

Considered: _____

WATER PERMIT NO. 2129-2

Phone: 348-3427 (Harold Salathe)

Name of Applicant: Ponderosa Mobile Home Ranch

Post Office Address: Rt. 1 Box 2990, Rapid City, SD 57702

Amount of Water Claimed: 0.167 cfs Total Acres: N/A

Source of Water Supply: groundwater

Water to be used for: suburban housing County: Pennington

About 3 miles NW of Rapid City

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received: 5/11/90 Fee: \$150.00 Remarks _____

Corrected Application Received _____ Period of Annual Use year-round

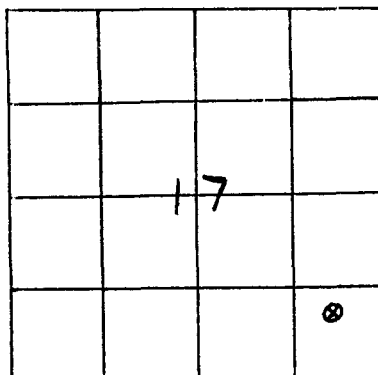
WATER QUALITY APPROVAL RECEIVED N/A APPROVED/CONDITIONAL (Circle one)

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

Diversion Point: SE1/4 SE1/4 Sect 17-T2N-R7E

(Lot 3 of Lot G)

Land to be Irrigated: _____



Well Log: Drille Downen Licensed YES X NO _____

Depth of Well: 390' REMARKS well log dated 4/29/63

Type of Map: Plat PREPARED BY: Harry Richardson #1531N Reviewed and the Number

Assigned on 5/14/90 By Eric Gronlund

No. 2129-2 Hydrologic Unit 10120110
 Map No. _____ 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. _____

1. Name of Applicant Ponderosa Mobile Home Ranch Phone No. 348-3427

Post Office Address Rt. 1 Box 2990 Rapid City State S.D. 57702
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s.) 0.157

3. Source of water supply Well

4. Location of point of diversion (Lot 3 of Lot G) SE 1/4 SE 1/4 SEC. 17-T 2 N R 7 E of the
Black Hills Meridian

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)

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, Harold Salathe 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 Harold Salathe

Subscribed and sworn to before me this 7th day of May 19 90

Carol A. Krenn
 Notary Public
My comm exp Feb 20, 1998

**SOUTH DAKOTA
WATER PERMIT No. 2129-2**

Date of first receipt of application May 11, 1990.

The Water Management Board approved Water Permit Application No. 2129-2 on October 3, 1990 for Ponderosa Mobile Home Ranch, Rt. 1, Box 2990, 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. 2129-2 appropriates 0.167 cubic feet of water per second from one well (Minnelusa Formation) 390 feet deep located in the SE1/4 SE1/4 Section 17 T2N-R7E.
2. The water appropriated shall be used for the purpose of providing water supply for a mobile home park and may not exceed the amount of water needed for beneficial use for suburban housing.
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 May 11, 1990.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

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

DEC 19 1990

(date)

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 6 inch Depth 390 ft.
- b) Casing Type Steel Diameter 5 inch Thickness 3/8 inch
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 310 ft.
- f) Depth to Water (ground surface to water level) 40 ft.
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others 152.54 ft.

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 _____

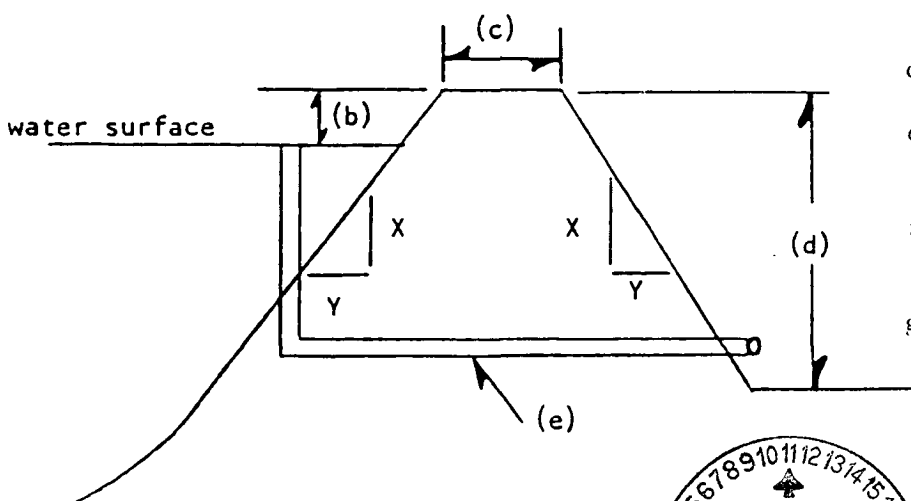
g) X & Y Slope
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

612288

Pierre, May 11, 1990

RECEIVED OF Harold Salathe, RR #1 Box 2990, Rapid City, SD 57702

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

Fee for Application for Permit No. <u>2129-2</u> to Appropriate Water, to construct works and to put water to beneficial use _____	150	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	150 00

By John Hatch
Chief Engineer

STATEMENT

Downen Drilling Company

Rt. 4, Box 1190
Rapid City, South Dakota 57702
Phone 787-4525

Harold Salathe

Ponderosa Trailer Ranch

Rapid City, SD

Terms: Due upon receipt. 1½% per month after 30 days.

Date 4/29/63

390' deep

213' 5" casing cemented in

0-65' redshale with small gravel at top

65-110' limestone (Minnekata)

110-250' red shale (Opeache)

250-310' limestone with small shale layers

310- 320' Rose sandstone

320-230' white limestone

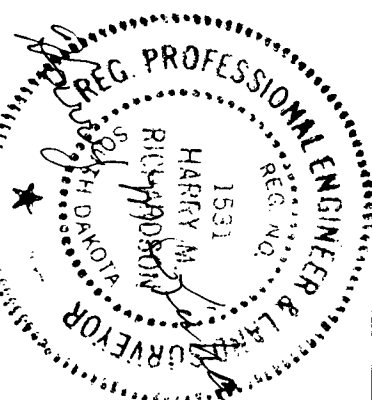
330-385' yellow sandstone dries white

385-390' white limestone

Water level 40' from top

Test 100 gal. per min at 60'





MAP OF SURVEY (LOT 3 OF LOT G)
SE 1/4 SE 1/4 SEC 17 T2N R7E



CORNER MONUMENT DESCRIPTION

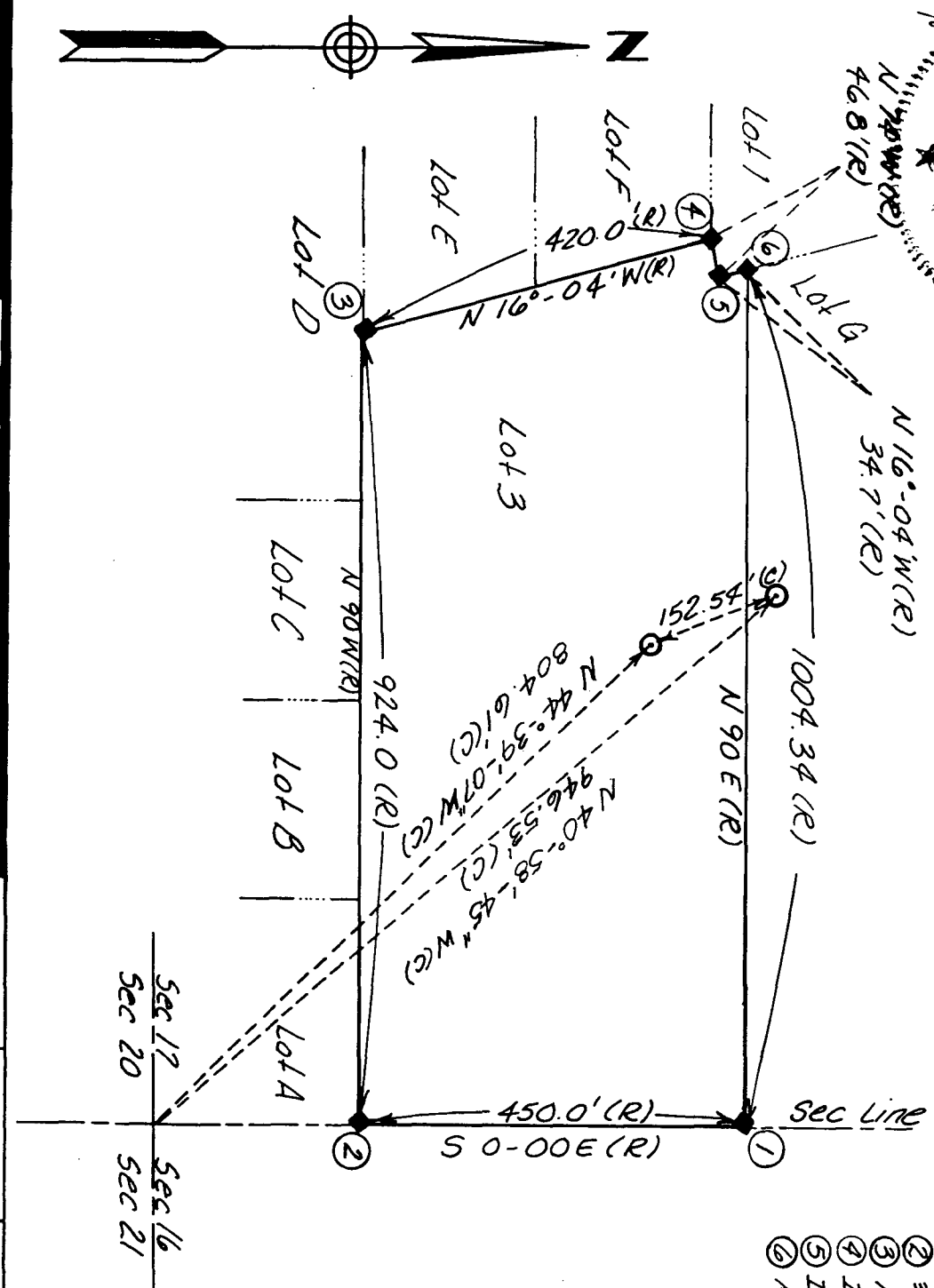
- ① REBAR W/ ALUMINUM CAP
- ② 3/4" Ø PIPE (BEUT)
- ③ REBAR W/ ALUMINUM CAP
- ④ IRON POST 1" Ø
- ⑤ IRON PIPE 1.5" Ø
- ⑥ REBAR 5/8" Ø

LEGEND

- ◆ FOUND PROPERTY CORNER MONUMENT W/ NUMBER
- WELL LOCATION
- (R) RECORDED MEASUREMENT
- (C) CALCULATED MEASUREMENT

NOTE: MEASUREMENTS DENOTED (R) WERE NOT VERIFIED FOR THIS SURVEY.

App. No. 2129-2



BANNER
BANNER ASSOCIATES, INC. • CONSULTING ENGINEERS & ARCHITECTS
1641 DEADWOOD AVENUE • P.O. BOX 1140 • RAPID CITY, SD 57709 • (605) 343-0222

DRAWN BY:	UC & MK	CHECKED BY:	MK	DATE:	5/11/90	SCALE:	1" = 200'	PROJECT NO:	2206	SHEET:	1 OF 1
REVIEWED:											
DATE:											

FOR BANNER ASSOCIATES, INC.

November 21, 1989

Re: 5.4 Ponderosa Mobile Home Ranch, Rapid City

Harold Salathe
Route 1 Box 2990
Rapid City, SD 57702

Dear Mr. Salathe:

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

Many drinking water regulatory changes will be taking place during the next few years because of the 1986 Safe Drinking Water Act Reauthorization. These changes include sampling for volatile organic, unregulated, and synthetic organic chemicals; increased microbiological sampling; and mandatory disinfection. Water systems should be aware of the regulation changes. The Office of Drinking Water will notify each system when they will be impacted by a regulation change.

You or your representative are invited to attend meetings and training short courses sponsored in part by the South Dakota Water and Wastewater Association. If you have any questions concerning dates and locations of training courses, contact Mr. William E. Aisenbrey at 773-4219 or write Suite 110E, Joe Foss Building, Pierre, South Dakota 57501 at your convenience.

Sincerely,

Darron Busch, Administrator
Office of Drinking Water
Phone: (605) 773-3754

cc: Valerie O'Connor
Gary Stephenson, Black Hills Regional Office

Report on
Water Permit Application No. 2129-2
Ponderosa Mobile Home Park
July 2, 1990

Application No. 2129-2 proposes to appropriate 0.167 cubic feet of water per second from one well 390 feet deep located in the SE 1/4 SE 1/4 Sec. 17, T2N-R7E. The water is for use by the mobile home park.

AQUIFER: Minnelusa Formation

Geology and Aquifer Characteristics

The Permian and Pennsylvanian aged Minnelusa Formation is composed of a varied assemblage of sandstone, limestone, dolomite, and shale, approximately 560-640 feet thick in this area. The top of the Minnelusa is approximately 250 feet below ground surface at this site. The aquifer is under artesian conditions at this well site with a reported static water level of 40 feet below grade at the time of completion. The Minnelusa underlies approximately 1,372,520 acres of Pennington County and 2,172,800 acres of Meade County (Allen, 1984). The aquifer contains an estimated 51,432,000 acre-feet of recoverable water in storage in Pennington County and an estimated 81,480,000 acre-feet of recoverable water in storage in Meade County (Allen, 1984). The hydraulic characteristics of the Minnelusa Aquifer reflect the lithology and are therefore quite variable. Hydraulic conductivity estimates for the aquifer range from 2.4×10^{-5} to 1.4 ft/d, transmissivity estimates range from 30 to 1,000 ft²/d, and estimates of the Minnelusa's storage coefficient range from 6.6×10^{-5} to 2.0×10^{-4} (Kyllonen, 1987). Recharge to the Minnelusa aquifer occurs through direct infiltration of precipitation at the outcrop area, streamflow losses, and potentially from upward movement of water from the underlying Madison Limestone. Although distinct potentiometric surfaces exist in the Minnelusa and Madison aquifers, the lower portion of the Minnelusa formation, consisting primarily of limestone and dolomite, may be a leaky confining layer of the underlying Madison. 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, 1990).

Observation Wells

The Division of Water Rights currently monitors 15 observation wells completed into the Minnelusa Aquifer. Five of Minnelusa Aquifer observation wells are located in Pennington county, and two Minnelusa wells are located in Meade County.

The nearest Minnelusa observation well- PE-84B, is located approximately 1/2 mile from this well site. The 5 year period of record from the well indicates the static water level of the Minnelusa fluctuates approximately 30 feet (hydrograph included). The short period of record for the well is insufficient to evaluate the water availability in the area. The downward trend of the water level in recent years is probably indicative of recent low annual precipitation from 1986 to present, rather than a water availability concern. Comparisons between the hydrograph of PE-84B with a Water Rights Division Observation Well with period of record to 1964, (PE-64B) suggests the downward trend may be cyclic. The hydrograph of PE-64B shows approximately 15 psi fluctuation or approximately 35 feet between highest and lowest water level readings. Water level measurements since 1964 demonstrate that there is considerable fluctuations from year to year, but also suggest that the aquifer is supporting existing appropriation without impairment.

Review of Existing Water Rights

There are numerous other water permits in this area. 26 ground water permits are located within approximately 2 miles of this well site. The majority of the wells supplying these permits are completed into the Minnelusa Aquifer. There are nine water permits for water from the Minnelusa within a radius of approximately one mile of this application. They include:

Permit #.	Owner	Location	aquifer	Use	cfs
1056-2	Pete Lein & Sons	002N07E21bb	MNLS	IND	2.22
1279-2	Pete Lein & Sons	002N07E21db	MNLS	IND	.68
1761-2	Pete Lein & Sons	002N07E21dd	MNLS	DOM	.10
1824-2	A.Amundson	002N07E20cc	MNLS	SHD	.11
1406-2	T.D. Volz	002N07E8c	MNLS	SHD	.11
1706-2	Midwest Homes	002N07E8dd	MNLS	SHD	.56
2002-2	Black Hills Greyhound Racing Assn	002N07E17	MNLS	COM	.077
2069-2	L. Seitz	002N07E17	MNLS	SHD	.10
2070-2	L. Seitz	002N07E17	MNLS	SHD	.10

The nearest permitted well is Permit No. 2002-2, it is within 1/2 mile of this well site. Interference is possible; however, the drawdowns caused by pumping should not adversely affect existing users. This well has been in use for many years with no apparent problems.

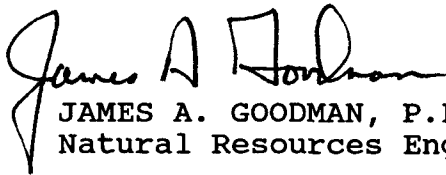
Conclusions

1. The Minnelusa Aquifer is a viable aquifer in this area and there is a reasonable probability that unappropriated water is available for this appropriation
2. Average annual recharge has not been estimated for the Minnelusa aquifer. Historic data suggests that average annual withdrawal from the aquifer does not exceed average annual recharge.
3. The appropriation requested by this application can probably be made without adversely affecting existing adequate wells.
5. The well associated with this application has been in existence since 1963 with no reported controversy.



KEN BUHLER
Natural Resources Engineer

approved by:

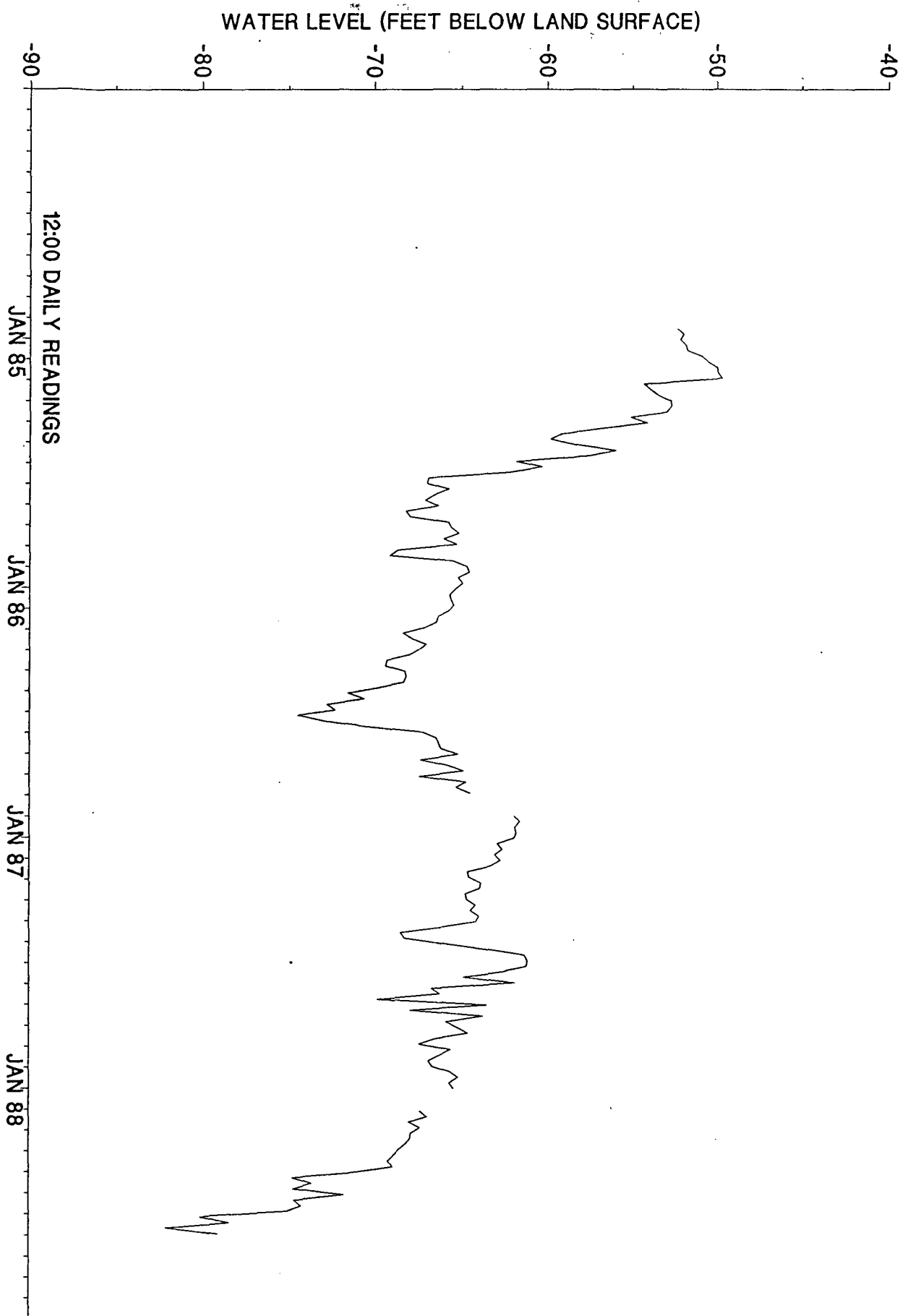


JAMES A. GOODMAN, P.E.
Natural Resources Engineer

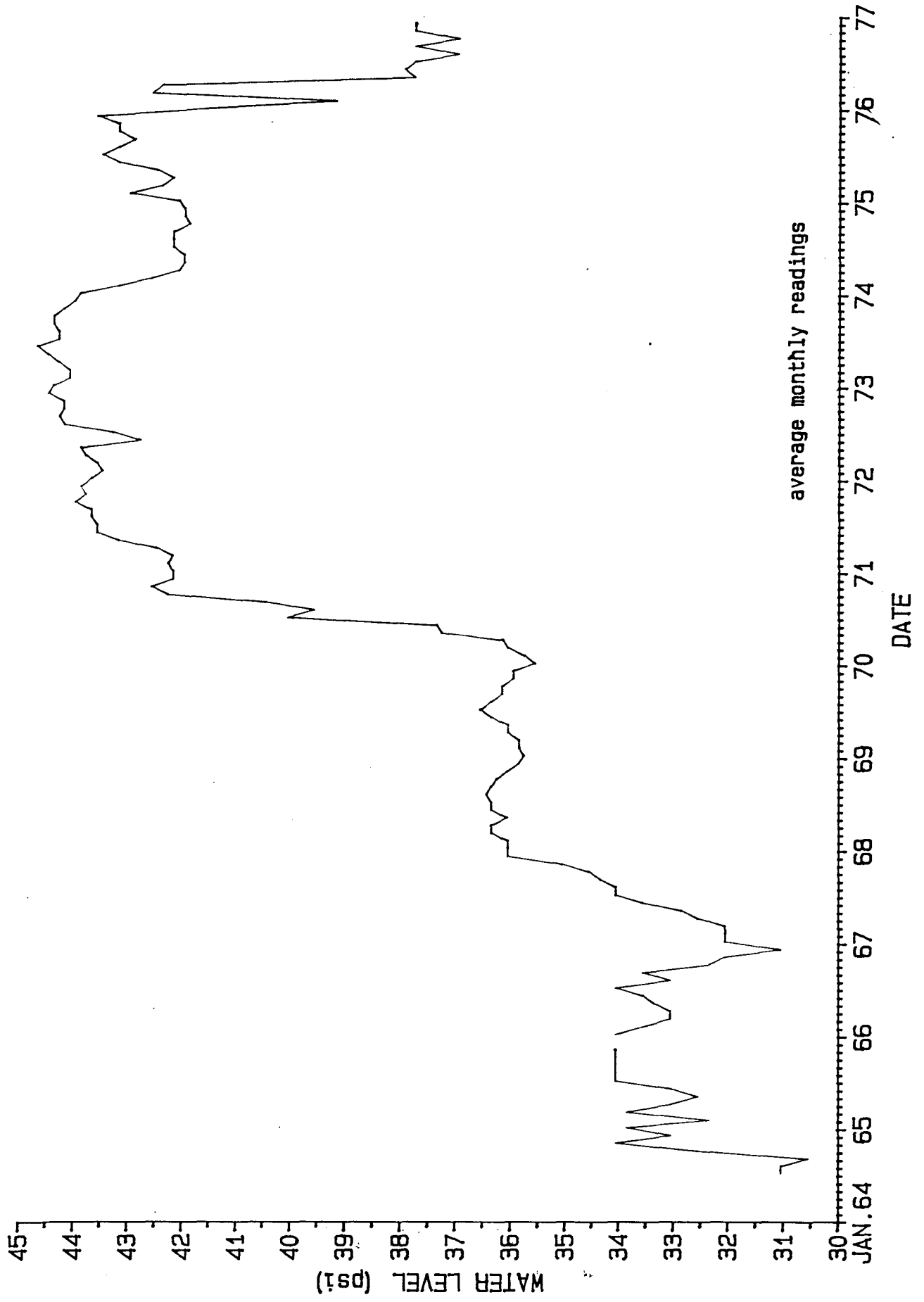
Bibliography

- Allen, J.C., D. Iles, A. Petres, 1984, Analysis of Ground Water and Streamflow Data Western Dakotas Region of South Dakota, Tasks 3 & 4: Groundwater Resources Inventory, Department of Water and Natural Resources, Division of Geological Survey, Vermillion, South Dakota, 57069, U.S. Army Corps of Engineers Contract No. DAWC ;45-82-C-0151
- Cattermole, M.J., Geologic Map of the Rapid City West Quadrangle, Pennington County, SD, USGS Map GQ-828, USGS, Washington D.C,
- Division of Water Rights, 1990, "Observation Well Files", SD DWNR-Division of Water Rights, Joe Foss Building, Pierre, SD, 57501
- Division of Water Rights, 1990, "Water Permit Files", SD DWNR-Division of Water Rights, Joe Foss Building, Pierre, SD, 57501
- Kyllonen, D.P., K.Peter, 1987, Geohydrology and Water Quality of the Inyan Kara, Minnelusa, and Madison Aquifers of the Northern Black Hills, South Dakota and Wyoming, and Bear Lodge Mountains, Wyoming, USGS Water-Resources Investigations Report 86-4158, Rapid City, South Dakota, 57701
- Peters, K.D., 1985, Availability and Quality of Water from Bedrock Aquifers in the Rapid City Area, SD, USGS Water Resources Investigation 85-4022, USGS, Rapid City, SD 57701

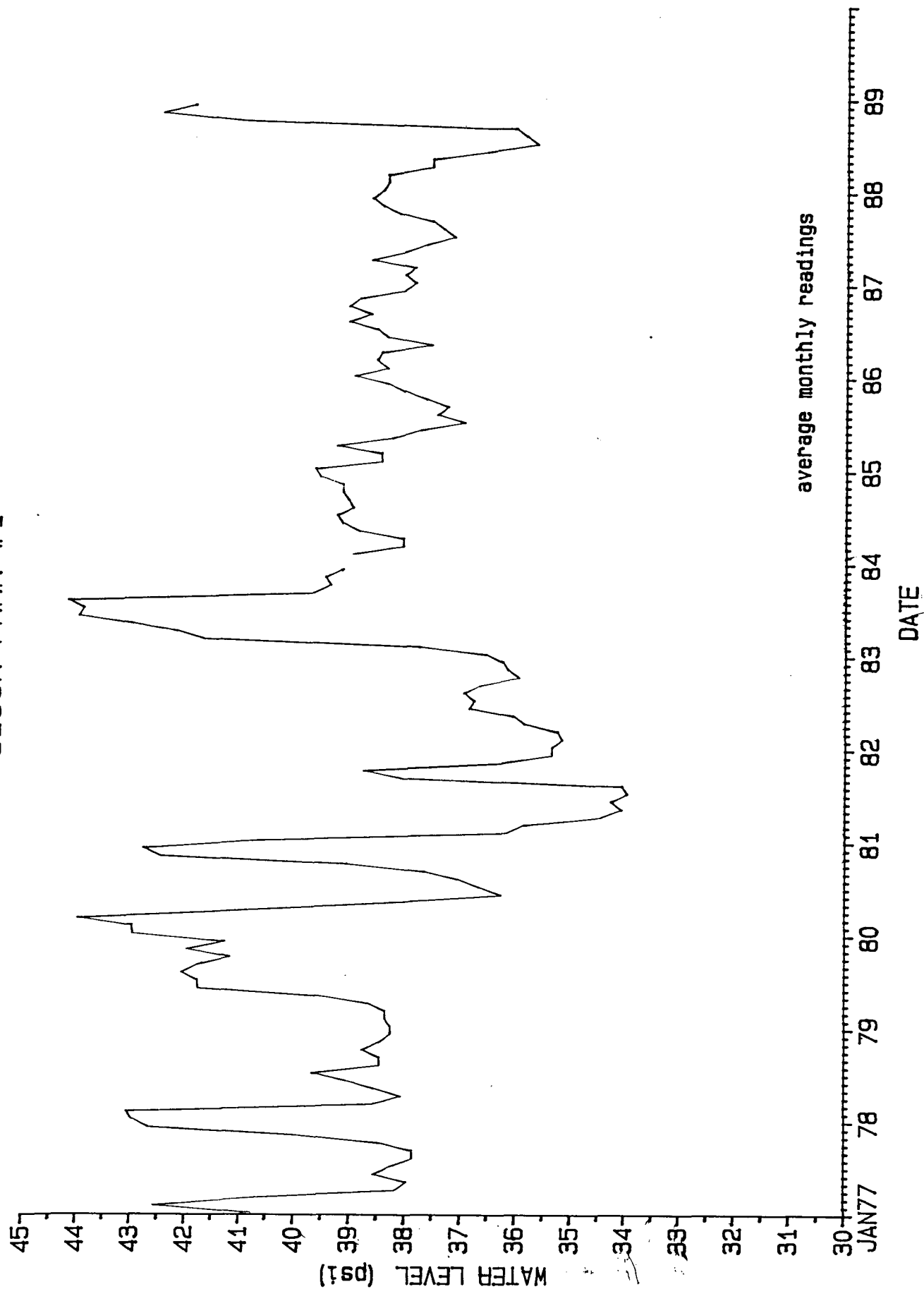
DIVISION OF WATER RIGHTS OBSERVATION WELL
PE-84B



SIoux PARK #1



SIoux PARK #1



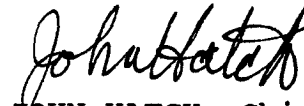
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2129-2, Ponderosa Mobile Home Ranch

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. 2129-2, Ponderosa Mobile Home Ranch, Rt. 1 Box 2990, Rapid City SD.

The Chief Engineer is recommending APPROVAL of Application No. 2129-2 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 report on application for additional information.

A handwritten signature in dark ink, appearing to read "John Hatch", with a stylized, cursive script.

JOHN HATCH, Chief Engineer
July 5, 1990



Department of Water & Natural Resources

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

August 23, 1990

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

Harold Salathe
Ponderosa Mobile Home Park
RR #1 Box 2990
Rapid City SD 57709

Dear Mr. Salathe:

Water Permit Application No. 2129-2 for suburban housing 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,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



Department of Water & Natural Resources

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

August 23, 1990

Rapid City Journal
Box 450
Rapid City, SD 57709-0450

ATTN: Legal Publications:

Enclosed is a Notice of Hearing on Application No. 2129-2 to be published twice. Please publish the first notice on or before August 30, 1990 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 Ponderosa Mobile Home Park, RR #1 Box 2990, 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,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
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 August 30, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2129-2 to Appropriate Water

Notice is given that Ponderosa Mobile Home Ranch, RR #1 Box 2990, Rapid City SD 57702 has filed an application for a water permit to appropriate 0.167 cubic feet of water per second from one well (Minnelusa Formation) 390 feet deep located in the SE1/4 SE1/4 Section 17 T2N-R7E. The water is for use by the mobile home park.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 2129-2 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 the Community Room, Brule Co. Courthouse, 300 S. Courtland, Chamberlain, SD on October 3, 1990 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.

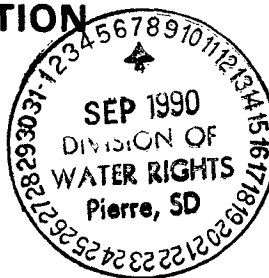
Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by September 21, 1990. The Chief Engineer's address is "Water Rights Division, 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 September 21, 1990.

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 Pennington)



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:

August 30, 1990

September 6, 1990

Mary K. Garness
 (Signature)

Bookkeeper
 (Title)

September 6, 1990
 (Date Signed)

Cost of Printing: Ran 7 15/16 inches legal advertising
in the Rapid City Journal on August 30 & Spetmber 6
@ \$4.55 per inch = \$72.10

Ran public notice of hearing L073

Aug. 30, Sept. 6 L073

NOTICE OF HEARING ON APPLICATION NO. 2129-2 TO APPROPRIATE WATER

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 be used by the mobile home park.

Pursuant to SDCL 46-2A-2, the
 Chief Engineer of the Water
 Rights Division recommends AP-
 PROVAL of Application No. 2129-2
 because 1) unappropriated water
 is available, 2) existing rights will
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 a beneficial use of water and 4) it
 is in the public interest. This ap-
 plication will be considered by the
 Water Management Board in the
 Community Room, Brule Co.
 Courthouse, 300 S. Courtland,
 Chamberlain, S.D., on October 3,
 1990 at 10:00 a.m. The Chief En-
 gineer'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 in-
 tends to participate in the hearing
 before the Board by presenting
 evidence or cross-examining wit-
 nesses according to SDCL 1-26,
 must file a written petition with
 BOTH the applicant and Chief
 Engineer by September 21, 1990.
 The Chief Engineer's address is
 "Water Rights Division, Foss
 Building, 523 E. Capitol, Pierre,
 S.D. 57501 (605-773-3352)." The
 petition may be informal, but must
 include a statement describing the
 petitioner's interest in the ap-
 plication, the petitioner's reasons for
 opposing or supporting the appli-
 cation and the signature and mail-
 ing address of the petitioner or le-
 gal counsel if legal counsel is ob-
 tained. The applicant need not file
 a petition. Contact the Water
 Rights Division to request infor-
 mation 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 pro-
 cess rights will be forfeited if not
 exercised. Decision 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 September 21,
 1990.

This application is made pursu-
 ant 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.



Department of Water & Natural Resources

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

DEC 19 1990

Harold Salathe
Ponderosa Mobile Home Ranch
Route 1 Box 2990
Rapid City, South Dakota 57702

Dear Mr. Salathe:

Enclosed is Water Permit No. 2129-2 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 black ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

April 5, 2012

Countryside Properties
PO Box 8086
Rapid City, SD 57709

Dear Ms. Akers:

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

Sincerely,

Aaron Tieman
Engineer II
Water Rights Program
(605) 394-2229
email: Aaron.Tieman@state.sd.us

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

APR 13 2012

WATER RIGHTS
PROGRAM

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 2129-2Date: 4-10-2012I/We request that Water Right/Permit No. 2129-2 formerly owned by:Ponderosa Mobile Home Ranch

be transferred to:

New Owner Name: Ponderosa Ranch LLCAddress: P.O. Box 8086

City, State, Zip

Rapid City S.D. 57701Telephone No. 343-6333

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

(Lot 3 of Lot G) SE 1/4 SE 1/4 Section 17, T2N-R7E of the Black Hills Meridian

☐ I understand that the validity of Water Right/Permit No. 2129-2 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Ponderosa Ranch LLC by Cynthia M. Ahl, the new owner, certify that the above information is true and correct.

Ponderosa Ranch LLC - by Cynthia M. Ahl
(signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. 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

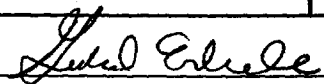
Date 4/13, 20 12

RECEIVED OF Countryside Property Management LLC PO Box 8031 Rapid City SD 57709

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>2129-2</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **05411**

By 
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

April 17, 2012

2129-2

Ponderosa Ranch LLC
PO Box 8086
Rapid City SD 57701

Dear Sir:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" form and filing fee submitted for changing ownership on Water Permit No. 2129-2.

The ownership change has been completed. Water Permit No. 2129-2 formerly held by Ponderosa Mobile Home Ranch is now listed in the name of Ponderosa Ranch LLC.

The receipt for the filing fee is being forwarded to Countryside Property Management LLC with a copy of this letter. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is fluid and cursive, with the first name "Genny" being more prominent than the last name "McMath".

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

c: Countryside Property Management LLC



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

July 3, 2013

2129-2

Countryside Properties
dba Ponderosa Ranch LLC
PO Box 8086
Rapid City SD 57701

Dear Sir:

On May 28, 2012, the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 2129-2, was completed by Aaron Tieman, a staff engineer with our program. No. 2129-2 authorizes diversion of ground water in Lot 3 of Lot G, SE ¼ SE ¼ Section 17, T2N, R7E for suburban housing development purposes.

Your final water right document, the water license, can now be issued. State law requires 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 complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

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

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is fluid and cursive.

Genny McMath
Water Rights Program
(605) 773-3352

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 7/10, 20 13

RECEIVED OF Countryside Property Mgmt PO Box 8031 Rapid City SD 57709

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>2192-2 2129-2</u>		
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **06366**

By *Jeanne Goodman*
Chief Engineer

Permit No. 2129-2
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

I have on this day, 5/28/2012 thorough examination of the water use system constructed by **Countryside Properties, P.O. Box 8086, Rapid City, SD 57701** holder of Permit No. 2129-2, bearing the priority date of May 11, 1990. Permit No. 2129-2 is authorized to appropriate a total of 0.167 cfs (75 gpm) from one groundwater well (**Minnelusa Formation**) for **suburban housing purposes**, in **Pennington County**.

Inspection contact and relationship to
permit holder, if applicable:

**Bob,
Owner**

A. Works used to divert the water:

Unable to locate pump information.

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

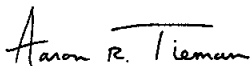
Suburban housing distribution lines.

The system is in the following condition **good**. The point of diversion (well) is located specifically at **Lat/Lon -- N44.127433/W-103.294344 which is the approximately 600 feet north and 570 feet west of the SE corner of Section 17, T2N-R7E.** The works are capable of diverting 0.167 cfs which is to be used for **suburban housing purposes**.

All structures, wells and lands on map **Y**

Exceptions to compliance are: **none**.

Comments: The driller/pump installer is unavailable (deceased) and nothing is known about the pump installed in the well by the current landowner.



Aaron Tieman
Natural Resources Engineer II
DENR, Water Rights Program

Date report completed: **July 2, 2013**

FIELD INVESTIGATION REPORT FOR TEMPORARY PERMIT NO. 2129-2

DATE OF INVESTIGATION:	May 28, 2012
NAME & ADDRESS OF PERMIT HOLDER	Countryside Properties P.O. Box 8086 Rapid City, SD 57701
INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Bob (Owner)
DIVERSION POINT LEGAL LOCATION	SE½ SE¼ Section 17, T2N-R7E
WATER SUPPLY SOURCE	Ground water, Minnelusa Formation

Other permit(s) associated with the project:

WELL INFORMATION:

- 1) Well Drilling Firm: Downen Drilling
- 2) No. of Wells One
- 3) Depth(s) 390 feet
- 4) Well log is available yes
- 5) Comment:

Casing:

- 1) Diameter: 5 inches
- 2) Length: 213 feet
- 3) Type: Steel

Screen:

- 1) Type: _____
- 2) Length: _____ feet
- 3) Static water level: 40 feet

Pump:

- 1) Make: _____
- 2) Model: _____
- 3) Capacity: _____ GPM

Motor:

- 1) Make: _____
- 2) Model No.: _____
- 3) Horsepower rating: _____ hp

DISTRIBUTION LINES OR CANALS:

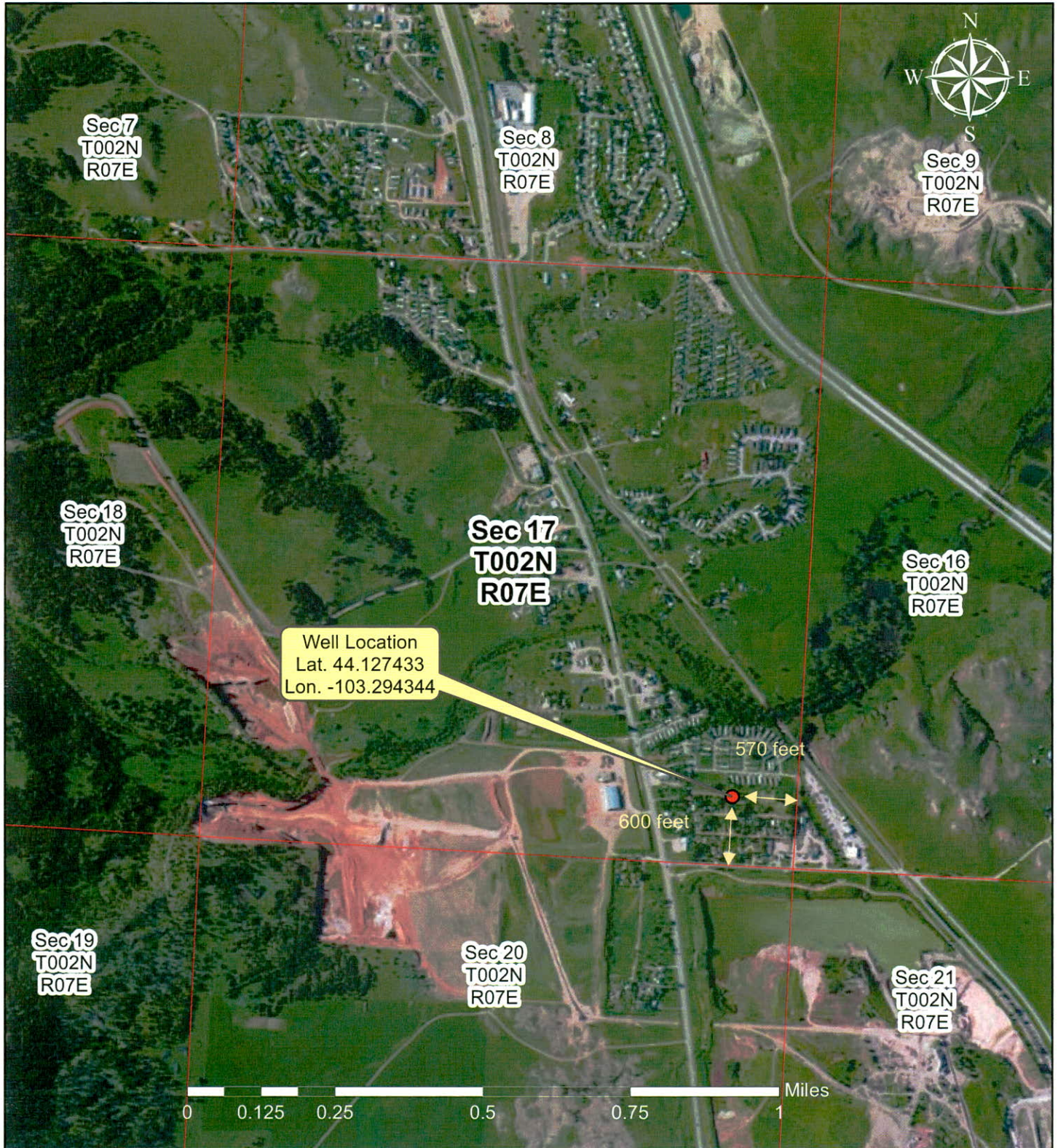
- 1) Type: Suburban housing distribution lines.

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by Yes
- 2) All structures, wells and lands on map Yes

COMMENTS: The driller/pump installer is unavailable (deceased) and nothing is known about the pump installed in the well by the current landowner.

Water Right 2129-2
Countryside Properties
July 2, 2013



Aaron R. Tieman

Aaron Tieman
Natural Resources Engineer II
DENR Water Rights Program



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2129-2

(1) Ponderosa Mobile Home Ranch made Application No. 2129-2, May 11, 1990 for a water permit to divert 0.167 cubic feet of water per second from ground water (one well – Minnelusa Formation), Pennington County, South Dakota for suburban housing development purposes. Permit No. 2129-2, with a priority date of May 11, 1990 was approved October 3, 1990 and issued to the applicant for diversion of water with construction of the described water supply system and the application of water to beneficial use completed.

On April 13, 2012, Water Permit No. 2129-2 was transferred to Ponderosa Ranch LLC, PO Box 8086, Rapid City SD 57701.

(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the water supply system and is entitled to divert 0.167 cubic feet of water per second (75 gallons per minute) for beneficial use.

The location of the diversion point is approximately 600 feet north and 570 feet west of the SE corner of Section 17, T2N, R7E (SE ¼ SE ¼).

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 Ponderosa Ranch LLC, PO Box 8086, Rapid City SD 57701 the holder and/or owner of Water Right No. 2129-2 is issued a license to appropriate water, the right to use 0.167 cubic feet of water per second from ground water (one well – Minnelusa Formation) with a priority date of May 11, 1990 from the location specified in (2) of this license for suburban housing development purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 2129-2 and subject to 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.



Jeanne Goodman, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 26 2013

date





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

JUL 26 2013

2129-2

Ponderosa Ranch LLC
PO Box 8086
Rapid City SD 57701

Dear Sirs:

Enclosed is Water License No. 2129-2. This is the final water right document completing your process of obtaining a Water Right. Included with your license is a map prepared by the staff engineer who conducted the field investigation. Also enclosed is Receipt No. 06366 in the amount of \$50 which you paid for the inspection of the water use system and issuance of the 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. 2129-2, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures