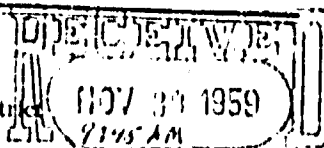


441-1

1. Considered 4-6, 1965
2. Name of Applicant Sturgis Water Works Co
3. Post Office Address Sturgis
4. Amount of water claimed 1.1
5. Source of water supply Ground Water (Pahosopa)
6. Water to be used for municipal purposes
Acres to be irrigated
7. Water to be diverted and used in Alameda County about
 miles of
8. Proof of Publication Received ✓
 Not Received
9. Application Approved ✓
 Subject to
 Not Approved
 Action deferred
10. Remarks:

No. 441-1Water Division No. 1 Belle Fourche River
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COUNCIL
PIERRE SOUTH DAKOTA

APPLICATION FOR PERMIT To appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable.)

1. Name of applicant STURGIS WATER WORKS COMPANY
Postoffice address STURGIS, County MEADE, State S. DAK.

I. If a corporation

(a) Name of same STURGIS WATER WORKS COMPANY
(b) Date and place of Incorporation SOUTH DAKOTA - RENEWED 1904 AND CONTINUOUSLY
(c) Amount of capital stock 1,000 SHARES
(d) Amount paid in FULL AMOUNT
(e) Names and addresses of directors

J. R. DAYENPORT Box 119 STURGIS, S. DAK.
J. H. DAYENPORT " " " "
L. M. HILL " " " "

(NOTE--A certified copy of articles of Incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)
BY CONTRACT, EMPLOYMENT OF OTHERS, AND DIRECT LABOR.

(b) Cash on hand, \$ 15,000(c) Treasury stock, \$ 33,000(d) Bonds to be issued, \$ 75,000(e) Other resources, \$ NET WORTH2. Name of diversion work DEPLETED WELL (N. H. dated 1-22-1960)3. Amount of water claimed CAPACITY OF WELL 500 GPM or 1.1 cfs (New Appl)
cubic feet per second 2.5 cfs - wanted right4. Source of water supply PAHASADA LE. PBOBNS5. Location of point of diversion LOT 2 IN N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, SEC. 9, T. 5 NORTH, R. 5 EAST
on _____ bank MEADE County.6. Annual period or periods during which water is to be used ALL YEAR

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?

(a) Number of acres to be irrigated _____ acres.

(b) Legal subdivisions to be irrigated _____

(NOTE--A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) _____

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use MUNICIPAL WATER SUPPLY
Name any of the above uses claimed(b) Amount of power to be generated NONE horse power.Amount claimed for engine cooling NONE

(c) Location of plant _____

(d) Method of developing power _____

(e) Point where water will be returned to stream _____

Map No 384-1

8. Estimated cost of work:

(a) Head Gate, \$..... (b) Pumping plant, \$.....
 (c) Fluming, \$..... (d) Canal-earth, \$..... Rock, \$.....
 (e) Other structure: \$..... Total, \$.....

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

II. Dimensions of works:

(a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....
 material used in construction.....
 (b) Reservoir: Capacity when filled.....acre feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET- FEET	SURFACE AREA AT EACH DEPTH AT OUTLET-ACRES	ACRE- FEET CAPACITY

(c)* Head gate: Width.....feet; height.....feet.
 Material.....

(d) Canal: Total length.....miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LEVEL	GRADE PER MILE
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet

(Give dimensions when reductions in size are made.)

10. Time required for completion of work.....2 1/2 years.
 11. Time required for complete application of water to the proposed beneficial use..... years.
 12. Choice of newspaper for publication of notice of intention to appropriate STURGIS TRIBUNE,
STURGIS, S. DAK.

STATE OF SOUTH DAKOTA

County of MEADE } ss.

I, R. Davenport, being first duly sworn on my oath, depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed [Signature]

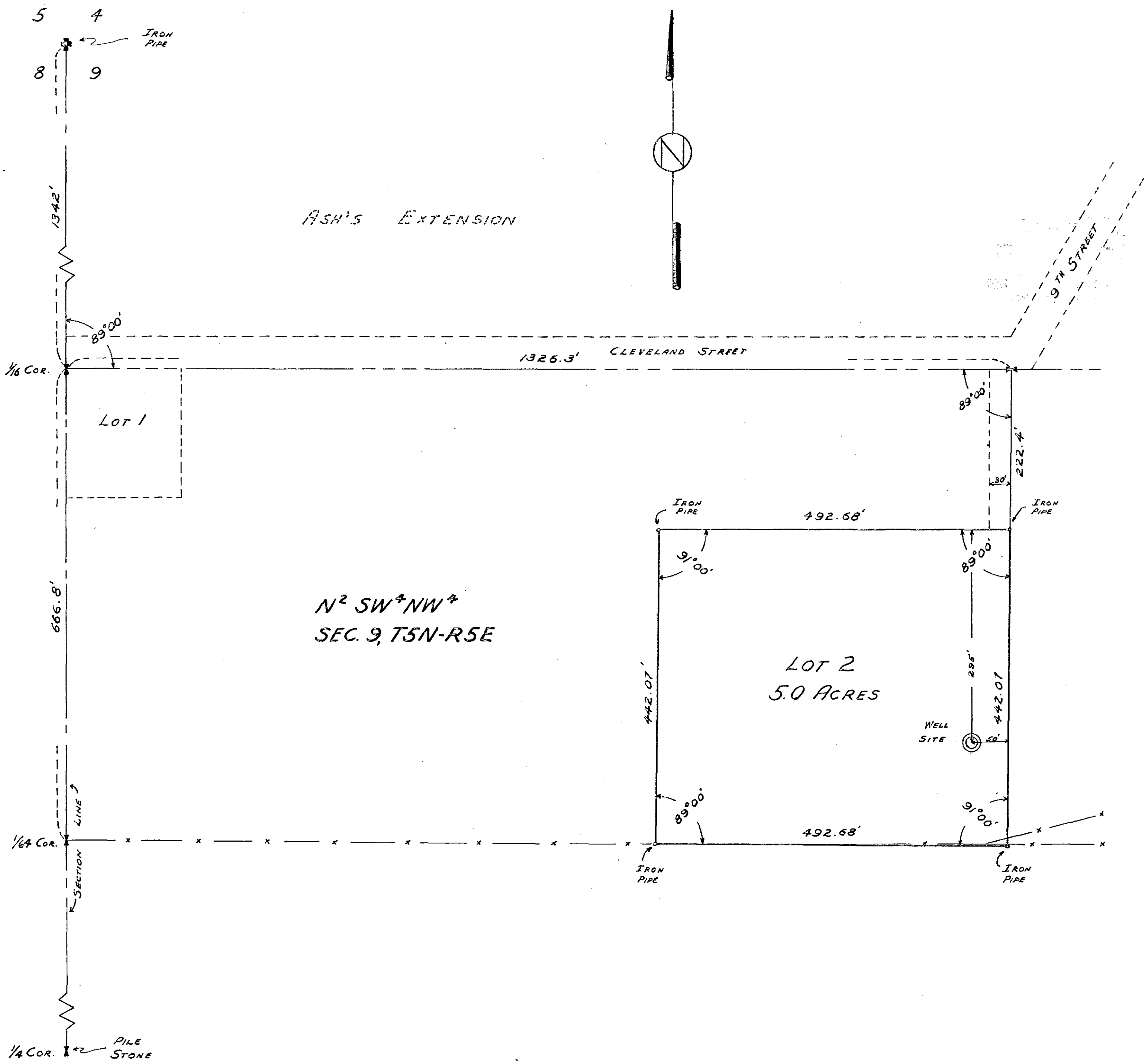
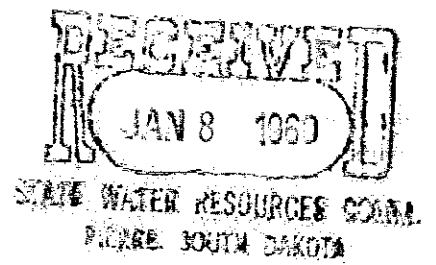
Subscribed and sworn to before me this 27 day of November 1959

[Signature]
 Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device

PLAT
OF
LOT 2
N²SW⁴NW⁴ SEC. 9-T5N-R5E.B.H.M.

SCALE: 1" = 100'



SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA)
COUNTY OF MEADE) ss

I, T.A. FRANKFORTER, REGISTERED LAND SURVEYOR DO HEREBY CERTIFY THAT THIS PLAT WAS MADE FROM NOTES TAKEN DURING AN ACTUAL SURVEY AND THAT THIS SURVEY WAS MADE FROM THE DESCRIPTION TAKEN FROM THE CONTRACT FOR DEED RECORDED IN BOOK 261, PAGE 660 BY AND BETWEEN EMERY HOTCHKINS AND MINNIE HOTCHKINS SELLERS, AND JARVIS D. DAVENPORT BUYER, AND THAT IT CORRECTLY REPRESENTS THE LANDS INVOLVED, THEIR DIMENSIONS AND AREAS, AND THE MONUMENTS THEREOF AS REQUESTED BY THE BUYER JARVIS D. DAVENPORT.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND SEAL THIS 6th DAY OF JANUARY, 1960.

T.A. Frankforter
REGISTERED LAND SURVEYOR

STATE OF SOUTH DAKOTA)
COUNTY OF MEADE) ss

ON THIS 6th DAY OF JANUARY, 1960, BEFORE ME *Harold J. Warner* THE UNDERSIGNED OFFICER, PERSONALLY APPEARED T.A. FRANKFORTER, KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE ABOVE WRITTEN INSTRUMENT AND ACKNOWLEDGED THAT HE EXECUTED THE SAME FOR THE PURPOSE THEREIN CONTAINED.

IN WITNESS WHEREOF I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL.

Harold J. Warner
NOTARY PUBLIC

Map No 384-1 App No 44-1

Remarks by State Water Resources Commission:

Partial vested Right Claimed

STATE OF SOUTH DAKOTA
County of Hughes ss.

Pierre, South Dakota, April 8, 1960

This is to certify that the foregoing application was received by the Commission at 4:45 o'clock
A.M. upon the 30th day of November, 1959.

State Water Resources Commission

By:

Burton Jones
Chief Engineer, Executive Officer

Number of permit 441-1

Date of first receipt of application November 30, 1959

Date of return to applicant for correction, amendments or changes required as follows: Nov 30, 1959

Date of receipt of corrected application January 8, 1960

Date from which applicant may claim right 1840-217 cfs & 1.1 cfs Nov 30, 1959

Approved: April 6, 1960, Recorded in Book 5 Page 343

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before

October 6, 1960

2nd. The whole of said work is to be completed on or before April 6, 1961

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

April 6, 1962

4th. The water appropriated shall be used for the purpose of municipal needs

for the City of Sturgis

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 3.6 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops ~~is the exercise of the best husbandry and further, said appropriation must be limited to not more than one seventh (1/7) of one cubic foot of water per second of time for each acre of land to which water is actually~~
used for municipal purposes
and beneficially applied April 6, 1962 on or before said water to be used during the following described annual period:

Continuously

Witness my hand this 8th day of April, 1960

State Water Resources Commission

By:

William Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued

JUNE 28 1963

Water License Issued

JUNE 28 1963

Form 2A -- Wells (Supplement to Form 2)

STURGIS WATER WORKS COMPANY - PROPOSED NEW WELL { FINISHED WELL
MAY VARY IN SOME DETAILS FROM ESTIMATES BELOW }

a. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation APPROX. 10", Depth 1,200 FT.

Type of casing STEEL - CEMENTED IN
(wood, concrete, steel, etc.)

Size of casing 8" OR 10", Thickness of casing 1/4"

Length of casing EST. 600' If collection gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen NONE

Size of perforated screen (diameter) (length)

Thickness of gravel pack NONE, length of gravel pack

(c) Water Bearing Materials

Distance to water 450', Character of water bearing materials LIME

Thickness of water bearing material 400'

(d) Pump and Motor

Type of pump NOT KNOWN - POSSIBLY SUBMERSIBLE
(centrifugal, propeller, mixed flow, etc.)

Name of pump, size

Kind of motor ELECTRIC
(gasoline, electric, diesel, etc.)

Horsepower, Name of Motor

(e) Complete well

Capacity EST. 10 G.P.M. PER FOOT OF DRAWDOWN
at drawdown of Estimated cost

(f) Owner of land upon which well is located STURGIS WATER WORKS COMPANY
Name

Box 119, STURGIS, SOUTH DAKOTA
Address

(g) Distance to nearest existing wells

On same owner's property 400 rods. On property owned by others NONE COMPARABLE. rods

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications (WELL DRILLED IN 1948-49)

(a) Hole and casing

Size of drill hole or excavation 10", Depth 1120'

Type of casing STEEL, CEMENTED
(wood, concrete, steel, etc.)

Size of casing 10", Thickness of casing $\frac{1}{4}$ "

Length of casing 600' If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen NONE

Size of perforated screen NONE
(diameter) (length)

Thickness of gravel pack NONE, length of gravel pack

(c) Water Bearing Materials

Distance to water 435' Character of water bearing materials LIME
(PASAHAPA)

Thickness of water bearing material 400'

(d) Pump and Motor

Type of pump LAYNE TURBINE
(centrifugal, propeller, mixed flow, etc.)

Name of pump ", size 6"

Kind of motor ELECTRIC
(gasoline, electric, diesel, etc.)

Horsepower 50, Name of Motor J. S.

(e) Complete well

10 GPM PER FOOT OF DRAWDOWN AS PER TEST BY LAYNE-MINNESOTA
Capacity at drawdown of Estimated cost \$27,000.

(f) Owner of land upon which well is located STURGIS WATER WORKS CO.
Name

Box 119 Address STURGIS, SOUTH DAKOTA

(g) Distance to nearest existing wells

On same owner's property NONE rods. On property owned by others NONE rods

NOV 04 1980

Sturgis

5.7-

LAYNE MINNESOTA COMPANY

WATER WELLS • WATER TREATMENT
PUMPS • CAISSON FOUNDATIONS



3147 CALIFORNIA ST. N.E. • MINNEAPOLIS, MINNESOTA 55418 • (612) 731-9553

October 28, 1980

Mr. John Cusma
Manager Sturgis Water Works
City of Sturgis
1029 First Street
Sturgis, SD 57785

Re: Deep Well #2

Dear John:

Enclosed, find the well and pump information that you requested on subject well.

For the records, I will give you a brief summary of dates and work performed on this well. The well was drilled by Layne Minnesota Company, in 1969, to the depth of 902 ft. In 1974, Sturgis Water Company hired Layne Minnesota Company to deepen the well and increase the well yield. The well was bailed clean to the original depth of 902 feet. We then drilled a 10" open hole down to 1073 feet. During the drilling and bailing operations, the Minnelusa Sandstone and Opeche Shale, kept caving in and made it impossible to go further. With all the loose rock and material in the hole, it was impossible to install the 8" liner casing, which was planned to be seated between 600' ± to 1050' ±. Because of cost overruns, Sturgis Water Company decided to stop work and develop the well as completed.

If you have any further questions, please do not hesitate to contact us.

I am planning a trip to Sturgis, sometime around the 17th of November, 1980. I plan to stop in your office and possibly we could review your water supply at that time. Thank you.

Yours very truly,

LAYNE MINNESOTA COMPANY

Chuck Alberg

Sales & Service Coordinator

CPA/db

CC: File

CC: Dave Dalberg, Sioux Falls Office

Encs:

Affiliates: Layne & Boyler, Div., General Filter Company



World's Most Complete Water Service Organization

CHKD. BY

DATE

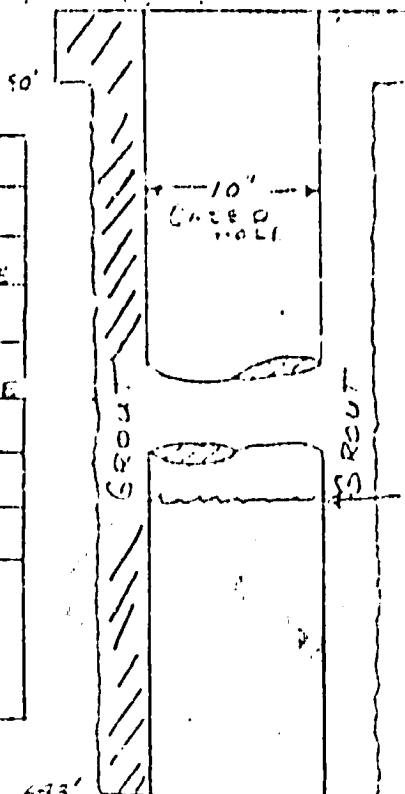
CITY OF STURGIS, SO. DAK.

SHEET NO.

OF

JOB NO.

FROM	TO	MATERIAL
0	385	SPEARFISH RED BEDS
385	432	MINNEKAHA LIMESTONE
432	584	OPPEKE SHALE
584	902	MINNEKAHA SANDSTONE
902	1073	MADISON LIMESTONE



693'
BOTTOM OF 10\"/>

ORIGINAL BOTTOM-HOLE
7-15-1960

902'

882' WELL FILL TO THIS
PRESENT DEPTH 4-6-76

10\"/>

1073'

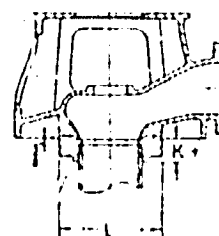
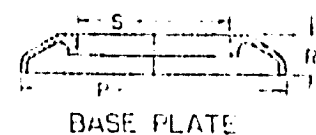
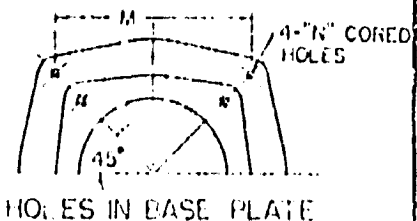
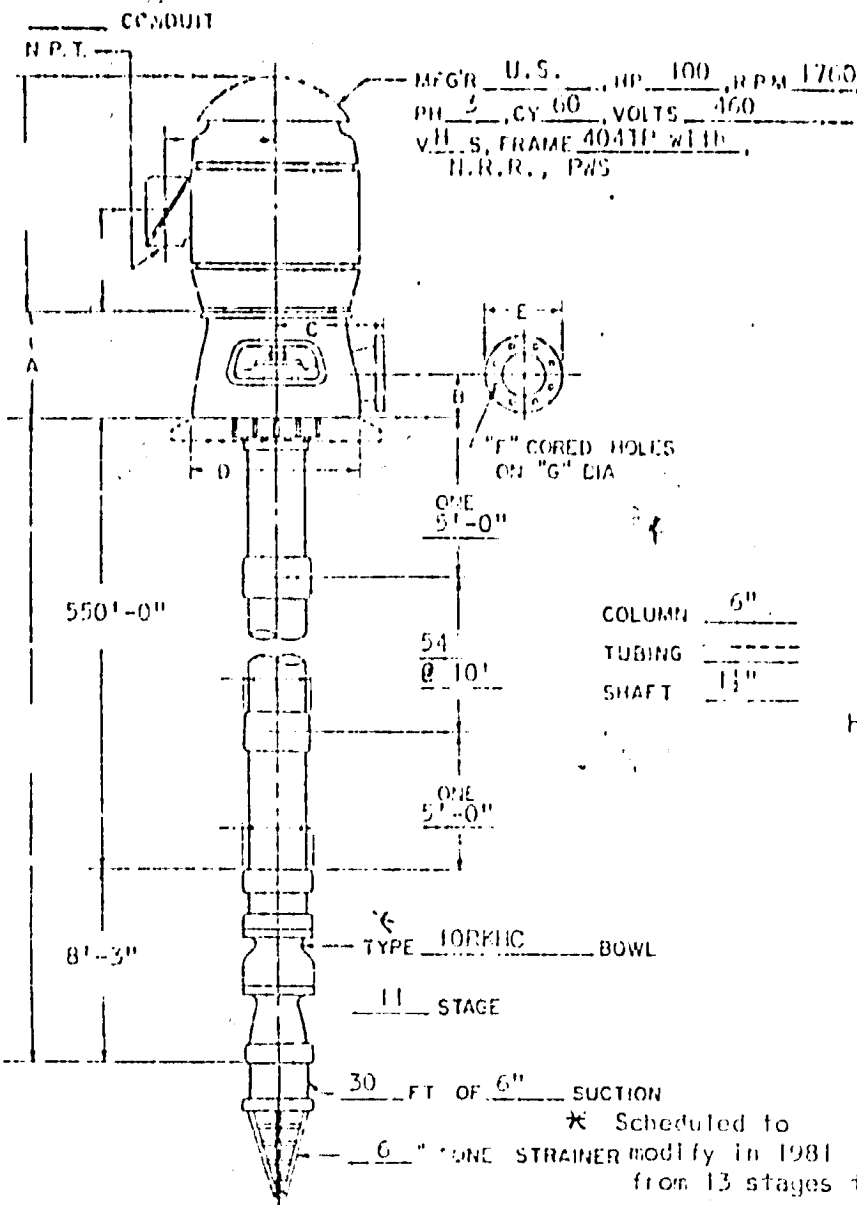
DRILLED NEW DEPTH:
7-17-1974



INSTALLATION PLAN

TYPE TF618 DISCHARGE HEADPAGE 1DATE 6/1/77

SUPERSEDES

USE THESE DIMENSIONS ONLY
WHEN CERTIFIED BY FACTORY

SECTION THRU HEAD

CUSTOMER <u>City of Sturgis, SD</u>	YOUR NO. _____	GPM <u>375</u>
LOCATION <u>Well #2</u>	OUR NO. _____	TDH <u>522</u>
FOR APPROVAL _____	PUMP NO. <u>41762</u>	RPM <u>1760</u>
CERTIFIED _____	DATE <u>10/28/80</u>	BHP _____

HEAD	A	B	C	D	E	F	G	H	J	K	L	M	N	P	R	S	HEAD	A	B	C	D	E	F	G	H	J	K	L	M	N	P	R	S
TF413	13	6	11	18	9	8	7	14	2	11	10	16	1	21	2	17	TF625	15	8	10	31	11	8	9	23	2	12	29	1	38	3	1	
TF613	14	6	11	16	11	8	9	14	2	11	16	1	21	2	17	1	TF825	20	8	10	31	15	8	11	23	3	13	29	1	38	3	1	
TF418	13	6	14	23	9	8	7	14	2	11	20	1	26	2	21	2	TF1025	20	8	10	31	16	2	14	23	3	11	29	1	38	3	1	
TF618	15	6	14	23	11	8	9	14	2	12	20	1	26	2	21	2	TF225	21	9	10	31	19	2	17	23	3	11	29	1	38	3	1	
TF818	18	7	14	23	13	8	9	14	3	11	20	1	26	2	21	2	TF229	21	9	10	31	19	2	17	23	3	11	29	1	38	3	1	
TF1018	16	8	14	23	16	10	11	14	3	11	20	1	26	2	21	2	TF1425	21	10	10	31	21	2	18	23	3	11	29	1	38	3	1	
TF1218	20	9	16	26	19	12	17	19	3	11	23	1	32	3	24	1	TF122	24	9	11	31	26	9	2	17	27	3	11	33	1	43	4	1

STATE OF SOUTH DAKOTA

WATER LICENSE No. 441-1

WHEREAS, On the 30th day of November A. D. 1959
the Sturgis Water Works Company

of Sturgis County of Meade and State of
South Dakota duly made application (No. 441-1) to us for a permit to use 3.6
 cubic feet per second of the waters of ground water
 County of Meade, State of South Dakota, for municipal
 purposes; and

WHEREAS, On the 8th day of April A. D. 1960
 Permit No. 441-1 was issued to said applicant for the diversion of said water, and providing for the
 completion of the works of diversion therein described on or before the 6th day of
April A. D. 1961 and for the application to beneficial use of said
 water on or before the 6th day of April A. D. 1962
 and,

WHEREAS, On the 4th day of June A. D. 1963
 the holder of said permit duly made proof of the completion of adequate works for the diversion of 3.6
 cubic feet per second of said waters, as evidenced by our Certificate No. 441-1
 dated June 28, 1963 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 3.6 cubic feet per second of water, with date of
 priority of 1890 and, November 30, 1959 and,

WHEREAS, On the 4th day of June A. D. 1963
 proof was duly made of the application to beneficial use of 3.6 cubic feet per second of said water;
 for municipal use by the City of Sturgis

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to the Sturgis Water Works Company
of Sturgis the holder and owner of said permit No. 441-1
a water right, dating from 1890 and November 30, 1956 to the use of 3.6
cubic feet per second of the waters of ground water
in the County of Meade and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinbelow mentioned, to be diverted at points in Lot 2, N $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$,
Section 9, T5N, R5E
and conducted ~~as and over~~ through the City of Sturgis distribution system

for the purpose of municipal use

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 28th day of June A. D. Nineteen
Hundred and Sixty-Three

State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

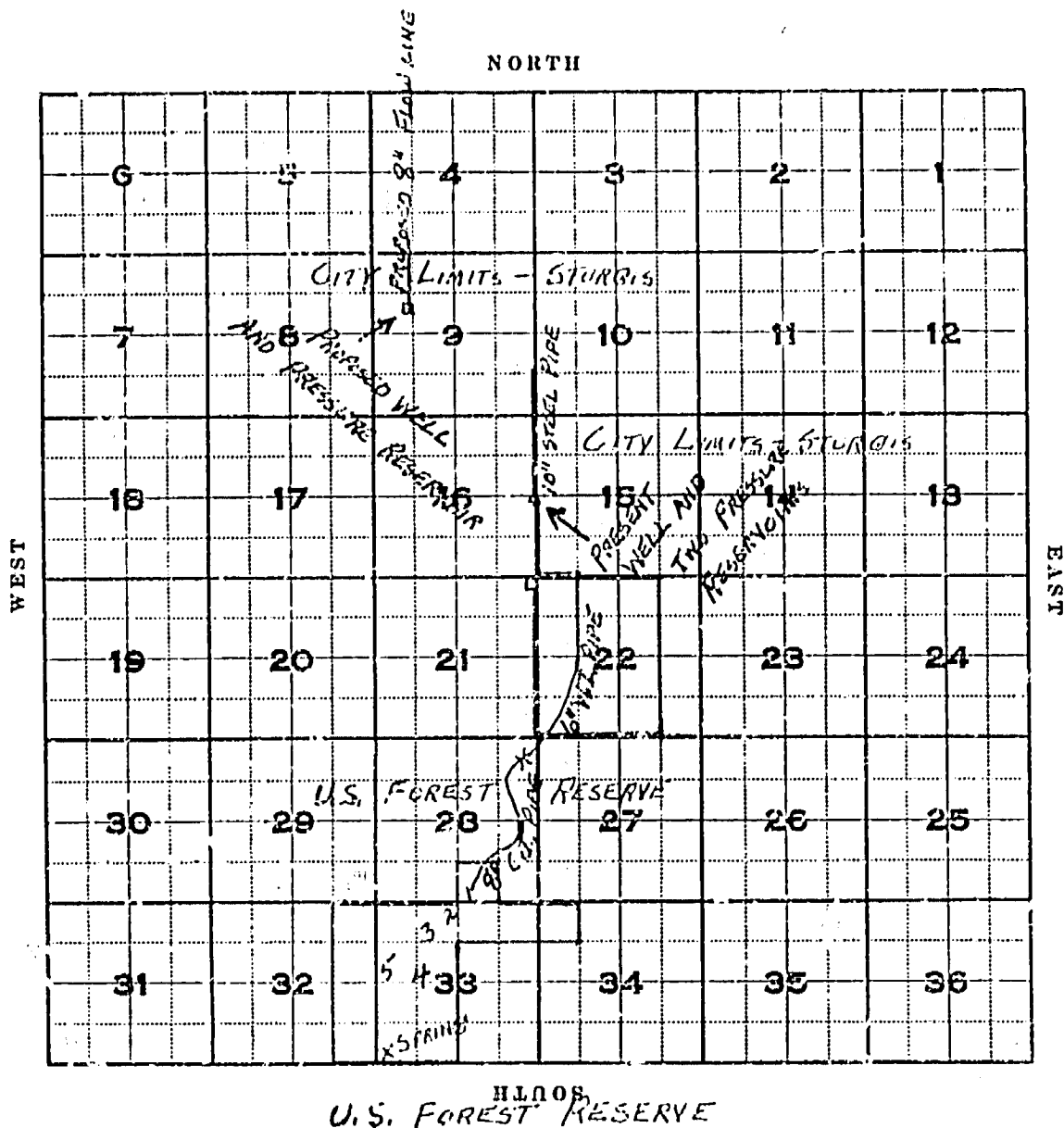
Purpose _____

Date of Priority _____

Recorded _____

in Book _____ of _____ Page _____

County of MEADE, Town of 5 N., Range 5 E.



NOTE:

1- STORAGE RESERVOIRS NUMBERED 1 THRU 5

2- LAND OWNED OUTLINED IN RED

Permit No. 441-1Water Division No. 1 Belle Fourche River
Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That the Sturgis Water Works Companyof Sturgis, County of Meads, and State of
South Dakota, the holder of Permit No. 441-1, issued upon Application
No. 441-1, bearing date of priority of 1890 and November 30, 1959, authorizing the diversion of
3.6 cu. ft. per second of the waters of ground waterCounty of Meads, State of South Dakota, at point in Lot 2, N $\frac{1}{2}$ SW $\frac{1}{4}$
NW $\frac{1}{4}$, Section 9, T5N, R5Efor municipal purposes
purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 3.6 cu. ft.
per second of water; and that the ~~uses of said water are described as follows,~~ use of said water are described as follows,
to-wit: to be used for providing municipal supplies for the city of Sturgis.Witness my hand this 28th day of June A. D. 1963

State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

Permit No. 441-1Water Division No. 1 Belle Fourche Water District**Certificate of Examination of Works****Report of Examining Engineer**

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated _____

10____, I have this day made a thorough examination of the diversion works constructed by _____

Sturgis Water Works, of _____Meade County, South Dakota, holder _____ of Permit No. 441-1issued upon Application No. 441-1, bearing date of priority of 11-30-21, 10____, authorizing thediversion of 2.2 cu. ft. per second of the waters of Ground Water for Municipal

purposes. I have to report on the condition of the same as follows:

The diversion works comprise: 199.8 well - 1100' deep (10" dia.); 600' of 10" (5/8)
cemented top to bottom, open well below 600'. Both wells have
a 6" Layne Vert. Centrifugal pumps. On 199.8 well, bowl set @
510.2' pump # 29540 w/a W.S. Electric Motor 50 H.P.; 220/440 volts
1960 well - 200' deep; 641.5' of 10" & 44' of 20" casing cemented in
and the system is in the following condition: Good See below

The point of diversion is located lot 2 in 11 1/4 sec 9 T14N R14W Sec 9 TEN PREThe works are capable of diverting and conveying to the place of use 2.2 cu. ft. per second of water,
which is to be used for Municipal Water Supply

The legal sub-divisions to be irrigated are: _____

_____ comprising a total of _____ acres of land.

The domestic use intended comprises _____

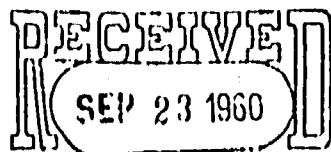
The utilization for power, mining, or other beneficial uses comprises: _____

Witness my hand, this 17th day of June, A. D. 1922.

—SEAL—

W. H. Hester
Examining Engineer.

w/a 6" Layne pump, bowl set @ 561.8' # 41762
Run by a 50 H.P. W.S. motor 220/440 volts

Permit No. 441-1Water Division No. 1

BELLE FOURCHE STATE WATER RESOURCES COMM.
RIVER Water District PIERRE, SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) STURGIS, SOUTH DAKOTA(Date) SEPTEMBER 20, 1960

TO THE STATE WATER RESOURCES COMMISSION
 OF SOUTH DAKOTA, PIERRE:

DEAR SIRE: Notice is hereby given of the completion of A WELL LIFTING OF GROUND
WATER 502' AT 1.1 cu. ft. per second of the waters of the state from
through the MINNELUSA FORMATION
 for MUNICIPAL purposes

In accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is STURGIS WATER WORKS COMPANY

2. The postoffice address of such person or the place of business of such corporation is STURGIS
 County of MEADE State of SOUTH DAKOTA

3. The number of such permit is 441-1 and the date set for the completion of such work is
CURRENTLY BEING COMPLETED.

4. Said water to be used for MUNICIPAL purposes.

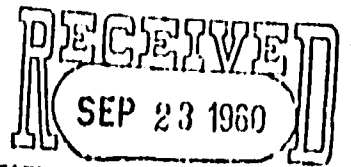
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 1.1 cubic feet per second.

6. The amount of land for which said water is available is NONE acres,
 particularly described as follows:

I hereby certify that the facts set forth in the above notice are true.

STURGIS WATER WORKS COMPANY

(Signature of Owners) By: J. D. DAVENPORT, PRES.

Permit No. 441-1Water Division No. 1BELLE FOURCHE
PIERRE Water DistrictSTATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA**Notice of Application of Water to Beneficial Use**

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) STURGIS, SOUTH DAKOTA(Date) SEPTEMBER 20, 1960

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the 20TH day of SEPTEMBER
1960, at STURGIS County of MEADE State of South Dakota,
 before _____ proof will be submitted of the application to beneficial use
 (Examining Engineer or Officer)

of APPROX. 1.1 cubic feet per second of the waters of AVAILABLE GROUND WATER

_____ In accordance with the terms and conditions of Permit No. 441-1
 heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are _____

STURGIS WATER WORKS COMPANY, BOX 119, STURGIS, SOUTH DAKOTA2. The use to which said water has been applied is MUNICIPAL USE3. The amount applied to beneficial use is APPROX. 1.1 CU. FT. PER SECOND

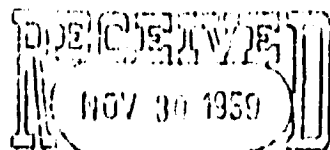
4. The place where said water is used is (If for irrigation, give full and accurate description of the lands ir-
 rigated) STURGIS AND FORT MEADE, SOUTH DAKOTA

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is

NONE6. The right to take the water from such works is based upon permit No. 441-17. The source of supply from which such water is ^{LIFTED} ~~diverted~~ is MINNEBLUSA FORMATION8. The date of priority which said user is prepared to establish is DATE OF WELL TEST,JULY 18, 1960

(Sign) _____

J. D. DAVENPORT, PRES.STURGIS WATER WORKS COMPANY



Location No.

Water Division No. Water District: STATE WATER RESOURCES COMMISSION
FERRIS SOUTH DAKOTA

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. J. E. DAVENPORT, PRES., STURGIS WATER WORKS COMPANY
Box 119, Sturgis, S. DAK.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans. STURGIS WATER WORKS COMPANY, STURGIS, S. DAK --- PRESIDENT
OF CORPORATION.

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans. 1890. RIPARIAN RIGHT ESTABLISHED BY SOUTH DAKOTA SUPREME
COURT IN 1904.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. WARREN CREEK - S.W. CORNER OF SW 1/4 OF E 1/4, SEC. 28 - 5 - 5,
MEADE COUNTY

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. DIVERSION DAM 16 FT. HIGH, 20 FT. WIDE - 700 GPM, 8" PIPE
LINE - 1893.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. MUNICIPAL USE CITY OF STURGIS, SOUTH DAKOTA, ALSO CONNECTION
TO VETERANS ADMINISTRATION HOSPITAL, FORT MEADE, S. DAK.

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans. MUNICIPAL USE

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 400,000 GALLONS DAILY.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. OWNERSHIP TRANSFERRED FROM STURGIS WATER COMPANY TO ABOVE
NAMED STURGIS WATER WORKS COMPANY, BOTH SOUTH DAKOTA CORPORATIONS, IN
1904.
ALSO WELL DRILLED 1948 IN N. E. CORNER OF NE 1/4 OF SE 1/4 OF SEC. 16 - 5 - 5,
MEADE COUNTY - 1,100 FT. TO PAHASAPA LIME, WATER LEVEL 435 FT. FROM
SURFACE, WELL CASED TO 600 FT. AND CEMENTED WITH 8" CASING - VOLUME
10 GPM PER FOOT OF DRAWDOWN; 50 H.P. ELECTRIC MOTOR WITH LAYNE
TURBINE PUMP CAPABLE OF PUMPING 275 GPM - WELL IN DAILY USE SINCE
NOVEMBER, 1949 FOR ABOVE MUNICIPALITY.

Ques. 10. State when, how, in what amount and to what extent, the water diverted under above mentioned permit has been used.

Ans. CONTINUOUS MUNICIPAL USE SINCE 1893 TO CAPACITY.

(Sign) X *J. H. Kearsley*

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Sturgis, County of Groff

State of South Dakota, on this 24th day of November, A. D. 1912

J. M. Ghee } Witnesses. *David J. Morrill*
Edith A. Doyle } *Notary Public*

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

David J. Morrill
David J. Morrill

Location No. -----	
PROOF OF APPLICATION OF WATER TO BENEFICIAL USE	
PETITION OF HOLDER	
Amount of Water ----- c. f. s.	
Source -----	
County -----	
Purpose -----	
Place of Use -----	
Date of recording -----	
Received and filed -----	

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Meade } ss.

Morris G. Hallock being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the

Black Hills Press 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 dates:

February 6, 1960

February 13, 1960

February 20, 1960

February 27, 1960

in each and every issue of the full number thereof, the first publication being made on the 6 day of Feb.

1960 and the last publication on the 27 day of

Feb. 1960, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was _____ the printer and publisher of the said newspaper.

Morris G. Hallock

Subscribed and sworn to before me this 1 day of March A. D. 1960

Notary Public _____ County, S. D.

No. 441-1
APPROPRIATION OF WATER
 Office of State Water Resources Commission, Pierre, S. Dak., February 3, 1960.

Notice is hereby given that the Sturgis Water Works Co. whose postoffice address is Sturgis, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.1 cubic feet of water per second of time from ground water through their well the point of diversion of which is to be located on lot 2 in the N $\frac{1}{4}$ SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 9 Twp. 6N Range 58E. Said water to be used for the purpose of providing municipal supplies to the city of Sturgis.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 6th day of April, 1960, at 2 P. M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission
 By: Burton F. Jones
 Water Right Specialist
 Press Feb. 6, 13, 20, 27

DATE MICROFILMED

CREAM OPERATOR

No. 24034

State of South Dakota



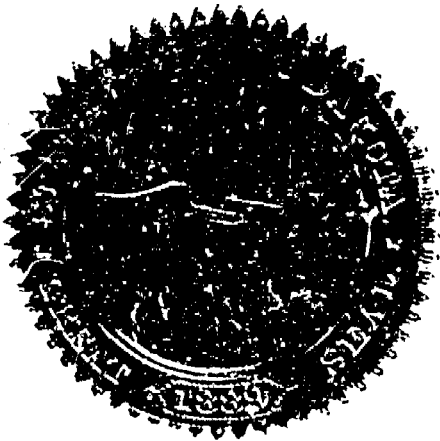
Department of State

United States of America, } Secretary's Office
State of South Dakota, }

*This is to certify that the attached instrument of writing
is a true, correct and examined copy of*

Articles of Incorporation of STURGIS WATER WORKS COMPANY
as filed August 22, 1925.

*and the whole thereof, and has been carefully compared with
the original now on file in this office and found correct.*



In Testimony Whereof, I have hereto
set my hand and affixed the Great
Seal of The State of South Dakota
at the City of Pierre, the Capital on

this 8th day of December 19 59

James Anderson
Secretary of State.

FEES. \$ 3.50

BY

Assistant Secretary of State

ARTICLES OF INCORPORATION
of
STURGIS WATER WORKS COMPANY.

WHO" ALL MEN BY THESE PRESENTS: That we, the undersigned, Joseph J. Davenport, Jarvis Daniel Davenport, and Sara K. Davenport, for ourselves, associates, and successors, have associated ourselves together for the purpose of forming a corporation under and by virtue of the statutes and laws of the State of South Dakota, and we do hereby certify and declare as follows, viz:

FIRST:

The name of this corporation shall be STURGIS WATER WORKS COMPANY.

SECOND:

The purpose for which this corporation is formed is to acquire, by location, purchase, lease, or otherwise, water-rights, water privileges, dams, reservoirs, ditches, and flumes, of any and all kinds, and to hold, own, maintain and operate the same, and to furnish and sell water therefrom for mining, manufacturing, milling, and domestic purposes, and for the irrigation of lands, and to build and construct all such dams, reservoirs, ditches and flumes as may be necessary or proper for the purposes of this corporation, and to acquire by purchase or otherwise, such rights of way therefor as may be necessary or expedient; which said water is to be taken from certain unnamed springs, the overflow from which runs for a short distance in a small channel called SILVER CREEK, or sometimes called WARREN CREEK, and then disappears, and the point or place on said overflow at or near which the said water is to be taken out, is where

the same crosses the South line of Section twenty-eight in Township Five North of Range five, East of the Black Hills Meridian, in the County of Meade, and State of South Dakota, and the intention is to convey the said water by ditch, flume, pipe or other means, in a general northerly direction, to the city of Sturgis, and Fort Meade in said Meade County, and the use to which said water is intended to be applied is for irrigating lands along the said line by which the same is to be conducted, and for mining, manufacturing, milling and domestic purposes along the said line, and for like purposes at said city of Sturgis, and Fort Meade, and also for purposes and uses at said points and places in connection with a system of water works, and to supply the inhabitants of said points and places with water for domestic uses and for irrigation and other useful purposes, and the public with water for fire protection, and other useful purposes, and generally to furnish and sell water for all needful, necessary and useful purposes at said points and places along the line by which said water may be conducted.

To take over all property and properties, and assets and assume all the liabilities of the original STURGIS WATER WORKS COMPANY; the original Articles of Incorporation of which was filed for record on the 24th day of May, A. D. 1904, at 10:00 o'clock A. M., and recorded in Volume 41 on page 91, of the Record of Domestic Corporations, of the office of the Secretary of State of South Dakota; and to carry on and conduct, the business heretofore conducted by said original STURGIS WATER WORKS COMPANY.

To acquire by purchase, donation, location, lease or otherwise, real and personal property of any and every kind, and to use, maintain, enjoy, sell and dispose of the same for the benefit of

this corporation; To conduct and carry on the business of a ditch and water corporation in the County of Meade, and State of South Dakota; To Have, exercise and enjoy all the rights, powers and privileges, conferred upon corporations for industrial pursuits by the Statutes and laws of the State of South Dakota, in such case made and provided; To transact any other business consistent with the foregoing purposes, and not inconsistent with the laws of South Dakota; And to do any and all other things necessary, proper or requisite to carry into effect the objects aforesaid.

THIRD.

The place where the principal business of this corporation shall be transacted is the City of Sturgis in the County of Meade and State of South Dakota.

FOURTH.

The term for which this corporation shall exist shall be twenty-five years (25).

FIFTH.

The number of directors of this corporation shall be three (3), and the names and residences of such who are to serve until the election of their successors are as follows:

NAMES.

Joseph J. Davenport.
Jarvis Daniel Davenport.
Sara E. Davenport.

RESIDENCES.

Sturgis, South Dakota.
Sturgis, South Dakota.
Sturgis, South Dakota.

SIXTH.

The amount of the capital stock of this corporation shall be and is One Hundred Thousand (\$100,000.00) Dollars, divided into

one thousand (1000) shares of the par value of one Hundred Dollars (\$100.00) each.

IN TESTIMONY WHEREOF, we have hereunto set our hands this 21st day of August, A. D. 1926.

Joseph J. Davenport
Jarvis Daniel Davenport
Sara E. Davenport

STATE OF SOUTH DAKOTA)
COUNTY OF BEADE.) ss

WE IT REMEMBERED: That on this 21st day of August, A. D. 1926, before me, the undersigned, a Notary Public, in and for said County and State, personally appeared the above named Joseph J. Davenport, Jarvis Daniel Davenport, and Sara E. Davenport, well and personally known to me to be the same persons who are described in and who executed the foregoing instrument, and severally duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at said county, the day and year 1st above written.

Mathew C. Pugh
NOTARY PUBLIC.

STATE OF SOUTH DAKOTA)
COUNTY OF BEADE.) ss

JOSEPH J. DAVENPORT, and JARVIS DANIEL DAVENPORT, being duly sworn, each for himself, deposes and says: That he is one of the persons described in and who signed the foregoing ARTICLES OF INCORPORATION, as an incorporator therein; that he has read said Articles, and knows the contents thereof; that the incorporators intend in good faith to form a corporation for the purpose of the promotion of lawful business as set forth in said articles, and not for the purpose of enabling any corporation or corporations to

avoid the provisions of Sections 4362 to 4364, inclusive, Revised Code of 1919, of the State of South Dakota, relating to unlawful trusts and combinations, and laws amendatory thereto.

Joseph J. Dwyer

James Daniel Dwyer

SUBSCRIBED AND SWORN TO BEFORE ME THIS 21st DAY OF AUGUST, 1925.

Therese Dwyer
NOTARY PUBLIC.

STATE OF SOUTH DAKOTA.

OFFICE OF SECRETARY OF STATE)

ss

I hereby certify that the within instrument was filed for record on the 22nd day of August A. D. 1925, at 10 A M., and recorded in Volume 116 on Page 272 Records of Domestic Corporations of this office.

E. E. Payne
SECRETARY OF STATE.

BY: ASSISTANT SECRETARY.

State of South Dakota

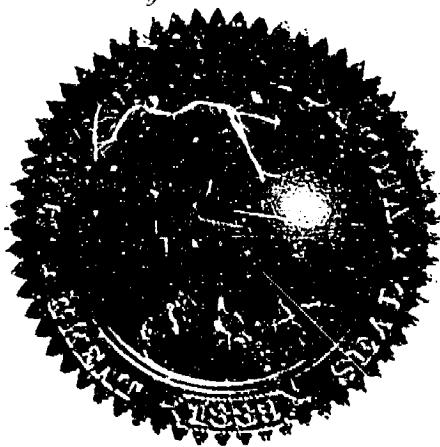


Department of State

United States of America, } Secretary's Office
State of South Dakota, }

This is to certify that the attached instrument of writing
is a true, correct and examined copy of
Application of STURGIS WATER WORKS COMPANY for an Extension
of Its Corporation Charter as filed August 16, 1950.

and the whole thereof, and has been carefully compared with
the original now on file in this office and found correct.



In Testimony Whereof, *I have hereunto*
set my hand and affixed the Great
Seal of The State of South Dakota
at the City of Pierre, the Capital on
this 8th *day of* December 19 59

Alma Anderson
Secretary of State.

FEES. \$ 2.50

BY _____
Assistant Secretary of State

Application of

STURGIS WATER WORKS COMPANY

For an Extension of Its Corporation Charter

STURGIS WATER WORKS COMPANY, a corporation organized and existing under the laws of the State of South Dakota, incorporated on the 22nd day of August, 1925, for the period of 25 years, hereby makes application to the Secretary of State of the State of South Dakota for an extension of its term of existence for a ~~term of~~ perpetual term.

IN TESTIMONY WHEREOF, the undersigned, comprising a majority of the Board of Directors of the above named corporation, have hereunto set their hands and seals after being authorized to do so by the stockholders or the members of said corporation, pursuant to motion or resolution adopted at the meeting

a special meeting called and noticed for that purpose, held at Sturgis, special (state which)

South Dakota, on the 7th day of August, 1950

Attached hereto and made part hereof is the statement required by law, duly verified

DIRECTORS

J. D. Lavenport
J. H. Lavenport

State of South Dakota
County of Pennington

BE IT REMEMBERED, That on this 11th day of August, A. D. 1950, before me, John D. Wilson, a notary public, within and for said county and state, personally appeared J. D. Lavenport, J. H. Lavenport,

to me personally known to be directors of the Sturgis Water Works Company

and the persons who are described in, and who executed the foregoing application, and duly and severally acknowledged to me that they executed the same.

WITNESS my hand and notarial seal the day and year last written

John D. Wilson
Notary Public

Pennington County
South Dakota

My commission expires January 17, 1954

EXHIBIT "A"
FINANCIAL STATEMENT AND NATURE
OF BUSINESS

Nature of Business: "The sale and distribution of water in and near Sturgis in Meade County, South Dakota, including the ownership and operation of wells, storage dams, pipe lines, real estate, and personal property necessary or incidental to said purpose."

BALANCE SHEET, DECEMBER 31, 1949

ASSETS:		LIABILITIES:	
Cash	\$ 7,409.47	Mortgage Payable	\$ 33,609.38
Construction	176,800.80	Customers' Deposits	3,385.81
Meters	9,884.59	Capital Stock (common)	108,300.00
Machinery & Tools	6,156.99	Depr. Reserve, Construction...	76,501.17
Furniture & Fixtures...	2,132.73	" " Meters	6,214.20
Autos	4,154.65	" " Mach. & Tools..	3,963.46
Deposit-Power Extension	2,789.41	" " Furn. & Fix....	663.18
Land	16,843.00	" " Autos	1,975.80
Pump & Well	23,432.03	" " Pump & Well....	1,157.03
		Surplus	13,833.64
	<u>\$249,603.67</u>		<u>\$249,603.67</u>

Number of shares of stock issued and outstanding

1000

Number of shares of stock subscribed and not issued

None

Name and postoffice address of directors:

Names	Address
J. D. Davenport	Sturgis, South Dakota
J. H. Davenport	Sturgis, South Dakota
A. L. Bodley	Sioux Falls, South Dakota

LIST OF THE STOCKHOLDERS OF THE

STURGIS WATER WORKS CO. PANY

Name	Postoffice Address	No. of Shares
J. D. Davenport,	Sturgis, South Dakota	500
J. H. Davenport,	Sturgis, South Dakota	1
A. L. Bodley,	Sioux Falls, South Dakota	5
A. D. Bodley,	Sioux Falls, South Dakota	250
F. D. Bowker,	Worcester, Massachusetts	191
TOTAL STOCK AUTHORIZED, ISSUED, AND OUTSTANDING.....		1000
(Par value \$100.00)		

IN THE MATTER OF THE APPLICATION OF

STURGIS WATER WORKS COMPANY

FOR AN EXTENSION OF ITS CORPORATION CHARTER

State of South Dakota
County of Pennington County

J. D. Davenport President of the STURGIS WATER WORKS COMPANY
and J. H. Davenport Secretary of the STURGIS WATER WORKS COMPANY

each being severally duly and solemnly sworn upon his oath states that the statement hereto attached marked exhibit "A" and made a part hereof, is a true statement of the assets and liabilities of the STURGIS WATER WORKS COMPANY, of the nature of its business, of the number of its shares of stock issued and outstanding of the number of its shares and stock subscribed and not taken, and the name and postoffice address of each stockholder, and of the number of shares owned by each, and of the names and postoffice addresses of each and all of its directors.

J. D. Davenport
President

J. H. Davenport
Secretary

and sworn to before me, this 11th day of August, A. D. 1950

John H. Wilson
Notary Public Pennington
County South Dakota

Receipt 1950
File No. 332

APPLICATION FOR EXTENSION
OF CHARTER
of the

STURGIS WATER WORKS COMPANY

Main Office Sturgis, South Dakota

Capital Stock, \$

STATE OF SOUTH DAKOTA
Office of Secretary of State

I hereby certify that the within instrument was filed for record on the 16th day of August, A. D. 1950, at 12 o'clock A. M., and recorded in Vol. 142, on Page 116, Record Doc. of this office.

James M. Smith
Secretary of State
By Walter P. Smith
Assistant Secretary of State

Fees Received, \$10.00

J. D. DAVENPORT
PRESIDENT

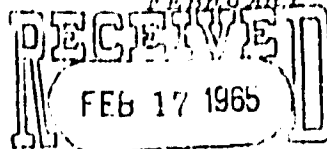
L. M. HILL
SUPERINTENDENT

STURGIS WATER WORKS COMPANY

BOX 119 - PHONE 48-4

STURGIS, SOUTH DAKOTA

FEBRUARY 16, 1965.



Mr. J. W. GRIMES,
CHIEF ENGINEER, EXECUTIVE OFFICER
S. DAK. WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

DEAR Mr. GRIMES:

WITH THE PHASING OUT OF THE TITAN MISSILE SITE TEN MILES EAST OF STURGIS, AND CONSIDERING THE HISTORY OF THE WATER WELLS WHICH WERE DRILLED AT THAT SITE, WE FORESEE A REAL THREAT TO THIS AREA IF THOSE WELLS ARE DISCONTINUED WITHOUT BEING PERMANENTLY PLUGGED, NOT JUST CASED AND VALVED OFF.

IF OUR INFORMATION WAS CORRECT, ONE WELL CAME IN WITH A LARGE FLOW UNDER CONSIDERABLE PRESSURE AND CREATED QUITE A PROBLEM GETTING IT CAPPED AND BROUGHT UNDER CONTROL, AND THAT WHEN THE BIG WELL WAS CLOSED IN, WATER CROSSED FROM ONE WELL TO ANOTHER AND CAME OUT THE LITTLE WELL. IF THE CASING SHOULD RUST OUT, PERMITTING EITHER WELL TO BREAK OUT SOMETIME IN THE FUTURE, IT WOULD BE A SEVERE DRAIN UPON THE WATER BEARING STRATA AVAILABLE TO THIS AREA. CONSIDERING THE WATER QUALITY, IT IS OUR OPINION THAT NOTHING SHORT OF COMPLETE CEMENTING FROM TOP TO BOTTOM WOULD PERMANENTLY CONTROL THEM.

OUR STURGIS WELLS NOW SHOW A STATIC WATER LEVEL OF 455 FEET (WITH A YIELD OF 10 G.P.M. PER FOOT OF DRAWDOWN ON THE No. 1 WELL AND 1-3/4 G.P.M. PER FOOT ON THE No. 2 WELL). THE TITAN WELL IS 230 FEET LOWER AT THE SURFACE OR GROUND ELEVATION THAN THE PRESENT WATER LEVEL IN OUR WELLS. THEREFOR A RUNNING WELL AT THE TITAN SITE WOULD GRADUALLY INCREASE THE STURGIS LIFT TO 665 FT. PLUS DRAWDOWN, WITH THE SAME EFFECT, OF COURSE, ON SIMILAR WELLS IN THE AREA.

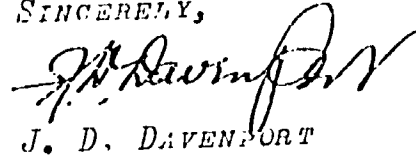
THE BEAR BUTTE WELL DRAINED THIS AREA TO ITS PRESENT LEVEL IN ABOUT EIGHTEEN YEARS IN BOTH THE MINNELUSA AND THE PAHASAPA. IT NOW FLOWS A VERY NOMINAL AMOUNT OF WATER, BUT CAME IN AT 1,400 G.P.M. *and has remained uncontrolled.*

WE STRONGLY URGE YOUR COMMISSION TO MAKE A DETERMINATION OF WHAT SHOULD BE REQUIRED BEFORE THE FEDERAL GOVERNMENT VACATES OR DISPOSES OF THE SITE.

.. 2 ..

WE FIND THAT DR. J. PAUL GRIES OF THE SCHOOL OF MINES AND TECHNOLOGY HAS COPIES OF THE CORPS OF ENGINEER'S HISTORY AND SPECIFICATIONS ON BOTH TITAN WELLS AS WELL AS RELATED WELLS, AND HE HAS ASSURED US THAT HE WILL MAKE ANY INFORMATION AVAILABLE TO YOU UPON REQUEST.

SINCERELY,



J. D. DAVENPORT

JDD/LH

cc:

DR. J. P. GRIES, RAPID CITY, S. D.
MR. LAUREN DAVIS, BELLE FOURCHE, S. D.

March 30, 1965

Director of Civil Engineering
Headquarters Strategic Air Command
Offutt Airforce Base
Omaha, Nebraska

Dear Sir:

Mr. J.D. Davenport, President of the Sturgis Water Works Company which supplies water to the City of Sturgis, South Dakota has written to the State Water Resources Commission expressing his concern about the deep water wells at a Titan Missile site. Enclosed for your information is a copy of the letter received from Mr. Davenport.

The Staff of the State Water Resources Commission did check with Mr. J. Paul Grice of the School of Mining and Technology regarding these wells. His records show that one well at the site, having a depth of 3165 feet, had a flow estimated at more than 2300 g.p.m. and had a shut-in pressure of 160 lbs. per square inch at ground surface in 1959.

The State Water Resources Commission believes that if maintenance of this well is to be discontinued at any time, cement grout plugging of the well should be accomplished. It is requested that this letter be placed in proper file so that consideration of such plugging can be made if discontinuation of maintenance of this well is ever planned.

Any information pertaining to this situation that you can send to us and that we can pass on to Mr. Davenport and Mr. Grice will be appreciated.

Sincerely,

J.W. GRICES

JWG/lw/LD

cc: w/copy to: Base Deputy Commander for Civil Engineer
Ellsworth Airforce Base, Rapid City, S.D.

441-1

SOUTH DAKOTA

VESTED WATER RIGHT NO. 441-1

Date of Receipt of Claim November 30, 1950.

Date of Validation March 3, 1993

The Water Management Board validated Vested Water Right Claim No. 441-1 for City of Sturgis Water Department, 1025 1st St, Sturgis SD 57785 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 441-1 appropriates 0.89 cubic feet of water per second from groundwater. The location of the point of diversion is the NE 1/4 SE 1/4 Section 16-T5N-R5E.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. 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, 1948.
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: *John H. Hetch*
John Hetch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 18 1996

date



FILE DOCUMENTATION

NAME: Sturgis Water Works
ADDRESS: 1025 1st Str., Sturgis SD 57705
SUBJECT: Validation of Vested Right Claim No. 441-1
DATE: January 6, 1993

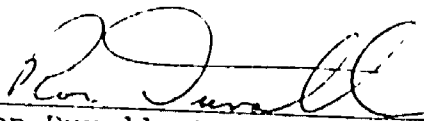
The application for No. 441-1 claimed 2.5 cfs as a vested right from ground water with no mention of a dam. According to the Proof of Application to Beneficial Use form, the well was drilled in 1948 and a dam constructed in approximately 1893 was also included on the form. The legal description, size, and date of construction of the dam closely match dam No. 1 on Vested Water Right No. 1446-1. Since the dam is apparently covered by No. 1446-1, no action is needed to address the omission of the dam from the publication to validate No. 441-1.

READVERTISEMENT OF NOTICE OF INTENT TO VALIDATE

The legal description of the well published in the original notice of intent to validate described the location of a well that does not have vested status. The legal description of the well drilled in 1948 is listed on the Proof of Application to Beneficial Use as being in the NE1/4 SE1/4 section 16-T5N-R5E. In addition, the 1890 priority date published in the notice is for the dam that is covered by No. 1446-1. The correct priority is 1948 for the well and the water source is ground water (Alkali Creek was mentioned in one of the notices published for Meade Co). According to an inspection by Jim Wendt dated April 11, 1989, the current diversion rate from the well drilled in 1948 is 0.77 cfs (350 gpm) and should be included in the readvertisement.

REISSUANCE OF WATER LICENSE NO. 441-1

The 1890 priority date on the license needs to be changed to 1948 and the legal description of the vested well needs to be added as a diversion point (see above description). The diversion rates also need to be revised. The 1948 priority date should have a diversion rate of 0.77 cfs and the November 30, 1959, priority date should have a diversion rate of 0.44 cfs according to the inspection completed by Jim Wendt, staff engineer.



All file doc dated: 2-3-93

Ron Duvall, Natural Resources Engineer

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: Sturgis Water Works - VR No. 441-1

ADDRESS: _____ COUNTY: _____

DATE: February 3, 1993 TELEPHONE: 347-4425

RE: Validation of Recognized Vested Right No. 441-1

COMMENTS:

Mr. Eldon Christians from the Sturgis Water Works called regarding the Readvertisement of the Notice of Intent to Validate Vested Water Right Claim No. 441-1. He stated that the 0.77 cfs diversion rate is much less than the water used by Sturgis Water Works. Mr. Christians stated that Sturgis Water Works utilizes two wells - Well # 1 produces 400 gpm (0.89 cfs) and Well # 2 produces 230 gpm (0.51 cfs).

I looked in the file and there is file documentation of an inspection by Jim Wendte on April 11, 1989. I explained to Mr. Christians that this validation was only for Well # 1 which had vested right status. And that once the validation of the water use from this well is completed, Water License No. 441-1 would be issued to reflect the water use for Well # 1 with a 1948 (vested) priority date and Well # 2 with a November 30, 1959 priority date.

I stated that Jim Wendte's inspection found Well # 1 producing 0.77 cfs (350 gpm) and Well # 2 producing 0.44 cfs (200 gpm). Mr. Christians stated that at the time of Mr. Wendte's inspection they were having pumping problems and that when Mr. Wendte asked about the production of the wells he told Jim what they were producing that day. Soon after the inspection the pumps in both the wells were replaced and the production increased back to the historical 400 gpm from Well # 1 and 230 gpm from Well # 2. I explained the statute regarding three years of nonuse of water and Mr. Christians explained that the period of reduced production was only for 6 months. Mr. Christians stated that they have recorded the pumping from these wells and would provide whatever documentation necessary to show that the production from the wells is 400 gpm and 230 gpm.

I discussed this issue with Ron Duvall. Since the amount that is to be validated is substantially less than the amount on the water license and that the use of water is documented by the Sturgis Water Works and appears reasonable, then the validation should be for 0.89 cfs (400 gpm) from Well # 1. When the license is reissued it should be for 0.89 cfs from Well # 1 and 0.51 cfs from Well # 2.

The first notice of intent to validate has already been published. I will call the paper to correct the amount of water to be validated so that the second publication will be correct.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Eric Lundberg



4/41-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 18 1996

Eldon Christians
City of Sturgis Water Department
1025 1st St
Sturgis SD 57785

Dear Mr. Christians:

The Water Management Board has validated the enclosed Vested Water Right No. 441-1. This validation gives legal status to the claim and is the final document for your vested rights.

Also, enclosed are Reissued Vested Right License No. 441A-1 and Reissued Water License No. 441B-1. The original water license was divided and reissued to separate the vested right portion from the water right.

As long as Sturgis Water Works uses the water beneficially, as stated in the licenses, State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

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

enclosures



Well #2

609

9.3

441-1