

WATER PERMIT NO. 2484A-2

Name of Applicant: Pine Grove Community Water Assn.

Address: 23884 Hart Ranch Rd W, Rapid City SD 57702

Phone: 605 342-2739

Amount of Water Claimed: 0.392 cfs (175 gpm)

Total Acres: NA

Source of Water Supply: groundwater (one well)

Water to be used for: suburban housing development

County: Pennington

Type of Waste Disposal System:

Location: 3 miles southeast of Rockerville

PRIORITY

Date Received: 8-8-2011

Application/License Fee: \$300

Corrected Application Received:

Period of Annual Use: January 1 – December 31

Remarks: Extension of Time Request

Diversion Point: SE ¼ SE ¼ Sec 20-T1S-R7E

Land to be Irrigated: NA

Depth of Well: 903 feet

Well Driller:

Remarks:

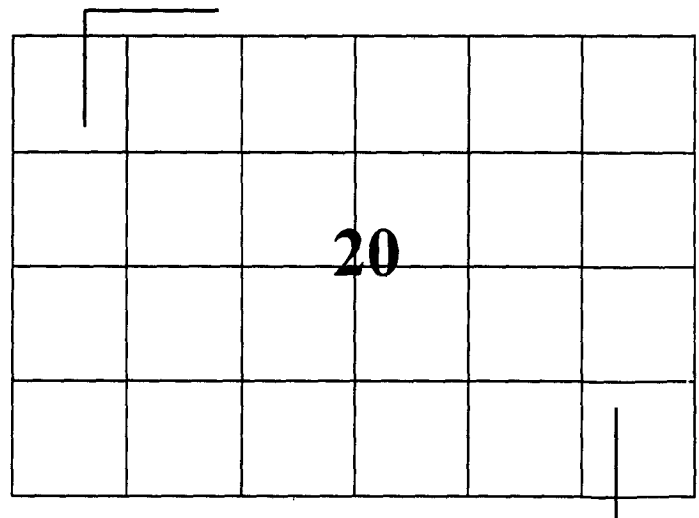
Type of Map:

Prepared by:

Reviewed and the Number Assigned on: 8-9-2011

By: **Karen Schlaak**

Notice of Hearing - date to intervene: _____



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AUG - 8 2011

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PROGRAM

Mail to: PMB 2020 DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>2484A-2</u> (office use only) Hydrologic Unit <u>10120109</u>
	Basin <u>Upper Cheyenne</u>
	Newspaper <u>Rapid City Journal PO Box 450</u> <u>605-394-8300</u> <u>57701</u>

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

Check use(s) of water:

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

Type of Application:

(check one)

- ☐ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
☒ Place to Beneficial Use Water Reserved by Future Use Permit No. 2484-2
☐ Amendment/Correction to Permit No. _____

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

Reapplying to extend the beneficial use date of October 15, 2011 on permit No. 2484-2

1. Name of Applicant Pine Grove Community Water Assoc. Phone 605 342-2739
(check one) ☒ Owner ☐ Tenant/lessee

Mailing Address 23884 Hart Ranch Rd. West Rapid City SD 57702
(Address) (City) (State) (Zip Code)

2. Amount of water claimed 175 *CFS or **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 Well, 900 feet deep, Madison Formation

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) County Pennington
Lot "D" of Pineville Acres, located NW 1/4 of SE 1/4 of SE 1/4 of section 20, T15, R7E, B1M

5. County or counties where water will be used Pennington

6. Annual period during which water is to be used Year Round

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)

Application for permit currently on file (October 15, 2002). All current information for this application should be on file. This is an application to extend extend the beneficial use date on permit No. 2484-2. See attached sheet.

STATE OF SOUTH DAKOTA)

County of Pennington) SS

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

I, Gerald Bruer, 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.

Applicant's signature Gerald Bruer

Subscribed and sworn to before me this 5 day of August 20 11

[Signature]
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 2484A-2**

Date of first receipt of application August 8, 2011.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 2484A-2 to Pine Grove Community Water Association, 23884 Hart Ranch Rd West, 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. 2484A-2 amends Water Permit No. 2484-2 to extend the length of time allowed to place water to beneficial use. Water Permit No. 2484-2 increased the diversion rate authorized by Water Permit Nos. 1845-2 and 2346-2 to appropriate a total of 0.392 cubic feet of water per second from one well completed into the Madison Aquifer (903 feet deep) located in (Lot D of Pineville Acres) SE ¼ SE ¼ Section 20-T1S-R7E.
2. The water appropriated shall be used for the purpose of suburban housing development and may not exceed the amount of water needed for beneficial use.
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. 2484A-2 is October 3, 2011.
5. The date from which applicant may claim right is July 26, 2002.
6. Water is to be put to beneficial use on or before October 15, 2015.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. In accordance with SDCL 46-1-14 and 46-2A-20, Permit No. 2484A-2 is issued for a twenty year term established by Water Permit No. 2484-2. Pursuant to SDCL 46-2A-21, the twenty year term may be deleted at any time during the twenty year period or following its expiration. If the twenty year term is not deleted at the end of the term, the permit may either be cancelled or amended with a new term limitation of up to twenty years. Permit Nos. 2484-2 and 2484A-2 may also be cancelled for nonconstruction, forfeiture, abandonment or three permit violations pursuant to SDCL 46-1-12, 46-5-37, 46-5-37.1 and ARSD 74:02:01:37.
2. The well approved 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: Garland Erbele
Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JAN 10 2017
date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter 7 7/8" Depth 903'
- b) Casing Type Steel Diameter 7" Thickness 0.132
- c) Screen Type NA Diameter NA Thickness NA
- d) Gravel Pack NA Length of Gravel Pack NA
- e) Depth to Top of Water Bearing Material 780'
- f) Depth to Water (ground surface to water level) 620'
- g) Distance to nearest existing domestic well: * Perforated pipe - 778 - 820' and 840 - 900'
- On applicant's property NA On property owned by others 160 rds.

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) NA
- b) System Capacity (gallons) NA Year Constructed NA

- c) Connected to the City of NA Sanitary System

3. Dugout Information

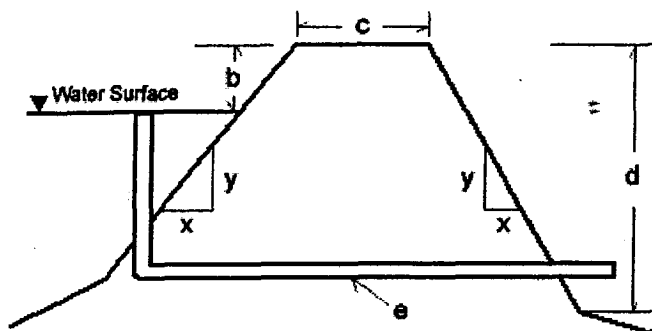
Septic Systems maintained for each member residence by the property owner(s). NO wastewater system necessary.

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

4. 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 (e.g. 3 to 1 is a typical slope)
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

LOTS A, B, C & D OF PINVILLE ACRES

LOCATED IN

NW 1/4 OF SEC 20, T15, R7, S34,

PENNINGTON COUNTY, SOUTH DAKOTA

SEC 20 - T15 - R7

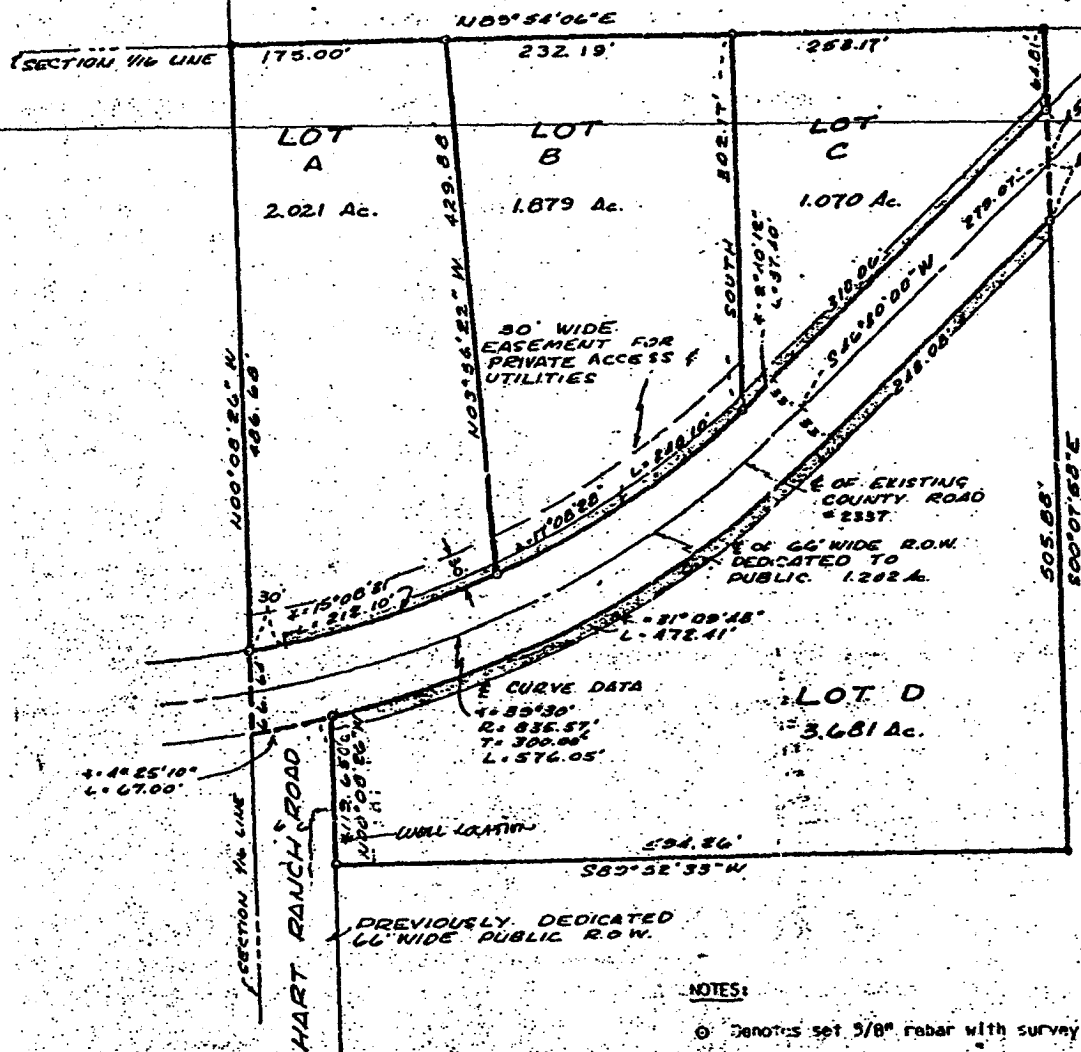
R7

OFFICIAL RECORD COPY

DO NOT REMOVE FROM FILE

N

SCALE 1"=100'
OCTOBER 14, 1977



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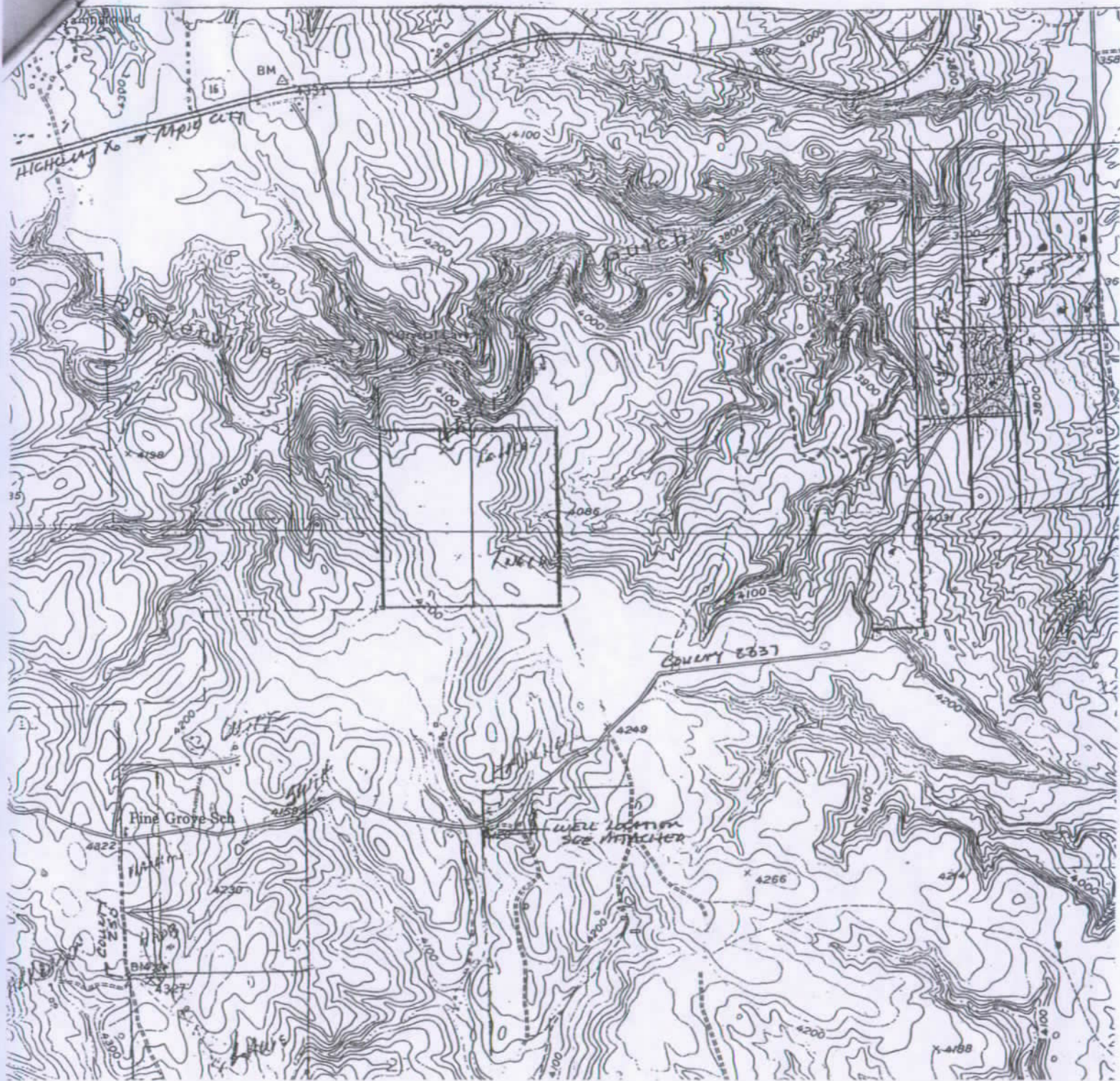
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NOTES:

- Denotes set 5/8" rebar with survey cap marked "Francis-Heador 1019".
- Denotes "Found Survey Monument" (5/8" rebar with survey cap marked "Francis-Heador 1019").

Utility Easements: 6' on the interior sides of all side and rear lot lines.

All easements for utilities and private access shown hereon are for the specific use of the adjacent property owners or their assigns within the boundaries of the property herein being platted and shall remain private unless replatted and dedicated with adequate width requested by the Surveyor General.



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South Dakota Department of Environment and Natural Resources

Date 8/9, 2011

RECEIVED OF Pinegrove Community Water Assn 23884 Hart Ranch Rd W Rapid City SD 57702

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

Fee for Application for Permit No. <u>2484A-2</u> to Appropriate Water, to construct and to put water to beneficial use	100	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>2484A-2</u>	200	00
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	300 00

No. **05011**

By

Michael E. [Signature]
Chief Engineer

1845-2

TAYLOR DRILLING CO.

2310-12 Commerce Road
RAPID CITY, SOUTH DAKOTA 57701

RALPH L. TAYLOR, SR.
RALPH L. TAYLOR, JR. (Randy)
KIM E. TAYLOR

May 10, 1983

TELEPHONE:
Office 605-348-3600
After Hours 605-342-7119

Pine Grove Water District

Drillers Log: Water Well
Completed: May 9, 1983

903' 7 7/8" Drilling
905' 7" Pipe, Perfs. 778'-820', 840'-900'
10 bags cement bottom, 5 bags, top
Static 620'
12 grains hard, 1 PPM iron
about 40 GPM @ 780'

0-7	top soil
7-128	red sandstone & layers shale
128-132	red shale
132-194	red sandstone (hard)
194-221	red shale
221-232	red sandstone -layer shale
232-235	yellow sandstone
235-380	Void 1' lost circ. broken sandstone
380-385	hard
385-390	coal (hard)
390-400	limestone
400-415	hard-broken
415-418	shale
418-440	sandstone broken
440-480	sandstone layers shale
480-497	pink-white sandstone
497-502	shale
502-512	red-pink sandstone-quartz layers
512-540	yellow & white limestone
540-560	No return limestone
560-612	hard limestone
612-614	Void
614-778	hard
778-810	soft-broken 1' void
810-812	hard
812-817	Void
817-865	hard
865-903	Drilling softer T.D.

Taylor Drilling Co.

Randy Taylor

July 26, 2011

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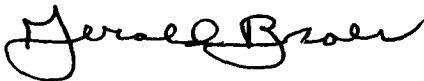
To: Eric Gronlund, Department of Environment and Natural Resources

From: Gerald Broer, Treasurer, Pine Grove Community Water Association

Re: Water Rights Program

I am writing as a follow-up to our conversation on July 21, 2011 regarding the beneficial use date of October 15, 2011 for the Pine Grove Community Water Association permit No. 2484-2. The Pine Grove Community Water Association was inspected by the DENR in 2010 and the Association became aware of the beneficial use date as well as the capability of the Association to increase its pumping capability from the current 105 gallons per minute to nearer the 175 gallons per minute allowed by permit No. 2484-2. The infrastructure of the water system is currently being revised to accommodate this increase in pumping capacity. This includes reconstruction of the pump house, increasing line size, drop pipe, wire and the pump. Due to the costs of the reconstruction as well as capital outlays on the water reservoir in 2010, the Pine Grove Community Water Association is asking for an extension of the beneficial use date. This extension would allow the Association to continue to use its current well motor until it has to be replaced. The extension would allow the Association to build up additional revenue to ease financial obligations this year while still allowing the Association to have the infrastructure in place for the larger motor in the future. Your consideration of this matter is appreciated.

Respectfully,



Gerald Broer, Treasurer, Pine Grove Community Water Association
23884 Hart Ranch Road West, Rapid City, SD 57702



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2484A-2, Pine Grove Community Water Association**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 2484A-2, Pine Grove Community Water Association, c/o Gerald Baker, 23884 Hart Ranch Road West, Rapid City SD 57702.

The Chief Engineer is recommending APPROVAL of Application No. 2484A-2 for the 20 year term established by Water Permit No. 2484-2 pursuant to SDCL 46-1-14 and 46-2A-20 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use, and 3) it is in the public interest with the following qualifications:

1. In accordance with SDCL 46-1-14 and 46-2A-20, Permit No. 2484A-2 is issued for a twenty year term established by Water Permit No. 2484-2. Pursuant to SDCL 46-2A-21, the twenty year term may be deleted at any time during the twenty year period or following its expiration. If the twenty year term is not deleted at the end of the term, the permit may either be cancelled or amended with a new term limitation of up to twenty years. Permit Nos. 2484-2 and 2484A-2 may also be cancelled for nonconstruction, forfeiture, abandonment or three permit violations pursuant to SDCL 46-1-12, 46-5-37, 46-5-37.1 and ARSD 74:02:01:37.
2. The well approved 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.

Garland Erbele, Chief Engineer
September 2, 2011

REPORT TO THE CHIEF ENGINEER
ON
WATER PERMIT APPLICATION NO. 2484A-2
PINE GROVE COMMUNITY WATER ASSOCIATION
AUGUST 23, 2011

Water Permit Application No. 2484A-2 proposes to amend Water Permit No. 2484-2 to extend the length of time allowed to place water to beneficial use. Water Permit No. 2484-2 appropriates 0.222 cubic feet of water per second (cfs) for suburban housing development use from a well that also supplies Water Permit Nos. 1845-2 and 2346-2. The existing 903 foot deep well which was completed into the Madison aquifer in 1983, is located in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ (Lot D of Pineville Acres) Section 20, T1S-R7E.

Water Permit No. 2484-2 was approved October 15, 2002, with a construction completion deadline of October 15, 2007, and a deadline to put water to beneficial use of October 15, 2011. Application No. 2484A-2 proposes to extend the length of time allowed to place water to beneficial use from October 15, 2011, to October 15, 2015. If approved, Water Permit No. 2484A-2 will retain the July 26, 2002 priority date assigned to Water Permit no. 2484-2.

Pursuant to South Dakota Codified Law (SDCL) 46-5-26:

“... A permit may be amended by extending the time for the completion of construction, or for application to beneficial use, for a reasonable time, but only on account of delays due to physical or engineering difficulties which could not have been reasonably anticipated, due to operation of law beyond the power of the applicant to avoid, or due to other exigent circumstances identified by the Water Management Board.”

The applicant's request for an extension of time to place water to beneficial use indicates the water system is currently “revising” its infrastructure to accommodate the increased pumping capacity proposed for the well by Permit No. 2484-2. The extension request states that “Due to the costs of the reconstruction as well as capital outlays on the water reservoir in 2010, the Pine Grove Community Water Association is asking for an extension of the beneficial use date.”

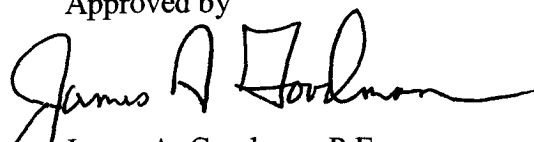
There have been approximately 33 applications requesting extensions of the completion deadlines or of the deadlines to place water to beneficial use (see table 1). An extension of the deadline to place water to beneficial use as requested by this application could be considered consistent with extensions approved.



Ken Buhler

SD DENR-Water Rights Program

Approved by



James A. Goodman, P.E.
SD DENR-Water Rights Program

PERMIT NO	STATUS	USE	NAME	COMMENT
1510A-1	PE	IRR	BOULDER CANYON COUNTRY CLUB	EXTENSION APPROVED "HIGHWAY CONST"
1510B-1	PE	IRR	BOULDER CANYON COUNTRY CLUB	EXTENSION APPROVED "HIGHWAY CONST"
1510C-1	WI	IRR	BOULDER CANYON COUNTRY CLUB	REQUEST WITHDRAWN "LACK OF FINANCES"
1548A-1	PE	SHD	JOE W GRAF & REX YOUNGQUIST	EXTENSION APPROVED "LEGAL PROCEEDINGS"
1549A-1	PE	SHD	JOE W & MARTHA GRAF	EXTENSION APPROVED "LEGAL PROCEEDINGS"
1549B-1	WI	COM	BLACK HILLS WATER	CE RECOM DN "EX CIRC DON'T JUSTIFY NON CONST"
1604A-1	CA	IRR	THE DUNBAR INC	EXTENSION APPROVED "PROBLEMS WITH FINANCING PACKAGE"
1707D-1	PE	MUN	CITY OF SPEARFISH	EXTENSION APPROVED "BIG PROJECT BUILD OUT"
1707E-1	PE	IRR	ELKHORN RIDGE @ FRAWLEY RANCHES LLC	EXTENSION APPROVED "BIG PROJECT BUILD OUT"
1825A-1	PE	SHD	DIAMOND D WATER CO LLC	EXTENSION APPROVED "LEGAL PROCEEDINGS"
2050A-2	CA	COM	MOCCASIN SPRINGS RESORT	EXTENSION APPROVED "LEGAL PROCEEDINGS"
2050B-2	CA	COM	MOCCASIN SPRINGS RESORT	EXTENSION APPROVED "LEGAL PROCEEDINGS"
2050C-2	CA	COM	MOCCASIN SPRINGS RESORT	EXTENSION APPROVED "LEGAL PROCEEDINGS"
2122A-2	IL	IRR	RODNEY HOFELDT	EXTENSION APPROVED "PROJECT GREW"
2463A-2	PE	GEO	HOT SPRINGS HOUSING & REDEVELOPMENT COMM	EXTENSION APPROVED "DIFFICULTY OBTAINING EQUIPMENT TO COMPLETE PROJECT"
2566A-2	PE	IRR	CHAMBERLAIN COUNTRY CLUB	EXTENSION APPROVED "ENG. DIFF"
3025-3	CA	IRR	DALE OLSON	EXTENSION APPROVED "WIDOW DIDN'T FOLLOW THROUGH"
4158A-3	DN	IRR	WILLIAM ST CLAIR	EXTENSION DN BY WMB CE RECOM BASED ON PUB.INT
4495-3	CA	IRR	ROLAND W SIEH	EXTENSION APPROVED "LACK OF WATER"
4524-3A	CA	IRR	LEON LEINGKEEK	EXTENSION APPROVED "LEGAL PROCEEDINGS"
4667-3	CA	IRR	SHIRLEY G TREEBY	EXTENSION APPROVED "PROBLEMS WITH FINANCING PACKAGE"
4854A-3	DN	IRR	WENDELL FENNER	EXTENSION DN "WATER AVAILABILITY"
5075A-3	LC	FWP	GARY KRIZ	EXTENSION APPROVED "WEATHER DELAYS"
5180A-3	LC	MUN	CITY OF LAKE ANDES	EXTENSION APPROVED "FED AUTHORIZATION"
5189-3	DN	IRR	FRYER	EXTENSION APPROVED BY WMB, DN BY SUP.CRT.
5392A-3	LC	IRR	ULMER	EXTENSION APPROVED "ENG. DIFF "MOVE POWER LINES""
5446A-3	WI	IRR	MERRILL	WITHDRAWN WITH URGING NO CE REC "PROJECT SIMPLY POSTPONED"
5558A-3	LC	IRR	OLSON	EXTENSION APPROVED "TOO WET-ENG. DIF"
5809A-3	LC	RWS	MID-DAKOTA RWS INC	EXTENSION APPROVED "BIG PROJECT BUILD OUT"
5997A-3	PE	SHD	CLAY RURAL WATER SYSTEM INC	EXTENSION APPROVED "BIG PROJECT BUILD OUT"
5998A-3	PE	IRR	CLAY RURAL WATER SYSTEM INC	EXTENSION APPROVED "BIG PROJECT BUILD OUT"
6041A-3	PE	COM	AGSTAR FINANCIAL SERVICES	EXTENSION APPROVED "LEGAL PROCEEDINGS"
6390A-3	PE	IRR	JANTZ	EXTENSION APPROVED "INITIALLY \$, LATER RAN OUT OF TIME"

TABLE 1. APPLICATIONS TO AMMEND PERMITS TO EXTEND DEADLINES

Notice is given that Pine Grove Community Water Association, do Gerald Broer, 23884 Hart Ranch Rd West, Rapid City SD 57702 has filed an application for a water permit to amend Water Permit No. 2484-2 to extend the length of time allowed to place water to beneficial use. Water Permit No. 2484-2 increased the diversion rate authorized by Water Permit Nos. 1845-2 and 2346-2 to appropriate a total of 0.392 cubic feet of water per second (cfs) from one well completed into the Madison Aquifer (903 feet deep) located in (Lot D of Pineville Acres) SE 1/4 SE 1/4 Section 20-T15-R7E for suburban housing development.

Water Permit No. 2484-2 was approved October 15, 2002 with the period to complete construction of October 15, 2007, and time to put to beneficial use of October 15, 2011. Application No. 2484A-2 requests to extend the length of time allowed to place water to beneficial use from October 15, 2011, to October 15, 2015. Application No. 2484A-2, if approved, will retain the July 26, 2002 priority date assigned by Permit No. 2484-2.

The well and water system have been constructed to a capacity of 0.23 cfs. Pursuant to SDCL 46-2A-2, a permit may be amended to extend the time for beneficial use due to delays caused by engineering difficulties, delays caused by operation of law or delays caused by other exigent circumstances as identified by the Water Management Board. This application is requesting an extension of time due to reconstruction of water system infrastructure to accommodate increased pumping capacity to 0.392 cfs.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 2484A-2 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

In accordance with SDCL 46-2A-23, the Chief Engineer will act on this 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 this 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 Program, 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 October 3, 2011.

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 Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

(Published twice at the total approximate cost of \$147.32)

OK

RECEIVED

OCT - 5 2011

WATER RIGHTS
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Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Pennington SS:

Carina Tyler being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bonafide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Rapid City Journal, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each week for two successive weeks, the first publication there of being on the fourteenth day of Sept. 26 2011 that the fees charged for the publication there of are One hundred forty seven dollars and thirty two cents.

Carina Tyler

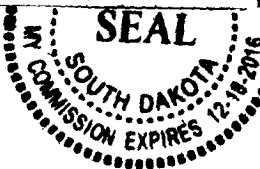
Subscribed and sworn to before me this 3rd day of October, 2011.

Lorraine K. Cumming

Notary public

Dec. 18, 2016

My commission expires.





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

September 6, 2011

Rapid City Journal
PO Box 450
Rapid City SD 57701

ATTENTION: Legal Public Notice

Enclosed is a Notice on Application No. 2484A-2 to Appropriate Water to be published twice. Please publish the first notice on September 14, 2011 with the second publication 7 days later. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352.

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 Pine Grove Community Water Assn. c/o Gerald Broer, 23884 Hart Ranch Rd. West, Rapid City SD 57702 (Ph # 605-342-2739).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

No. 2484A-2

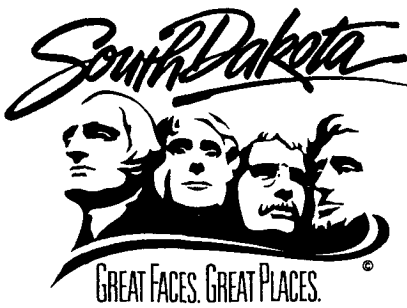
TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of September 6, 2011 enclosing Notice to Appropriate Water by Application No. 2484A-2 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

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

September 6, 2011

Pine Grove Community Water Assn
Gerald Broer
23884 Hart Ranch Rd West
Rapid City SD 57702

Dear Mr. Broer:

Water Permit Application No. 2484A-2 for rural water use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Publisher of the Rapid City Journal printed at Rapid City SD (Ph # 605-394-8300). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and 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 and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks. The newspaper has also 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
eric.gronlund@state.sd.us

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.

Instruction to Newspaper - Publish first Notice on September 14, 2011 with the second publication 7 days later. The applicant is responsible for payment. The text of the notice can be e-mailed to your paper by contacting Karen Schlaak at (605) 773-3352 or email: Karen.schlaak@state.sd.us.

NOTICE OF APPLICATION NO. 2484A-2 to Amend Water Permit No. 2484-2

Notice is given that Pine Grove Community Water Association, c/o Gerald Broer, 23884 Hart Ranch Rd West, Rapid City SD 57702 has filed an application for a water permit to amend Water Permit No. 2484-2 to extend the length of time allowed to place water to beneficial use. Water Permit No. 2484-2 increased the diversion rate authorized by Water Permit Nos. 1845-2 and 2346-2 to appropriate a total of 0.392 cubic feet of water per second (cfs) from one well completed into the Madison Aquifer (903 feet deep) located in (Lot D of Pineville Acres) SE ¼ SE ¼ Section 20-T1S-R7E for suburban housing development.

Water Permit No. 2484-2 was approved October 15, 2002 with the period to complete construction of October 15, 2007, and time to put to beneficial use of October 15, 2011. Application No. 2484A-2 requests to extend the length of time allowed to place water to beneficial use from October 15, 2011, to October 15, 2015. Application No. 2484A-2, if approved, will retain the July 26, 2002 priority date assigned by Permit No. 2484-2.

The well and water system have been constructed to a capacity of 0.23 cfs. Pursuant to SDCL 46-5-26 a permit may be amended to extend the time for beneficial use due to delays caused by engineering difficulties, delays caused by operation of law or delays caused by other exigent circumstances as identified by the Water Management Board. This application is requesting an extension of time due to reconstruction of water system infrastructure to accommodate increased pumping capacity to 0.392 cfs.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 2484A-2 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

In accordance with SDCL 46-2A-23, the Chief Engineer will act on this 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 this 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 Program, 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 October 3, 2011.

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 Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Published twice at the total approximate cost of _____.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
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PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

JAN 10 2012

Pine Grove Community Water Assn
Gerald Broer
23884 Hart Ranch Rd W
Rapid City SD 57702

Dear Mr. Broer:

Enclosed is Water Permit No. 2484A-2 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

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

enclosures

Permit Nos. 1845-2, 2346-2, 2484-2 & 2484A-2
Upper Cheyenne River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

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

I have on this day, 3/16/2012, made a thorough examination of the water use system constructed by Pine Grove Community Water Association, 23884 Hart Ranch Road West, Rapid City, SD 57702 holder of Permit No. 2484A-2, bearing priority date of July 26, 2002 and May 19, 1983 (established by Permit No. 1845-2) and September 25, 1995 (established by Permit No. 2346-2). Permit No. 1845-2, appropriates 0.08 cfs (35 gpm). Permit No. 2346-2 increases the diversion rate from the well authorized by Permit No. 1845-2 to 0.17 cfs (75 gpm). Permit 2484-2 increases the diversion rate from the well authorized by Permit Nos. 1845-2 and 2346-2 for a total appropriation of 0.392 cfs (175 gpm). Permit No. 2484A-2 amends Permit No. 2484-2 to extend the length of time allowed to place water to beneficial use. Permit No. 2484A-2 is authorized to appropriate 0.392 cfs (175 gpm) from one well (Madison Aquifer) for suburban housing purposes in Pennington County.

Inspection contact and relationship to
permit holder, if applicable:

Kurt Slentz,
Manager

A. Works used to divert the water:

Goulds submersible pump 175 gpm capacity.

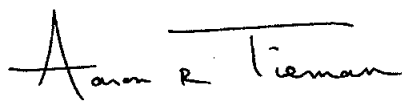
B. Works used to transport water to place of use:

Suburban housing distribution lines.

The system is in the following condition good. The point of diversion (well) is located specifically at Lat/Lon – N43.943164/W-103.303782 which is the approximately 840 feet north and 1240 feet west of the SE corner of Section 20, T1S-R7E. The works are capable of diverting 0.392 cfs which is to be used for suburban housing purposes. The license should be issued for 0.392 cfs.

All structures, wells and lands on map Y
Exceptions to compliance are: none.

Comments: Applicable portions of Water Permit Nos. 1845-2, 2346-2 and 2484-2 should be incorporated into this permit.



Aaron Tieman
Natural Resources Engineer II
DENR, Water Rights Program

Date report completed: June 30, 2015

FIELD INVESTIGATION REPORT FOR PERMIT NOS. 1845-2, 2346-2, 2484-2 & 2484A-2

DATE OF INVESTIGATION:	March 16, 2012
NAME & ADDRESS OF PERMIT HOLDER	Pine Grove Community Water Association 23884 Hart Ranch Road West Rapid City, SD 57702
INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Kurt Slentz (Manager)
DIVERSION POINT LEGAL LOCATION	SE¼ SE¼ Section 20, T1S-R7E
WATER SUPPLY SOURCE	Ground water, Madison Aquifer

Other permit(s) associated with the project:

WELL INFORMATION:

- 1) Well Drilling Firm: **Taylor**
- 2) No. of Wells **One**
- 3) Depth(s) **903** feet
- 4) Well log is available **yes**
- 5) Comment:

Casing:

- 1) Diameter: **7** inches
- 2) Length: **1462** feet
- 3) Type: **Steel**

Screen:

- 1) Type: **Open Hole**
- 2) Length:
- 3) Static water level: **620** feet

Pump:

- 1) Make: **Grundfos**
- 2) Model: **180L30**
- 3) Capacity: **175** GPM

Motor:

- 1) Make: **Franklin**
- 2) Model: **2366186025**
- 3) Horsepower rating: **30** hp

DISTRIBUTION LINES OR CANALS:

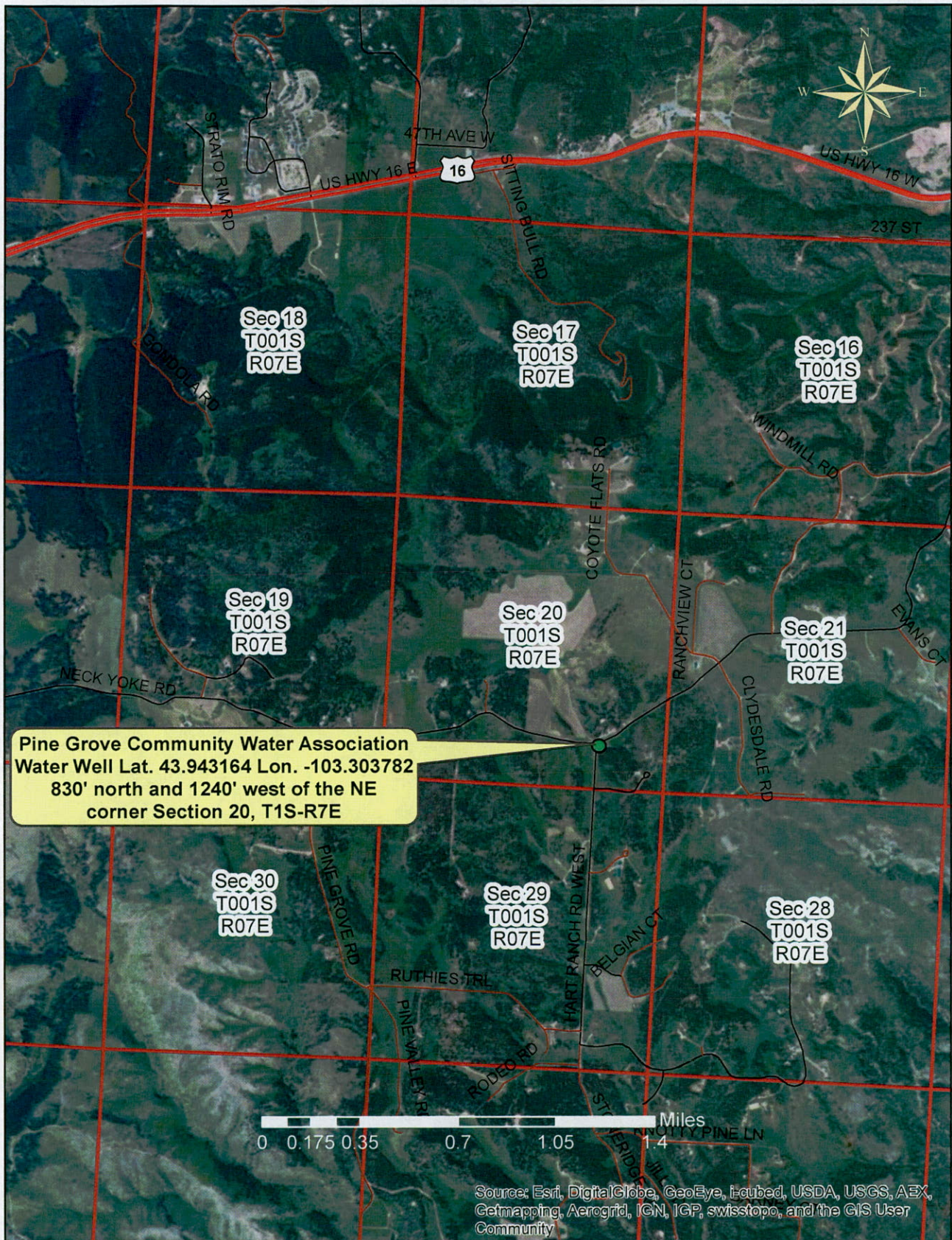
- 1) Type: **Rural water system distribution lines.**

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by **Yes**
- 2) All structures, wells and lands on map **Yes**

COMMENTS:

Water Right Nos.1845-2, 2346-2, 2484-2 & 2484A-2
Pine Grove Community Water Association
March 16, 2012



Aaron R. Tieman

Aaron Tieman
Natural Resources Engineer II
DENR Water Rights Program





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

AUG 27 2015

Kurt Slentz, Mgr
Pine Grove Community Water Association
23884 Hart Ranch Rd
Rapid City SD 57702

RE: Water Permit Nos. 1845-2, 2346-2, 2484-2 and 2484A-2

Dear Mr. Slentz:

Enclosed is Water License No. 2484A-2. This is the final water right document completing your process of obtaining a Water Right. Included with the license is a map prepared by the staff engineer who conducted the field investigation.

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. 2484A-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,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: Upon licensing, the applicable portions of Water Right No. 1845-2, 2346-2 & 2484-2 were incorporated into Water License No. 2484A-2

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 2484A-2

(1) Pine Grove Community Water Association, 23884 Hart Ranch Rd W, Rapid City SD 57702 made Application No. 2484A-2, August 8, 2011 for a water permit to extend the length of time allowed to place water to beneficial use as authorized under Water Permit No. 2484-2. No. 2484A-2 did not authorize an increase in the diversion rate established under existing permits. The project is located in Pennington County, South Dakota and uses water for suburban housing development purposes. Permit No. 2484A-2, with a priority date of July 26, 2002 was approved October 3, 2011 and authorized an extension of the date to put water to beneficial use until October 15, 2015.

The following permits are part of the same water use system:

Permit No.	Priority date	diversion rate	Diversion point location
No. 1845-2	May 19, 1983	0.08 cfs	one well – SE ¼ SE ¼, Section 20, T1S, R7E
No. 2346-2	September 25, 1995	0.09 cfs	same well described above
No. 2484-2	July 26, 2002	0.222 cfs	same well described above

Water Permit Nos. 1845-2, 2346-2 and 2484-2 authorize a total of .0392 cubic feet of water per second (175 gallons per minute) from one well. The applicable portions of Water Permit Nos. 1845-2, 2346-2 and 2484-2 are incorporated into Water License No. 2484A-2.

(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 0.392 cubic feet of water per second for beneficial use. The location of the diversion point is approximately 840 feet north and 1,240 feet west of the SE corner of Section 20, T1S, R7E (SE ¼ SE ¼).

(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 Pine Grove Community Water Association, 23884 Hart Ranch Rd W, Rapid City SD 57702 the holder and/or owner of Incorporated Water Right No. 2484A-2 is issued a license to appropriate water, the right to use 0.392 cubic feet of water per second from ground water – one well (Madison Aquifer) with priority dates of May 19, 1983 (0.08 cfs); September 25, 1995 (0.09 cfs) and July 26, 2002 (0.222 cfs) from the location specified in (2) of this license for suburban housing development purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Incorporated Water Right No. 2484A-2 and subject to the following qualifications:

- In accordance with SDCL 46-1-14 and 46-2A-20, Permit Nos. 2346-2, 2484-2 and 2484A-2 are issued for a twenty year term. Pursuant to SDCL 46-2A-21, the twenty year term may be deleted at any time during the twenty year period or following its expiration. If the twenty year term is not deleted at the end of the term, the Permit may either be cancelled or amended with a new term limitation of up to twenty years. Permit Nos. 2346-2, 2484-2 and 2484A-2 may also be cancelled for nonconstruction, forfeiture, abandonment or three permit violations pursuant to SDCL 46-1-12, 46-5-37, 46-5-37.1, and Board Rule ARSD 74:02:01:37.

continued

- 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.



Jeanne Goodman, Chief Engineer
Water Rights Program

Department of Environment and Natural Resources

AUG 27 2015

date



File Nos.
2484A-2 & 2816-2

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Jerry Brewer w/ Pine Grove Comm. Water Assoc. – Rapid City SD

DATE: 08/13/2024

TELEPHONE: 605-390-1967

RE: Sudbury Well (2816-2)

COMMENTS:

In January 2024 Pine Grove Community Water Association took ownership of WP No. 2816-2, previously owned by Sudbury Ranch. For all intents and purposes, the well authorized by WP No. 2816-3-2 is referred to as the Sudbury Well.

Jerry called today to inform me that the Sudbury well had successfully been hooked up to the water supply lines for Pine Grove. It is the intent to maintain the Sudbury well strictly to be used as a backup water source for WR No. 2484A-2.

If at some point in time the pump in the Sudbury well (currently rated for 35-45 GPM) is replaced for a higher capacity pump, Jerry said he would call to discuss any additional requirements our office might have.



Amanda Dewell
Water Rights Program