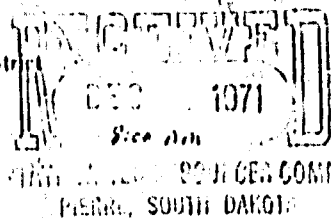


Water Right Number 1908-3

1. Considered JANUARY 19, 19 72
2. Name of Applicant VALLEY VIEW MOBIL HOME PARK
3. Post Office Address SIDUX FALLS
4. Amount of Water claimed .45
5. Source of Water supply GROUND WATER & 2 CREEKS
6. Water to be used for COMMERCIAL (TRAILER PARK)
Acres to be irrigated _____
7. Water to be diverted and used in MINNEHAHA County
about 1 miles of SOC FALLS
8. Proof of Publication
Received ~~DATE~~ MK
Not Received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks:

No. 1908-3Map No. 1351-BWater Division No. 3 Big Sioux River

(Forms to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable.)

1. Name of Applicant James T. Hayes, William H. Hayes, James A. Hayes (Village of Mobile Home Park)Postoffice address Rte. 2 Box 100 Sioux Falls, State South Dakota

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Employment of others3. Name of diversion work Hayes Water Works4. Amount of water claimed (cubic feet per second) 0.452 F.S.5. Source of water supply Hayes Creek I, Hayes Creek II, & 2 wells6. Location of point of diversion (see map)Hayes Tract 7th in the NW 1/4 Sec. 11-101-49County Minnehaha7. Annual period or periods during which water is to be used entire year8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) domestic COMMERCIAL

9. For irrigation use, Total number of acres to be irrigated _____

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system three (3) years. Additional time required to complete application of water to the proposed beneficial use three (3) years.11. Choice of newspaper for Notice of Intent to Appropriate Water publication Wall Rapids Tribune

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Water storage dam, two (2) wells

B. Works proposed to transport water to place of use.

plastic pipe

C. Works proposed to apply water to beneficial use.

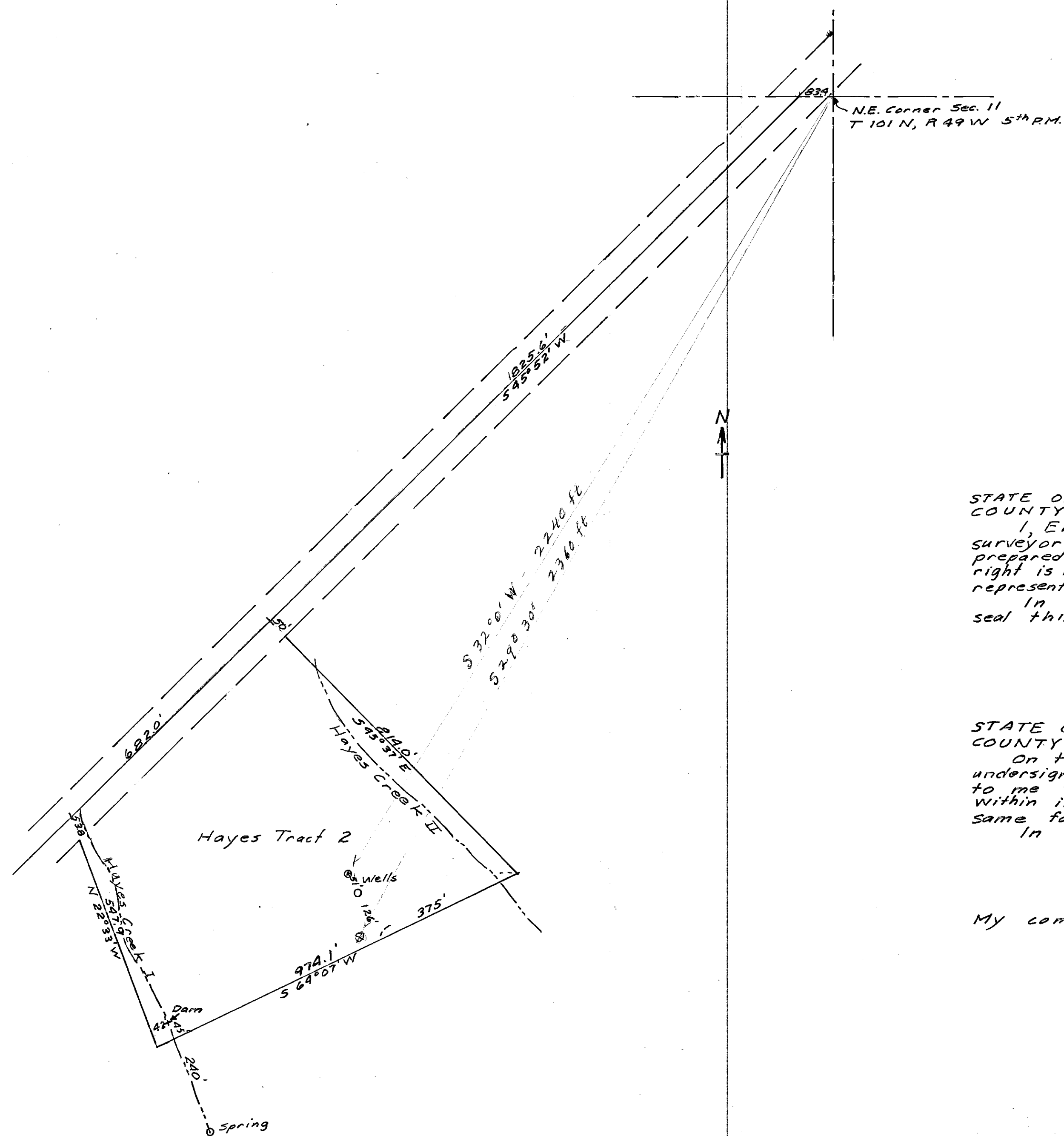
Estimated Total Cost \$5,000.00Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of Minnehaha

I, _____ the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

William H. Hayes Signed James A. HayesSubscribed and sworn to before me this 23rd day of November 19 71W. A. Pusey
Notary Public (or other qualified officer)



SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA } ss
COUNTY OF BROOKINGS

I, Emory E. Johnson, a registered engineer and land surveyor do certify that at the request of the owner, I prepared this map showing land for which application for water right is being made for trailer court use and this map is a true representation of the spring, stream, dam and wells to be utilized.

In witness whereof, I have hereunto set my hand and seal this 6th day of November, 1971.

Emory E. Johnson
Registered Engineer and
Land Surveyor

STATE OF SOUTH DAKOTA } ss
COUNTY OF BROOKINGS

On this 8th day of November, 1971 before me, L.J. Larson, the undersigned officer, personally appeared Emory E. Johnson, known to me to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purpose therein contained.

In witness whereof I hereunto set my hand and official seal

My commission expires Feb. 10, 1977

L.J. Larson
Notary Public

MAP
SHOWING SPRING, DAM & WELLS
FOR PERMIT TO APPROPRIATE WATER
RODMAN HAYES WILLIAM HAYES JAMES HAYES
VALLEY VIEW MOBILE HOME PARK
OWNER

Scale 1"=200'

Nov. 6, 1971

Emory E. Johnson
Registered Engineer
and Land Surveyor

Red Print Hayes - William Hayes

James Hayes

(Valley View Mobile Home Park)

MAP N° 1351-3 (APPLN° 1908-1)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1908-3
VALLEY VIEW MOBILE HOME PARK R.R.#2, Box 120, Sioux Falls,
 (Applicant) (Post Office Address)
SOUTH DAKOTA With the following modifications:
 (State)

The ~~irrigation~~ well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The ~~irrigation~~ well owner, under this Permit, shall control his ~~irrigation~~ withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

Date of first receipt of application DECEMBER 3, 1971
 Date of return to applicant for correction, amendments or changes required _____, 19____
 Date of receipt of corrected application _____, 19____
 Approved JANUARY 19, 1972, Recorded in Book 12 Page 62

WATER RIGHT PERMIT NO. 1908-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1908-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is DECEMBER 3, 1971
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 19, 1973
3. The whole of said work is to be completed on or before JANUARY 19, 1975
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 19, 1978
5. The water appropriated shall be used for the purpose of COMMERCIAL USE - TRAILER COURT OPERATION

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed .45 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial use ~~and if for the irrigation purpose said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is~~
USED FOR COMMERCIAL USE
 actually and beneficially applied for irrigation on or before JANUARY 19, 1978; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 24TH day of JANUARY, 1972

WATER RESOURCES COMMISSION

By:

George R. Quinn
 Chief Engineer, Executive Officer

Certificate of Construction Issued JANUARY 29, 1980

Water License Issued JANUARY 29, 1980

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates ("2 wells")

- (1) Drill Hole, Diameter 3 1/2" (~~2 1/2"~~), Depth 101, 251
- (2) Casing, Type metal (~~wood, concrete, steel, etc~~) Diameter 3 1/2" Thickness _____
- (3) Perforated Screen.
Type slotted (~~other~~) Diameter 1 1/2" Length 41, 51
- (4) Gravel Pack. Thickness 0, Length of gravel pack 4, 11, 51

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of water bearing materials coarse sand gravel

- Depth to top of water bearing material 0 0
- Depth to bottom of water bearing material 18' 25'
- Thickness of water bearing material 10' 15' 6' 13'
- Depth to water (ground surface to water level) 10' 12'

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property _____ rds. On property owned by others 100 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

The proposed water storage dam would hold approximately 450,000 gallons of water, covering 10,000 square feet of area to a maximum depth of 12 feet. This would be used merely to supplement the water supply provided by the two(2) wells.

Robert T. Hayes
William H. Hayes
James A. Hayes
Signature of Applicant

Permit No. 1908-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Valley View Mobile Home Park

_____ the holder _____ of
Permit No. 1908-3, issued upon Application No. 1908-3, bearing date of priority of December 3,
1971 authorizing the diversion of .45 cu. ft. per second of the waters of _____
groundwater (two wells) County of Minnehaha, State of South Dakota at _____
Well #1 - south 32° 0' West - 2240'; Well #2 - South 29° 30' West, 2360';
all from NE corner Section 11. T201N, R49W
_____ for irrigation

_____ purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use .10 cu. ft. per second of water.

Date January 29, 1980


JOHN HATCH, Chief Engineer
Water Rights, WND

WATER LICENSE NO. 1908-3

(1) WHEREAS, On the 3rd day of December A. D. 19 71
Valley View Mobile Home Park
 made Water Right Application No. 1908-3 for a permit to use .10 cubic feet per second of the water
 of groundwater (to wells)
 County of Minnehaha State of South Dakota, for Irrigation
 purposes, and

(2) WHEREAS, On the 19th day of January A. D. 19 72
 Permit No. 1908-3 with a date of priority of December 3, 1971
 was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
 supply system therein described on or before the 19th day of January A. D. 19 75 and for the
 application to beneficial use of said water on or before the 19th day of January A. D. 19 78

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
 relating to completion of the construction of the water supply system and is entitled to divert .10 cubic feet
 per second of water for beneficial use and:

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
 relating to the application of water to beneficial use of the following extent,

water to be used in place for a Mobile Home Park

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Valley View Mobile Home Park

_____ of Sioux Falls SD
the holder S and owner S of said permit No. 1908-3 a water right, dating from December 3, 1971
_____ to use of .10 cubic feet per second of the waters
of groundwater (two wells)

in the County of _____ and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at Well #1 - south 32° 0' West - 2240'; Well #2 - South
29° 30' West, 2360; all from NE corner, Section 11, T101N, R49W

and conduct to and upon through the trailer park system

for the purpose of commercial use

Subject to any limitations listed in Water Right Permit No. 1908-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 29th day of January A. D.
Nineteen Hundred and Eighty

Board of Water Management

By:

John Hatch
Chief Engineer, JOHN HATCH

Form 6 - Notice of Intent to Appropriate Water

No. 1908-2

Publish first publication, on or before December 23, 1971

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

December 7, 1971

Notice is hereby given that Valley View Mobile Home Park
whose post office address is Sioux Falls, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
.45 cubic feet of water per second of time from the ground water and
Hayes Creek through the
Hayes Water Works, the point of diversion of which ^{ARE} to be located in the _____

S $\frac{1}{2}$ NE $\frac{1}{4}$
of Section 11, Twp. 10 IN, Range 49 W. Said water to be used for the purpose
of providing irrigation on the following described lands:
supplies for operation of a mobile home park

This application No. 1908-2 will be considered by the Water Resources Commission at their office at
Pierre upon the 19th day of January, 1972, at 2:00 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist
cc: Rodman T. Hayes, Valley View Mobile Home Park, R.R.#2, Box 120
Sioux Falls, S.D. 57101

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 1908-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Minnehaha) S.

I, Thurgood Marshall hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Deer Rapids Tribune

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the Deer

Rapids Tribune of Deer Rapids

County of Minnehaha and State of South Dakota;
that the said notice was published in said newspaper on the following
four dates:

December 23, 1971

December 30, 1971

Jan. 6, 1972

Jan 13, 1972

Thurgood Marshall
(Signature)

Publisher
(Title)

1/14/72
(Date Signed)

NOTICE OF INTENT
TO APPROPRIATE WATER
Pierre, South Dakota 57501
December 7, 1971

Notice is hereby given that Valley
View Mobile Home Park whose postof-
fice address is Sioux Falls, South Da-
kota, has made an application in ac-
cordance with the provisions of the wa-
ter laws of South Dakota for a permit
to appropriate for beneficial use 45
cubic feet of water per second of time
from ground water and Hayes Creek
through the Hayes Water Works, the
points of diversion of which are to be
located in the S-1/2 NE-1/4 of Section
11, Twp. 101N, Range 49W. Said water
to be used for the purpose of providing
supplies for operation of a mobile home
park.

This application No. 1908-3 will be
considered by the Water Resources
Commission at their office at Pierre
upon the 10th day of January, 1972, at
1:00 P.M. All interested persons may
appear and be heard.

Water Resources Commission
By Jurlon F. Jones
Water Rights Specialist
Dec. 23, 30, Jan. 6, 73

JAN 24 1972

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7249

PIERRE, January 24, 1980

RECEIVED OF Valley View Mobile Home Park, 1903 Richard Road, Sioux Falls, SD
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and Issuing Cert. of Construction No. 1908-3	12	00
Fee for Inspecting Beneficial Use, and Issuing Water License No. 1908-3		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	12	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH

(BY)

Permit No. 1908-3Water Division 3 Big Sioux River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Valley View Mobile Home Park, of RR #2, Box 126 Sioux Falls S.D. 57101 holder of Permit No. 1908-3, bearing date of priority of December 3, 1971 authorizing the diversion of .45 cu. ft. per second of the waters of Two Wells for Commercial purposes, in Minnehaha County.

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

The Water Use System consists of,

- A. Works used to divert the water:
Well #1, North - 3/4 HP Submersible Pump, pumping 15 gpm
Well #2, South - 5 HP Submersible Pump, pumping 30 gpm

- B. Works used to transport water to place of use,
Underground pipelines etc

- C. Works used to apply water to beneficial use.
Trailer Park outlets and systems.

The system is in the following condition: Good.

The point of diversion is located Well #1 - 532° 0' W - 7240 ft. Well #2 - 579° 30' W - 2360 ft. all from NE Cor Sec 11, T10N R49W

The works are capable of diverting and conveying to the place of use 0.10 cu. ft. per second of water which is to be used for Commercial

Water has been put to beneficial use to the maximum extent as follows:

comprising a total of _____ acres of land.

Well data:

#1 - depth = 30 ft
 static = 20 ft
 Pumping 15 gpm
 Capacity 20 gpm

#2 - depth = 36 ft
 static = 18 ft
 pumping 30 gpm
 capacity 40 gpm

license fee 0.10 cfs.

Date

August 9, 1979

Leroy J. Merrinugh
 (Signature)



DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov



August 14, 2014

Valley View Estates
c/o Steve and Colette Painter
4202 East Hayes Place
Sioux Falls SD 57103

Dear Mr. Lavender:

I am contacting you in regard to Water Right No. 1908-3 listed as Valley View Mobile Home Park appropriating water from two wells located in the NE 1/4 Section 11-T101N-R49W for commercial use. This water right has a priority date of 1971.

Based on information provided by staff from DENR's Drinking Water Program, Valley View no longer uses the two wells. We wanted to touch base with you to find out if you had indeed discontinued all use of these wells and they were not being maintained as a backup supply.

Under South Dakota Water Law, water must be placed to beneficial use for the purpose it was appropriated at least once every three years in order to maintain a water permit. This three year period may be waived if legal excuse exists for the years of nonuse. Legal excuse as defined by Board rules includes unavailability of water and also having too much water. Enclosed are excerpts of the water right laws and Water Management Board Rules dealing with these issues.

Please contact our office concerning Valley View's intent towards this water right. If the wells are not used or maintained, our intent is to schedule this water right for cancellation consideration at an upcoming Water Management Board meeting. You will be notified of the time, date and place of the hearing once it is scheduled.

Thank you in advance for your help.

Sincerely,

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosure

Water Rights Program - File Documentation

NAME: Steve Painter, Valley View Estates

ADDRESS: 4202 E Hayes Place, Sioux Falls SD 57103

DATE: 8-18-14 **COUNTY:** MA **TELEPHONE:** 605 359-8525

RE: Wells

COMMENTS:

Steve Painter called regarding my letter dated 8-14-14. Mr. Painter stated they have one well that supplies water for Valley View Estates. They have two pump houses, but the second well does not have a pump and they are not using it at this time. His well man told him the second well could have a pump installed and used if necessary. This well is the only water source for Valley View.



Karen Schlaak
Water Rights Program