

1. Considered: 12-2, 1981 Water Right No. 1229-1
2. Name of Applicant CITY OF SPEARFISH 1037
3. Post Office Address CITY HALL 57185
4. Amount of Water Claimed .15 maximum acre feet
5. Source of Water Supply 863' MADISON WELL
6. Water to be used for MUN acres to be irrigated
7. County LAWRENCE about 25.10 miles SPEARFISH of CITY LIMITS
8. PROOF OF PUBLICATION: Received 11-6-81 Not Received
- APPLICATION: Approved 12-2-81 Subject to D.V.
- Not Approved Action Deferred

PRIORITY Dated Received 9-2-81 Application complete yes no FEE N/A
9-2-81 Remarks Need MAP, COMPLETED APPL - L.O.R.

Corrected Application received 9-23-81 Period of Annual Use 1/1-12/31
CONTINUOUSLY

WATER QUALITY N/A Received yes no APPROVED/CONDITIONAL (Circle one)
 WI-1 Description same as application - yes no Remarks

Disapproved Returned

x					
	19				

Diversion Point
NW⁴ NW⁴ 19-6N-20R-3E

*entitled to
 verify record desc.
 10/24/81
 land to be irrigated*

WELL LOG Title LAYNE - MINNESOTA Licensed - yes # 33 no
 Depth 863'

Remarks IN MADISON FORMATION
11/17/81 called is not a flowing well
and is in the Madison City bed
645-10-100

Page 2

Water Right No. _____

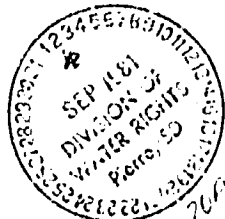
MAP Map No. 1037-1 ~~PE~~ Map located in Water Right X Map file _____
Type of Map PLAT - DRAWN Prepared by ENGR - PE

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:
10-16-81

Lilly Westlund
(Signed)

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date _____
F.F. & C. Final Decision, including F.F. & C. of Law were adopted _____
OF LAW, Date _____
FINAL Final Decision mailed to parties and/or parties notified that Final Decision was
DECISIONS adopted _____
ETC. Remarks _____

No. 1229-1Map No. 1037-1 Water Division No. 1 BELLE FOURCHE RIVER District
Above for Office Use 10120203

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following.

New ☒ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant City of Spearfish Phone No. 642-2666
 Post Office Address City Hall, Spearfish State South Dakota 57783
(Street, RR, or box) (Town) (Zip Code)
 If a corporation show date and place of incorporation: _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract3. Name of diversion work Green Acres Well4. Amount of water claimed (cubic feet per second) 0.15 c.f.s.5. Source of water supply Madison Formation

6. Location of point of diversion Section 19, T6N R2W, 64M
1,031.04 Feet East and 1,232.72 Feet South of the N.W. corner of Section 19,
5N, R2W, B.H.M. County Lawrence
(on map)

7. Annual period or periods during which water is to be used Yearly8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Municipal

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 1 5 years. Additional time required to complete application of water to the proposed beneficial use 1 4 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Queen City News

12. Principal Features of the Proposed Water Supply System

A. Works proposed to divert water from its natural source

Deep water well & pump

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

8" Pipeline

C. Works proposed to apply water to beneficial use.

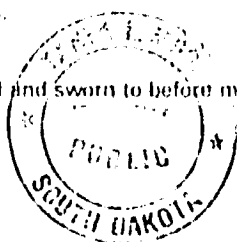
750,000 gallon storage reservoirEstimated Total Cost \$ 540,000.00

Attachments: 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 Lawrence) ss.

I, Joe B. Jorgensen 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.

Signed Joe B. JorgensenSubscribed and sworn to before me this 1 day of September, 1981Sanford Thole
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1229-1

City of Spearfish

City Hall, Spearfish

South Dakota 57783
(State)

(Post Office Address)

With the following qualifications:

The well approved under this Permit is located near domestic 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.

Date of first receipt of application _____ September 2 19 81

Date of return to applicant for correction, amendments or changes required: September 3, 1981

Date of receipt of corrected application _____ September 22 19 81

Approved December 3, 1981, Recorded in Book 22 Page 307

WATER RIGHT PERMIT NO. 1229-1

The Water Management Board hereby grants and issues this Water Right Permit No. 1229-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is September 2, 19 81

2 The equivalent of at least one-fifth of the work above specified is to be completed on or before June 3, 1984.

3. The whole of said work is to be completed on or before December 3, 1986.

4 The limit of time from proof of beneficial use of water appropriated in accordance herewith is December 3, 1990

5 The water appropriated shall be used for the purpose of Municipal use

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 15 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 uses, and for irrigation purposes said appropriation must be limited to not more than 2 acre feet per year and for any use limited to not more than one-fourth (1/4) of an acre foot of water per second of time for each acre of land to which water is actually and beneficially applied.

used for Municipal purposes December 3, 1990
to on or before _____, 19____, said water to be used during the following described
annual period continuously

Witness my hand this 7th day of December, 1981

THE WATER MANAGEMENT BOARD

13v

Chief Engineer, Water Right

JOHN HATCH

Certificate of Construction Issued .. 19 ..

Water License Issued _____ 19____

**OVERSIZE
DOCUMENT IS
SUPPLEMENTARY
TO MICROFILM FILE**

CITY OF SPEARFISH, SOUTH DAKOTA
GREEN ACRES WELL

DRILLING LOG

FROM	TO	TYPE & COLOR OF MATERIAL	REMARKS
0'	15'	Red shales and clay - soft	
15'	25'	Grey chert (flint) rock	
25'	65'	White gyp - pink gyp - very hard	Average drilling speed 5 ft. 2-1/4 hrs. - 15' - 65'
65'	125'	Red shales and clays (Spearfish red beds)	Average drilling speed 5 ft. in 15 min. - 65' - 125'
125'	140'	Soft red shales and clays	Average drilling speed 5 ft. 10 min.
140'	200'	Red shales and clays with gyp layers	Average penetration rate 5 ft. in 5 min.
200'	300'	White to grey limestone	Average penetration 5 ft. in 12 min.
300'	310'	Red clays and shales	Penetration 5 ft. in 15 min.
310'	335'	White limestone	Penetration 5 ft. in 20 min.
335'	345'	Tan sandstone	Penetration 5 ft. in 20 min.
345'	350'	Tan sandstone and layered red clay and shale	Penetration 5 ft. in 30 min.
350'	370'	Tan sandstone	Penetration 5 ft. in 20 min.
370'	410'	Red sandstone, occasional streaks of red clay and shale	Penetration 5 ft. in 18 min.
410'	430'	Grey and white sandstone	Penetration 5 ft. in 20 min.
430'	440'	Grey shale and sandstone - hard	Penetration 5 ft. in 1 hr.
440'	460'	Red and white sandstone	Penetration 5 ft. in 30 min.
460'	475'	Pink sandstone - soft	Penetration 5 ft. in 10 min.
475'	480'	Grey and brown shale	Penetration 5 ft. in 12 min.
480'	550'	Grey sandstone - hard	Penetration 5 ft. in 50 min.
550'	570'	Grey sandstone and shale - hard	Penetration 5 ft. in 50 min.
570'	585'	Grey shale and sandstone, streaks of red clay and shale	Penetration 5 ft. in 40 min.
585'	610'	Layered, white sandstone, grey and brown shale, grey and brown clay	Penetration 5 ft. in 35 min.
610'	615'	Reddish brown clay	Penetration 5 ft. in 30 min.
615'	640'	Red sandstone, red shale and clay	Penetration 5 ft. in 45 min.
640'	645'	Red clay, white sandstone	Penetration 5 ft. in 40 min.
645'	650'	Tan sandstone, clear quartz, grey shale, red clay	Penetration 5 ft. in 1-1/4 hrs.
650'	655'	Red shale, brown chert	Penetration 5 ft. in 1 hr.
655'	660'	White limestone	Penetration 5 ft. in 1-1/4 hrs.

CITY OF SPEARFISH, SOUTH DAKOTA

GREEN ACRES WELL

DRILLING LOG

PAGE 2

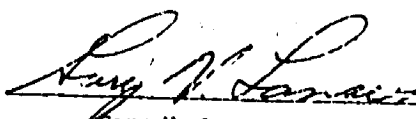
FROM	TO	TYPE & COLOR OF MATERIAL	REMARKS
660'	666'	White limestone	Drilled full hole with 14-3/4" Penetration 5 ft. in 1-3/4 hrs.

9-7/8" Hole With Water For Drilling Fluid

666'	685'	White limestone	Average 4-3/4' per hr.
685'	720'	White and tan limestone	Average 4-3/4' per hr.
720'	731'	Grey limestone	Average 4-3/4' per hr.
731'	863'	White and tan limestone - soft (TD) toward bottom - highly fractured 857' - 863'	Average 8' per hr.

LAYNE-MINNESOTA COMPANY
Minneapolis, Minnesota

South Dakota License No. 32



Gary V. Langer

D. Well Information

- (1) Drill Hole, Diameter 14 3/4", Depth 863 feet
- (2) Casing, Type Steel, Diameter 10", Thickness _____
(wood, concrete, steel, etc.)
- (3) Screen, Type N/A, Diameter _____, Length _____
- (4) Gravel Pack, Thickness N/A, Length of gravel pack _____

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

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

(1) Water Bearing Materials. (Attach a copy of test well log)

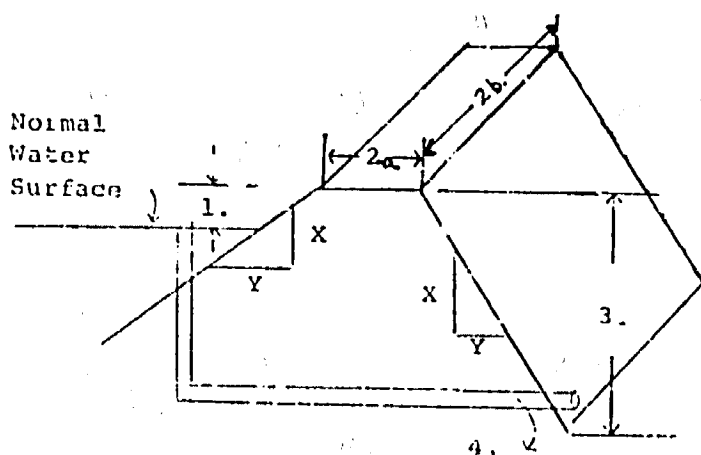
- Depth to top of water bearing material 660'
- Depth to bottom of water bearing material 863'
- Depth to water (ground surface to water level) 427'

(2) Distance to nearest existing household or livestock watering well

- On same owner's property None rds
- On property owned by others 3/4 Mile 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, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



1. Freeboard _____
- 2a. Crest width b, length _____
3. Height of Dam _____
4. Outlet dimensions:
 - Pipe diameter _____
 - Spillway width _____
- X & Y slope
 - Upstream _____
 - Downstream _____
- Surface area of impoundment _____
- Drainage area above dam _____

Joseph J. [Signature]
Signature of Applicant

No. 1229-1

Publish first publication on or before October 28, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota, 57501

October 21, 1981

Notice is hereby given that the City of Spearfish whose post office address is City Hall, Spearfish, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-24, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 0.15 cubic

feet of water per second of time from groundwater (1 well) through the Green Acres Well

_____ , the point(s) of diversion of which is (are) to be located in the _____

NW 1/4 NW 1/4

of Section 19 , Twp 6N , Range 3E . Said water to be used for the purpose of providing ~~XXXXXX~~ water supplies for municipal use

water supplies for municipal use

This Application No. 1229-1 will be considered by the Water Management Board at Howard Johnson's Hotel 3300 West Russell, Sioux Falls, South Dakota upon the 2nd day of December, 1981

at 10 A. .M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWR, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board

cc: applicant

BETTY WESTLUND, Water Rights Specialist

WNR-306A-10/81 Notice of Intent to Appropriate Water
GROUNDWATER

No. 1229-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Lawrence) ss.

I, Oliver F. Hammann hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Sioux City Press

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

Sioux City Press of Sioux City
County of Lawrence and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

Oct 28 '81

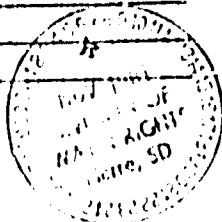
Nov 4 '81

Oliver F. Hammann
(Signature)

Betty Wedel
(Witness)

Nov 4 '81
(Date Signed)

Cost of Printing: \$121.71



No. 1229-1

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE
WATER

Pierre, South Dakota, 57501
October 21, 1981

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Spearfish whose post office address is
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the provisions of SDCL 46-1-1 thru
46-1-9, 46-1-12 thru 46-1-14; 46-2-9 thru
46-2-11, 46-2-13; 46-5-1 thru 46-5-4 46-5-19
thru 46-5-22, 46-5-25, 46-5-41; 46-6-3,
46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-13,
46-6-14 and Board Rules ARSD
52:01:01:01 thru 52:01:01:13, for a per-
mit to appropriate for beneficial use
0.15 cubic feet of water per second of
time from groundwater (1 well)
through the Green Acres Well, the point
of diversion of which is to be located in
the NW 1/4 NW 1/4 of Section 19, Twp. 6N,
Range 3E. Said water to be used for the
purpose of providing water supplies for
municipal use.

This Application No. 1229-1 will be
considered by the Water Management
Board at Howard Johnson's Motel, 3300
West Russell, Sioux Falls, South
Dakota upon the 2nd day of December,
1981 at 10 A.M. The Board is authorized
to make a determination on this ap-
plication at the hearing. All interested
persons may appear and be heard. Any
person who may be affected by a Board
decision who desires to present
evidence or cross-examine witnesses
according to SDCL 1-26 may notify the
Board in writing prior to the hearing or
orally at the hearing.

This hearing is an adversary pro-
ceeding. Any person has the right to be
present or to be represented by a
lawyer. These and other due process
rights will be forfeited if they are not
exercised at the hearing. Decisions of
the Board may be appealed to the Cir-
cuit Court and the State Supreme Court
as provided by law.

Any handicapped person wishing to
attend this hearing can contact the
Water Rights Division, DWRN, Joe
Foss Building, Pierre, SD, prior to the
hearing date for assistance to assure
access to the hearing.

For the Water Management Board
BETTY WEDDEL, UND,
Water Rights Specialist
(43-21c)

No. 1229-1

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 (605) 773-3352

December 9, 1981

Joe B. Jorgensen, Mayor
City of Spearfish
City Hall
Spearfish, SD 57783

Dear Mayor Jorgensen:

Enclosed herewith is your Water Right Permit No. 1229-1 as approved by the Water Management Board authorizing you to construct your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said Water Right Permit No. 1229-1.

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 Water Management Board when you have completed the system and/or have put the water to beneficial use. The Board can then schedule an inspection so that your Certificate of Construction and/or Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:bt

enclosure

P.S. The Water Management Board has requested that you be advised that complete engineering plans and specifications for this project must be submitted to the Division of Water Quality-Dept. of Water & Natural Res. for review and approval prior to construction.

You should be aware that the use of water proposed under this Permit may come under the requirements of the Safe Drinking Water Act. For information regarding this Act you should contact: Mark Steicher, Administrator, Division of Water Quality, DWR, Foss Bldg., Pierre, SD, Phone No. 773-3754.

WNR-803-7/76

Forwarding Permit to Appropriate Water

**South Dakota Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

No. 1229-1A

1229-1

December 14, 1984

City of Spearfish
722 Main Street
Spearfish, South Dakota 57783

Dear Sir:

Enclosed herewith is, Water License No. 1229-1A. This is the final water right document completing your process of obtaining a water right.

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.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Enclosures

The applicable portions of Water Permit No. 1229-1 have been incorporated into this Water License No. 1229-1A with priority dates of 0.15 cfs from September 2, 1981 and 1.35 cfs from October 5, 1982

WNR-517 3/83

Transmittal of Water License