

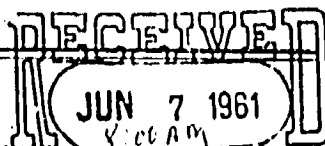
579-1

1. Considered 7-10, 1961
2. Name of Applicant City of Springfield
3. Post Office Address _____
4. Amount of water claimed 2.22
5. Source of water supply artesian ground water
6. Water to be used for municipal
Acres to be irrigated _____
7. Water to be diverted and used in Lawrence County about
_____ miles _____ of _____
8. Proof of Publication Received ☒
Not Received _____
9. Application Approved ☒ sub for inst. &
Subject to _____
Not Approved _____
Action deferred _____

10. Remarks:

*permitted
by Ken Kellan
CA Pelley*

*request that if they don't find
water in Lawrence & return to
municipal - they don't expect
H.S. water.*

No. 579-1Water Division No. 1 BELLE FOURCHE RIVER
(Blanks to be Filled by the Engineer for the W. R. C.)DISTRICT 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 CITY OF SPEARFISH
Postoffice address SPEARFISH, County LAWRENCE, State SOUTH DAKOTA

I. If a corporation

- (a) Name of same _____
(b) Date and place of incorporation _____
(c) Amount of capital stock _____
(d) Amount paid in _____
(e) Names and addresses of directors _____

(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)

CONTRACT

- (b) Cash on hand, \$ _____ (c) Treasury stock, \$ _____
(d) Bonds to be issued, \$ 25,000 (e) Other resources, \$ _____

2. Name of diversion work
- SPEARFISH CITY WELL #2

3. Amount of water claimed
- 2.22
- cubic feet per second

4. Source of water supply
- PAHASAPA LIMESTONE FORMATION

5. Location of point of diversion
- ON CITY BOULEVARD; S 85° 38' E 255' from the NW corner

- Section 15, T6N, R2E

- Dist. 5, Sp. App. to SPEARFISH
- on _____ bank _____ County.

6. Annual period or periods during which water is to be used
- ALL YEAR

7. To be used for:

1. 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 and, if not, 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.)
- MUNICIPAL WATER SUPPLY FOR

CITY OF SPEARFISH

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

- (a) Nature of use _____

Name any of the above uses claimed

- (b) Amount of power to be generated _____ horse power.

Amount claimed for engine cooling _____

- (c) Location of plant _____

- (d) Method of developing power _____

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

MAP No 492-1

8. Estimated cost of work:

(a) Head Gates, \$.....

(b) Pumping plant, \$..5,000...

(c) Fluming, \$.....

(d) Canal-earth, \$.....

Rock, \$.....

(e) Other structures

Well.....\$ 20,000

Total, \$25,000

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 bottomfeet; length at topfeet; thickness at bottomfeet; thickness at topfeet; slope at front water face; slope at back face material used in construction

(b) Reservoir: Capacity when filledacre feet. Surface area at highwater mark.....acres.

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

(c) Head gate: Width.....feet; heightfeet; Material

(d) Canal: Total lengthmiles.

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 work 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 QUEEN CITY MAILSPEARFISH, SOUTH DAKOTA

STATE OF SOUTH DAKOTA

County of LAWRENCE

ss.

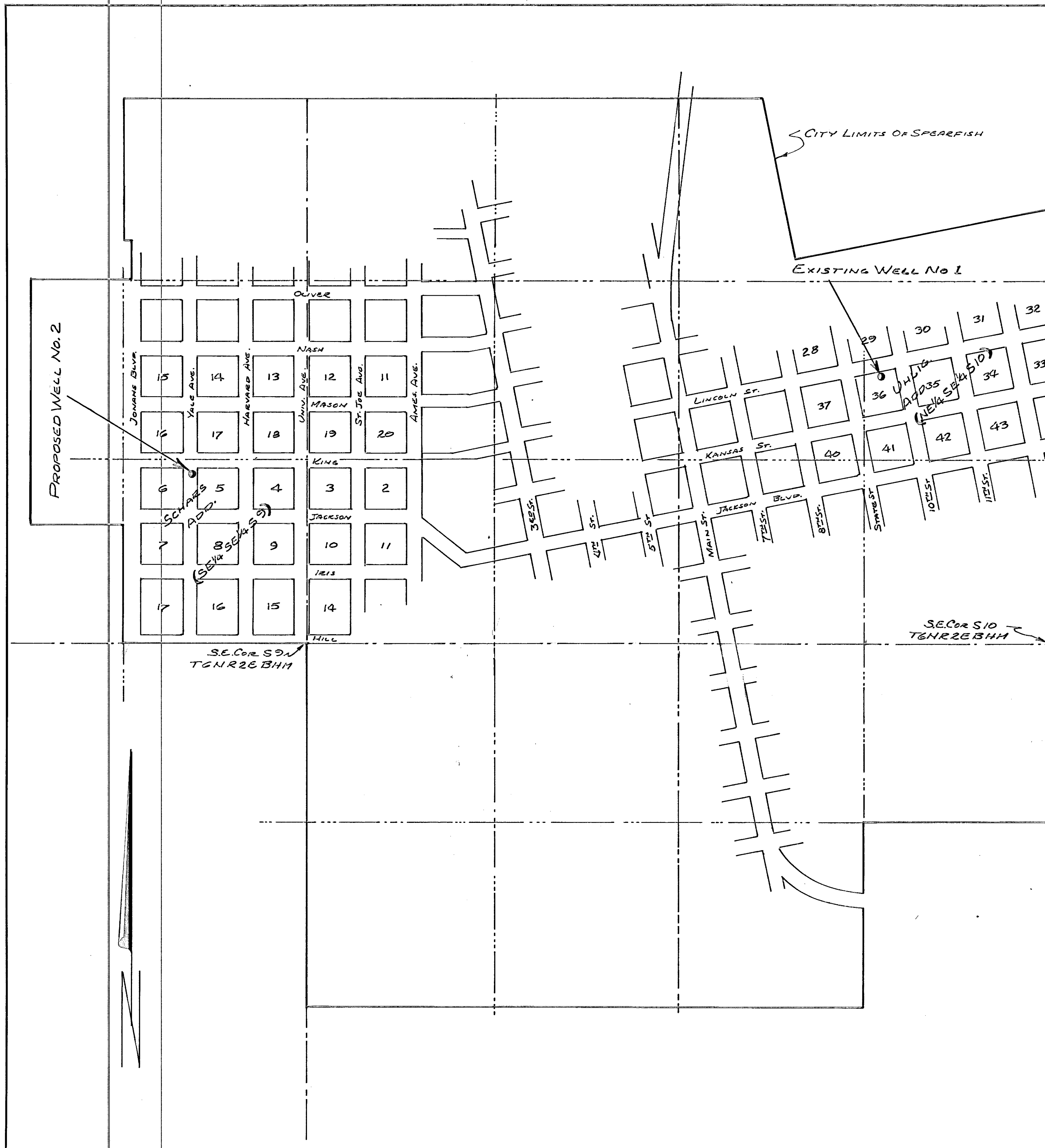
I, AUGUST RAGNHEIM, acting for the City of SPEARFISH, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge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

CITY OF SPEARFISH
Signed By August Ragnheim, MAYOR

Subscribed and sworn to before me this 5th day of June, 1961

Jan Harrington
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



SURVEYOR'S CERTIFICATE:

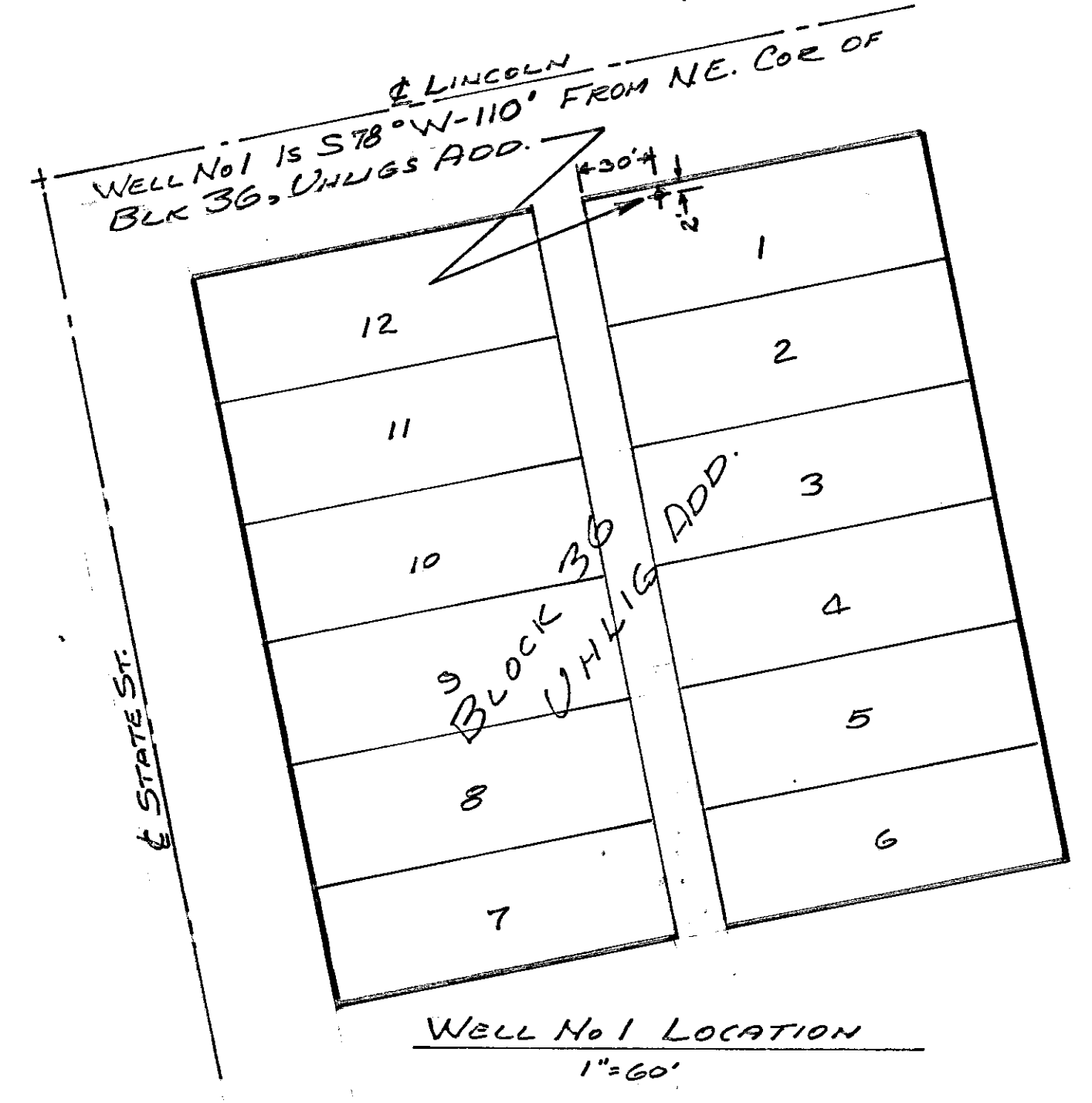
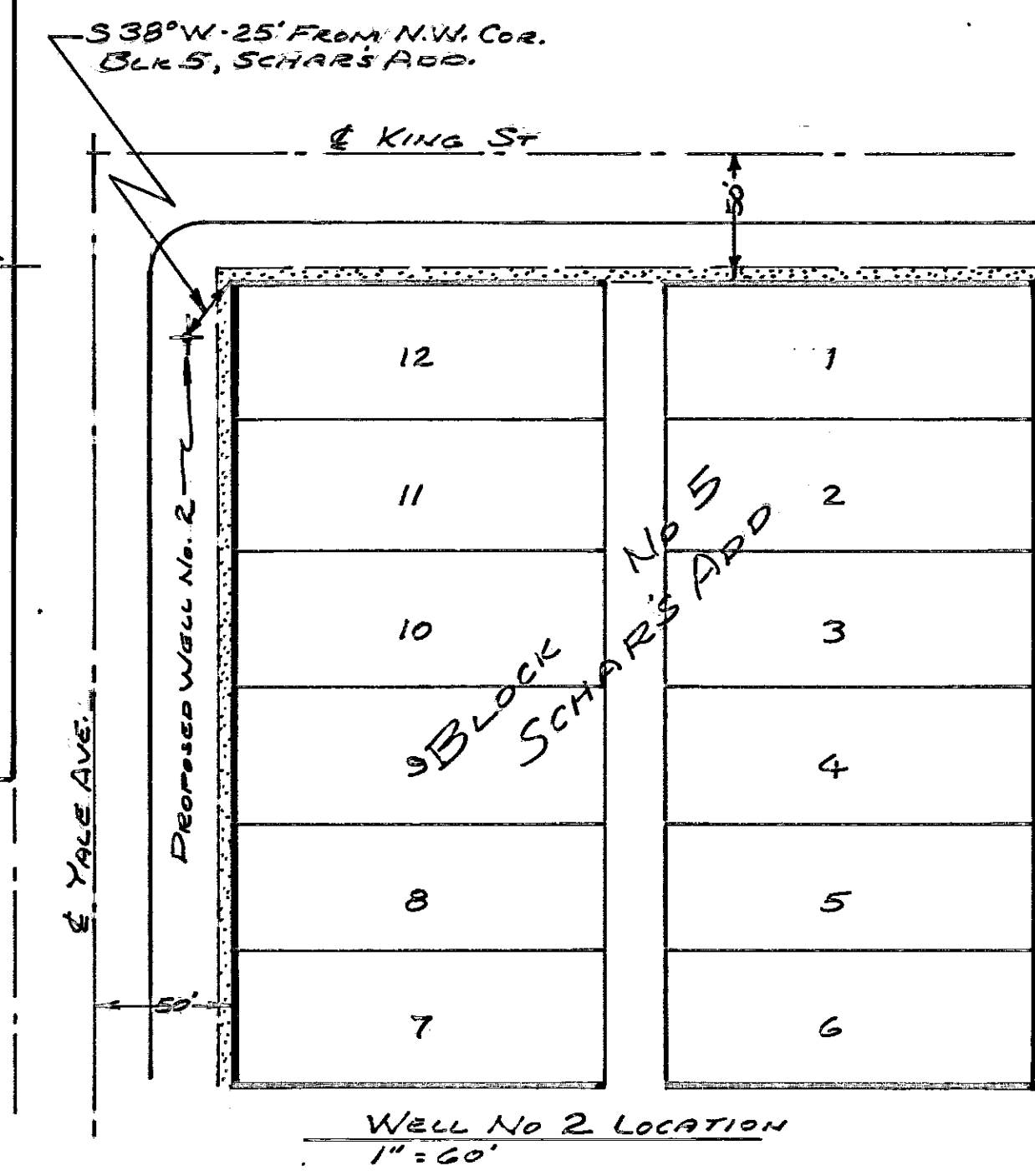
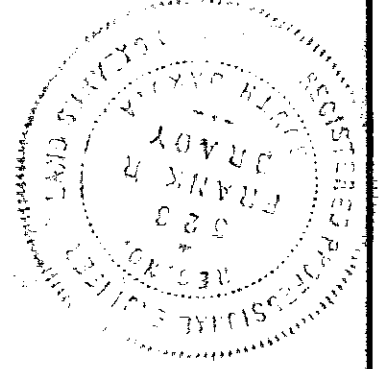
I, FRANK R. BRADY, LICENSED LAND SURVEYOR, DO HEREBY CERTIFY THAT, AT THE DIRECTION OF THE SPEARFISH CITY COUNCIL, I HAVE SURVEYED THE LOCATION OF THE EXISTING SPEARFISH CITY WELL No 1 AND THE LOCATION OF THE PROPOSED SPEARFISH CITY WELL No 2 AS SHOWN HEREON. THE BEARINGS AND DISTANCES ARE AS SHOWN

Frank R. Brady

ACKNOWLEDGMENT OF SURVEYOR:

BE IT REMEMBERED THAT ON THIS 1ST DAY OF JUNE 1961 BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED FRANK R. BRADY KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE

My Commission Expires APRIL 28, 1969
James P. Orndorff
 Notary Public



LOCATION OF
 EXISTING
SPEARFISH WELL No 1
 AND
 PROPOSED
SPEARFISH WELL No 2

Brady Engineering Consulting Engineers Spearfish, South Dakota	Drawn By: FRB Checked By:	Date: 1 June 1961 Sheet 1 of 1
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MAP No 192-1
 V.R. APP. No 640-1
 (APP. No 579-1)

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 16" TO 100'
12" FROM 100' TO 700'; Depth 900'
8" FROM 700' TO 900'
Type of casing STEEL (wood, concrete, steel, etc.)
12" TO 100' 12" - 0.33"
Size of casing 8" TO 700', Thickness of casing 8" - 0.322"
OPEN BELOW 700'
Length of casing 700' ± 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 700' ± Character of water bearing materials
PAHASAPA LIMESTONE
Thickness of water bearing material ESTIMATE 500'

(d) Pump and Motor FOR PRESENT INSTALLATION

Type of pump TURBINE (centrifugal, propeller, mixed flow, etc.)
Name of pump TO BE DETERMINED, size 8"
Kind of motor ELECTRIC (gasoline, electric, diesel, etc.)
Horsepower 50, Name of Motor TO BE DETERMINED

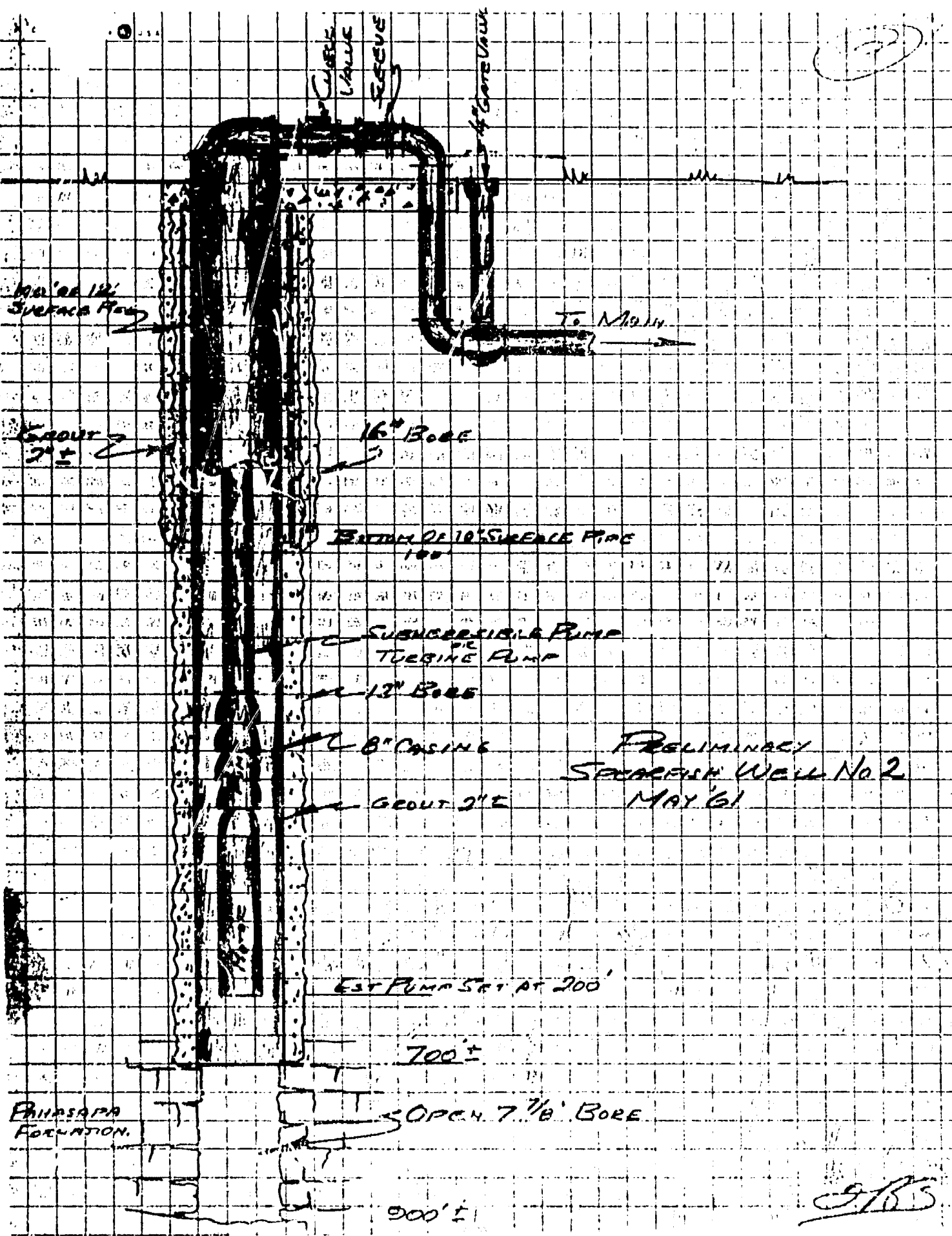
(e) Complete well

Est. Capacity 500 GPM at drawdown of 200' Estimated cost \$25,000

(f) Owner of land upon which well is located CITY OF SPEARFISH, Name
SPEARFISH, SOUTH DAKOTA Address

(g) Distance to nearest existing wells THERE ARE NO EXISTING WELLS IN THIS AREA
DRAWING WATER FROM THE PAHASAPA FORMATION.
On land owner's property rods. On property owned by others rods

(2)



PRELIMINARY
SPRING WELL No. 2
MAY '61

G/S

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Hughes ss.

Pierre, South Dakota, November 20, 1961

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
a.m. upon the 7th day of June, 1961

State Water Resources Commission

By:

Burton Jones
Chief Engineer, Executive Officer

Number of permit 579-1

Date of first receipt of application June 7, 1961

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 7, 1961

Approved November 9, 1961, Recorded in Book 7 Page 3

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

June 9, 1962

2nd. The whole of said work is to be completed on or before November 9, 1962

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

November 9, 1963

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 2.22 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 ~~surplus~~ used for municipal purposes (1770) 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~~ used for municipal purposes on or before November 9, 1963; said water to be used during the following described annual period:

Continuously

Witness my hand this

20th

day of

November, 1961

State Water Resources Commission

By:

G. J. Brinner
Chief Engineer, Executive Officer

Certificate of Construction Issued

September 20th, 1963

Water License Issued

September 20th, 1963

STATE OF SOUTH DAKOTA

WATER LICENSE No. 579-1

WHEREAS, On the 7th day of June A. D. 1961
the City of Spearfish

of County of Lawrence and State of
South Dakota duly made application (No. 579-1) to us for a permit to use 2.22
cubic feet per second of the waters of artesian ground water
County of Lawrence, State of South Dakota, for municipal
purposes; and

WHEREAS, On the 20th day of November A. D. 1961
Permit No. 579-1 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 9th day of
November A. D. 1962 and for the application to beneficial use of said
water on or before the 9th day of November A. D. 1963
and,

WHEREAS, On the 9th day of September A. D. 1963
the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.2
cubic feet per second of said waters, as evidenced by our Certificate No. 579-1
dated September 20, 1963 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 1.2 cubic feet per second of water, with date of
priority of June 7, 1961 and,

WHEREAS, On the 20th day of September A. D. 1963
proof was duly made of the application to beneficial use of 1.2 cubic feet per second of said water;
for municipal use in the City of Spearfish

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 City of Spearfish

~~8F~~ the holder and owner of said permit No. 579-1
a water right, dating from June 7, 1961 to the use of 1.2
cubic feet per second of the waters of artesian ground water
in the County of Lawrence and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted at a point S85° 35'E, 225' from the
NW corner, Section 15, T6N, R2E
and conducted ~~to consumpion~~ through the city 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 20th day of September 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	

Permit No. 579-1

Water 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 City of Spearfish

~~xxx~~ _____, County of Lawrence, and State of
South Dakota, the holder of Permit No. 579-1, issued upon Application
 No. 579-1, bearing date of priority of June 7, 1961, authorizing the diversion of
2.2 cu. ft. per second of the waters of artesian ground water

County of Lawrence, State of South Dakota, at a point S85° 35'E, 225'
from the NW corner, Section 15, T6N, R2E

_____ for municipal
 purposes, has 8 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 1.2 cu. ft.

per second of water; and that the ~~uses proposed to be authorized by the~~ use of said water are described as follows,
 to-wit: to be used for municipal use by the City of Spearfish

Witness my hand this 20th day of September A. D. 1963

State Water Resources Commission

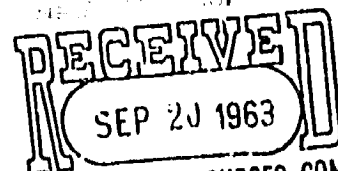
By:

J. W. GRIMES

Chief Engineer, Executive Officer

Location No.

Water Division No. Water District

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA**Proof of Application of Water to Beneficial Use****PETITION OF HOLDER**

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

Ans. AUGUST RACHETTO, MANAGER OF GATE CITY ALL STAR DAIRIES, SPEARFISH, 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. CITY OF SPEARFISH, MAYOR

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

Ans. 12/2/64

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

Ans. WELL INTO PAHASAPA FORMATION - LOCATED IN NW/4NW/4 S15 T6N R2E BHM
S84°-35'E 255 FEET FROM NW CORNER OF SAID SECTION 15.

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. A 10" DIAMETER WELL 880 FEET DEEP WITH A 75 H.P. TURBINE PUMP PUMPING
INTO THE CITY WATER DISTRIBUTION SYSTEM. CAPACITY IS 1.2 CFS BUT WITH A
LARGER WELL PUMP EXPECT FUTURE CAPACITY COULD BE INCREASED TO 2.2 CFS.

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. FOR MUNICIPAL WATER SUPPLY

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

Ans. THROUGH CITY DISTRIBUTION SYSTEM.

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

Ans. 1.2 CFS. (540 GPM)

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.

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

Ans. THE WATER HAS BEEN USED AT THE RATE OF 540 GPM APPROXIMATELY TWELVE HOURS PER DAY SINCE THE 1 JULY 1963 FOR MUNICIPAL WATER SUPPLY.

(Sign)

August Rachetto
AUGUST RACHETTO, MAYOR

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 SPEARFISH, County of LAWRENCE

State of South Dakota, on this 3rd day of September A. D. 1963

Donna Dahl
Robert Ed. Schmitt } Witnesses.

Jan Harrison
City Auditor

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.

Location No. _____

PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE

PETITION OF HOLDER

Amount of Water _____ c. f. f.

Source _____

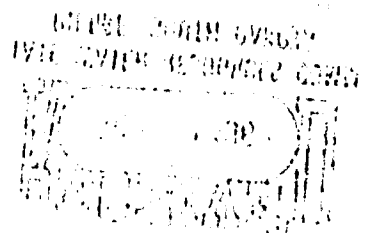
County _____

Purpose _____

Place of Use _____

Date of recording _____

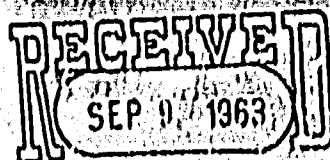
Received and filed _____



Permit No.

Water Division No.

Water District

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

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 12 AUGUST
10 63, I have this day made a thorough examination of the diversion works constructed by THE CITY
OF SPEARFISH, of LAWRENCE

..... County, South Dakota, holder of Permit No. 579-1, issued
 upon Application No. 579-1, bearing date of priority of 7 JUNE 1961, 10....., authorizing the
 diversion of 2.22 cu. ft. per second of the waters of PAHASAPA FORMATION for MUNICIPAL
 purposes. I have to report on the condition of the same as follows: - 9 5/8 OPEN HOLE 579 TO 680' -

The diversion works comprise: AN 880' WELL - 10" CASING TO 379 TO 580' - FILL BANKS
MORSE 21 STAGE 8" NO 6927 75 H.P. TURBINE PUMP - SUCTION SET AT 402 FEET
PUMPS DIRECTLY INTO CITY MAIN.

and the system is in the following condition: VERY GOOD

The point of diversion is located NW 1/4 S15 T6N R2E BHM - S84°-35'E, 255 FEET FROM
NW CORNER OF SAID SECTION 15.

The works are capable of diverting and conveying to the place of use 1.2 cu. ft. per second of water,
 which is to be used for MUNICIPAL WATER SUPPLY

The legal subdivisions to be irrigated are: CITY OF SPEARFISH

..... comprising a total of acres of land.
 The domestic use intended comprises MUNICIPAL WATER SUPPLY FOR CITY OF SPEARFISH

The utilization for power, mining, or other beneficial uses comprises: FIRE PROTECTION THROUGH
WATER SYSTEM.

Witness my hand this 27th day of AUGUST

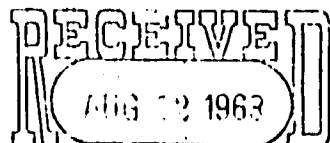
A. D. 1963

-SEAL-

FRANK R. BRADY

Examining Engineer.

* STATIC WATER LEVEL = -20' AT 1.2 CFS (540 GPM) WATER LEVEL = -210' WITH
 LARGER PUMP IN FUTURE; IF NECESSARY, EXPECT CAPACITY COULD BE INCREASED
 TO 2.2 CFS.

Permit No. 579-1Water Division No. 1 BELLE FOURCHE
RIVER 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.) SPEARFISH, SOUTH DAKOTA(Date) 17 DECEMBER 1962

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

DEAR SIR: Notice is hereby given that on the 5th day of DECEMBER
1962, at SPEARFISH County of LAWRENCE State of South Dakota,
 before FRANK R. BRADY proof will be submitted of the application to beneficial use
 (Examining Engineer or Officer)
 of 0.9 cubic feet per second of the waters of PAHASAPA FORMATION
 in accordance with the terms and conditions of Permit No. 579-1
 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

CITY OF SPEARFISH, SPEARFISH, SOUTH DAKOTA2. The use to which said water has been applied is MUNICIPAL WATER SUPPLY3. The amount applied to beneficial use is 0.9 C.F.S.4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) CITY OF SPEARFISH5. The name of the canal or ditch or other works by which said water is conducted to such place of use is
SPEARFISH MUNICIPAL WATER STORAGE AND DISTRIBUTION SYSTEM6. The right to take the water from such works is based upon permit No. 579-17. The source of supply from which such water is diverted is PAHASAPA FORMATION8. The date of priority which said user is prepared to establish is 7 JUNE 1961

CITY OF SPEARFISH

(Sign)

By: Roger R. Ruloff

MAYOR

ATTEST: Don Harrington

CITY AUDITOR

Submitted to Pierre

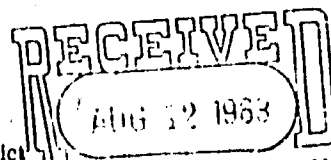
Permit No. 579-1

BELLE FOURCHE

RIVER

Water Division No. 1

Water District

STATE WATER RESOURCES COMM.
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.) SPEARFISH, SOUTH DAKOTA(Date) 17 DECEMBER 1962

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

ONE (1) cu. ft. per second of the waters of the state from PAHASAPA LIMESTONE
through the SPEARFISH CITY WELL No. 2
for MUNICIPAL WATER SUPPLY 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 CITY OF SPEARFISH
2. The postoffice address of such person or the place of business of such corporation is SPEARFISH
County of LAWRENCE State of SOUTH DAKOTA
3. The number of such permit is 579-1 and the date set for the completion of such work is 5 DECEMBER 1962
4. Said water to be used for MUNICIPAL WATER SUPPLY 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 0.9* cubic feet per second.
6. The amount of land for which said water is available is --- acres,
particularly described as follows: THE CITY OF SPEARFISH

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

CITY OF SPEARFISH

(Signature of Owners)

By: August P. ...

MAYOR

ATTEST:

Dan Armstrong
CITY AUDITOR*Send to Pierre*

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Lawrence } ss.

Cora Mae Bridges being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the THE QUINCY CITY MAIL a newspaper which during the whole itme of publication of said notice herein after stated, has been and is printed and published in the City of Spearfish County of Lawrence and State of South Dakota; that the said notice was published in said newspaper on the following dates:

June 15, 1961June 22, 1961June 29, 1961July 6, 1961

in each and every issue of the full number thereof, the first publication being made on the 15 day of June

1961 and the last pu' cation on the 6 day of July 1961, upon which days or times

of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication ~~he~~ was bookkeeper the printer and publisher of the said newspaper.

Cora Mae Bridges

Subscribed and sworn to before me this 6 day of July A. D. 1961

Gertrude M. Butler

Notary Public Lawrence County, S. D.

LEGAL NOTICES

APPROPRIATION OF WATER
Office of State Water Resources Commission,
Pierre, S. Dak., June 12, 1961
Notice is hereby given that The City of Spearfish, 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 222 cubic feet of water per second of time from artesian ground water through the Spearfish City Well No. 2, the point of diversion of which is to be located in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 9, Twp. 6N, Range 2E. Said water to be used for the purpose of providing municipal supplies for the City of Spearfish.
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 19th day of July, 1961, 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 Rights Specialist
(684 - 41, Jn 14-22-29, J1 6)

RECEIVED
JUL 7 1961

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

(First Publication) on or before June 22, 1961

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., June 12, 1961

Notice is hereby given that The City of Spearfish ~~XXXXXXXXXX~~

~~XXXXXXXXXX~~ 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 2.22 cubic feet of water per second of time from ~~xxx~~ artesian ground water through the

Spearfish City Well #2, the point of diversion of which is to be located ~~xxxxx~~

~~XXXXXXXXXX~~ in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 9

Twp. 6 N Range 2 E. Said water to be used for the purpose of providing ~~XXXXXXXXXX~~

~~XXXXXXXXXX~~:

municipal supplies for the City of Spearfish

~~XXXX~~ ~~XXXXXXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 19th day of July, 1961, 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:

~~XXXXXXXXXXXXXXXXXXXX~~
Burton F. Jones
Water Rights Specialist

cc Mike Heinbaugh, Publisher
Queen City Mail
Spearfish, South Dakota

MAY 24 1961

RECEIVED
MAY 26 1961

Helle Yourche, South Dakota
May 22, 1961
STATE WATER RESOURCES COMM
PIERRE SOUTH DAKOTA

Mr. Frank Brady
Brady Engineering Company
Spearfish, South Dakota

Re: Proposed Spearfish city
water well.

Dear Mr. Brady:

I will recap the information covered in our phone conversation this afternoon.

The old fairgrounds Minnelusa well, at Spearfish, that we looked at May 10th, had a flow of 115 gallons with a pressure of 15 psi in 1918. The flow was reported as coming from 260 feet, from what was probably the top of the Minnelusa. The water level in this well is now 28 feet below the top of the casing. If this is the piezometric surface the well has lost about 63 feet of head since 1918. However, if the casing has rotted out this may be the ground water table level and the piezometric surface would then be below this point. In either case it would seem that a city well producing from the Minnelusa at this location would adversely affect the wells of the Homestake Lumber Company. The City would probably be faced with a water problem in the future as the Minnelusa water level drops. A well to the deeper Pahasapa formation may be the answer to the present water problem.

A well adjacent to the fairground well should show formations having the following thickness as taken from the top of the Homestake well:

Spearfish Red Beds (estimated)	55	feet
Minnekahta	33	
Orache	91	
Minnelusa	482	
Total to top of Pahasapa	667	feet

It is difficult to say just how deep one would have to drill into the Pahasapa formation to get the desired amount of water. The Homestake well entered the Pahasapa formation at a depth of 650 feet and drilled into it 109 feet. This hole was filled back up to a depth of 520 feet. The local manager did not know what was found in the Pahasapa or why it was filled in. The Homestake Geology Department at Lead may have these answers.

If water bearing caverns are encountered in the Pahasapa, a volume of 800 gal/min is possible. However a somewhat lesser volume is to be expected. It might be necessary to selectively acidize the more porous zones to obtain the desired amount of water.

May 22, 1961/page 2/Frank Brady

MAY 24 1961

It is felt the well should be cased to the top of the Panasapa. If caverns are encountered that take water, at the top of the Panasapa the casing would have to extend below them.

The quality of the water from the Panasapa will be no better than the water from the present City Minnelusa well and perhaps not as hard.

I am sorry I can not give more exacting information. The lack of Panasapa wells in the area makes exacting information difficult to obtain.

If I can be of further help to you please contact me.

Sincerely,

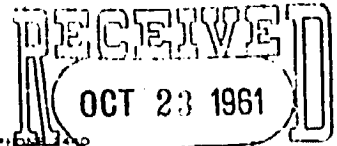


Earl Cox
Geological Engineer
State Geological Survey

cc: Sparfish Water Department
Allen Agnew, State Geologist

KELLAR & KELLAR & DRISCOLL
ATTORNEYS AT LAW
LEAD, SOUTH DAKOTA

CHAMBERS KELLAR, 1889-1950
KENNETH C. KELLAR
R. E. DRISCOLL, JR.



STATE WATER RESOURCES COMM.
OCTOBER 20, 1961 SOUTH DAKOTA

MR. J.W. GRIMES
EXECUTIVE OFFICER
STATE WATER RESOURCES
COMMISSION
PIERRE, SOUTH DAKOTA

DEAR JOE:

I WISH TO ACKNOWLEDGE RECEIPT OF YOUR LETTER OF OCTOBER 17, 1961, IN WHICH YOU INDICATE YOU HAVE RECEIVED NOTICE FROM BRADY ENGINEERING COMPANY OF SPEARFISH THAT THE PROPOSED SPEARFISH CITY WELL No. 2 IS TO BE RE-LOCATED AT A POINT S 84° 35' E 255' FROM THE NW CORNER, SECTION 15, T 6N, R 2E.

YOU ARE CORRECT IN YOUR ASSUMPTION THAT REPRESENTATIVES OF THE CITY OF SPEARFISH MET WITH MR. JAMES HARDER, GENERAL MANAGER, A.L. SLAUGHTER, CHIEF GEOLOGIST, C.A. POLLEY, HEAD OF THE LUMBER AND TIMBER DEPARTMENT AT SPEARFISH, AND MYSELF, ALL OF HOMESTAKE, ON AUGUST 31, 1961. AT THIS MEETING WE POINTED OUT THE DESIRABILITY FROM THE STANDPOINT OF ALL PARTIES CONCERNED OF RE-LOCATING THE SPEARFISH WELL-SITE SO THAT THERE WOULD BE THE LEAST POSSIBLE CHANCE OF INTERFERENCE WITH HOMESTAKE'S VESTED WATER RIGHTS IN THE FORM OF TWO WATER WELLS WHICH SUPPLY THE INDUSTRIAL NEEDS OF OUR SAWMILL LOCATED IN SPEARFISH.

WE ARE HAPPY TO NOTE THAT THE OFFICIALS OF THE CITY OF SPEARFISH HAVE, IN A SPIRIT OF COOPERATION, SELECTED A SITE APPROXIMATELY 4,000 FEET FROM THE HOMESTAKE WELL, WHICH SHOULD GREATLY MINIMIZE THE POSSIBILITY THAT THE PROPOSED NEW WELL WILL SUBSTANTIALLY DESTROY THE CAPACITY OF THE TWO HOMESTAKE WELLS TO PRODUCE WATER FOR OUR PLANT.

OF COURSE IF THE RESULT OF DRILLING THE SPEARFISH WELL IS TO LOWER THE HEAD IN THE TWO HOMESTAKE WELLS WE MIGHT CONCEIVABLY BE CONFRONTED WITH INCREASED PUMPING COSTS WHICH WE WOULD BE WILLING TO ABSORB TO A REASONABLE EXTENT.

THE BASIC POSITION OF HOMESTAKE AS STATED BY BOTH MR. POLLEY AND MYSELF AT THE WATER COMMISSION MEETING AT PIERRE, ON JULY 19, 1961, AND AGAIN AS RE-STATED BY MR. HARDER ON THE OCCASION OF THE SAID MEETING WITH THE SPEARFISH REPRESENTATIVES HAS NOT CHANGED. INsofar AS HOMESTAKE IS CONCERNED THE COMPANY IS MOST SYMPATHETIC TO THE WATER NEEDS OF THE PEOPLE OF SPEARFISH, AND HAS NO OBJECTION TO THE DRILLING OF A WELL INTO ANY PARTICULAR WATER FORMATION BY THE CITY PROVIDED ONLY THAT SUCH PROPOSED

OCTOBER 20, 1961
PAGE 2

WELLS SHOULD NOT BE PERMITTED TO SUBSTANTIALLY DAMAGE THE WATER SUPPLY
IN OUR TWO HOMESTAKE WELLS ON WHICH WE DEPEND FOR THE PROPER OPERATION
OF OUR SAVMILL.

YOURS SINCERELY,

A handwritten signature in black ink, appearing to read "Ken Kellar", with a long horizontal flourish extending to the right.

KENNETH C. KELLAR
CHIEF COUNSEL
HOMESTAKE MINING COMPANY

KCK:HC

**OVERSIZE
DOCUMENT IS
SUPPLEMENTARY
TO MICROFILM FILE**