

Considered: \_\_\_\_\_

WATER PERMIT NO. 2185-2

Phone: 348-7358

Name of Applicant: Jay Baldwin, Circle B Ranch

Post Office Address: HC 33, Box 3611, Rapid City SD 57702

Amount of Water Claimed: 14 gpm (0.03 gpm) Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: commercial County: Pennington

About approx. 10 miles West of Rapid City

PROOF OF PUBLICATION: Received \_\_\_\_\_ Not Received \_\_\_\_\_

APPLICATION: Approved \_\_\_\_\_ Subject to \_\_\_\_\_

F.F.& C/.L. Adopted \_\_\_\_\_ Not Approved \_\_\_\_\_ Deferred \_\_\_\_\_

PRIORITY Date Received: 5-8-91 Fee: \$50.00 Remarks \_\_\_\_\_

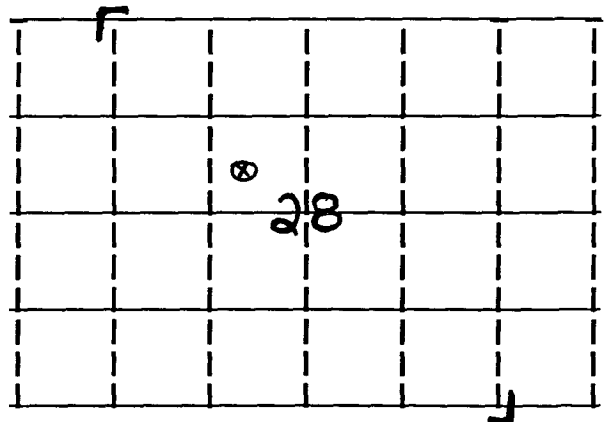
Corrected Application Received \_\_\_\_\_ Period of Annual Use January 1 - Dec 31

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

WI-1 Description same as Application YES \_\_\_\_\_ NO \_\_\_\_\_ REMARKS \_\_\_\_\_

Diversion Point: SE 1/4 NW 1/4 Sec 28-T2N-R5E

Land to be Irrigated: NA



Well Log: Driller: Alexander Drilling Licensed YES X NO \_\_\_\_\_

Depth of Well: 92' REMARKS \_\_\_\_\_

Type of Map: plat & topo PREPARED BY: Gene Waterson, SCS Reviewed and the Number

Assigned on 6-6-91 By Karen Schlaak

No. 2185-2 Hydrologic Unit 10120110  
Map No. \_\_\_\_\_ Basin Upper Cheyenne  
Newspaper Rapid City Journal, PO 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 Jay Baldwin, Circle B Ranch Phone No. 348-7358  
 Post Office Address HC 33-Box 3611, Rapid City S.D. State 57702  
(Street, RR or Box) (City) Zip Code
- Amount of water claimed (c.f.s.) 14 AF on (0.03 cfs)
- Source of water supply Ground Water - 1 Well
- Location of point of diversion T2N R05E SEC 28  
Lot B of Lot P IN ~~SW~~ SE 1/4 NW 1/4  
Pennington County \_\_\_\_\_
- Counties where water will be used Pennington
- Annual period during which water is to be used June 1 - Sept 1
- 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)<sup>55</sup>

I, JAY BALDWIN (CIRCLE B) RANCH 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 Jay Baldwin

Subscribed and sworn to before me this 6th day of May 1991

Donna Schoenberger  
Notary Public

**SOUTH DAKOTA**  
**WATER PERMIT No. 2185-2**

Date of first receipt of application May 8, 1991.

Date of return to applicant for corrections, amendments or changes May 17, 1991.

Date of receipt of corrected application June 6, 1991.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2185-2 to Jay Baldwin, Circle B Ranch, HC 33, Box 3611, 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. 2185-2 appropriates 14 gallons per minute (0.03 cubic feet of water per second) from one well (Precambrian Rock) 92 feet deep located in the SE 1/4 NW 1/4 Section 28-T2N-R5E (Lot B of Lot P).
2. The water appropriated shall be used for the purpose of supplying water to the ranch and may not exceed the amount of water needed for beneficial use for commercial purposes.
3. The water is to be used during the following described annual period: June 1 - September 1.
4. The date of approval of Permit No. 2185-2 is August 28, 1991.
5. The date from which applicant may claim right is May 8, 1991.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

**WATER MANAGEMENT BOARD**

By:   
Chief Engineer, Water Rights Division  
Department of Environment and Natural Resources

FEB 20 1992  
date

# Supplemental Information

(type or print in ink)



## 1. Well Information - Proposed construction

- a) Drill Hole Diameter 6" Depth 92'
- b) Casing Type Steel Diameter 6" Thickness Standard pipe
- c) Screen Type \_\_\_\_\_ Diameter \_\_\_\_\_ Thickness \_\_\_\_\_
- d) Gravel Pack Thickness \_\_\_\_\_ Length of Gravel Pack \_\_\_\_\_
- e) Depth to Top of Water Bearing Material 75' approx
- f) Depth to Water (ground surface to water level) 24'
- g) Distance to nearest existing domestic well:  
 On applicants property \_\_\_\_\_ On property owned by others 1000'

*schedule 40*

## 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 \_\_\_\_\_

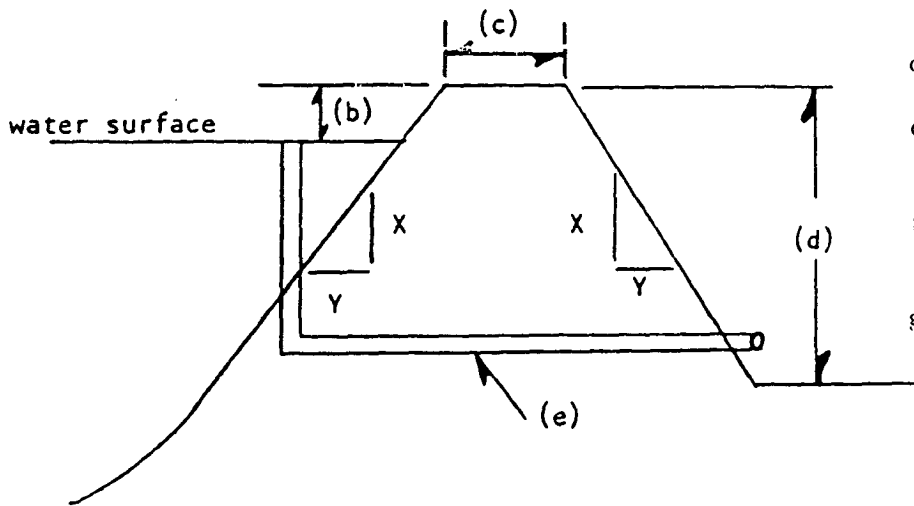
g) X & Y Slope  
Upstream \_\_\_\_\_

Downstream \_\_\_\_\_

Surface Area of Impoundment \_\_\_\_\_

Storage \_\_\_\_\_ acre feet

Drainage area above dam \_\_\_\_\_



Jay Baldwin  
 Signature of Applicant



# NOTICE OF WELL CONSTRUCTION

**(1) WELL CONSTRUCTION**

2.5

Location of well: \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4 \_\_\_\_\_ Section 28 Township 2N Range 5E  
 Well owner: Jay Baldwin - Circle "B" Ranch  
 Date well drilling completed: July 7 Purpose of well: domestic  
(Name) (Address) (domestic, irrigation, municipal, industrial, other)

**WELL LOG**

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer _____ ft.
0-33	top soil, drift.	Depth to static water level _____ 7.0 ft.
33-38	slate Black	Name of producing aquifer (if known) <u>Fractures</u>
38-44	" "	Total depth of drill hole _____ 99 ft.
44-48	quartz veins water 49 p.m.	Depth to bottom of casing _____ 35 ft.
48-56	slate, Black.	Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used. <u>6" steel 19 lb per ft.</u>
56-58	quartz, cracks 79 p.m.	Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.
58-66	slate 66'-79 p.m.	
66-72	(12" cracks 109 p.m.)	If a flowing well, flow of completed well _____ G.P.M. <u>none</u>
72-80	slate Black	
	78-80 Fractures - 209 p.m.	<u>Pumps 16-18 gpm.</u>
80-92	slate, Black	

Attach sheet if more space is needed

Jay Baldwin  
Name of Drilling Contractor

**(2) PUMP INSTALLATION**

Company name and size of pump: A. H. McDonald HP: 1  
 Type of pump: submersible Capacity of installed pump: 22 G.P.M.  
 Depth of pump placement: 30 ft., Date of pump installation: 7-19-75  
Top casing →

**(3) WATER SURFACE MEASURING TUBE**

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed \_\_\_\_\_ ft., tube diameter \_\_\_\_\_, tube material \_\_\_\_\_.

Wander Well Co.  
Name of Pump Installation Contractor

Installed 4 H.P. F.W. 9-11-79

# RECEIPT

Division of Water Rights

412670

South Dakota Department of Water and Natural Resources

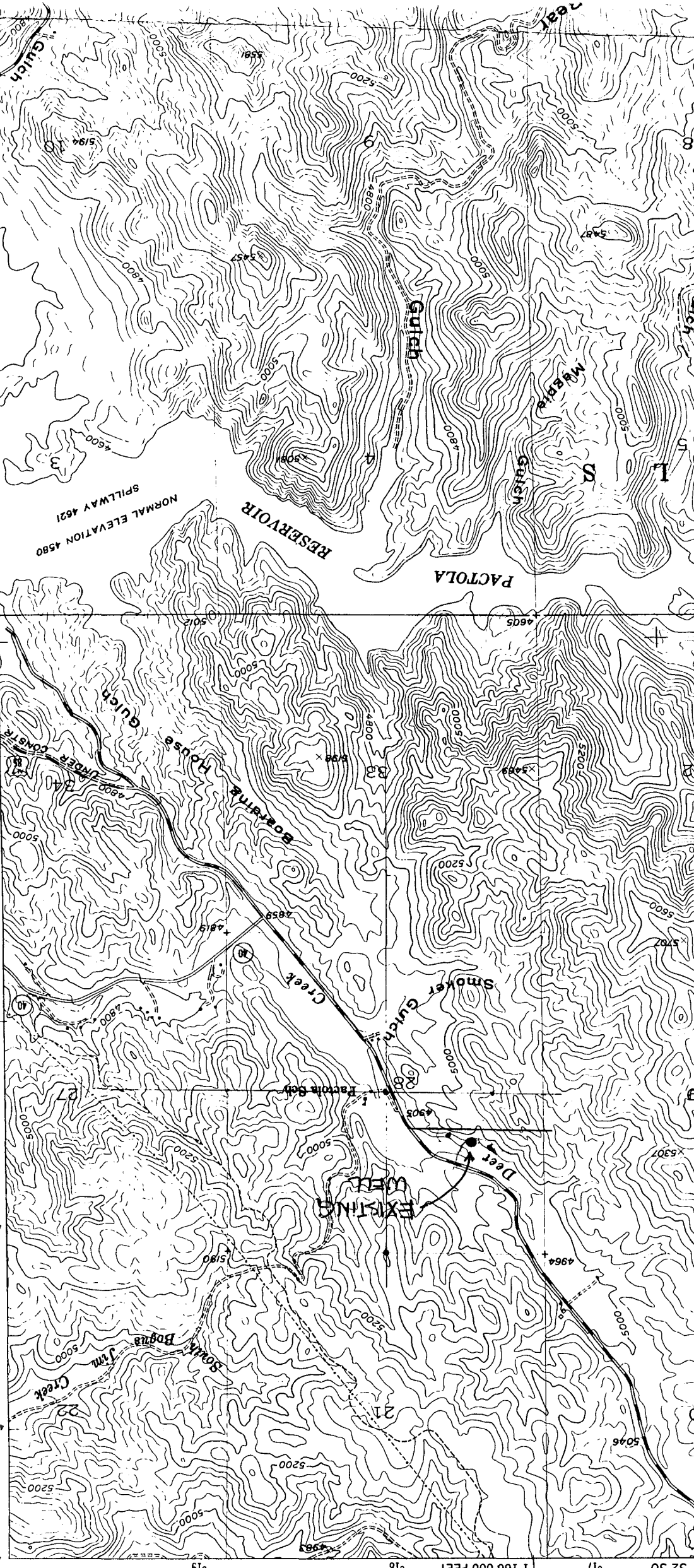
Pierre, \_\_\_\_\_ May 13, 19 91

RECEIVED OF Circle B Enterprises, Inc., HC 33, Box 3611, Rapid City, SD 57702

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

Fee for Application for Permit No. <u>2185-2</u> to Appropriate Water, to construct works and to put water to beneficial use _____	50 00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____	
Fee to retain Future Use Permit No. _____ after period of seven years.	
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	
Fee for Filing Transfer Form _____	
Fee for Filing Extension Request _____	
Fee for Certified Copy of _____	
Fee for Print Copy of Map _____	
Fee for Certifying _____	
Fee for _____	
(Any Other Work Provided by Law)	
<b>Total</b>	50 00

By John Hatch  
Chief Engineer



SILVER CITY QUADRANGLE  
 SOUTH DAKOTA-PENNINGTON CO.  
 7.5 MINUTE SERIES (TOPOGRAPHIC)

5372 III SW  
 (PIEDMONT)

MAY 1991  
 DIVISION OF  
 WATER RIGHTS  
 Pierre, SD  
 15167718191211016819545678

MAY 1991  
 DIVISION OF  
 WATER RIGHTS  
 Pierre, SD  
 15167718191211016819545678

MAY 1991  
 DIVISION OF  
 WATER RIGHTS  
 Pierre, SD  
 15167718191211016819545678

WELL LOCATION  
 CERTIFICATION  
 Kenneth Johnson  
 District Conservationist  
 5/23/91

App'l No  
 2185-2

(PACTOLA DAM)  
 5372 III SW

650 000  
 FEET

T. 1 N.

T. 2 N.

11 MI. TO U.S. 16  
 CUSTER 29 MI.

BIG BEND 6.3 MI.  
 RAPID CITY (COURTHOUSE) 18 MI.

485

486

44°07'30"

103°30'

619

618

1 160 000 FEET

617

32°30'

# Property Tax Notice

## PENNINGTON COUNTY, SOUTH DAKOTA

TAX YEAR 19 <sup>89</sup>

TAX ID NUMBER: \_\_\_\_\_

Taxing Unit of Government	Taxable Value of Property	Tax per \$1000 of Value	Tax per Government Unit	Total Tax	First Payment	Second Payment
ADULT	18,720	6.7800	126.92	Due and payable on January 1	Delinquent after April 30	Delinquent after October 31
SCHOOL DISTRICT	18,720	17.3057	323.95			
WATER DISTRICT	18,720	.0725	1.36			
WASTE DISTRICT	18,720	1.0600	19.99			
WASTE ADMINISTRATIVE	18,720	.5293	6.16			
UNIMPAVED ROAD	18,720	.9663	18.09			
<b>Total</b>		<b>26.5218</b>	<b>496.48</b>			

**Description of Property**

CIRCLE ENTERPRISES, INC  
~~XXXX~~ HC 33  
 BOX 3611  
 RAPID CITY, SD 57102

**PAY THIS AMOUNT**

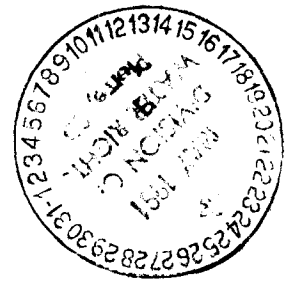
Taxes totaling \$20 or less must be paid in full by April 30

LEGAL DESCRIPTION  
 XXXXXXXXXXXXXXXXXXXX  
 Property Taxed in the Name of:  
 XXXXXXXXXXXXXXXXXXXX  
 LOT 16 OF LOT 2 TO 1017 1/4

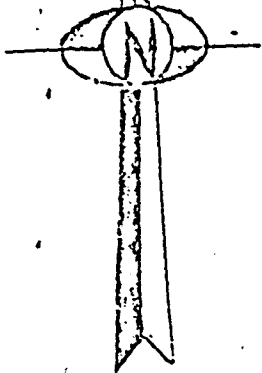
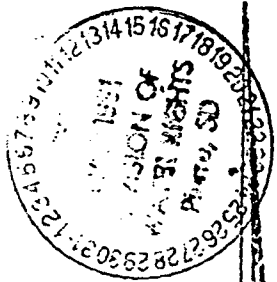
\*NOTE: VALUE FOR THE YEAR 1988 IS 26,521.80

Pennington County Treasurer's Office 315 St Joseph St., Rapid City, SD 57701

**Please Bring This Notice With You**





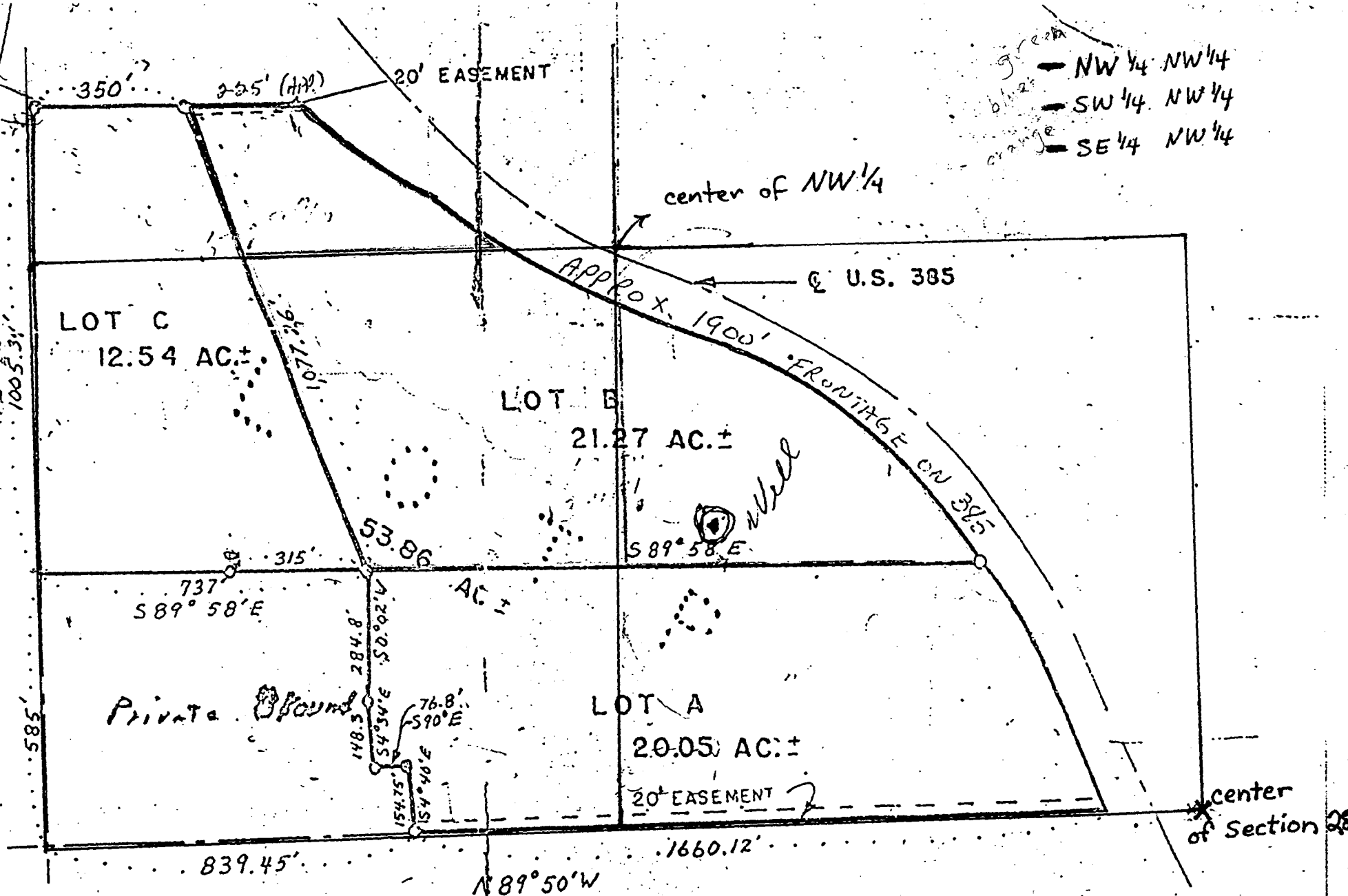


SCALE 1" = 300'

○ IRON PINS FOUND IN PLACE

○ IRON "T" BAR SET THIS SURVEY

WEST 1/4 COR 28-2-5



- NW 1/4 NW 1/4
- SW 1/4 NW 1/4
- SE 1/4 NW 1/4

THIS PLAN IS NOT TO BE USED FOR ANY OTHER PURPOSE

Map, 54-25, a... stored for... however, do hereby certify that... the ground... the trust...

*South Dakota*

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.  
May 17, 1991



Jay Baldwin  
Circle B Ranch  
HC 33, Box 3611  
Rapid City SD 57702

Dear Mr. Baldwin:

In regard to your water permit application received on May 8, 1991, the following information needs to be submitted and clarified in order to process your application.

1. The map must be signed by one of the following: Registered Land Surveyor, Registered Professional Engineer or by any other government employee who normally prepares maps as a part of his assigned duties (i.e. local SCS or ASCS office). *Gene Waterson SCS*
2. On Item No. 4 of the application, the legal description is listed as being located in the NW 1/4 NW 1/4 Section 28-T2N-R5E. It appears from the map submitted with the application that the well would be located in the SW 1/4 NW 1/4 Section 28-T2N-R5E. Which of these locations is correct? *as per tax receipt JB*
3. A copy of the well log signed by a South Dakota licensed well driller must accompany the application.
4. Will water be used for commercial purposes year round? *Our season runs from June 1 to sept. 1 approx. JB*  
Upon receipt of the above, further processing of your application will continue. If you have any questions, please contact this office.

Sincerely,

*Karen Schlaak*

Karen Schlaak  
Natural Resources Analyst  
605 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

June 4, 1991

Jay Baldwin  
Circle B Ranch  
HC 33, Box 3611  
Rapid City SD 57702

Dear Mr. Baldwin:

We have received the signed map and the Property Tax Notice. There is still a discrepancy as to the location of the well. Enclosed is a copy of the map you submitted with your application. I have outlined the lands of Lot B as follows: the lands located in the NW 1/4 NW 1/4 - green, the SW 1/4 NW 1/4 - blue and the SE 1/4 NW 1/4 - orange. The location of your well, as indicated on the map would be located in the SE 1/4 NW 1/4 of Section 28-T2N-R5E. Please let us know if you concur with this location?

If you have any questions, please contact this office.

Sincerely,

*Karen Schlaak*

Karen Schlaak  
Natural Resources Analyst  
605 773-3352

enclosure

Conversation or File Documentation

NAME OF PERSON OR FILE: Gay Baldwin

ADDRESS: Rapid City COUNTY \_\_\_\_\_

DATE: 6/6/91 TELEPHONE \_\_\_\_\_

RE: Application for Circle B Ranch

COMMENTS:

Ben talked with Mr. Baldwin, who stated he concurred that the legal description should be SE 1/4 NW 1/4 of Section 28-T2N-R5E.

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

NAME: Karen Schlack

REPORT ON APPLICATION NO. 2185-2  
for Circle B Ranch  
July 12, 1991

Application No. 2185-2 proposes to appropriate 14 gpm (0.031 cfs) from one well approximately 92 feet deep located in the SE 1/4 NW 1/4 of section 28, T2N R5E BHM in Pennington County. The water is for commercial use at the ranch.

AQUIFER - PRECAMBRIAN ROCK (CRSL)

The Precambrian rock in this area consists of metagraywacke and quartz-mica schist or phyllite (Redden, 1975). According to the driller's log water was obtained from fractures and quartz within the rock unit. The well was completed to a depth of 92 feet and cased to a depth of 35 feet. The static water level was 7 feet below land surface and the well was capable of producing at least 20 gpm. Typically water is obtained from fractures and natural foliations associated with this rock type and is under water table conditions. Well yields are usually small and unpredictable.

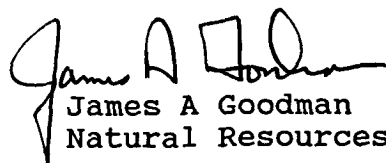
The Division of Water Rights does not monitor any observation wells in this area or into this formation. However, it can be assumed that the water levels in the aquifer respond closely to precipitation and rise and fall accordingly.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There is one existing Water Permit No. 1909-2 which is located about 1/4 mile north of this application. Interference is not expected to be a problem. The well yields are relatively small and any drawdown created by pumping is not expected to be significant.

CONCLUSIONS

1. Water is available from the Precambrian rock in this area.
2. The aquifer is under water table conditions and interference is not expected to be a problem.
3. This is an existing well and has been in use with no apparent problems. There is not enough information on the well log or with the application to indicate if this well was completed in accordance with SD Well Construction Standards.

  
James A Goodman  
Natural Resources Engineer

BIBLIOGRAPHY

Redden, J.A., 1975, Precambrian Geology of the Black Hills, in SDGS Bulletin # 16, SD DENR, SDGS, Vermillion, SD, 57069.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT  
APPLICATION NO. 2185-2, Circle B Ranch

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 2185-2, Circle B Ranch, HC 33, Box 3611, Rapid City, SD 57702.

The Chief Engineer is recommending APPROVAL of Application No. 2185-2 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.

See report on application for additional information.



JOHN HATCH, Chief Engineer  
July 3, 1991



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

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

July 24, 1991

Jay Baldwin  
Circle B Ranch  
HC 33 Box 3611  
Rapid City, SD 57702

Dear Mr. Baldwin:

Water Permit Application No. 2185-2 for commercial 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, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing 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. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

*for Karen Schlaak*  
Eric Gronlund  
Natural Resources Engineer  
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

July 24, 1991

Rapid City Journal  
PO Box 450  
Rapid City, SD 57709

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2185-2 to be published twice. Please publish the first notice on August 1, 1991, 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 Jay Baldwin, Circle B Ranch, HC 33, Box 3611, 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. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

*for* *Karen Schlaak*  
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 August 1, 1991, with the second publication 7 days later. The applicant is responsible for payment.

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NOTICE OF HEARING on Application No. 2185-2 to Appropriate Water

Notice is given that Jay Baldwin, Circle B Ranch, HC 33, Box 3611, Rapid City, SD 57702 has filed an application for a water permit to appropriate 14 gallons per minute from one well (Precambrian Rock) 92 feet deep located in the SE 1/4 NW 1/4 Section 28-T2N-R5E (Lot B of Lot P). The water is for commercial use at the ranch.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2185-2 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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 19, 1991. 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 the petitioner's legal counsel, if legal counsel is obtained.

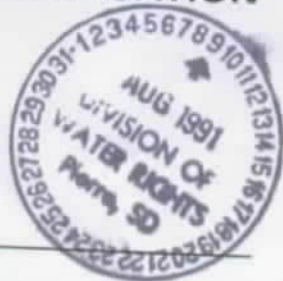
For purposes of publishing 1) the notice of hearing on Application No. 2185-2 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for August 28, 1991, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the August 28, 1991, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The August 28, 1991, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by August 19, 1991.

If a hearing is held, 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 hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

### PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County Pennington ) ss.



I, Helena M. Bauer  
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 1, 1991 & August 8, 1991

\_\_\_\_\_  
(Signature)  
Bookkeeper  
(Title)  
\_\_\_\_\_  
(Date Signed)

Cost of Printing: \_\_\_\_\_  
11 3/16 inch legal adv @ 4.20 per inch run  
2 times total Cost \$ 109.69

August 1, 8 L1572

#### NOTICE OF HEARING ON APPLICATION NO. 2185-2 TO APPROPRIATE WATER

Notice is given that Joy Baldwin, Circle B Ranch, HC 33, Box 3611, Rapid City, SD 57702 has filed an application for a water permit to appropriate 14 gallons per minute from one well (Precambrian Rock) 92 feet deep located in the SE 1/4 NW 1/4 Section 26-T2N-R5E (Lot 6 of Lot P). The water is for commercial use of the ranch.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2185-2 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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501 (505 775-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 19, 1991. 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 the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 2185-2 and 2) the chief engineer's recommendation, a meeting of the Division of Water Rights office to hear this application is scheduled for August 26, 1991, at 9:00 a.m. in Room 413, Joe Foss Building, 523 E. Capitol, Pierre, SD. If this application is opposed or the recommendation is contested, the August 26, 1991, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The August 26, 1991, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by August 19, 1991.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with modifications, 3) deny, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16, 46-2-1, 46-2-9, 46-2-11, 46-2-13, 46-2-19, 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-5-1 thru 46-5-11, 46-5-12 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30, 46-5-30.4, 46-5-31, 46-5-3, 46-6-1, 46-6-1.1, 46-6-10, 46-6-13, 46-6-14, 46-6-20, and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

*South Dakota*



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

FEB 20 1992

Jay Baldwin  
Circle B Ranch  
HC 33 Box 3611  
Rapid City, SD 57702

Dear Mr. Baldwin:

Enclosed is Water Permit No. 2185-2 authorizing construction of your water diversion system and beneficial use of the water, 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,

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

enclosures



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

March 9, 1998

2185-2

Circle B Ranch  
Katie Horn  
22735 Hwy. 385  
Rapid City, SD 57702

Dear Ms. Horn:

The investigation of your water use system was conducted on September 18, 1997, by Ken Buhler, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 2185-2. Your final water right document, the Water License, can now be issued.

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

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

Sincerely,

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

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

# RECEIPT

## Water Rights Program

South Dakota Department of Environment and Natural Resources

NO 415765

Pierre, \_\_\_\_\_ May 14, 19 98

RECEIVED OF Circle B Enterprises, Inc., 22735 Hwy. 385, Rapid City, SD 57702  
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>2185-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		
_____		
_____		
(Any Other Work Provided by Law)	<b>Total</b>	50 00

By \_\_\_\_\_  
Chief Engineer *John Hatch* (Signature)

**Permit No. 2185-2**  
**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 this day, September 18, 1997, made a thorough examination of the water use system constructed by Circle B Ranch of Rapid City, SD holder of Permit No. 2185-2, bearing the priority of May 8, 1991 authorizing the diversion of 0.03 cu. ft. per second of the waters of groundwater for commercial purposes, in Pennington County.

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

A. Works used to divert the water:

Water is diverted from a well 92 feet deep, cased with 6-inch diameter steel casing, located 1920 feet south and 1475 feet west of the north west corner of Sec.28, T2N-R5E (SW¼ NW¼ SE¼ NW¼ Sec.28, T2N-R5E). The well is pumped with a Grundfos Submersible pump capable of diverting 14 gallons per minute.

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

Water is transported through 300 feet of 1-inch diameter polyethylene pipe.

C. Works used to apply water to beneficial use:

Water is applied to beneficial use for supplying water to the ranch for commercial use.

The system is in the following condition good. The point of diversion is located 1475 feet west and 1920 feet south of the north west corner of Sec.28, T2N-R5E. The works are capable of diverting and conveying to the place of use 0.03 cu. ft. per second of water which is to be used for commercial use. The license should be issued for 0.03 cfs.

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: na

  
\_\_\_\_\_

Ken Buhler  
Natural Resources Engineer  
DENR, Water Rights Program

2/12/98  
\_\_\_\_\_

Date

**REPORT ON INSPECTION OF PERMIT NO. 2185-2**

Other permit(s) associated with the project: none

**NAME & ADDRESS OF INSPECTION CONTACT: Katie Horn**

**22735 Hwy 385**

**Rapid City, SD 57702**

**RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: daughter**

**NAME & ADDRESS OF PERMIT HOLDER: Circle B Ranch**

**22735 Hwy 385**

**Rapid City, SD 57702**

**DATE OF INSPECTION: September 18, 1997**

**DIVERSION POINT LEGAL LOCATION: 1920 feet south and 1475 feet east of the north west corner of Sec. 28, T2N-R5E, (SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> Sec. 28, T2N-R5E)**

**WELL INFORMATION:**

1) Well Drilling Firm: Alexander Drilling

2) No. of Wells one

3) Depth(s) 92 feet

4) Well log is available yes

**Casing:**

1) Diameter 6 inches

2) Length 35 feet

3) Type steel

**Screen:**

1) Type none- open hole completion

2) Length 57 feet

3) Static water level 70 feet

**Pump:**

1) Make Grundfos

2) Model 10S10-15

- 3) Size 10 gpm, 1 hp, 15 stage,
- 4) Capacity 14 GPM

**Motor:**

- 1) Make Franklin
- 2) Horsepower rating one hp

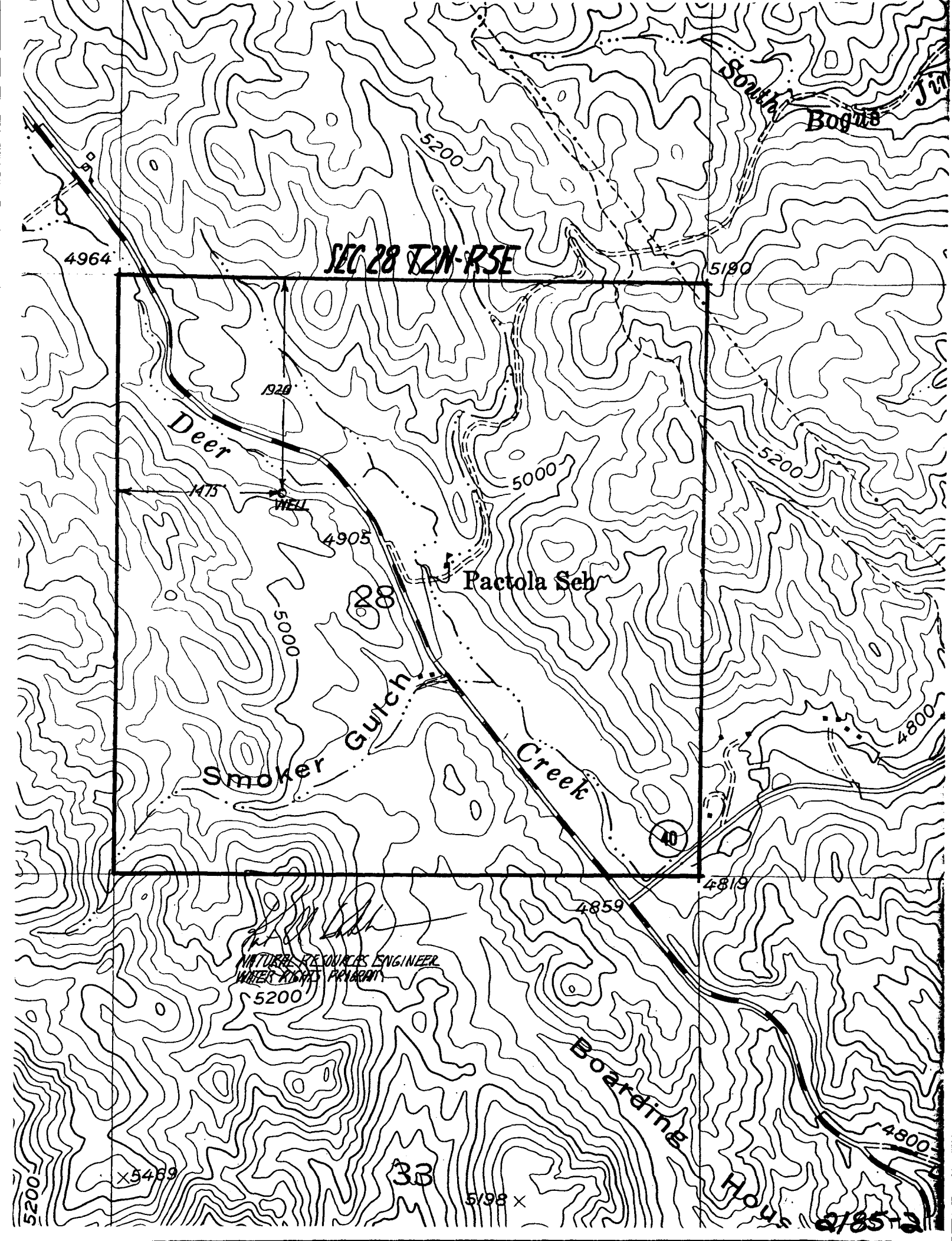
**DISTRIBUTION LINES OR CANALS:**

- 1) Type polyethylene
- 2) Size 1 inches
- 3) Length 300 feet

**PERMIT QUALIFICATIONS AND REGULATIONS:**

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period N/A





SEC 28 T2N-R5E

Deer

Pactola Sch

Smoker Gulch

Creek

South Boggs

Boarding House

NATURE RESOURCES ENGINEER  
WATER RIGHTS PARAGRAM

4964

5180

1920

1475

4905

5200

5000

5200

5000

4800

40

4819

4859

5200

4800

X5469

33

5798 X

2785-2

**STATE OF SOUTH DAKOTA**

**WATER LICENSE NO. 2185-2**

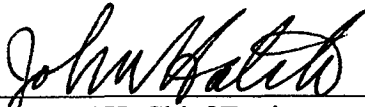
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(1) Circle B Ranch, 22735 Hwy 385, Rapid City SD 57702 made Application No. 2185-2, May 8, 1991 for a water permit to divert 0.03 cubic feet of water per second from groundwater (one well), Pennington County, South Dakota for commercial use purposes. Permit No. 2185-2, with a priority date of May 8, 1991 was approved August 28, 1991 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

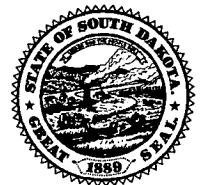
(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.03 cubic feet of water per second for beneficial use. The location of the diversion point is 1,475 feet west and 1,920 feet south of the northwest corner of Section 28-T2N-R5E (SE 1/4 NW 1/4).

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 Circle B Ranch, 22735 Hwy 385, Rapid City SD 57702 the holder and/or owner of Water Permit No. 2185-2 is issued a license to appropriate water, the right to use 0.03 cubic feet of water per second from groundwater (one well) with a priority date of May 8, 1991 from the location specified in (2) of this license for the purpose of commercial use. This license is subject to any limitations or qualifications listed in Water Permit No. 2185-2 and subject to South Dakota State Law.

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

JUN 29 1998  
\_\_\_\_\_  
date





**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

JUN 29 1998

2185-2

Circle B Ranch  
Katie Horn  
22735 Hwy. 385  
Rapid City, SD 57702

Dear Ms. Horn:

Enclosed is Water License No. 2185-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415765 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 2185-2, 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,

A handwritten signature in black ink, appearing to read "John Hatch", is written over a light-colored background.

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

ks  
enclosures

2185-2

# RECEIPT

## WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date January 19, 2023

RECEIVED OF YMCA of Rapid City 815 Kansas City St., Rapid City SD 57701

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>2185-2</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$50.00</u>

By Eric Ironlund

Chief Engineer

*EM*

PAID

JAN 19 2023

Ck# 73275

Rec't# \_\_\_\_\_

**NOTICE OF TRANSFER OF OWNERSHIP**

For assistance call (605) 773-3352

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

Water Right/Permit No. 2185-2

Date: 1-13-2023

I/We request that Water Right/Permit No. 2185-2 formerly owned by:  
Jay Baldwin, Circle B Ranch, HC 33, Box 3611 be transferred to:  
Rapid City, SD 57702

New Owner Name: YMCA of Rapid City

Address: 815 Kansas City ST mobile: 715-781-3010

City, State, Zip Rapid City, SD 57701 email: mathm@rcymca.org

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

SE 1/4 NW 1/4 Section 28-T2N-R5E (Lot B of Lot P).

I understand that the validity of Water Right/Permit No. 2185-2 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, Math Miles, the new owner, certify that the above information is true and correct.

Math Miles  
(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, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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.

RECEIVED

JAN 19 2023

OFFICE OF WATER



**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 E. CAPITOL AVE  
PIERRE SD 57501-3182  
danr.sd.gov

January 24, 2023

2185-2

Matt Miles  
YMCA of Rapid City  
815 Kansas City St  
Rapid City SD 57701

Dear Mr. Miles:

Thank you for sending in the ownership change and filing fee for transferring Water Right No. 2185-2.

The ownership change has been completed. Water Right No. 2185-2, formerly held by Circle B Ranch, %Jay Baldwin is now listed under the YMCA of Rapid City.

Enclosed for your records is a receipt for the filing fee that was paid. If you have any questions, please let me know.

Sincerely,

Genny McMath  
Water Rights Program  
605 773-3352  
Genny.mcmath@state.sd.us