

473-1

1. Considered 8-3, 1960
2. Name of Applicant Town of Fruitdale
3. Post Office Address _____
4. Amount of water claimed 1.0
5. Source of water supply ground water (artesian)
6. Water to be used for municipal
Acres to be irrigated _____
7. Water to be diverted and used in Butte County about
_____ of _____
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

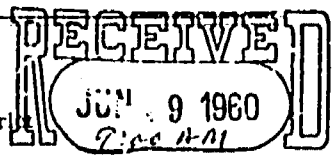
~~This is an abandoned claim~~

~~It is not a water right~~

~~It is not a water right~~

OK

No. 473-1
 Water Division No. 1 Belle Fourche River District
 (Blanks to be filled by the Engineer for the W. R. C.)



STATE WATER RESOURCES COMM.
 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 THE TOWN OF FRUITDALE
 Postoffice address FRUITDALE, County BUTTE, State SO. DAK.

I. If a corporation X X X X X X
 (a) Name of same X X X X X X
 (b) Date and place of incorporation X X X X X X
 (c) Amount of capital stock X X X X X X
 (d) Amount paid in X X X X XX X
 (e) Names and addresses of directors X X X X X X

(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)

EMPLOYMENT OF OTHERS

(b) Cash on hand, \$ X X (c) Treasury stock, \$ X X
 (d) Bonds to be issued, \$ X X (e) Other resources, \$ X X

2. Name of diversion work FRUITDALE ARTESIAN WELL No. 33. Amount of water claimed 1 cubic feet per second4. Source of water supply Artesian flow from Lakota sand 600 to 715 feet.

5. Location of point of diversion Block "9" of the Town of Fruitdale
NW-SE Sec 13, T.8 N., R.3 E-BHM on Butte County.

6. Annual period or periods during which water is to be used At any and all times during the
year, according to the requirements of the Town of Fruitdale

7. To be used for: town water

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

(a) Number of acres to be irrigated X X acres.(b) Legal subdivisions to be irrigated X X

(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.)

TO SUPPLY WATER FOR THE town water system.

11. Stockwatering, milking, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use Fire protection, fish culture or public
recreation. 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 None(d) Method of developing power None(e) Point where water will be returned to stream None

Map No 412-1

8. Estimated cost of work:

(a) Head Gates, \$..... (b) Pumping plant, \$.....
 (c) Plumbing, \$..... (d) Canal-earth, \$..... Rock, \$.....
 (e) Other structures \$..... Total, \$.....

9. Description of diversion works:

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

Pressure at well, 14.5# or 33 feet - Water tank is 40 feet above

II. Dimensions of works: Well. Type of pump and capacity not decided.

(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-LINE	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 where reductions in size are made.)

10. Time required for completion of work1.....years.

11. Time required for complete application of water to the proposed beneficial use1..... years.

12. Choice of newspaper for publication of notice of intention to appropriate

...Belle Fourche Bee, Belle Fourche, So. Dak.

...STATE OF SOUTH DAKOTA }
 County of Butte } ss.

I, Homer Kinner, Chairman of Town Board of Fruitdale, 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. Town Board Chairman

SignedHomer Kinner.....

Subscribed and sworn to before me this 24th day of May, 1960.

Carl M. Cornell,

Notary Public (or XXXXXXXXXXXXXXXXX)

Each diversion must have a commission expires 4/19/67

PLAT
OF
FRUITDALE,
BUTTE CO.,

S.D.
SECTION 12, T. 8 N., R. 3 E-BM

SCALE - 1 inch = 50 feet.

- SURVEYOR'S CERTIFICATE -

I, Carl M. Cornell, Licensed Surveyor, in and for the State of South Dakota, do hereby certify that, at the request of the Town Board of the Town of Fruitdale, Butte County, South Dakota, I have made a survey of the tract shown hereon as the Town of Fruitdale, South Dakota and have prepared this plat of same for the purpose of furnishing the required plat to be supplied as a part of the Application for a Permit to appropriate ground water for the use of the said town of Fruitdale for household, fire protection, irrigation of lawns and other customary uses of town or city water.

I further certify that the lengths, bearings and locations of the several lines shown, are correct, to the best of my knowledge and belief.

Subscribed and sworn to at Buffalo, South Dakota this 31st day of May 1900.

SIGNED: Carl M. Cornell
Carl M. Cornell, Licensed Surveyor (1144) SEAL

Subscribed and sworn to before me at Buffalo, South Dakota this 31st day of May 1900.

M. R. Dunn
Notary Public (SEAL)

○ TOWN
12' x 16' Water Tank
○ Old Artesian Well (Dry)
1100' Deep.



Map No. 412-1
April No. 1900

Stearns
1st
Addition

10

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
 County of Hughes } ss.

Pierre, South Dakota, August 8, 1960

This is to certify that the foregoing application was received by the Commission at 9:00 o'clock
a.m. upon the 9th day of June, 1960.

State Water Resources Commission

By:

Burton L. Jones
 for Chief Engineer, Executive Officer

Number of permit 473-1

Date of first receipt of application June 9, 1960

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right June 9, 1960

Approved August 3, 1960, Recorded in Book 6 Page 98

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 February 3, 1961
- 2nd. The whole of said work is to be completed on or before August 3, 1961
- 3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is August 3, 1961
- 4th. The water appropriated shall be used for the purpose of municipal use

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 1.0 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 in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually

and beneficially applied for irrigation on or before August 3, 1961; said water to be used during the following described annual period:

Continuously
 Witness my hand this 8th day of August, 1960.

State Water Resources Commission

By:

Bob Ruimer
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____

Water License Issued _____

July 6, 1962
July 6, 1962

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 8" , Depth 715

Type of casing Steel
(wood, concrete, steel, etc.)

Size of casing 7" , Thickness of casing 1/4"

Length of casing 540 if collection gallery, length, size and depth of
gallery - 175' below casing not cased.

(b) Screens None

Type of perforated screen

Size of perforated screen (diameter) (length)

Thickness of gravel pack , length of gravel pack

(c) Water Bearing Materials

Well flows @ 14 1/2 pressure.
Distance to water 140' / Character of water bearing materials

Lakota sand

Thickness of water bearing material 35'

(d) Pump and Motor

Type of pump Not determined as yet.
(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 450 GPM Estimated cost 3300.00
Approx. / at drawdown of Pump (Not determined)

(f) Owner of land upon which well is located Town of Fruitdale, Butte Co., S.D.

Address Fruitdale, S.D.

(g) Distance to nearest existing wells

On same owner's property 775 (dry) ft. On property owned by others 400 rods

DRILLER'S LOG OF WELL

Location of Well: **NW 1/4, SE 1/4, Section 13**, Township **3 N**, Range **3 E-BHM**

Well to be drilled for: **The Town of Fruitdale** **Fruitdale, So. Dak.**
(Name) (Address)

Owner of land (if other than above) **The Town of Fruitdale**
(Name) (Address)

Date well drilling started **May 16th, 1960** finished **May 23rd, 1960**

Purpose of well **Municipal**
(domestic, irrigation, municipal, industrial, other)

Diameter			
7			
Inches			
Feet	545	Shale	Ground Surface Elevation: About 2000' (if Available)
Feet	620	Dakota	Kind and thickness of casing to be installed:
Feet	680	Tussock Shale	Steel pipe, 1/2 inch.
Feet	715	Lakota Sand	Size of casing to be installed:
Feet			540 feet of 7 inches diameter
Feet			feet of inches diameter
Feet			feet of inches diameter
Feet			Type of seal between casing sizes:
Feet			Uniform size
Feet			Kind of perforated screen to be installed:
Feet			Material None (steel, wood, concrete, etc.)
Feet			Size of screen: None
Feet			Diameter inches
Feet			Length feet
Feet			Size openings inches
Feet		Water bearing material	Depth below ground surface to which water rises
Feet			In well feet,

Well flows at about **14 1/2** lbs. pressure.

STATE OF SOUTH DAKOTA

WATER LICENSE No. 473-2..

WHEREAS, On the 9th day of June A. D. 1960

the Town of Fruitdale

~~xx~~ County of Butte and State of

South Dakota duly made application (No. 473-1) to us for a permit to use 1.6

cubic feet per second of the waters of Artesian ground water

County of Butte, State of South Dakota, for municipal purposes; and

WHEREAS, On the 8th day of August A. D. 1960

Permit No. 473-1 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 3rd day of

August A. D. 1961 and for the application to beneficial use of said

water on or before the 3rd day of August A. D. 1961 and,

WHEREAS, On the 19th day of June A. D. 1962

the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.0

cubic feet per second of said waters, as evidenced by our Certificate No. 473-1

dated July 6, 1962 confirming the completion of works of sufficient capacity for

diverting and conveying to the place of intended use 1.0 cubic feet per second of water, with date of

priority of June 9, 1960 ~~and~~ and,

WHEREAS, On the 19th day of June A. D. 1962

proof was duly made of the application to beneficial use of 1.0 cubic feet per second of said water;

for municipal supplies for the Town of Fruitdale

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 Town of Fruitdale-----
sk----- the holder----- and owner----- of said permit No. 473-1-----
a water right, dating from -----June 2, 1960----- to the use of -----1.0-----
cubic feet per second of the waters of -----Artesian ground water-----
in the County of -----Butte----- and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinbelow mentioned, to be diverted at -----a point in Block 9, Town of
Fruitdale in the NW 1/4 SE 1/4, Section 12, T 8N, R 3E-----
and conducted to ~~and over~~ -----through the Town water 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 -----6th----- day of -----July----- A. D. Nineteen
Hundred and -----sixty-two-----.

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J.W. GRINES

STATE OF SOUTH DAKOTA

Water License No -----

To -----

Source of Supply -----

County -----

Amt ----- c. f. s. -----

Point of Diversion -----

Place of Use -----

Purpose -----

Date of Priority -----

Recorded -----

In Book ----- of ----- Page -----

Permit No. 473-1Water Division No. 1 BELLE FOURCHE Water District
RIVER**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That the Town of Fruitdale

rk _____, County of Butte _____, and State of
South Dakota _____, the holder of Permit No. 473-1, issued upon Application
 No. 473-1, bearing date of priority of June 6, 1960, authorizing the diversion of
1.0 cu. ft. per second of the waters of Artesian ground water
 County of Butte _____, State of South Dakota, at a point in Block 9,
City of Fruitdale in the NW 1/4 SE 1/4, Section 12, T-3N, R-3E
 _____, for municipal

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 1.0 cu. ft.
 per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows.

to-wit: to be distributed through the town water system for municipal purposes.

Witness my hand this 6th day of July A. D. 19 62

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J.W. GRIMES

Permit No. 473-1Water Division No. 1Belle Fourche
River

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 _____
 19____, I have this day made a thorough examination of the diversion works constructed by _____
Town of Fruitdale, of _____
Battle County South Dakota, holder of Permit No. 473-1, issued
 upon Application No. 473-1, bearing date of priority of 6-9, 1960, authorizing the
 diversion of 60 cu. ft. per second of the waters of Concord water for Municipal
 purposes. I have to report on the condition of the same as follows:

The diversion works comprise: One new 215' deep by 54" of 7" concrete
Wagner induction electric motor 5 H.P. @ 3500 R.P.M.
Mod # 215-41062-03, 230 Volts, 23 Amps, Bell & Gossett
pump, cat. # 1-1/2 AB5 - 1/2 H.P. 606 R.P.M. @ down down
of 120', 5 H.P. @ 3450 R.P.M.

and the system is in the following condition: Excellent

The point of diversion is located Place # 2 1/2 miles S. of Fruitdale

The works are capable of diverting and conveying to the place of use 40 GPM cu. ft. per second of water,
 which is to be used for Municipal & fire protection

The legal sub-divisions to be irrigated are: _____

_____ comprising a total of _____ acres of land.
 The domestic use intended comprises _____

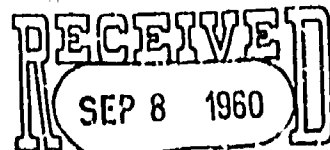
The utilization for power, mining, or other beneficial uses comprise: _____

Witness my hand, this 12th day of June, A. D. 1960

—SEAL—

William H. Miller

Examining Engineer.

Permit No. 473-1

STATE WATER RESOURCES COMM.

Water Division No. _____ Water District 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.) Fruitdale, S. Dak(Date) Sept. 6

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

DEAR SIR: Notice is hereby given that on the 6 day of September
1960, at Fruitdale County of Butte State of South Dakota,
 before _____ proof will be submitted of the application to beneficial use
 (Examining Engineer or Officer)
 of 1.0 cubic feet per second of the waters of Fruitdale Artesian #2
 _____ in accordance with the terms and conditions of Permit No. 473-1
 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 _____

Fruitdale, Butte County, S. Dak.2. The use to which said water has been applied is Fire Protection, Public UseTown water Supply3. The amount applied to beneficial use is 1.0 Cu. Ft. per Second4. The place where said water is used is (If for irrigation, give full and accurate description of the land irrigated) Town of Fruitdale

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

City Water Mains6. The right to take the water from such works is based upon permit No. 473-17. The source of supply from which such water is diverted is Fruitdale Artesian Well #28. The date of priority which said user is prepared to establish is June 7, 1960 9 A.M.

(Sign) Town of Fruitdale
James D. Maulsode, Clerk.
Chairman
of Board

SEP 8 1960

Permit No. 473-1

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Water Division No. _____

Water District _____

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.) Fruitdale, So. Dak.(Date) Sep. 6, 1960

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

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of _____
_____ cu. ft. per second of the waters of the state from _____
through the 1.0 Fruitdale Artesian Well #2
for Town Water System purposes
Fire Protection - Public Use in accordance with the terms and con-
ditions 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 Town of Fruitdale
2. The postoffice address of such person or the place of business of such corporation is Fruitdale
County of Butte State of So. Dak
3. The number of such permit is 473-1 and the date set for the completion of such work is
Completed Sept 1, 1960
4. Said water to be used for Fire Protection - Domestic Use 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
companying the application for such permit, is 1.0 cubic feet per second.
6. The amount of land for which said water is available is _____ acres,
particularly described as follows: _____

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

(Signature of Owners)

Town of Fruitdale
Howard Kinison, Chairman
James D. Matlock, Clerk

RECEIVED JUL 29 1960 PROOF OF PUBLICATION

STATE WATER RESOURCES COMM.

PIERRE, SOUTH DAKOTA

STATE OF SOUTH DAKOTA

County Butte } ss.

Lawrence Weyler being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Belle Fourche Bee 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 dates:

June 30, 1960July 7, 1960July 14, 1960July 21, 1960

in each and every issue of the full number thereof, the first publication being made on the 30th day of June 1960 and the last publication on the 21st day of July 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 publisher the printer and publisher of the said newspaper.

Lawrence Weyler

Subscribed and sworn to before me this 21 day of July A. D. 1960

Notary Public Butte County, S. D.

Notary Public, S. D.
My Commission Expires Sept. 29, 1966

Thursday, June 30, 1960

No. 473-1
APPROPRIATION OF WATER
Office of State Water
Resources Commission
Pierre, S. Dak.
June 21, 1960

Notice is hereby given that the town of Fruitdale, 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 1.0 cubic feet of water per second of time from ground water (artesian) through the Fruitdale Well No. 2, the point of diversion of which is to be located in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 12 Twp. 8N Range 3E. Said water to be used for the purpose of providing municipal supplies for the Town of Fruitdale.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 3rd day of August, 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
Bdt 6/30 7/7-14-21

(First Publication on or before July 8, 1960.)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., June 21, 1960

Notice is hereby given that ~~the town of Fruitdale~~ ~~where notice~~
~~address is~~ 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 1.0
cubic feet of water per second of time from ~~the~~ ground water (artesian) through the
Fruitdale Well #2, the point of diversion of which is to be located ~~on the~~
bank of said stream in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 12
Twp. 8N Range 3E. Said water to be used for the purpose of providing ~~irrigation on the fol~~
lowing described land:

municipal supplies for the Town of Fruitdale

and for ~~the purpose of~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for
consideration upon the 3rd day of August, 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

cc: Laurence Weyler-Publisher
Belle Fourche Bee
Belle Fourche, South Dakota

By:

~~Chief Engineer, Executive Officer~~
Burton F. Jones
Water Right Specialist