

Type of Map plat. PREPARED BY James D. Walker Reviewed and the Number
assigned on Jan. 12, 1989 By Rusan A. Bower

SOUTH DAKOTA
WATER PERMIT No. 1452-1 FOR IRRIGATION

Date of first receipt of application December 19, 1988.

Date Soil/Water Compatibility Permit received January 18, 1989.

The Water Management Board approved Water Permit Application No. 1452-1 on March 2, 1989 for Black Hills State College, P.O. Box 9513, Spearfish, SD 57783 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 1452-1 appropriates a total of 4.58 cubic feet of water per second (cfs) from one existing well, 741 feet deep, located in the SE1/4 NE1/4 Section 9-T6N-R2E. This permit allows 1.24 cfs to be used to irrigate 87.25 acres of campus turf area located in the E1/2 Section 9 and the W1/2 Section 10, all in T6N-R2E. The remaining 3.34 cfs is to be for municipal purposes by the City of Spearfish.
2. The amount of the appropriation may not exceed 2 acre feet per acre per year or one-seventieth (1/70) cubic feet of water per second for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - November 30 (irrigation), January 1 - December 31 (municipal).
3. The date from which applicant may claim right is December 19, 1988.
4. One-fifth of the construction is to be completed on or before September 2, 1991.
5. All construction is to be completed on or before March 2, 1994.
6. Water is to be put to beneficial use on or before March 2, 1998.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. The well shall also be equipped with a pressure gauge and a record kept of any pressure fluctuations. Such records shall be available to the Chief Engineer upon request.
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.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: 
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

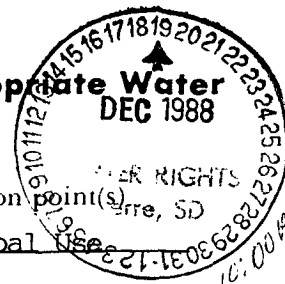
JUN 13 1989

(date)

(See instructions)

No. _____ Hydrologic Unit _____
Basin _____
Newspaper _____

Application For Soil/Water Compatibility Permit and Permit To Appropriately Use Water



Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s) _____
☒ Add Acreage ☐ Increase diversion rate ☒ Other Municipal Use

- Name of Applicant Black Hills State College Phone No. 642-6244
c/o Director of Physical Plant, College Station
Post Office Address P. O. Box 9513, Spearfish State SD Zip Code 57783
(Street, RR or Box) (City)
- Amount of water claimed (c.f.s.) 1.24 ~~1.21~~ for additional acreage -85 Ac. additional 87.25
(c.f.s.) 3.34 ~~municipal~~ Total acres irrigated (126 total)
- Source of Water supply 1 well - Madison Formation
- Location of point of diversion 2,393.54 feet, south 17° 09' 04" west of the NE corner of
Section 9, T6N, R2E of Black Hills Meridian. (SE 1/4 NE 1/4)
County Lawrence
- Counties where water will be used Lawrence
- Annual period during which water is to be used April 1 - November 30
- 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.
NE 1/4 NE 1/4 S9, T6N, R2E	38 38.1 AC
SE 1/4 NE 1/4 S9, T6N, R2E	40 40.2
SW 1/4 NE 1/4 S9, T6N, R2E	9 8.2
NE 1/4 SE 1/4 S9, T6N, R2E	21 21.6

Land Description	No. Acres Irr.
SW 1/4 NW 1/4 S10, T6N, R2E	13 13.8 AC
NW 1/4 SW 1/4 S10, T6N, R2E	2 2.9 ---
NW 1/4 NE 1/4 Sec 9-T6N-R2E	3
Total	123.8 AC

Attach sheet if more space is needed

126 ac Automatic
Other: Underground
Sprinklers (Specify)

- Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: _____
- Crops to be Irrigated: Turf grass
- Give a description of proposed project. (Attach sheet if more space is needed)

The project will supply water to the Spearfish Municipal Water System and to a turf irrigation system to be constructed on the campus of Black Hills State College. The irrigation system will consist of a buried P.V.C. pipe distribution system and automatic underground sprinklers. The entire campus area which could potentially be irrigated consists of the 123.8 acres described above, of which 38.75 acres is included in Permit No. 1383-1. This application is for 1.21 cfs to irrigate the remaining 85 acres, in addition to 3.34 cfs for municipal use. 1.24

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of Lawrence) ss

I, Art Jones, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Art Jones
Subscribed and sworn to before me this 22nd day of November 1988
[Signature] Notary Public

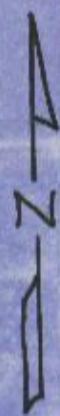
TGN R2E

SEC. 4

SEC. 3

SEC. 9

SEC. 10



BLACK
HILLS
STATE
COLLEGE
CAMPUS AREA

Actual
location
RD
100/100

PROPOSED
WELL LOCATION

NE 1/4
SEC. 9

NW 1/4
SEC. 10

SE 1/4
SEC. 9

SW 1/4
SEC. 10

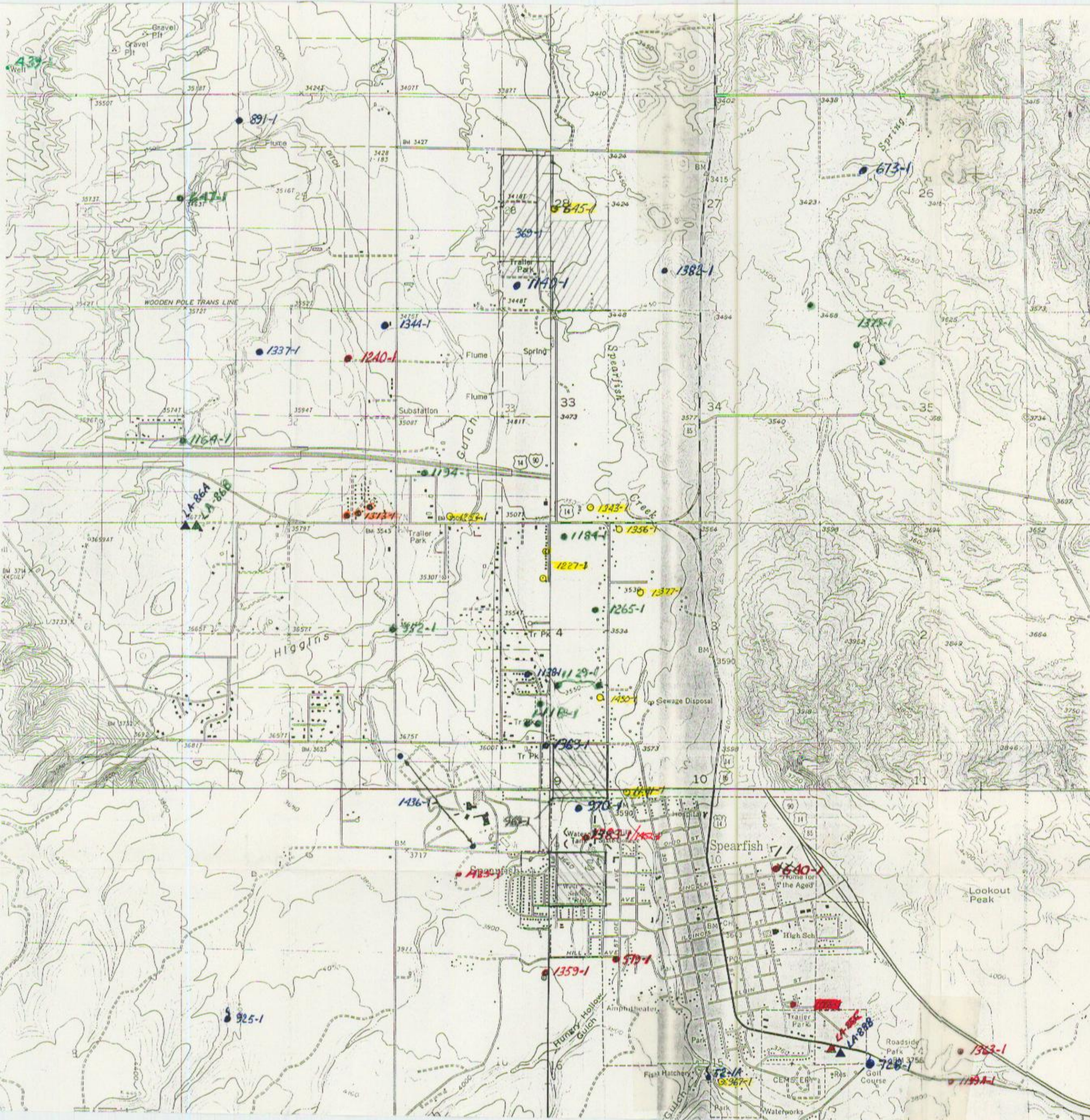
BOUNDARY OF TURF
AREA TO BE IRRIGATED

Don Duvall
Natural Resources Engineer
3/11/87

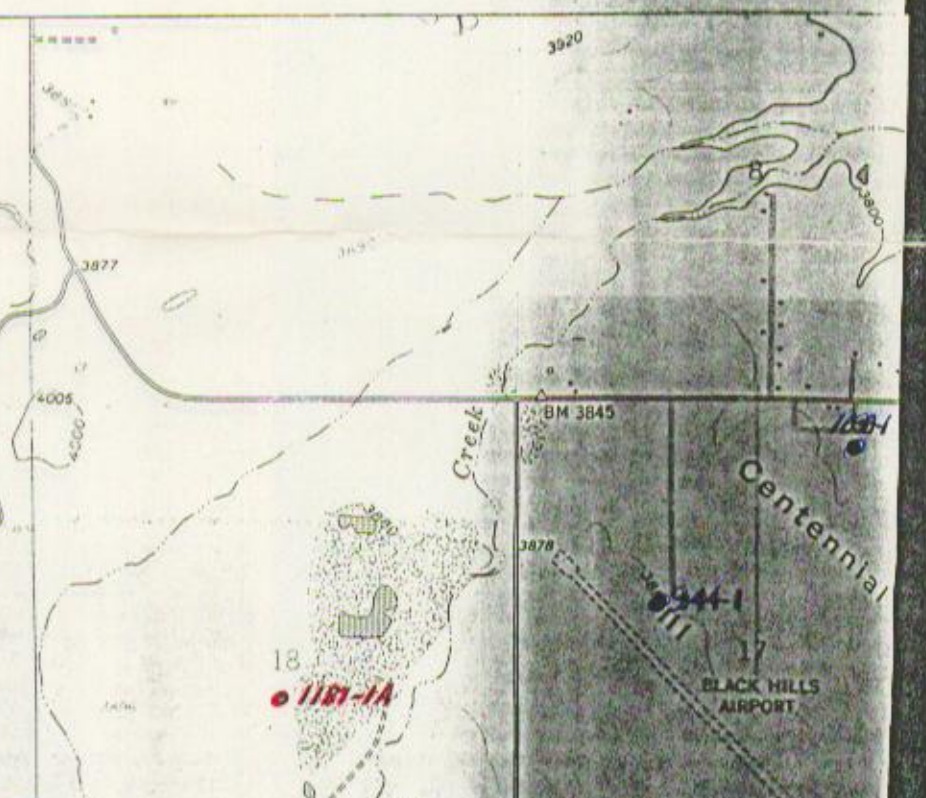
Appl. No. 1383-1

14527

SPEARFISH AREA GROUNDWATER PERMITS



- DIVERSION POINT WITH PERMIT NUMBER
- ALLUVIUM
- SPEARFISH FTA.
- MINNEKAHWA L.
- MINNEKAHWA F.M.
- SPRING
- FUTURE USE
- △ DIVISION OF WATER RIGHTS OBSERVATION WELL



Supplemental information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 13 1/2 inch Depth 0-725 ft
6 inch 725-739 ft
- b) Casing Type Steel Diameter 10-inch Thickness 0.365 inch
- c) Screen Type none - open hole Diameter - Thickness -
- d) Gravel Pack Thickness none Length of Gravel Pack -
- e) Depth to Top of Water Bearing Material 730 ft
- f) Depth to Water (ground surface to water level) Flowing well
- g) Distance to nearest existing domestic well:
 On applicants property None On property owned by others not known

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) Primary Outlet Capacity -
 If Pipe, diameter -

f) Secondary Spillway Capacity -
 Spillway width -

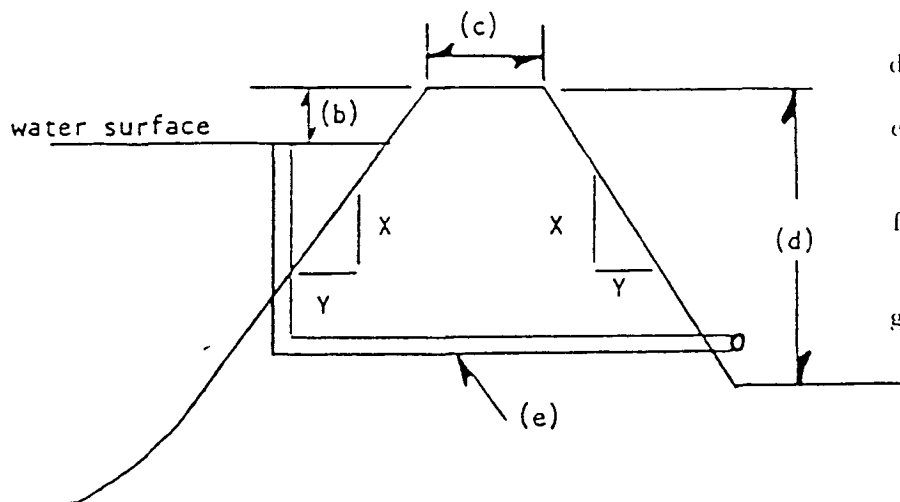
g) X & Y Slope
 Upstream -

Downstream -

Surface Area of Impoundment -

Storage - acre feet

Drainage area above dam -



Signature of Applicant -

LEGAL DESCRIPTION FOR
BLACK HILLS STATE COLLEGE IRRIGATION PERMIT
DECEMBER, 1988

Subdivision of the NE1/4 NE1/4 of Section 9, T6N, R2E, BHM.

Lots 1 through 8, inclusive, except Lot 1 of BHSC Addition.

College Addition to the City of Spearfish, SD

Tract 1 of the SE1/4 NE1/4 of Section 9, T6N, R2E, BHM.
Tracts 2 through 5 of the SW1/4 NE1/4 of Section 9, T6N, R2E, BHM.
Tracts 6 and 7 of the SW1/4 NW1/4 of Section 9, T6N, R2E, BHM,
except Lots 1 and 2 of 6A, Lots 1 and 2 of 6B, Lot 6C and Lot 7A.
Lot 1 of BHSC Addition.
The remaining unplatted portion of College Addition, except Lot 18.

West Addition to the City of Spearfish, SD

BLOCK	LOTS
2	All, <u>except</u> Lot 5
3	All
4	All
5	All
6	All
7	All
8	All
9	1,2,3,10,11 and 12
13	All, <u>except</u> ROW for relocated Mason St.
14	All, <u>except</u> ROW for relocated Mason St.
15	All, <u>except</u> ROW for relocated Mason St.

Vacated Streets and Alleys in West Addition to the City of Spearfish, SD

STREETS

Jonas Boulevard - from the North ROW line of West Oliver to the North boundary line of West Addition.

Yale - from the North line of Blocks 4 and 5 to the North ROW line of relocated Mason St.

Harvard - from the North line of Blocks 3 and 4 to the North ROW line of relocated Mason St.

University - from the North line of Blocks 2 and 3 to the North line of Blocks 8 and 9.

Oliver - from the West line of Blocks 5 and 6 to the East line of Blocks 2 and 9.

Nash - from the West line of Blocks 6 and 15 to the West line of the alley in Blocks 8 and 13.

Avenue "E" - (along the North side of Blocks 2,3,4 and 5) from the East line of Block 2 to the West side of Block 5.

Sundance Rd. - from the West line of Block 5 to West line of the alley in Block 3.

ALLEYS

Entire alleys in the following blocks: 2,3,4,5,6,7,14 and 15.
Alley in Block 9 lying between lots 1,2,3,10,11 and 12.

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4315

WR#

OWNERS NAME: Black Hills State College OWNERS ADDRESS: P.O. Box 9513
c/o Director of Physical Plant, College Station
Spearfish, SD 57701

COUNTY LAND LOCATED IN: Lawrence PHONE: 642-6244

LEGAL DESCRIPTION: ☒ Well ☐ Surface
1. LOCATION 2,393.54' S 17° 9'4" W of NE corner Sec. 9-T6N-R2E (SE1/4 NE1/4)

Depth _____

Legal Description	Acres	Legal Description	Acres
NE1/4 Sec. 9-T6N-R2E	32	SW1/4 NW1/4 Sec. 10 T6N-R2E	13
SE1/4 NE1/4 " "	40	NW1/4 SW1/4 " "	2
S.E. NE1/4 " "	9	NW1/4 NE1/4 Sec. 9-T6N-R2E	3
NE1/4 SE1/4 " "	21	TOTAL ACRES =	126

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: automatic
(Specify) underground
sprinklers

3. CROPS TO BE IRRIGATED: turf grass

WATER QUALITY:

4. WATER SAMPLE NUMBER: D 124 7. ADJUSTED (SAR): _____
5. SALINITY (EC X 10⁶): 130 8. PERCENT SODIUM 7.11
6. SODIUM (SAR): _____

Requirements: The areas mapped as Wihill gravelly loam (scd), 6 to 25% slope, shall not be irrigated on slopes greater than 9%, unless the slopes can be contoured and landscaped in a manner assuring the stability of the slope.



Director, Division of Conservation

Date

☒ APPROVED ☐ REQUIREMENTS
☐ DISAPPROVED
☐ WAIVER

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

CONSERVATION COMMISSION MEETING

DATE: January 12, 1989

Page 1 - APPROVED WITH REQUIREMENTS

NAME: Black Hills State College WATER QUALITY: D 124
c/o Director of Physical Plant
College Station
(Art Jones)

ADDRESS: P.O. Box 9513

SALINITY: 330

ADDRESS: Spearfish, SD 57783

SAR:

SODIUM: 7.12

COUNTY: Lawrence

ADJ SAR:

LEGAL DESCRIPTION: NE1/4 NE1/4; NW1/4 NE1/4; SE1/4 NE1/4; SW1/4
NE1/4; NE1/4 SE1/4; Sec. 9-6-2 and SW1/4 NW1/4; NW1/4 SW1/4; Sec.
10-6-2 = 126 total acres

APPLICATION #: 4315

TYPE OF IRRIGATION: Sprinklers

WATER SOURCE: Ground

REQUIREMENTS:

The areas mapped as Nihill gravelly loam (NcD), 6 to 25% slope, shall not be irrigated on slopes greater than 9%, unless the slopes can be contoured and landscaped in a manner assuring the stability of the slope.

MANAGEMENT RECOMMENDATIONS:

The grass should be of the variety which can sustain high traffic.

TYPE OF PERMIT GRANTED AND REASON:

The approved with requirements recommendation is based on the areas containing excessively steep slopes.

Permit No.	Owner	Diversion Rate (cfs)	Use
52-1A	Bureau of Fisheries	0.33	fish culture
369-1	City of Belle Fourche	8.00	Future Use
439-1	Billy J Evans	2.22	irrigation
579-1	City of Spearfish	1.20	municipal #2
640-1	City of Spearfish	1.33	municipal #1
645-1	City of Belle Fourche	4.64	municipal
647-1	McGuigan Dairy Inc.	0.40	irrigation
728-1	Spearfish Canyon Holding Co.	0.90	irrigation
795-1	Thomas O & Doris M Kemp	0.223	SHD
891-1	Billy J Evans	1.77	irrigation
925-1	Warren N Golliher	0.73	irrigation
944-1	Lawrence Co. Commissioners	0.022	domestic @ airport
952-1	William McGuigan	0.70	irrigation
967-1	Travis S Roberts	1.50	fish culture
969-1	Black Hills State College	0.22	future use
970-1	Black Hills State College	0.11	
1003-1	City of Spearfish	1.50	municipal #3
1030-1	Sunrise Home Owners	0.15	SHD
1118-1	Kenneth Ellingson	0.40	com-trailer park
1129-1	Carl Deranleau	0.10	trailer park
1138-1	David or Elenor Pearson	0.04	SHD
1140-1	Jack Hubbard	0.05	com-trailer park
1141-1	Robert P Schneider	0.07	SHD
1164-1	Everett MacKaben Devel. Co.	0.06	SHD
1184-1	Raymond & Beverly Nordstrom	0.10	com-trailer park
1187-1A	Hills Material Co.	0.04	industrial & com
1194-1	Everett MacKaben	0.24	industrial & com
1199A-1	Spearfish Canyon Country Club	0.80	irrigation
1227-1	Valley View Water System	0.22	SHD
1229-1A	City of Spearfish	1.35	municipal
1240-1	Old Apostlic Lutheran Church	0.96	irri & recreation
1241-1	Black Hills Forest Acres	0.39	irrigation
1253-1	Thompson Abernathy Dev #1	0.05	SHD
1265-1	Neil & Margaret Mutchler	0.45	com-trailer park
1313-1	Greg Tefertiller	0.07	SHD
1337-1	Vern Backens	0.33	Com
1343-1	Wee Campground	0.10	Com
1344-1	Old Apostlic Lutheran Church	0.10	institutional
1356-1	Stanely D Ainsworth	0.022	com
1359-1	City of Spearfish	2.00	municipal
1363-1	Spearfish Canyon Country Club	1.14	irrigation
1369-1	Frank L Matson	0.11	com
1377-1	Gary & Dorothy Hunt	0.048	com
1379-1	Wayne Linsad	0.16	dom & wildlife
1382-1	G Eugene Johnson	1.19	irrigation
1383-1	Black Hills State College	0.55	irrigation
1430-1	Apple Valley Homeowners Assn.	0.07	SHD
1435-1	Pope & Talbot, Inc	1.0	industrial
1436-1	Pope & Talbot, Inc	1.45	industrial

REPORT FOR PERMIT APPLICATION No.1452-1
BLACK HILLS STATE COLLEGE
JANUARY 18,1989

Water Permit Application No. 1452-1 proposes to appropriate an additional 4.58 cubic feet of water per second (cfs), from one existing well, 741 feet deep, completed into the Madison Limestone. The well is located in the SE 1/4 NE 1/4 Sec.9, T6N-R2E. Construction of the well was authorized by Water Permit No. 1383-1, which appropriates 0.55 cfs from this well to irrigate 38.75 acres of campus turf area. This application proposes to appropriate an additional 1.24 cfs to irrigate an additional 87.25 acres of campus turf area, located in the E1/2 Sec.9, and the W1/2 Sec.10; all in T6N-R2E. The remaining 3.34 cfs requested by this application will be used to supply water to the City of Spearfish for municipal purposes.

Aquifer: Madison Limestone

Geology and Aquifer Characteristics:

The Madison (Pahasapa) limestone is a massive, fine to medium crystalline, cavernous limestone and dolomite, approximately 600 feet thick in this area (Division of Water Rights,1989). The Completion Report filed with this application identifies the Madison top at 718 feet below the ground surface. The Madison Limestone underlies approximately 314,880 acres of Lawrence County and contains an estimated 9,446,400 acre-feet of recoverable water in storage in the county (Allen,1984). The importance of the Madison as an aquifer is largely due to well developed zones of secondary porosity and permeability formed by weathering of exposed surfaces and ground water solution. The log submitted with this application identifies an eight foot void in the Madison at this site. The average porosity of the Madison is estimated to be 11% and the effective porosity is estimated to be 5% (Rahn,1979).

Recharge to the Madison is accomplished primarily through infiltration of precipitation falling on the outcrop area, runoff from areas adjacent to the outcrop, and stream flow losses. The actual quantity of water that recharges the aquifer is unknown and is a controversial subject. Rahn (1979), stated that the Madison recharge rate "must be fairly low", because water from the Madison was determined to be about 30,000 years old at Midland and Philip, SD. The water presumably took 30,000 years to migrate from the recharge area in the Black Hills. In a report prepared for the BLM by Woodward-Clyde Consultants (1981), the upper and lower bounds of average annual recharge are 400,000 acre-feet per year and 140,000 acre-feet per year respectively.

There is no aquifer test information available from the Madison aquifer in the Spearfish area, therefore, the transmissivity and the storage coefficient of the aquifer are unknown. Estimates from regional studies of the aquifer indicate that the transmissivity may range from 86 to 25,000 ft²/d; the storage coefficient may range from 1×10^{-6} to 1×10^{-4} (Peter, 1985). Reported specific capacity values from typical Madison aquifer wells in the area range from 0.019 gpm/ft to 0.03 gpm/ft (Rahn, 1979). The specific capacity of the well to be used to supply this permit is reported to be 34 gpm/ft. The Madison is under artesian conditions in this area, confined below by the Englewood Formation, and confined above by the lower Minnelusa Formation.

The confining layer above the Madison consisting of limestone, sandstone, and shale of the lower Minnelusa Formation is thought to be a leaky confining layer (Kyllonen, 1987). The potential for movement between the Madison Aquifer and the Minnelusa Aquifer is generally from the Madison to the Minnelusa, (i.e. the water level of the Madison is higher than the water level of the Minnelusa) allowing natural discharge of the Madison. Natural discharge also occurs to numerous springs which have incised the potentiometric surface of the Madison. In the Spearfish area, the water level of the Minnelusa Aquifer is higher than the water level of the Madison Aquifer, indicating a potential for leakage from the Minnelusa to the Madison.

The Division of Water Rights monitors two observation wells completed into the Madison in this area. The wells are installed adjacent to observation wells completed into the Minnelusa Aquifer. One of these nests of wells is located approximately 6.5 miles west of this well site. Water level measurement taken at the site, since installation (October 1987), indicate the potentiometric surface of the Madison is approximately 100 feet higher than the potentiometric surface of the Minnelusa. The water level of the Madison Aquifer fluctuated approximately 22 feet during the period of record. This fluctuation appears to be seasonal in response to recharge events. The second nest of wells is approximately 1.5 miles east of this well site. The period of record from these wells is limited (August 1988 through October 1988). The water level measurements indicate that the potentiometric surface of the Madison was lower than the potentiometric surface of the Minnelusa during the short period of record.

Review of Existing Permits

There are several existing Water Rights appropriating ground water in the Spearfish area. Most of these permits are supplied by shallower formations than the Madison. A list of the permits in the Spearfish area, and a map identifying the locations and source of these permits is included with this report.

Conclusions

1. Water is available for appropriation from the Madison Formation.
2. Interference is likely; however, this should not significantly affect adequately constructed Madison wells.
3. It is impossible to determine either the potential effects if any from the proposed well upon springflow or wells into the Minnelusa Formation.
4. The water is to be put to a beneficial use.
5. The well has been constructed according to South Dakota Well Construction Standards.
6. This Permit should be conditioned with the Irrigation Questionnaire Qualification.



KENT BUHLER
Natural Resources Engineer

References

- Allen, J.C., Illes, D., Petres, A., 1984, Analysis of Ground Water and Streamflow Data, Western Dakotas Region of South Dakota: DWNr, Division of Geological Survey, Vermillion SD 57069; US Army Corps of Engineers Contract No. DAWC 45-82-C-0151.
- Darton, N.H., Paige, S., 1925, Geologic Atlas of the United States, Central Black Hills Folio, South Dakota; USGS, Folio No. 219.
- Division of Water Rights, 1988, "Domestic Well Log and Water Permit Files", DWNr, Water Rights Division, Foss Building, Pierre SD 57501.
- Kyllonen, D.P., K. Peter, 1987, Geohydrology and Water Quality of the Inyan Kara, Minnelusa, and Madison Aquifers of the Northern Black Hills, South Dakota and Wyoming, and Bear Lodge Mountains, Wyoming, US Geological Survey Water Resources Investigations Report 86-4158
- Peter, K.D., 1985, Availability and Quality of Water from Bedrock Aquifers in the Rapid City Area, South Dakota, US Geological Survey Water Resources Investigations Report 85-4022.
- Rahn, P. H., 1979, Groundwater Resources of Western South Dakota, US Army Corps of Engineers, SDSM & T, Project #2533.
- Woodward-Clyde Consultants, 1981, Well Field Hydrology, Bureau of Land Management, Final Technical Report.

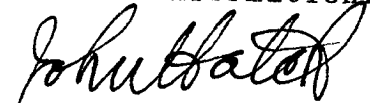
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1452-1, Black Hills State College

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. 1452-1, Black Hills State College, c/o Director of Physical Plant, College Station, PO Box 9513, Spearfish SD.

The Chief Engineer is recommending APPROVAL of Application No. 1452-1 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 well approved under this Permit shall be valved and the flow reduced to the amount needed or to a minimum when not being used. The well shall also be equipped with a pressure gauge and a record kept of any pressure fluctuations. Such records shall be available to the Chief Engineer upon request.
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.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
January 24, 1989

**Department of
Water & Natural Resources**

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

January 25, 1989

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

Black Hills State College
c/o Director of Physical Plant, College Station
Box 9513
Spearfish, SD 57783

Dear Sir:

Your Application No. 1452-1 for a permit to appropriate water for irrigation & municipal 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 Queen City Mail printed at Spearfish SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice 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 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
605 773-3352

enclosures





Department of Water & Natural Resources

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

January 25, 1989

Queen City Mail
Box 7
Spearfish, SD 57783

Dear Sir:

Enclosed is a Notice of Hearing on Application No. 1452-1 to be published twice. Please publish the first notice on or before February 1, 1989 with the second publication 7 days later.

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 Black Hills State College, c/o Director of Physical Plant, College Station, P.O. Box 9513, Spearfish, SD 57783.

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 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

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

No. _____

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



Instruction to Newspaper - Publish first Notice on or before February 1, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1452-1 to Appropriate Water

Notice is given that Black Hills State College, c/o Director of Physical Plant, College Station, P.O. Box 9513, Spearfish, SD 57783 has filed an application for a water permit to appropriate 4.58 cubic feet of water per second (cfs) from one existing well (Madison Formation) 741 feet deep located in the SE 1/4 NE 1/4 Section 9, T6N, R2E. Water Permit No. 1383-1 appropriates 0.55 cfs from this well to irrigate 38.75 acres of campus turf area. This application proposes to appropriate an additional 1.24 cfs to irrigate an additional 87.25 acres of campus turf area located in the E 1/2 Section 9 and the W 1/2 Section 10; all in T6N-R2E. The remaining 3.34 cfs will be used to supply water to the City of Spearfish for municipal purposes.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1452-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board at the Howard Johnson's, Roosevelt Room, 1-90 at LaCrosse, Rapid City SD on March 1, 1989 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by February 17, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by February 17, 1989.

This application is made pursuant to 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 LAWRENCE } SS.



Bill T. Masterson, Jr. of said County and State being first duly sworn, on his oath says: That The QUEEN CITY MAIL is a legal daily newspaper of general circulation, printed and published in the City of Spearfish, in said County and State by Bill Kuerth, and has been such a newspaper during the times hereinafter mentioned; and that said newspaper has a bonafide circulation of at least 200 copies weekly, and has been published within said County in the English language for at least one year prior to the first publication of the notice herein mentioned, and is printed in whole or in part in an office maintained at the place of publication; and That I Bill T. Masterson, Jr., the undersigned, am the Publisher of said newspaper and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed:

NOTICE OF HEARING ON APPLICATION NO. 1452-1
TO APPROPRIATE WATER

a printed copy of which is hereto attached, was printed and published in said newspaper for

2 successive and consecutive weeks, the first publication being made on the 1st day of February, 1989 and the last publication on the 8th day of February, 1989

that the full amount of fees charged for publishing same, to-wit: The sum of \$ 43.40, inures solely to the benefit of the publisher of the QUEEN CITY MAIL, that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any other person whomsoever.

[Signature]
Subscribed and sworn to before me this 8th day of February, 1989

[Signature]
NOTARY PUBLIC, LAWRENCE COUNTY, SOUTH DAKOTA

My Commission Expires
10-24-1994

My commission expires

NOTICE OF HEARING
on Application No 1452-1
to Appropriate Water

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Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by February 17, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605

773-3352). The petition may be in-
formal, but must include a statement
describing the petitioner's interest in
the application, the petitioner's rea-
sons for opposing or supporting the
application and the signature and
mailing address of the petitioner or
legal counsel if legal counsel is ob-
tained. The applicant need not file a
petition. Contact the Water Rights
Division to request information on
this application or to assure access to
the hearing by the handicapped.

This hearing is an adversary pro-
ceeding. Any person filing a petition
and/or the applicant have the right to
be represented by a lawyer. These and
other due process rights will be for-
feited if not exercised. Decisions of
the Board may be appealed to the
Circuit Court and State Supreme
Court as provided by law. The time of
the hearing will also be automatically
delayed for at least twenty days upon
written request to the Chief Engineer
from the applicant or a petitioner.
The request for a delay must be re-

ceived by February 17, 1989.
This application is made pursuant
to SDCL 46-1-1 thru 46-1-9, 46-1-12
thru 46-1-15; 46-2-3, 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, 46-6-1, 46-6-
30, 46-6-31; 46-6-10, 46-6-13, 46-6-
31, 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.

Feb 1, 8
S-365



Department of Water & Natural Resources

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

JUN 13 1989

Black Hills State College
c/o Director of Physical Plant, College Station
Box 9513
Spearfish SD 57783

Dear Sir:

Enclosed is Water Permit No. 1452-1 as approved by the Water Management Board authorizing you to construct your water diversion system and put the water to beneficial use, not exceeding the limits as specified in the Water Permit.

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 the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

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.



Permit No. 1383-1 and 1452-1
Belle Fourche River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

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

I have this day, September 19, 1997, made a thorough examination of the water use system constructed by Black Hills State University of Spearfish, SD holder of Permit Nos. 1383-1 and 1452-1, bearing the priority of January 28, 1987 and December 19, 1988 respectively authorizing the diversion of 0.55 and 4.58 cu. ft. per second respectively of the waters of groundwater for irrigation and municipal purposes, in Lawrence County.

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

A. Works used to divert the water:

Water is diverted from one well 741 feet deep, located 2860 feet North and 650 feet west of the Southwest corner of Sec. 9, T6N-R2E (SW¼ SE¼ SE¼ NE¼ Sec. 9, T6N-R2E). The well is pumped with a Jacuzzi line shaft turbine pump powered by a 150 horsepower US Electric Motor, capable of producing 1500 gallons per minute

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

Water is transported to place through approximately 4000 feet of 12-inch diameter steel pipe to the city's "Tinton tank", from there the water goes to the city distribution system. Water is also transported through 2850 feet of 4-inch diameter PVC pipe for the irrigation system.

C. Works used to apply water to beneficial use:

An underground sprinkler system at Black Hills State College and the city of Spearfish's municipal distribution system.

The system is in the following condition good. The point of diversion is located SW¼ SE¼ SE¼ NE¼ Sec. 9, T6N-R2E. The works are capable of diverting and conveying to the place of use 3.33 cu. ft. per second of water which is to be used for irrigation and municipal use. Water has been put to beneficial use to the maximum extent as follows:

<u>SW¼ NE¼ NE¼ Sec. 9, T6N-R2E</u>	<u>2.8 acres</u>
<u>SE¼ NE¼ NE¼ Sec. 9, T6N-R2E</u>	<u>2.5 acres</u>
<u>NE¼ SE¼ NE¼ Sec. 9, T6N-R2E</u>	<u>4.9 acres</u>
<u>NW¼ SE¼ NE¼ Sec. 9, T6N-R2E</u>	<u>3.4 acres</u>
<u>SW¼ SE¼ NE¼ Sec. 9, T6N-R2E</u>	<u>5.2 acres</u>
<u>SE¼ SE¼ NE¼ Sec. 9, T6N-R2E</u>	<u>2.9 acres</u>
<u>NW¼ NE¼ SE¼ Sec. 9, T6N-R2E</u>	<u>0.05 acres</u>
<u>NE¼ NE¼ SE¼ Sec. 9, T6N-R2E</u>	<u>2.1 acres</u>
<u>SE¼ NE¼ SE¼ Sec. 9, T6N-R2E</u>	<u>0.59 acres</u>
<u>SW¼SW¼SW¼ Sec.10, T6N-R2E</u>	<u>1.0 acres</u>

comprising a total of 25.44 acres of land and the license should be issued for 3.33 cfs.
 Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: n/a



Ken Buhler

Natural Resources Engineer

DENR, Water Rights Program

2/11/98

Date

REPORT ON INSPECTION OF PERMIT NO. 1452-1 and 1383-1

Other permit(s) associated with the project: #

NAME & ADDRESS OF INSPECTION CONTACT: Randy Culver

PO Box 9513

Spearfish, SD 57799-9513

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: Manager

NAME & ADDRESS OF PERMIT HOLDER: Black Hills State University

PO Box 9513

Spearfish, SD 57799-9513

DATE OF INSPECTION: September 17, 1997

DIVERSION POINT LEGAL LOCATION: 2860 feet North and 650 feet West of the SE of the SE corner of Sec. 9, T6N-R2E (SW ¼ SE¼ SE¼ NE¼ Sec. 9, T6N-R2E)

WELL INFORMATION:

- 1) Well Drilling Firm: Taylor Drilling Co.
- 2) No. of Wells one
- 3) Depth(s) 741 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 10 ¾ inches
- 2) Length 727 feet
- 3) Type steel

Screen:

- 1) Type none- open hole completion
- 2) Length 14 feet open hole interval
- 3) Static water level +16.7 (7 psi) feet

Pump:

- 1) Make Jacuzzi line shaft turbine pumpe
- 2) Capacity 1500 GPM

Motor:

- 1) Make US Electric
- 2) Frame No. 444TP MP
- 3) ID No. B412/S02R323RO29R-4
- 3) Horsepower rating 150 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type PVC (100 psi)
- 2) Size 4 inches
- 3) Length 2850 feet

SYSTEM SUMMARY:

There is a 4-inch diameter tee with a check valve going to the campus irrigation system. There is approximately 2850 feet of 4-inch diameter main line that makes a loop around the campus. The system consists of numerous small diameter PVC laterals off of main line with buried popup sprinklers.

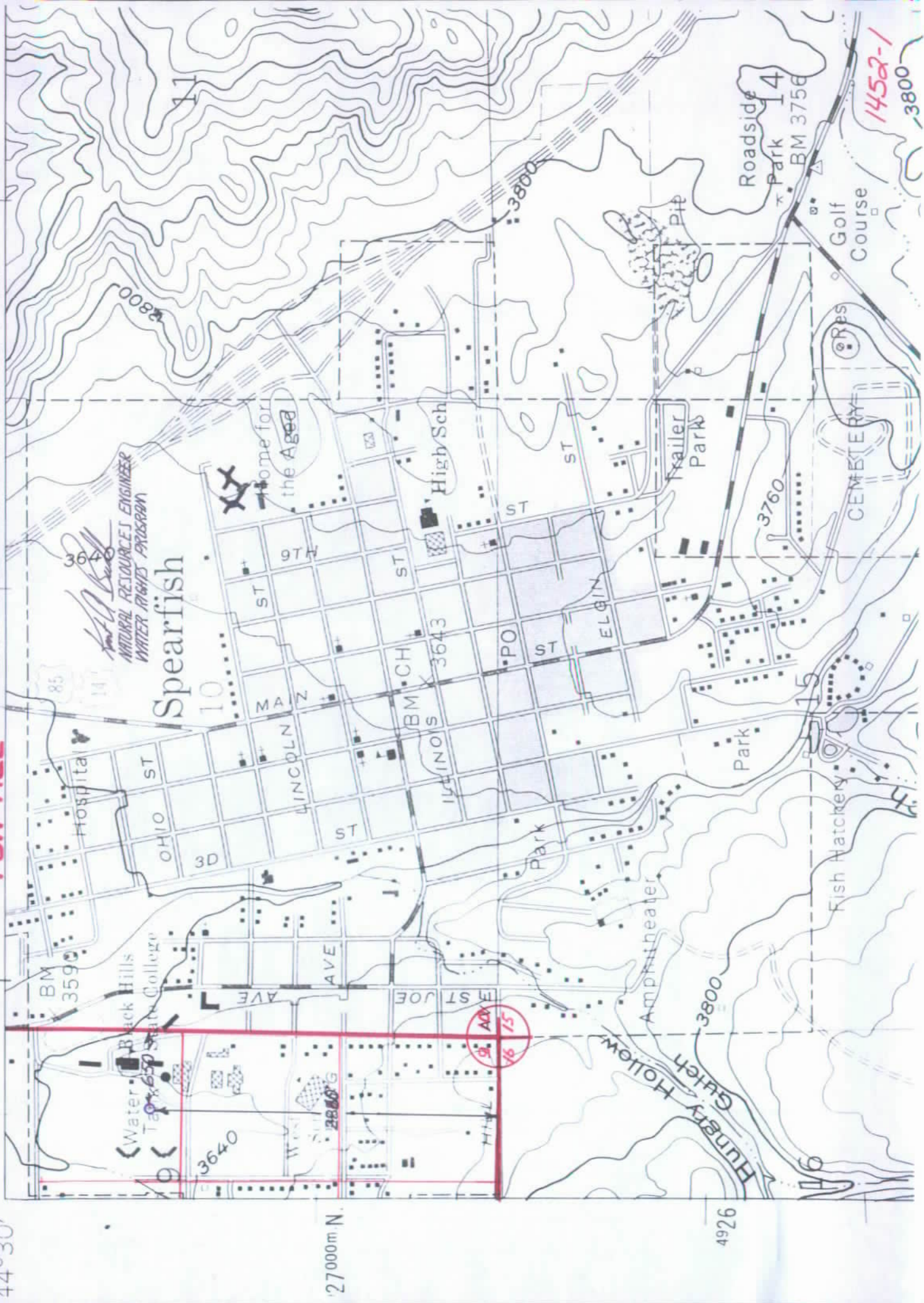
PERMIT QUALIFICATIONS AND REGULATIONS:

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

GEOLUGICAL SURVEY

$$\frac{103^{\circ}52'30''}{44^{\circ}30'}$$

590000m E. **76N-R2E** ↗ BUFFALO 86 MI.
BELLE FOURCHE (VIA U.S. 85) 12 MI. | 592





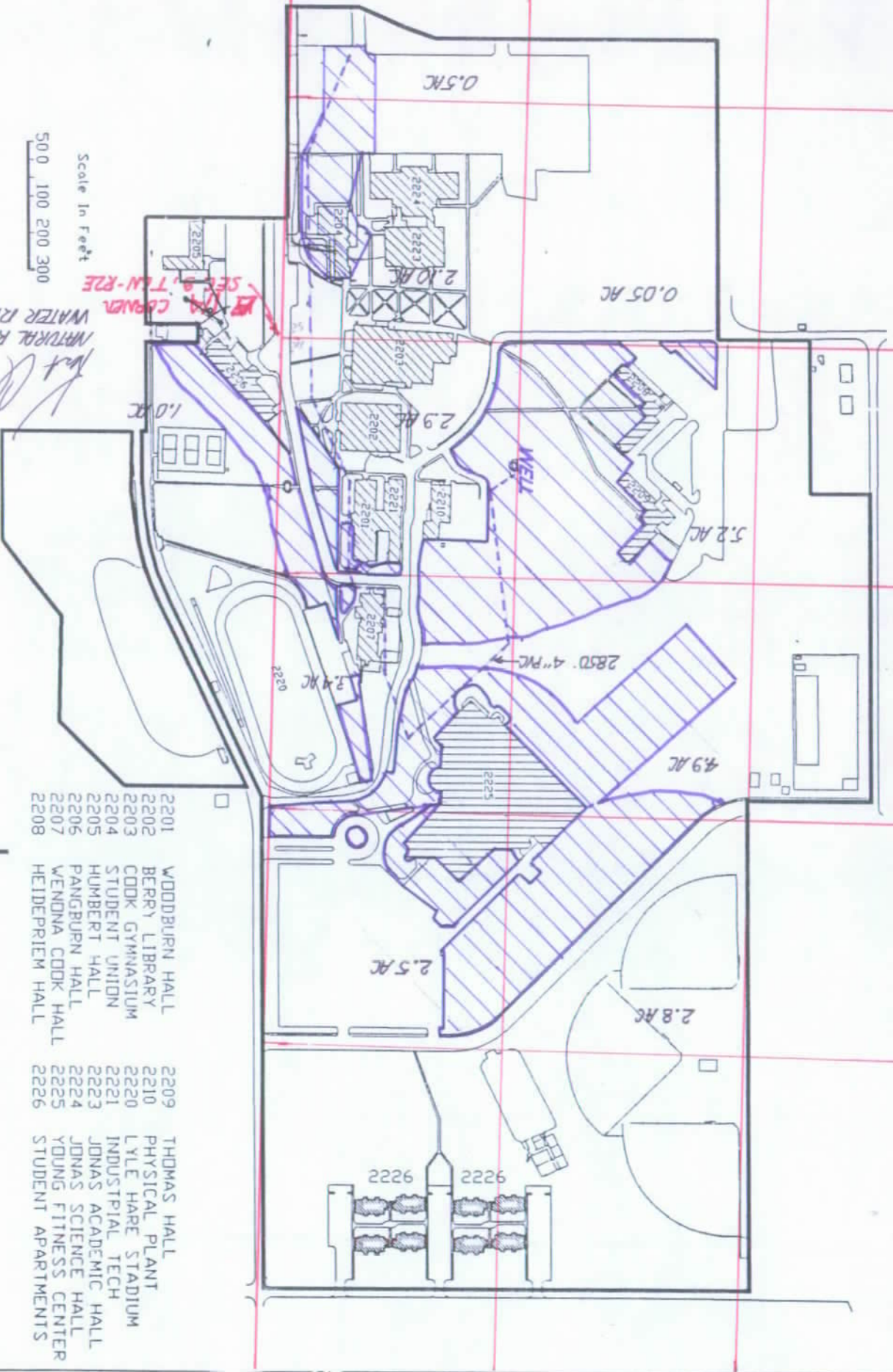
Scale In Feet
500 100 200 300

NATURAL RESOURCES ENGINEER
WATER RIGHTS PROGRAM

W. A. Bull

- | | |
|------------------------|---------------------------|
| 2201 WOODBURN HALL | 2209 THOMAS HALL |
| 2202 BERRY LIBRARY | 2210 PHYSICAL PLANT |
| 2203 COOK GYMNASIUM | 2220 LYLE HARE STADIUM |
| 2204 STUDENT UNION | 2221 INDUSTRIAL TECH |
| 2205 HUMBERT HALL | 2223 JONAS ACADEMIC HALL |
| 2206 PANGBURN HALL | 2224 JONAS SCIENCE HALL |
| 2207 WENDONA COOK HALL | 2225 YOUNG FITNESS CENTER |
| 2208 HEIDEPRIEM HALL | 2226 STUDENT APARTMENTS |

← BHSU Property Line



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1452-1

(1) Black Hills State University, PO Box 9513, Spearfish SD 57799-9513 made Application No. 1452-1, December 19, 1988 for a water permit to divert 4.58 cubic feet of water per second (cfs) from groundwater (one well), Lawrence County, South Dakota for municipal use by the City of Spearfish and irrigation purposes. Permit No. 1452-1, with a priority date of December 19, 1988 was approved March 2, 1989 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 2, 1994 and for the application to beneficial use of said water on or before March 2, 1998.

Water Permit No. 1383-1 with a priority date of January 28, 1987 authorized 0.55 cfs from the same well as authorized by No. 1452-1 to irrigate 38.8 acres. The applicable portions of Water Permit No. 1383-1 have been incorporated in Water License No. 1452-1, with priority date of January 28, 1987 for irrigation and December 19, 1988, for municipal purposes.

(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 3.33 cubic feet of water per second for beneficial use. The location of the diversion point is 2,860 feet north and 650 feet west of the southwest corner of Section 9-T6N-R2E (SE 1/4 NE 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 9-T6N-R2E	NE 1/4 NE 1/4	5.30 acres
	SE 1/4 NE 1/4	16.40 acres
	NE 1/4 SE 1/4	2.74 acres
Section 10-T6N-R2E	SW 1/4 SW 1/4	1.00 acre
Total		25.44 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Black Hills State University, PO Box 9513, Spearfish SD 57799-9513 the holder and/or owner of Incorporated Water Permit No. 1452-1 is issued a license to appropriate water, the right to use 3.33 cubic feet of water per second from groundwater (one well) with priority dates of January 28, 1987 (irrigation of above described land) and December 19, 1988 (municipal use) from the location specified in (2) of this license for the purpose of irrigation and municipal use by the City of Spearfish. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 1452-1 and subject to South Dakota State Law.


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

APR 23 1998

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 23 1998

1452-1

Black Hills State University
Randy Culver, Manager
P.O. Box 9513
Spearfish, SD 57799-9513

Dear Mr. Culver:

Enclosed is Water License No. 1452-1. 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. 1452-1, 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.

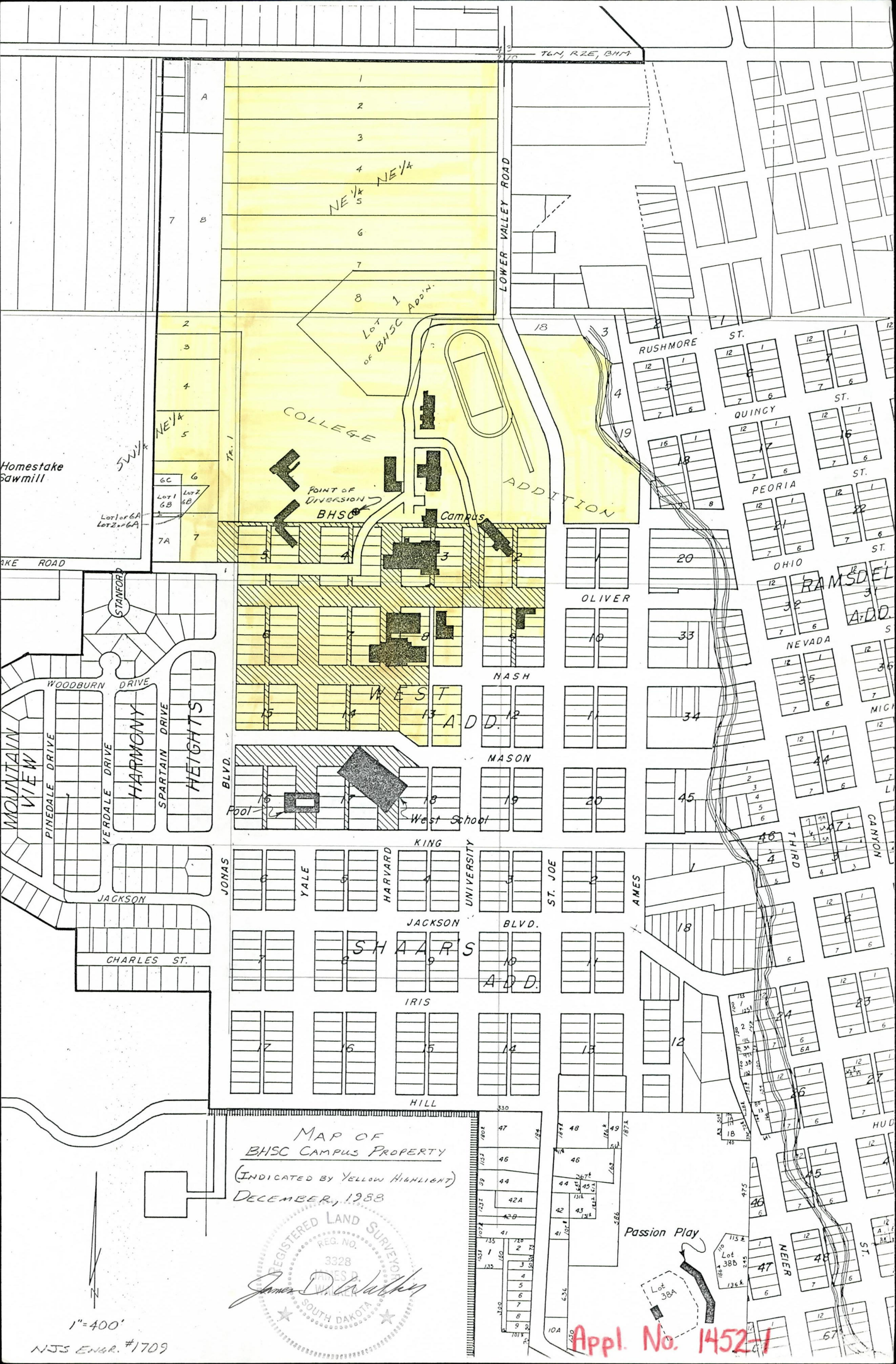
As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

ks
enclosures

NOTE: The applicable portions of Water Permit No. 1383-1 have been incorporated in Water License No. 1452-1.



Homestake Sawmill

LAKE ROAD

MOUNTAIN VIEW
PINEDALE DRIVE
VERDALE DRIVE
HARMONY
SPARTAIN DRIVE
HEARTS

JACKSON
CHARLES ST.

MAP OF
BHSC CAMPUS PROPERTY
(INDICATED BY YELLOW HIGHLIGHT)
DECEMBER, 1988

REGISTERED LAND SURVEYOR
REG. NO. 3328
JAMES D. WALKER
SOUTH DAKOTA

1"=400'
NJS ENGR. #1709

Passion Play

Appl. No. 1452-1



DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES
JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 14, 2025

NOTICE

TO: BLACK HILLS STATE UNIVERSITY, RANDY CULVER, 1200 UNIVERSITY ST UNIT
9513, SPEARFISH, SD 57799 9513

FROM: Ron Duvall, Engineer III
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2024 Irrigation Questionnaire(s)

Our records indicate your 2024 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1452-1. The request for the Questionnaire was dated October 23, 2024. The Water Management Board has directed owners of water permits who have not submitted the 2024 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1452-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held on **Wednesday, March 5, 2025, at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1452-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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.

If the questionnaire(s) is (are) received in this office before the **March 5, 2025**, hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Amanda Dewell at (605) 773-3352 or email at amanda.dewell@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: JFNBOI**

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 28, 2025

1452-1

Black Hills State University
Facilities Services c/o Rhyse Naylor, Mgr
1200 University St, Unity 9513
Spearfish SD 57799

Dear Mr. Naylor:

I am writing to acknowledge the receipt of your 2024 irrigation questionnaire(s).

You may disregard the January 14, 2025, "Notice" concerning the reporting requirements for Water Permit No(s). 1452-1. The information was received prior to the March 5, 2025, Water Management Board meeting and the above listed permit number(s) have been removed from the agenda.

If you have any questions or concerns, please contact me.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us