

HAP No. same 342-4383 or 348-3427Name of Applicant Pine Cliff Park Water & MaintenancePost Office Address Route 1 Box 2950 Rapid City SD 57102Amount of Water Claimed 0.40 cfs Total Acres —Source of Water Supply groundwater - 2 wellsWater to be used for suburban housing County PenningtonAbout 15 miles west of Rapid CityPROOF OF PUBLICATION: Received — Not Received —APPLICATION: Approved — Subject to —F.F.C C.L. Adopted — Not Approved — Deferred —PRIORITY — Date Received June 6, 1989 Fee \$250⁰⁰ Remarks —Aug 23, 1989Corrected Application Received Aug 23, 1989 Period of Annual Use Jan 1 - Dec 31WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)WI-1 Description same as Application YES — NO — REMARKS —Diversion Point SE¹/₄SW¹/₄ Section 31-T2N-R6ELand to be Irrigated NA

31

wells

Well Log: Driller Hamm/Schaeffer Licensed YES — NO —Depth of Well 40' REMARKS Wells drilled in 1978 -See response received 6/27/89 (#2); also Form 2AType of Map survey PREPARED BY Rodney H. Meador Reviewed and the Numberassigned on August 23, 1989 By Susan Bowar

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

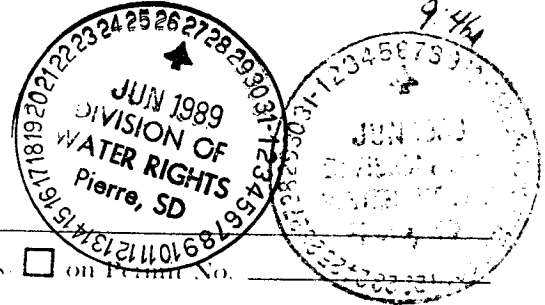
No. 2098-2 Hydrologic Unit 10120110
Map No. same Basin Upper Cheyenne
Newspaper RC Journal Box 450 57709

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. _____



- Name of Applicant Pine Cliff Park Water Association, Inc. Phone No. 512-4383 or 518-3427
Post Office Address Route 1 Box 2950 Rapid City, SD 57702
(Street, RR or Box) State Zip Code
- Amount of water claimed (c.f.s.) 0.40
- Source of water supply --Wells-- Groundwater - 2 existing wells
SE1/4SW1/4 Section 31-T2N-R6E
- Location of point of diversion Lots included in blocks 1 through 6 and Green Tracts
B and C in Lot A of the northeast quarter of the southwest quarter, and D
of the northwest quarter of the northwest quarter, sec 31, T2N, R6E
Section thirty-one, Township 2 North, Range 6 East of the Black
- Counties where water will be used Pennington His territory
- Annual period during which water is to be used T2--Watts Jan 1 - Dec 31
- 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.
Reservoir located in block 4 of the development.
MAP ENCLOSED

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

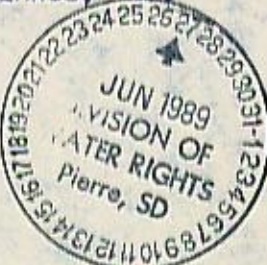
STATE OF SOUTH DAKOTA
County of Pennington

I, JULIA A. LOHMAN the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Signed Julia A. Lohman
Subscribed and sworn to before me this 31st day of May 1989
Theresa J. Caldwell
Notary Public
Commission Expires February 3, 1990

PLAT OF A PORTION OF PINE CLIFF,
A SUBDIVISION IN THE COUNTY OF PENNINGTON, INCLUDING:
LOTS 1 THRU 29 OF BLOCK 5 AND
LOTS 1 THRU 10 OF BLOCK 6 AND
GREEN TRACTS B AND C
ALL LOCATED IN
LOT A OF NE 1/4 OF SW 1/4 AND LOT D OF NW 1/4 OF SE 1/4 AND
TRACT A IN SE 1/4 OF SW 1/4 AND IN SW 1/4 OF SE 1/4
ALL IN
SECTION 31, T2N, R6E, B1M,
PENNINGTON COUNTY, SOUTH DAKOTA

FRANCIS - MEADOR - GELLHAUS, INC.



NOTES:

- DENOTES SET 5/8" REDBAR WITH SURVEY CAP MARKED "FRANCIS-MEADOR 1019".
- DENOTES "FOUND SURVEY MONUMENT" (5/8" REDBAR WITH SURVEY CAP MARKED "FERGUSON-MEADOR 1019" UNLESS OTHERWISE NOTED).
- (C) DENOTES "CALCULATED".
- (R) DENOTES "RECORDED IN PREVIOUS PLAT OR DESCRIPTION".

EASEMENT FOR PRIVATE ROADWAY SHOWN HEREON SHALL REMAIN PRIVATE UNLESS REPLATTED AND DEDICATED WITH ADEQUATE WIDTH REQUESTED BY PENNINGTON COUNTY COMMISSIONERS.

ALL EASEMENTS SHOWN OR DESCRIBED HEREON ARE FOR THE SPECIFIC USES INDICATED AND ARE FOR THE EXPRESS PURPOSE OF PROVIDING THE EASEMENTS TO ALL CONTIGUOUS PROPERTIES OF THE SAID EASEMENTS.

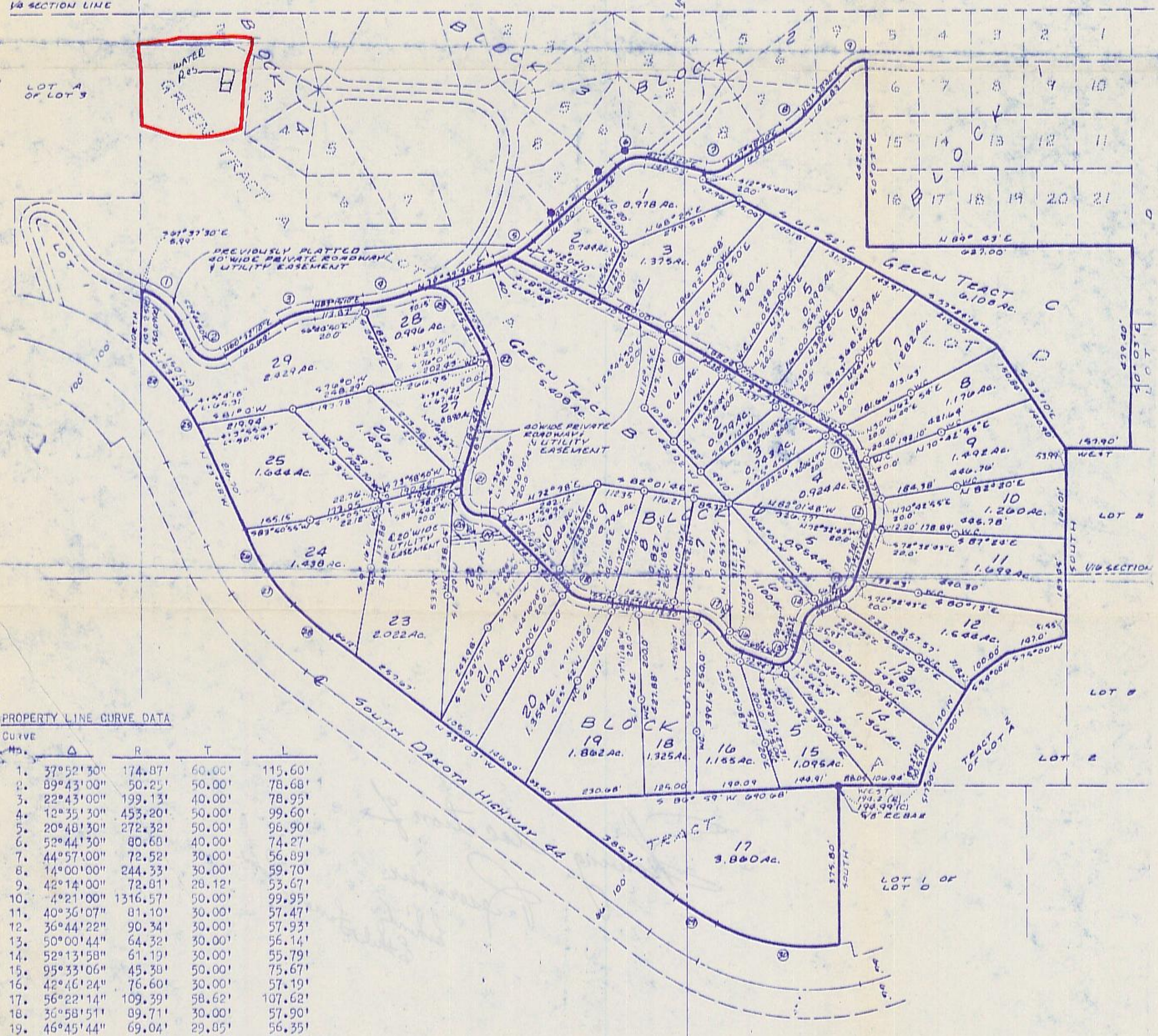
(WC) DENOTES "WITNESS CORNER".

UTILITY AND DRAINAGE EASEMENTS: 10' ON THE INTERIOR SIDES OF ALL SUBJECT LOT LINES.

BASIS OF BEARINGS WAS OBTAINED IN SURVEY OF PLAT NO. 2 OF PINE CLIFF

See Plat Book 15 Pg. 177
for location of lots 2 & 8
in Block 5

SCALE 1"=200'
JULY 21, 1975



PROPERTY LINE CURVE DATA

CURVE NO.	Δ	R	T	L
1.	37°52'30"	174.87'	60.00'	115.60'
2.	89°43'00"	50.25'	50.00'	78.68'
3.	22°43'00"	199.13'	40.00'	78.95'
4.	12°35'30"	453.20'	50.00'	99.60'
5.	20°48'30"	272.32'	50.00'	96.90'
6.	52°44'30"	80.68'	40.00'	74.27'
7.	44°57'00"	72.52'	30.00'	56.89'
8.	14°00'00"	244.33'	30.00'	59.70'
9.	42°14'00"	72.81'	28.12'	53.67'
10.	4°21'00"	1316.57'	50.00'	99.95'
11.	40°36'07"	81.10'	30.00'	57.47'
12.	36°44'22"	90.34'	30.00'	57.93'
13.	50°00'44"	64.32'	30.00'	56.14'
14.	52°13'58"	61.19'	30.00'	55.79'
15.	95°33'06"	45.38'	50.00'	75.67'
16.	42°46'24"	76.60'	30.00'	57.19'
17.	56°22'14"	109.39'	58.62'	107.62'
18.	36°58'51"	89.71'	30.00'	57.90'
19.	46°45'44"	69.04'	29.05'	56.35'
20.	91°51'17"	54.42'	56.21'	87.24'
21.	10°53'40"	222.36'	37.00'	73.33'
22.	45°10'12"	120.21'	50.00'	94.77'
23.	82°19'30"	68.63'	60.00'	98.61'
24.	15°12'31"	577.50'	77.10'	153.29'
25.	9°00'00"	737.86'	58.07'	115.90'
26.	9°00'00"	748.80'	58.93'	117.62'
27.	11°15'00"	536.60'	52.85'	105.36'
28.	9°00'00"	748.80'	58.93'	117.62'
29.	10°00'00"	664.20'	58.11'	115.92'
30.	35°19'20"	473.00'	150.60'	291.60'

CERTIFICATE OF OWNERSHIP

STATE OF SOUTH DAKOTA S.D.
COUNTY OF PENNINGTON

WE, WARREN D. WEBB, MARIE P. WEBB, M.G. BRADLEY, AND GENEVIEVE L. BRADLEY, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE TRACT OF LAND SHOWN AND DESCRIBED HEREON, THAT THE SURVEY WAS DONE AT OUR REQUEST FOR THE PURPOSES INDICATED HEREON, AND THAT WE DO HEREBY APPROVE THE SURVEY AND WITHIN PLAT OF SAID LAND.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HAND AND SEAL.

OWNERS: Warren D. Webb Marie P. Webb
M.G. Bradley Genevieve L. Bradley
MARIE P. WEBB
M.G. BRADLEY
GENEVIEVE L. BRADLEY

ON THE 22nd DAY OF July, 19 75,
BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED WARREN D. WEBB, MARIE P. WEBB, M.G. BRADLEY AND GENEVIEVE L. BRADLEY, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY SIGNED THE SAME.

NOTARY PUBLIC: Robert J. Nelson MY COMMISSION EXPIRES: 9-10-78

CERTIFICATE OF COUNTY TREASURER

CERTIFICATE OF SURVEYOR

STATE OF SOUTH DAKOTA S.D.
COUNTY OF PENNINGTON

I, JAMES P. HEALD, REGISTERED LAND SURVEYOR NO. 2199 OF THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT BEING SO AUTHORIZED, I MADE THE SURVEY AND WITHIN PLAT OF THE LAND SHOWN AND DESCRIBED HEREON AND THAT THE SAME IS, IN ALL THINGS TRUE AND CORRECT. ALL AREA AMOUNTS SHOWN ON THE WITHIN PLAT ARE TO BE CONSISTENT AS HAVING THE WORDS "MORE OR LESS" FOLLOWING.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL.

REGISTERED LAND SURVEYOR: James P. Heald
JAMES P. HEALD

ON THE 22nd DAY OF July, 19 75, BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED JAMES P. HEALD, KNOWN TO ME TO BE THE PERSON DESCRIBED IN THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE SIGNED THE SAME.

NOTARY PUBLIC: Robert J. Nelson MY COMMISSION EXPIRES: 9-10-78

RESOLUTION BY GOVERNING BOARD

STATE OF SOUTH DAKOTA S.D.
COUNTY OF PENNINGTON

I, AUDITOR OF PENNINGTON COUNTY, DO HEREBY CERTIFY THAT AT AN OFFICIAL MEETING HELD ON Aug. 6, 19 75, THE COUNTY COMMISSIONERS BY RESOLUTION DID APPROVE THE PLAT AS SHOWN HEREON.

Helen Daughenbaugh
PENNINGTON COUNTY AUDITOR

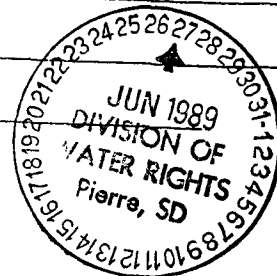
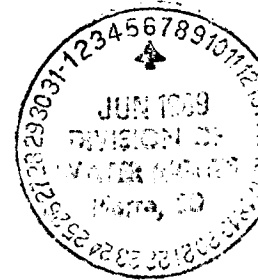
CERTIFICATE OF DIRECTOR OF EQUALIZATION

I, DIRECTOR OF EQUALIZATION OF PENNINGTON COUNTY, DO HEREBY CERTIFY THAT I HAVE ON RECORD IN MY OFFICE A COPY OF THE WITHIN DESCRIBED PLAT.

DATED THIS 7 DAY OF Aug, 19 75.

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 6" and 3" Depth 40' and 40'
- b) Casing Type Metal Diameter 6" and 3" Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness 30' Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 5'
- f) Depth to Water (ground surface to water level) 5'
- g) Distance to nearest existing domestic well: _____

On applicants property _____ On property owned by others Casey Thomas
Ac R-25 Highway

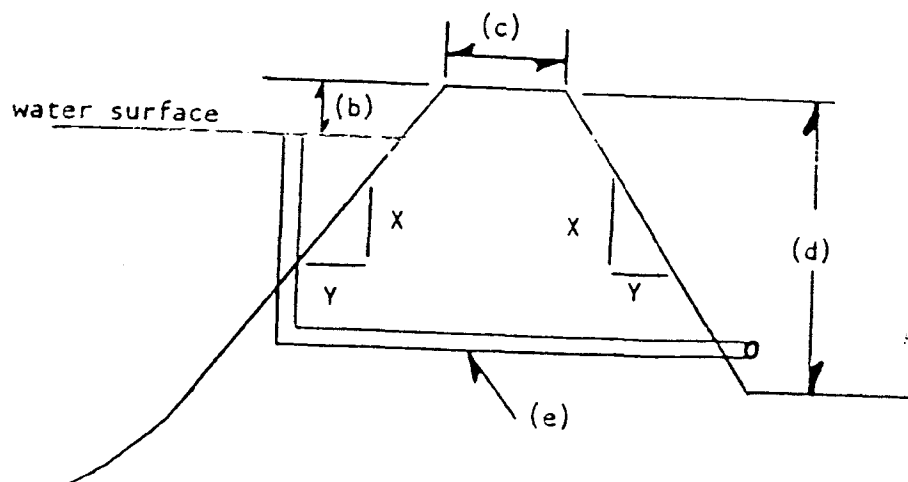
2. Dugout Information Estimates

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

3. Water Storage Dams - NONE

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. 2098-2**

Date of first receipt of application June 6, 1989.

Date of return to applicant for corrections, amendments or changes June 12, 1989.

Date of receipt of corrected application August 23, 1989.

The Water Management Board approved Water Permit Application No. 2098-2 on December 7, 1989 for Pine Cliff Park Water & Maintenance, Route 1, Box 2950, 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. 2098-2 appropriates 0.40 cubic feet of water per second from 2 existing wells (Pre-Cambrian Rocks) 40 feet deep located in the SE1/4 SW1/4 section 31-T2N-R6E.
2. The water appropriated shall be used for the purpose of supplying housing developments and may not exceed the amount of water needed for beneficial use for suburban housing development purposes.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date from which applicant may claim right is August 23, 1989.
5. 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: _____

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

APR 6 1990

(date)

NE 1/4 of the SW 1/4

NW 1/4 of the SE 1/4

LOT A

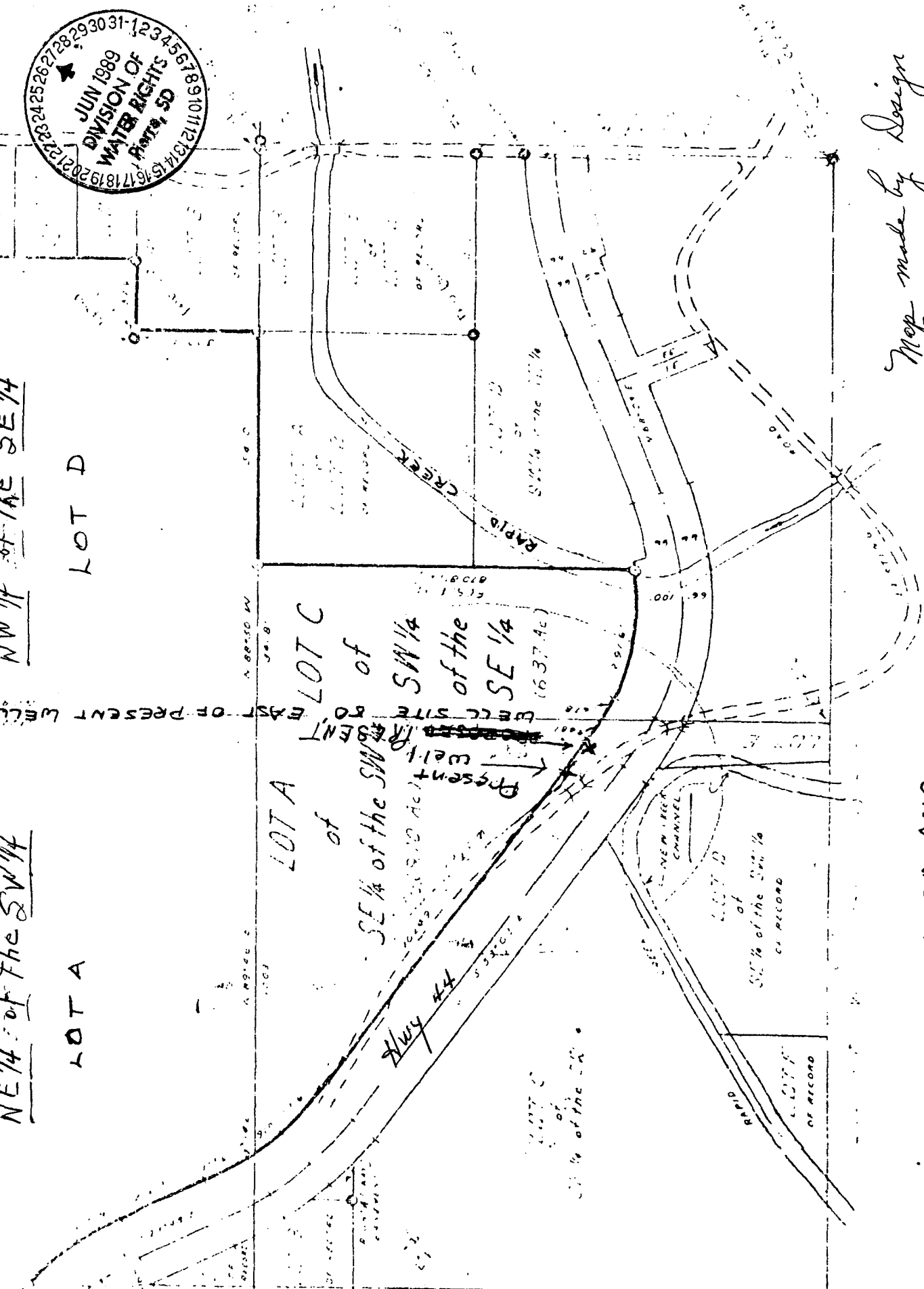
LOT D



LOT A of SE 1/4 of the SW 1/4 of the SE 1/4 (637.40)

Present Well
Proposed Well
WELL SITE ROAD EAST OF PRESENT WELL

Highway #4



Map made by Design
Engineer
John Gregory

PINE CLIFF WATER AND
MAINTENANCE
15 JULY 1979 - BOTH WELLS

Unable to locate
Clint Gregory for signature
No listing in phone book.

UTILITY PERMIT--UNDERGROUND Pipelines - ~~Transmission Lines~~

Pierre, South Dakota

December 22, 1971

M. G. Bradley

Rapid City,

Rt. 1, Box 107

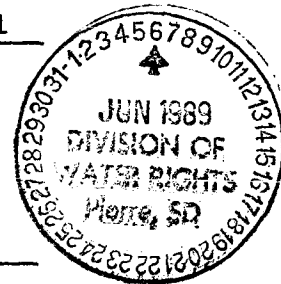
~~Company~~

South Dakota

RE: Project: 659-1

County: Pennington

Highway: SD 40



Gentlemen:

The State Highway Commission on the 22 day of December, 19 71, has approved your request to install water pipeline and well ~~pipeline transmission line~~ within ~~and across~~ the highway right-of-way as outlined in your request.

Therefore, permission is hereby granted, in accordance with the laws of the State of South Dakota relative thereto, to install water pipeline and well within ~~and across~~ the highway right-of-way of SD Highway Number 40 Section 31, Township 2N, Range 6E,
Section _____, Township _____, Range _____,
Section _____, Township _____, Range _____,
Pennington County, South Dakota, provided same is done at the expense of the permittee, under the supervision and to the satisfaction of the District Engineer and according to Exhibits , A, and B attached.

In the event it is deemed necessary by the South Dakota State Highway Commission to move or alter the line in any way due to maintenance or reconstruction of highway within its present right-of-way width, the alteration will be accomplished by the owner without cost to the State of South Dakota.

Very truly yours,

DEPARTMENT OF HIGHWAYS

Don H. Wilson,
Utilities Engineer

DHW:gah

cc: General File

File

District Engineer

Resident Engineer

~~FHWA~~

APPLICATION FOR PERMIT WITHIN-----ACROSS the Right-of-Way of South Dakota State Highways

Application is made by M. G. Bradley Company for a permit to locate (within) (across) the right-of-way of Highway No. 40 in Pennington County, South Dakota.

PROJECT NO. 659-1 (to be filled in by District Engineer).

AERIAL FACILITIES: Location of the proposed line and anchors with respect to the center line of the road or outer edge of the right-of-way and location of crossings showing any right-of-way are shown on Exhibit "A" (sketch) attached.

UNDERGROUND FACILITIES: A sketch showing the approximate route and location of the proposed facility for which a permit is hereby requested is attached as Exhibit "A" and made a part hereof.

The following information is pertinent to the proposed installation:

1. Intended usage or rating Water
2. Pipe size, Cable size and type 2 inch
3. Outside diameter _____
4. Maximum pressure at which pipeline will be operated 100 lbs.
5. Size and type of metal casing 6" well casing, app. 50' deep
6. Minimum depth of cable or pipeline 5'
7. Casing will be installed by minimum size boring and will extend from toe of inslope to toe of inslope.
8. This installation will comply with the most recently adopted ASA, Code for Gas Transmission and Distribution Pipe systems or the National Safety Code. Marker sign(s) will be installed where appropriate.
9. Section 31, Township T2N, Range 6E
Section _____, Township _____, Range _____
Section _____, Township _____, Range _____

APPROVED Dec. 30, 19 71

SUBMITTED 12/17 . 19 71

BY: J. J. Burns
District Highway Engineer

Company

APPROVED: December 22, 1971

BY: M. J. [Signature]

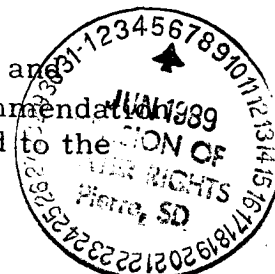
BY: Jack Allmon
State Highway Commission
State of South Dakota

Owner _____
Title _____

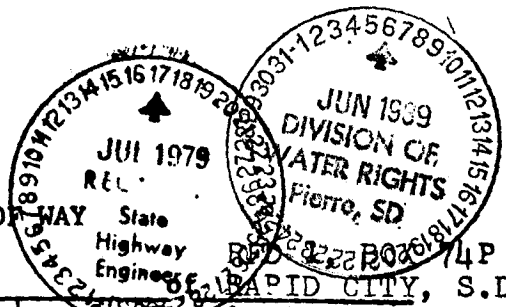
APPROVED: December 22, 1971

BY: Don H. Thorne
Utilities Engineer

NOTE: This application and sketch is to be made up in quintuplet and forwarded to the District Highway Engineer for his recommendation. After final approval by the State one copy will be returned to the originating Company.



g m



APPLICATION FOR PERMIT TO OCCUPY RIGHT OF WAY

PINE CLIFF PARK WATER AND

Application is made by MAINTENANCE, INCORPORATED
for permit to occupy the right of way of Highway Number 44 of Bennington
County, on Project Number FHP 501 044-2-50 (to be filled in by District
Engineer).

The location of the proposed facility or activity with respect to the centerline of the road or outer edge of the right of way along with Section, Township, and Range are shown on Exhibit A (sketch) attached hereto.

Two copies of this application and five copies of the sketch will be submitted to the District Engineer of the highway involved for initial approval.

The following information is pertinent to the proposed installation or activity and shall be completed where applicable:

1. Description of activity or installation: The applicant finds it necessary to drill another water well in close proximity to the one already in use in the right of way in the proposed area.
2. Purpose of activity or installation: To drill the water well necessary to provide for the domestic needs of the people living within the Pine Cliff Park Subdivision.* It is imperative that there now be two well so one will be able to supply in the event the other is out of order.
3. Duration of activity or installation: PERMANENT ☒ TEMPORARY ☐
If temporary, give estimated date of removal or completion: _____
4. Special conditions or instructions: Since one water well is in existence in the right of way at the point where this one is needed it is felt that the requested well will prove no additional problem in the way of maintenance of other activities of the Department of Transportation than already exist with the present well. Consequently the request is made. In addition we wish to point out that time is important as the demand for domestic water is now at a point where this additional source may be necessary to keep ahead of demand on the reservoir. The APPLICANT shall indemnify and save harmless the South Dakota Department of Transportation, its officers and employees, from all suits, actions, or claims of any character brought because of any injuries or damage received or sustained by any person, persons, or property on account of APPLICANT'S use of the right of way designated in this application; or on account of or in consequence of any neglect in safeguarding the work; or through use of defective materials in constructing the work; or because of any act or omission; neglect; or misconduct of said APPLICANT; or from any claims or amounts arising or recovered under the "Workmen's Compensation Act", or any other law, ordinance, order or decree.

SUBMITTED: 15 July 19 79

RECOMMENDATION:

PINE CLIFF PARK WATER AND
MAINTENANCE, INCORPORATED

APPROVED ☒ DISAPPROVED ☐ DATE 7-18-79

Company RR 1, BOX 74P
RAPID CITY, S. D. 57701

C. C. H. H.
District Highway Engineer

Address RR 1, BOX 74P

APPROVED ☒ DISAPPROVED ☐ DATE 7-20-79

BY: Philip E. Smith

Alvin C. Kuehl
Right of Way Engineer

TITLE: Secretary

APPROVED ☒ DISAPPROVED ☐ DATE 7-19-79

Clint Gregory
Design Engineer

This permit is granted with the conditions stated herein this 20 day of July, 1979.

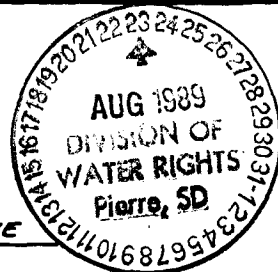
Wm. J. K. K.
Director and State Highway Engineer
Division of Highways

*-These wells also provide water to refill the fire trucks used by the Johnson Siding Fire Department.

7/23/79 *Utility permit # 71330 granted to*

MAP OF SURVEY

WATER WELL LOCATIONS FOR PINE CLIFF SUBDIVISION
PENNINGTON COUNTY SOUTH DAKOTA

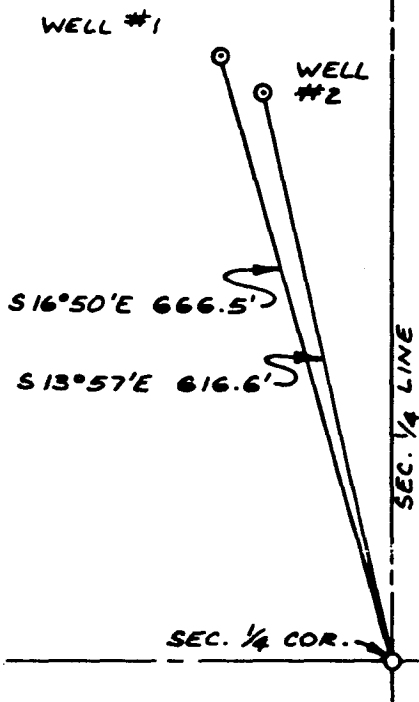


SEC. 1/16 LINE



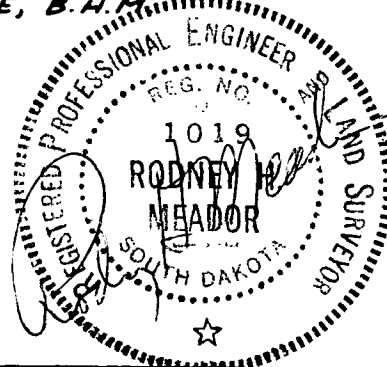
N

SCALE 1" = 200'
AUG. 16, 1989



SEC. 31, T2N, R6E, B.H.M.
SEC. 6, T1N, R6E, B.H.M.

Appl. No. 207



F M G, Inc.

1823 West Main
Rapid City, S.D. 57702

Project: PINE CLIFF WATER & MAINTENANCE, INC.

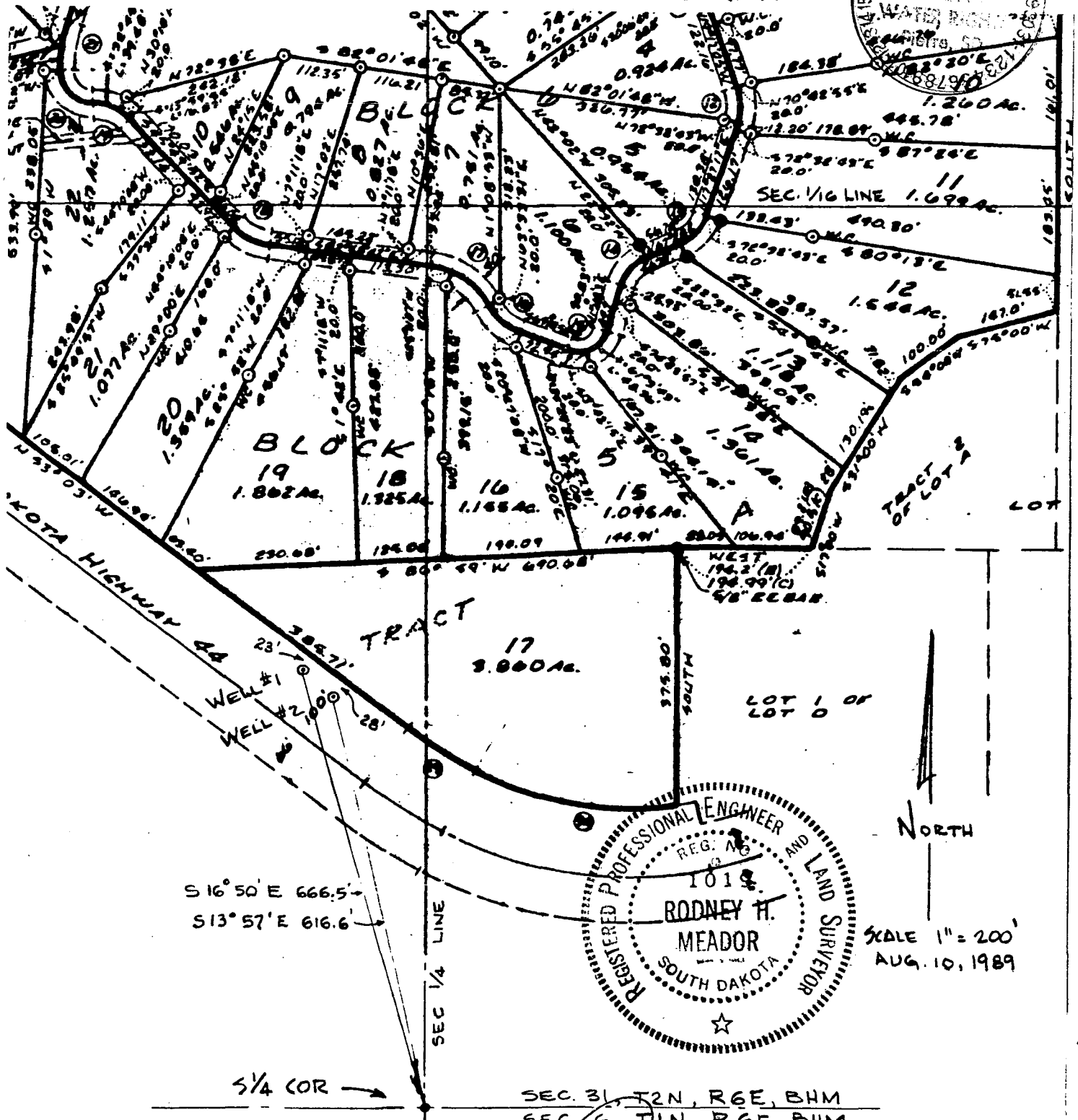
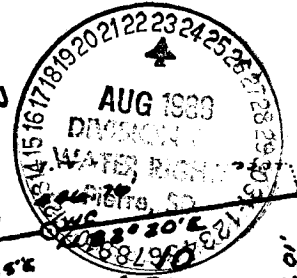
BY: 48
8-16-89

LOCATION
SW-31-2N-6E

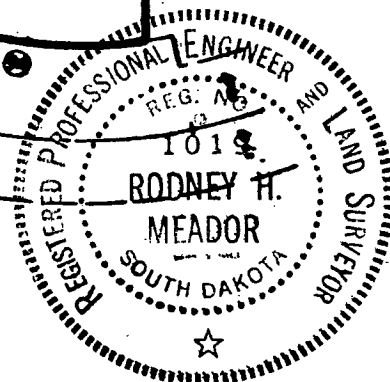
JOB NO.
6821

MAP OF SURVEY

WATER WELL LOCATIONS FOR PINE CLIFF SUBDIVISION
PENNINGTON COUNTY
SOUTH DAKOTA



S 16° 50' E 666.5'
S 13° 57' E 616.6'



SCALE 1" = 200'
AUG. 10, 1989

SEC. 31, T2N, R6E, BHM
SEC. 6, T1N, R6E, BHM

BY:

RODNEY H. MEADOR, P.E. & R.L.S. #1019 S.D.

APPL. NO. 2090-2



F M G, Inc.

1023 West Main
Rapid City, S.D. 57702

Project: PINE CLIFF WATER & MAINTAINENCE, INC.

BY: RHM
8/16/89

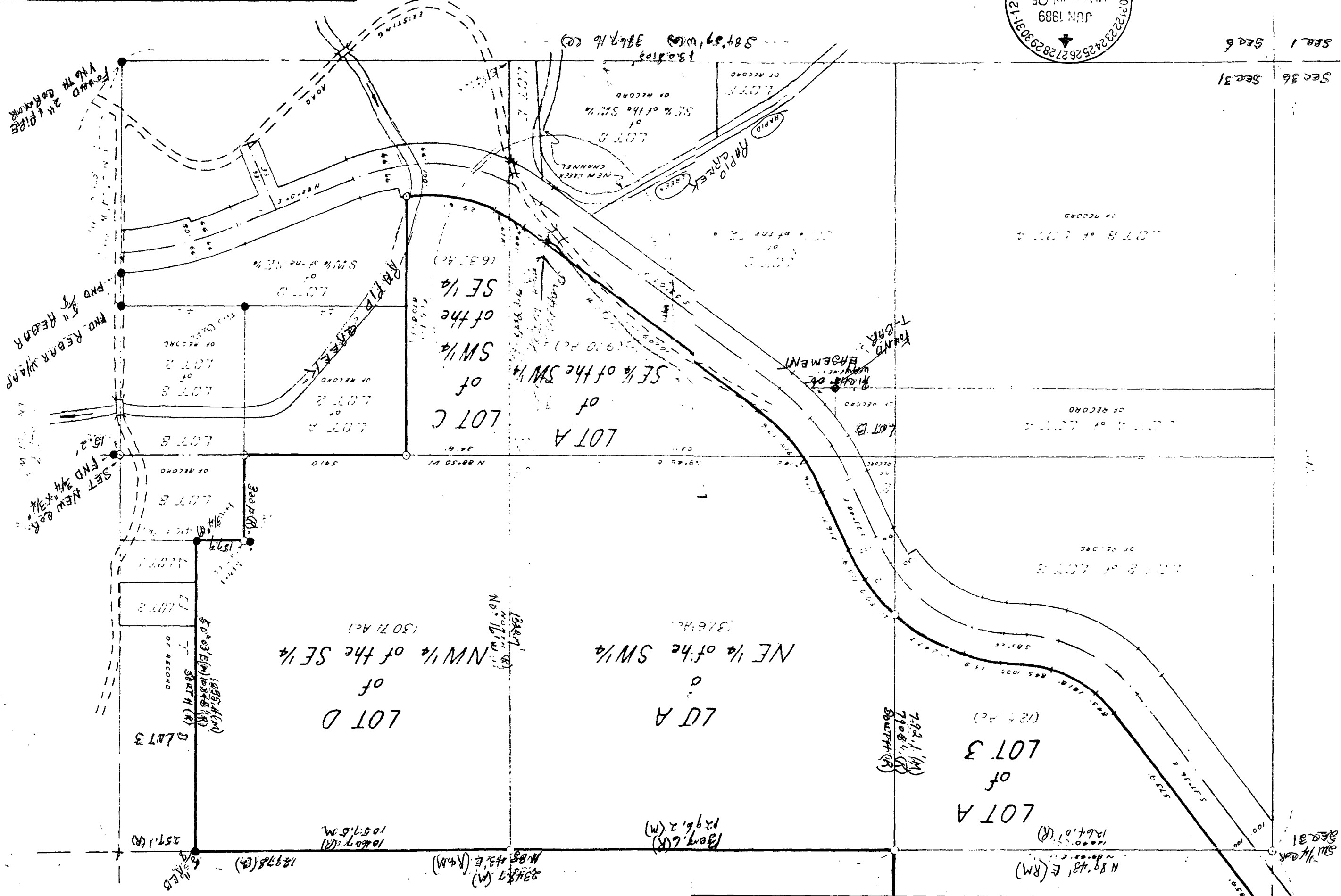
LOCATION
SW-31-2N-6E

JOB NO.
6821

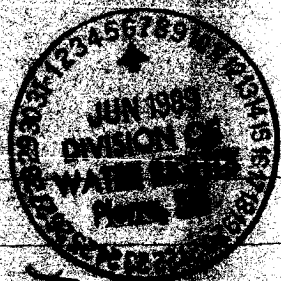
72N	Sec 36	Sec 31
71N	Sec 1	Sec 6



FERGUSON-MEADOR-GELLHAUS, INC.
17 MAIN STREET
RAPID CITY, SOUTH DAKOTA



Re: Newspaper Item.



I understand the State puts the
this in the newspaper.

Our newspaper is the
Rapid City Journal
507 Main Street 57701
Rapid City, SD.

The journal will tell us upon your
request.

Billing sent to:

Julia Lohman, Treasurer
Route 1, Box 2950
Rapid City, SD 57402

I trust the application is done to your
satisfaction. If not let me know.

Julia Lohman, Treasurer



Department of Water & Natural Resources

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

June 12, 1989

Julia A. Lohman, Treasurer
Pine Cliff Park Water & Maintenance, Inc.
Route 1, Box 2950
Rapid City, SD 57702

Dear Ms. Lohman:

This is in response to the water permit application received from you on June 6, 1989.

The application is incomplete for the following reason(s);

- (1) The enclosed application form that you submitted does not adequately describe the sources of water to be used (or in use) by your development. Apparently, there is one existing well, a proposed new well, and a reservoir. You checked the vested right box on the top of the application form. Are you making a vested right claim for the existing well, the reservoir, or both? A separate application form for the vested right portions of your application will need to be completed. I am enclosing an instruction sheet and the required forms for filing a vested right claim. I am assuming that the amount of water requested on your application form (question no. 2) is for the new well. If this is not correct please indicate otherwise. The correct fee for appropriating 0.40 cubic feet of water per second (cfs) is \$250. I am enclosing the check for \$275 that you submitted. There is also a \$15 fee for filing a vested right claim.
- (2) The enclosed map can be used for both the vested right claim application and the regular water permit application. The location of the reservoir needs to be added to the map. In addition, a government section corner or quarter-corner needs to be clearly labelled (the copy makes it difficult to tell) and the map needs to be signed by either a South Dakota Registered Professional Engineer, a South Dakota Licensed Land Surveyor, or by a government employee who normally prepares maps (see enclosed instruction sheet).



June 12, 1989
Lohman
page 2

- (3) The enclosed Forms 2A need to be completed. One for the existing well to be included with the vested right application and one for the reservoir. If both the existing well and the reservoir are being claimed in the vested right application, only one form needs to be completed. Please give a brief description of the use of the reservoir in your operation as well.
- (4) Well logs or test hole logs need to be submitted for both of the wells. If a log for the existing well is not available please indicate so.

Please note that to qualify for a groundwater vested right claim, the well must have been under construction or in use on or before February 28, 1955. If your existing well does not qualify, please include all the requested information on one application form, add the reservoir data to the enclosed Form 2A that was submitted, indicate the amount of water claimed for each of the wells, and submit these forms along with the correct fee, the signed map showing clearly all locations with respect to a government section corner or quarter-corner to begin processing of your water permit application(s).

Please contact me if you have any questions.

Sincerely,

Susan A. Bowar

Susan A. Bowar
Natural Resources Engineer
Water Rights Division
(605) 773-3352

enclosures

Susan A. Bowar
Natural Resources Engineer
Water Rights Division



Dear Ms. Bowar:

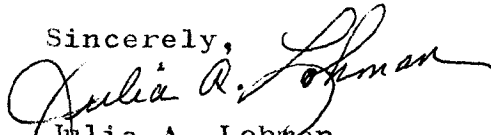
This is so completely new to me that I am not sure that I have as yet given you all that is required. I will put into items listed information that might help you.

1. The map giving the location of the wells was taken from the original map and I hadn't noticed that the one well was still printed as proposed. The map I have now marked shows them to in place in July of 1979. We had a special assessment for residents in 1978 to pay for the well installed, giving us the two wells at that time.
2. A log for the wells is not available. As noted on the map they are on the north side of highway 44 across highway from Rapid Creek.
3. I went to the A.S.C.S. office but map enclosed is all she could give me. Just the description of our development.
4. I have enclosed the two or three permits that M. G. Bradley and Warren Webb had drawn up to show signatures etc. when they still had charge of the development. We, as residents, incorporated September 8, 1975 and now are in charge of our own development. We have a certificate of Corporation showing this. They apparently did not apply for a water permit then.
5. I have filled out the forms 2 and 2A as best as I can with the help of men who had put in the wells and reservoir. The reservoir holds 60,000 gallons of water and supplies the entire development. We have 63 homes in the development.
6. I put in the two checks but if the \$15.99 is not needed just return it.
7. This development was not started until after the flood in Rapid City in 1972 of June 9th. You mentioned in a paragraph that to qualify for a groundwater vested right claim, the well must have been under construction or in use on or before February 28th of 1955.
8. The two wells are, as I've stated, in the ditch north of hwy. 44 across hwy. from Rapid Creek and the reservoir is up on a higher level in block 4 back of the residence of Ethel Farrar. The distance I would have to guess at. Perhaps 1/2 a mile straight across to it, the reservoir. By the road it could be a little over a mile.
9. Name of the owner is Pine Cliff Park Water & Maintenance, Inc. or would you need the names of all of the residents? Stated in item B on Non Irrigation sheet.

10. On the vested rights sheet, item 4, you called for one completed copy of Form 2B. I didn't receive this form.
11. As I wrote on the map, I couldn't locate Mr. Clint Gregory. He isn't listed in the phone book so perhapes has relocated.
12. I've tried to put in the faded markings on the map as best I can,
13. Our paper is the Rapid City Journal for the publication. I understand I write the check for the cost.

I trust that I have given you all the information that you need. Perhapes I could give you my phone number so that you could call in the event you might have a question.

Sincerely,


Julia A. Lohman
Treasurer
Pine Cliff Park, Inc.
(605) 342-4383

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, June 28, 1989

RECEIVED OF Pine Cliff Park Water & Maintenance, RR #1 Box 2950, Rapid City, SD
the following amount in fees for services rendered as provided for by law: 57709

Fee for Application for Permit No. <u>2098-2</u> to Appropriate Water, to construct works and to put water to beneficial use _____	250	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	250	00

By J. H. Blechman
Chief Engineer

 **Department of
Water & Natural Resources**

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

June 30, 1989

Julia A. Lohman, Treasurer
Pine Cliff Park, Inc.
Route 1, Box 2950
Rapid City, SD 57702

Dear Ms. Lohman:

This letter is in response to the water permit application received from on June 6, June 27, 1989 and our telephone conversation concerning the completion of your water permit application.

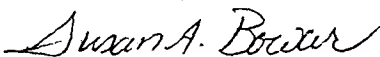
I am returning your check for \$15. Your application does not qualify for a Vested Right.

The following items are needed to complete your water permit application:

- (1) The locations of both of the wells, and the reservoir should be indicated on the enclosed soils map. The map also needs to be signed by someone at the SCS or ASCS who normally prepares maps.
- (2) The enclosed application form needs to be notarized.
- (3) Please indicate who drilled the wells on the enclosed Form 2A.

Please complete these items and return them at your earliest convenience. Feel free to contact me if you have any questions.

Sincerely,



Susan A. Bowar
Natural Resources Engineer
Water Rights Division
(605) 773-3352

enclosure



July 5, 1990



John Hatch
Chief Engineer
Water Rights Division
523 East Capitol
Pierre, South Dakota 57501

Dear Mr. Hatch:

Re: Your letter of April 6, 1990

I had written to Susan Bowar, Natural Resources Engineer, on January 19, 1990. There was no reply to my letter until you wrote me in April. We had met all of the qualifications needed to acquire our water rights but felt there should be something to show that we now had those water rights. In your letter you mentioned an inspection so that the Water License may be issued. There should now have been ample time for this inspection.

For the qualifications stated in your letter, we have sent out quarterly news letters asking residents to cut down on their watering of lawns as does the city of Rapid. We try to stay within the hours of watering so that there is less strain on all wells surrounding us in private homes and developments.

In our last newsletter, we stressed that a good soaking once or twice a week should be sufficient to keep lawns in fairly good condition. When a neighbor abuses this request of keeping down the excessive watering, letting their hoses run too long, another neighbor either turns off his water if he should have left the house to go somewhere or calls their director to handle the problem. This seems to help the situation.

Since you mentioned that a Water License may be issued to us, and we receive it, it will be attached to the paper entitled "South Dakota Water Permit No. 2098-2. Also your letter of April 6, 1990 will be attached.

Thank you.

Very truly yours,

Julia A. Lohman, Treasurer
Pine Cliff Park Estates, Inc.
Route 1 Box 2950
Rapid City, South Dakota 57702



Department of Water & Natural Resources

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

July 10, 1990

2098-2

Julia A Lohman
Pine Cliff Park Estates, Inc
RR #1 Box 2950
Rapid City, SD 57702

Dear Ms. Lohman:

This letter is in response to your July 5th inquiry concerning the status of inspection of the water use system for Pine Cliff Park Estates. We are aware that your system is completed and ready for inspection.

You have complied with all of the requirements for obtaining a water permit for your use of water. The intervening time between issuance of the permit and the actual inspection of the system and issuance of a water license has no bearing upon your water permit. As long as you put the water to beneficial use as stated in Water Permit No. 2098-2, you have a continuing right to use the water.

Unfortunately, we do have a backlog of permit inspections to do and limited staff to accomplish them. However, Water Permit No. 2098-2 has been scheduled for inspection and you will be notified prior to this time in order for us to arrange access to the area.

Thank you for your inquiry into this matter. If you have any further questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Natural Resources Analyst
(605) 773-3352



July 10th, 1989

Susan A. Bowar
Natural Resources Engineer
Water Rights Division

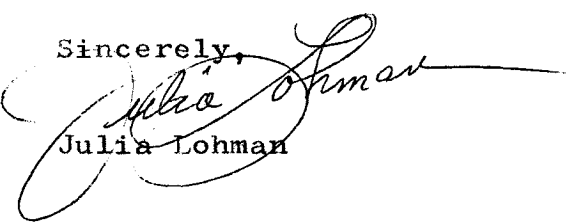
Dear Ms. Bowar:

I am a little late, I know, with this return information. I went up to the A. S. C. A. office and the office was closed for the day. Everything else you wanted I have been able to obtain except the signature of the gal at the A. S. C. A. office. I'm trying in the morning again and hopefully I will get this in the mail for you tomorrow. We live out of town or I would have been to see her before this. We go into town only once a week.

I trust that everything is satisfactory now but if not call me at (605) 342- 4383.

Julia A. Lohman, Treasurer
Pine Cliff Park, Inc.
Route 1 Box 2950
Rapid City, South Dakota 57702

Sincerely,


Julia Lohman



Department of Water & Natural Resources

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

July 25, 1989

Julia A. Lohman, Treasurer
Pine Cliff Water & Maintenance
Route 1, Box 2950
Rapid City, SD 57702

Dear Ms. Lohman:

This letter is in response to the water permit application received from you on June 6, 1989 and the additional information received on June 27 and July 17, 1989.

According to the Administrative Rules of South Dakota, ARSD 74:02:01:07, a copy of which is enclosed, the map that must be submitted with a water permit application **must** be signed by a South Dakota Registered Professional Engineer, a South Dakota Licensed Land Surveyor, or by a government employee who normally prepares maps as part of their duties.

Although we have received several maps from you, none of them have the required signature. This signature indicates the map was prepared by a qualified person and the locations of the wells are correct.

Please submit the required map with the required signature to complete your water permit application. Feel free to contact me if you have any questions.

Sincerely,

Susan A. Bowar
Natural Resources Engineer
Water Rights Division
(605) 773-3352

enclosure



August 21, 1989

Susan A. Bowar
Natural Resources Engineer
Water Rights Division



Dear Ms. Bowar:

RE: WATER RIGHTS MAPS

After receiving your last letter I went to the F. M. G., Inc. office and met a Mr. Meador. I gave him all the material he could use and he came up to survey the area around the wells.

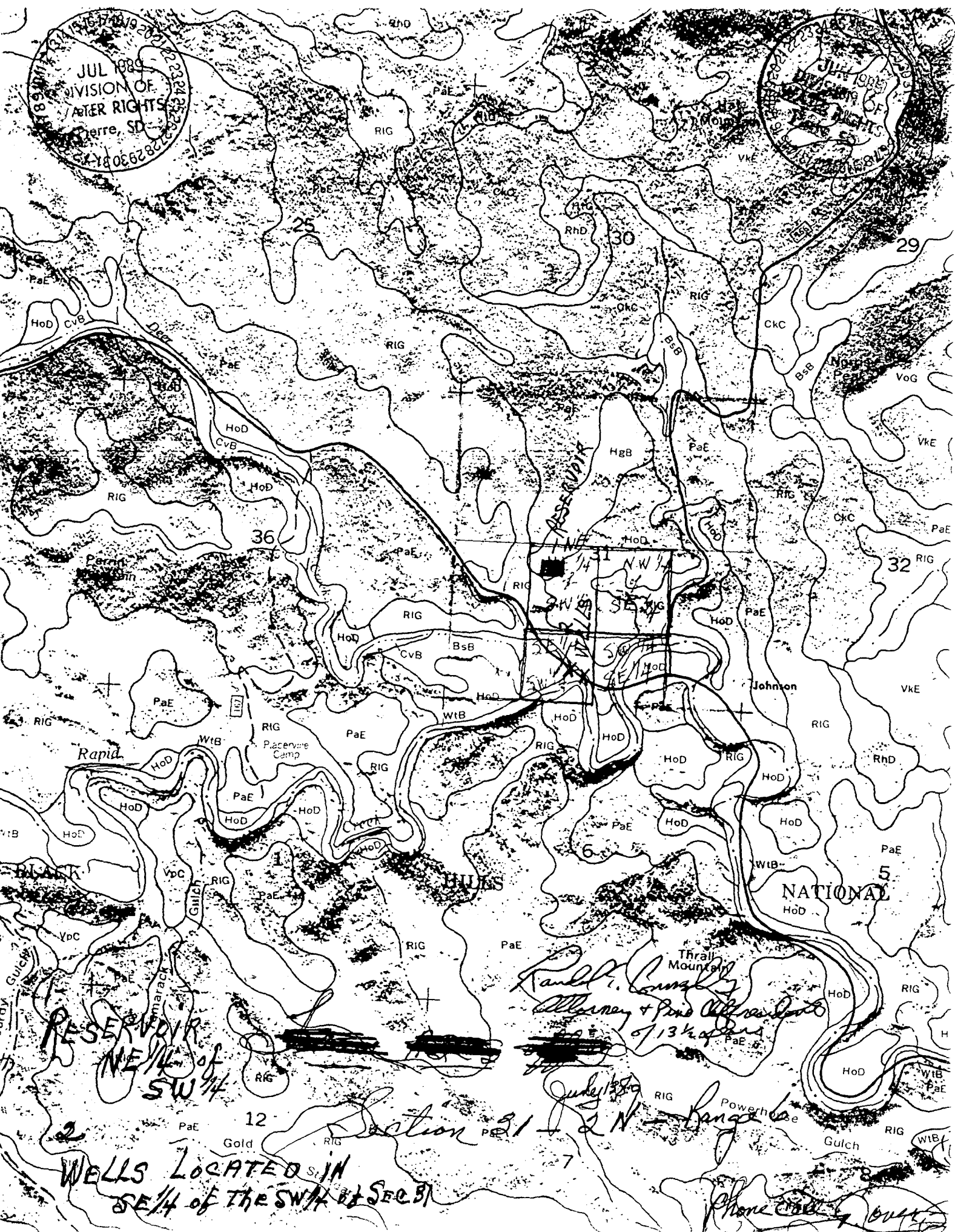
I'm sorry it took so long but I just received the maps in the mail yesterday. I trust this will be to your satisfaction.

Thank you for your patience with me.

Sincerely,

Julia A. Lohman, Treasurer
Pine Cliff Park Water & Maintenance, Inc.
Route 1 Box 2950
Rapid City, South Dakota 57702

enclosure: Mr. Meador's letter



On July 10, 1989, Mr. Waterson called the office at Pierre, at about 10:00 A.M. about not putting a signature on the map. Mr. Waterson runs the Soil Conservation office where this map was obtained.



Water & Natural Resources

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

October 2, 1990

2098-2

Julia A Lohman
Pine Cliff Park Estates, Inc
RR #1 Box 2950
Rapid City, SD 57702

Dear Ms. Lohman:

We have been contacted by the Office of Drinking Water, within our Department, that you had made an inquiry into when your water use system would be inspected and a water license issued. Enclosed is a copy of a July 10, 1990 letter I sent to you in response to a prior inquiry.

You have complied with all of the requirements for obtaining a water permit and will be notified of when the inspection is to be scheduled. A water license will be issued after an inspection has been conducted.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosure

REPORT ON APPLICATION NO. 2098-2 FOR PINE
CLIFF PARK AND MAINTENANCE
OCTOBER 16, 1989

This application proposes to appropriate 0.40 cfs from 2 existing wells 40 feet deep located in the SE 1/4 SW1/4 of section 31, T2N-R6E in Pennington County. The water is used for suburban housing purposes.

AQUIFER Precambrian rocks (CRSL)

The Precambrian rock in this area has been described as phyllite (Redden, 1975). Ground water is obtained from bedding planes, joints and fractures associated with the rock type. The ground water is probably under water table conditions. Recharge to this aquifer is accomplished through infiltration of rainfall and snowmelt into the rock and probably through a hydraulic connection to Rapid Creek which is approximately 100 feet to the south of these wells. Well yields are generally low and unpredictable.

Information supplied with the application is not sufficient to evaluate the wells. These are existing and have been in use. No well logs are available nor any pump rates or sizes. These wells were completed prior to the adoption of the SD Construction Standards and it can not be determined if the well completion complies with public water supply standards.

The Division of Water Rights does not monitor any observation wells in the area nor are there any estimates available for water in storage in the aquifer.

REVIEW OF EXISTING PERMITS

There is one nearby Water Right No. 1648-2 for Thrall Mountain Property Owners Association which authorizes 0.11 cfs from a well 41 feet deep. This well is located approximately 1400 feet southeast of the diversion points for this application. Interference is not expected to be a problem because the aquifer is under water table conditions and because Rapid Creek is near the diversion points.

CONCLUSIONS:

1. Ground water is available from the Precambrian rock in this area. The aquifer is probably in hydraulic connection with Rapid Creek.
2. These wells have been in use since the mid 1970's with no apparent problems.
3. Interference should not be a problem mainly because of the proximity to Rapid Creek.

4. There are other domestic wells in the area.
5. Information is not available to determine if these wells are constructed to comply with public water standards (74:02:04:30).
6. Wastewater is disposed of through individual septic systems for this development.

James A. Goodman/ks
JAMES A GOODMAN, P.E.
Natural Resources Engineer

BIBLIOGRAPHY

Redden, J.A., 1975, Precambrian Geology of the Black Hills, in Mineral and Water Resources of South Dakota, Bulletin 16, SD DWR, SDGS, Vermillion, S.D., 57069.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2098-2, Pine Cliff Park Water and Maintenance

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. 2098-2, Pine Cliff Park Water and Maintenance, Route 1, Box 2950, Rapid City SD.

The Chief Engineer is recommending APPROVAL of Application No. 2098-2 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
October 17, 1989



Department of Water & Natural Resources

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

October 31, 1989

Rapid City Journal
Box 450
Rapid City, SD 57709

ATTN: Legal Department

Enclosed is a Notice of Hearing on Application No. 2098-2 to be published twice. Please publish the first notice on or before November 6, 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 Pine Cliff Park Water & Management, RR #1 Box 2950, 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

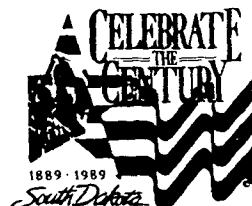
No. _____

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





Department of Water & Natural Resources

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

October 31, 1989

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

Julia A. Lohman
Pine Cliff Park Water & Management
RR #1 Box 2950
Rapid City, SD 57702

Dear Ms. Lohman:

Water Permit Application No. 2098-2 for suburban use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Rapid City Journal printed at Rapid City SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation are also 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



Instruction to Newspaper - Publish first Notice on or before November 6, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2098-2 to Appropriate Water

Notice is given that Pine Cliff Park Water & Maintenance, RR #1 Box 2950, Rapid City, SD 57702 has filed an application for a water permit to appropriate 0.40 cubic feet of water per second from 2 existing wells (Precambrian Rocks Aquifer) 40 feet deep located in the SE1/4 SW1/4 Section 31-T2N-R6E. Water is used for suburban housing purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 2098-2 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. This application will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 E. Capitol, Pierre, SD on December 6, 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 this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the 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 November 24, 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 the application, the petitioner's reasons for opposing or supporting the 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 this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. 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 the 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 November 24, 1989.

This application is 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.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
 County _____)

I, Mary K. Garness
 certify that the attached printed Notice 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:

November 6, 1989

November 13, 1989

Mary K. Garness
 (Signature)

Bookkeeper
 (Title)

November 13, 1989
 (Date Signed)

Cost of Printing: Ran 7 15/16 inches legal advertising

in the Rapid City Journal on November 6 & 13 @

\$4.20 per inch = \$66.68

Ran public notice of hearing L132 Pine Cliff

Nov. 6, 13 L132

NOTICE OF HEARING ON APPLICATION NO. 2098-2 TO APPROPRIATE WATER

Notice is given that Pine Cliff Water & Maintenance, RR #1 Box 2950, Rapid City, SD 57702 has filed an application for a water permit to appropriate 0.40 cubic feet of water per second from 2 existing wells (Precambrian Rocks Aquifer) 40 feet deep located in the SE 1/4 SW 1/4 Section 31-T2N-R6E. Water is used for suburban housing purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 2098-2 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. This application will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 E. Capitol, Pierre, SD on December 6, 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 this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the 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 November 24, 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 the application, the petitioner's reasons for opposing or supporting the 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 this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. 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 the 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 November 24, 1989.

This application is 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.



January 19, 1990

Susan A. Bowar
Natural Resources Engineer
Water Rights Division
Pierre, South Dakota



Dear Ms. Bowar:

Re: Pine Cliff Park Water & Maintenance, Inc. Water Rights
last June and July.

Our corporation still hasn't received a Certificate of our Water Rights. The 2 weeks item was run in the newspaper and paid for some time ago. The maps and information you requested were sent in.

We feel there should be some kind of a certificate or the like stating that we now own the water rights to our development.

Should there be a Certificate of Water Rights, we then could file this with our Certificate of Corporation. Please let us know if a document could be given to us for our files.

Sincerely,

Julia A. Lohman
Pine Cliff Park Water & Maintenance, Inc.
Route 1 Box 2950
Rapid City, South Dakota 57702



Department of Water & Natural Resources

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

APR 6 1990

Julia A. Lohman
Pine Cliff Park Water & Maintenance
RR #1 Box 2950
Rapid City, SD 57702

Dear Ms. Lohman:

Enclosed is Water Permit No. 2098-2 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 Permit.

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

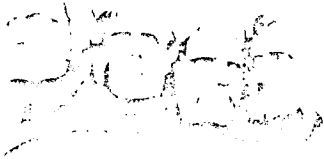
Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch".

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

enclosures

South Dakota



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING

523 EAST CAPITOL

PIERRE SOUTH DAKOTA 57501-3181

July 18, 1991

2098-2

Julia A Lohman
Pine Cliff Park Water/Maintenance
RR #1 Box 2950
Rapid City, SD 57702

Dear Ms. Lohman:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 2098-2, 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 issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

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,

Genny McMath

Genny McMath
Natural Resources Analyst
(605) 773-3352

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

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

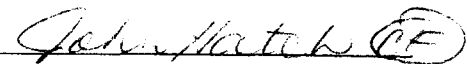
412749

Pierre, July 22, 19 91

RECEIVED OF Julia Lohman, RR 1, Box 2950, 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 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. <u>2098-2</u>	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

Permit No. 2098-2

Water District Upper Cheyenne

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

I have this day made a thorough examination of the water use system constructed by Pine Cliff Park Water and Maintenance of Route 1, Box 2950, Rapid City, SD 57702 holder of Permit No. 2098-2, bearing the priority of August 23, 1989 authorizing the diversion of 0.4 cu. ft. per second of groundwater (Pre-Cambrian Rocks) 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:

Two submersible pumps, with a total capacity of 85 gallons per minute

Two submersible motors, 10 and 5 horse power.

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

450 feet of Polyvinyl Chloride (PVC) 1 and 1.25 inches in diameter.

C. Works used to apply water to beneficial use:

Water is used to supply the needs of a maximum of 72 houses in a suburban housing development.

The system is in the following condition Very good. The point of diversion is located Well #1: 2320 feet east, 720 feet north; Well #2: 2480 feet east, 560 feet north, both from the Southwest corner of Section 31, T2N-R6E (SE1/4 SW1/4). The works are capable of diverting and conveying to the place of use 0.19 cu. ft. per second which is to be used for supplying water to a suburban housing development. Water has been put to beneficial use to the maximum extent as follows:

Water is used to supply the needs of a total of 72 houses.

comprising a total of NA acres of land and the license should be issued for 0.19 cfs.

Application permit qualifications have been complied with X Yes No

Exceptions to compliance are: None

Date: 6/19/91

M. Rashedi

M. RASSOOL AHADI
Natural Resources Engineer III
DENR, Water Rights Division

LICENSE FOR PERMIT NUMBER 2098-2

1. Legal location of wells: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31, T2N-R6E

dams & structures: NA

2. Well Information: Well Drilling Firm Hamm/Schaeffer

Completion Report Yes No X No. of Wells 2 Depth 40 feet (both)

Casing a) diameter 8 and 6 inches Screen a) type unknown

b) length unknown b) length

c) type Steel Static Water Level about 5 feet

Pump a) make both Submersible Motor a) make both Submersible

b) model b) model No.

c) size c) horsepower rating 10 and 5

d) capacity 57 and 28 gpm

e) turbine pump - no. of stages

f) operating PSI

3. Distribution lines or canals

a) size 1 and 1 $\frac{1}{2}$ inches

b) type Polyvinyl Chloride (PVC)

c) length 450 feet

4. Dam Information:

a) height to crest m) Outlet tubes:

b) height to primary spillway 1) diameter

c) height to secondary spillway 2) type

d) crest width 3) valved (Y/N)

e) crest length 4) valve type

f) spillway length 5) location on structure

g) spillway width

h) approx. storage n) Category of Dam

i) approx. storage to crest

j) date constructed

k) inspection sheet completed (Y/N)

l) Name of Contractor

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 _____

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

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

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

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

d) 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) capacity (GPM) _____

g) siphons

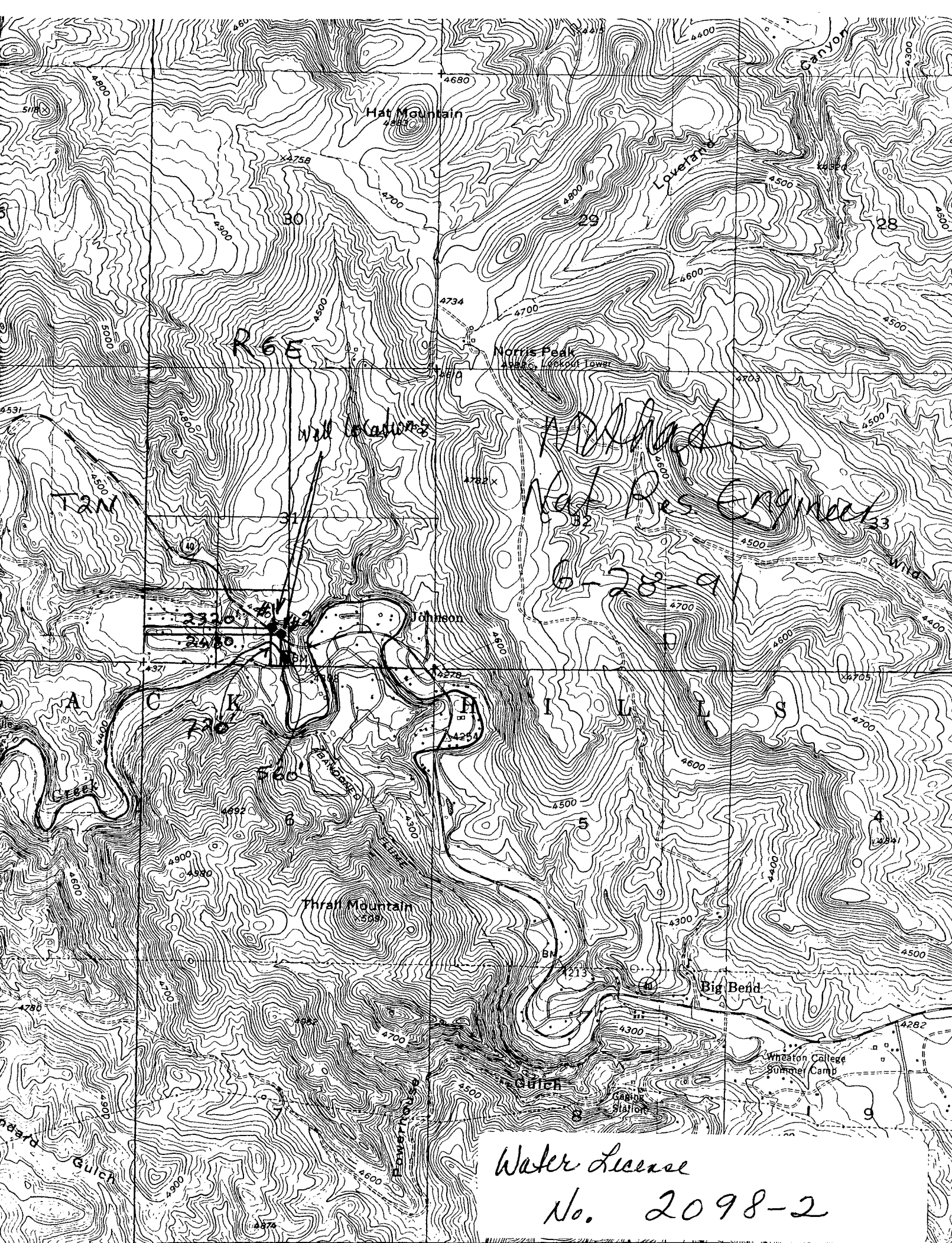
- 1) size _____
- 2) number _____

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project None

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?
___	X ___	3. All structures, wells and lands on map?
___	NA ___	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
___	X ___	5. Is chemigation used?
___	___	6. If yes, does equipment comply with chemigation rules?

REMARKS:



Water License
No. 2098-2

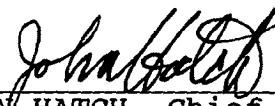
STATE OF SOUTH DAKOTA
WATER LICENSE NO. 2098-2

(1) Pine Cliff Park Water & Maintenance of RR 1, Box 2950, Rapid City, SD 57702 made Application No. 2098-2, June 6, 1989 for a water permit to appropriate 0.40 cubic feet of water per second from groundwater (two existing wells), Pennington County, South Dakota for suburban housing development purposes. Permit No. 2098-2 with a priority date of August 23, 1989 was approved December 7, 1989 and issued to applicant(s) for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

(2) It is certified that the applicant 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 0.19 cubic feet of water per second for beneficial use. The location of the diversion points are: Well #1 - 2,320 feet East and 720 feet North and Well #2 - 2,480 feet East and 560 feet North, both from the SW corner of Section 31, T2N, R6E (SE 1/4 SW 1/4).

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

(4) Pursuant to Section 46-5-30.1 Pine Cliff Park Water & Maintenance of RR 1, Box 2950, Rapid City, SD 57702 the holder(s) and/or owner(s) of Water Permit No. 2098-2 is issued a license to appropriate water, the right to use 0.19 cubic feet of water per second from groundwater (two wells) with a priority date of August 23, 1989 from the location specified in (2) of this license. The water is used to supply a suburban housing development. This license is subject to any limitations or qualifications listed in Water Permit No. 2098-2 and subject to South Dakota State Law.



JUL 30 1991

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



GREAT FACES. GREAT PLACES.

JUL 30 1991

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

2098-2

Pine Cliff Park Water & Maintenance
RR 1, Box 2950
Rapid City, SD 57702

Dear Sirs:

Enclosed is Water License No. 2098-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 412749 in the amount of \$50.00 which you paid for the inspection 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. 2098-2, 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 Division
(605) 773-3352

enclosures