

Considered: _____

WATER PERMIT NO. VR 1550-1

Phone: 605 347-2511

Name of Applicant: Fort Meade VA Medical Center

Post Office Address: Engineering (138) Ft. Meade SD 57741

Amount of Water Claimed: 0.16 Total Acres: NA

Source of Water Supply: spring

Water to be used for: institutional County: Meade

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 6-4-92 Fee: \$15 Remarks priority date
of July 1, 1954

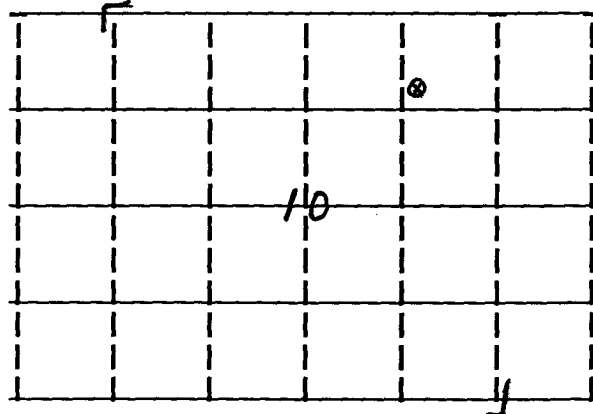
Corrected Application Received _____ Period of Annual Use January 1 - Dec 31

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

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

Diversion Point: NE 1/4 NE 1/4 Sec 10-T5N-R5E

Land to be Irrigated: _____



Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: _____ REMARKS _____

Type of Map: plat PREPARED BY: Donald L. Egge, P.E. Reviewed and the Number

Assigned on 6-8-92 By Karen Schlaak

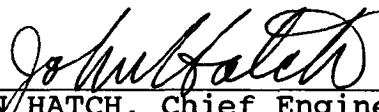
STATE OF SOUTH DAKOTA

VESTED RIGHT WATER LICENSE NO. 1550-1

(1) Fort Meade VA Medical Center of Engineering 138, Ft. Meade, SD 57741 made Application No. 1550-1, June 4, 1992 for validation of a vested right claim to appropriate 0.16 cubic feet of water per second from a spring, Meade County, South Dakota for institutional purposes. Vested Water Right No. 1550-1 was validated August 11, 1992 with a priority date of July 1, 1954. 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 0.16 cubic feet of water per second for beneficial use. The location of the diversion point is: in the NE 1/4 NE 1/4 Section 10, T5N, R5E.

(3) Pursuant to Section 46-5-30.1 the Ft. Meade VA Medical Center of Engineering 138, Ft. Meade, SD 57741 the holder(s) and/or owners(s) of Vested Water Right No. 1550-1 is issued a license to appropriate 0.16 cubic feet of water per second from a spring with a priority date of July 1, 1954 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. 1550-1 and subject to South Dakota State Law.



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

NOV 23 1992

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1550-1

Date of Receipt of Claim June 4, 1992.

Date of Validation August 11, 1992.

The Chief Engineer, on behalf of the Water Management Board validated Vested Water Right Claim No. 1550-1 for Fort Meade VA Medical Center, Engineering 138, Fort Meade SD 57741 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1550-1 appropriates 0.16 cubic feet of water per second from a spring located in the NE 1/4 NE 1/4 Section 10-T5N-R5E.
2. The appropriated water is used as a backup water supply for the Fort Meade water system and may not exceed the amount of water needed for beneficial use for institutional purposes.
3. The water is to be used during the following annual period: January 1 - December 31.
4. The priority date of the Vested Water Right is July 1, 1954.
5. The water use system has been constructed and water has been applied to beneficial use.
6. 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: _____

John Hatch
John Hatch, Chief Engineer, Water Right Division
Department of Environment and Natural Resources

NOV 23 1992

date


 No. 1550-1 Hydrologic Unit 10120202
 Map No. _____ Basin Belle Fourche R.
 Newspaper Meade Co. Times-Tribune, Sturgis

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 ☐ Priority Date - July, 1954

☐ Amend Permit No. _____ with old priority date retained

 Change 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 Fort Meade VA Medical Center Phone No. 605-347-2511

 Post Office Address Engineering (138) Fort Meade State SD Zip Code 57741
(Street, RR or Box) (City)

 2. Amount of water claimed (c.f.s.) 0.16 C.F.S.

 3. Source of water supply Existing Developed Spring, West of VAMC

 4. Location of point of diversion Approximately 1337' S.W. of N.E. corner of Section 10, T5N,
R5E, B.H.M. (See attached location maps) (NE 1/4 NE 1/4)

 County Meade

 5. Counties where water will be used Meade

 6. Annual period during which water is to be used 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)
See project description attached.

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, Ken M. Simensen, Chief Engineering Serv. for Ft. Meade VAMC 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.

 Jacqueline F. Dale
 Notary Public

 Signed Ken M. Simensen

 My Commission Expires Subs. 1899 and sworn to before me this 28th day of May 1992

Jacqueline F. Dale
 Notary Public



Description of Proposed Project:

The area along Bear Butte Creek between Fort Meade and Sturgis is the original source of water developed by the Army. The location of the original springs was in the area known as the McMillan Addition, also known as the Ft. Meade Water Reserve, and was purchased by the Government in 1889. Later, in 1908 - 1909, the Army completed a new water line from the Deadman Canyon Water Shed and the springs were abandoned.

In July, 1954, the Veteran's Administration constructed a pump house and collection basin adjacent to a spring located approximately 50' East of the McMillan Addition Boundary. The spring was connected to the main water line, from Deadman Canyon, and pump installed sized to provide 100,000 gallons per day at a pump rate of 70 gallons per minute. The purpose of the springs was to provide an auxiliary source of water. Records indicate it was used extensively during several dry periods in the 1950's.

The pump house and equipment were severely damaged by floods in 1965 and 1972, but repairs were made and the pump maintained in stand by status. In January, 1992, it was discovered that leaks in the spring pump lines were allowing large amounts of water from the main water system to leak back into the spring. Since preliminary engineering was at that time underway for a number of changes and improvements to the Fort Meade Water System, the decision was made to cap off the spring pump out lines temporarily until the role of the spring in the new water system could be clearly defined.

In April, 1992, the VA's Engineering Consultant, Wells Engineers Environmental, issued a report with final recommendations that the spring be restored to service as an auxiliary water source. Plans call for the existing collection system and wet well to be reused, but the building will be reconstructed somewhat larger with a concrete floor and 2 new pumps with new controls. Each pump will be sized for 70 GPM at the existing system head of approximately 210 Feet. One pump will serve as standby, with only one pump to be used at a time. Pump tests conducted in March, 1992, indicated a sustainable pumping rate of approximately 70 GPM. The control system will be tied to a computer controlled system which will constantly monitor system supplies, usage, and water in storage. Water from the spring is expected to be required only to meet peak summer demands, during extremely dry periods, and when required due to failures in the main supply from Deadman Canyon such as pipe breaks or flood damage.

The design maximum daily demand for the Fort Meade Water System is .512 MGD. The VA's two permitted water sources can produce an estimated .452 MGD. The addition of the spring will bring the total to approximately .554 MGD, which will meet the design requirements. The VA requests that this application for .16 CFS be considered as vested rights with a priority date of 1954.

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) Fort Meade VA Medical CenterPost Office Address Fort Meade SD 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 1954, JulyC. Date that water was first applied to beneficial use 1954, JulyD. Name of owner of original water supply system Veterans Affairs Medical CenterE. Amount of water originally applied to beneficial use 0.16 CFSF. Present Use of Water - Amount of water now being used -0-

Date that this water was first used _____

G. Chronological History of Water Use See Attached Description of Proposed Project

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)

ss

County of Meade)

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

Jacqueline F. Dale

Notary Public

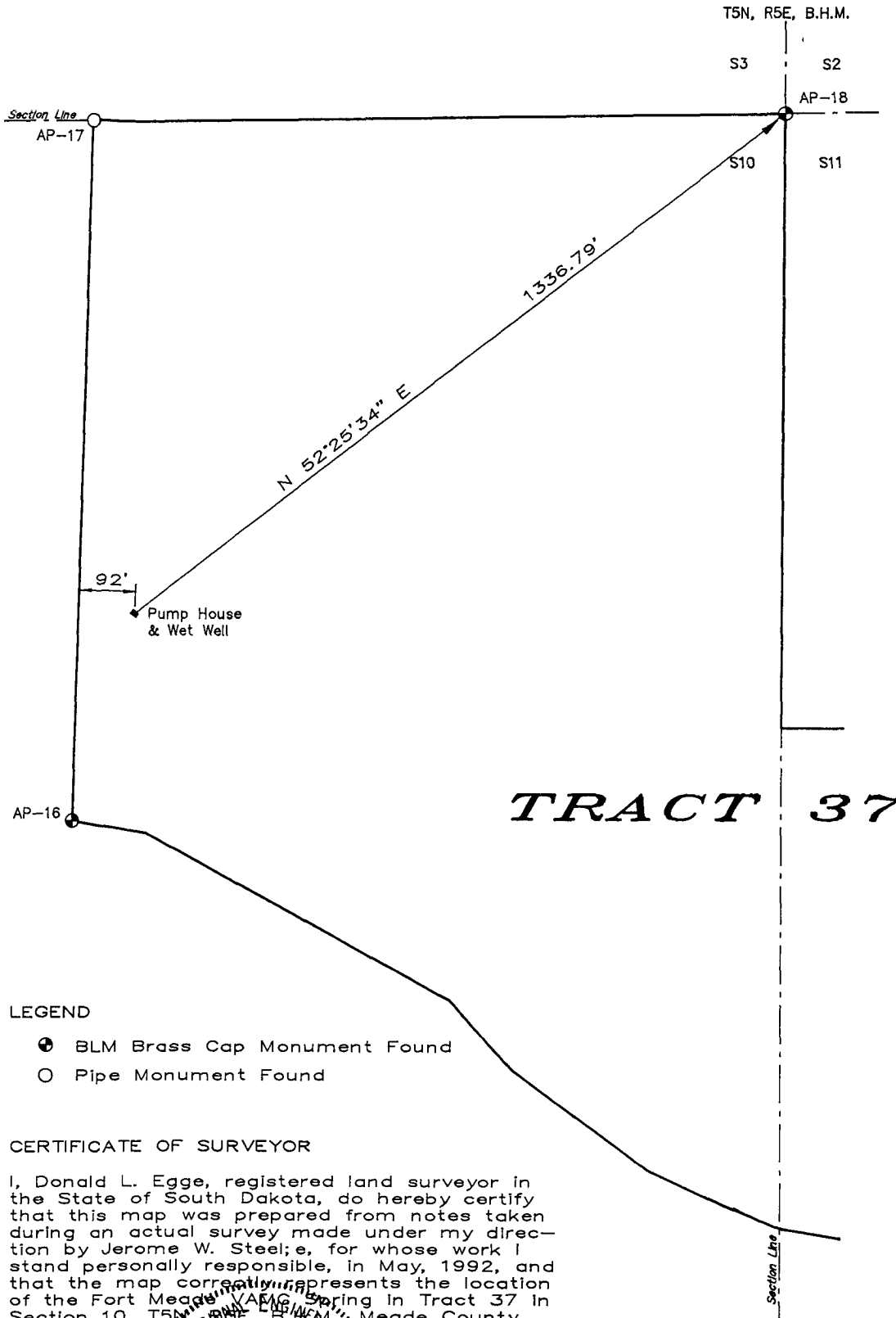
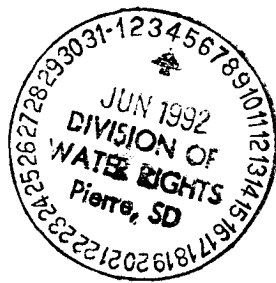
My Commission Expires October 3, 1999

Signed Ken M. SimensenSubscribed and sworn to before me 28th day of May, 1992Jacqueline F. Dale
Notary Public or other qualified officer

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.

(Print name) 19_____
(Print name) 19

LOCATION MAP OF FORT MEADE VAMC SPRING
TRACT 37 IN SECTION 10, T5N, R5E, B.H.M.
MEADE COUNTY, SOUTH DAKOTA

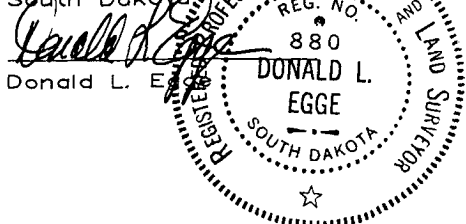


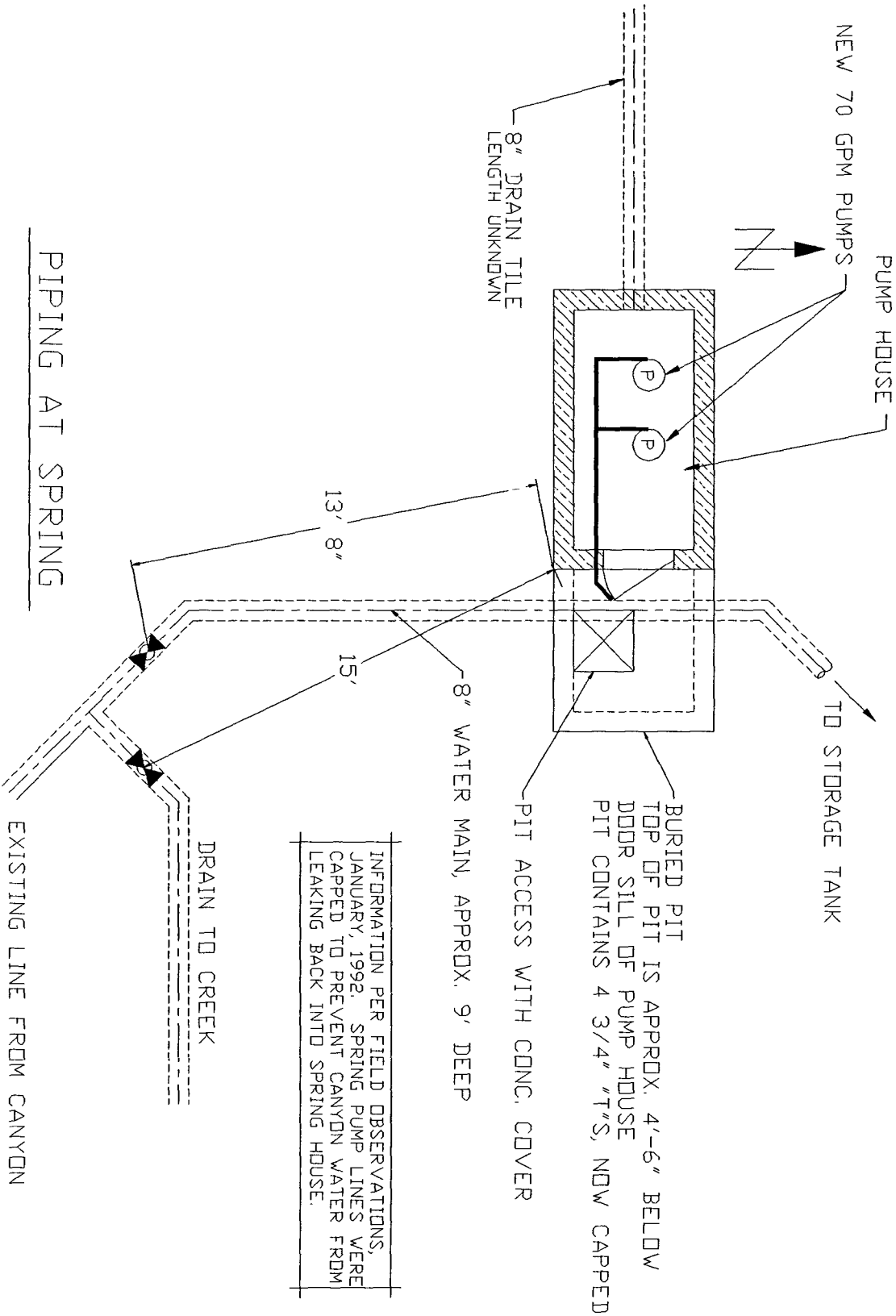
LEGEND

- BLM Brass Cap Monument Found
- Pipe Monument Found

CERTIFICATE OF SURVEYOR

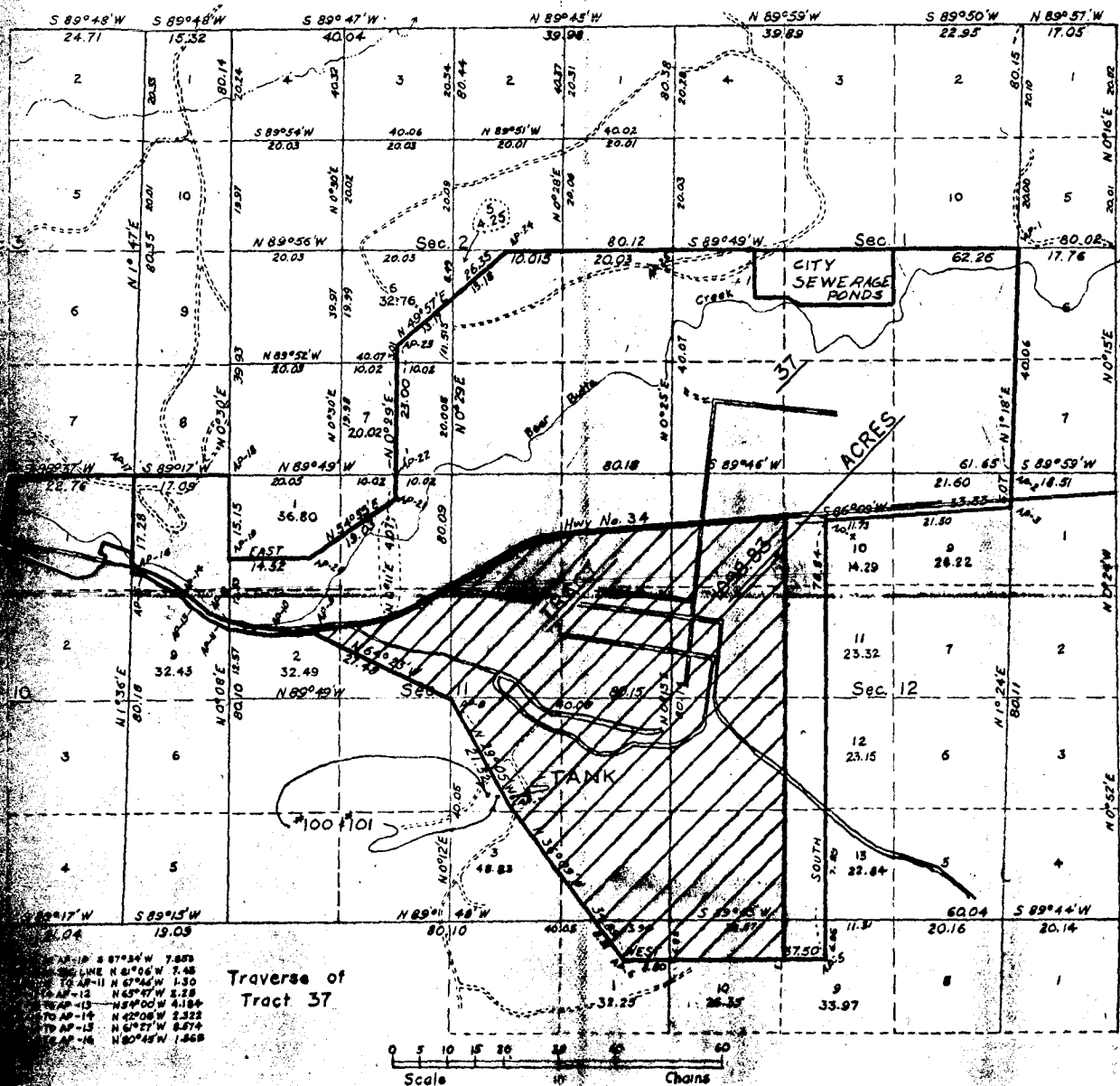
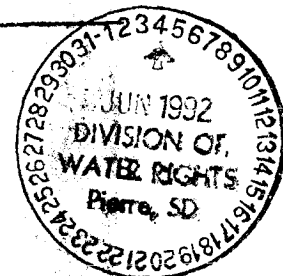
I, Donald L. Egge, registered land surveyor in the State of South Dakota, do hereby certify that this map was prepared from notes taken during an actual survey made under my direction by Jerome W. Steele, for whose work I stand personally responsible, in May, 1992, and that the map correctly represents the location of the Fort Meade VAMC Spring in Tract 37 in Section 10, T5N, R5E, B.H.M., Meade County, South Dakota.





TOWNSHIP 5 NORTH, RANGE 5 EAST OF THE BLACK HILLS MERIDIAN, So. Dak.

V.A. HOSPITAL, FORT MEADE, S. D.



Topography within the sections is based on Fort Meade, Sturgis, and Tifford Quadrangles by U.S. Geological Survey coordinated to section line control with 100 foot contour interval.

Traced: April 5, 1961 - R.E.N

UNITED STATES DEPT. OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Washington, D.C. July 17, 1958

This plot is strictly conformable to the approved field notes, and the survey, having been correctly executed in accordance with the requirements of law and the regulations of this Bureau, is hereby accepted.

FOR THE DIRECTOR
Signed / EARL G. HARRINGTON
CADASTRAL ENGR. STAFF OFFICER

VA HOSPITAL PROPERTY
As of 9-7-63
G.L.M.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413234

Pierre, June 4, 1992

RECEIVED OF Ft Meade VA Medical Center (Dept of Veterans Affairs), Ft, Meade SD 57741

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

Fee for Application for Permit No. <u>1550-1</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 John Hatch
Chief Engineer

PURCHASE ORDER FOR SUPPLIES OR SERVICES

ISSUING OFFICE:

Veterans Administration Medical Center
VA MEDICAL CENTER
FT. MEADE, SD 57741

REQUESTING SERVICE:

ENGINEERING(138)

DEL. TO: ENG. OFFICE

VENDOR:

WATER RIGHTS DIVISION
523 E. CAPITOL
PIERRE SD 57501

605-773-3352

SHIP TO:

SUPPLY WAREHOUSE ID2551
V.A. Medical Center
%CHIEF AMMS
BLDG #46
FT. MEADE, SD 57741

DELIVERY HOURS:
7:30 AM - 4:00 PM

FOB POINT: DESTINATION

GOV'T BL #:

PURCHASE ORDER

DELIVER ON/BEFORE 6/3/92

DISCOUNT TERM: NET30

SHIP VIA:

PROPOSAL: N/A

CONTRACT:

MAIL INVOICE TO:

FISCAL OFFICER

VA MEDICAL CENTER

BLDG. 53

FT. MEADE, SD 57741

ITEM	DESCRIPTION	QTY	UNIT	UNIT COST	TOTAL COST
1	FEE FOR FILING A VESTED WATER RIGHT CLAIM WITH THE STATE OF SOUTH DAKOTA.	1	EA	15.00	15.00

STATE OF S. D. NEEDS PAYMENT IN FORM OF A MONEY ORDER.
DONE!!!!!!!!!!!!!!!!!!!!

V.A. TRANSACTION NUMBERS:

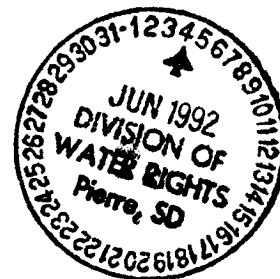
568-92-3-021-0282

AUTHORITY FOR PURCHASE	P.O. NO.	PO DATE	TOTAL:	15.00
FAR 13	568-ID2551	6/3/92		
CONTRACTING OFFICER	DATE SIGNED	PHONE		
/ES/ TOM SITZLER	6/3/92@09:40	605-347-2511 X223		

FUND CERTIFICATION: The supplies/services listed on this request are properly chargeable to the following allotments, the available balances of which are sufficient to cover the cost thereof, and funds have been obligated.

APPROPRIATION: 3620160.001.01-021	OBLIGATED BY:	
COST CENTER: 851100	SUBACCOUNT1: 2542	SUBAMOUNT1: 15
SOURCE CODE: SUPPLY-2 FISCAL-3	SUBACCOUNT2:	SUBAMOUNT2:

90-2138-7-ADP, JAN 1984



**Report on Vested Water Right Application No. 1550-1
Fort Meade Veteran Affairs Medical Center
June 29, 1992**

Background

Vested Water Right Application No. 1550-1 requests validation of a claim for a diversion rate of 0.16 cubic feet of water (cfs) from an existing developed spring. The diversion point is located in the NE1/4 NE1/4 Section 10, T5N-R5E, in Meade County. Water is used as an auxiliary water source for the Fort Meade Veteran Affairs Center. The applicant claims a July 1954 priority date.

Discussion

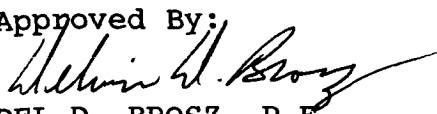
According to the applicant, water has been used since July 1954. The existing structure (pumphouse) will be enlarged and two new pumps will be installed to replace the existing pump. The pumps will be sized so that each has a capacity of 70 gallons per minute. Only one pump will be used at a time.

The spring is located in the Bear Butte Creek flood plain. Water in the spring may originate from the creek.

Conclusions and Recommendations

1. According to the applicant, water has been used continuously since 1954.
2. The applicant may be indirectly using water from Bear Butte Creek. No complaints, however, have been received from downstream water users regarding the water use by the applicant.
3. It is recommended that Vested Water Right Application No. 1550-1 be validated for 0.16 cfs with a priority date of July 1, 1954.


M. RASSOOL AHADI
Natural Resources Engineer III

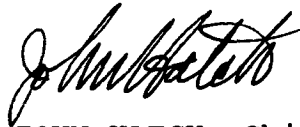
Approved By:

DEL D. BROSZ, P.E.
Natural Resources Engineer IV

RECOMMENDATION OF CHIEF ENGINEER FOR VALIDATION OF VESTED WATER
RIGHT APPLICATION NO. 1550-1,
Fort Meade Veteran Affairs Medical Center

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Validation of Vested Water Right Application No. 1550-1, Fort Meade Veteran Affairs Medical Center, c/o Ken Simensen, Engineering (138), Fort Meade, SD 57741.

The Chief Engineer is recommending VALIDATION of Application No. 1550-1 for 0.16 cfs because 1) water has been appropriated as described for institutional use with a priority date of July 1, 1954, 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 report on application for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", is positioned above the printed name and date.

JOHN HATCH, Chief Engineer
July 2, 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

July 6, 1992

Ken Simensen
Ft. Meade Veteran Affairs Medical Center
Engineering (138)
Ft. Meade, SD 57741

Dear Mr. Simensen:

Your Application No. 1550-1 for a vested water right claim has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of your claim has been sent to the Publisher of the Meade County Times-Tribune printed at Sturgis, SD (Ph # 347-2503). 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 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 to validate a vested right 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.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 6, 1992

Meade County Times-Tribune
Box 69
Sturgis, SD 57785

ATTN: Legal Publications:

Enclosed is a Notice of Hearing to Validate Vested Right Application No. 1550-1 to be published twice. Please publish the notice on July 15, 1992, 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 Ft. Meade VA Medical Center, Engineering (138), Ft. Meade, SD 57741 (Ph # 347-2511).

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 until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----
FIRST TRANSMITTAL NOTICE TO: ATTN: Eric Gronlund
Water Rights Division
523 E Capitol
Pierre SD 57501-3181

Date _____
We are in receipt of your letter of _____ enclosing Notice of Hearing to
Validate A Vested Right Application 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 July 15, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING To Validate
Vested Water Right Application No. 1550-1 to Appropriate Water

Notice is given that Ft. Meade VA Medical Center, Engineering (138), Ft. Meade, SD 57741 has filed an application to validate a vested water right claim to appropriate 0.16 cubic feet of water per second from a spring located in the NE 1/4 NE 1/4 Section 10-T5N-R5E. The water has a claimed priority date of July 1, 1954, and is used as a backup water source for the Ft. Meade water system.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends VALIDATION of Vested Water Right Application No. 1550-1 because 1) water has been appropriated as described for institutional use with a claimed priority date of July 1, 1954, 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. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the vested water right application as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 3, 1992. 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 the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 1550-1 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for August 11, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the August 11, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The August 11, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by August 3, 1992.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve the validation, 2) approve the validation with qualifications, 3) defer, or 4) deny validation of the application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-2A-22; 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, 46-6-26; 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)
) ss.
 County Meade)

I, Faye D. Pate

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

Sturgis

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

July 15 1992

July 22 1992

Faye D. Pate
 (Signature)

Accountant
 (Title)

7-22-92
 (Date Signed)

Appropriate water

NOTICE OF HEARING To Validate Vested Water Right Application No. 1550-1 to Appropriate Water

Notice is given that Ft. Meade
 VA Medical Center, Engineering
 (138), Ft. Meade, SD 57741 has filed
 an application to validate a vested
 water right claim to appropriate
 0.16 cubic feet of water per second
 from a spring located in the NE 1/4
 NE 1/4 Section 10-T5N-R5E. The
 water has a claimed priority date
 of July 1, 1954, and is used as a
 backup water source for the Ft.
 Meade water system.

Pursuant to SDCL 46-2A-2, the
 Chief Engineer recommends
 VALIDATION of Vested Water
 Right Application No. 1550-1 be-
 cause 1) water has been ap-
 propriated as described for insti-
 tutional use with a claimed priority
 date of July 1, 1954, 2) the use has
 been developed without unlawful
 impairment of existing rights, 3) it

su back

Cost of Printing: 70.81



is a beneficial use of water and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the vested water right application as recommended. Petitions filed in support of the application will NOT require the Board to hear the application. Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 3, 1992. 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 the petitioner's legal counsel. If legal counsel is obtained for purposes of publishing 1) the notice of hearing on Application No. 1550-1 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for August 1992 at 9:00 am in Room 413, Foss Building, 523 E Capitol, Pierre, SD. If this application is opposed or the recommendation is contested, the August 11, 1992, hearing date will be rescheduled for a regularly scheduled meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Any one not filing a petition, but interested in attending the hearing

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve the validation with qualifications, 3) defer, or 4) deny validation of the application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped. This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 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, 46-2A-22, 46-5-1 thru 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31, 46-5-49; 46-6-3, 46-6-4, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:19 thru 74:02:01:22.

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GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 23 1992

1550-1

Ft. Meade VA Medical Center
Engineering 138
Ft. Meade, SD 57741

Dear Sirs:

Enclosed are your Validated Vested Water Right and Water License No. 1550-1. 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