

WATER PERMIT NO. 2308-2

Phone: 787-5261

Name of Applicant: B & J Mobile Home Park - Robert W. Powles

Post Office Address: HC 80, Box 483, Piedmont SD 57769

Amount of Water Claimed: 0.17 cfs - 75 gpm Total Acres:

Source of Water Supply: 2 wells (Minnelusa Aquifer)

Water to be used for: suburban housing development County: Pennington

About 6 miles SE of Piedmont

PRIORITY Date Received: 3-2-94 Fee: \$150.⁰⁰ Remarks:

Corrected Application Received: 3-7-94 Period of Annual Use: Jan 1 - Dec 31

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

WI-1 Description same as Application YES NO REMARKS:

Diversion Point: Tract A of Lot 4 of Lot G

(SE 1/4 SE 1/4) Sec 17-T2N-R7E

Land to be Irrigated:

			17		
				⊗ ⊗ existing well	

Well Log: Driller: Cimarron Drilling Licensed YES X NO

Depth of Well: approx. 300' REMARKS: 3-7-94 sent letter granting a variance to
construct test well into Minnelusa Aquifer, prior to approval of water permit

Type of Map: plat PREPARED BY: Ron Davis, PE Reviewed and the Number

Assigned on: 3-7-94 By: Karen Schlaak

FORM 2: Application for uses other than irrigation

(type or print)

Mail to:
Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

No. 2308-2 Hydrologic Unit 10120110
Basin Upper Cheyenne
Newspaper Rapid City Journal, PO Box 450
(office use only)



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. _____

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

1. Name of Applicant BJ'S MOBILE HOME PARK - ROBERT W. POWLES Phone 787-5261
(check one) ☐ Owner ☐ Tenant/lessee

Mailing Address HC 80 Box 483 PiRMONT State SD 57769
(Street, RR, or Box) (City) (Zip Code)

2. Amount of water claimed 0.17 *CFS or 75 **GPM ***AF
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply MINNELEUSA AQUIFER

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) 2 WELLS IN TRACT
A OF LOT FOUR (4) OF LOT 6 OF SE 1/4 OF SEC 17, TOWNSHIP 2N RANGE 7E
OF THE BLACK HILL MERIDIAN (SE 1/4 SE 1/4) County PENNINGTON

5. County or counties where water will be used PENNINGTON

6. Annual period during which water is to be used ALL YEAR JAN 1 - DEC 31

7. 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 needed)

THE NEW WELL WILL BE DRILLED IN THE FIRST PART OF 1994. THE EXISTING WELL WAS ON THE PROPERTY WHEN PURCHASED IN 1973 AND WAS PUT INTO USE 3 YEARS AGO. AFTER THE NEW WELL IS DRILLED THE OLD WELL WILL BE USED FOR IRRIGATION AND EMERGENCY USE ONLY. THE EXISTING WELL IS 300' DEEP WITH A 6" STEEL CASING A WELL LOG IS NOT AVAILABLE.

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 25th day of February 19 94

Doreen K. Wittmeier

Notary Public

**SOUTH DAKOTA
WATER PERMIT NO. 2308-2**

Date of first receipt of application March 2, 1994.

Date of return to applicant for corrections, amendments or changes March 3, 1994.

Date of receipt of corrected application March 7, 1994.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2308-2 to B & J Mobile Home Park, HC 80 Box 483, Piedmont SD 57769 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. 2308-2 appropriates 75 gallons per minute (0.17 cubic feet of water per second) from 1 well (Minnelusa Formation) approximately 300 feet deep. An existing well (Minnelusa Formation) 300 feet deep will be maintained as a backup supply. Both wells are located in Tract A of Lot 4 of Lot G (SE 1/4 SE 1/4) Section 17-T2N-R7E.
2. The water appropriated shall be used for the purpose of supplying water for a mobile home park 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. 2308-2 is June 6, 1994.
5. The date from which applicant may claim right is March 2, 1994.
6. One-fifth of the construction is to be completed on or before June 6, 1996.
7. All construction is to be completed on or before June 6, 1999.
8. Water is to be put to beneficial use on or before June 6, 2003.
9. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The wells 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.
2. The wells authorized by Permit No. 2308-2 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.

WATER MANAGEMENT BOARD

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

AUG 19 1994

date

Form 2A
(Complete applicable portions only)

Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8 3/4 Depth 300 ±
- b) Casing Type STEEL Diameter 6 7/8 Thickness SCHEDULE 40
- c) Screen Type OPEN HOLE Diameter _____ Thickness _____
- d) Gravel Pack Thickness NONE Length of Gravel Pack NONE
- e) Depth to Top of Water Bearing Material 250 ±
- f) Depth to Water (ground surface to water level) 50 ±
- g) Distance to nearest existing domestic well:
On applicants property 500' ± On property owned by others _____

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

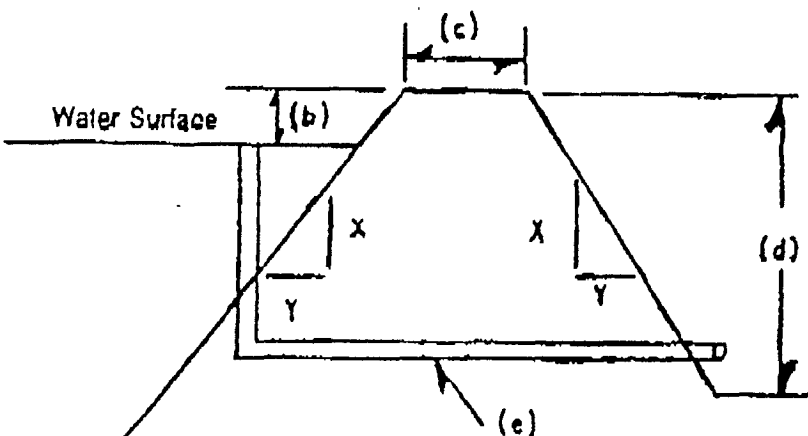
Upstream _____

Downstream _____

h) Surface Area of Impoundment _____

i) Storage _____ Acre Feet

j) Drainage Area Above Dam _____ Acres



RECEIPT

414077

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ March 7, 19 94

RECEIVED OF B & J Mobile Home Park, HC 80 Box 483, Piedmont, SD 57769

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

Fee for Application for Permit No. <u>2308-2</u> to Appropriate Water, to construct and to put water to beneficial use _____	150	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	150 00

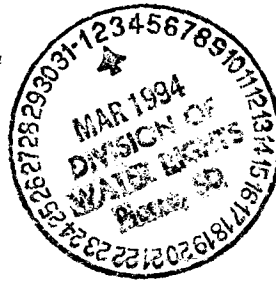
By John Blatch
Chief Engineer

Submitted by

Michael J. Dauter

CIMARRON DRILLING

WATER WELLS - TEST HOLES - CATHODIC - PUMPS
PUMP SERVICE - SHALLOW PRODUCTION
9017 S. RIDGE TRAIL
STURGIS, SD 57785
605-347-3071



3 3/4" Bore hole

Water tight well
C.A.D.

6 5/8" steel casing

Surface

Surface

NEAT cement grout
in annulus
74102:04:28

Well will be constructed
according to S.D. Uniform
Well Standards Chap 71.10

Lower
Spearfish FM

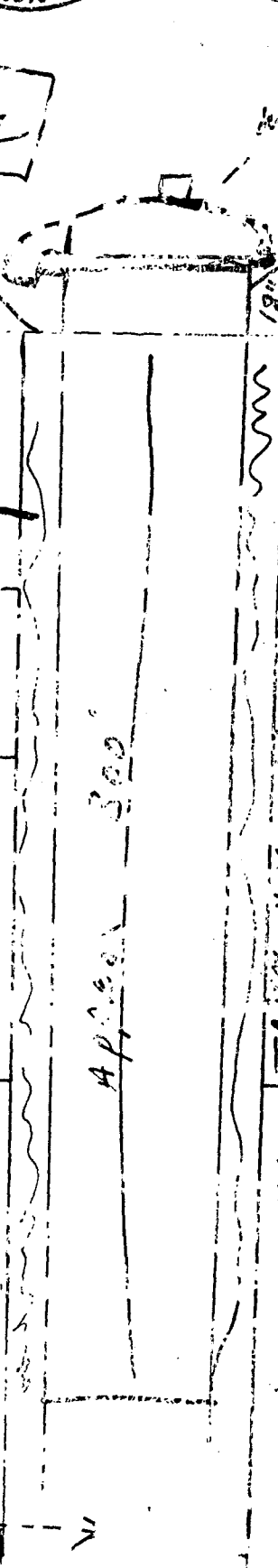
Minnehaha FM

Opeche FM

Finishing well into
upper Minnehaha expecting
to achieve 75 GPM production

Minnehaha
FM.

open hole into
Minnehaha sands

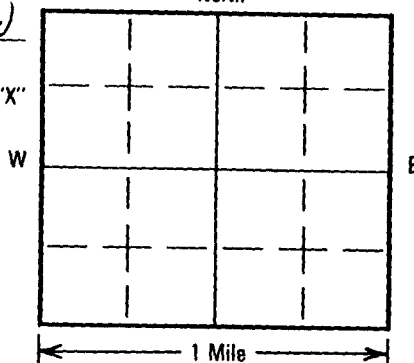


SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

Location 1/4 SE 17 Twp 2N Rg 7E
TRACT A Lot 4 of Lot 6
 County Pennington North

Please mark well location with an "X"



#2308-2

Well Completion Date 4-20-94

LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 300 ft. from Septic (identify source).

PROPOSED USE:

☒ Domestic/~~Stock~~ ☐ Municipal ☒ Business ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Rotary Air-Water

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT DIAMETER FROM TO HOLE DIAMETER
19 LB/FT 6 3/8 IN 0 FT 342 FT 8 3/4 IN
 _____ LB/FT _____ IN _____ FT _____ FT _____ IN
 _____ LB/FT _____ IN _____ FT _____ FT _____ IN

GROUTING DATA

Grout Type Portland No. of Sacks 75 Grout Weight 94/6 lb./gal From 0 ft To 342 ft
 _____ lb./gal _____ ft _____ ft

Describe grouting procedure Pressure grout thru casing with mud pump. Displace cement with water to surface

SCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet to _____ Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION:

Was well disinfected upon completion? ☒ YES, How: Chlorine
 _____ NO, Why Not? Injection
x pellets

Packer Seal

Laboratory sent to for water quality analysis Huntingdon
DEC 28 1995

Well Owner: Bob Powles
 Business Name: B&T Trailer Court
 Address: HC 80 Box 483
Piedmont S.D. 57769

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
(Spearfish) SHALE	0'	20'
Red SHALE	20'	100'
SHALE & HARD Siltstone	100'	140'
HARD Limestone	140'	180'
(MINNEKAHTA)		
Red SHALE	180'	302'
(Opeche)		
Limestone & HARD S.S.	302'	310'
WHITE & TAN SAND & S.S.	310'	358'
Red S. Stone	358'	365'
Lt. Purple & TAN S.S.	365'	403'
Yellow S. Stone	403'	440'

STATIC WATER LEVEL 66 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped Describe: Air developed
☐ Bailed
☒ Other _____

Pumping Level Below Land Surface

400 ft. After 2 Hrs. pumped 100 GPM340 ft. After 1 Hrs. pumped 20 GPM

If pump installed, pump rate _____ GPM

REMARKS

This well was drilled under license # 568

And this report is true and accurate.

Drilling firm C. Mason Drilling

Signature of License Representative:

Michael J. Deutch

Signature of Well Owner or Equitable Property Holder:

Date: 5-10-94



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 3, 1994

B & J Mobil Home Park
Robert W. Powles
HC 80, Box 483
Piedmont SD 57769

Dear Mr. Powles:

In regard to the water permit application received on March 2, 1994, the following information needs to be submitted and clarified in order to process the application.

1. Please specify the type of wastewater disposal system that is utilized (ie. septic tank, drainfield). Also, specify the capacity of the system and the approximate year of construction.
2. If available, please submit a well log for the existing well. If a well log is not available, any information regarding the well such as depth, would be helpful.
3. The filing fee for this application will be \$150.00.

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
Environmental Scientist
605 773-3352

GENTLEMEN,



I SENT A WATER RIGHTS APPLICATION TO YOU ON
THE 28TH OF FEBR. BUT FORGOT TO INCLUDE THE
FEE OF 150⁰⁰. ATTACHED IS THE FIRST SHEET OF
THE APPLICATION AND THE CHECK.

THANKS

ROBERT W. POWERS

File No.

**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: Robert Powles, B & J Mobil Home Park

ADDRESS: HC 80, Box 483, Piedmont SD 57764 COUNTY: PE

DATE: 3-7-94 TELEPHONE: 787-5261

RE: Pending application

COMMENTS:

Robert Powles called regarding my letter dated March 3, 1994. Mr. Powles stated the mobil home park will utilize a septic tank and drain field system. Mr. Powles further stated he did not have a well log for the existing well just the information given on the application. He also stated ^{he} just mailed the application fee.

Karen Schlaak

Karen Schlaak
Natural Resources Analyst



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 7, 1994

Michael Deutsch
Cimarron Drilling
9017 S. Ridge Trail
Sturgis, SD 57785

Dear Mr. Deutsch:

As requested, pursuant to South Dakota Well Construction Standard 74:02:04:21, B & J Trailer Court is authorized to construct a test well into the Minnelusa Aquifer, prior to approval of a water permit. The test well must be constructed in accordance with the SD Well Construction Standards. Any test holes that are abandoned must be plugged pursuant to the SD Well Construction Standards.

Very truly yours,

JAMES A. GOODMAN, P.E.
Natural Resources Engineer
for JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

REPORT ON WATER PERMIT APPLICATION NO. 2308-2
for B & J Mobile Home Park
April 19, 1994

Application No. 2308-2 proposes to appropriate 75 gpm (0.17 cfs) from one well approximately 300 feet deep. An existing well into the same water source will be maintained as a backup water supply. Both wells are located in Tract A of Lot 4 of Lot G (SE 1/4 SE 1/4) of section 17, T2N R7E in Pennington County. The water is for use in a suburban housing development (mobile home park).

AQUIFER - MINNELUSA FORMATION (MNLS)

The Minnelusa Formation consists of sandstone, interbedded sandstone and dolomitic limestone, some shale and varies in thickness from 560 to 640 feet in this area (Peter, 1985). The aquifer underlies 1.37 million acres and contains an estimated 51.4 million acre feet of recoverable water in storage in Pennington County (Allen, 1984). The aquifer is areally extensive around the entire Black Hills and is hydraulically connected into Meade County to the north. The Minnelusa is confined and under artesian conditions at this site. Driller's logs for wells in the area indicate that the top of the aquifer is about 250 feet below land surface and a static water level of around 60 feet can be expected.

The Division of Water Rights monitors an observation well PE-84B completed into the Minnelusa and located about 1 mile north of this application. Water levels for this show good response to climatic conditions, that is, rising water levels during wet years and gradually declining water levels during dry years. Also the water level (hydrograph) illustrates some effects of pumping. The record from 1984 until 1994 indicates a net loss in head of 10 - 15 feet. Much of this decline can be attributed to the extended drought from 1987 through 1992. The hydrograph for this observation well is included with this report. In general, the water level record indicates that the aquifer is capable of sustaining additional withdrawals (Water Rights, 1994).

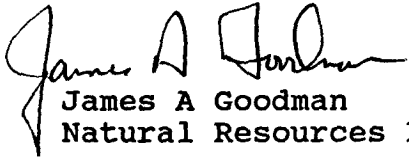
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are two existing water permits Nos. 2129-2 (0.167 cfs) and 2215-2 (0.022 cfs) within the SW 1/4 SW 1/4 of section 17. The well for Water Permit No. 2129-2 is located about 153 feet south of the existing well for this application and about 600 feet south east of the proposed well for this application. These distances were calculated from the surveyor's maps submitted with the permit applications. Interference will occur. Drawdown from the wells will overlap; however, there is no indication that this will be adverse. The existing well and the well for Water Permit 2129-2 have been in use for many years with no apparent problems.

CONCLUSIONS

1. Water is available from the Minnelusa Formation.

2. The aquifer is confined and under artesian conditions. Drawdown due to pumping can be expected. This is not expected to adversely affect the nearby water permits.
3. The well authorized by this application must be constructed in accordance with SD Well Construction Standards.
4. Wastewater will be handled by individual septic tank and drain field systems.
5. The existing well will be used as a backup and possibly for irrigation.

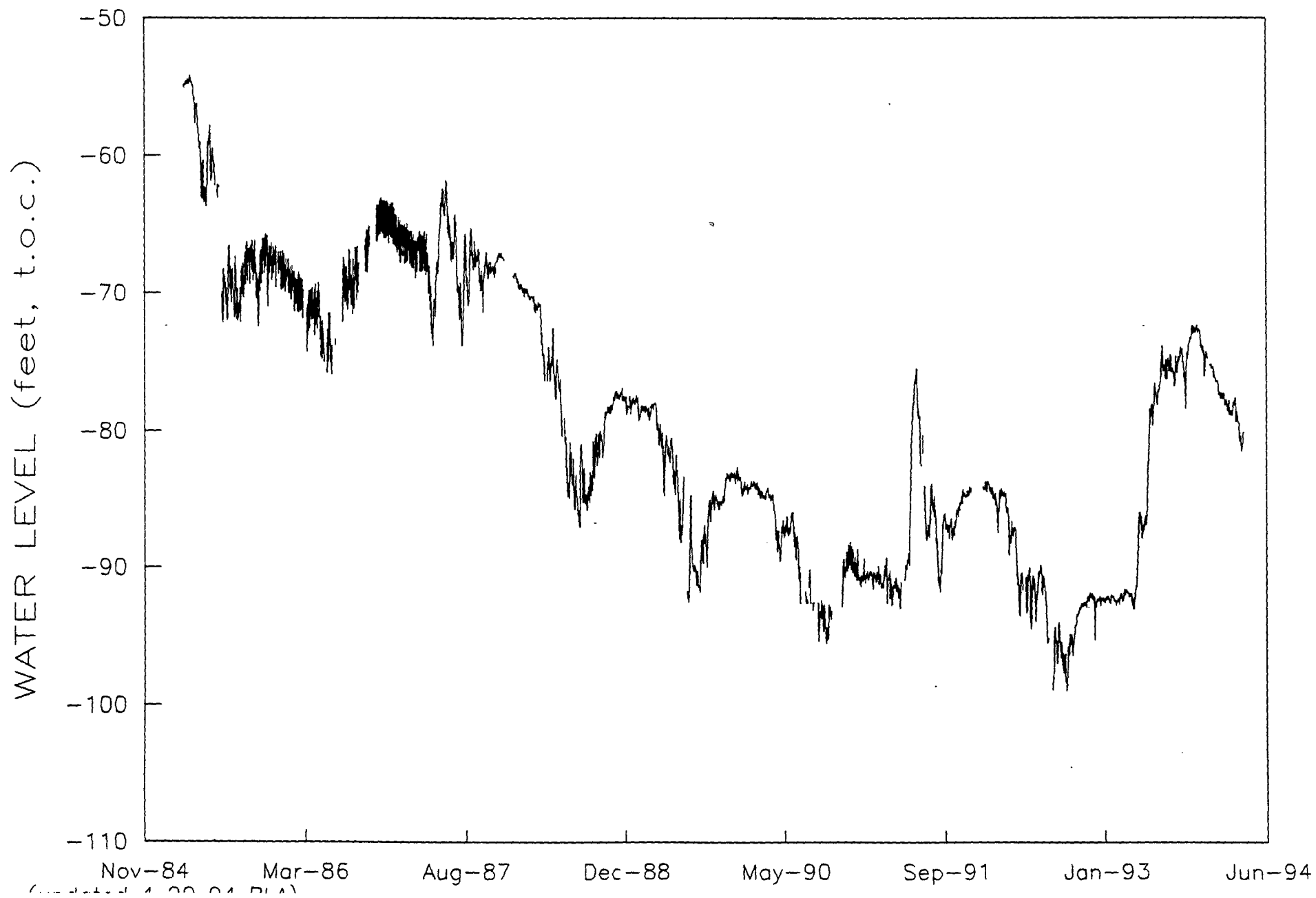

James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

- Allen, J.C., et al, 1984, Analysis of Groundwater and Streamflow Data of 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, 1994, Unpublished Observation Well Data for Pennington County, SD DENR, Division of Water Rights, Pierre, SD, 57501.

WATER RIGHTS OBSERVATION WELL

PE-84B



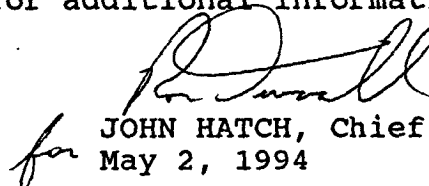
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2308-2, B & J Mobile Home Park

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. 2308-2, B & J Mobile Home Park, c/o Robert W. Powles, HC 80 Box 483, Piedmont, SD 57769.

The Chief Engineer is recommending APPROVAL of Application No. 2308-2 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 qualifications:

1. The wells 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.
2. The wells authorized by Permit No. 2308-2 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:28.

See report on application for additional information.


JOHN HATCH, Chief Engineer
for May 2, 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
B & J Mobile Home Park
HC 80 Box 483
Piedmont, SD 57769

Dear Mr. Powles:

Water Permit Application No. 2308-2 for suburban housing development 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. 2308-2 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 B & J Mobile Home Park, c/o Robert W. Powles, HC 80 Box 483, Piedmont, SD 57769 (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
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. 2308-2 to Appropriate Water

Notice is given that B & J Mobile Home Park, c/o Robert W. Powles, HC 80 Box 483, Piedmont, SD 57769 has filed an application for a water permit to appropriate 75 gallons per minute (0.17 cubic feet of water per second) from 1 well (Minnelusa Formation) approximately 300 feet deep. An existing well (Minnelusa Formation) 300 feet deep will be maintained as a backup water supply. Both wells are located in Tract A of Lot 4 of Lot G (SE 1/4 SE 1/4) Section 17-T2N-R7E. The water is a suburban housing development use in the mobile home park.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2308-2 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 12/16 inch legal

adv @ 5.31 per inch run 2 times

Helena M. Bauer
 (Signature)

Bookkeeper

(Title)

May 25, 1994

(Date Signed)



May 18, 25 L948

NOTICE OF APPLICATION
 NO. 2308-2

TO APPROPRIATE WATER

Notice is given that B & J Mobile Home Park, c/o Robert W. Powles, HC 80 Box 483, Piedmont, SD 57769 has filed an application for a water permit to appropriate 75 gallons per minute (0.17 cubic feet of water per second) from 1 well (Minnelusa Formation) approximately 300 feet deep. An existing well (Minnelusa Formation) 300 feet deep will be maintained as a backup water supply. Both wells are located in Tract A of Lot 4 of Lot G (SE 1/4 SE 1/4) section 17-T2N-R7E. The water is a suburban housing development use in the mobile home park.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 2308-2 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

AUG 19 1994

Robert Powles
B & J Mobile Home Park
HC 80 Box 483
Piedmont, SD 57769

Dear Mr. Powles:

Enclosed is Water Permit No. 2308-2 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.



NOTICE OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Date 9/19/94

TO: Water Rights Division, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: ROBERT W. POWLES
B+J MOBIL HOME PARK HC 80 Box 483
(name) (address)

PIEDMONT SD 57769 805-787-5261
(city) (state) (zip) (phone)

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 2308-2.

Water Permit No. 2308-2 states that the diversion system is to be constructed by JUNE 6, 1999, and that the water is put to beneficial use by JUNE 6, 2003.
(date) (date)

The diversion system was completed on 4/30/94.
(date)

Applying the water to beneficial use was completed on 5/2/94.
(date)

You may schedule an inspection so that the Water License may be issued.

Robert W Powles
(signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 30, 1996

2308-2

Robert W. Powles
B & J Mobile Home Park
HC 80, Box 483
Piedmont, SD 57769

Dear Mr. Powles:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 2308-2, has been completed. Your final water right document, the Water License, can now be issued.

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

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

Sincerely,

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

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

RECEIPT

414777

Division of Water Rights

South Dakota Department of Environment and Natural Resources

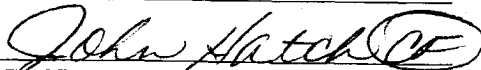
Pierre, _____ February 6, 19 96

RECEIVED OF B & J Mobile Home Park, HC 80, Box 483, Piedmont, SD 57769

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>2308-2</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. 2308-2
Cheyenne River - Water District

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

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

I have this day, September 11, 1995, made a thorough examination of the water use system constructed by Robert W. Powles of holder of Permit No. 2308-2, bearing the priority of March 2, 1994 authorizing the diversion of 0.17 cu. ft. per second of the waters of the Minnelusa Aquifer for suburban housing and domestic purposes, in Pennington County.

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

A. Works used to divert the water:

A 4 inch Grundfoss pump at 70 gpm and a single phase 5 hp motor.

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

PVC pipeline

C. Works used to apply water to beneficial use:

54 lots w/ trailer houses.

The system is in the following condition good. The point of diversion is located SE 1/4 SE 1/4 Sec. 17 T2N-R7E (865 feet north and 1240 feet west from SE section corner of Sec. 17). A well to be used for a backup water supply is located in the SE 1/4 SE 1/4 Sec. 17 T2N-R7E (725 feet north and 790 feet west from SE section corner of Sec. 17). The works are capable of diverting and conveying to the place of use 0.16 cu. ft. per second of water which is to be used for Suburban Housing and domestic uses. Water has been put to beneficial use to the maximum extent as follows:

Water supply for Suburban Housing Development

and the license should be issued for 0.16 cfs.

Applicable permit qualifications have been complied with: Yes X

Exceptions to compliance are: none Date Report Completed: December 22, 1995



DelRon Peters

Natural Resources Engineer

DENR, Water Rights Program

REPORT ON INSPECTION OF VESTED RIGHT NO. 2308-2

Other permit(s) associated with the project:

DATE OF INSPECTION: September 11, 1995

NAME & ADDRESS OF INSPECTION CONTACT/RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE:

Robert W. Powles, owner.

NAME & ADDRESS OF PERMIT HOLDER: B&J Mobile Home Park - Robert W. Powles
HC 80 Box 483
Piedmont, SD 57769

DIVERSION POINT LEGAL LOCATION: SE 1/4 SE 1/4 Section 17, T2N-R7E

WELL INFORMATION:

- 1) Well Drilling Firm:
- 2) No. of Wells 2 (one is backup well)
- 3) Depth(s) Primary Primary - 440 feet; Backup - 300 feet
- 4) Well log is available Y for new well N for backup
- 5) Comment: Static water level @66 ft.

Casing:

- 1) Diameter both - 6 inches
- 2) Length Primary 342 feet
- 3) Type Steel

Pump:

- 1) Make: Grundfoss Pumps
- 2) Model:
- 3) Ser. No.: 28211 38110
- 3) Size: 4 inch
- 4) Capacity 70 GPM

Motor:

- 1) Make:
- 2) Model No. :
- 3) Horsepower rating: Single Phase 5 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type PVC
- 2) Size 4 inch
- 3) Length aprox. 3000 feet

SYSTEM TYPE: Distribution Sytem

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit N/A
- 2) Special qualifications to permit being abided by Y
- 3) All structures, wells and lands on map Y

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2308-2

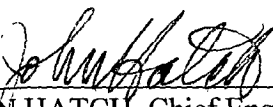
(1) B & J Mobile Home Park, HC 80 Box 483, Piedmont SD 57769 made Application No. 2308-2, March 2, 1994 for a water permit to divert 0.17 cubic feet of water per second from groundwater (two wells), Pennington County, South Dakota for suburban housing (mobile home park) purposes. Permit No. 2308-2, with a priority date of March 2, 1994 was approved June 6, 1994 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before June 6, 1999 and for the application to beneficial use of said water on or before June 6, 2003.

The permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on September 21, 1994. The "*Notice*" stated the diversion system was completed on April 30, 1994 and the water placed to beneficial use on May 2, 1994.

(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 0.16 cubic feet of water per second for beneficial use. The location of the diversion points are: 865 feet north and 1,240 feet west from the southeast corner of Section 17-T2N-R7E (SE 1/4 SE 1/4) and the backup water supply well: 725 feet north and 790 feet west from the southeast corner of Section 17-T2N-R7E (SE 1/4 SE 1/4).

(3) The applicant 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 B & J Mobile Home Park, HC 80 Box 483, Piedmont SD 57769 the holder and/or owner of Water Permit No. 2308-2 is issued a license to appropriate water, the right to use 0.16 cubic feet of water per second from groundwater (two wells) with a priority date of March 2, 1994 from the location specified in (2) of this license. The water is to be used for the purpose of suburban housing development use (mobile home park). This license is subject to any limitations or qualifications listed in Water Permit No. 2308-2 and subject to South Dakota State Law.


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

APR 4 1996
date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 4 1996

2308-2

Robert W. Powles
B & J Mobile Home Park
HC 80, Box 483
Piedmont, SD 57769

Dear Mr. Powles:

Enclosed is Water License No. 2308-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414777 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

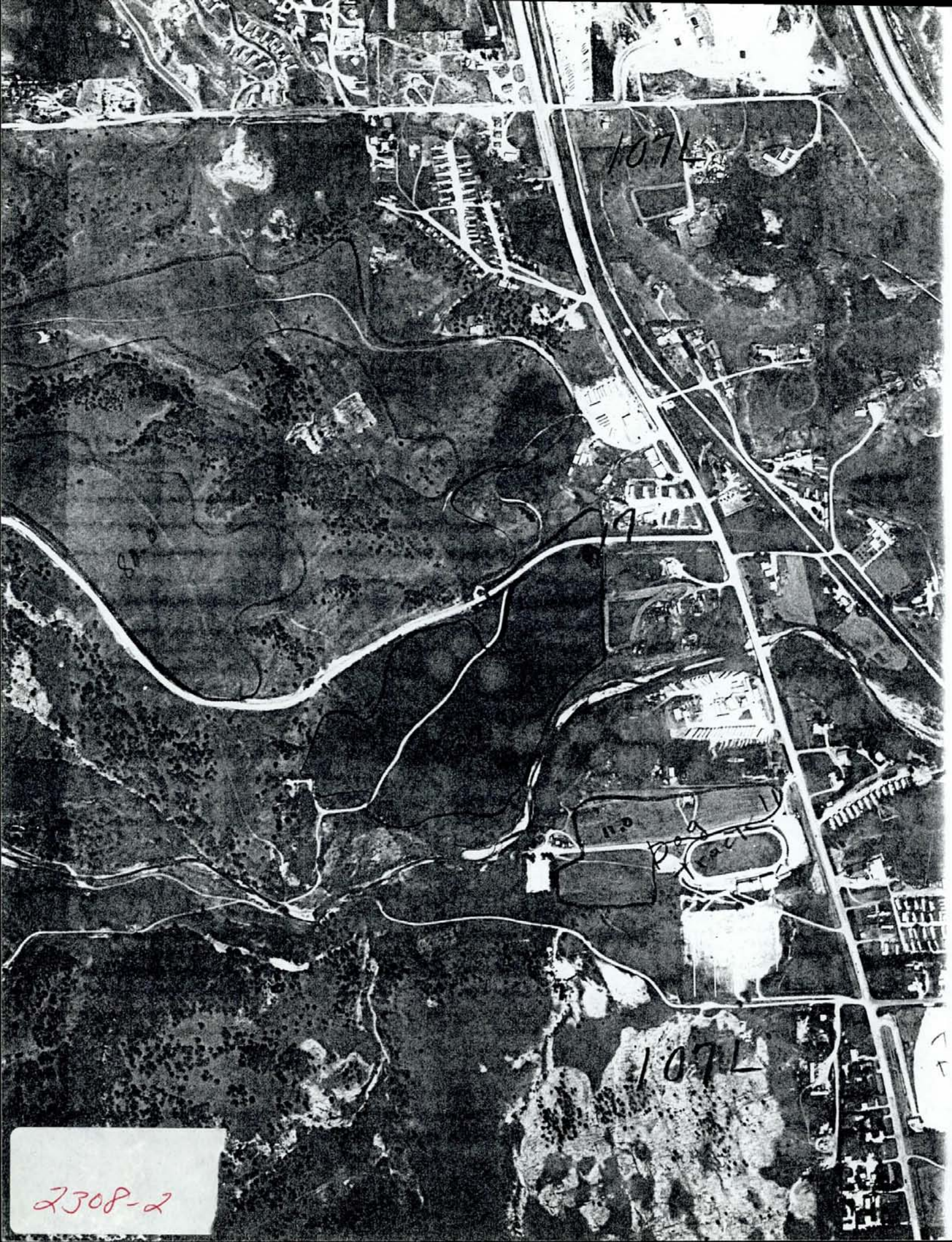
For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 2308-2, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or 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.

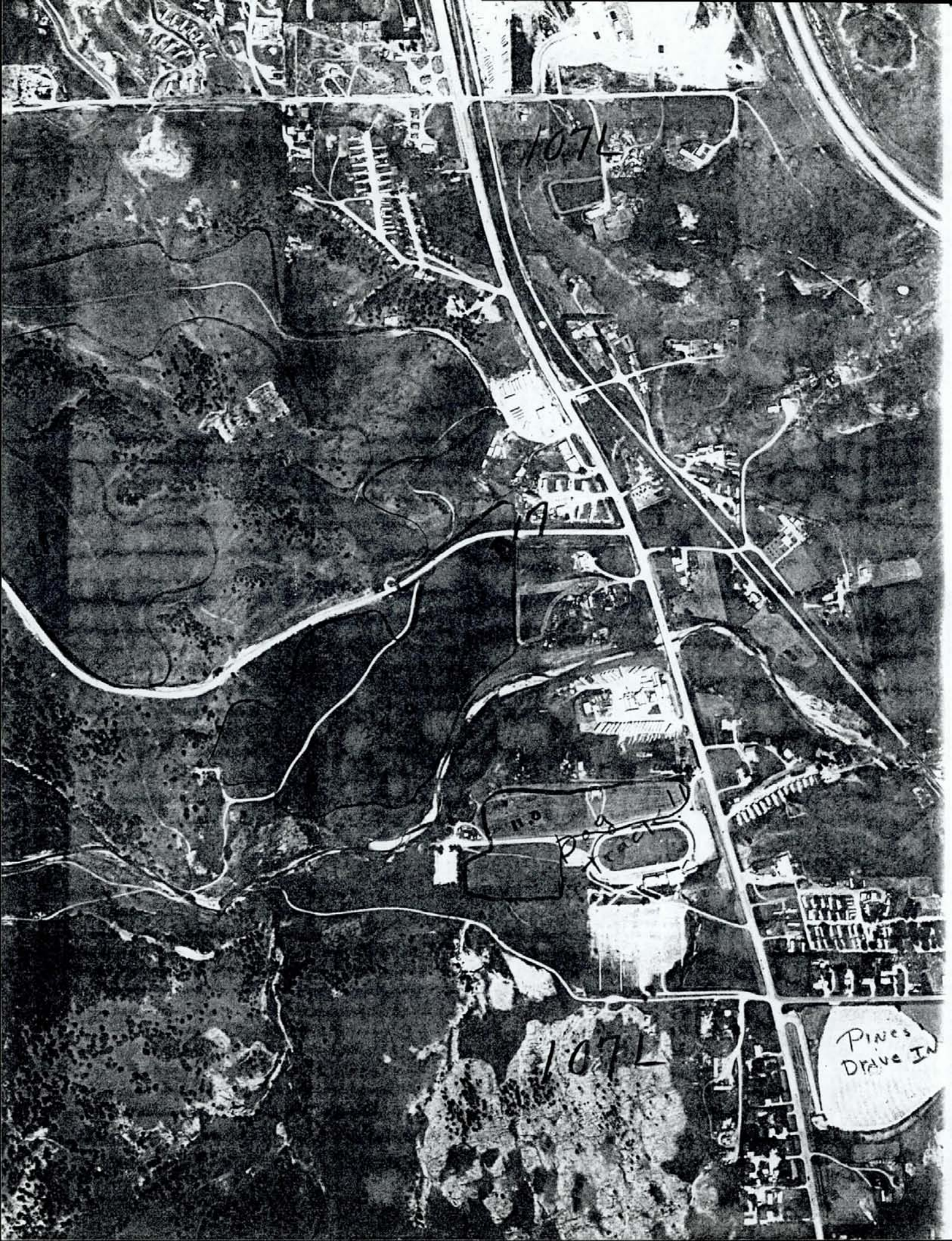
Very truly yours,

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

ks
enclosures



2308-2



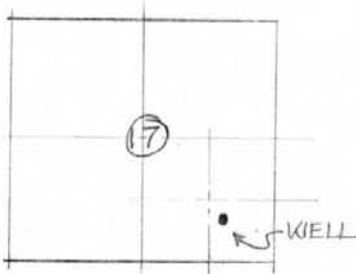
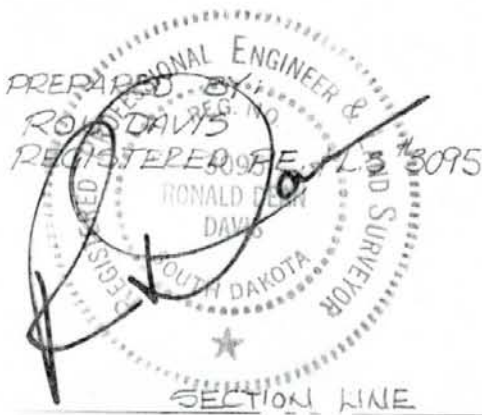
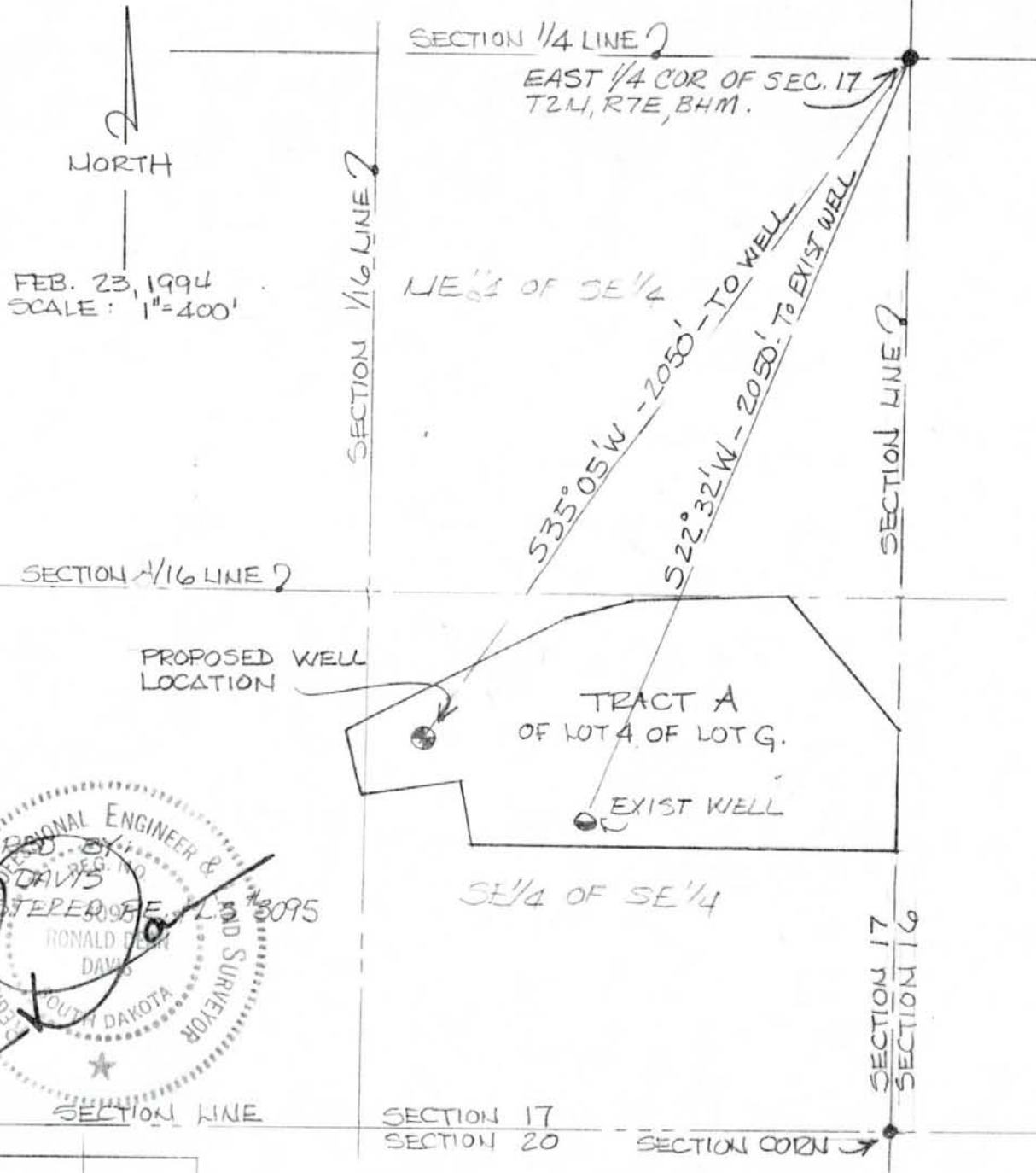
107L

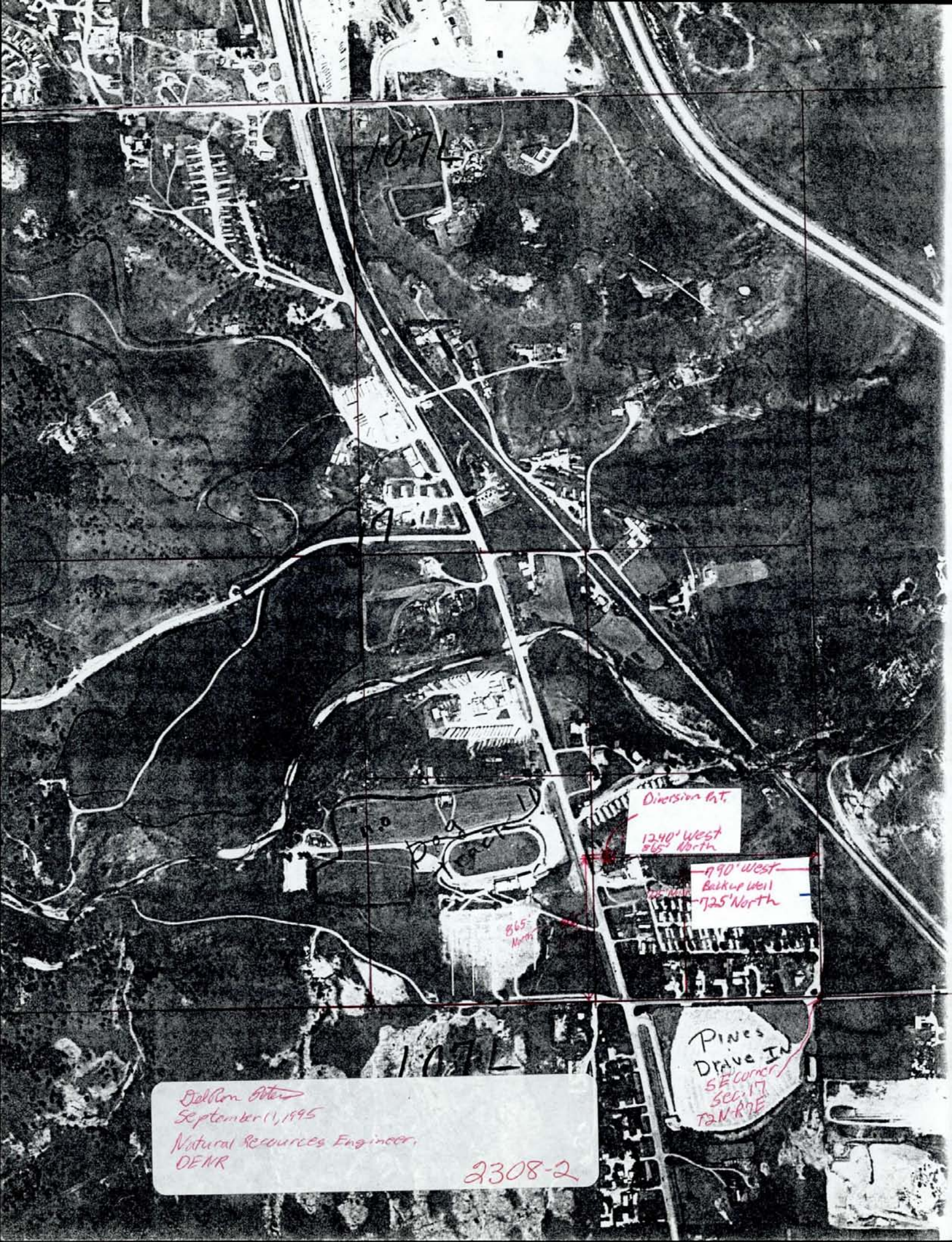
107L

107L

Pines
Drive In

ROBERT POWILES (LOCATION MAP)





107L

107

107L

865' North

Diversion Pt.

1240' West
865' North

790' West
Backup Well
725' North

Pines Drive IN
SE corner
Sec. 17
T2N R7E

Dillon Pte
September 11, 1995
Natural Resources Engineer,
DENR

2308-2