

Considered: _____

WATER PERMIT NO. 2245-2

Phone: 343-3296

Name of Applicant: Cavalry Trail Homeowners Association, Inc.

Post Office Address: Rt 1, Box 1793, Rapid City SD 57702

Amount of Water Claimed: 22.5 gpm 0.05 cfs Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: suburban housing County: Pennington

About _____ 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: 8-24-92 Fee: \$50 Remarks _____

Corrected Application Received 9-4-92 Period of Annual Use Jan 1 - Dec 31

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

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

Diversion Point: NE 1/4 SE 1/4 Sec 15-T2N-R6E

Land to be Irrigated: _____

		15		
				91

Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: 488 feet REMARKS log not available

Type of Map: plat PREPARED BY: Warren L Fisk, RLS Reviewed and the Number

Assigned on 9-8-92 By Karen Schlaak

**SOUTH DAKOTA
WATER PERMIT NO. 2245-2**

Date of first receipt of application August 24, 1992.

Date of return to applicant for corrections, amendments or changes August 24, 1992.

Date of receipt of corrected application September 4, 1992.

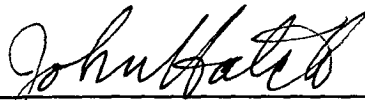
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2245-2 to Cavalry Trail Homeowners Association, Inc., Rt 1, Box 1793, Rapid City SD 57702 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2245-2 appropriates 22.5 gallons per minute (0.05 cubic feet of water per second) from one well (Madison Formation) 488 feet deep located in the NE 1/4 SE 1/4 Section 15-T2N-R6E.
2. The water appropriated shall be used for the purpose of supplying water to the Homeowners Association 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 of approval of Permit No. 2245-2 is December 2, 1992.
5. The date from which applicant may claim right is August 24, 1992.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

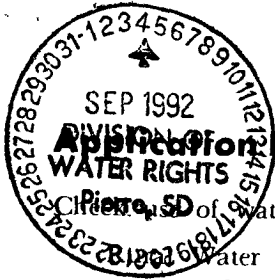
The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

WATER MANAGEMENT BOARD

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

MAR 5 1993
date

Mail to: Water Rights Div.
523 E. Capitol
Pierre, SD 57501
(605) 773-3352



No. 2245-2 Hydrologic Unit 10120111
Map No. _____ Basin Upper Cheyenne
Newspaper Rapid City Journal, PO Box 450

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

Use of water: Industrial ☐ Commercial ☐ Municipal ☐ Other Common Distribution System ☐
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 ☐ N/A

☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. N/A

☐ Construction to use water reserved by Future Use Permit No. N/A

1. Name of Applicant Cavalry Trail Homeowners Association, Inc. Phone No. 605-343-3296

Post Office Address Rt 1 box 1793 Rapid City State SD 57702
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s.) .05 c.f.s. (22.5 gpm)

3. Source of water supply Well ground water

4. Location of point of diversion SEE ATTACHMENTS

NE 1/4 SE 1/4 Sec 15-T2N-R6E

County Pennington

5. Counties where water will be used Pennington

6. Annual period during which water is to be used January/- December 31

7. Give a brief description of ~~XXXXXX~~ 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)

SEE ATTACHMENT.

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, Frank E. Morawa

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 Frank E. Morawa

Subscribed and sworn to before me this 21st day of August 1992

Theresa J. Van Cella
Notary Public

My Commission Expires February 3, 2000

Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter N/A Depth 488 ft.
- b) Casing Type Steel Diameter Unknown Thickness Unknown
- c) Screen Type Unknown Diameter Unknown Thickness Unknown
- d) Gravel Pack Thickness Unknown Length of Gravel Pack Unknown
- e) Depth to Top of Water Bearing Material Unknown
- f) Depth to Water (ground surface to water level) 413 ft.
- g) Distance to nearest existing domestic well:
- On applicants property None On property owned by others 2500 ft. +

2. Dugout Information Estimates

- a) Surface Dimensions N/A Depth N/A
- b) Depth to water (ground surface to water level) N/A

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

N/A

N/A

b) Freeboard N/A

c) Crest Width N/A

Crest Length N/A

d) Height N/A

e) Primary Outlet Capacity N/A
If Pipe, diameter N/A

f) Secondary Spillway Capacity N/A
Spillway width N/A

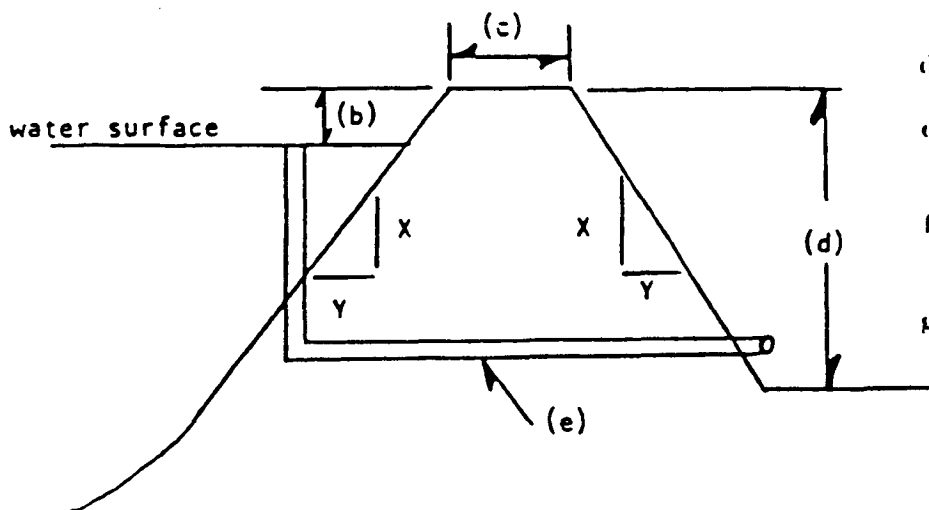
g) X & Y Slope
Upstream N/A

Downstream N/A

Surface Area of Impoundment N/A

Storage N/A acre feet

Drainage area above dam N/A



Signature of Applicant _____

RECEIPT

413387

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, August 24, 19 92

RECEIVED OF Catalry Trail Homeowners Assoc, Inc., Rt 1 Box 1793, Rapid City, SD 57702
the following amount in fees for services rendered as provided for by law:

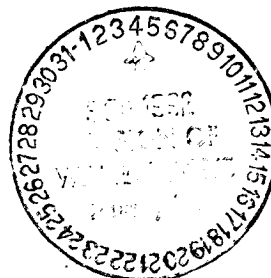
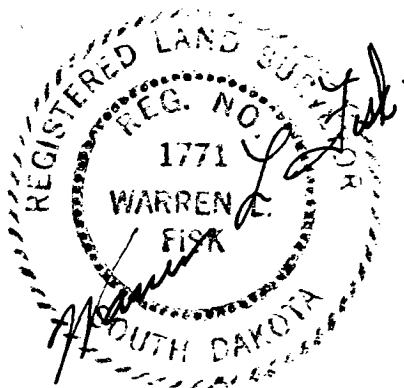
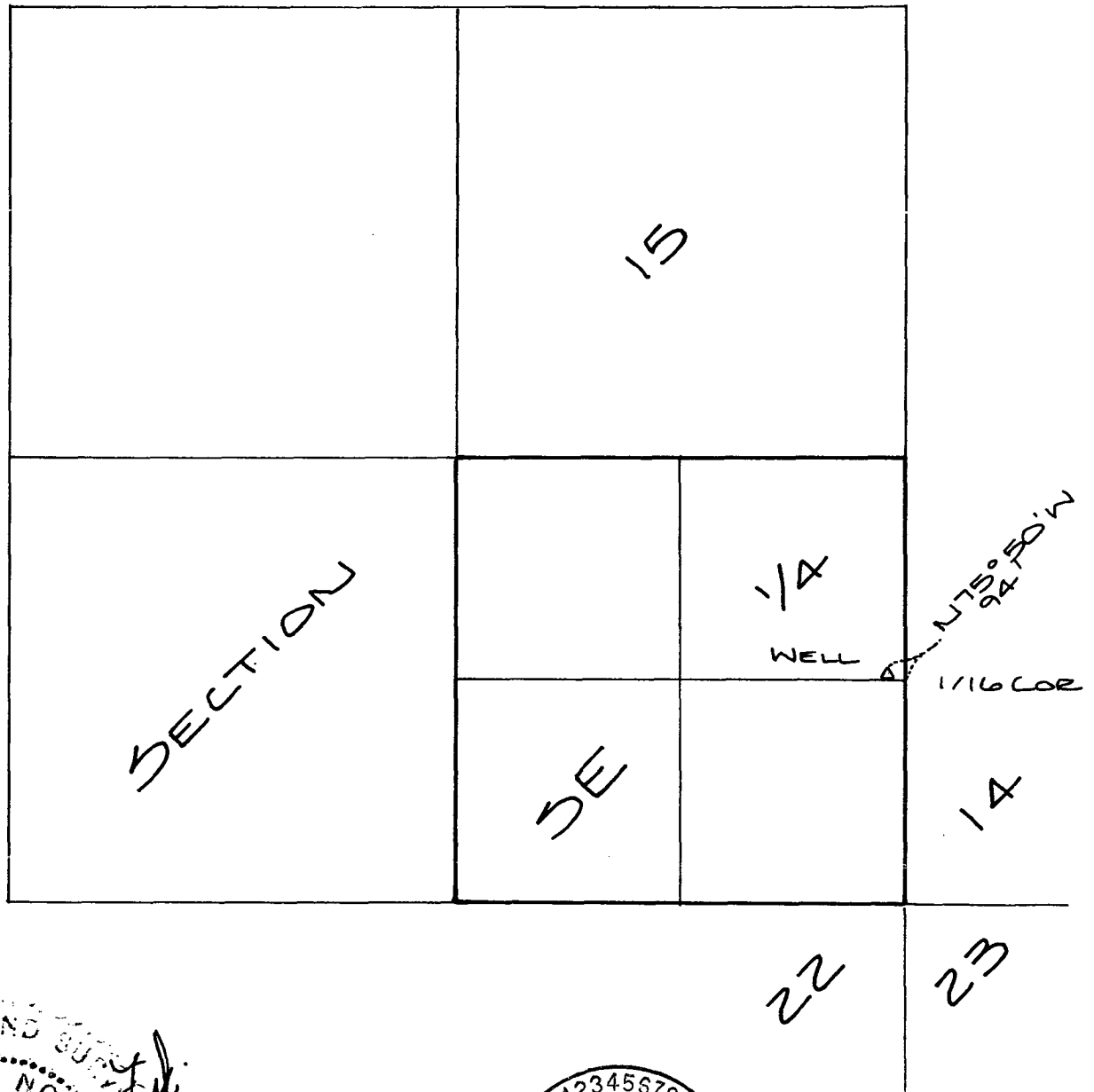
Fee for Application for Permit No. <u>2245-2</u> to Appropriate Water, to construct and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer

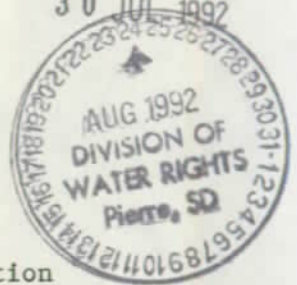
WELL LOCATION

SE 1/4, SECTION 15, T2N, R6E, BHM,
PENNINGTON COUNTY, SOUTH DAKOTA

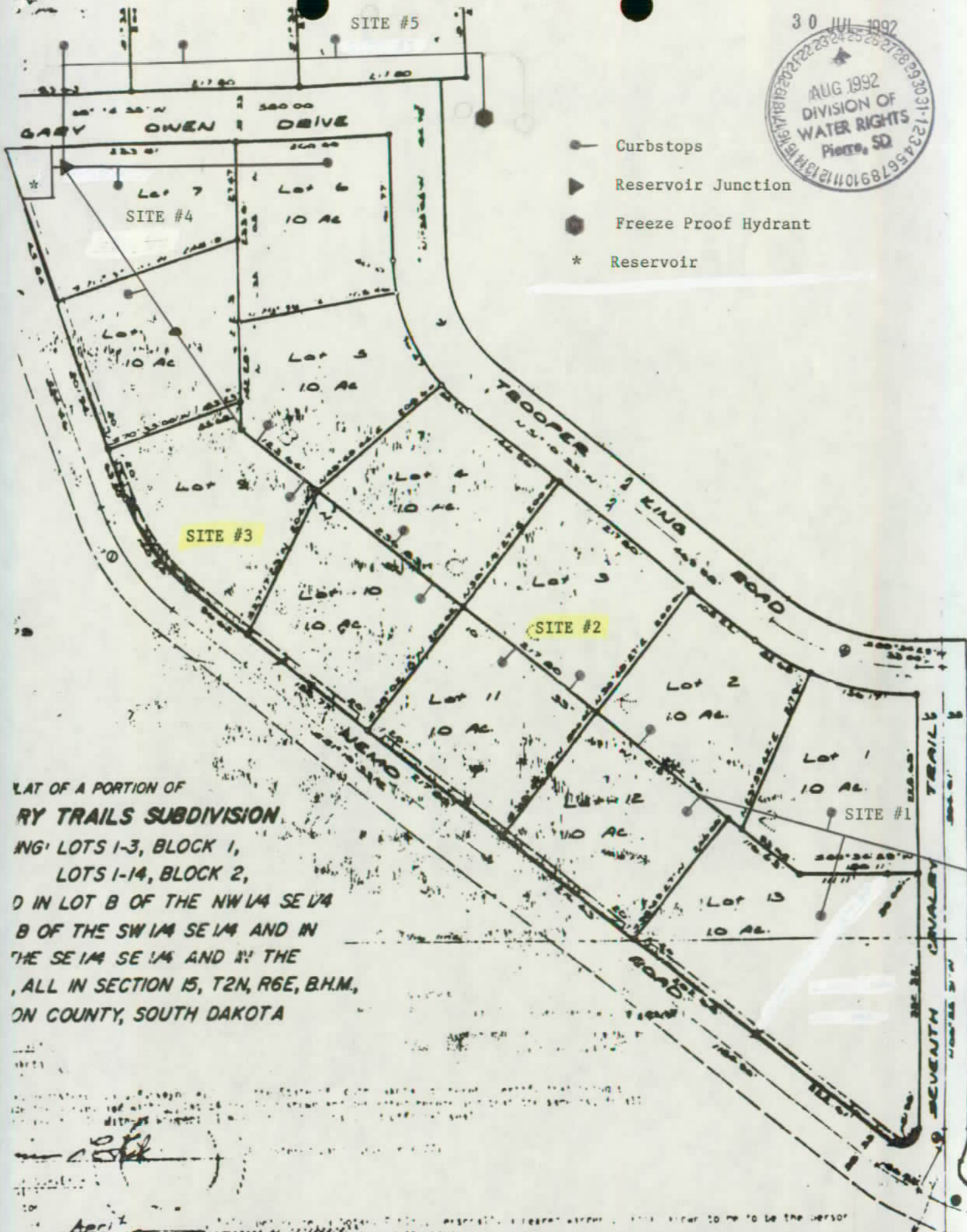


SITE #5

30 JUL 1992



- Curbstops
- ▶ Reservoir Junction
- Freeze Proof Hydrant
- * Reservoir



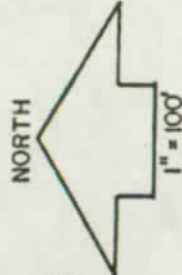
PLAT OF A PORTION OF
RY TRAILS SUBDIVISION
 SHOWING LOTS 1-3, BLOCK 1,
 LOTS 1-14, BLOCK 2,
 AND IN LOT B OF THE NW 1/4 SE 1/4
 B OF THE SW 1/4 SE 1/4 AND IN
 THE SE 1/4 SE 1/4 AND IN THE
 , ALL IN SECTION 15, T2N, R6E, B.H.M.,
 SIOUX COUNTY, SOUTH DAKOTA

THESE LOTS ARE BEING PLATED FOR THE PURPOSE OF RECORDING THE SAME IN THE PUBLIC RECORDS OF SIOUX COUNTY, SOUTH DAKOTA.

[Signature]

APPROVED AND CORRECTED FOR RECORD BY THE CLERK OF SIOUX COUNTY, SOUTH DAKOTA, THIS 10th DAY OF APRIL 1992.

WATER LINE EASEMENT LOCATED IN THE NE 1/4 SE 1/4 AND
IN LOT B OF THE SE 1/4 SE 1/4, ALL IN SECTION 15, T2N, R6E, BHM,
PENNINGTON COUNTY _____ SOUTH DAKOTA



CENTERLINE OF 20' WIDE WATER LINE
EASEMENT GRANTED BY THIS DOCUMENT.

2/15 2/15

RECORDED
INDEXED
DOC NO. 90525
BOOK 44 PAGE 497
FEE \$500.00
92 JAN 16 AM 11:58
FABER S FALTY
PENNINGTON COUNTY
REGISTER OF DEEDS

LOT B OF SE 1/4 SE 1/4

NOTE: See subdivision map for sampling sites.



ED BY FISK ENGINEERING), DEC 26, 1991

The well was supposedly drill before 1950, but we cannot verify this, so vested right is not possible. It has since been upgraded to meet Federal Housing Administration requirements, and is currently supplying water to a development of 18 houses. The reason for the unknowns is there has been no requirement to pull the pump since the association began managing the system. We are filing for a permit to ensure we meet all state and local requirements. Here are some specifications: Well depth - 488 feet; Pump depth - 471 feet; Static water - 413 feet; Capacity - 15 GPM; 3 HP/34 stage Pump.



South Dakota



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 24, 1992

Frank E. Morawa
Cavalry Trail Homeowners Association, Inc.
Rt 1, Box 1793
Rapid City SD 57702

Dear Mr. Morawa:

In regard to your water permit application received on August 24, 1992, the following information needs to be clarified in order to process your application.

1. Enclosed is the map submitted with the application. On the map, please indicate the location of the well with an "X".
2. Item No. 4 of the application must be completed. Please list the quarter-quarter of Section 15-T2N-R6E where the well is located.

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

REPORT ON APPLICATION NO. 2245-2
for Cavalry Trail Homeowners Association, Inc.
October 13, 1992

Application No. 2245-2 proposes to appropriate 22.5 gpm (0.05 cfs) from one well approximately 488 feet deep located in the NE 1/4 SE 1/4 of section 15, T2N R6E BHM in Pennington County. The water is for a suburban housing development.

AQUIFER - MADISON FORMATION (MDSN)

The Madison Formation consists of a massive dolomitic limestone and limestone about 400 feet thick in this area. The Madison is typically cavernous in the upper one half (Peter, 1985). The Madison underlies 1.489 million acres and contains an estimated 29.798 million acre feet of recoverable water in storage in Pennington County (Allen, 1984). The aquifer is laterally extensive around the Black Hills and is hydraulically connected into Meade County to the north and into Custer County to the south.

No driller's log was submitted with this application. The geology of the site is assumed by using nearby well logs and information from the aforementioned reports. The only information submitted with the application indicates the well is 488 feet deep, has a pump setting of 471 feet, has a static water level of 413 feet and has a pumping capacity of 15 gpm.

The Division of Water Rights monitors 4 observation wells completed into the Madison Formation in Pennington County. Water levels from these wells show good response to climatic conditions, that is, rising water levels during wet years and gradually declining water levels in dry years. Water levels in these wells have declined in recent years due to drought conditions and the fact that the City of Rapid City has recently begun using Madison water for their municipal supply (Water Rights, 1992).

REVIEW OF EXISTING WATER PERMITS/RIGHTS

The nearest existing water permit from the Madison Formation is No. 2202-2. Interference is not expected to be a concern. Both diversions are relatively small and about 1 1/2 mile apart. In the area of this application there are numerous domestic wells. According to records in the domestic well files some of these wells have had to be deepened in the last few years to obtain sufficient water.

CONCLUSIONS

1. Water is available from the Madison Formation.
2. The Madison is overlain by the Minnelusa Formation at this

site, but the Madison is under water table conditions. Interference is not expected to be a concern.

3. There is not enough information in the application to determine if the well construction meets SD Well Construction Standards.
4. According to the application this well was drilled prior to 1950 but the present owner cannot verify this, therefore, a vested right claim was not made. This well has been used for this purpose for many years with no apparent problems.
5. SDCL 46-2A-20 establishes a 20 year time limit on Water Permits from the Madison Formation unless the Water Management Board determines that sufficient information is available to determine that the proposed diversion would not adversely affect the water supply from the Madison Formation. In this particular instance, approval of this application would not change what has been going on for many years. The time limit should not be necessary.



James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Allen, J.C., etal, 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of SD, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

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

Water Rights, 1992, Unpublished Observation Well Data for the Madison Formation in Pennington County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2245-2, Cavalry Trail Homeowners Association

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. 2245-2, Cavalry Trail Homeowners Association, c/o Frank Morawa, Rt 1 Box 1792, Rapid City, SD 57702.

The Chief Engineer is recommending APPROVAL of Application No. 2245-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion has been developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is 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.


JOHN HATCH, Chief Engineer
October 26, 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

October 30, 1992

Frank Morawa
Cavalry Trail Homeowners Assoc., Inc.
Rt 1 Box 1793
Rapid City, SD 57702

Dear Mr. Morawa:

Water Permit Application No. 2245-2 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 (Ph # 394-8300). 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,

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

October 30, 1992

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

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2245-2 to be published twice. Please publish the first notice on November 5, 1992, 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 Cavalry Trail Homeowners Association, Inc., Rt 1 Box 1793, Rapid City, SD 57702 (Ph # 343-3296).

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,

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 November 5, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2245-2 to Appropriate Water

Notice is given that Cavalry Trail Homeowners Association, Inc., Rt 1 Box 1793, Rapid City, SD 57702 has filed an application for a water permit to appropriate 22.5 gallons per minute (0.05 cubic feet of water per second) from one well (Madison Formation) 488 feet deep located in the NE 1/4 SE 1/4 Section 15-T2N-R6E. The water is for a suburban housing development.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2245-2 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 November 23, 1992. 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.

If a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Board will consider this application at 10:00 am, December 2, 1992, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. 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. The December 2, 1992, 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 November 23, 1992.

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 Eric Gronlund by November 23, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

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, 46-2A-20, 46-2A-21; 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. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Pennington) ss.

I, Helena M. Bauer

certify that the attached printed Notice was taken

from the 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 5, 1992

November 12, 1992

Helena M. Bauer
 (Signature)

Bookkeeper

(Title)

November 12, 1992

(Date Signed)

Cost of Printing: 10 11/16 inch legal adv @ 4.90 per inch

run 2 times total cost \$104.74



Nov. 5, 12 L2192

NOTICE OF HEARING
 ON APPLICATION #2245-2
 TO APPROPRIATE WATER

Notice is given that the Cavalry Trail Homeowners Association, Rt. 1, Box 1793, Rapid City, SD 57702 has filed an application for a water permit to appropriate 22.5 gallons per minute (0.05 cubic feet of water per second) from one well (Madison Formation) 488 feet deep located in the NE 1/4 SE 1/4 Section 15-T2N-R6E. The water is for a suburban housing development.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2245-2 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 November 23, 1992. 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.

If a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Board will consider this application at 10:00 a.m., December 2, 1992, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, S.D. 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. The December 2, 1992, 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 November 23, 1992.

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 Eric Gronlund by November 23, 1992, at the above Water Rights Division address to request copies of information pertaining to this application, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

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, 46-2A-20, 46-2A-21; 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.

Robert E. Roberts
 Secretary
 Department of Environment
 and Natural Resources



MAR 5 1993

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Frank Morawa
Cavalry Trail Homeowners Association, Inc.
Rt 1 Box 1793
Rapid City, SD 57702

Dear Mr. Morawa:

Enclosed is Water Permit No. 2245-2 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

Report of Examination of Works and/or Application of Water to Beneficial Use For Permit No. 2245-2

I have this day, March 1, 2016, made a thorough examination of the water use system constructed by Calvary Trails Homeowners, 13371 Trooper King Rd, Rapid City, SD 57702-6135 of Permit No. 2245-2, bearing the priority of 8/24/1992 authorizing the diversion of .05 cu. ft. per second of the water from one well for suburban housing development purposes, in Pennington County.

Inspection contact & relationship to permit holder, if applicable: **Al Hall, Home Owner Assn President**
13371 Trooper King Rd.
605-390-9701
Jay Chittim, water system operator
605-787-8092

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: unknown (prior to 1950)
- 2) No. of Wells 1
- 3) Depth(s) 488 feet
- 4) Well log is available No

Casing:

- 1) Diameter 6 inches
- 2) Length unknown feet
- 3) Type steel

Screen:

- 1) Type unknown
- 2) Length unknown feet
- 3) Static water level 436 feet

Pump:

- 1) Make Gould
- 2) Model 13GS30
- 3) Size 4"
- 4) Capacity 12 GPM
- 5) Horsepower rating 3 hp

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

- 1) Type PVC pipeline
- 2) Size -- inches
- 3) Length -- feet

C. Works used to apply water to beneficial use:

The well delivers water to a 20,000 gallon concrete tank located at the northwest corner of the development. The system serves 18 homes in the homeowners association and 3 residences outside of the development.

D. Compliance with Permit Requirements:

- 1) Permit qualifications being abided by Yes
- 2) Exceptions to compliance are: none

E. Condition and Location:

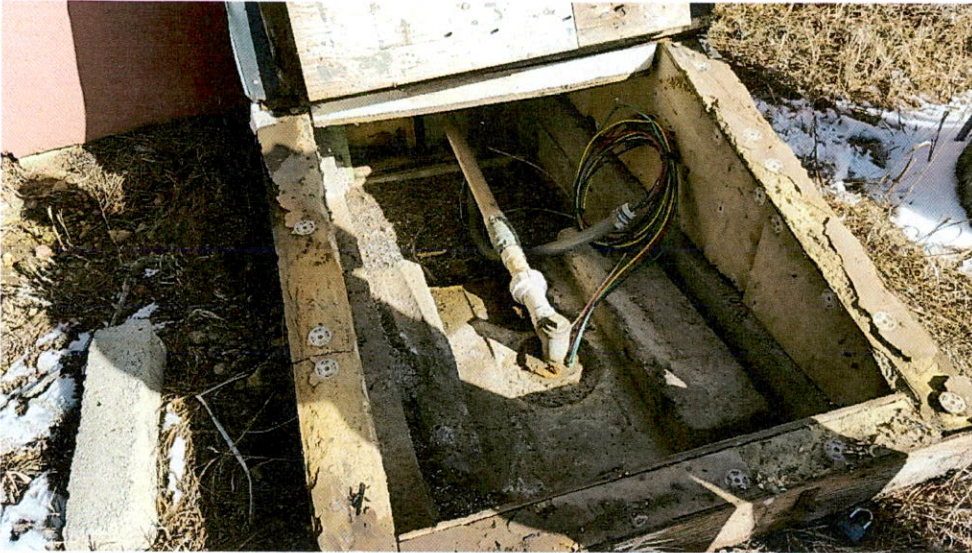
1. The system is in fair condition with the point of diversion located as follows:
NE ¼ SE ¼ S 15, T2N, R6E (1,352 ft. north and 100 ft. west of the SE corner),
N 44.129486° W 103.373061°
2. The works are capable of diverting and conveying to the place of use .03 cu. ft. per second (12 gpm) of water which is to be used for **suburban housing development use** and the license should be issued for **.03 cfs**.
3. All structures, wells and lands on map – **Yes**

F. Comments or other permit(s) associated with the project: none



Steven Quissell
Water Rights Inspector
DENR, Water Rights Program

Date report completed: 3/2/2016

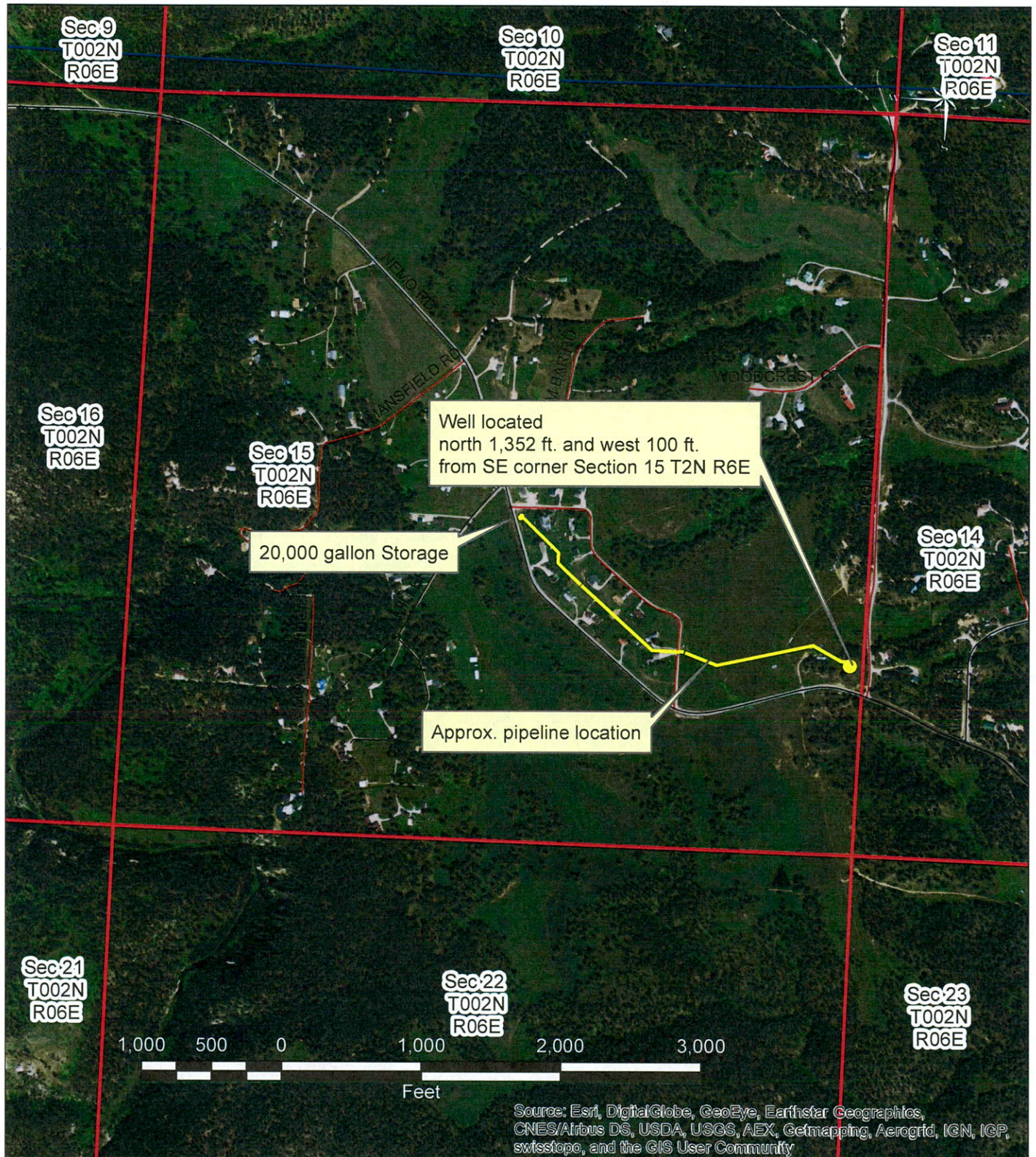


Calvary Trails well



20,000 gallon storage reservoir

Water Right #2245-2
Calvary Trails Homeowners
3/1/2016



Steven Quissell

Steven Quissell
Water Rights Inspector
DENR Water Rights Program





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

March 3, 2016

2245-2

Calvary Trails Homeowners
Al Hall, Homeowners Assn President
13371 Trooper King Rd
Rapid City SD 57702

Dear Mr. Hall:

On March 1, 2016 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 2245-2, was completed by Steven Quissell, a staff engineer with our program. 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, we will complete processing the water license. The check or money order for the fee should be made payable to the "Water Rights Program".

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

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

Sincerely,

Karen Schlaak
Water Rights Program
(605) 773-3352

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/16, 20 16

RECEIVED OF Calvary Trail Homeowners Assn 13347 Gary Owen DR 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	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>2245-2</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. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	
	50	00

No. **07791**

By Jeanne Goodman
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

2245-2

MAR 22 2016

Calvary Trail Homeowners Assn Inc
Al Hall
13371 Trooper King Rd
Rapid City SD 57702

Dear Mr. Hall:

Enclosed is Water License No. 2245-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 07791 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License. Also, included with your license is a map prepared by the staff engineer who conducted the investigation.

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

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2245-2

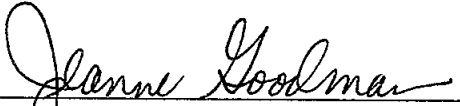
(1) Calvary Trail Homeowners Association, Inc., c/o Al Hall, Homeowners Association President, 13371 Trooper King Rd, Rapid City SD 57702 made Application No. 2245-2, August 24, 1992 for a water permit to divert 0.05 cubic feet of water per second from one well – Madison Aquifer, Pennington County, South Dakota for suburban housing development purposes. Permit No. 2245-2, with a priority date of August 24, 1992 was approved December 2, 1992 and issued to the applicant for diversion of water with construction of the described water supply system and the application to beneficial use of water completed.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 2245-2 is issued a license, bearing a priority date of August 24, 1992 to appropriate 0.03 cubic feet of water per second from one well – Madison Aquifer for suburban housing development purposes.

The diversion point is located: 1,352 feet north and 100 feet west of the SE corner of Section 15-T2N-R6E (NE 1/4 SE 1/4).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 2245-2 including 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 owners 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

MAR 22 2016

date

