

1. Considered: _____, 19____ Water Right No. 1287-1
2. Name of Applicant City of Sturgis
3. Post Office Address 1029 1st Street, Sturgis, S.D. 57785
4. Amount of Water Claimed 1.00 maximum acre feet _____
5. Source of Water Supply 1450' Madison Formation well #4
6. Water to be used for MUN acres to be irrigated _____
7. County Meade County about _____ miles JUST OUTSIDE Northwest of of City Limits
8. PROOF OF PUBLICATION: Received by 9-2-83 Not Received _____
- APPLICATION: Approved 10-5-83 Subject to Well const & well interference
- Not Approved _____ Action Deferred _____

PRIORITY Dated Received 7/18/83 Application complete-yes X no _____ FEE 325.00

Remarks _____

Corrected Application received 8/11/83 Period of Annual Use 1/1 to 12/31

WATER Received yes _____ no _____ APPROVED/CONDITIONAL (Circle one)

QUALITY WI-1 Description same as application-yes _____ no _____ Remarks _____

N/A

Disapproved _____ Returned _____

Diversion Point _____

NW¼ SW¼ Sec. 4-T5N-R5E

Land to be irrigated _____

WELL LOG Driller _____ Licensed - yes _____ no _____

Depth 1450' Madison limestone well not drilled at this time

Remarks Estimate of formations and depths at this location by

Dr Gries, School of Mines

MAP Map No. 1287-1 Map located in Water Right xx Map file _____
 Type of Map Topo Prepared by John Cusma, City Engineer

+++++

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:

8/11/83

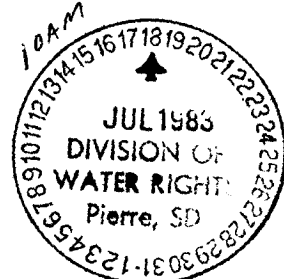
Bette Westlund
 (Signed)

+++++

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. 1287-1
 Map No. 1287-1 Water Division No. 1 BELLE FOURCHE RIVER District
 Above for Office Use 10120202



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 Sturgis Phone No. 605-347-4424
 Post Office Address 1029 First Street Sturgis State South Dakota 57785
(Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation N/A
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Sturgis Well #4
4. Amount of water claimed (cubic feet per second) 1.00 cfs
5. Source of water supply 1450' well into Madison Formation
6. Location of point of diversion Northwest Quarter of the Southwest Quarter of
Section 4, Township 5 North, Range 5 East of the Black Hills (CB)
Meridian County Meade
7. Annual period or periods during which water is to be used Continuous
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Municipal
9. For irrigation use, N/A Total number of acres to be irrigated N/A

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 1/2 years. Additional time required to complete application of water to the proposed beneficial use 1/2 years.
11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Meade County Times
12. Principal Features of the Proposed Water Supply System.
 - A. Works proposed to divert water from its natural source.
Well and Pump
 - B. Works proposed to transport water to place of use.
Pipeline to Existing Distribution System and to New Water Storage Reservoir
 - C. Works proposed to apply water to beneficial use.
Municipal Distribution System - City of Sturgis

Estimated Total Cost \$ 235,000.00

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 Meade) ss.

I, James U. Dickson 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 James U. DicksonSubscribed and sworn to before me this 13th day of July, 1983

Notary Public (or other qualified officer)

JOHN GUSMA

Notary Public, South Dakota

My Commission Expires June 13, 1988

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1287-1

City of Sturgis
(Applicant)
South Dakota
(State)

1029 1st ST. Sturgis
(Post Office Address)

With the following qualifications

The construction of the proposed Madison Formation well shall include pressure grouting with cement (bottom to top) of the casing above the water producing formation and compliance with Board well construction rules.

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.

Date of first receipt of application July 18, 1983

Date of return to applicant for correction, amendments or changes required _____, 19____

Date of receipt of corrected application August 11, 1983

Approved October 5, 1983, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. 1287-1

The Water Management Board hereby grants and issues this Water Right Permit No. 1287-1 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 July 18, 1983
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before January 5, 1988
3. The whole of said work is to be completed on or before October 5, 1988
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is October 5, 1992
5. The water appropriated shall be used for the purpose of Municipal water

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 1.0 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 served, and ~~if for irrigation purposes said appropriation must be limited to not more than 2 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 actually and beneficially applied~~

~~for irrigation~~ on or before October 5, 1992; said water to be used during the following described annual period: January 1 Thru December 31

Witness my hand this 24th day of October, 1983

THE WATER MANAGEMENT BOARD

By: John Hatah
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

D Well Information

- (1) Drill Hole, Diameter 13 1/2", Depth 1,450 $\pm$ feet
- (2) Casing, Type steel, Diameter 10.75", Thickness 0.365"
(wood, concrete, steel, etc)
- (3) Screen, Type N/A, Diameter N/A, Length N/A
- (4) Gravel Pack, Thickness N/A, Length of gravel pack N/A

E. Dugout Information or Estimates

- (1) Surface dimensions, N/A, Depth N/A

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

- (1) Water Bearing Materials. (Attach a copy of test well log) No Test Well

Depth to top of water bearing material 1250 $\pm$

Depth to bottom of water bearing material 1500 $\pm$

Depth to water (ground surface to water level) 400 $\pm$

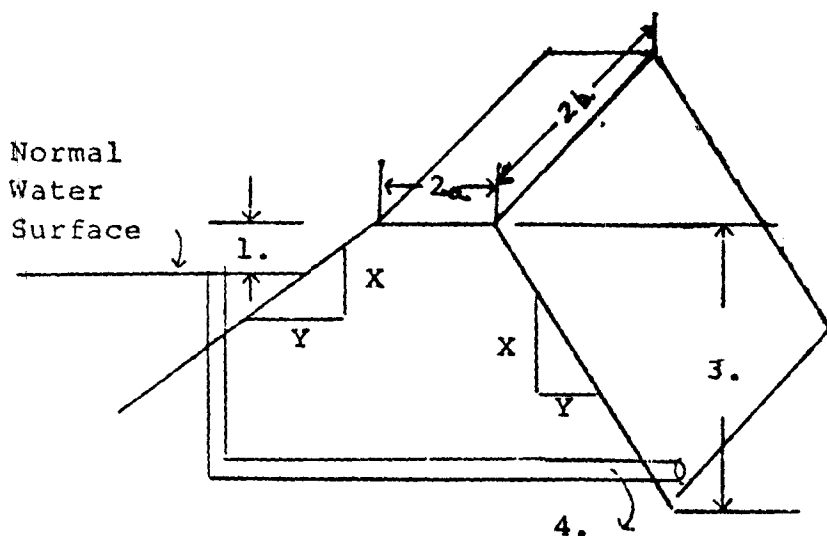
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property None rds.

On property owned by others 120 rds.

G Water Storage Dams N/A

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 _____

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9298

PIERRE, July 20, 1983, 19

RECEIVED OF City of Sturgis, 1019 First Street, Sturgis, SD 57785

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

Fee for Application for Permit to Appropriate Water No. 1287-1 (examination, processing, recording and filing)	50	00
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
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	50	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH/ms.

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9310

PIERRE, August 11 1983

RECEIVED OF City of Sturgis, 1029 First Street, Stuggis, South Dakota 57785

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

Fee for Application for Permit to Appropriate Water No. 1287-1 (examination, processing, recording and filing) -----	275	00
Fee for inspecting Construction, and issuing Cert. of Construction No.-----		
Fee for inspecting Beneficial Use, and issuing Water License No.-----		
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	275	00

WATER RIGHTS COMMISSION

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

STATE OF SOUTH DAKOTA WELL DRILLERS REPORT

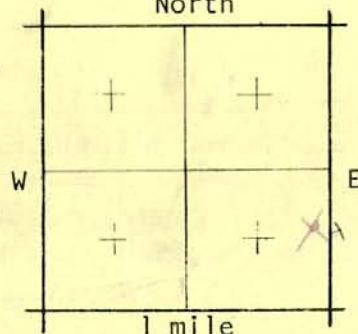
Location NE 1/4 SE 1/4 Sec 5 Twp 5N Rg 5E

County

North

Meade

Please mark well location with an "X"

Well Completion Date 2-15-84

PROPOSED USE:

☐ Domestic ☒ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock
Method of Drilling: Air Rotary

WELL CONSTRUCTION:

Diameter of hole 13 1/2 inches Depth 1500 feetCasing: ☒ Steel ☐ Plastic ☐ Other

Specify _____

 Pipe Weight Diameter From To
50 lb/ft 10 3/4 inches 0 feet 1063 feet
 _____ lb/ft _____ inches _____ feet _____ feet
Was a well screen used? ☐ Yes ☒ NoIf Not Specify OPEN HOLE COMPLETION

Screen Type _____ Slot Size _____

Length _____ Diameter _____

Was Casing left open end? ☒ Yes ☐ NoWas a Packer or seal used? ☐ Yes ☐ NoIf so what material? cement sealWas well gravel packed? ☐ Yes ☐ NoWas well grouted? ☒ Yes ☐ NoDescribe grouting procedure pressure groutedTo what depth? 1063 FeetWhat was grouting material? cementIf cement, how many sacks? 475

Location of packer(s) and screen or perforated pipe _____

WAS WELL PLUGGED OR ABANDONED ☐ Yes ☐ No

If so how and with what material?

Well Owner:

Name City of Sturgis, SD c/o John CusmaAddress Sturgis, SD 57785

Well Log:

Depth

Formation	From	To
<u>Gravel + Boulders</u>	<u>0</u>	<u>65</u>
<u>Spear fish</u>	<u>65</u>	<u>460</u>
<u>Minnehaha</u>	<u>460</u>	<u>500</u>
<u>Opeche</u>	<u>500</u>	<u>575</u>
<u>M. Minnehaha</u>	<u>575</u>	<u>1060</u>
<u>Madison</u>	<u>1060</u>	<u>1500</u>

STATIC WATER LEVEL 213 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut off? ☐ Yes ☐ No

WELL TEST DATA:

☒ Pumped☐ Bailed☒ OtherDescribe: test pumped + air developed

Pumping Level Below Land Surface

550 ft. After 12 Hrs. pumped 400 GPM460 ft. After 6 Hrs. pumped 300 GPM325 ft. After 6 Hrs. pumped 200 GPM

Remarks:

test pump results are approximate.This well was drilled under license # 331

and this report is true and accurate.

Drilling Firm Taylor DrillingSigned by Bob TaylorDate 4-9-84

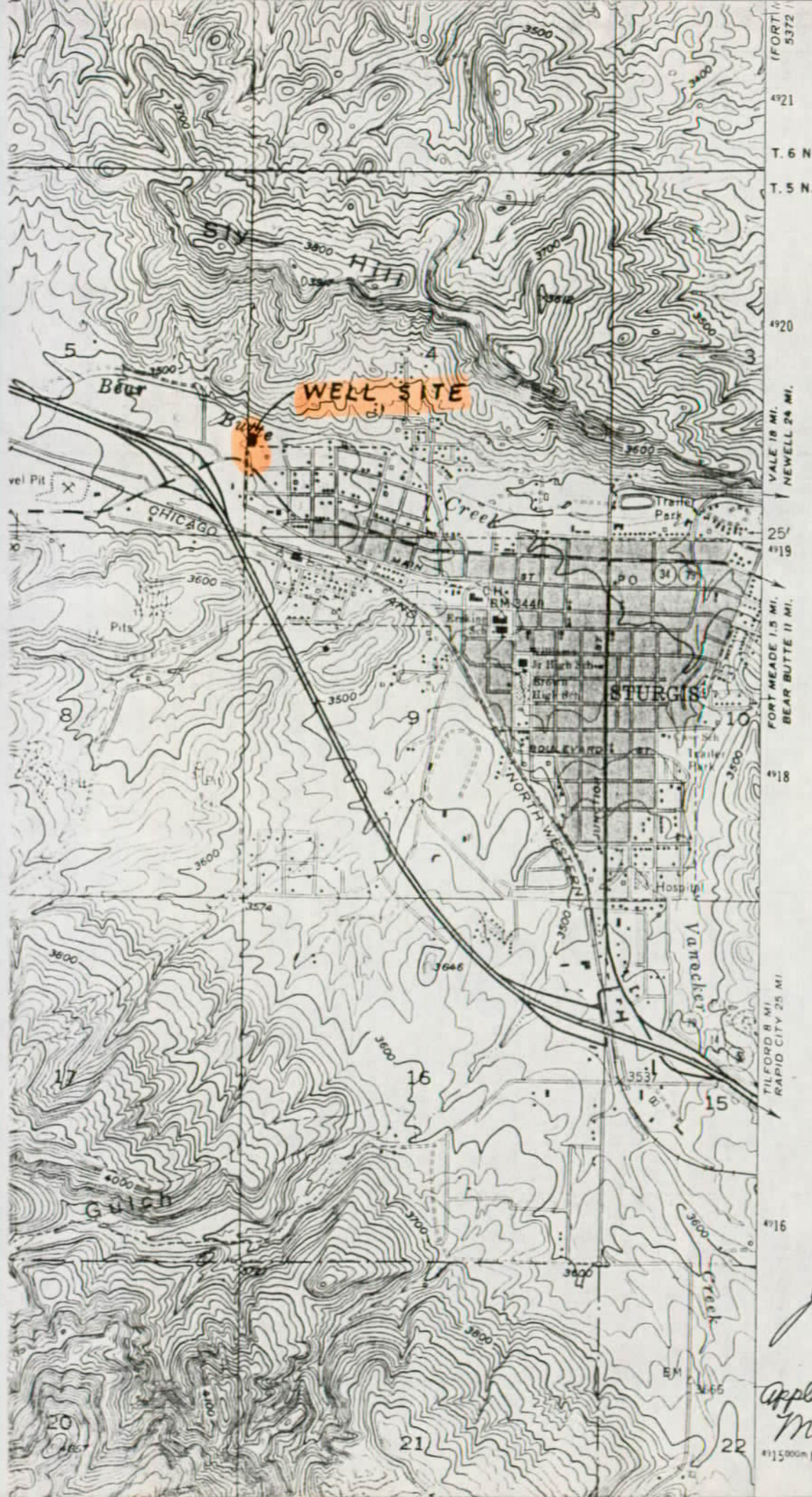
Date

Copy of
original Map
J. J. McNaugh

Point of Diversion =
1400' N and 100' E
of the SW cor of Sec. 4
T5N R5E.

John E. Ruoma
7-25-83

App'l #
Map # 1287-1
#150000 N





Sequence of the water
Supply for Sturgis..
from John Cousma
City Engineer
October 19, 1987
J. Murnaghan

- 1893 Dam #1
- 1894 #2
- 1921 #4
- 1935 #3
- 1938 Expand Dam #2
- 1948 Well #1 Madison Form
1025' Deep Most Water From Minnelusa
Casing 530' 450 GPM = 1 cfs
- 1960 Well #2 Minnelusa
225 GPM = 0.5 cfs
- 1967 Well #3 Madison
450 GPM = 1 cfs
- 1984 Well #4 Madison
450 GPM = 1 cfs
- 1975 Ind Park Well 50 GPM
- 1987 " " " 225 GPM = 0.5 cfs

SIoux PIPE & EQUIPMENT

1808 K. AVENUE P. O. BOX 1608 PHONE (605) 339-2814

SIoux FALLS, SOUTH DAKOTA 57102



WELL #1 and WELL #2

Combined Water Right #441-1

Existing Water Right = 3.6 cfs (cubic feet per second)
= 1615 GPM (gallon per minute)

STATE IS REDUCING THIS TO = 1.23 cfs
= 550 GPM

WELL #1	1120 GPM	350 GPM
	2.5 cfs	0.78 cfs
WELL #2	493 GPM	200 GPM
	1.1 cfs	0.45 cfs

Well #1 is pumping less due to Lower static Water Level

WELL #4

Water Right #1287-1

Existing Water Right = 450 GPM
1.0 cfs

STATE IS REDUCING TO = 250 GPM
= .56 cfs

We are using a smaller pump in this hole, temporarily,
due to sand pumping.

WELL #3

Water Right #780-1

Existing Water Right = 0.66 cfs
= 296 GPM

States want us to file for an additional 0.16 cfs or 72 GPM
at the cost of \$150.00.

TOTAL EXISTING WATER RIGHT ON ALL FOUR WELLS IS PRESENTLY 5.26 cfs
OR 2,360 GPM

STATE WILL REDUCE WATER RIGHTS ON THREE OF THE WELLS AT NO CHARGE
AND WILL INCREASE WATER RIGHT ON ONE WELL AT A COST OF \$150.00

AFTER THE PROPOSED CHANGES THE WATER RIGHT ON ALL FOUR WELLS WOULD
BE 2.61 cfs
OR 1,170 GPM

THEREFORE WE LOSE A NET 1,190 GPM IN WATER RIGHTS AND IT WILL ONLY
COST US \$150.00 TO DO SO. THEN WHEN THE STATIC WATER LEVEL IN-
CREASE IN WELL NO. 1 & THE SAND IS CLEARED UP IN WELL #4 WE CAN
THEN SPEND ANOTHER \$150.00 FOR EACH WELL TO GET OUR WATER RIGHT
BACK.

IF THEY WERE TO ADJUST THE WATER RIGHTS AS FOLLOWS AND NOT CHARGE
US TO DO SO, I THINK IT WOULD BE EQUITABLE AND FAIR TO EVERYONE.
THIS WOULD REVERT 33.5% OF OUR WATER RIGHT BACK TO THE STATE IN-
STEAD 50.4%. AT THE SAME TIME IT WOULD ALLOW US THE FLEXIBILITY
OF INCREASING FLOWS FROM 3 OF OUR WELLS IF CONDITIONS WERE TO ALLOW.

WELL #1	1 cfs	450 GPM
WELL #2	0.5 cfs	225 GPM
WELL #3	1.0 cfs	450 GPM
WELL #4	1.0 cfs	450 GPM
	3.5 cfs	1,575 GPM

WELL NO. 3 (Existing Well Rehabbed)

Discharge 400 GPM
 Pump Setting 610 Ft.
 Static H₂O Level 534 Ft.
 Drawdown Level 567 Ft.
 Static Lift (Pumphouse
 to tank overflow) 170 Ft. (El. 3770 - El. 3600)
 Dynamic Head Loss 7 Ft.

Total Pumping Head = $567 + 170 + 7 = 744$ Ft.
 + Pump Discharge Loss

WELL NO. 4 (New Well) Parcel 1287-1

Discharge 400 GPM.
 Pump Setting 550 Ft. 6/85
 Static H₂O Level 213 Ft. 222 Ft.
 Drawdown Level 451 Ft.
 Static Lift (Pumphouse
 to tank overflow) 310 Ft. (El. 3770 - El. 3460)
 Dynamic Head Loss 6 Ft.

Total Pumping Head = $451 + 310 + 6 = 767$ Ft.
 + Pump Discharge Loss

3' 4 3/4
 4 3
 9 0
 12 4 0
 133.3 0

THOMAS & ASSOCIATES CONSULTING ENGINEERS

605/348-1781 2222 Jackson Boulevard Rapid City, South Dakota 57701

July 8, 1983



Mr. John Cusma, PE&LS
City Engineer/Water Manager
1029 First Street
Sturgis, South Dakota 57785

Re: Well Permit Application
Sturgis, South Dakota

Dear John:

In conjunction with the application which you are preparing for well permit for the new Sturgis Water Well, you have asked me for anticipated formation depths, in lieu of a well log, since no test well has been drilled.

As you know, we have engaged Dr. J. Paul Gries, Consulting Geologist, for technical assistance in this well design. The following is a tabulation of Dr. Gries' estimate of formations and depths at this location:

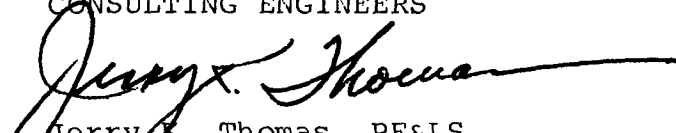
0- 65 feet	surface gravel and boulders
65- 550 feet	Spearfish redbeds
550- 590 feet	Minnekahta limestone
590- 700 feet	Opeche redbeds
700-1250 feet	Minnelusa sand, shale & limestone
1250-1500 feet	Madison limestone

The surface elevation at the proposed well site is 3462+ M.S.L.

Please let me know if you need any other details for this application, other than the above and the data furnished relative to question 12 D.

Sincerely,

THOMAS & ASSOCIATES, INC.
CONSULTING ENGINEERS


Jerry R. Thomas, PE&LS
President

cc: Dr. Gries

MEMBER



SINCE 1965

REPORT ON APPLICATION NO. 1287-1
CITY OF STURGIS

August 16, 1983

This application requests 1.0 cfs of groundwater from a proposed 1450 foot deep Madison Limestone Well. No test log is available but tentative formation tops were submitted with the application.

AQUIFER-Madison Limestone

GEOLOGY AND AQUIFER CHARACTERISTICS

The Madison (Pahasapa) Limestone can be described as a massive cavernous limestone and dolomite about 500 feet thick in this area. There are many authors who have contributed to the knowledge of the Madison (see bibliography) but generally all agree the Madison is an excellent aquifer especially near the outcrop (recharge) area of the Black Hills both in water quality and water availability.

REVIEW OF EXISTING WATER RIGHTS

There are no Madison well permits within 4 miles of Sturgis except the existing city wells. These wells probably draw most of their water from the Minnelusa because of the way the wells are constructed.

441-1	Sturgis Water Works	#1 1948 - 1100' deep	3.6 cfs Madison
		#2 1960 - 900' deep	
780-1	Sturgis Water Works	#3 1966 - 1000' deep	0.66 cfs Madison
1062-1	Sturgis Industrial Utility Board	450' deep	0.06 cfs Minnelusa

Water Right No. 441-1 is licensed for 3.6 cfs as a combination of 2.5 cfs and 1.1 cfs "new" (probably well #2). It is not clear on the license what exactly is licensed and I suggest this be reinspected to clarify these Water Rights.

CONCLUSIONS

1. Water is available from either the Minnelusa or Madison Formations.
2. The existing city wells are finished "open hole", that is, casing is cemented down to a depth of 600' or so and then the well is drilled out to the desired depth and developed. No screen or liner is installed.
3. Although it appears city well #1, #2 and #3 were drilled into the Madison, certainly water is coming from the Minnelusa also.
4. The City of Sturgis does not go into the specifics of the new well construction but it will probably be similar to the existing wells.
5. There is very little drawdown or testing data available. The City reports a specific capacity of 10 gal/ft of drawdown of Well #1.
6. Water Rights does not monitor any observation wells in this area.


JAMES A GOODMAN
Hydrologist

- Cox, E.J., 1962, Artesian Water, Minnelusa and Pahasapa Formations, Spearfish-Belle Fourche Area, SDGS Special Report 19.
- Darton, N.H., 1925, Central Black Hills Folio, South Dakota, USGS, Folio Number 219.
- Rahn, P.H. and J.P. Gries, Large Springs in the Black Hills, South Dakota and Wyoming, ~~SDGS Report of Investigations No. 107~~, Vermillion, SD
- Rahn, P.H., 1979, Ground Water Resources of Western South Dakota, U.S. Army Corps, SDSM & T, Project #2533.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1287-1, City of Sturgis

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 1287-1, City of Sturgis, 1029 1st Street, Sturgis SD.

The Chief Engineer is recommending APPROVAL of Application No. 1287-1 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:

The construction of the proposed Madison Formation well shall include pressure grouting with cement (bottom to top) of the casing above the water producing formation and compliance with Board well construction rules.

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.

The attached report is a part of this recommendation.



JOHN HATCH, Chief Engineer
August 18, 1983

WP ~~or~~ WR No. 1287-1

Instruction to Newspaper - Publish first publication of the following Notice on or before August 25, 1983 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1287-1 to Appropriate Water
and/or to Amend Water Permit or Water Rights No. _____

Notice is hereby given that the City of Sturgis whose mailing address is
1029 1st Street, Sturgis, South Dakota has made an application for a permit

to appropriate 1.00 cubic feet per second from groundwater - one 1450' Madison Formation Well, the point of diversion to be located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, Twp. 5N, Range 5E. Said water to be used for the purpose of providing water supplies for municipal use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends approval of Application No. 1287-1 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Civil Defense Room, Basement of State Capitol, Pierre, South Dakota, October 5 19 83 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by September 23, 1983. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; (ground) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; (future use) 46-5-38 thru 46-5-40; (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35; (10,000 AFA) 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRN, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by September 23, 1983.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Meade) ss.

I, Linda Adams hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Meade County Times-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

City of Sturgis

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

August 24, 1983

August 31, 1983

Linda Adams
(Signature)

Bookkeeper
(Title)

August 31, 1983
(Date Signed)

Cost of Printing: \$36.04

87 Lines @ 23.01 first publication

87 Lines @ 18.41 second publication

NOTICE OF HEARING ON
APPLICATION NO. 1287-1 TO
APPROPRIATE WATER

Notice is hereby given that the City of Sturgis whose mailing address is 1029 1st Street, Sturgis, South Dakota has made an application for a permit to appropriate 1.00 cubic feet per second from groundwater - one 1450' Madison Formation Well, the point of diversion to be located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, Twp. 5N, Range 5E. Said water to be used for the purpose of providing water supplies for municipal

use.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends approval of Application No. 1287-1 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Civil Defense Room, Basement of State Capitol, Pierre, South Dakota, October 5, 1983 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by September 23, 1983. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15:05.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre, SD (605-773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by September 23, 1983.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

1287-1

October 25, 1983

City of Sturgis
1029 1st Street
Sturgis, South Dakota 57785

Dear Sir:

Enclosed herewith is your Water Permit No. 1287-1 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 1287-1.

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 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 your 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: ms

enclosure

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.

WNR-809-5/83



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1287-1

December 14, 1987

City of Sturgis
1029 First Street
Sturgis, South Dakota 57785

Dear Sir:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 1287-1 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 issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Maxine Stirling
Secretary

ms/

NOTE: On check or money order, please indicate the number of the water permit. This insures proper handling of the fee.



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

April 11, 1988

SECOND NOTICE

Permit No. 1287-1

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Mayor Robert Voorhees
City of Sturgis
1029 First Street
Sturgis SD 57785

Dear Mayor Voorhees:

December 14, 1987 you were notified the final inspection fee of \$50.00 is due before Water License No. 1287-1 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch".

John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

s508.wr

cc: Beverly Patterson, Auditor

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411208

Pierre, April 20, 1988

RECEIVED OF City of Sturgis, 1147 Sherman Street, Sturgis, SD 57785

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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. 1287-1

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for Certified Copy of _____

Fee for Print Copy of Map _____

Fee for Certifying _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

50 00

By

John Hatch

Chief Engineer

JOHN HATCH

MS

Conversation or File Documentation

NAME OF PERSON OR FILE: City of Sturgis,ADDRESS: 1029-1st St, Sturgis, SD. 57785 COUNTY MeadeDATE: October 19, 1987 TELEPHONE _____RE: Recheck of the Sturgis City wells.

COMMENTS:

I talked to John Cusma the city engineer about their wells. He said most of the water comes from the Minnelusa. The Madison produces very little on their wells. The well have perforations in both formations. They got permission from Water Rights according to Cusma.

I put some information Cusma gave me in folder for permit # 1287-1

Cusma said they have not heard any word on their application that was submitted about June 1987. He said that they have dug the well.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Leroy J Mernaugh

Belle Fourche River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by City of Sturgis
1029 First Street, Sturgis, S.D. 57785 holder of
Permit No. 1287-1, bearing the priority of July 18 19 83 authorizing
the diversion of 1.0 cu. ft. per second of the waters of Well # 4.
for Municipal purposes, in Meade County.

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

A. Works used to divert the water:

Well - Depth = 1497 ft. into Madison Formation
static level = 222 ft.
pump setting at 550 ft.

Two Pressure Tanks
in concrete Well House

Gould Pump with 100 HP Franklin Motor, submersible pump.

B. Works used to transport water to place of use: Well capacity 450 gpm. pumping 320 gpm now.
Pipeline from well to City Distribution System

C. Works used to apply water to beneficial use:

Sturgis Water Distribution System

The system is in the following condition Good

The point of diversion is located 1400' N and 100' E of the SW cor. Sec 4, T5N R5E
This is in the NW 1/4 SW 1/4 section 4, T5N R5E

The works are capable of diverting and conveying to the place of use 450 + GPM = 1.0
cu. ft. per second of water which is to be used for Municipal Purposes

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

comprising a total of _____ acres of land and the license should be issued for 1.0 cfsApplicable permit qualifications have been complied with X Yes _____ NoExceptions to compliance are: _____ Date October 19, 1987

Leroy J. Mernaugh
(signature)

State of South Dakota
Water License No. 1287-1

(1) The City of Sturgis
of 1147 Sherman Street, Sturgis, South Dakota 57785
made Application No. 1287-1, July 18, 1983 for a water permit to appropriate
1.0 cubic feet per second of water from groundwater,
Meade County, South Dakota for municipal purposes.
Permit No. 1287-1, with a priority date of July 18, 1983
was approved October 5, 1983 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before October 5, 1988 and for the application to beneficial use of said
water on or before October 5, 1992.

and

applicant

(2) It is certified that the ~~application~~ ^{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 1.0 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 1400'N and 100'E of the SW Corner of
Section 4, T5N, R5E (NW $\frac{1}{4}$ SW $\frac{1}{4}$)

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use, ~~to the following extent,~~ The water is diverted through the City's distribution system for municipal purposes.

(4) Pursuant to §46-5-30.1 the City of Sturgis
of 1147 Sherman Street, Sturgis, South Dakota 57785
the holder(s) and/or owner(s) of Water Permit No. 1287-1 is issued a license to appropriate water, the right to use 1.0 cubic feet per second of water from groundwater (one well) with a priority date of July 18, 1983 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of municipal use.

This license is subject to any limitations or qualifications listed in Water Permit No. 1287-1 and subject to South Dakota State Law.


Chief Engineer/Water Rights Division
Department of Water and Natural Resources

JOHN HATCH

DEC 20 1988

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

1287-1

DEC 20 1988

City of Sturgis
1147 Sherman Street
Sturgis, South Dakota 57785

Dear Sir:

Enclosed is Water License No. 1287-1. This is the final water right document completing your process of obtaining a Water Right.

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. 1287-1, 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.

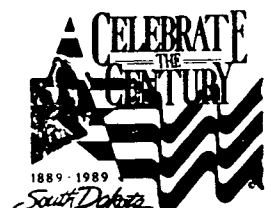
As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,



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

enclosures



Permit No. 1287-1Belle Fourche R. Water District10120202**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Sturgis Water Works1025 First St. of Sturgis, SD 57785 holder ofPermit No. 1287-1, bearing the priority of July 18 19 83 authorizingthe diversion of 1.0 cu. ft. per second of the waters of groundwater (Well #4)for municipal purposes, in Meade County.

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

A. Works used to divert the water:

1497' Deep Well: 10" Casing150 H.P. Submersible PumpStatic Level - 222'

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

Pipeline From well to City distribution system.

C. Works used to apply water to beneficial use:

Sturgis Water Distribution SystemThe system is in the following condition GoodThe point of diversion is located NW 1/4 SW 1/4 Sec. 4, T5N, R5E;
1400' N & 100' E of the SW corner of Sec. 4The works are capable of diverting and conveying to the place of use 0.55cu. ft. per second of water which is to be used for municipal purposesWater has been put to beneficial use to the maximum extent as follows: N/Acomprising a total of — acres of land and the license should be issued for 0.55 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: — Date 4-11-89James L. Wentz
(signature)

LICENSE FOR PERMIT NUMBER 1287-1~~4-11-89~~
4-11-891. Legal location of wells: NW 1/4 SW 1/4 4-5N-5E

dams & structures: _____

2. Well Information: Well Drilling Firm —No. of wells 1 Depth 1497'Casing a) diameter 10" Screen a) type _____

b) length _____ b) length _____

c) type _____ Static Water Level 222'Pump a) make _____ Motor a) make Submersible

b) model _____ b) model no. _____

c) size _____ c) horsepower rating 150d) capacity 250 GPM d) motor efficiency rating _____

e) turbine pump _____

no. of stages _____

3. Distribution lines:

a) size of lines _____

b) type _____

c) length _____

4. Dam information:

a) height to crest _____

b) height to spillway _____

c) crest width _____

d) crest length _____

e) spillway length _____

f) spillway width _____

g) approx. storage _____

h) Distribution lines or canals:

1) size _____

2) type _____

3) length _____

i) Outlet tubes:

1) diameter _____

2) type _____

3) valued (Y/N) _____

4) valve type _____

5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet

2) diameter of pipe _____

3) make, model & number of sprinklers _____

4) spacing of sprinklers _____

5) nozzle size _____

b) towline:

1) length _____ feet

2) make, model & number of sprinklers _____

3) spacing of sprinklers _____

4) nozzle size _____

5. System Type: c) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running _____
- 9) GPM _____

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES

NO

Check Items

N/A

✓

✓

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.

2. Special Qualifications to permit being abided by.

3. All Structures, wells and lands on map.

REMARKS:

Conversation or File Documentation

NAME OF PERSON OR FILE: Sturgis Water Works
ADDRESS: Sturgis, SD COUNTY Meade
DATE: 5-5-89 TELEPHONE _____
RE: Inspection of 1287-1

COMMENTS:

Sturgis Water Works also has a Vested
Right No. 441-1. During the inspection
of the Water Works, it was discovered
that Water Right No. 1287-1 is not
accurate. The well ~~is~~ covered under
this Water Licence is now pumping less
than the 1.0 cfs which it had originally
been licensed for. Therefore, the License
should be reissued for the current
capacity of the well (0.55 cfs).

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

James L. Wernath



State Senator
District 26

Bruce J. Walker
Home: (605) 347-3414

Senate Lobby Phone
(605) 773-3821

P.O. Box 159
Sturgis, SD 57785

May 30, 1989

John Hatch Chief Engineer
Dept of Water + Natural Resources
Joe Foss Bldg.
523 E. Capitol
Pierre, S Dak 57501



Dear John:

I am one of 3 members of the Municipal Utility board here in Sturgis that manage the municipal water.

On our monthly meeting held May 8, 1989 our Engineer John Cusma gave the board members a copy of the changes your department is making on our four water wells.

First, John, these wells were checked in February 1989 when the demand is at about the lowest point.

Second, when we have an existing water right, what authority does the department have in altering it?

Third, why in the name of the Lord do we have to pay \$150⁰⁰ per well to get our water right back?

There is certainly something wrong, John, you know very good and well, the municipality is not wasting any water. We know how precious it is.

I do not know your reasoning for reducing our existing water rights already filed with the board of water + natural resources and more so to charge \$150⁰⁰ per well to get them reinstated, but I assure you that I'm certainly going to check into this. I certainly do not like this kind of bureaucracy in the least.

Respectfully,
Bruce J. Walker

Enclosure



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

June 8, 1989

Bruce J. Walker
P.O. Box 159
Sturgis, SD 57785

Dear Mr. Walker:

I am writing in response to your May 30, 1989 letter concerning Sturgis water rights. On April 11, 1989, Division Engineer, Jim Wendte made an inspection of the four wells used by Sturgis. During the inspection, Mr. Wendte was accompanied by Eldon Christians, an employee of the city. Our analysis concerning the Sturgis water rights is based on information supplied to Mr. Wendte on the day of the inspection.

Existing water rights are only valid to the extent of the actual amount of water developed and used. When only a portion of the water authorized for appropriation by a water permit is actually developed, the remaining water is forfeited and reverts back to the public.

Water Right No. 441-1 authorizes 3.6 cubic feet of water per second (cfs) from well Nos. 1 and 2. According to information given to Jim Wendte the City is pumping 1.23 cfs (1.0 cfs equals 449 gallons per minute). Water Right No. 1287-1 authorizes 1.0 cfs from well No. 4. The City is pumping 0.56 cfs. The City is limited by law to the pumping capacity for each of the three wells.

Water Right No. 780-1 authorizes 0.66 cfs from well No. 3. Jim Wendte was informed that the pump capacity is 0.82 cfs. The City needs to submit an application for the amount in excess of the authorized 0.66 cfs.

If any of the information given to Jim Wendte is incorrect, please provide us with the correct pump capacities.

There may be some confusion concerning fees and reinstatement of water rights. Sturgis currently has three valid water rights which do not need to be reinstated. Licenses need to be reissued, if a pump's capacity is less than the amount stated on the original license. There is no fee for reissuing a water license.

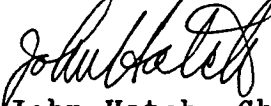


June 8, 1989
Bruce J. Walker
Page 2

There would be a fee for an application to increase the authorized pump capacity from well No. 3. The fee is based on the amount of water that is required on the application.

I hope this clears up any misunderstanding which has developed. We will wait for a response from you or the City before we proceed to reissue the Water Licenses. The forfeiture of water and the need to apply for additional water, as outlined above, are according to South Dakota Laws. If you have any questions, please contact Delvin Brosz at 773-3352.

Very truly yours,



John Hatch, Chief Engineer
Division of Water Rights
(605) 773-3352

cc: John Cusma

Water Rights Division - DENR

Conversation or File Documentation

Name of Person: **Eldon Christians, Water Superintendent** File No. **441A-1, 441B-1, 780-1, & 1287-1**

Address: **City of Sturgis, 1029 1st Street, Sturgis, SD 57785-1507** County: **Meade**

Date: **October 23, 1997** Telephone: **347-4424**

RE: **Status of Sturgis Water Rights**

Comments: **I discussed the listed water rights by telephone with Eldon Christians, Sturgis Water Superintendent, October 21, 1997.**

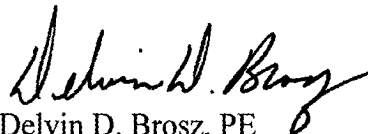
Vested Water Right 441A-1 - validated for 0.89 cfs. This is well no. 1 and the rated pump capacity is 0.89 cfs.

Water Right No. 441B-1 - licensed for 0.51 cfs. This is well no. 2 and the rated pump capacity is 0.51 cfs.

Water Right No. 780-1 - licensed for 0.66 cfs. This is well no. 3 and the rated pump capacity is 0.89 cfs. This exceeds the licensed water right by 0.23 cfs.

Water Right No. 1287-1 - licensed for 1.0 cfs. This is well no. 4 and the rated pump capacity is 0.66 cfs. This is 0.34 cfs less then the licensed water right.

I informed Mr. Christians that we would add well no. 3 as an additional diversion point to Water Right No. 1287-1 and reissue the water right for 0.89 cfs (0.66 + 0.23).



Delvin D. Brosz, PE
Natural Resources Engineer

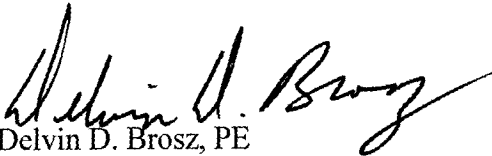
DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
WATER RIGHTS PROGRAM

October 23, 1997

RE: Additional Diversion Point for Water Right No. 1287-1, City of Sturgis.

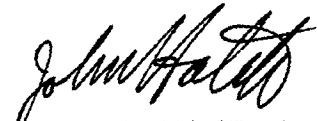
An investigation of Water Right Nos. 780-1 and 1287-1 found that the pump rate for Water Right No. 780-1 exceeded the authorized diversion rate by 0.23 cfs. The pump rate for Water Right No. 1287-1 is 0.34 cfs less than authorized. SDCL 46-5-13.1 provides that a point of diversion may be changed or additional points of diversion may be approved without application or publication of a notice of hearing if the additional point of diversion is from the same source of water, no additional water is appropriated and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

Water Right No. 1287-1 authorizes 1.0 cubic feet of water per second (cfs) from the Madison and Minnelusa formations from a well located in the NW 1/4 SW 1/4 of Section 4 T5N-R5E. An investigation found additional water diverted from the Madison and Minnelusa formations from a well located in the NE 1/4 NE 1/4 of Section 21 T5N-R5E. The total water diverted from the two wells is less than 1.0 cfs. Water Right No. 1287-1 should be reissued for the additional well and for a total of 0.89 cfs.



Delvin D. Brosz, PE
Natural Resources Engineer

The Chief Engineer makes a finding that the additional diversion point does not increase the potential for interference with existing diversions. In making the finding, "does not increase the potential for interference" is interpreted to mean potential for adverse interference.



John Hatch, Chief Engineer
Water Rights Program

11-10-97

STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 1287-1

(1) The City of Sturgis, 1147 Sherman Street, Sturgis SD 57785-1596 was issued Water License No. 1287-1, December 20, 1988 for a water right to divert 1.0 cubic feet of water per second (cfs) from groundwater (one well), Meade County, South Dakota for municipal purposes. Water License No. 1287-1, with a priority date of July 18, 1983 was issued to the City with construction of the described water supply system completed and the application to beneficial use of said water completed.

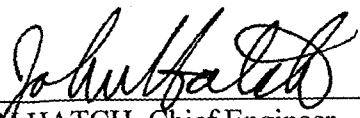
An investigation of Water Right Nos. 780-1 and 1287-1 found that the pump rate for Water Right No. 780-1 exceeded the authorized diversion rate by 0.23 cfs. The pump rate for Water Right No. 1287-1 is 0.34 cfs less than authorized. SDCL 46-5-13.1 provides that a point of diversion may be changed or additional points of diversion may be approved without application or publication of a notice of hearing if the additional point of diversion is from the same source of water, no additional water is appropriated and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

Water Right No. 1287-1 authorizes 1.0 cfs from the Madison and Minnelusa formations from a well located in the NW 1/4 SW 1/4 of Section 4-T5N-R5E. An investigation found additional water diverted from the Madison and Minnelusa formations from a well located in the NE 1/4 NE 1/4 of Section 21-T5N-R5E. The total water diverted from the two wells is less than 1.0 cfs. Water Right No. 1287-1 is being reissued for the additional well and for a total of 0.89 cfs.

(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 0.89 cubic feet of water per second for beneficial use. The location of the diversion points are: Well #3 - NE 1/4 NE 1/4 Section 21 and Well #4 - NW 1/4 SW 1/4 Section 4; all in T5N-R5E.

(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 the City of Sturgis, 1147 Sherman Street, Sturgis SD 57785-1596 the holder and/or owner of Water Right No. 1287-1 is reissued a license to appropriate 0.89 cubic feet of water per second from groundwater (two wells) with a priority date of July 18, 1983 from the locations specified in (2) of this license for municipal use. This reissued license is subject to any limitations or qualifications listed in Water Right No. 1287-1 and subject to South Dakota State Law.


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

NOV 19 1997

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 19, 1997

1287-1

Beverly Patterson, Finance Officer
City of Sturgis
1147 Sherman Street
Sturgis, SD 57785-1596

Dear Ms. Patterson:

Enclosed is Reissued Water License No. 1287-1 for the City of Sturgis.

The original water license authorized diversion of 1.00 cubic feet of water per second (cfs) from one well. An investigation of the water use system found additional water being diverted from the Madison and Minnelusa formations from a well located in the NE¼ Section 21, T5N, R5E. The total water diverted from the two wells is less than the 1.00 cfs originally authorized. Water License No. 1287-1 was reissued to allow diversion of water from two wells at a rate of 0.89 cfs.

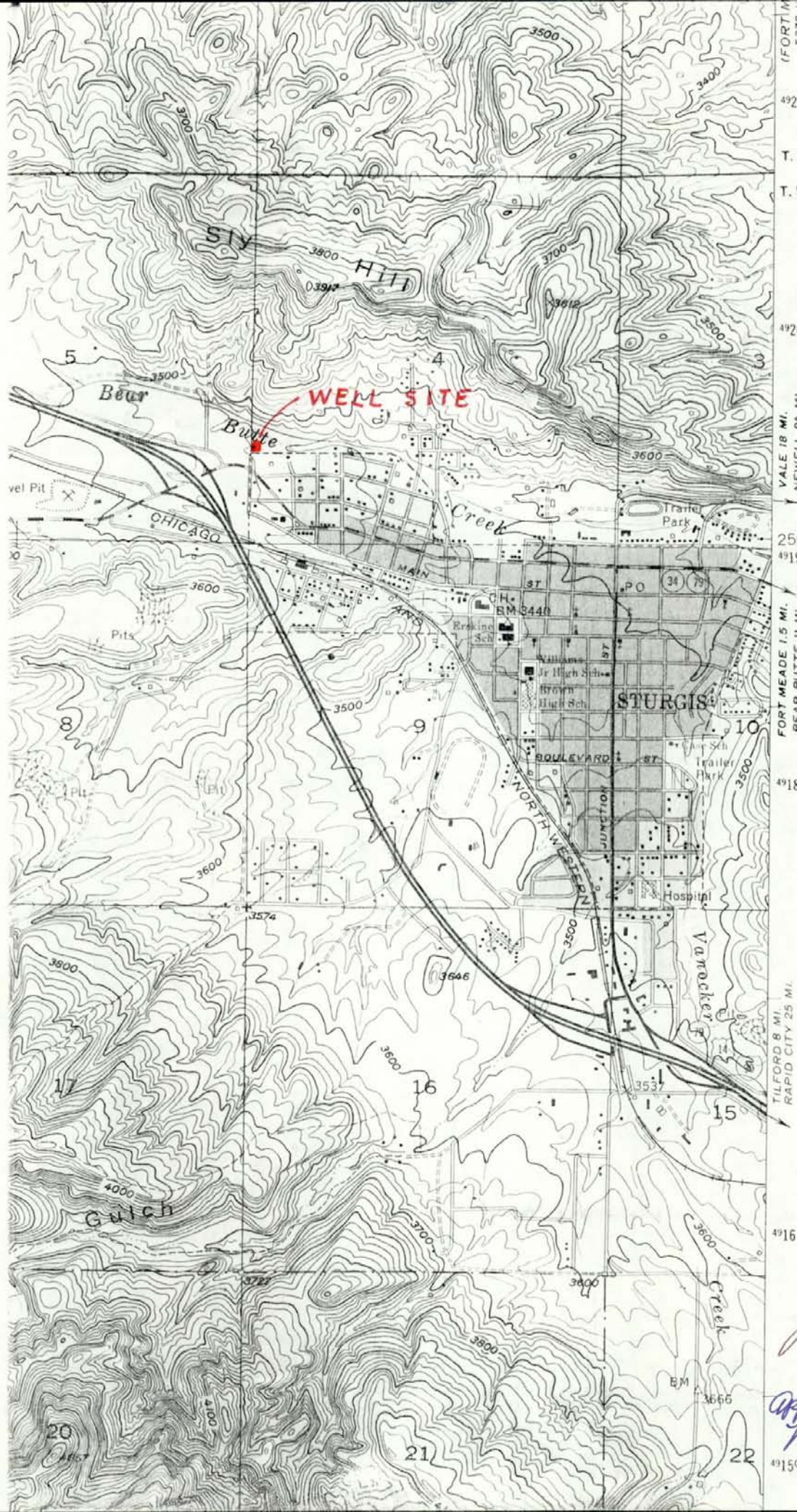
As long as you use the water beneficially, as stated in the Water License, South Dakota water laws provide that you have a continuing right to the use of the water. If you have any questions concerning the reissued water license, please contact our office.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Program
(605) 773-3352

ks

enclosures



(FORTIN 5372)
4921
T. 6 N.
T. 5 N.
4920
VALE 18 MI.
NEWELL 24 MI.
25'
4919
FORT MEADE 1.5 MI.
BEAR BUTTE 11 MI.
4918
4916
TILFORD 8 MI.
RAPID CITY 25 MI.
4915000 N.

John C. Ruoma
7-25-83

App#
Map # 1287-1