

Considered: _____

WATER PERMIT NO. 2253-2

Phone: 341-3193

Name of Applicant: Highmeadows Ranchettes Water Users Association

Post Office Address: RR 1, Box 1135, Rapid City SD 57702

Amount of Water Claimed: 0.044 cfs 20 gpm Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: suburban housing development 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: 9-17-92 Fee: \$50 Remarks _____

Corrected Application Received 10-26-92 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 35-T2N-R6E

Land to be Irrigated: _____

		35		

Well Log: Driller: Bice & Taylor Drilling Licensed YES X NO _____

Depth of Well: 905' REMARKS _____

Type of Map: topo PREPARED BY: Don Frye Reviewed and the Number

Assigned on 10-26-92 By Karen Schlaak

523 E. Capitol
Pierre, SD 57501
(605) 773-3352No. 2253-2 Hydrologic Unit 10120110
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 ☐
 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 retainedChange 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 Bryan S Vulcan for: Highmeadows Ranchettes Water Users Association Phone No. (605) 341-3193Post Office Address RR1 Box 1135 Rapid City, State SD 57702
(Street, RR or Box) (City) Zip Code2. Amount of water claimed (c.f.s.) 20 GPM (0.044 cfs)3. Source of water supply Well4. Location of point of diversion NE 1/4 of SE 1/4 SEC 35 T2N R6ECounty Pennington5. Counties where water will be used Pennington6. Annual period during which water is to be used 1 Jan - 31 Dec

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)

Provide water for 15 households.

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, ssI, Bryan S Vulcan

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 Bryan S VulcanSubscribed and sworn to before me this 12th day of September 19 92Robert M. Nash

Notary Public

**SOUTH DAKOTA
WATER PERMIT NO. 2253-2**

Date of first receipt of application September 17, 1992.

Date of return to applicant for corrections, amendments or changes September 22, 1992.

Date of receipt of corrected application October 26, 1992.

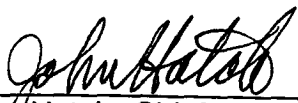
The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2253-2 to Highmeadows Ranchettes Water Users Association, RR 1, Box 1135, Rapid City SD 57702 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2253-2 appropriates 20 gallons per minute (0.044 cubic feet of water per second) from one well (Deadwood Formation) 905 feet deep located in the NE 1/4 SE 1/4 Section 35-T2N-R6E.
2. The water appropriated shall be used for the purpose of supplying water to a suburban housing development 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. 2253-2 is December 30, 1992.
5. The date from which applicant may claim right is September 17, 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

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

MAR 16 1993
date

Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
On applicants property _____ On property owned by others 1500'

2. Dugout Information

- 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 for each dam. The locations of the dams need to 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

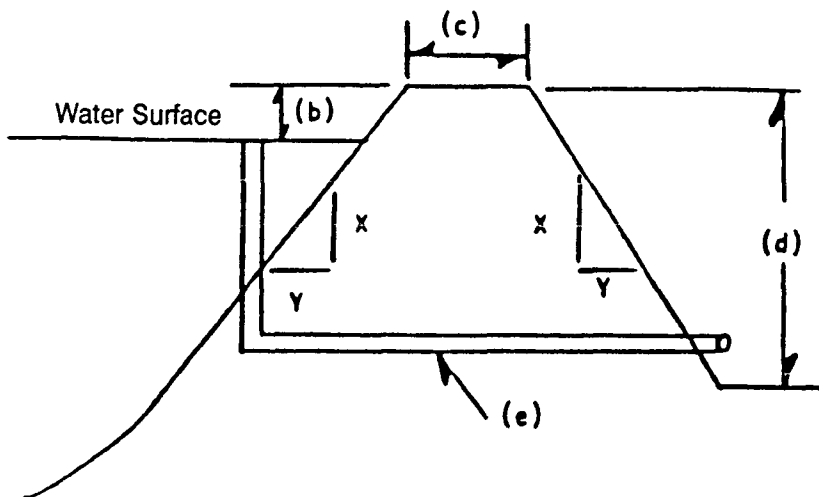
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area above Dam _____ Acres



High Meadows (Ranchettes) - (Estates)

BEST, Glen # 2

Oct. 22, 1977

WIC 25 - 2N 4.E - 4E SE 1/4

Peppington

Total Depth 905'

Static - 380'

722' 5 1/2" O.D. Casing

75 GPM @ 900'

25 GPM @ 540'

0-14	boulders
14-320	minnelusa
320-380	yellow sandstone and limestone
380-400	conglomerate
400-460	yellow limestone
460-500	broken voids No Return
500-740	hard limestone
740-865	med smooth
865-895	Drill Rapid
895-905	Hard

Dwane Lewis Driller





SOUTH DAKOTA
SCHOOL OF MINES & TECHNOLOGY
RAPID CITY, SD 57701-3995

Bryan S. Vulcan

Captain, US Army

Assistant Professor of Military Science

DEPARTMENT OF MILITARY SCIENCE

(605) 394-2769



Dear Sir,

*Enclosed please find
the \$50⁰⁰ check for our
inspection and issuance of final
papers for water rights as
noted in the attached letters.*



Bryan Vulcan

High Plains Meadow Ranchette

Glen Best
Rapid City, S.D.

Oct. 22, 1977

Sec. 35-2N6E-6E S&T

Pennington

Total Depth 905'

Static 380'

722' 5 1/2" O.D. Casing

75 GPM @ 900'

25 GPM @ 540'

0-14	boulders
14-320	minnelusa
320-380	yellow sandstone
380-400	conglomerate
400-460	yellow limestone
460-500	broken voids No Return
500-740	hard limestone
740-865	med. smooth
865-895	Drill rapid
895-905	Hard

HICE AND TAYLOR DRILLING, INC.

1220 Creek Dr

Rapid City, South Dakota 57701

RECEIPT

413434

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ September 22, 19 92

RECEIVED OF High Meadow Ranchettes, Water Users Assoc, Rt 1 Box 1132, Rapid City, SD 57702
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>2253-2</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

Chief Engineer

John Hatch 

GEOLOGICAL SURVEY

High Meadows Ranch

103°22'30"
44°07'30"

NEMO 12 MI.

632000m.E.

633

R. 6 E. 20'

R 7 E.

634

4886000m.N.

4885

4884

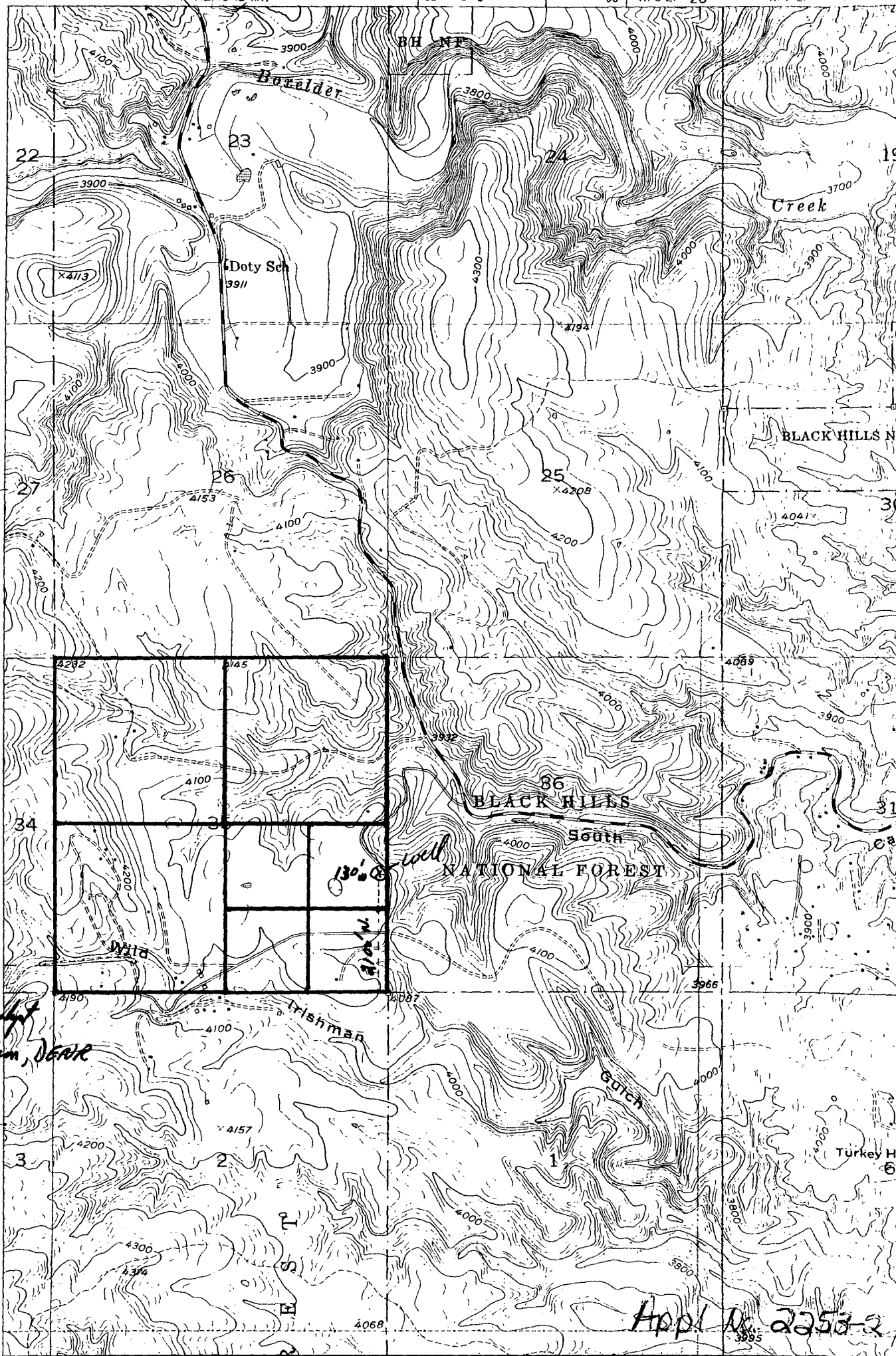
4883

5'

T. 2 N.

T. 1 N.

4881



Prepared by:
Don Frye
Natural Resources
Water Rights Division, DENR
5/29/92

Appl. No. 2253-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 22, 1992

Highmeadows Ranchettes Water Users Association
Bryan S. Vulcan
RR 1, Box 1135
Rapid City SD 57702

Dear Mr. Vulcan:

In regard to your water permit application received on September 17, 1992, the following information needs to be submitted in order to process your application.

Please complete as much information as possible on Item No. 1 of the enclosed Form 2A. The inspection report completed by Don Frye of this office, indicates that the depth of the well is 905 feet. Be sure to include the distance to nearest existing domestic wells (Item No. 1 g).

Upon receipt of the above, further processing of your application will continue. If you have any questions, please contact this office.

Sincerely,

Karen Schlaak
Natural Resources Analyst
605 773-3352

enclosure

HIGH MEADOWS RANCHETTES WATER USERS ASSOCIATION
RR 1 BOX 1135
RAPID CITY, SOUTH DAKOTA 57702

21 October 1992

DEPARTMENT OF ENVIRONMENT and NATURAL RESOURCES
ATTN: Karen Schlaak
JOE FOSS BUILDING
323 EAST CAPITAL
PIERRE, SOUTH DAKOTA. 57501-3181

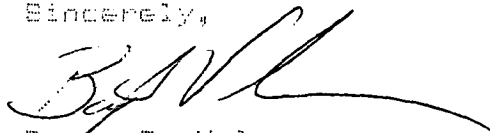
SUBJECT: Water Rights Request for High Meadows Ranchettes Water
Users Association.

Dear Karen,

Per your request I have enclosed what information we have on our
well. I had a hard time interpreting the notes obtained from the
well driller and his memory of our well is poor. I hope that the
information will suffice for our water rights request.

I have noted the distance to the nearest other well in item No. 1
g. Please call me if you need any more information at 374-6038
during business hours and 341-3193 in the evenings.

Sincerely,



Bryan S. Vulcan
HMR Water Users Assn.
President

enclosure



WATER PERMIT APPLICATION NO. 2253-2
HIGHMEADOWS RANCHETTES
NOVEMBER 17, 1992

Water Permit Application No. 2253-2 proposes to appropriate 20 gallons per minute (0.044 cubic feet of water per second) from one well 905 feet deep located in the NE 1/4 SE 1/4 Sec. 35, T2N-R6E. The water is used in a suburban housing development.

AQUIFER: Deadwood Formation (DDWD)

AQUIFER CHARACTERISTICS:

The well providing water for this application appears to be completed with both the Pahasapa (Madison) Limestone and the Deadwood Formation open to the well. However, the sole source of water for this well is assumed to be the Deadwood Formation. This is based upon: (a) interpretation of the well log submitted with this application; (b) review of the area geology (DeWitt, 1989), and (Darton, 1925); (c) comparison of this log with other logs from the area; and (d) comparison of the water levels of area wells.

The Deadwood Formation is a Cambrian aged sandstone, shale and shaley limestone, between 200 and 300 feet thick in this area. The Deadwood underlies approximately 1,492,480 acres of Pennington County and contains an estimated 14,924,800 acre-feet of recoverable water in storage in the county (Allen, 1984). The total porosity of the Deadwood Formation is estimated to be 10% and the effective porosity containing recoverable water is assumed to be 5% (Rahn, 1979). There is limited aquifer test data available for wells in the Deadwood, and aquifer characteristics are not available, however the permeability of the formation is assumed to be "moderately low" (Rahn, 1979). The Deadwood Formation outcrops approximately two miles west of this well site and the top of the formation is expected to be approximately 740 feet below land surface at this site. The aquifer is under confined conditions at this site.

The quality of the water in the Deadwood Aquifer is difficult to assess due to the lack of data. A water sample submitted for this well indicates a total dissolved solids concentration of 256 parts per million. Radionuclides are present in Deadwood aquifer in very high concentrations within approximately 6 miles of this well site; however, at the time of the last analysis, radionuclides were below the South Dakota Drinking Water Standards. There have not been any violations of the SD Drinking Water Standards cited for this facility (Larsen, 1992)

The suburban housing development of Highmeadows Ranchettes Water Users Association utilizes individual septic tanks for disposal of effluent. The housing development is located on the outcrop and recharge area for the Minnelusa Aquifer. There have been no reported problems with wastewater disposal for the development (Stephenson, 1992).

The well used to supply water to this application was constructed in 1977. As the result of a routine cross-reference between DENR-Office of Drinking Water community water system list and DENR-Division of Water Rights water permit list, the applicant was informed that a water permit was required for this water use. Approval of this application will bring the facility into compliance with water law.

AFFECT ON EXISTING WATER RIGHTS

There are several domestic wells in the vicinity of the well used to supply water for this application and there are four Water Permits/Rights within approximately 1 1/4 miles. The appropriate rights include:

<u>PERMIT/ RIGHT #</u> 2253-2)	<u>OWNER</u>	<u>SOURCE</u>	<u>LOCATION</u>	<u>DISTANCE</u> <u>(from</u>
1705-2	South Canyon Estates	#1 MDSN #2 DDWD	sec.35,T2N-R6E sec.26,T2N-R6E	1/2 mile 1 mile
1852-2	Ponderosa Water & Homeowners Assoc.	#1 MDSN #2 MDSN	sec.31,T2N-R7E	1 1/4 mile 1 1/2 mile
1154-2	Westberry Trails Water Users	#1 MDSN #2 MDSN	sec.31,T2N-R7E	1 1/4 mile 1 1/4 mile

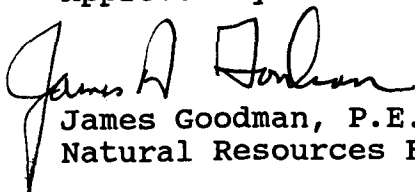
CONCLUSIONS:

1. This application proposes to bring into compliance a system that has been in use for several years. There have been no reported problems regarding the operation of this well.
2. There is a reasonable probability that unappropriated water is available for this appropriation.
3. Interference with existing rights is unlikely.
4. There have been no reported problems with wastewater disposal for the development.



Ken Buhler
Natural Resources Engineer

Approved by:



James Goodman, P.E.
Natural Resources Engineer

REFERENCES:

- Allen, J.C., D. Iles, A. Petres, 1984, Analysis of Groundwater and Streamflow Data, Western Dakotas Region of South Dakota, Task 3 & 4: Groundwater Resources Inventory, US Army Corp of Engineers Contract DAWC 45-82-C-015, SD DENR-Division of Geological Survey, Vermillion SD
- Darton, N.H., S. Paige, 1925, Central Black Hills Folio, South Dakota, USGS Folio 219.
- DeWitt, E., J. Redden, D. Buscher, A. Wilson, 1989, Geologic Map of the Black Hills Area, South Dakota and Wyoming, USGS MAP I-1910
- Division of Water Rights, 1992, "Domestic Well Log Files", DENR-Water Rights Division, Joe Foss Building, Pierre, SD
- Division of Water Rights, 1992, "Water Permit Files", DENR-Water Rights Division, Joe Foss Building, Pierre, SD
- Larsen, B., November 17, 1992 Personal Communication, Office of Drinking Water, Division of Environmental Regulation, Department of Environment and Natural Resources, Joe Foss Building, Pierre, SD
- Rahn, P.H., 1979, Ground Water Resources of Western South Dakota, Report to U.S. Army Corps of Engineers, Omaha District,
- Stephenson, G., November 17, 1992 Personal Communication, Rapid City Regional Office, Department of Environment and Natural Resources, Joe Foss Building, Pierre, SD

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT APPLICATION
NO. 2253-2, Highmeadows Ranchettes Water Users 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. 2253-2, Highmeadows Ranchettes Water Users Association, c/o Bryan Vulcan, RR 1 Box 1135, Rapid City, SD 57702.

The Chief Engineer is recommending APPROVAL of Application No. 2253-2 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) 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
November 20, 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.

November 23, 1992

Bryan Vulcan
Highmeadows Ranchettes Water Users Association
RR 1 Box 1135
Rapid City, SD 57702

Dear Mr. Vulcan:

Water Permit Application No. 2253-2 for groundwater 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

November 23, 1992

Rapid City Journal
PO Box 450
Rapid City, SD 57709

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2253-2 to be published twice. Please publish the first notice on December 3, 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 Highmeadows Ranchettes Water Users Association, RR 1 Box 1135, Rapid City, SD 57702 (Ph # 341-3193).

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 December 3, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2253-2 to Appropriate Water

Notice is given that Highmeadows Ranchettes Water Users Association, c/o Bryan S. Vulcan, RR 1 Box 1135, Rapid City, SD 57702 has filed an application for a water permit to appropriate 20 gallons per minute (0.044 cubic feet of water per second) from one well (Deadwood Formation) 905 feet deep located in the NE 1/4 SE 1/4 Section 35-T2N-R6E. The water is used in a suburban housing development.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2253-2 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 December 21, 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.

For purposes of publishing 1) the notice of hearing on Application No. 2253-2 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for December 30, 1992, 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 December 30, 1992, 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 December 30, 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 December 21, 1992.

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 Eric Gronlund by December 21, 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 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:

December 3, 1992

December 10, 1992

Helena M. Bauer

(Signature)

Bookkeeper

(Title)

December 10, 1992

(Date Signed)

Cost of Printing: 12 3/16 inch legal adv run 2 times

@ 4.90 per inch \$119.44

hearing by the handicapped or to
 obtain an interpreter for the hear-
 ing impaired.

This application is made pursu-
 ant 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 thru 74-02-01 15.

Robert E. Roberts
 Secretary
 Department of Environment
 & Natural Resources

Dec. 3, 1992

L2374

NOTICE OF HEARING
 ON APPLICATION NO. 2253-2
 TO APPROPRIATE WATER

Notice is given that High-
 meadows Ranchettes Water Users
 Association, c/o Bryan S. Vulcan,
 RR 1, Box 1135, Rapid City, SD
 57702 has filed an application for a
 water permit to appropriate 20
 gallons per minute (0.044 cubic
 feet of water per second) from one
 well (Deadwood Formation) 905
 feet deep located in the NE 1/4 SE 1/4
 Section 35 T2N-R4E. The water is
 used in a suburban housing devel-
 opment.

Pursuant to SDCL 46-2A-2, the
 Chief Engineer recommends AP-
 PROVAL of Application No. 2253-2
 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 interests. Unless a
 petition is filed opposing the ap-
 plication or the applicant files a
 petition contesting the chief en-
 gineer's recommendation, the Water
 Management Board will NOT
 CONDUCT a HEARING to con-
 sider 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 ap-
 plication.

Any person interested in oppos-
 ing 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 ei-
 ther an interested person or the
 applicant must be filed by De-
 cember 21, 1992. The petition may
 be informal, but must include a
 statement describing the peti-
 tioner's interest in the application,
 the petitioner's reasons for oppos-
 ing or supporting the application,
 and the signature and mailing ad-
 dress of the petitioner or the peti-
 tioner's legal counsel; if legal
 counsel is obtained.

For purposes of publishing 1) the
 notice of hearing on Application
 No. 2253-2 and 2) the chief en-
 gineer's recommendation, a meeting
 at the Division of Water Rights of-
 fice to hear this application is
 scheduled for December 30, 1992,
 at 9:00 a.m. in Room 413, Joe Foss
 Building, 523 E. Capitol, Pierre,
 S.D. If this application is opposed
 or the recommendation is con-
 tested, the December 30, 1992,
 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. Any-
 one not filing a petition, but in-
 terested in attending the hearing,
 may contact the Division of Water
 Rights to confirm a hearing date
 and location. The December 30,
 1992, hearing date will be auto-
 matically 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
 December 21, 1992.

If a hearing is held, the Chief
 Engineer's recommendation is not
 final or binding upon the Board.
 The Board is authorized to 1) ap-
 prove, 2) approve with qualifica-
 tions, 3) defer, or 4) deny this ap-
 plication based on the facts pre-
 sented at the public hearing. Any
 hearing will be an adversary pro-
 ceeding. Any person filing a peti-
 tion and/or the applicant have the
 right to be represented by a law-
 yer 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 Granlund by December 21,
 1992, at the above Water Rights
 Division address to request copies
 of information pertaining to this
 application, to assure access to the



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 16 1993

Bryan Vulcan
Highmeadows Ranchettes Water Users Assn
RR 1 Box 1135
Rapid City, SD 57702

Dear Mr. Vulcan:

Enclosed is Water Permit No. 2253-2 authorizing your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount the Water License will be sent to you.

Very truly yours,

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

enclosures

RECEIPT

413747

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ April 29 _____, 19 93

RECEIVED OF High Meadow Ranchettes, Rt 1 Box 1132, 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>2253-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By *John Hatch*
Chief Engineer

Permit No. 2253-2
Upper Cheyenne - Water District

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

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

I have this day made a thorough examination of the water use system constructed by High Meadows Ranchettes Water Users Association, RR 1, Box 1135, Rapid City SD 57702 holder of Permit No. 2253-2, bearing the priority of September 17, 1992 authorizing the diversion of 0.044 cu. ft. per second of groundwater for suburban housing development purposes, in Pennington County.

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

A. Works used to divert the water:

One well -- 905 feet deep with a 15 hp Franklin submersible pump -- 20 gpm capacity

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

Gould century distribution pump, 7.5 HP; one 5,000 gallon underground storage tank; and 4,935 feet of 2" PVC pipe

C. Works used to apply water to beneficial use:

Plumbing system serving 15 homes

The system is in the following condition excellent. The point of diversion is located 2,100 feet N and 130 feet W of the SE corner section 35-T2N-R6E. The works are capable of diverting and conveying to the place of use 0.044 cu. ft. per second of water which is to be used for suburban housing purposes. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.044 cfs.

Applicable permit qualifications have been complied with: Yes ☒ No

Exceptions to compliance are: none Date: May 29, 1992



Ron Duvall, Natural Resources Engineer for
Don Frye, Natural Resources Analyst
DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 2253-2

DATE: May 29, 1992

Other permit(s) associated with the project: none

DIVERSION POINT LEGAL LOCATION: 2,100 feet North and 130 feet West of the SE corner of section 35-T2N-R6E (NE1/4 SE1/4)

WELL INFORMATION:

- 1) Well Drilling Firm: Bice & Taylor Drilling
- 2) No. of Wells 1
- 3) Depth(s) 905 feet
- 4) Well log is available Y
- 5) Comment:

Casing:

- 1) Diameter 5.5 inches
- 2) Length 722 feet

Pump:

- 1) Make Franklin submersible
- 2) Size 15 HP
- 3) Capacity 20 GPM

DISTRIBUTION LINES OR CANALS:

- 1) Type PVC
- 2) Size 2 inches
- 3) Length 4,935 feet

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit NA
- 2) Special qualifications to permit being abided by Y
- 3) All structures, wells and lands on map Y
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period NA

DEAR SIR/MADAM:



DAN, FROM THE OFFICE OF WATER RIGHTS - DWR, VISITED OUR SYSTEM IN JUNE OF 1992. HE HAS ALL THE NECESSARY PAPERWORK FOR OUR WATER RIGHTS APPLICATION IN HIS FILE.

I WOULD APPRECIATE IT IF YOU WOULD CONTACT HIM FOR ANY INFORMATION YOU MIGHT NEED TO COMPLETE OUR APPLICATION.

SINCERELY,

George C. Cullen

P.S. I AM NO LONGER THE PRESIDENT OF HIGH MEADOWS RANCHETTES WATER USERS ASSOCIATION. THE NEW PRESIDENT IS BRYAN VULCAN 605-341-3193.

High Meadow Ranchettes
Bryan Vulcan
P.O. Box 1132
Rapid City, SD. 57702

103°22'30"
44°07'30"

NE 10 12 MI.

632000m E

533 R 6 E 20'

R 7 E 34

4886000m N

4885

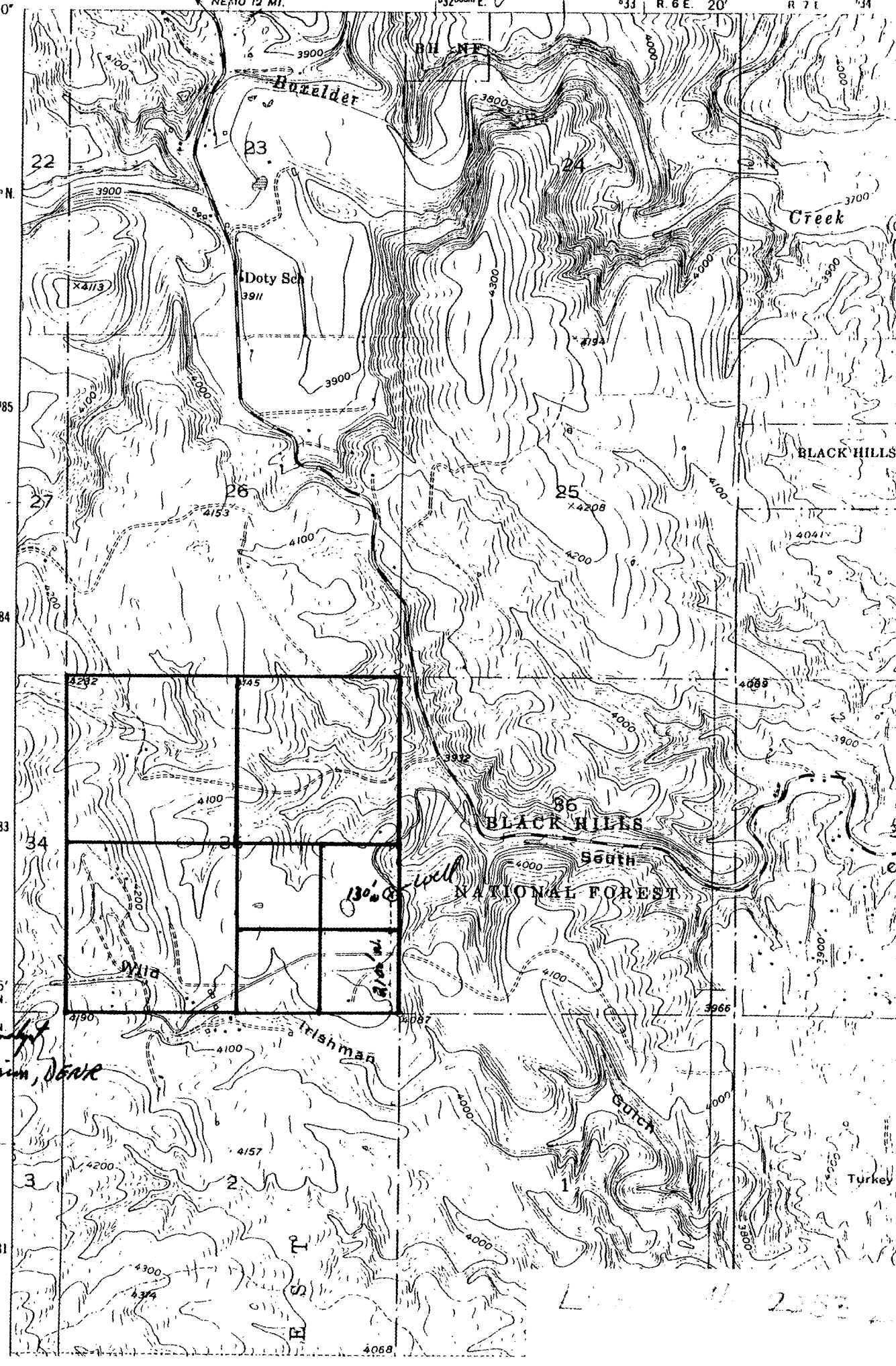
4884

4883

5' T. 2 N.

1 N.

Prepared by:
Don Frye
Natural Resources Analyst
Water Rights Division, DENR
5/27/92



L 2382

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 2253-2

(1) Highmeadows Ranchettes Water Users Association of RR 1 Box 1135, Rapid City, SD 57702 made Application No. 2253-2, September 17, 1992 for a water permit to divert 0.044 cubic feet of water per second from groundwater (one well), Pennington County, South Dakota, for suburban housing development purposes. Permit No. 2253-2, with a priority date of September 17, 1992 was approved December 30, 1992 and issued to the applicant(s) for diversion of water with construction of the described water supply system completed and 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 0.044 cubic feet of water per second for beneficial use. The location of the diversion point is 2100 feet N and 130 feet W of the SE corner of Section 35 T2N-R6E (NE¼ SE¼).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use for providing water to 15 households.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Highmeadows Ranchettes Water Users Association of RR 1 Box 1135, Rapid City, SD 57702 the holder(s) and/or owner(s) of Water Permit No. 2253-2 is issued a license to appropriate water, the right to divert 0.044 cubic feet of water per second from groundwater (one well) with a priority date of September 17, 1992 from the location specified in (2) of this license. The water is be used for the purpose of suburban housing development. This license is subject to any limitations or qualifications listed in Water Permit No. 2253-2 and subject to South Dakota State Law.



MAR 14 1994

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 14 1994

2253-2

Bryan S. Vulcan
Highmeadows Ranchettes Water Users Assoc.
RR 1, Box 1135
Rapid City, SD 57702

Dear Mr. Vulcan:

Enclosed is Water License No. 2253-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413747 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 2253-2, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

rd
enclosures