

Considered: _____

Vested
WATER PERMIT NO. 1474-1

HAP No. same 347-2511

Name of Applicant V.A.M.C., Ft. Meade

Post Office Address Ft. Meade SD 57741

Amount of Water Claimed ~~30.55 cfs~~ 350,000 gpd Total Acres NA

Source of Water Supply collection galleries - Deadman Canyon

Water to be used for institutional purposes County Meade

About 4 miles S of Sturgis.

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received 9/14/89 Fee \$15.00 Remarks _____

Corrected Application Received 10/19/89 Period of Annual Use Jan 1 - Dec 31

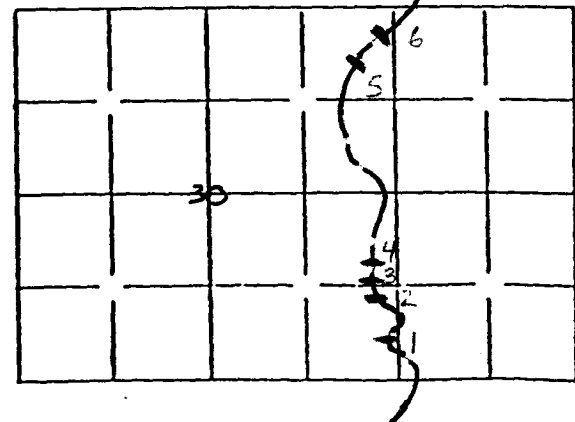
WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

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

Diversion Point collection galleries (6):

E $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ section 30-T5N-
R5E

Land to be Irrigated NA



Well Log: Driller NA Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map aerial photo PREPARED BY Ken Simonsen Reviewed and the Number

assigned on Nov 16, 1989 By R. D. Durrell

STATE OF SOUTH DAKOTA

VESTED RIGHT WATER LICENSE NO. 1474-1

(1) Veterans Administration Medical Center of Ft. Meade SD 57741 made Application No. 1474-1, September 14, 1989 for validation of a vested right claim to appropriate 350,000 gallons of water per day from six collection galleries located along the creek bed in Deadman Canyon, Meade County, South Dakota for institutional purposes. Vested Water Right No. 1474-1 was validated March 7, 1990 with a priority date of January 1, 1909. Construction of the described water supply system and application of water to beneficial use has been completed and complies with applicable provisions of South Dakota State Law.

(2) The applicant is entitled to divert 350,000 gallons of water per day for beneficial use. The location of the diversion points are in the NE 1/4 and E 1/2 SE 1/4 Section 30, T5N, R5E.

(3) Pursuant to Section 46-5-30.1 Veterans Administration Medical Center of Ft. Meade SD 57741 the holder(s) and/or owner(s) of Vested Water Right No. 1474-1 is issued a license to appropriate 350,000 gallons of water per day from six collection galleries along Deadman Canyon with a priority date of January 1, 1909 from the location specified in (2) of this license. The water is to be used for the purpose of institutional use. This license is subject to any limitations, conditions or qualifications listed in Vested Water Right No. 1474-1 and subject to South Dakota State Law.



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

JUN 18 1990

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1474-1

Date of Receipt of Claim September 14, 1989.

Date of Validation March 7, 1990.

The Water Management Board validated Vested Water Right Claim No. 1474-1 for Veterans Administration Medical Center, Ft. Meade, SD 57741 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1474-1 appropriates 350,000 gallons per day from 6 collection galleries located along the creek bed in Deadman Canyon in the E1/2 SE1/4, NE1/4 NE1/4 Section 30-T5N-R5E.

2. The appropriated water is used for the medical center and may not exceed the amount of water needed for beneficial use for institutional purposes.

The water is to be used during the following annual period: January 1 - December 31.

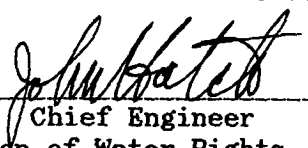
3. The priority date of the Vested Water Right is: January 1, 1909.

4. The water use system has been constructed and water has been applied to beneficial use.

5. Water Rights obtained in compliance with the laws of the State of South Dakota must not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: _____


Chief Engineer

Division of Water Rights

Dept. of Water and Natural Resources

JUN 18 1990

date

52
523 E. Capitol
Pierre, SD 57501
(605) 773-3352

No. 1474-1 Hydrologic Unit 10120202
 Map No. Same Basin Belle Fourche R
 Newspaper Meade Co. Times-Tribune Box 69
(Wed) 57785

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 V.A.M.C., Ft. Meade (Ken Simensen) Phone No. 605-347-2511Post Office Address Ft. Meade, S.D. State SD
(Street, RR or Box) (City) Zip Code2. Amount of water claimed (c.f.s) --:55-C:F:S- 350,000 gallons per day3. Source of water supply Deadman Canyon - Collection Galleries (6)4. Location of point of diversion Sec 30 T5N R5E 6 GalleriesLocated as shown on attached drawing E½ SE¼, NE¼County Meade5. Counties where water will be used Meade6. Annual period during which water is to be used All year Jan 1 - Dec 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)

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, V.A.M.C. Ft. Meade Ken M. Simensen the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.Signed Ken SimensenSubscribed and sworn to before me this 8th day of September 1989Donna S. Whitehead

Notary Public

Comm. Exp. 11/9/95

RECEIPT

411912

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, September 15, 1989RECEIVED OF V.A.M.C., Ft. Meade, (Ken Simensen) Ft Meade, SD 57741

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

Fee for Application for Permit No. <u>1474-1</u> to Appropriate Water, to construct works and to put water to beneficial use _____	15	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	15 00

By

Chief Engineer

E. Kuntz in Semmes 9/13/59

46093 181-155

USDA

V.R. Appl. No. 1474-1

plant #1
plant #2
plant #3
plant #4
plant #5

plant #6

46093

20

29

Affidavit of Water Use

No. _____

(Type or Print in Ink)

Note: This Form is supplemental to Form 2 and is to be used when an affidavit pertaining to construction and water use already constructed is needed, primarily with vested right claims.

**Affidavit Of Construction Of Water Use System
And Application Of Water To Beneficial Use**

Name of Applicant (Same as Form 2) V.A.M.C., Ft. Meade (Ken M. Simensen, Chief Engineer)

Post Office Address Ft. Meade S.D. 57741
(Street, RR or Box) (State) (Zip Code)

A. Notice of Appropriation _____ Date of Posting _____

Date of recording _____ Recording date _____
Where Book Page

B. Date of start of construction of water supply system Early 1900'sC. Date that water was first applied to beneficial use Early 1900's about 1909D. Name of owner of original water supply system U.S. Govt. (Army)E. Amount of water originally applied to beneficial use UnknownF. Present Use of Water - Amount of water now being used Up to 350,000 GPDDate that this water was first used Unknown

G. Chronological History of Water Use From available records, this system was first used in about 1909 with the construction of a dam on the lower part of Deadman Canyon in Sec. 20. Later another dam was constructed further upstream in Sec. 20. This was AWP dam. I believe this dam did not retain water very well and Galleries were installed further upstream and are presently in the configuration shown on the drawing. Use of both dams for water supply has been discontinued for a number of years.

Attach to this Form 2B any copies of notices, postings, filings, publications, affidavits, or other records that apply. You may also attach any written statement by you, or by others, that you deem pertinent.

State of South Dakota)

County of Meade)
SS

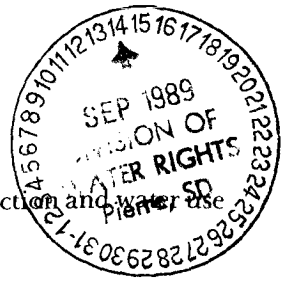
I, VAMC Ft. Meade Ken M. Simensen the applicant, certify that I have read the foregoing
(print or type)
 and that the matters therein stated are true.

Signed K.M. SimensenSubscribed and sworn to before me September 8, 1989Donna J. Whitehead

Notary Public or other qualified officer

Comm. Exp. 11/9/95

I, the undersigned do hereby certify that I know about the water use system described above, that I have read the foregoing, and that the matters therein stated are true.

JON R. HOLMGREN 1989
(Print name)KIT L. CLINE 1989
(Print name)



Department of Water & Natural Resources

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

September 21, 1989

Ken M. Simenson, Chief Engineer
V.A.M.C.
Ft. Meade, SD 57741

Dear Mr. Simenson:

This letter is in reference to the vested water right applications received from you on September 14, 1989.

The application for appropriation of 0.55 cubic feet of water per second (cfs) from 6 galleries qualifies for a Vested Right Claim since the system was developed and/or water was put to use prior to 1955. In order to complete this application, it will be necessary to submit information on the wells by completing and returning the enclosed Form 2A.

The application for appropriation of 0.15 cfs from one well, 1280 feet deep, constructed in 1973 does not qualify for a Vested Water Right. In order to complete this application, it will be necessary to submit the remaining application fee. The fee for appropriating 0.15 cfs is \$150 (see enclosed instruction sheet). You have already submitted \$15. The remaining \$135 needs to be submitted.

The Water Management Board cannot consider a water permit application until it is complete. Please return the enclosed Form 2A and the balance of the required application fee to begin processing of your water permit application.

Feel free to contact us if you have any questions.

Sincerely,

Susan A. Bowar

Susan A. Bowar
Natural Resources Engineer
Water Rights Division
(605) 773-3352

enclosures

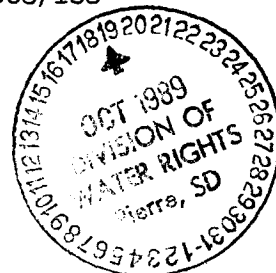


**Veterans
Administration**

October 18, 1989

In Reply Refer To: 568/138

RON DUVALL
NATURAL RESOURCES ENGINEER
WATER RIGHTS DIVISION
523 E CAPITOL
PIERRE SD 57501-3181



Dear Mr Duvall:

In reply to the letter of September 21, 1989, from Susan A. Bowar of your office, and per our phone conversation, please find enclosed a money order for \$135.00.

In regards to the Form 2A which we agreed was included in the application, you requested that I explain the collection gallery system.

The six collection galleries are concrete structures placed on bed rock in the bottom and across the creek bed. The structure is about three feet high and two feet thick. A perforated pipe is placed along the bottom front of the structure. The pipe is covered first with pea gravel, then pit run gravel, then river rock is used to prevent washout and placed level with the top of the structure.

These galleries are connected to a main pipe which transport the water by gravity to the hospital water storage tank.

If you have any questions regarding this matter, please feel free to contact me at 347-2511, Extension 578.

Sincerely,

A handwritten signature of Ken M. Simensen in dark ink.

KEN M. SIMENSEN
Chief, Engineering Service

Attachments



Department of Water & Natural Resources

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

November 29, 1989

Dave Hagel
Banner & Associates
PO Box 1140
Rapid City, SD 57709

Dear Mr. Hagel:

Enclosed, as you requested, are copies of Water Permit No. 1445-1 and Vested Water Right No. 1446-1 for the City of Sturgis. You inquired about Water Rights for the Ft Meade Medical Center. The Center currently has the following two applications pending:

1. Application No. 1473-1 - requesting 0.15 cubic feet of water per second (cfs) from one 1280' deep well located in the SW 1/4 SW 1/4 Section 16, T5N, R5E; and
- 2) Vested Water Right Application No. 1474-1 - 0.55 cfs from 6 collection galleries along Deadman Canyon in the E 1/2 SE 1/4, NE 1/4 NE 1/4 Section 30, T5N, R5E. They are claiming a priority date of 1909.

The above applications are scheduled for the March, 1990 Water Management Board meeting.

I hope the enclosed information will be of help to you. If you have any questions, please contact us.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMATH".

GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosures



Department of Water & Natural Resources

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

January 9, 1990

Meade Co. Times-Tribune
Box 69
Sturgis SD 57785

ATTENTION: Legal Department

Enclosed is a Notice of Hearings on Application No. 1473-1 and Vested Right Claim No. 1474-1 to be published twice. Please publish the first notice on or before January 17, 1990 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 the Veterans Administration Medical Center, Ft. Meade SD 57741.

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 Nos. 1473-1 & 1474-1 which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper _____





Department of Water & Natural Resources

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

January 9, 1990

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

Ken M Simensen
Veterans Administration Medical Center
Ft. Meade SD 57741

Dear Mr. Simensen:

Water Permit Application No. 1473-1 and Vested Water Right Claim No. 1474-1 for institutional use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Meade Co. Times-Tribune printed at Sturgis SD. For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications 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. The newspaper has been instructed to send us the Proof of Publication. 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



Instruction to Newspaper - Publish first Notice on or before January 17, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARINGS on Application No. 1473-1 to Appropriate Water and
to Validate Vested Water Right Claim No. 1474-1 to Appropriate Water

Notice is given that the Veterans Administration Medical Center, Ft. Meade SD 57741 has filed two applications. Application No. 1473-1 is to appropriate 0.15 cubic feet of water per second (cfs) from one existing well 1280 feet deep located in the SW 1/4 SW 1/4 Section 16-T5N-R5E. Water is used for institutional purposes by the Veterans Administration Medical Center.

Vested Right Application No. 1474-1 claims 350,000 gallons per day from 6 collection galleries located along the creek bed in Deadman Canyon in the E 1/2 SE 1/4, NE 1/4 NE 1/4 Section 30-T5N-R5E. Water is used for institutional purposes by the Veterans Administration Medical Center with a claimed priority date of 1909.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1473-1 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 and recommends validation of Vested Water Right Application No. 1474-1 because 1) water has been appropriated as described for institutional use with a January 1, 1909 priority date, 2) the use has been developed without unlawful impairment of existing rights, 3) it is a beneficial use of water and 4) it is in the public interest. These applications will be considered by the Water Management Board in the Roosevelt-Jefferson Room, Howard Johnsons, 2211 LaCrosse, Rapid City SD on March 7, 1990 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve and/or validate, 2) approve and/or validate with qualifications, 3) defer or 4) deny these applications based on the facts presented at the public hearing.

Any interested person that intends to participate in a 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 23, 1990. 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 an application, the petitioner's reasons for opposing or supporting an 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 these applications or to assure access to the hearing by the handicapped.

These hearings are adversary proceedings. 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 a 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 23, 1990.

These applications are 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; 46-2A-18; 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, 46-5-49, 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; 74:02:01:19 thru 74:02:01:22.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Meade) ss.

I, Sharon Allison

certify that the attached printed Notice 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:

January 17, 1990

January 24, 1990

Sharon Allison
 (Signature)

Belling Clerk
 (Title)

January 17, 1990
 (Date Signed)

Cost of Printing: 52.38



Ft. Meade files
 two applications

NOTICE OF HEARING
 on Application No. 1473-1
 to Appropriate Water and
 to Validate Vested Water
 Right Claim No. 1471-1 to
 Appropriate Water

Notice is given that the Veterans
 Administration Medical Center,
 Ft. Meade SD 57741 has filed two
 applications. Application No.
 1473-1 is to appropriate 0.15 cubic
 feet of water per second (cfs) from
 one existing well 1280 feet deep
 located in the SW 1/4 SW 1/4 Section
 16-T5N-R5E. Water is used for in-
 stitutional purposes by the Veter-
 ans Administration Medical Cen-
 ter.

Vested Right Application No.
 1471-1 claims 350,000 gallons per
 day from 6 collection galleries
 located along the creek bed in
 Deadman Canyon in the E 1/2 SE 1/4,
 NE 1/4 NE 1/4 Section 30-T5N-R5E.
 Water is used for institutional pur-
 poses by the Veterans Adminis-
 tration Medical Center with a
 claimed priority date to 1909.

Pursuant to SDCL 46-2A-2, the
 Chief Engineer of the Water Rights
 Division recommends APPROV-
 AL of Application No. 1473-1 be-
 cause 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 and
 recommends validation of Vested
 Water Right Application No. 1474-1
 because 1) water has been ap-
 propriated as described for insti-
 tutional use with a January 1, 1909
 priority date, 2) the use has been
 developed without unlawful im-
 pairment of existing rights, 3) it is

a beneficial use of water and 4) it is
 in the public interest. These ap-
 plications will be considered by the
 Water Management Board in the
 Roosevelt Jefferson Room,
 Howard Johnsons, 2211 LaCrosse,
 Rapid City SD on March 7, 1990 at
 10:00 am. The Chief Engineer's
 recommendation is not final or
 binding upon the Board. The Board
 is authorized to 1) approve and/or
 validate, 2) approve and/or vali-
 date with qualifications, 3) defer or
 4) deny these applications based on
 the facts presented at the public
 hearing.

Any interested person that intends to participate in a hearing before the Board by presenting or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by February 23, 1990. 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 an application, the petitioner's reasons for opposing or supporting an 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 these applications or to assure access to the hearing by the handicapped.

These hearings are adversary proceedings. Any person filing a petition and/or the applicant have a 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 a hearing will also be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by February 23, 1990.

These applications are 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; 46-2A-18; 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, 46-5-49, 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; 74:02:01:19 thru 74:02:01:22.

Publ. Jan. 17, 24, 1990
Meade County Times-Tribune



Department of Water & Natural Resources

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

JUN 18 1990

1474-1

Ken M Simensen
Veterans Administration Medical Center
Ft. Meade SD 57741

Dear Mr. Simensen:

Enclosed are your Validated Vested Water Right and Water License No. 1474-1. As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

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

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

enclosures

**Report on Vested Right Application No. 1474-1
Veterans Administration Medical Center
November 30, 1989**

Background

Vested Right Application No. 1474-1 claims 350,000 gallons per day (gpd) from 6 collection galleries. The galleries are located along the creek bed in Deadman Canyon in the E1/2 SE1/4, NE1/4 NE1/4 Section 30, T5N-R5E, in Meade County. The water is used for institutional purposes by the Veterans Administration Medical Center. The applicant claims a priority date of 1909.

Discussion

According to the applicant, the system was first used in about 1909 with construction of a dam on the lower part of Deadman Canyon in Section 20, T5N-R5E. A second dam was later constructed upstream from the first dam. It seemed, however, that this dam did not hold water and the diversion system was modified and the galleries were constructed. The dams are no longer being used as a source of water supply.

The galleries consist of six concrete structures placed on the bed rock in the bottom and across the creek bed. Each structure is about three feet high and two feet thick. A perforated pipe is placed along the bottom front of the structure. The pipe is covered with pea size gravel, then larger sized gravel, then river rock is used to prevent erosion and placed level with the top of the structure. The galleries are connected to a main pipe which transports the water by gravity to a water storage tank.

On November 30, 1989, Mr. Ken Simenson, Chief, Engineer Service, Veterans Administration Medical Center, was contacted. Mr. Simonson stated that the diversion rate is controlled by the amount of water consumption. The amount of water claimed is based on a daily average use.

Conclusions and Recommendations

1. According to the applicant the water has been diverted from Deadman Canyon since 1909.
2. No complaint has been received regarding diversion of water by the applicant.
3. No other water rights exist on the creek in Deadman Canyon.
4. The amount of water claimed is available most of the year.

5. The amount of water claimed should be 350,000 gallons per day as indicated on Form 2B.
6. It is recommended that the Vested Right Application No. 1474-1 be validated for 350,000 gpd of water with a priority date of January 1, 1909.

M. Ahadi

M. RASSOOL AHADI
Natural Resources Engineer II
(605) 773-3352

Approved By:

Del Brosz

Del Brosz, P.E.
Natural Resources Engineer IV
(605) 773-3352

RECOMMENDATION OF CHIEF ENGINEER FOR VALIDATION OF VESTED WATER
RIGHT APPLICATION NO. 1474-1,
Veterans Administration Medical Center

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 Validation of Vested Water Right Application No. 1474-1, Veterans Administration Medical Center, Ft. Meade SD 57741.

The Chief Engineer is recommending VALIDATION of Application No. 1474-1 for 350,000 gallons per day because 1) water has been appropriated as described for insitutional use with a priority date of January 1, 1909, 2) the use has been developed without unlawful impairment of existing rights, 3) the use is a beneficial use and 4) it is in the public interest.

See the attached report for additional information.

A handwritten signature in dark ink, appearing to read "John Hatch", with a stylized flourish at the end.

JOHN HATCH, Chief Engineer
December 4, 1989