

Considered: _____

WATER PERMIT NO. 1481-1

MAP No. same 892-3006

Name of Applicant City of Belle Fourche

Post Office Address 606 6th Avenue, Belle Fourche SD 57717

Amount of Water Claimed 2.23 cfs Total Acres NA

Source of Water Supply 1 well - Madison Limestone

Water to be used for MUN, GEO County Butte

About _____ miles _____ of Belle Fourche.

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received Dec 20, 1989 Fee _____ Remarks _____

Corrected Application Received Jan 2, 1990 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 $\frac{1}{4}$ SW $\frac{1}{4}$ section 11-

T8N-R2E

Land to be Irrigated NA

		11			
well					

Well Log: Driller not drilled Licensed YES NO

Depth of Well $\approx$ 2800 feet REMARKS _____

Type of Map plat PREPARED BY Lawrence E Little Reviewed and the Number

assigned on Jan 16, 1990 By Ron D. Small

SOUTH DAKOTA
WATER PERMIT No. 1481-1

Date of first receipt of application December 20, 1989.

Date of return to applicant for corrections, amendments or changes December 27, 1989.

Date of receipt of corrected application January 2, 1990.

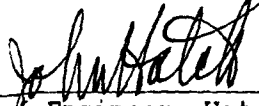
The Water Management Board approved Water Permit Application No. 1481-1 on March 7, 1990 for the City of Belle Fourche, 606 6th Avenue, Belle Fourche SD 57717 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 1481-1 appropriates 2.23 cubic feet of water per second from one well (Madison Limestone) approximately 2800 feet deep to located in the SW1/4 SW1/4 section 11-T8N-R2E.
2. The water appropriated shall be used for the purpose of supplying the City of Belle Fourche and may not exceed the amount of water needed for beneficial use for municipal and geothermal heating/cooling purposes.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date from which applicant may claim right is December 20, 1989.
5. One-fifth of the construction is to be completed on or before September 7, 1992.
6. All construction is to be completed on or before March 7, 1995.
7. Water is to be put to beneficial use on or before March 7, 1999.
8. 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 authorized by Permit No. 1481-1 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted with cement (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:30.
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. 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. If this well is abandoned or the permit cancelled, the well must be plugged in accordance with specifications of the Water Management Board.

WATER MANAGEMENT BOARD

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

APR 25 1990

(date)

Mail to: Water Rights Div.

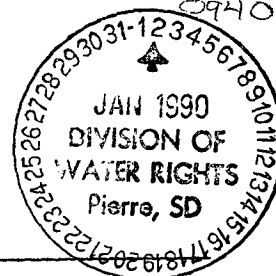
523 E. Capitol
Pierre, SD 57501
(605) 773-3352

No. 1481-1 Hydrologic Unit 19120203
 Map No. same Basin Belle Fourche R.
 Newspaper Daily Belle Fourche Post, P.O. Box 400, 57717-0400

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 BELLE FOURCHE Phone No. 892-3006Post Office Address 606 6TH AVENUE, BELLE FOURCHE State SD 57717
(Street, RR or Box) (City) Zip Code2. Amount of water claimed (c.f.s) 2.233. Source of water supply WELL TO MADISON (PAHASAPA) LIMESTONE4. Location of point of diversion LOT 3, BLOCK 4 OF HIGHLAND ADDITION TO THE CITY OF BELLE
FOURCHE - 1118.35' EAST AND 166.75' NORTH OF THE SOUTHWEST CORNER OF SECTION 11,
T8N. R2E. B.H.M. SW $\frac{1}{4}$ SW $\frac{1}{4}$ County BUTTE5. Counties where water will be used BUTTE6. Annual period during which water is to be used YEAR AROUND January 1 - 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)

DRILL A WELL INTO THE MADISON (PAHASAPA) LIMESTONE, ESTIMATED 2,800' DEEP. (SEE ATTACHED MAP AND GEOLOGIC CROSS SECTION SHEETS FOR TYPE OF FORMATIONS TO BE ENCOUNTERED). INSTALL 2,500' OF 10" WATER LINE TO AN EXISTING 1.5 MILLION GALLON STORAGE RESERVOIR. INSTALL NECESSARY CHLORINATION EQUIPMENT. ANTICIPATE TO USE A PORTION OF THE WATER TO HEAT AND COOL THE PROPOSED CITY RECREATION CENTER WITH WATER TO BE REINJECTED BACK INTO THE WATER DISTRIBUTION SYSTEM FOR MUNICIPAL WATER SUPPLY. ESTIMATED COST - \$500,000.00.

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 BUTTE)^{ss}I, ROBERT L. HELMER, MAYOR, CITY OF BELLE FOURCHE

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

Subscribed and sworn to before me this 29TH day of DECEMBER 1989

Notary Public My Commission Expires
January 31, 1998

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 13 1/2" and 9 7/8" Depth 13 1/2" @ 1060' - 9 7/8" @ 1740'
- b) Casing Type Steel Diameter 10 3/4" & 7 5/8" Thickness 10 3/4" = ± .365"
7 5/8" = ± .277"
- c) Screen Type NA Diameter _____ Thickness _____
- d) Gravel Pack Thickness NA Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material 2400 Feet (Estimated)
- f) Depth to Water (ground surface to water level) Anticipate flow at well head
- g) Distance to nearest existing domestic well: _____

On applicants property 2 Mi. North & 1 Mi. West (City's Madison Well) On property owned by others _____

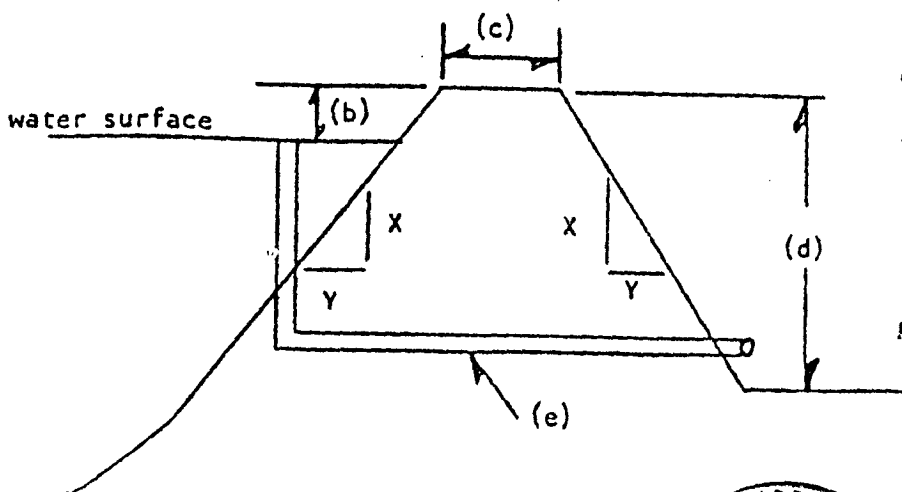
2. Dugout Information Estimates NA

- 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 _____



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410017

Pierre, January 5, 1990

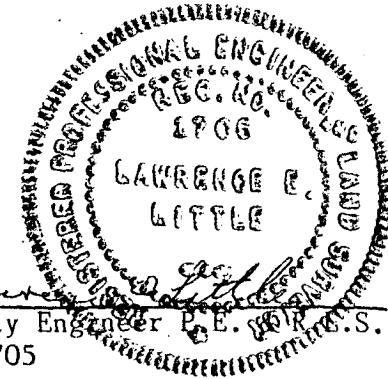
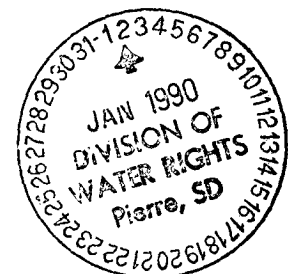
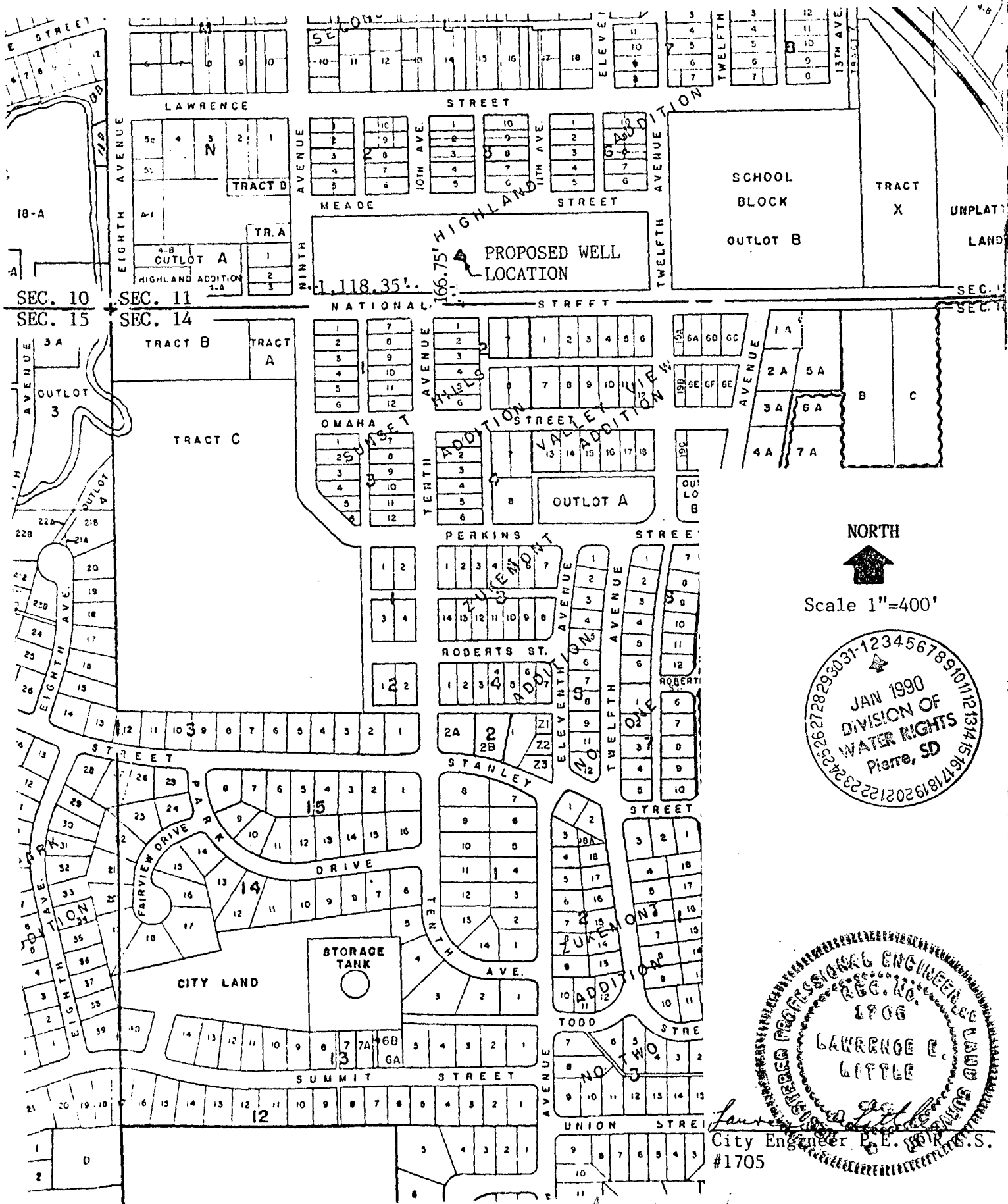
RECEIVED OF City of Belle Fourche, 606 6th Avenue, Belle Fourche, SD 57717

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

Fee for Application for Permit No. <u>14711</u> to Appropriate Water, to construct works and to put water to beneficial use	525	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	525 00

By John Hatch (Mrs)
Chief Engineer

PROPOSED WELL LOCATION
FOR
CITY WELL NO. 2



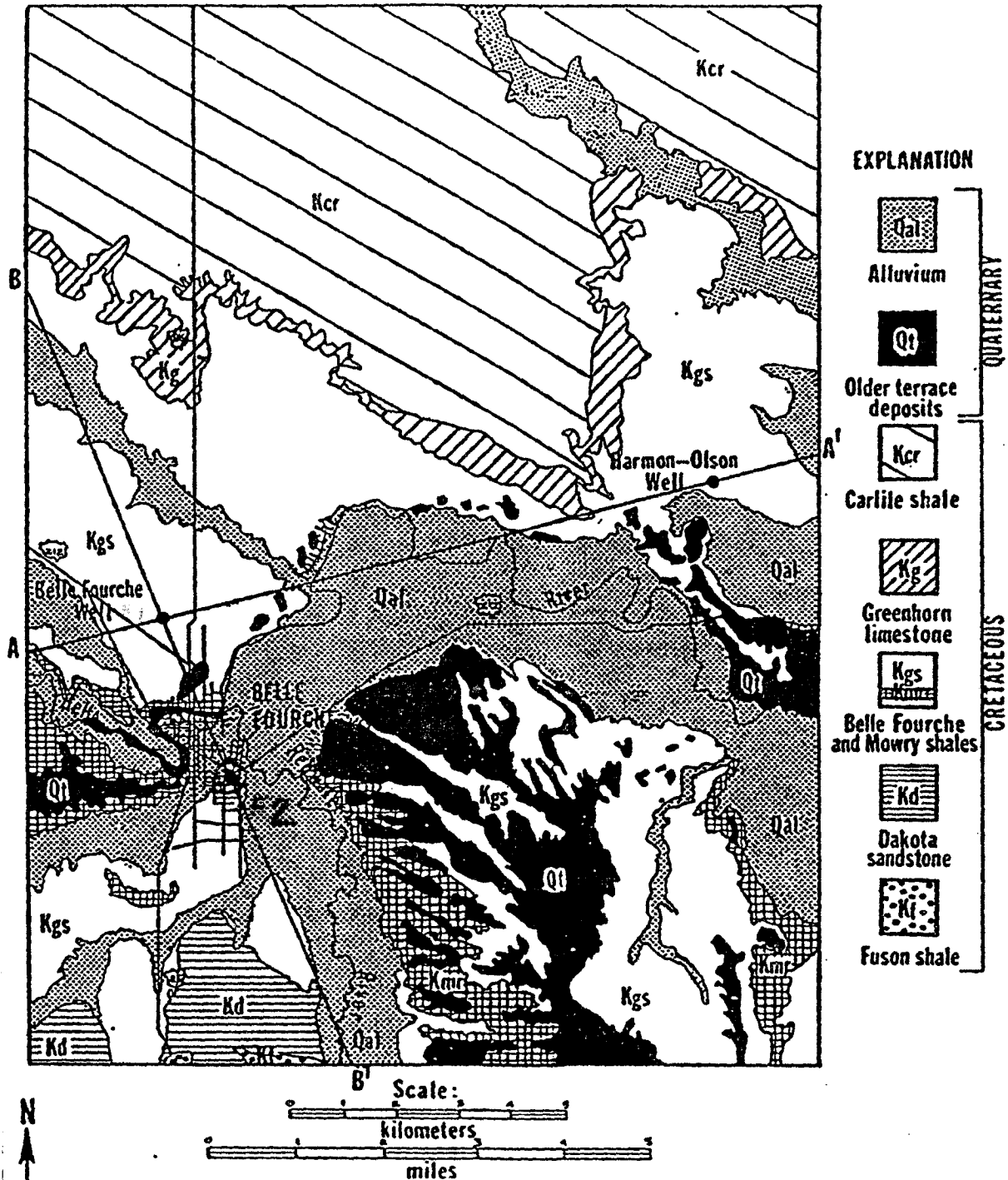
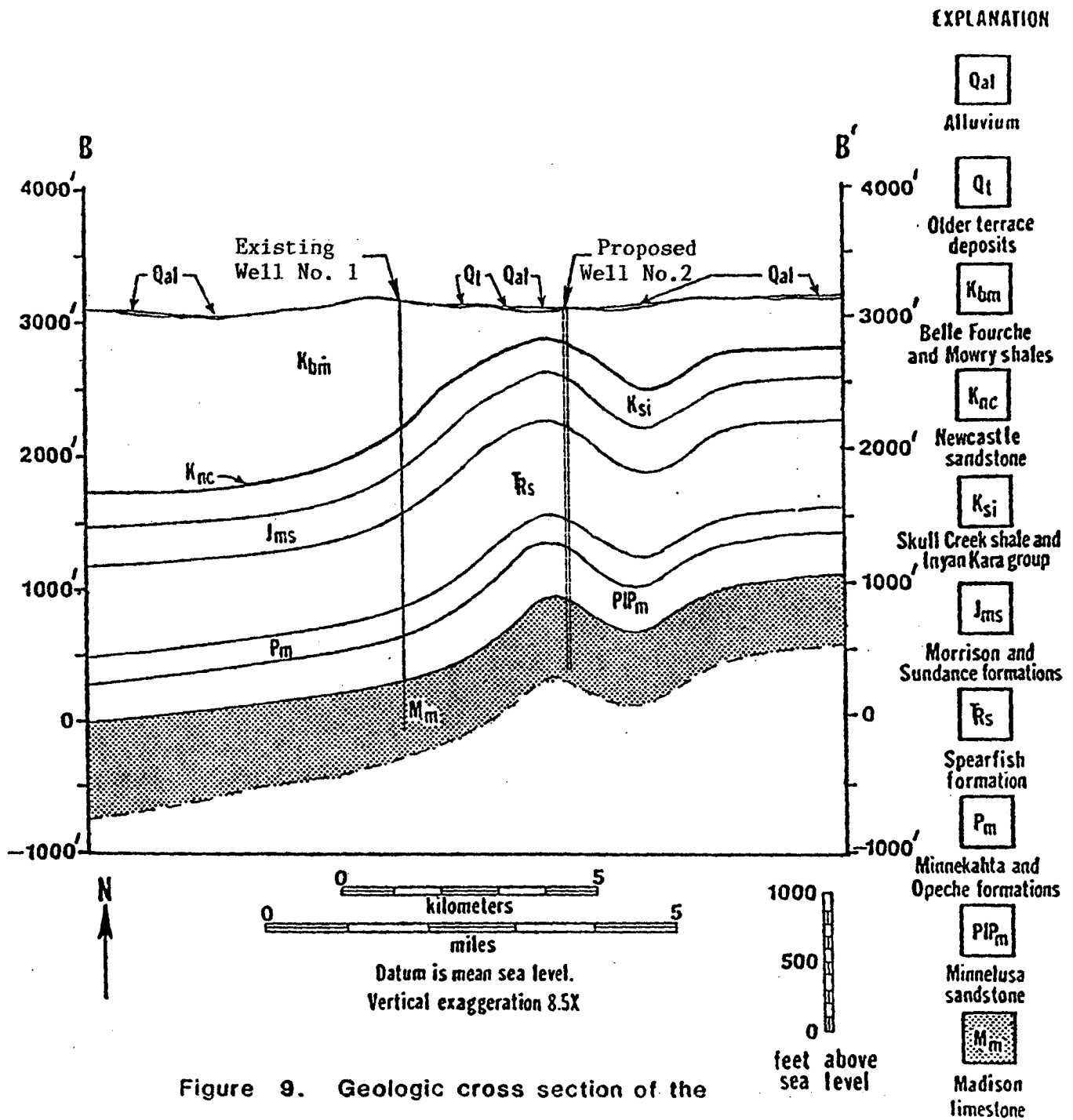


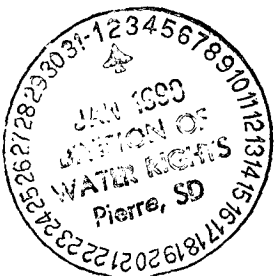
Figure 6. Geologic map of the Belle Fourche area (From Darton and O'Harra, 1909). For cross sections, see Figure 8 for A - A' and Figure 9 for B - B'.





Information above is from a study completed by the South Dakota School of Mines and Technology completed in 1989.

Titled: Geothermal Water Utilization for the City of Belle Fourche



CITY OF BELLE FOURCHE,

BELLE FOURCHE, SOUTH DAKOTA

City Hall, 606 6th Avenue

Belle Fourche, SD 57717

At the New Center of the Nation

EQUAL OPPORTUNITY EMPLOYER

December 19, 1989

Water Rights Division, DWR
Joe Foss Building
Pierre, SD 57501



Re: Application for Water Permit

TO WHOM IT MAY CONCERN:

Please find, enclosed is an application for Permit to Appropriate Water within the State of South Dakota, for the City of Belle Fourche, South Dakota.

Also enclosed is a check in the amount of \$508.25 for filing fees.

If you have any questions, please contact this office at 892-3006.

Yours truly,

Steve J. Nafus

Steve J. Nafus
Assistant Engineer

SJN:ss

Encl.

cc: File

To Alaska
The 49th State

TO MILES CITY

TO BILLINGS & CUSTER
LAST STAND

BROADUS

TO YELLOWSTONE
NATIONAL PARK



212

ALZADA

MONTANA
WYOMING

SOUTH DAKOTA

BUFFALO

TO MODRIDGE

All Roads Lead to . . .

BELLE FOURCHE, S.D.

NORTHERN Gateway TO THE BLACK HILLS

New
Geographic
Center
of U.S.

BENTONITE
PLANTS

Johnny Spaulding
Cabin

Tri-State
Museum

BELLE
FOURCHE

IN
BELLE FOURCHE
ROOFS DAYS
BLACK
HILLS
ROUND-UP
JULY
3-4

14

SPEARFISH

BLACK HILLS
PASSION
PLAY

SPEARFISH CANYON
ROAD

MINERS
MUSEUM

HOMESTEAD
MUSEUM

TERRY
PEAK
SKI
LIFT

85

885

LEAD

DEADWOOD

GRAVES OF
"CALANITY JANE"
and
"BIRD BILL BICKER"

14

STURGIS

BLACK HILLS
BAYL CEM.

TO MT RUSHMORE

TO RAPID CITY

79

34

14

TO VALE

TO TWIN CITIES

212

NEWELL

ALPHA

WHEAT

SWAN

ROUTE TO
NORTH DAKOTA
& CANADA

85

OIL

TO ALASKA

TO MONTANA

TO WYOMING

TO NEBRASKA

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TO CALIFORNIA

TO NEVADA

TO IDAHO

TO MONTANA

TO WYOMING

TO



Department of Water & Natural Resources

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

December 27, 1989

Robert L Helmer, Mayor
City of Belle Fourche
606 6th Avenue
Belle Fourche SD 57717

Dear Mayor Helmer:

This letter is in response to your water permit application received on December 20, 1989 for one Madison well. The following information is needed to complete the water permit application:

- 1) The applications need to be signed in the presence of a notary public. The City's corporate seal is not adequate. Enclosed are blank forms for your use.
- 2) A description of the geologic formations to be encountered based on any available geologic data needs to accompany the application pursuant to Board Rule 74:02:01:08.01.
- 3) The application fee to appropriate 2.23 cubic feet of water per second is \$525.00. Enclosed is the City's check for \$508.25. Please remit the correct application fee.

The water permit application can not be processed until the application is complete. Please complete the above items to begin the processing of your application.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Duvall". The signature is fluid and cursive, with a large initial "R" and "D".

Ron Duvall
Natural Resources Engineer
605 773-3352

enc.

CITY OF BELLE FOURCHE,

BELLE FOURCHE, SOUTH DAKOTA

City Hall, 606 6th Avenue

Belle Fourche, SD 57717

At the New Center of the Nation

EQUAL OPPORTUNITY EMPLOYER

DECEMBER 29, 1989



RON DUVALL
NATURAL RESOURCE ENGINEER
WATER RIGHTS DIVISION, DWR
JOE FOSS BUILDING
PIERRE, SOUTH DAKOTA 57501

RE: APPLICATION FOR WATER PERMIT

DEAR MR. DUVALL:

Please find enclosed the corrected application for Permit to Appropriate Water within the State of South Dakota, for the City of Belle Fourche, South Dakota.

Also enclosed is a check in the amount of \$525.00 for filing fees.

If you have any questions, please contact this office at 892-3006.

Yours truly,

Steve J. Nafus
Assistant Engineer

SJN:ss
Encl.
cc. File

REPORT ON APPLICATION NO. 1481-1
City of Belle Fourche
February 1, 1990

Application No. 1481-1 proposes to appropriate 2.23 cubic feet of water per second (cfs) from one well (Madison Limestone Aquifer) approximately 2800 feet deep to be located in the SW1/4 SW1/4, section 11, T8N, R2E, Butte County, South Dakota. Water is to be used for municipal and geothermal heating/cooling purposes by the City of Belle Fourche.

DISCUSSION

This application, if approved, will add a second well in the Madison Limestone for municipal use. The existing well (License No. 1219-1) flows at a rate of 730 GPM (1.63 cfs diversion rate) and delivers water to a 1.0 million gallon storage tank. This well is 3319 feet deep and has a shut-in pressure of 175 psi. The new well described in application No. 1481-1 will use a portion of its diversion rate to heat or cool the proposed new city recreation center. Once the heating/cooling process is complete, the water will be returned to the water distribution system for municipal use much the same as the existing well.

AQUIFER Madison Limestone (MDSN)

AQUIFER INFORMATION AND CHARACTERISTICS

The Madison Formation is made up of limestone and dolomite in which water movement is a function of intergranular porosity, fractures, and solution cavities. The aquifer outcrops south of Spearfish in the Black Hills where it forms a plateau 35 square miles in area. In the Belle Fourche area, the thickness is 650 feet to 700 feet at a depth to the formation of approximately 2800 feet. The Madison is under artesian conditions in this region with wells completed in the formation expected to flow in excess of 500 GPM (Kyllonen, 1987). The formation underlies about 19 million acres in South Dakota with 644,827,200 acre-feet of recoverable water in storage (Allen, 1984). With regard to geothermal potential, the well proposed in this application may be expected to have a water temperature of about 83°F (Rahn, 1989). In general, the proposed well is expected to have characteristics similar to the city's existing Madison well (flow rate, shut-in pressure, temperature, etc.). It should be noted, however, that the presence of fractures and solution cavities in the formation makes flow rates somewhat unpredictable.

REVIEW OF AREA WATER RIGHTS

According to the 1988 Irrigation Report, there are a total of 13 permits that appropriate a total of 15,982.75 acre-feet from the

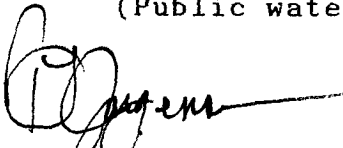
Madison for irrigation purposes. Most of the water used from this formation, however, is for municipal purposes. Area water rights are as follows:

513-1	1.11 cfs	118.7 acres (irrigation)
826-1	0.80 "	56.2 acres (irrigation)
1143-1	0.06 "	housing development
1195-1	0.10 "	industrial
1219-1	1.63 "	municipal
1321-1	0.10 "	domestic
1431-1	0.11 "	industrial

Since the formation is under artesian conditions in the area, the potential for well interference is a concern. The results of pump tests show that well spacing in a well field should be at least 1/2 mile with a preferred minimum spacing of one mile, if feasible (Gries, 1977). None of the above water rights are within a one mile radius of the well proposed in this application so well interference should be minimal.

CONCLUSIONS

1. Water is available in the Madison Formation for further appropriation.
2. Well interference should not be a problem with proper well spacing. However, until site specific pump tests are conducted, well interference cannot be adequately assessed.
3. Water Permit Application No. 1481-1 can be approved for municipal and geothermal use at a diversion rate of 2.23 cfs (1000 GPM).
4. The well must be valved as per ARSD 74:02:04:73 and controlled so that there is no waste of water.
5. The well must be completed in accordance with 74:02:04:30 (Public water supply well grouting requirements).


Terry L. Jorgensen
Natural Resources Engineer
Division of Water Rights

Approved by:


Gale N. Selken, P.E.
Natural Resources Engineer IV

REFERENCES

- Division of Water Rights, 1988, Irrigation Report by Aquifer, DWNR, Division of Water Rights, Joe Foss Building, Pierre, SD.
- Allen, Johnette C., Iles, Derric L., Petres, Anthony K., 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, Task 3 and 4: Groundwater Resource Inventory, DWNR, Division of Geological Survey, Vermillion, SD.
- Gries, J.P., 1977, Geothermal Applications on the Madison (Pahasapa) Aquifer System in South Dakota, South Dakota School of Mines and Technology, Rapid City, SD.
- Kyllonen, David P., Peter, Kathy D., 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, Water-Resources Investigations Report 86-4158, U.S. Geological Survey, Rapid City, SD.
- Hahn, Perry H., Getty, Michael G., Krause, Wayne B., 1989, Geothermal Water Utilization for the City of Belle Fourche, South Dakota, South Dakota School of Mines and Technology, Rapid City, SD.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1481-1, City of Belle Fourche

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. 1481-1, City of Belle Fourche, 606 6th Ave, Belle Fourche SD.

The Chief Engineer is recommending APPROVAL of Application No. 1481-1 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 authorized by Permit No. 1481-1 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted with cement (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:30.
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. 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 guage and a record kept of any pressure fluctuations. Such records shall be available to the Chief Engineer upon request. If this well is abandoned or the permit cancelled, the well must be plugged in accordance with specifications of the Water Management Board.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
February 1, 1990

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

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

February 2, 1990

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

Robert L. Helmer, Mayor
City of Belle Fourche
606 6th Avenue
Belle Fourche, SD 57717

Dear Mr. Helmer:

Water Permit Application No. 1481-1 for municipal and geothermal 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 Belle Fourche Post printed at Belle Fourche SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation are also 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 Hearing 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

cc: City Finance Officer, 606 6th Ave, Belle Fourche, SD 57717



Department of Water & Natural Resources

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

February 2, 1990

Belle Fourche Post
Box 400
Belle Fourche, SD 57717

ATTN: Legal Publications:

Enclosed is a Notice of Hearing on Application No. 1481-1 to be published twice. Please publish the first notice on or before February 8, 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 City of Belle Fourche, 606 6th Avenue, Belle Fourche, SD 57717.

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 8, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1481-1 to Appropriate Water

Notice is given that the City of Belle Fourche, 606 6th Avenue, Belle Fourche, SD 57717 has filed an application for a water permit to appropriate 2.23 cubic feet of water per second from one well (Madison Formation) approximately 2800 feet deep to be located in the SW1/4 SW1/4 Section 11-T8N-R2E. Water is to be used for municipal and geothermal heating/cooling purposes by the City of Belle Fourche.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1481-1 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 in the Roosevelt - Jefferson Room, Howard Johnson, 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, 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 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 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 23, 1990.

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.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Butte) ss.

I, Rhonda Schultz

certify that the attached printed Notice was taken
 from the Belle Fourche Daily Post

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 Belle Fourche

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

February 8, 1990

February 14, 1990

Rhonda Schultz

(Signature)

Bookkeeper

(Title)

2-14-90

(Date Signed)

Cost of Printing: 29.63



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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 1-25, 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 (605 773-0352)". 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

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3/25/8-14



Department of Water & Natural Resources

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

APR 25 1990

Robert L. Helmer, Mayor
City of Belle Fourche
606 6th Ave
Belle Fourche SD 57717

Dear Mayor Helmer:

Enclosed is Water Permit No. 1481-1 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,

A handwritten signature in black ink, appearing to read "John Hatch".

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.



1481-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 28 1994

1481A-1

Willard Noziska, Finance Officer
City of Belle Fourche
606 6th Avenue
Belle Fourche, SD 57717-1496

Dear Mr. Noziska:

Enclosed is Water License No. 1481A-1. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414196 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

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. 1481A-1, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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

Very truly yours,

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

gm
enclosures

NOTE: The applicable portions of Water Permit No. 1481-1 have been incorporated into this Water License No. 1481A-1.