

V/R
Water Right Number 970-1

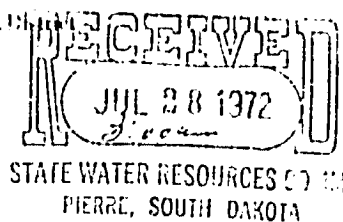
1. Considered Sept. 6., 19 72
2. Name of Applicant Black Hills State College
3. Post Office Address Spearfish, S.D.
4. Amount of Water claimed .11
5. Source of Water supply Ground water
6. Water to be used for institutional
- Acres to be irrigated -
7. Water to be diverted and used in Lawrence County
about _____ miles _____ of _____
8. Proof of Publication Received _____
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

Map No. V/R Water Division No. 1 BELLE FOURCHE RIVER
 (Blanks to be Filled by the Engineer for the W. R. C.)

VESTED RIGHT

APPLICATION FOR PERMIT



To Appropriate Water within the State of South Dakota

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

1. Name of Applicant Black Hills State College
 Postoffice Address Spearfish State South Dakota
 If a corporation show date and place of incorporation _____ completed
 2. Method of accomplishing work (contract, employment of others, or by direct labor) _____ completed
 3. Name of diversion work College Well #1
 4. Amount of water claimed (cubic feet per second) .11
 5. Source of water supply Ground Water
 6. Location of point of diversion 1500 ft. South and 700 ft. West of the NE Corner, Section 9,
T6N, R2E

- County Lawrence
 7. Annual period or periods during which water is to be used April thru October
 8. Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation (Institutional)
 9. For irrigation use. Total number of acres to be irrigated _____

List below each forty-acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system completed years. Additional time required to complete application of water to the proposed beneficial use completed years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication N/A
 12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source

Well with 50 G.P.M. pump-underground pipe to football field and lawns, 5 sprinkler heads, @ 10 G.P.M./Head.

B. Works proposed to transport water to place of use

C. Works proposed to apply water to beneficial use

Estimated total cost \$ _____

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water is proposed. Attach maps.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)
 Hughes)
 County of _____)

I, James K. McGibney, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to, complete the necessary construction.

Signed James K. McGibneySubscribed and sworn to before me this 28th day of July, 1972.

Betty Westlund
 Notary Public for other qualified officers

BETTY WESTLUND, Technical Assistant, WRC

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 970-1

BLACK HILLS STATE COLLEGE
(Applicant)

SPEARFISH
(Post Office Address)

SOUTH DAKOTA
(State)

With the following modifications:

"VESTED RIGHT" CLAIMED

Date of first receipt of application JULY 28 19 72
Date of return to applicant for correction, amendments or changes required — 19 —
Date of receipt of corrected application — 19 —
Approved SEPTEMBER 6 19 72 Recorded in Book 12 Page 140

WATER RIGHT PERMIT NO. 970-1

The Water Resources Commission hereby grants and issues this Water Right Permit No. 970-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is 1921
2. The equivalent of at least one-fifth of the work above specified is ~~to be~~ completed ~~on or before~~ —
3. The whole of said work is ~~to be~~ completed ~~on or before~~ —
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is COMPLETED
5. The water appropriated shall be used for the purpose of INSTITUTIONAL USE

6. 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

7. The amount of the appropriation herein granted shall not exceed .11 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for ~~beneficial use~~ and if for the irrigation purpose said appropriation must be limited to not more than three feet per acre per season on the
USED FOR INSTITUTIONAL PURPOSES
actually and beneficially ~~applied for~~ applied for on or before JUNE 30 19 55 said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 8TH day of SEPTEMBER 19 72

WATER RESOURCES COMMISSION

By

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 8 19 72

Water License Issued SEPTEMBER 8 19 72

12 Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter _____, Depth Approx. 250
- (2) Casing, Type steel Diameter 4" Thickness _____
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type _____, Diameter _____, Length _____
- (4) Gravel Pack. Thickness _____, Length of gravel pack _____

E. Dug-out Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials Data not known

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property abandoned rds. On property owned by others 60 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

James R. McGibney
Signature of Applicant

WATER LICENSE NO. 970-1

(1) WHEREAS, On the 28th day of July A. D. 19 72
Black Hills State College

made Water Right Application No. 970-1 Vested Right
 for a permit to use .11 cubic feet per second of the waters
 of ground water

County of Lawrence, State of South Dakota, for institutional
 purposes; and

(2) WHEREAS, On the 8th day of September A. D. 19 72
Vested Right 970-1 with a date of priority of 1921
 Permit No. 970-1

was issued to said applicant recognizing for the diversion of said water, ~~xxxxxxx~~ for the completion of construction of the water
 supply system therein described ~~xxxxxxx~~ and ~~for~~ the
 application to beneficial use of said water ~~xxxxxxx~~

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
 relating to completion of the construction of the water supply system and is entitled to divert .11 cubic feet
 per second of water for beneficial use and.

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
 relating to the application of water to beneficial use of the following extent.

water is used for institutional purposes on the campus of Black Hills State College.

(5) 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 Black Hills State College

_____ of Sioux Falls, S.D.
the holder _____ and owner _____ of said permit No. 970-1 a water right, dating from 1921
_____ to use of .11 cubic feet per second of the waters
of ground water

in the County of Sioux Falls and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 1500' South and 700' West of the NE
Corner, Section 9, T6N, R2E

~~XXXXXXXXXXXX~~ conducted through the college distribution system,
and deliver to and upon _____

for the purpose of institutional use

Subject to any limitations listed in Water Right Permit No. 970-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 8th day of September A. D.
Nineteen Hundred and Seventy-two

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer J. W. GRIMES

Permit No. 970-1

Water Diversion No. 1 BELLE FOURCHE RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Black Hills State College

_____ the holder _____ of _____
Veated Right
 Permit No. 970-1, issued upon Application No. 970-1, bearing date of priority of 1921

Permit No. 978-1, issued upon application of _____
 _____ authorizing the diversion of .11 cu. ft. per second of the waters of _____
ground water _____ County of Lawrence, State of South Dakota at _____
a point 1500' South and 700' West of the NE Corner, Section 9, T6N, R2E

_____, for _____ institutional _____

purposes, has 8 complied with the provisions of the laws of the State of South Dakota relating to proof of ~~completion~~ ^{recognized as} completion of the works of diversion set out and described in said Permit; that said works are ~~substantially~~ ^{satisfactory} ~~and~~ for diverting and conveying to the place of intended use .11 cu. ft. per second of water.

September 5, 1972

Date September 8, 1972

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

NOTE: This Form is supplemental to Form 2, and is to be used when an affidavit pertaining to construction and water use, already completed, is needed.

**AFFIDAVIT OF CONSTRUCTION OF WATER USE
SYSTEM AND APPLICATION OF WATER TO BENEFICIAL USE**

Name of Applicant (Same as Form 2) Black Hills State College

Post Office Address Spearfish, State South Dakota

If a Corporation show date and place of incorporation _____

13. Notice of Appropriation (If available)

Date of Posting no prior posting Date of Recording _____

Recording Date _____

14. Date of start of construction of water supply system _____

15. Date that water was first applied to beneficial use _____

16. Name of owner of original water supply system _____

17. Amount of water originally applied to beneficial use _____ c. f. s.

18. Present Use of Water

Amount of water now being used _____ c. f. s.

Date that this amount of water was first used _____

19. Chronological History of Water Use

It is not known for sure when the well was constructed, but it has been in constant use by the College since 1921.

Attach to this Form 2B, any copies of notices, postings, filings, publications, affidavits, or other records that apply. You may also attach any written statement by you, or by others, that you deem pertinent.

STATE OF SOUTH DAKOTA)

County of _____) ss.

I, _____, the applicant, certify that I have read the foregoing and that the matters therein stated are true.

Signed James K M Libbey

Subscribed and sworn to before me this _____ day of _____, 19____

(Notary Public - or other qualified Officer)

I, the undersigned, do hereby certify that I know about the water use system described above that I have read the foregoing and that the matters therein stated are true.

SOUTH DAKOTA

VESTED WATER RIGHT CLAIM NO. 970-1

Date of Receipt of Claim July 28, 1972.

Date of Validation May 6, 1992.

The Water Management Board validated Vested Water Right Claim No. 970-1 for Black Hills State University, 1200 University, Spearfish SD 57783 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 970-1 appropriates 0.11 cubic feet of water per second from one well located in the SE 1/4 NE 1/4 Section 9-T6N-R2E.

2. The appropriated water is used for supplying water for the university and may not exceed the amount of water needed for beneficial use for institutional purposes.

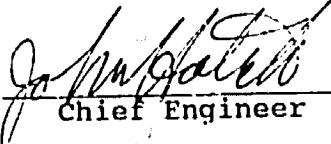
The water is to be used during the following annual period:
January 1 - December 31

3. The priority date of the Vested Water Right is January 1, 1921.

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: 
Chief Engineer

DEC 24 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources



970-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

DEC 24 1992

Art Jones, Physical Plant
Black Hills State University
1200 University
Spearfish SD 57783

Dear Mr. Jones:

The Water Management Board has validated the enclosed Vested Water Right No. 970-1. This validation gives legal status to the claim and is the final document for your vested right.

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

Very truly yours,

A handwritten signature in dark ink, appearing to read "John Hatch", is written over the typed name.

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

enclosure