

WATER PERMIT NO. 2305-2

Phone: 787-5261

Name of Applicant: Spring Canyon Water

Post Office Address: PO Box 862, Rapid City SD 57709

Amount of Water Claimed: 0.044 cfs (20 gpm) Total Acres: _____

Source of Water Supply: groundwater

Water to be used for: suburban housing County: Pennington

About 5 miles South of Rapid City

PRIORITY Date Received: 2-25-94 Fee: \$50 Remarks: deepened

well authorized by Permit No. 2053A-2 into different formation

Corrected Application Received: _____ 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: Lot 4, Government Lot 3,

Section 5-T1S-R7E

Land to be Irrigated: _____

		x	#		
			5		

Well Log: Driller: Cimarron Drilling Licensed YES X NO _____

Depth of Well: 740 feet REMARKS: _____

Type of Map: plat PREPARED BY: Rodney H. Meador Reviewed and the Number

Assigned on: 2-28-94 By: Karen Schlaak

**SOUTH DAKOTA
WATER PERMIT NO. 2305-2**

Date of first receipt of application February 25, 1994.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2305-2 to Spring Canyon Water, PO Box 862, Rapid City SD 57709 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. 2305-2 appropriates 0.044 cubic feet of water per second (20 gallons per minute) from one well 740 feet deep (Deadwood Formation) located in Lot 4, Block 3 of Government Lot 3, Section 5-T1S-R7E. This well was authorized by Water Permit No. 2053A-2 to be from the Madison Formation but has been deepened into the Deadwood Formation.
2. The water appropriated shall be used for the purpose of supplying water for 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. 2305-2 is June 6, 1994.
5. The date from which applicant may claim right is February 25, 1994.
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

AUG 19 1994
date

FORM 2: Application for uses other than irrigation
(type or print)

Mail to:
Water Rights Division
Jefferson Building
122 E Capitol
Pierre SD 57501-3181
573-3352

No. 2305-2 Hydrologic Unit 10120109
Basin Upper Cheyenne River
Newspaper Rapid City Journal
(if applicable)



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

Check use of water:

☐ Municipal ☒ Suburban Housing ☐ Recreational ☐ Institutional
☐ Rural Water System ☐ Commercial ☐ Fish & Wildlife ☐ Geothermal Heat
☐ Domestic (over 18 gpm) ☐ Industrial ☐ Other _____

Type of Application: ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. 2053A-2

Description of amendment/correction: (i.e. change diversion location, add diversion points, change use, etc.)

ABANDON WELL FROM 540-790 INTO THE DEADWOOD FORMATION

- Name of Applicant SPRING CANYON WATER BY ROBERT W POWLES (check one) ☐ Owner ☐ Tenant/lessee ☒ Manager Phone 787-5261
Mailing Address PO BOX 862 RAPID CITY State SD 57709
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed 0.044 *CFS or 20 *GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply DEADWOOD
- Location of point of diversion (example - 3 wells in SW 1/4 Section 12-T15-R7E) 2 WELLS AS SHOWN ON PREVIOUSLY SUBMITTED MAP Lot 4, Block 3 of
Government Lot 3 Section 5-T15-R7E County PENNINGTON
- County or counties where water will be used PENNINGTON
- Annual period during which water is to be used ALL YEAR Jan 1 - Dec 31
- Give a description of the 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 required)

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information (see instructions)

STATE OF SOUTH DAKOTA)

County of Pennington)^{SS}

I, ROBERT W. POWLES, 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

Robert W. Powles

Subscribed and sworn to before me this 23rd day of February 19 94

Dorothy K. Wittmeyer

Notary Public

MY COMMISSION EXPIRES MARCH 11, 2000

RECEIPT

414059

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ February 25, 19 94

RECEIVED OF Spring Canyon Water Company, PO Box 862, Rapid City, SD 57709

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

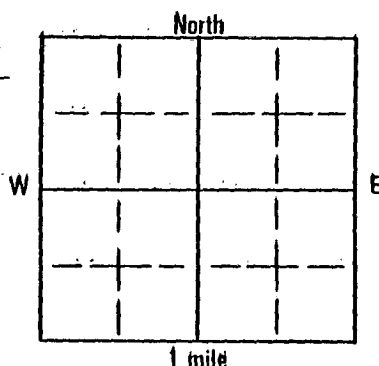
Fee for Application for Permit No. <u>2305-2</u> to Appropriate Water, to construct and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting 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

SOUTH DAKOTA WELL REHABILITATION REPORT

10-85

Location NE 1/4 NW 1/4 Sec 5 Twp 15 Rg 7ECounty PenningtonPlease mark well
location with
an "X"Rehabilitation Completion Date 6-15-93

PROPOSED USE:

☒ Domestic ☐ Municipal ☐ Stock
☐ Irrigation ☐ Industrial

Well Owner:

Name Spring Canyon Water Co
Address P.O. Box 862 Rapid City
S.D. 57709Describe original construction if possible?
(Attach original log if known)7" Steel casing
To (2) open
Hole To 540'Description of condition of well before rehabilitation: Well was 7" Steel
Casing To (2) Drilled To 540' producing
about 2 GPMDescription of rehabilitation work completed: Drilled from 540' To 740'
Installed 5" liners from 310' To 540'
4 1/2" liners welded To 700' Perforation from
540' To 660' Completion into (Deadwood FM)Recasing Information: Material Steel Diameter 5 1/4" Inches Depth 310' Feet 700'Describe screen or perforation 1/8" Per 320' to 660' Screen Location From 540' To 660'
From _____ To _____Grout: ☒ YES ☐ NO Describe grouting procedure and grout Plug in liner at 325'Pressure grout thru weep holes at 320'20 sacks Portland Type I-II 94/6Well Test Data: 12 GPM 300'20 GPM 440'30 GPM 600'Specific capacity 200' Static water level

If a flowing well GPM _____ Shut in _____ PSI

This well rehabilitation was completed under license # 568 And this report is true and accurate.Drilling firm C. MARION DrillingSignature of Licensed Representative Michael J. Deutch

Signature of Well Owner _____

Date _____



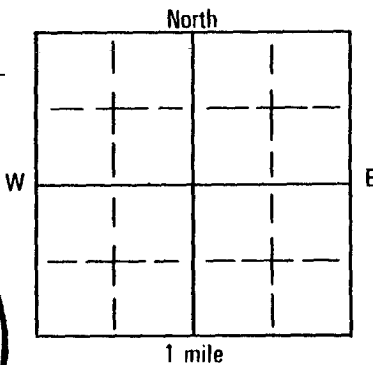
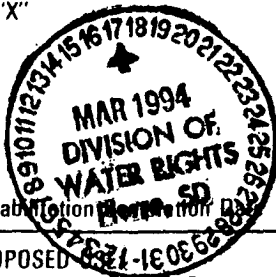
SOUTH DAKOTA WELL REHABILITATION REPORT

10-85

Location NE 1/4 NW 1/4 Sec 5 Twp 15 Rg 7E

County PENNINGTON

Please mark well location with an "X"



Rehabilitation Permit No. 6-15-93

PROPOSED ☒ Domestic ☐ Municipal ☐ Stock ☐ Irrigation ☐ Industrial

Well Owner:

Name Spring Canyon Water Co.
Address P.O. Box 862 Rapid City SD 57709

Describe original construction if possible?
(Attach original log if known)

7" Steel casing to (P) Open Hole into Madison FM to 540'

Description of condition of well before rehabilitation: Well was 7" steel casing to (P) Drilled to 540' producing about 2 GPM

Description of rehabilitation work completed: Drilled from 540' to 740' with 6 1/8" hole. Installed 5" liner from 310' to 540' welded 4 1/2" liner to 700'. Perforations from 540' to 660'. Completion into (Deadwood FM) (Per. Grease Read sample)

Recasing information: Material Steel Diameter 5 1/4" Depth 540 to 660'
Describe screen or perforations 1/8" out Perfs Screen Location From 540' To 660'

Grout: ☒ YES ☐ NO Describe grouting procedure and grout Cement Plug in liner @ 525' Pressure grout through weep holes @ 520' 20 sacks Portland Type III 94/6

Well Test Data: 12 GPM 300'
20 GPM 440'
Specific capacity 30 GPM 600' Static water level 200'
If a flowing well GPM _____ Shut in _____ PSI

540' - 564' - Pink & Tan limestone
565' - 630' - light gray limestone to tan & maroon
630' - 635' - Grey siltstone + shale
635' - 740' sandstone red & maroon

This well rehabilitation was completed under license # 568 And this report is true and accurate.

Drilling firm CIMARRON Drilling

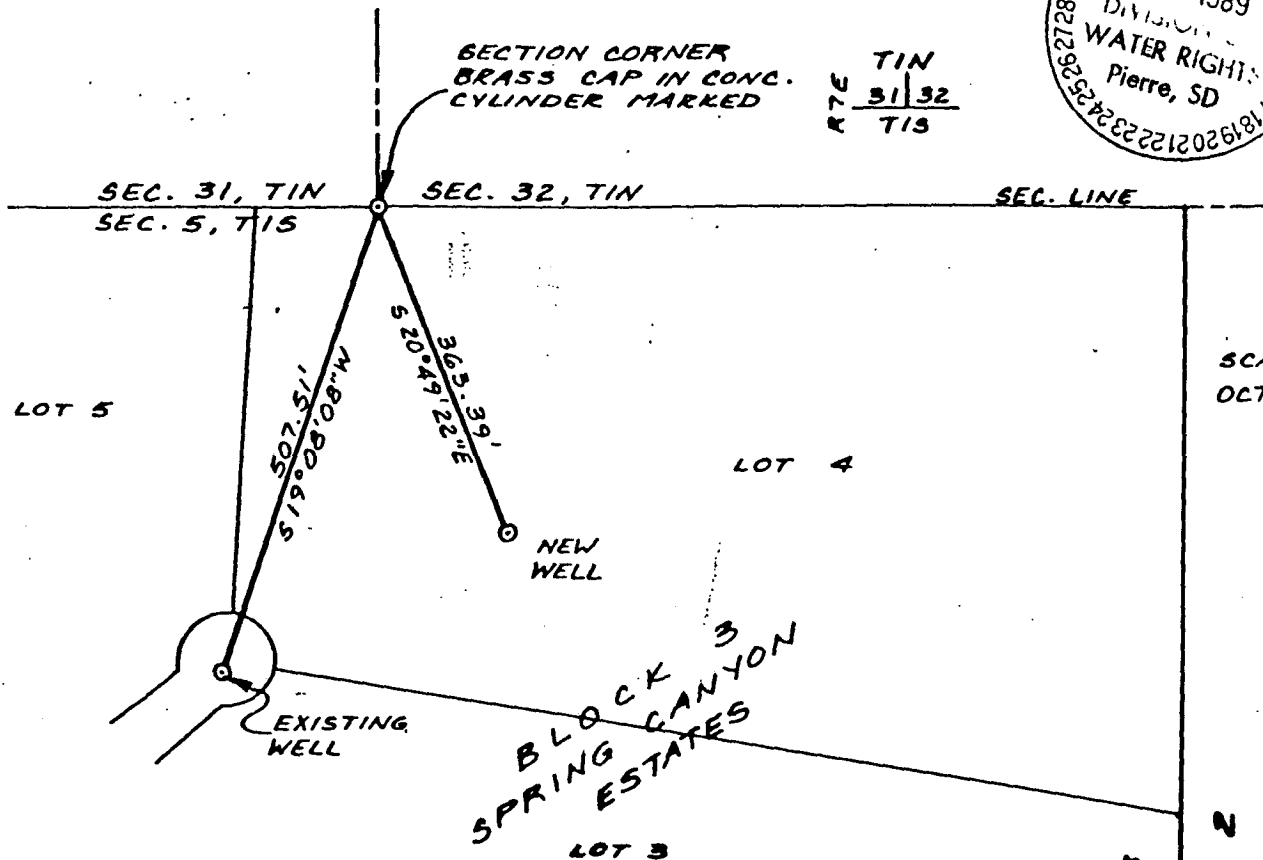
Signature of Licensed Representative Michael J. Dauter

Signature of Well Owner _____

Date _____

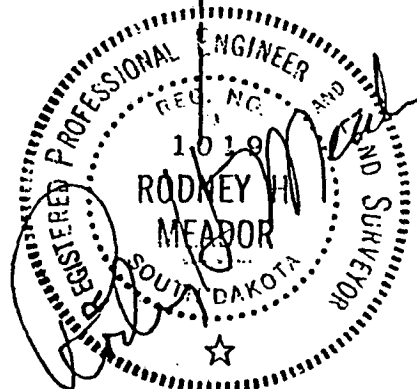
MAP OF SURVEY

WATER WELL LOCATIONS FOR SPRING CANYON WATER CO.
PENNINGTON COUNTY, SOUTH DAKOTA



LOCATION DESCRIPTION OF NEW WELL:

The new well is located 363.39 feet on a true bearing of south 20 degrees 49 minutes 22 seconds east from the south section corner between Sections 31 and 32, Township 1 North, Range 7 East of Black Hills Meridian. The new well is located on lot 4 of Block 3 of Spring Canyon Estates in Government Lot 3, Sec. 5, T1S, R7E, BHM, Pennington County, South Dakota.



F M G, Inc.

1823 West Main
Rapid City, S.D. 57702

PROJECT: SPRING CANYON WATER CO.

2305-2

BY 49
10-3-89

LOCATION
SEC. 5-1S-7E

JOB NO.
6301

SOUTH DAKOTA WATER WELL COMPLETION REPORT

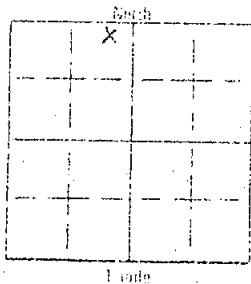
10-85

Location NE NW Sec 5 Twp 1 S Rg 7 E

County

Pearson

Please mark well location with an "X"

Well Completion Date 7-15-90

PROPOSED USE

☒ Domestic ☐ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Air Rotary

CASING DATA

☒ Steel ☐ Plastic ☐ Other

If other describe

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
23 LB/FT	2 IN	0 FT	442 FT	8 3/4 IN
1 LB/FT	1 IN	442 FT	520 FT	6 1/4 IN
1 LB/FT	1 IN	FT	FT	IN
1 LB/FT	1 IN	FT	FT	IN

GROUT

Was the well grouted? ☒ YES ☐ NO

To what depth? _____ FEET

What is grouting material? Next cementIf cement, number of sacks? 40 sacksDescribe grouting procedure Press grouted from 220'
no returns.Prop lined 8 sacks up to 11'55' depthWhat was grout weight? 15 LB/GALSCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material 5/8" open hole completion 442-520'

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information Steel casing also perforated
383-426 (500 log)Was a packer or seal used? ☒ YES ☐ NOIf so, what material? RubberDescribe packer(s) and location? Packer set at
280'Was well disinfected upon completion? ☒ YES ☐ NOExplain: ChlorinatedBacteriological analysis ☒ YES ☐ NO

Laboratory sent to _____

Well Owner

Spring Canyon Water Co.Address 5203 Pioneer Circle, Rapid City SD 57702

Well Log

Depth

Formation

From To

<u>Amalgam ss & ls</u>	<u>0'</u>	<u>160'</u>
<u>11' to red tan</u>		
<u>Medicine - wht</u>	<u>160'</u>	<u>442'</u>
<u>ls some tan</u>		
<u>large with much</u>		
<u>fracturing void at</u>		
<u>290' (some water</u>		
<u>at 420-430')</u>		
<u>ls - wht to tan</u>	<u>442'</u>	<u>500'</u>
<u>(water) some matrix pr.</u>		
<u>ls - red - matrix</u>	<u>500'</u>	<u>520'</u>
<u>dark</u>		

STATIC WATER LEVEL 300' Feet

If flowing, closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other, specify _____

Can well be completely shut in? _____

WELL TEST DATA

☒ Pumped☐ Bailed☒ Other

Air bumped at 20-25
gpm from 500'
Installed pump

Pumping Level Below Land Surface

<u>442'</u>	ft. After <u>2</u> Hrs. pumped <u>20 +</u> GPM
<u>442'</u>	ft. After <u>5</u> Hrs. pumped <u>10</u> GPM
	ft. After _____ Hrs. pumped _____ GPM

REMARKS:

Drilled to 765' & tested
well production at a maximum
of 5-6 gpm. Drilled to 520'
increased rate to 20-25 gpm.
Well is TD in Englewood
log to original depth of 762'
attached.

This well was drilled under license # 511

And this report is true and accurate.

Drilling firm Dennis V. Johnson

Signature of License Representative:

Dennis V. Johnson

Signature of Well Owner:

William B. Johnson, PresidentDate 5/13/90

STATE OF SOUTH DAKOTA - BUREAU OF ADMINISTRATION - OFFICE OF RECORDS MANAGEMENT - CERTIFICATE OF AUTHENTICITY

THIS IS TO CERTIFY THAT THE MICROPHOTODUPLICATION IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILLED LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTODUPLICATION REPRODUCTIONS. REDUCTION 25-1 ROLL NO U-5

DATE MICROFILMED 3-26-91

CAMERA OPERATOR _____



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 26, 1994

Spring Canyon Water Co.
Dean E. Draxton
5703 Pioneer Circle
Rapid City SD 57702

Dear Mr. Draxton:

On January 18, 1994 we received a South Dakota Well Rehabilitation Report (copy enclosed) from Cimarron Drilling. The report indicated that one of the Water Company's wells was rehabilitated in June, 1993 extending the drill hole depth from 540 feet to 740 feet. Water Permit Nos. 2053-2 and 2053A-2 authorize 0.08 cubic feet of water per second from two Madison Formation wells. The rehabilitation report indicates the well was extended into the Deadwood Formation. Since this well is now into a different water source, a new water permit application will need to be obtained for the Deadwood Formation well.

Enclosed are water permit application forms, and instruction sheet. The filing fee for this application will be \$50.00. It will not be necessary to submit a map showing the well location. The map filed with Permit No. 2053A-2 can be used. On the application, please specify which of the two wells was deepened and the maximum diversion rate from each well. If you have any questions, please contact this office.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

WATER PERMIT APPLICATION NO. 2305-2
SPRING CANYON WATER
APRIL 19, 1994

Water Permit Application No. 2305-2 proposes to appropriate 0.044 cubic feet of water per second (20 gallons per minute from one well 740 feet deep located in Lot 4, Block 3 of Government Lot 3, Sec.5, T1S-R7E. This well was authorized by Water Permit No. 2053A-2 to supply water from the Madison formation but has been deepened into the Deadwood Formation. This is a different water source which requires a new water permit. The water is for suburban housing development use.

INTRODUCTION:

SDCL 46-2A-9 requires that a permit to appropriate water may only be issued if there is reasonable probability that there is unappropriated water available for the applicant's proposed use, that the proposed diversion can be developed without unlawful impairment of existing rights and that the proposed use is a beneficial use and in the public interest. This report will address the questions of water availability and the affects on existing rights.

AQUIFER: Deadwood Formation

Water Availability:

The Deadwood Formation is a Cambrian aged sandstone, shale and shaley limestone, approximately 210 feet thick in this area. The Deadwood underlies most of western South Dakota, (approximately 30,654 square miles) and contains over 280 million acre-feet of recoverable water in storage (Allen, 1984). The Deadwood Formation outcrops within approximately 2.5 miles of this well site (Darton, 1925) and the top of the formation is estimated to be 500 feet below grade at this site. The aquifer is under artesian conditions at this site and the static water level of a well at this site is reported to be 200 feet below grade.

The quality of the water in the Deadwood Aquifer is difficult to assess due to the lack of data. It is believed, however, that the water quality deteriorates rapidly within a few miles downdip of the outcrop. The concentration of common ions in the aquifer appears to be quite low in this area, with analysis from area wells indicating total dissolved solids of less than 500 mg/l. Radionuclides are present in the Deadwood Aquifer in very high concentrations within a short distance of this well. An analysis of water from this well since it was deepened to the Deadwood Formation is not on file with The Office of Drinking Water.

Development of the Deadwood Aquifer has generally been limited to a fairly small area in or near the outcrop area. This is due to the fact that most of the aquifer is overlain by productive aquifers. Relatively few wells have been completed into the Deadwood Aquifer and the water use from the Deadwood Formation is fairly low. The aquifer is utilized primarily for domestic use

near the outcrop area, however, there are 33 Water Rights/Permits appropriating water from the Deadwood Aquifer in South Dakota. Water use by appropriative rights/permits include: 10 permits/rights for suburban housing developments; 11 permits/rights for commercial use; 6 permits/rights for industrial use; 2 permits/rights for institutional use; 2 permits/rights for multiple use; 1 permit for irrigation use; and 1 permit for domestic use. The combined diversion rate of these appropriative rights totals 5.172 cfs. It is doubtful that the combined annual use from the Deadwood exceeds the volume that would be pumped by all permits.

The Division of Water Rights monitors one observation well completed into the Deadwood Aquifer, located approximately 1 1/2 mile northeast of this well site. Measurements indicate the potentiometric surface of the aquifer fluctuates seasonally in response to recharge events, with the highest water level occurring in late spring-early summer, and the lowest water level occurring in late winter-early spring. At the current level of development, natural influences dominate the water level of the aquifer and the effects of pumping as yet are not obvious. Therefore the availability of water in the aquifer is not an issue at this stage of usage from the aquifer.

REVIEW OF EXISTING WATER RIGHTS/PERMITS

Groundwater rights/permits are potentially impacted in one of two ways, pumping an individual well could lower the water level of nearby wells (well interference), and the cumulative affect of numerous withdrawals from an area, may have an affect on area water rights.

Well Interference:

In general, there are two main sources of groundwater in this area, the Deadwood Aquifer and the overlying Madison Aquifer. Wells penetrating these aquifers are generally fairly deep (650 to 1000+ feet deep) and constitute a major investment on the part of the well owner. As a result, there are only a few private domestic wells in the area, and the wells that do exist in the area are for uses which require water permits/rights. There are 13 Water Permits/Rights belonging to others, appropriating groundwater within approximately one and one half miles of this well. Seven of these appropriations are from the Madison Aquifer, and six appropriations are from the Deadwood Formation. The Madison Aquifer appropriations should in no way be affected by the diversion proposed by this application. The nearest diversion point supplying a Deadwood Aquifer Water Right is approximately one mile north of this application (Permit No. 2295-2). There is limited aquifer test data available for wells in the Deadwood, and aquifer characteristics are not available for this site. However, adverse affects are not expected between adequate wells.

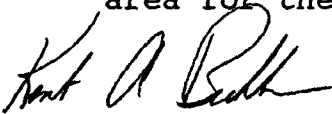
Cumulative Affect:

The cumulative affect of numerous withdrawals from a concentrated area, may lower the water levels over a fairly large area. In

recent years, a number of wells have been completed into the Deadwood Aquifer in this area. Complaints about development have been received from well owner's in the area who have had to lower the pumps in their wells because of lower water levels. The lower water levels in recent years are probably the result of below normal precipitation (recharge). As stated previously, present development from the Deadwood Aquifer in this area is not obvious to area water levels. However, if the cumulative affect of development from the Deadwood Aquifer requires the lowering of pumps in existing wells (either domestic wells or those wells with existing permits), unlawful impairment of existing rights questions may need to be answered. SDCL 46-6-6.1 authorizes the Water Management Board to protect domestic water use by controlling large capacity wells without the necessity of requiring maintenance of artesian head pressure in a domestic use well. The statute also provides for the lowering of a water lift mechanism to a depth near the bottom of the groundwater supply or, in artesian aquifers to a substantial depth below the geological formation confining the ground water. Based on this statute, although water levels may be affected, the affect may not be unlawful impairment.

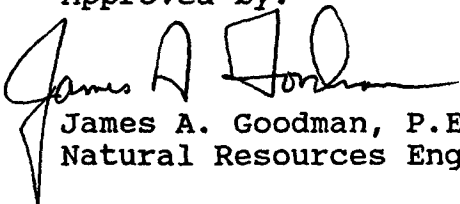
CONCLUSIONS:

1. The Deadwood Formation is a viable aquifer in this area, and water is available for this appropriation.
2. The Division of Water Rights is aware of potential water quality problems (radionuclides) in this area.
3. Well interference should not be a problem in this area.
4. Adverse impacts on area water levels, due to this increased appropriation from the Deadwood Aquifer are not expected.
5. This suburban housing development utilizes individual septic tanks for disposal of effluent (Rapid City Regional Office, 1994). The facility is located on the outcrop and recharge area for the Madison Aquifer.



Ken Buhler
Natural Resources Engineer

Approved by:



James A. 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., Paige, S., 1925, Geologic Atlas of the United States, Central Black Hills Folio, USGS Folio No. 219.
- Division of Water Rights, 1994, "Domestic Well Log Files, Observation Well Files, and Water Permit Files", DENR-Water Rights Division, Joe Foss Building, Pierre, SD 57501
- Office of Drinking Water, 1994, South Dakota Public Water System Data, SD DENR- Division of Environmental Regulation Office of Drinking Water, Joe Foss Building, Pierre SD
- Rapid City Regional Office, 1994, "SD DENR-Division of Environmental Regulation," 2050 West Main, Suite 1, Rapid City, SD

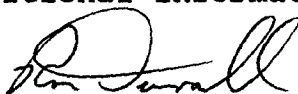
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2305-2, Spring Canyon Water

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. 2305-2, Spring Canyon Water, c/o Robert W. Powles, PO Box 862, Rapid City, SD 57709.

The Chief Engineer is recommending APPROVAL of Application No. 2305-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualification:

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

See report on application for additional information.


for JOHN HATCH, Chief Engineer
April 22, 1994



**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.

May 9, 1994

Robert W. Powles
Spring Canyon Water
PO Box 862
Rapid City, SD 57709-0862

Dear Mr. Powles:

Water Permit Application No. 2305-2 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.

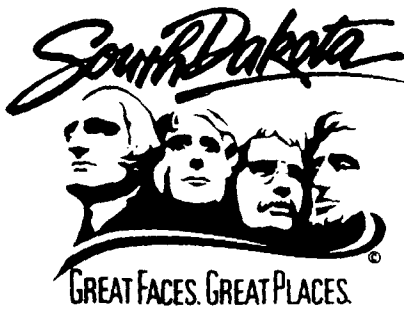
Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur 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
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

May 9, 1994

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

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2305-2 to be published twice. Please publish the first notice on May 18, 1994, 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 Spring Canyon Water, PO Box 862, Rapid City, SD 57709-0862 (Ph # 787-5261).

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 May 18, 1994, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 2305-2 to Appropriate Water

Notice is given that Spring Canyon Water, PO Box 862, Rapid City, SD 57709 has filed an application for a water permit to appropriate 0.044 cubic feet of water per second (20 gallons per minute) from one well 740 feet deep (Deadwood Formation) located in Lot 4, Block 3 of Government Lot 3, Section 5-T1S-R7E. This well was authorized by Water Permit No. 2053A-2 to be from the Madison Formation, but has been deepened into the Deadwood Formation. This is a different water source which requires a new water permit. The water is for suburban housing development use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2305-2 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting 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 June 6, 1994.

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. Contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to this application. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION



STATE OF SOUTH DAKOTA)
 County of Pennington) ss

I, Helena M. Bauer

certify that the attached printed Notice was

taken from the Rapid City Journal

printed and published in Rapid City

County of Pennington and State of

South Dakota. The notice was published in
 the newspaper on the following two dates:

May 18, 1994

May 25, 1994

Cost of Printing: 6 14/16 inch legal

published twice @ 5.31 per inch

Total cost \$ 72.96

Helena M. Bauer
 (Signature)

Bookkeeper

(Title)

May 25, 1994

(Date Signed)

May 18, 25 L950
 NOTICE OF APPLICATION
 NO. 2305-2

TO APPROPRIATE WATER

Notice is given that Spring Canyon Water, P.O. Box 862, Rapid City, SD 57709 has filed an application for a water permit to appropriate 0.044 cubic feet of water per second (20 gallons per minute) from one well 740 feet deep (Deadwood Formation) located in Lot 4, Block 3 of Government Lot 3, Section 5-T15-R7E. This well was authorized by Water Permit No. 2053A-2 to be from the Madison Formation, but has been deepened into the Deadwood Formation. This is a different water source which requires a new water permit. The water is for suburban housing development use.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2305-2 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. In accordance with SDCL 46-2A-23, the chief engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and chief engineer. The applicant must file a petition if contesting 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 June 4, 1994.

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, contact Eric Gronlund at the above Water Rights Division address to request copies of information pertaining to this application. Russell L. Stone, Acting Secretary, Department of Environment and Natural Resources.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 19 1994

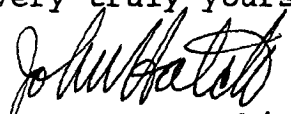
Robert W. Powles
Spring Canyon Water
PO Box 862
Rapid City, SD 57709

Dear Mr. Powles:

Enclosed is Water Permit No. 2305-2 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 57501-3182
www.state.sd.us/denr

November 1, 2001

2053-2 & 2305-2

Spring Canyon Water Company
Bob Powles, Operator
PO Box 862
Rapid City SD 57709

Dear Mr. Powles:

On October 9, 2001 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit Nos. 2053-2 (Madison Formation well) and 2305-2 (Deadwood Formation well), was completed by Ken Buhler, a staff engineer with our program. The final water right documents, the water licenses, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of each water license. Upon receipt of the \$100.00 fee from you, we will complete processing the water licenses. The check or money order for the fee should be made payable to the "Water Rights Program".

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

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
Water Rights Program
(605) 773-3352

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NO 417022

Pierre, December 14, 2001

RECEIVED OF Spring Canyon Water Company, PO Box 862, Rapid City, SD 57709

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

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. 2305-2

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By

Darland Ebele

Chief Engineer

gm

Permit Nos. 2053-2, 2053A-2 & 2305-2
Upper Cheyenne River - Water District

Other permit/license(s) associated with project: 2053-2, 2053A-2, 2305-2

Contact Person & Address: Bob Powles, HC 80, Box 483, Piedmont, SD 57769, (system operator)

Report Of Examination Of Works

On, October 9, 2001, I made a thorough examination of the water use system constructed by Spring Canyon Water Company of PO Box 862, Rapid City, SD 57709 holder of Permit Nos. 2053-2, 2053A-2 and 2305-2, bearing the priorities of February 18, 1988, and February 25, 1994 authorizing the diversion of 0.08 cu. ft. per second and 0.044 cu. ft. per second respectively of the waters of groundwater for suburban housing development purposes, in Pennington County.

The system is in the following condition good. The points of diversion are located #1: 470 feet south and 1720 feet east of the north east corner of Sec. 5, T1S-R7E (longitude of -103.312791, latitude of 43.993632); #2: 360 feet south and 2000 feet east of the north east corner of Sec. 5, T1S-R7E (longitude of -103.311707, latitude of 43.993911). The works are capable of diverting and conveying to the place of use 0.05 cu. ft. per second of water from well #1 (Madison aquifer); and 0.044 cu. ft. per second of water from well #2 (Deadwood aquifer) which is to be used for suburban housing development purposes. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.05 cfs from the Madison aquifer and 0.044 cfs from the Deadwood aquifer.

Review of 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 na
- 4) Exceptions to compliance are: none

Report On the Specifics of the System

Diversion Point #1 Information:

- | | |
|--------------------------------------|-------------------------------------|
| 1) Well Drilling Firm: <u>Taylor</u> | 2) No. of Wells <u>one</u> |
| 3) Depth(s) <u>460</u> feet | 4) Well log is available <u>yes</u> |

Casing:

- | | |
|---|--|
| 1) Diameter <u>7 & 5 1/2</u> inches | 2) Length <u>200</u> feet of <u>7"</u> , <u>unknown amount of 5 1/2"</u> |
| 3) Type <u>steel</u> | |

Screen:

- | | |
|-------------------------------------|-------------------------------|
| 1) Type <u>open hole completion</u> | 2) Length <u>unknown</u> feet |
|-------------------------------------|-------------------------------|

3) Static water level $\cong$ 200 feet

Pump\ Motor:

1) Pump Make Grundfos

2) Pump Model 25S50-26

3) Capacity 25 GPM

4) Motor Make Franklin Electric

5) Horsepower rating 5 hp

Diversion Point #2 Information:

1) Well Drilling Firm: Dennis V. Johnson & Cimarron

2) No. of Wells one

3) Depth(s) 740 feet

4) Well log is available yes

Casing:

1) Diameter 7 inches

2) Length 440 feet

3) Type steel

Screen:

1) Type open hole completion

2) Length 300 feet

3) Static water level 200 feet

Pump\ Motor:

1) Pump Make Grundfos

2) Pump Model 25S50-26

3) Capacity 20 GPM

4) Motor Make Franklin Electric

5) Horsepower rating 5 hp

Distribution System:

Main Lines 1) Type Asbestos Cement 2) Size 4 inches 3) Length 3100 feet

#2 well to #1 well 1) Type PVC 2) Size 2 inches 3) Length 300 feet

#1 well to reservoir 1) Type PVC 2) Size 6 inches 3) Length 2250 feet

Service connections 1) Type Polyethylene 2) Size 1 inch

COMMENTS: The Spring Canyon Water Co. services 30 houses with the two wells. The No. 1 well, the main well, produces 25 gallons per minute. The No. 2 well, capable of producing 20 gpm is a standby well used infrequently. Water is pumped into the distribution system just downstream of the pumphouse located by well No. 1 through the 6-inch PVC and 4-inch AC mainlines. A single line delivers water from the wells to the reservoir and from the reservoir to the houses on the system. The mainlines lead to a reservoir consisting of three 5000

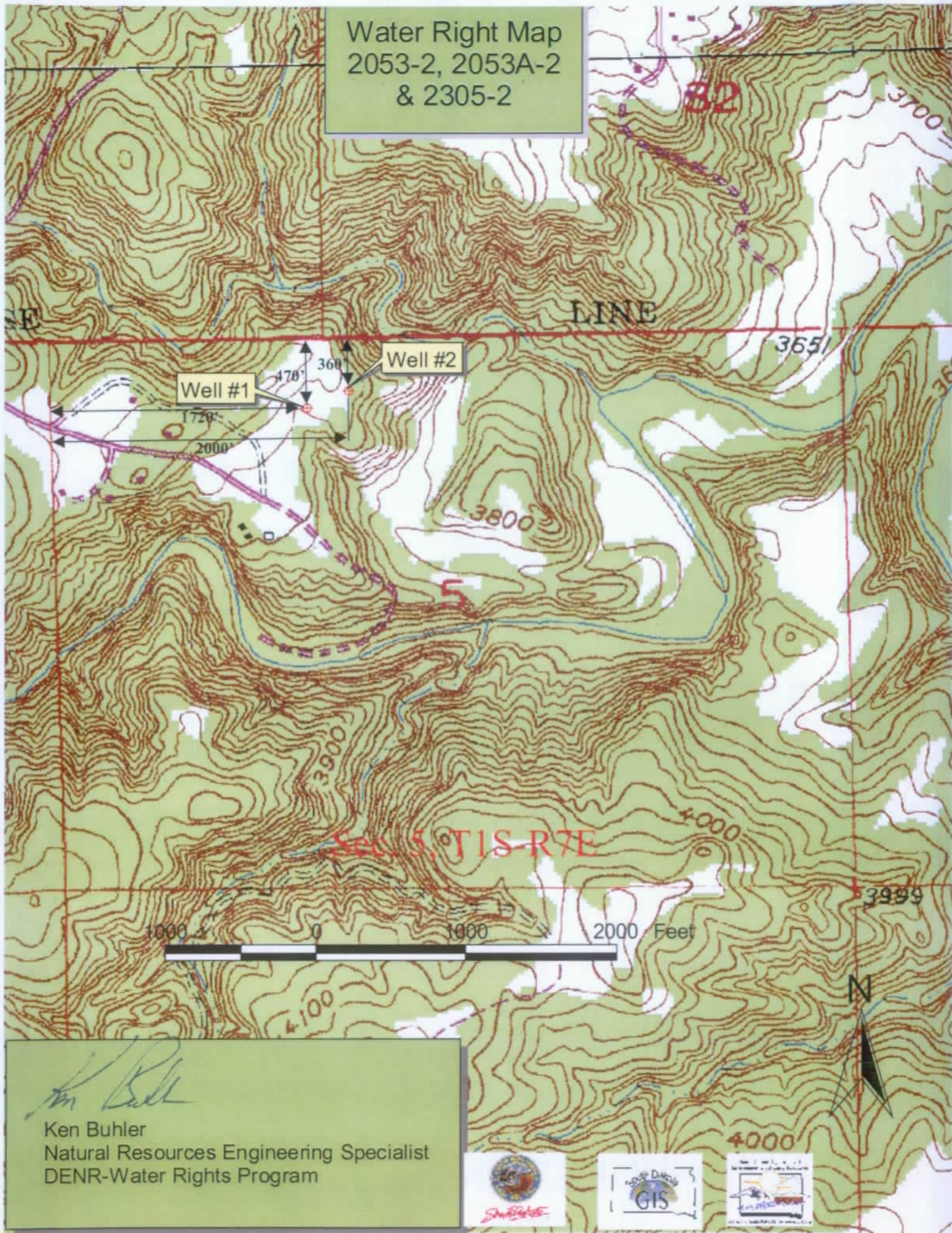
gallon concrete tanks located 890 feet south and 1880 feet east of the NW corner of Sec. 6, T1S-R7E. Water is chlorinated at the pumphouse located by well No. 1.



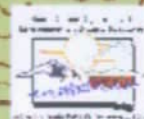
Ken Buhler
Natural Resources Engineering Specialist
DENR, Water Rights Program

10/30/01
Date

Water Right Map
2053-2, 2053A-2
& 2305-2



Ken Buhler
Natural Resources Engineering Specialist
DENR-Water Rights Program



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2305-2

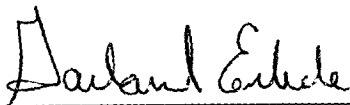
(1) Spring Canyon Water Company, PO Box 862, Rapid City SD 57709 made Application No. 2305-2, February 25, 1994 for a water permit to divert 0.044 cubic feet of water per second from groundwater (one well-Deadwood Formation), Pennington County, South Dakota for suburban housing development purposes. Permit No. 2305-2, with a priority date of February 25, 1994 was approved June 6, 1994 and issued to the applicant for diversion of water with construction of the described water supply system and the application to beneficial use of said water completed.

Permit No. 2053-2 authorizes one well (Madison Formation) utilized by the development. Nos. 2053-2 and 2305-2 will not be incorporated because they authorize use of water from different sources.

(2) It is certified that the permit holder 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 360 feet south and 2,000 feet east of the northeast corner of Section 5-T1S-R7E (Government Lot 3).

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

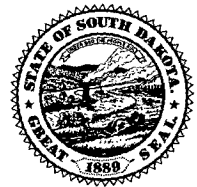
(4) Pursuant to South Dakota Water Law 46-5-30.1 Spring Canyon Water Company, PO Box 862, Rapid City SD 57709 the holder and/or owner of Water Right No. 2305-2 is issued a license to appropriate water, the right to use 0.044 cubic feet of water per second from groundwater (one well-Deadwood Formation) with a priority date of February 25, 1994 from the location specified in (2) of this license for suburban housing development purposes. This license is subject to any limitations or qualifications listed in Water Right No. 2305-2 and subject to South Dakota State Law.



GARLAND ERBELE, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JAN 15 2002

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

JAN 15 2002

2305-2 & 2053-2

Spring Canyon Water Company
PO Box 862
Rapid City, SD 57709

Dear Sir:

Enclosed are Water License No. 2305-2 & 2053-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 417022 & 417021 in the amount of \$50.00 each 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 wells authorized by Water Right No. 2053-2 & 2305-2, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

NOTE: The applicable portions of No. 2053A-2 are incorporated into Water License No. 2053-2.

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