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
605 773-3352

enclosures





Department of Water & Natural Resources

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

March 29, 1989

Rapid City Journal
P.O. Box 450
Rapid City, SD 57709

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 2069-2 & 2070-2 to be published twice. Please publish the first notice on or before April 5, 1989 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 Lawrence J. & Carol Seitz, Rte 6, Box 3790 #19, 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

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

No. _____

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 _____



Instruction to Newspaper - Publish first Notice on or before April 5, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARINGS on Application Nos. 2069-2 & 2070-2 to Appropriate Water

Notice is given that Lawrence J & Carol Seitz, Route 6, Box 3790 #19, Rapid City, SD 57702 has filed Application Nos. 2069-2 & 2070-2 for water permits.

Application No. 2069-2 is to appropriate 0.10 cubic feet of water per second from one existing well (Minnelusa Formation) 720 feet deep located in the SE1/4 NE1/4 Section 17-T2N-R7E. Water is to be used to supply the Sunnyside mobile home court.

Application No. 2070-2 is to appropriate 0.10 cubic feet of water per second from one existing well (Minnelusa Formation) 500 feet deep located in the SW1/4 NE1/4 Section 17-T2N-R7E. Water is to be used to supply the Sunnyside mobile home court.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application Nos. 2069-2 & 2070-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. These applications will be considered by the Water Management Board at 523 E. Capitol, Joe Foss Building, Room 216, Pierre, SD on May 10, 1989 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny these applications based on the facts presented at the public hearings.

Any interested person that intends to participate in a hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by April 28, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in an application, the petitioner's reasons for opposing or supporting an application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on these applications or to assure access to the hearing by the handicapped.

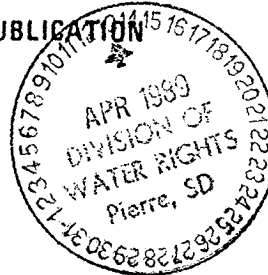
These hearings are adversary proceedings. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of a hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by April 28, 1989.

These applications are made pursuant to 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; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County _____)



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 of Rapid City

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

April 5, 1989

April 12, 1989

Mary K. Garness
(Signature)

Bookkeeper
(Title)

April 12, 1989
(Date Signed)

Cost of Printing: Ran 8 15/16 inches legal advertising
in the Rapid City Journal on April 5 & 12 @ \$4.20 per
inch = \$75.08

Ran public notice of hearing L382 Seitz

April 5, 12 L382

NOTICE OF HEARINGS
ON APPLICATION
NOS. 2069-2 & 2070-2

TO APPROPRIATE WATER

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Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application Nos. 2069-2 & 2070-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. These applications will be considered by the Water Management Board at 523 E. Capitol, Joe Foss Building, Room 216, Pierre, SD on May 10, 1989 at 10:00 a.m. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny these applications based on the facts presented at the public hearings.

Any interested person that intends to participate in a hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by April 28, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (605-773-3352)." The petition may be informal, but must include a statement describing the petitioner's interest in an application, the petitioner's reasons for opposing or supporting an application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on these applications or to assure access to the hearing by the handicapped.

These hearings are adversary proceedings. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of a hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by April 28, 1989.

These applications are made pursuant to 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; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

SOUTH Dakota Department of
Water & Natural Resources

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

JUL 19 1989

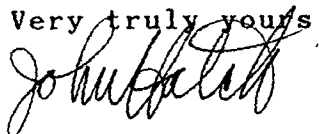
Lawrence J and Carol Seitz
Rt 6, Box 3790 #19
Rapid City SD 57702

Dear Mr. & Mrs. Seitz:

Enclosed are Water Permit Nos. 2069-2 and 2070-2 as approved by the Water Management Board authorizing construction of the water system and the application of water beneficial use, not exceeding the limits as specified in the Water Permits.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures



May 1, 1997

Re: Sunnyside Mobile Home Park II, Rapid City (EPA ID# 2001)

DAVE AND MELISSA ROWE
SUNNYSIDE MOBILE HOME PARK II
4800 EVEREST ROAD #19
RAPID CITY SD 57702

Dear Mr. and Mrs. Rowe:

Attached are the results of the on-site evaluation performed by Judene Holan of the Department of Environment and Natural Resources (DENR) on March 26, 1997. Recommendations are provided that will assist you with meeting State compliance requirements. Please acknowledge that you have received this report by indicating corrective actions taken.

You or a representative are invited to attend meetings and training short courses sponsored by the DENR and the South Dakota Water and Wastewater Association. Contact Jim Zeck at (605) 336-7219 or write South Dakota Rural Water Association at 5009 West 12th Street, Sioux Falls, SD 57106 for further information.

If you have questions or comments concerning the survey results and attached recommendations, please call Judene Holan or call me at (605) 773-3754.

Sincerely,



Darron Busch, Administrator
Drinking Water Program

cc: Linda Harris, Drinking Water Program, Rapid City



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

September 12, 1997

Melissa Rowe
4800 Everest Rd #19
Rapid City, SD 57702

Dear Mrs. Rowe:

On September 10, 1997, I conducted a licensing investigation of Water Permit Nos. 2069-2 and 2070-2 which appropriates water from two wells used at Sunnyside mobile home court. As I indicated during our conversation, I am enclosing a partially completed 'Notice of Transfer of Ownership' for each permit for you to complete to get the permit in your name. Please review the information listed, sign in the presence of a notary public, and return in the enclosed envelope along with the \$2.50 filing fee.

You will be prompted in the future for the required licensing fee once I complete the licensing investigation report.

Please feel free to contact me if you have any questions. Have a great day!

Sincerely,

Eric Gronlund
Water Rights Program
(605) 773-3352

enclosures

NOTICE OF TRANSFER OF OWNERSHIP



To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 2070-2

Date: 10-19-97

I/We request that Water Permit No. 2070-2

formerly owned by: Lawrence J & Carol Seitz

be transferred to: (name & address) Dave & Melissa Rowe, 4800 Everest Rd #19, Rapid City, SD 57702

Telephone No. _____

Title to the following described land(s)/property has been transferred as described above:

diversion point location: SW¼ NE¼ Section 17, T2N, R7E

I/We understand that the validity of Water Permit No. 2070-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Pennington)

I/We Dave Rowe & Melissa Rowe being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Dave & Melissa Rowe
(Signed)

Subscribed and sworn to before me this 17 day of October, 1997.

My commission expires:
7/27/2005

Deborah A. Wozzski
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

415508

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ October 24, 19 97

RECEIVED OF Sunnyside Mobile Home Court (Dave & Melissa Rowe), 4800 Everest Rd. #19,
the following amount in fees for services rendered as provided for by law: Rapid City, SD 57702

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. _____		
Fee for Filing Transfer Form <u>Water Permit No. 2070-2</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Hatcher
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

November 19, 1997

Nos. 2069-2
2070-2

Dave & Melissa Rowe
4800 Everest Rd. #19
Rapid City, SD 57702

Dear Mr. and Ms. Rowe:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Permit Nos. 2069-2 and 2070-2.

Our records now show you as the owner of Water Permit Nos. 2069-2 and 2070-2.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

November 25, 1997

Permit No. 2070-2

Dave and Melissa Rowe
4800 Everest Rd. #19
Rapid City, SD 57702

Dear Mr. and Ms. Rowe:

The investigation of your water use system was conducted on September 10, 1997, by Eric Gronlund, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit Nos. 2069-2 and 2070-2. Your final water right document, the Water License, can now be issued. Upon licensing, the applicable portions of Water Permit No. 2069-2 will be incorporated into 2070-2.

Statutes require that we charge a \$50.00 fee for the investigation and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

**Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181**

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

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

415543

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ December 2, 19 97

RECEIVED OF Sunnyside Mobile Home Court, 4800 Everest Rd. #19, Rapid City, SD 57702
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. <u>2070-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch 
Chief Engineer

Permit No. 2069-2 and 2070-2
Upper Cheyenne River - Water District

**Report Of Examination Of Works And/Or Application of Water To
Beneficial Use**

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

On, September 10, 1997, I made a thorough examination of the water use system constructed owned by Dave and Melissa Rowe of 4800 Everest Rd #19, Rapid City, SD 57702 who hold of Permit Nos. 2069-2 and 2070-2, bearing the priority of December 30, 1988 authorizing the diversion of 0.10 and 0.10 cu. ft. per second (respectively) of the waters of the Minnelusa Formation for suburban housing development purposes, in Pennington County.

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

A. Works used to divert the water:

2 Minnelusa Formation wells with submersible pumps supply water to pressure tanks

B. Works used to transport water to place of use:
distribution lines to lots

C. Works used to apply water to beneficial use:

at the Sunnyside Mobile Home Court currently providing water to approximately 88 lots with an 8 lot expansion in progress

The system is in the following condition good. The point of diversion is located Well authorized by No. 2069-2 - approx. 1,551 ft South & 1,155 ft West of the NE corner (SE1/4 NE1/4) Section 17, T2N, R7E; Well authorized by No. 2070-2 - approx. 2,145 ft South and 1,518 ft West of NE Corner (SW1/4 NE1/4) Section 17, T2N, R7E. The works are capable of diverting and conveying to the place of use 0.15 cu. ft. per second of water (67 gpm) which is to be used for a suburban housing development. Water has been put to beneficial use to the maximum extent as follows and the license for Nos. 2069-2 and 2070-2 should be incorporated and issued for 0.15 cfs (67 gpm).

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: no


Eric S. Gronlund

Natural Resources Engineer
DENR, Water Rights Program

November 12, 1997
Date

REPORT ON INSPECTION OF PERMIT Nos. 2069-2 and 2070-2

DATE OF INSPECTION: September 10, 1997

Other permit(s) associated with the project: 2069-2 and 2070-2 serve Sunnyside Mobile Home Court

Contact Person & Address: Melissa Rowe, 4800 Everest Rd #19, Rapid City, SD 57702

DIVERSION POINT LEGAL LOCATION: Well authorized by No. 2069-2 - approx. 1,551 ft South & 1,155 ft West of the NE corner (SE1/4 NE1/4) Section 17, T2N, R7E; Well authorized by No. 2070-2 - approx. 2,145 ft South and 1,518 ft West of NE Corner (SW1/4 NE1/4) Section 17, T2N, R7E

WATER SUPPLY Source: Minnelusa Formation

Well Information: well authorized by No. 2069-2 drilled in 1973

- 1) Well Drilling Firm: Downen drilled the 720' well 2) No. of Wells TWO (one authorized under each permit)
- 3) Depth(s) 720 feet (No. 2069-2) 4) Well log is available YES for the 720 foot well
511 feet (No. 2070-2)

Casing:

- 1) Diameter 5 and 4 inches 2) Length 720 feet
- 3) Type steel

Screen:

- 1) Type unknown 2) Length # feet
- 3) Static water level # feet

Submersible Pump/Motor: Information for well authorized by Water Permit No. 2069-2

- 1) Make # 2) Model C2251
- 3) Size # 4) Capacity 40 GPM (No. 2069-2)
27(est.) GPM (No. 2070-2)

No pump information available for Permit No. 2070-2

Pump and Motor in Well House for No. 2069-2:

- 1) Make Baldor 2) Model No. 36K 77-190
- 3) Horsepower rating 5 hp

Smaller Pump and Motor used in winter and as a backup:

- 1) Make Flint & Walling (motor) 2) Model No. 94J120 (motor)
8804 CJ101B201 (pump)
- 3) Horsepower rating 2 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type unknown 2) Size # inches 3) Length # feet

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 not applicable
-
- Permit No. 2069-2 and 2070-2 have been transferred to Dave & Melissa Rowe
 - Well authorized by Permit No. 2069-2 is located in the back yard of the owners Mr. & Mrs. Rowe
 - Well authorized by Permit No. 2069-2 currently serves approx. 80 homes with an add'l 8 being developed
 - Well authorized by Permit No. 2070-2 serves 7 lots and acts as a back-up water supply, if necessary
 - Pump in well authorized by Permit No. 2070-2 is set at approx. 215 feet
 - Information on capacity of wells and system information obtained from files Mrs. Rowe had on the wells



Water Permit Nos. 2069-2 and 2070-2
licensing investigation

SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ S $\frac{1}{2}$ LT 17, T2N, R7E

Eric Gronlund

Eric Gronlund, Water Rights Program, DENR

No. 2069-2

2070-2

2070-2

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2070-2

(1) Lawrence & Carol Seitz, Rapid City SD 57702 made Application No. 2070-2, December 30, 1988 for a water permit to divert 0.10 cubic feet of water per second (cfs) from groundwater (one well), Pennington County, South Dakota for suburban housing (mobile homes) purposes. Permit No. 2070-2, with a priority date of December 30, 1988 was approved May 10, 1989 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

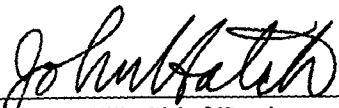
Water Permit No. 2069-2 authorizes 0.10 cfs from groundwater (one well) for the same use. The applicable portions of Water Permit No. 2069-2 have been incorporated into this Water License No. 2070-2.

On October 24, 1997, Water Permit Nos. 2069-2 and 2070-2 were transferred to Dave & Melissa Rowe.

(2) It is certified that the permit holders have complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and are entitled to divert 0.15 cubic feet of water per second for beneficial use. The location of the diversion points are: Well #1 - 1,551 feet south and 1,155 feet west (SE 1/4 NE 1/4) and Well #2 - 2,145 feet south and 1,518 feet west (SW 1/4 NE 1/4); both from the northeast corner of Section 17-T2N-R7E.

(3) The permit holders have complied with the provisions of South Dakota State Law relating to the application of water to beneficial use in supplying water to the Sunnyside Mobile Home Court.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Dave and Melissa Rowe, 4800 Everest Rd #19, Rapid City SD 57702 the holders and/or owners of Incorporated Water Permit No. 2070-2 are issued a license to appropriate water, the right to use 0.15 cubic feet of water per second from groundwater (two wells) with a priority date of December 30, 1988 from the locations specified in (2) of this license for suburban housing (mobile homes). This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 2070-2 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JAN 07 1998

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

JAN 07 1998

2070-2

Dave and Melissa Rowe
4800 Everest Rd. #19
Rapid City, SD 57702

Dear Mr. And Ms. Rowe:

Enclosed is Water License No. 2070-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415543 in the amount of \$50.00 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 well authorized by Water Right No. 2070-2, 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.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

ks
enclosures

NOTE: The applicable portions of Water Permit No. 2069-2 have been incorporated into this Water License No. 2070-2.

Sunnyside Mobile Home Court, L.L.C.
PO Box 3645
RAPID CITY SD 57702-3645
(605-787-6187)

October 4, 2001

Water Rights Program, DENR
523 E Capitol
Pierre, SD 57501-3181
Attn: Rob Kittay



RE: Water License #2069-2 & 2070-2

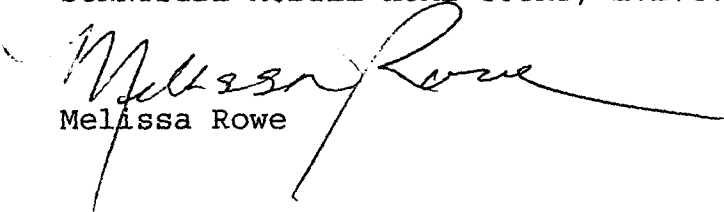
Dear Rob:

Please let this letter serve as notice that we have sold Sunnyside Mobile Home Court and that SSMHC water system, EPA 2001 (Permit #2069-2 & #2070-2) needs to be under the new owner, Rodney Volmer, DBA Sunnyside Mobile Home Court. Rodney's address is PO Box 735, Black Hawk, SD 57718.

I want to thank you for all of your help over the years. And please let me know if there is anything further I need to do to transfer ownership. Thank you.

Sincerely,

SUNNYSIDE MOBILE HOME COURT, L.L.C.


Melissa Rowe



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 11, 2001

2070-2

Rodney Volmer
dba Sunnyside Mobile Home Court
PO Box 735
Black Hawk, SD 57718-0735

Dear Mr. Volmer:

Our office has been notified by Melissa Rowe that you have purchased the Sunnyside Mobile Home Court and that we should direct all correspondence concerning the water right to you. Enclosed is a copy of the water right for your review.

I am also enclosing a partially completed "Notice of Transfer of Ownership" form for use in filing the ownership change. Please complete the form and have it signed in the presence of a notary public. Upon completion, please return the form to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the "Water Rights Program".

If you have any questions concerning the water right or completion of the transfer form, please get in touch with me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures

NOTICE OF TRANSFER OF OWNERSHIP



To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 2070-2

Date: 11-07-01

I/We request that Water Right No. 2070-2

formerly owned by: Dave and Melissa Rowe, 4800 Everest Rd #19, Rapid City, SD 57702 (dba Sunnyside Mobile Home Court)

be transferred to: (name & address) Rodney L. Vollmer dba Sunnyside MHP
Telephone No. 605-787-6187

Title to the following described land(s)/property has been transferred as described above:

Sunnyside Mobile Home Court, LLC - two wells located in the SE 1/4 NE 1/4 & SW 1/4 NE 1/4 Section 17, T2N, R7E

I/We understand that the validity of Water Right No. 2070-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

STATE OF SOUTH DAKOTA)

County of Pennington)

I/We Rodney Vollmer being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Rodney Vollmer
(Signature of new owner)

Subscribed and sworn to before me this 7th day of Nov, 2001.

Kathy Greenhaw
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

№ 416967

Pierre, November 9, 20 01

RECEIVED OF Rodney Vollmer, Sunnyside Mobile Home Park, POBox 735, Black Hawk, SD 57718
the following amount in fees for services rendered as provided for by law: (Dave & Melissa Rowe)

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. _____

Fee for Filing Transfer Form 2070-2 _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By

Darland Erbele

Chief Engineer

gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 9, 2001

2070-2

Rodney L. Vollmer
dba Sunnyside Mobile Home Park
PO Box 735
Black Hawk, SD 57718-0735

Dear Mr. Vollmer:

Thank you for following up on the ownership change for Water Right No. 2070-2. The transfer has been completed. The water right formerly listed in the name of Dave and Melissa Rowe (dba Sunnyside Mobile Home Park) is now listed in your name.

Enclosed is your Receipt No. 416967 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosure