

Considered: _____

WATER PERMIT NO. 1396-1

MAP No. Same

Name of Applicant City of Sturgis

Post Office Address 1147 Sherman Street, Sturgis, SD 57785

Amount of Water Claimed 0.50 cfs Total Acres NA

Source of Water Supply ground water (1 well) Minnelusa Formation

Water to be used for Mun., Ind. & Com. uses County Meade

About 1 1/2 miles W of Sturgis.

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received June 22, 1987 Fee \$250.00 Remarks _____

Corrected Application Received _____ Period of Annual Use Jan 1 - Dec 31

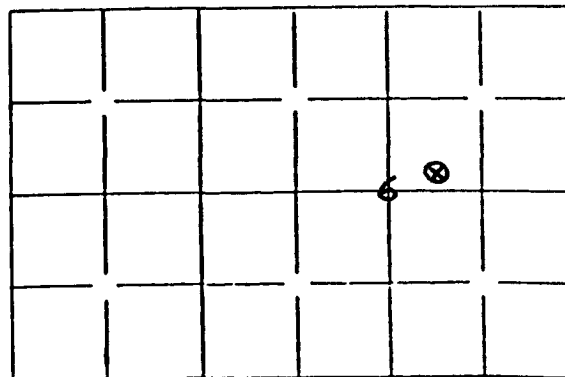
WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point well: SW 1/4 NE 1/4 section 6 - T5N -

R5E

Land to be Irrigated NA



Well Log: Driller well not constructed Licensed YES _____ NO _____

Depth of Well 525 feet REMARKS well will possibly be constructed

by Graf

Type of Map plat & topo PREPARED BY John Cusma Reviewed and the Number

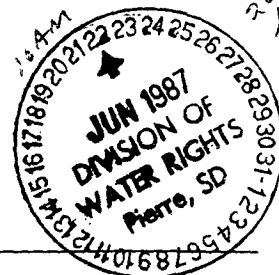
assigned on June 24, 1987 By Ron Duvall

No. 1396-1 Hydrologic Unit 10120202
 Map No. same Basin Belle Fourche R
 Newspaper Meade Co. Times-Tribune, Box 69, Sturgis
 (wed)

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

Check use of water: Industrial ☒ Commercial ☒ Municipal ☒ Other Common Distribution System ☐
 Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
 Domestic ☐ (above 18gpm) Other ☐

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐☐ Amend Permit No. _____ with old priority date retainedChange diversion point(s) ☐ Add diversion point(s) ☐ Other ☐☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____☐ Construction to use water reserved by Future Use Permit No. _____1. Name of Applicant City of Sturgis Phone No. 605-347-4424Post Office Address 1147 Sherman Street, Sturgis State SD 57785
(Street, RR or Box) Zip Code2. Amount of water claimed (c.f.s) 0.5 cfs = 225 gpm3. Source of water supply Minnelusa formation - well4. Location of point of diversion SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ Section 6, T5N, R5E of the B.H.M. - See attached maps:County Meade5. Counties where water will be used Meade6. Annual period during which water is to be used January 1 through December 31

7. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Construct new well using 7 inch O.D. well casing and 6 inch dia. open hole below casing in the Minnelusa formation. Well casing to extend 60 feet into Minnelusa.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA)
County of Meade)^{ss}

I, James U. Dickson, Chairman-Municipal Utility Board the applicant, certify that I have read the foregoing application, 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. Dickson
1987 day of June 1987

Subscribed and sworn to before me this

John E. Ruoma
 Notary Public (John E. Ruoma)
 Notary Public, South Dakota
 My Commission Expires June 13, 1989

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 1396-1

City of Sturgis

(Applicant)

1147 Sherman Street

(Street, RR or Box)

Sturgis, South Dakota

(City)

(State)

57785

(Zip Code)

With the following qualifications.

1. The casing of the well to be constructed under Permit No. 1396-1 shall be pressure grouted with cement (bottom to top) from the producing formation to the surface and the well constructed in compliance with Water Management Board Well Construction Rules, Chapter 74:02:04.
2. 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 June 22, 1987

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

Date of receipt of corrected application _____, 19____. Approved September 9, 1987

The Water Management Board approved this Water Permit No. 1396-1 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is June 22, 1987
2. The equivalent of at least one-fifth of the specified work is to be completed on or before March 9, 1990
3. The whole of said work is to be completed on or before September 9, 1992
4. The limit of time for proof of beneficial use of water appropriated in accordance herewith is September 9, 1996
5. The water appropriated shall be used for the purpose of industrial, commercial and municipal uses by the City
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 unlawfully impaired by this appropriation.
7. The amount of the appropriation granted shall not exceed 0.50 cubic feet per second; neither shall it exceed the amount of water needed for the beneficial uses served and to which water is actually and beneficially applied for industrial, commercial & municipal use on or before September 9, 1996. The water is to be used during the following described annual period: January 1 - December 31

WATER MANAGEMENT BOARD

By: _____

Chief Engineer

JOHN HATCH

Division of Water Rights

Dept. of Water and Natural Resources

NOV 3 1987

_____, 19____

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 8 5/8 inch Depth 525
- b) Casing Type steel Diameter 7 inch OD Thickness .30
- c) Screen Type N/A Diameter Thickness
- d) Gravel Pack Thickness N/A Length of Gravel Pack
- e) Depth to Top of Water Bearing Material 390 feet
- f) Depth of Water (ground surface to water level) 110 feet
- g) Distance to nearest existing domestic well:
- On applicants property 725' On property owned by others Unknown

2. Dugout Information Estimates

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

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard

c) Crest Width

Crest Length

d) Height

e) Outlet Dimensions:

Pipe diameter

Spillway width

f) X & Y Slope

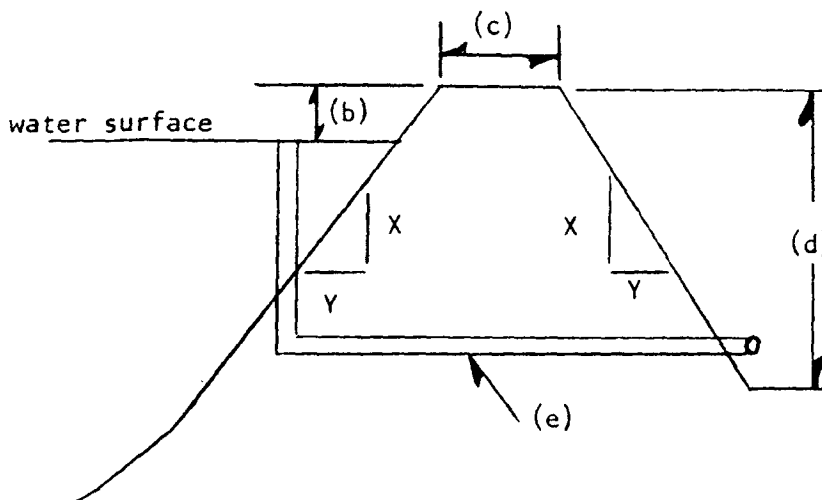
Upstream

Downstream

Surface Area of Impoundment

Storage acre feet

Drainage area above dam



Signature of Applicant

Oyster Mountain

POINT OF DIVERSION
WELL MINNELOUSA



5582

BM 3538

Gravel Pit

CHICAGO

T5N R5E B.M.

CITY OF
ST. LOUIS
Creek

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, June 22, 1987

RECEIVED OF Sturgis Development Corporation, Box 504, Sturgis, SD 57735

the following amount in fees for services rendered as provided for by law: (for City of Sturgis, 1147 Sherman St.)

Fee for Application for Permit No. <u>1396-1</u> to Appropriate Water, to construct works and to put water to beneficial use _____	250	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	250 00

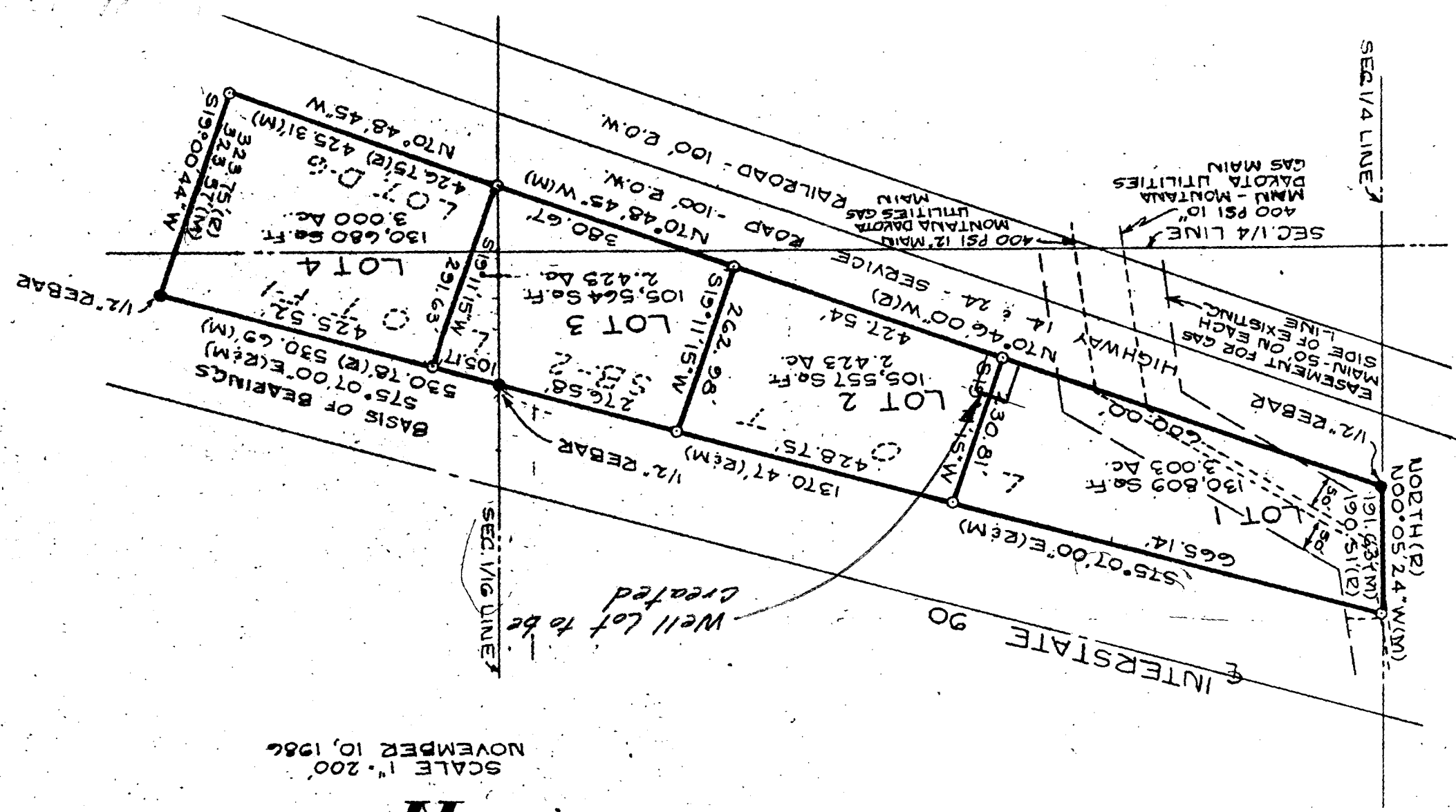
By John Hatch
Chief Engineer JOHN HATCH (MS)

located in: The S½ of NE¼ and the N½ of SE¼ of SECTION 6, T5N, R5E, BHM.
 MEADE COUNTY, SOUTH DAKOTA

1370.47
 530.69
 1981.16

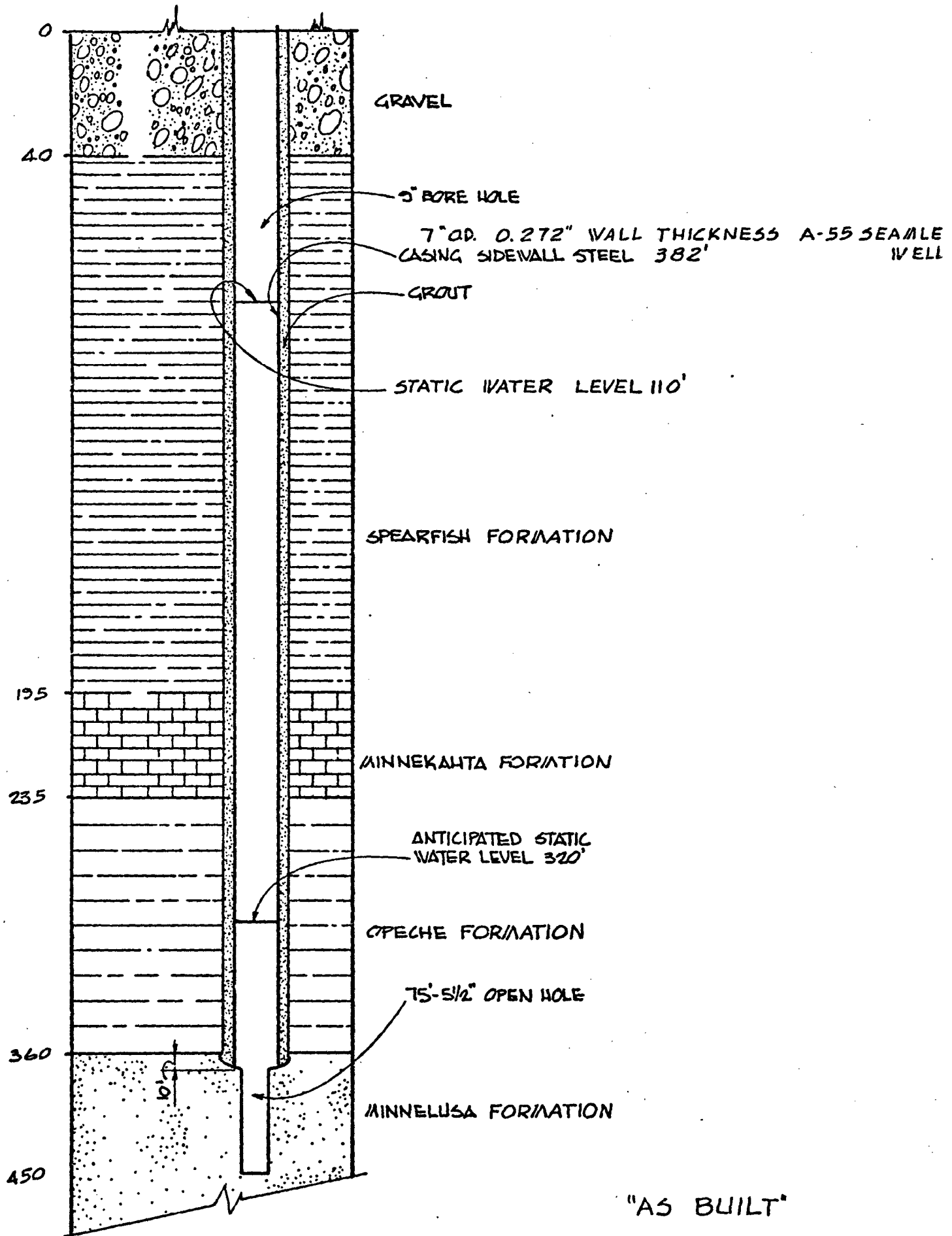


SCALE 1"=200'
 NOVEMBER 10, 1986



ESTIMATED LOG OF NEW WELL

DISTANCE IN FEET



"AS BUILT"

LOG NEW WELL
STURGIS INDUSTRIAL PARK

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

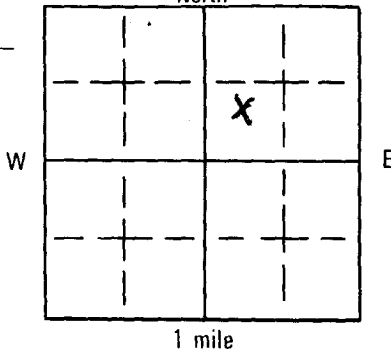
Location SW 1/4 NE 1/4 Sec 6 Twp 5N Rg 5E

County

North

Meade

Please mark well location with an "X"

Well Completion Date 9-12-87

PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Test Holes
☐ Irrigation ☒ Industrial ☐ Stock

Method of Drilling:

FORWARD ROTARY - AIR

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>29</u> LB/FT	<u>9 5/8</u> IN	<u>0</u> FT	<u>50</u> FT	IN
<u>26</u> LB/FT	<u>7</u> IN	<u>0</u> FT	<u>359</u> FT	IN
<u>openhole</u> LB/FT	<u>6 1/4</u> IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 0, 359 FEETWhat is grouting material? CEMENTIf cement, number of sacks? 80Describe grouting procedure 591 WATER (Skcon)What was grout weight? no scales LB/GALSCREEN: ☐ Perforated pipe ☐ ManufacturedOpen hole 6 1/4 IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NO

Explain _____

Bacteriological analysis ☒ YES ☐ NO

Laboratory sent to _____

Well Owner:

Name CITY OF STURGEONAddress 1025 1ST ST.

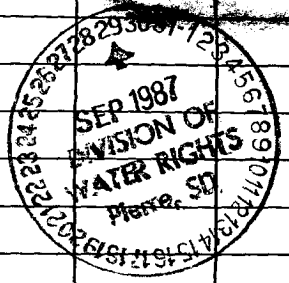
Well Log:

Depth

Formation

From

To

RED BED0265WATER AT BOTTOM2MINNİKOTA LIME265290MINNİKOTA OPEACHE290415MINNİKOTA SA415460STATIC WATER LEVEL 140 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 in? _____

WELL TEST DATA:

☒ PumpedAIR TEST☐ Bailed

Describe: _____

☐ OtherPumping Level Below Land Surface (Air)300 ft. After 2 Hrs. pumped 180-200 GPM200 ft. After 4 Hrs. pumped 51 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

5hp. Pump 3 Ph 220
2" Galv. Drop Pipe
PITless adopt
Water 14 G. Head.

This well was drilled under license # 327

And this report is true and accurate.

Drilling firm Great Drilling

Signature of License Representative:

Signature of Well Owner:

Date _____

City of Sturgis, South Dakota

Engineering and Inspections - 1029 First Street

STURGIS, SOUTH DAKOTA 57785-1507
PHONE 605-347-4424



June 18, 1987



Mr. Ron Duvall
Water Rights Division, DWNR
Joe Foss Building
Pierre, South Dakota 57501

Dear Mr. Duvall:

Please find enclosed a Water Right application for the City of Sturgis that we discussed earlier this week on the telephone.

The well log that is included with this application is for a City well located approximately 725 feet south of the proposed new well. Upon completion of the new well, the driller will submit the log for the new well.

If you have any questions or require additional information, please contact me at 347-4424.

Sincerely,

A handwritten signature in cursive script that reads "John E. Cusma".

John E. Cusma, P.E., L.S.
City Engineer

JEC/jpp

REPORT ON APPLICATION NO. 1396-1
CITY OF STURGIS
July 13, 1987

Permit Application No. 1396-1 proposes to appropriate 0.50 cubic feet of water per second from one well 525 feet deep to be located in the SW 1/4 NE 1/4 Section 6, T5N-R5E. The water is to be used for industrial, commercial, and municipal purposes by the City of Sturgis.

AQUIFER: MINNELUSA FORMATION

GEOLOGY AND AQUIFER CHARACTERISTICS

The Minnelusa formation is an assemblage of alternating beds of Sandstone and Dolomitic Limestone with lesser amounts of red and black shale and chert, approximately 500 feet thick. Because the lithology of the Minnelusa is variable, the porosity of the formation is also variable and difficult to determine. Well sorted sand lenses have porosities approaching 25%, but generally the sands have porosities of 10%. The average porosity of the Minnelusa formation is estimated to be 10% and the effective porosity is assumed to be 5% (Rahn, 1979). The Minnelusa Formation underlies approximately 2,172,800 acres of Meade County and contains an estimated 81,480,000 acre-feet of recoverable water in storage in the county (Allen, 1984). There is no aquifer test data available for the Minnelusa Aquifer in this area, therefore, the aquifer transmissivity and storage coefficient are unknown. Estimates from regional studies of the aquifer indicate the aquifer transmissivity may range from 700 to 1000 ft²/d, and the storage coefficient ranges from 2×10^{-4} to 3×10^{-4} (Peter, 1985). The Minnelusa Aquifer is under artesian conditions in this area, and the static water level is estimated at 110 feet below land surface. Reported yields from wells completed into the Minnelusa Formation in Section 6, T5N-R5E range from 50 to 100 gpm, and specific capacities for the wells range from 0.15-0.22 gpm/ft (Rahn, 1979).

Recharge to the Minnelusa Formation occurs primarily through infiltration of precipitation falling directly on the outcrop, streamflow loses, and upward leakage from the Madison Limestone. Recharge rates have not been quantified for the Minnelusa Formation.

The Division of Water Rights presently monitors an observation well completed into the Minnelusa Aquifer located approximately one mile west of the applicants proposed well site. The well was completed in 1986 and historical data (water levels) are limited.

REVIEW OF EXISTING WATER RIGHTS

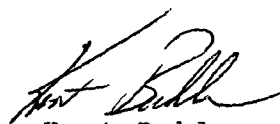
There are 10 existing groundwater permits within 2 1/2 miles of the applicants well, they include:

<u>Permit No.</u>	<u>Owner</u>	<u>Source</u>
431-1	J. Parsons	Inyan Kara
441-1	Sturgis Water Works Co.	Madison and Minnelusa?
683-1	G. Murphy	Opeche Shale
1062-1	Sturgis Municipal Utility Board	Minnelusa
1100-1	I. Shonley	Madison
1287-1	City of Sturgis	Madison
1318-1	G. Baldwin	Minnelusa
1349-1	W. Mann	Minnelusa
1351-1	Sturgis Truck Stop	Minnelusa
1380-1	L. Remington	Alluvium

The Division of Water Rights has record of several domestic wells in this area which depend on the Minnelusa as a source.

CONCLUSIONS

1. The Minnelusa Formation is a viable aquifer in this area.
2. The average recharge to the Minnelusa formation has not been quantified.
3. The proposed appropriation should have no adverse affect on adequately constructed wells completed in the Minnelusa Formation in this area.
4. The well should be constructed in accordance with the South Dakota Well Construction Standards.



Kent Buhler
Natural Resources Engineer

REFERENCES

- Rahn, P.H., 1979, Ground Water Resources of Western South Dakota, U.S. Army Corps of Engineers, SDSM&T Project #2533, South Dakota School of Mines and Technology, Rapid City, South Dakota.
- Allen, J.C., D. Illes, A. Petres, 1984, Analysis of Groundwater and Streamflow Data, Western Dakotas Region of South Dakota, DWNr, Division of Geological Survey, Vermillion, SD, U.S. Army Corps of Engineers Contract No. DAWC 45-92-C-0151.
- Peter, K.D., 1985, Availability and Quality of Water From Bedrock Aquifer in the Rapid City Area, South Dakota, U. S. Geological Survey, Water Resources Investigations Report 85-4022.
- Division of Water Rights, 1987, "Domestic Well Log Files, Observation Well Files, and Water Permit Files", DWNr-Division of Water Rights, Joe Foss Building, Pierre, SD.

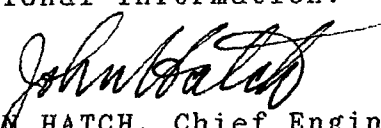
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1396-1

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. 1369-1, City of Sturgis, 1147 Sherman St, Sturgis SD.

The Chief Engineer is recommending APPROVAL of Application No. 1396-1 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:

1. The casing of the well to be constructed under Permit No. 1396-1 shall be pressure grouted with cement (bottom to top) from the producing formation to the surface and the well constructed in compliance with Water Management Board Well Construction Rules, Chapter 74:02:04.
2. 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.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
July 28, 1987



Department of Water & Natural Resources

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

Water Rights Division
(605) 773-3352

July 29, 1987

NOTE:

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

City of Sturgis
1147 Sherman Street
Sturgis, South Dakota 57785

Dear Sir:

Your Application No. 1396-1 for a permit to appropriate water for
municipal, industrial & commercial use, has been examined and found to
comply with the South Dakota Water Laws and applicable rules. A notice of
your intent to appropriate water has been sent to the Publisher of the

Meade County Times-Tribune printed at Sturgis

South Dakota. For your information, a copy of this notice, the recommendation
of the Chief Engineer and a report on the application are enclosed. Please
review this notice prior to publication and notify this office, if you have
any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION
OF YOUR NOTICE OF INTENT TO APPROPRIATE WATER AND TO ARRANGE FOR PAYMENT.
Early contact with the paper can eliminate delays. The publisher has been
instructed to publish your notice once each week for two consecutive weeks
with the last publication to occur at least twenty days before the board
meeting. We must receive Proof of Publication before the application can be
considered by the Water Management Board.

Sincerely,

RON DUVALL
Natural Resources Engineer

enclosures



Department of Water & Natural Resources

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

July 29, 1987

Meade County Times-Tribune
Box 69
Sturgis, South Dakota 57785

Dear Sir:

Enclosed is a Notice of Hearing to Application No. 1396-1. Please publish this notice once each week for two consecutive weeks in your paper. The first publication should be on or before August 5, 1987.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is City of Sturgis, 1147 Sherman, Sturgis, SD 57785.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made before in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE
No. _____

TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

No. 1396-1

Instruction to Newspaper - Publish first publication of the following Notice on or before August 5, 1987 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1396-1 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that the City of Sturgis whose mailing address is 1147 Sherman Street, Sturgis, South Dakota has made an application for a permit to appropriate 0.50 cubic feet of water per second from one well (Minnelusa Formation) 525 feet deep to be located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 6-T5N-R5E. Water is to be used for industrial, commercial and municipal purposes by the City of Sturgis.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1396-1 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 room 216, Joe Foss Building, 523 East Capitol, Pierre, SD, September 9, 19 87 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny 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 August 28, 1987. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons 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; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2 46-5-30.4, 46-5-31; (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, 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 August 28, 1987.

**NOTICE OF HEARING
ON APPLICATION NO. 1361-1
TO APPROPRIATE WATER**

Notice is hereby given that the City of Sturgis whose mailing address is 1147 Sherman Street, Sturgis, South Dakota has made an application for a permit to appropriate 0.50 cubic feet of water per second from one well (Minnelusa Formation) 525 feet deep to be located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 6-T5N-R5E. Water is to be used for industrial, commercial and municipal purposes by the City of Sturgis.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1396-1 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 room 216, Joe Foss Building, 523 East Capitol, Pierre, SD, September 9, 1987 at 10:00 am. The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny 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 August 28, 1987. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons 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; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 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.

AFFIDAVIT OF PUBLICATION

**STATE OF SOUTH DAKOTA
COUNTY OF MEADE**

Joan Lewis

~~Sharon Allison~~, being duly sworn, says:

That the Black Hills Press is, and during all the times hereinafter mentioned was, a weekly legal newspaper as defined in SDCL 17-2-2, as amended, published at Sturgis, Meade County, South Dakota, by Allison Publishing Inc.; that affiant is and during all of said times was, an employee of the publisher of such newspaper and has personal knowledge of the facts stated in this affidavit; that the notice, order or advertisement, a printed copy of which is attached, was published in said newspaper for 2 successive issues, bearing the following dates:

Aug. 1, 198 <u>7</u>	198
Aug. 8, 198 <u>7</u>	198
198	198
198	198
198	198

that the full amount of the fee charged for publishing the same, to-wit, the sum of \$46.62, inures solely to the benefit of the publisher of said newspaper; that no agreement or understanding for the division of the fee has been made with any person, and that no part of the fee has been agreed to be paid to any other person.

Joan Lewis

Subscribed and sworn to before me this

8th day of August A.D. 1987
Sharon Allison

Notary Public
County of Meade, South Dakota



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

Publ August 1 & 8, 1987
Black Hills Press



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

NOV 3 1987

City of Sturgis
1147 Sherman Street
Sturgis, South Dakota 57785

Dear Sir:

Enclosed herewith is your Water Permit No. 1396-1 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. 1396-1.

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,

A handwritten signature in black ink that reads "John Hatch". The signature is written in a cursive, flowing style.

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

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



Date January 19, 1988

TO: Water Rights Division, DWNR
Joe Foss Building
Pierre SD 57501-3181

FROM: City of Sturgis 1029 First Street Sturgis, SD 57785
name address city

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 1396-1.

Water Permit No. 1396-1 states that the diversion system is to be constructed by September 9, 1992, and that the water it put to beneficial use by September 9, 1996.

The diversion system was completed on September 12, 1987.
Applying the water to beneficial use was completed on October 12, 1987.

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

John C. Luoma
signature

Conversation or File Documentation

NAME OF PERSON OR FILE: City of Sturgis
ADDRESS: 1147 Sherman Street COUNTY Meads
DATE: 5/4/88 TELEPHONE _____
RE: Permit inspection.

COMMENTS:

inspected the permit. The amount of water they are
using right now is less than they ^{originally} requested. Construction
period will end in Sept. of 1992. Delay licensing until
this date. Reinspect and then license.

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: MR. [Signature]

Permit No. 1396-1

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 of 1147 Sherman Street, Sturgis holder of
 Permit No. 1396-1, bearing the priority of June 22 1987 authorizing
 the diversion of .5 cu. ft. per second of the waters of groundwater
 for industrial, Commercial and purposes, in Meade County.
municipal

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

A. Works used to divert the water:

Well, 460 ft. deep / Pump Gould, 55 Gpm
 Static water level 140 ft. / Motor 5 hp.

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

825 ft. of 6 in and 4 in. Steel pipelines.

C. Works used to apply water to beneficial use:

NA.

The system is in the following condition Excellent

The point of diversion is located 2070 ft. W., 2855 ft. N. from SE corner of Section
6, T5N-R5E

The works are capable of diverting and conveying to the place of use _____

cu. ft. per second of water which is to be used for industrial, Commercial, and municipal

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

NA

comprising a total of NA acres of land and the license should be issued for _____ cfs

Applicable permit qualifications have been complied with _____ Yes _____ No

Exceptions to compliance are: _____ Date _____

(signature)

FIELD INVESTIGATION REPORT FOR PERMIT NO. 1396-1

DATE OF INVESTIGATION:	7/15
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Justin Weyer
NAME & ADDRESS OF PERMIT HOLDER	
DIVERSION POINT LEGAL LOCATION	

Other permit(s) associated with the project: _____

WELL INFORMATION:

- 1) Well Drilling Firm: _____
- 2) No. of Wells _____
- 3) Depth(s) _____ feet
- 4) Well log is available Y/N
- 5) Comment: _____

Permitted for 225 gpm

Casing:

- 1) Diameter _____ inches
- 2) Length _____ feet
- 3) Type _____

Screen:

- 1) Type _____
- 2) Length _____ feet
- 3) Static water level _____ feet

Pump:

- 1) Make _____
- 2) Model _____
- 3) Size _____
- 4) Capacity _____ GPM

Motor:

- 1) Make _____
- 2) Model No. _____
- 3) Horsepower rating 60 hp *submersible*

DISTRIBUTION LINES OR CANALS:

- 1) Type _____
- 2) Size _____ inches
- 3) Length _____ feet

SYSTEM TYPE:

Center pivot:

- 1) Make _____
- 2) Overall length _____ feet
- 3) Number of towers _____
- 4) Distance between towers _____ feet
- 5) End gun Y/N
- 6) High or low pressure _____
- 7) Capacity _____ GPM

Gun:

- 1) Make _____
- 2) Nozzle size _____ inches
- 3) Capacity _____ GPM
- 4) Hose size _____ inches

Sideroll:

- 1) Length _____ feet
- 2) Diameter of pipe _____ inches
- 3) Sprinkler spacing _____ feet

DAM INFORMATION:

- 1) Height to crest _____ feet
- 2) Height to primary spillway _____ feet
- 3) Height to secondary spillway _____ ft
- 4) Crest width _____ feet
- 5) Crest length _____ feet
- 6) Spillway length _____ feet
- 7) Spillway width _____ feet
- 8) Approx. storage _____ ac-ft
- 9) Approx. storage to crest _____ ac-ft
- 10) Date constructed: _____

CHEMIGATION EQUIPMENT:

- 1) Does chemigate Y/N
- 2) Main line check valve Y/N
- 3) Inspection port/air relief Y/N
- 4) Low pressure drain Y/N
- 5) Discharge is 20' from source Y/N
- 6) Interlock type electrical or mechanical
- 7) Injection pump type piston or other
- 8) Injection check valve Y/N
- 9) Injection line check valve or positive displacement pump Y/N
- 10) All chemigation equipment appears to be installed in the proper position and complies with chemigation laws and rules Y/N
- 11) Comments: _____

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by Y/N
- 2) All structures, wells and lands on map Y/N
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y/N

Towline:

- 1) Length _____ feet
- 2) Diameter _____ inches
- 3) Spacing of gates _____ inches

Siphons:

- 1) Size _____ inches
- 2) Number _____



Department of Water & Natural Resources

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

December 21, 1989

David Hagel
Banner & Associates
PO Box 1140
Rapid City, SD 57701

Dear Mr. Hagel:

Enclosed, as you requested, are copies of the following:

Water Right No. 441-1	Sturgis Water Works
Water Right No. 780-1	Sturgis Water Works
Water Right No. 1287-1	City of Sturgis
Water Permit No. 1396-1	City of Sturgis

If you have any questions, please contact us.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMATH". The signature is written in dark ink and is positioned below the word "Sincerely,".

GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

December 1, 1999

Justin Weyer
City of Sturgis
1147 Sherman St
Sturgis SD 57785

Dear Mr. Weyer:

I am writing in response to completion of three on-site investigations of city water right permits on July 14 and 15, 1999. The purpose of completing the investigations is to issue a water license for your permits which is the final step in obtaining a water right. I will list my findings for each of the permits and indicate what is needed to complete this licensing process:

Permit No. 1445-1

This permit is for dam No. 5 for storage of up to 44.8 acre feet for an emergency municipal water supply. The on-site investigation found everything in order and the permit is ready to be licensed. A fee of \$50.00 is needed prior to the license being issued. The other four dams are covered by a vested water right and no action is needed concerning these dams.

Permit No. 1396-1

This permit is for one well located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ section 6-T5N-R5E with a permitted pump rate of 225 gallons per minute (gpm). The inspection found the well in the location described on the permit and producing approximately 350 gpm. This increase in pump rate (125 gpm) needs to be covered by a new water right permit. I have enclosed a partially-completed application for your use. Please complete the parts denoted with red check marks and return the signed and notarized application with the map and an application fee of \$225.00. In addition, a \$50.00 license fee is needed prior to the license being issued.

Permit No. 1600-1

This permit is for the airport well located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ section 3-T5N-R6E with a permitted pump rate of 3 gpm. The inspection found the well in the location described on the permit and producing approximately 26 gpm. This increase in pump rate (23 gpm) needs to be covered by a new water right permit. I have enclosed a partially-completed application for your use. Please complete the parts denoted with red check marks and return the signed and notarized application with the map and an application fee of \$50.00. In addition, a \$50.00 license fee is needed prior to the license being issued. During the inspection Jerry Burnham indicated that application forms for the airport well should be sent to his attention.

Justin Weyer, City of Sturgis

December 1, 1999

Page 2 of 2

The total of all the above fees is \$425.00. After receipt of your completed applications, a report and recommendation will be prepared for each application and provided to you. Assuming the permit applications to increase the pump rates are approved, the water licenses will be issued following the approvals. If you have any questions, please let me know at 605 773-3352.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Duvall", with a stylized, cursive script.

Ron Duvall
Natural Resources Engineer
Water Rights Program

Enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

APR 10 2000

1705-1

Sturgis Water Department
%Eldon Christians, Water Superintendent
1025 First St.
Sturgis, SD 57785

Dear Mr. Christians:

Enclosed are Water Permit and Water License No. 1705-1. 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. 1705-1, 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.

Sincerely,

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

ks
enclosures

NOTE: The applicable portions of Permit No. 1396-1 are incorporated into Water License No. 1705-1.