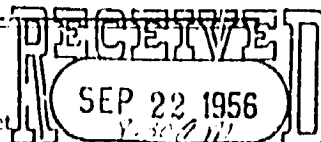


No. 100-2,4
 Water Division No. 2 District 5
 (Blanks to be filled by the Engineer for the W. R. C.)

 STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

LOCKHART DITCH

APPLICATION FOR PERMIT TRANSFER OF NEADOMBROOK IRRIGATION WATER To Appropriate Water within the State of South Dakota

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

1. Name of applicant City of Rapid City
 Postoffice address Rapid City, County Pennington, State South Dakota

I. If a corporation MunicipalCity Commissioners—H. Baker, J. Ewing, M. Haugen, C. Heseth, F.(a) Name of same Johnson, F., Krieger, H., Ryple, R., Severson, L., Yonman(b) Date and place of incorporation City of Rapid City

(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)

(b) Cash on hand, \$ _____

(c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____

(e) Other resources, \$ _____

2. Name of diversion work Canyon Lake Park Dam3. Amount of water claimed 1.6 cubic feet per second4. Source of water supply Rapid Creek5. Location of point of diversion North 34° 16' East, 2120 feet from SW corner of Sec. 9
Township 1 N., Range 7E on _____ bank _____ County.6. Annual period or periods during which water is to be used May 1-October 1

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity Irrigation(a) Number of acres to be irrigated 105 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 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 _____
 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 _____

100-2

Map No.

8. Estimated cost of work:

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

(b) Pumping plant, \$-----

(c) Fluming, \$-----

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

Rock, \$-----

(e) Other structures ----- \$-----

Total, \$-----

9. Description of diversion works:

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

Ditch

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	FEET	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 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 -----

Rapid City Daily Journal

STATE OF SOUTH DAKOTA

County of PENNINGTON } ss.

I, -----, 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 W. S. Ferguson

Subscribed and sworn to before me this 20th day of September 1956

Dorothy M. Hall
Notary Public (or other qualified officer.)

Remarks by State Water Resources Commission

*This is a partial transfer of the original location
No. 0646-2 by Jacob M. Lordy.*

STATE OF SOUTH DAKOTA

County of

Hughes

ss.

Pierre, South Dakota,

October 4,

19*56*

This is to certify that the foregoing application was received by the Commission at

8:30

o'clock

a m. upon the *22* day of *September*, 19*56*

State Water Resources Commission

By:

J. J. Oliver

Chief Engineer, Executive Officer

Number of permit

0646-2A

Date of first receipt of application

September 22

19*56*

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

October 4

19*56*

Date of receipt of corrected application

October 31

19*56*

Date from which applicant may claim right

April 1877

56

Approved

December 14, 1956

Recorded in Book *3*, Section *2*, Page *42*

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

Not applicable to this transfer

19

2nd. The whole of said work is to be completed on or before

same

19

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

same

19

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

irrigation

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 *1.48* 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 *not applicable to this transfer*, 19; said water to be used during the following described annual period:

May to September inclusive

Witness my hand this

14

day of

January

19*57*

State Water Resources Commission

By:

J. J. Oliver

Chief Engineer, Executive Officer

Certificate of Construction Issued

January 11

19*57*

Water License Issued

January 11

19*57*

STATE OF SOUTH DAKOTA

TRANSFER

WATER LICENSE No. . . 0616-2A .

WHEREAS, On the 22 day of September A. D. 1956The City of Rapid Cityof Rapid City County of Pennington and State of
South Dakota duly made application (No. 0616-2A) to us for a permit to use 1.60cubic feet per second of the waters of Rapid CreekCounty of Pennington, State of South Dakota, for irrigation
purposes; andWHEREAS, On the 11th day of January A. D. 1957
Transfer recognizing
/ Permit No. 0616-2A was issued to said applicant... for the diversion of said water, and ~~providing for the~~completion of the works of diversion therein described ~~in the~~ XXXXin April 1877 ~~XXXX~~ and ~~for the~~ application to beneficial use of saidwater ~~in the~~ XXXX in April 1877 ~~XXXX~~
and,WHEREAS, On the 14th day of December A. D. 1956
transfer
the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.60cubic feet per second of said waters, as evidenced by our Certificate No. 0616-2Adated January 11, 1957 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 1.60 cubic feet per second of water, with date of
priority of April 1877 ~~and~~ and,WHEREAS, On the 14th day of December A. D. 1956
proof was duly made of the application to beneficial use of 1.48 cubic feet per second of said water;
on 104 acres in the SE 1/4 and NE 1/4, Sec. 9; SW 1/4 and Lot 2 of
the NW 1/4, Sec. 10, all in T 1 N, R 7 E

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 Rapid City transfer
 of Rapid City, South Dakota the holder and owner of said permit No. 0646-2A
transfer
 a water right, dating from April 1877 to the use of 1.48
 cubic feet per second of the waters of Rapid Creek
 in the County of Pennington and State of South Dakota, or so much thereof as may be
 necessary for the purposes hereinbelow mentioned, to be diverted at 2180 feet, N. 34° 16' E,
of the SW Cor., Sec 9, T 1 N., R 7 E
 and conducted to and upon SE 1/4 NE 1/4 and NE 1/4 Sec 2; SW 1/4 NW 1/4 and Lot
2 of the NW 1/4 SW 1/4 Sec 10, all in T1 N., R 7 E
 for the purpose of irrigation

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 14th day of January A. D. Nineteen
 Hundred and fifty-seven

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 _____

Transfer Permit No. 0616-2AWater Division No. 2 Rapid Creek Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That The City of Rapid City

of Rapid City, County of Pennington, and State of South Dakota, the holder of Transfer Permit No. 0616-2A, issued upon Application No. 0616-2A bearing date of priority of April, 1877, authorizing the diversion of 1.18 cu. ft. per second of the waters of Rapid Creek County of Pennington, State of South Dakota, at 2180 feet, N34° 16'E, of the SW Cor. Sec 9, T 1 N, R 7 E

for irrigation purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of Transfer 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 1.60 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: Parts of the SE1/4 and NE1/4, Sec 9; SW1/4 and NW1/4 Sec 10, all in T 1 N, R 7 E - - - 104 acres

Witness my hand this 14th day of January A. D. 1957

State Water Resources Commission

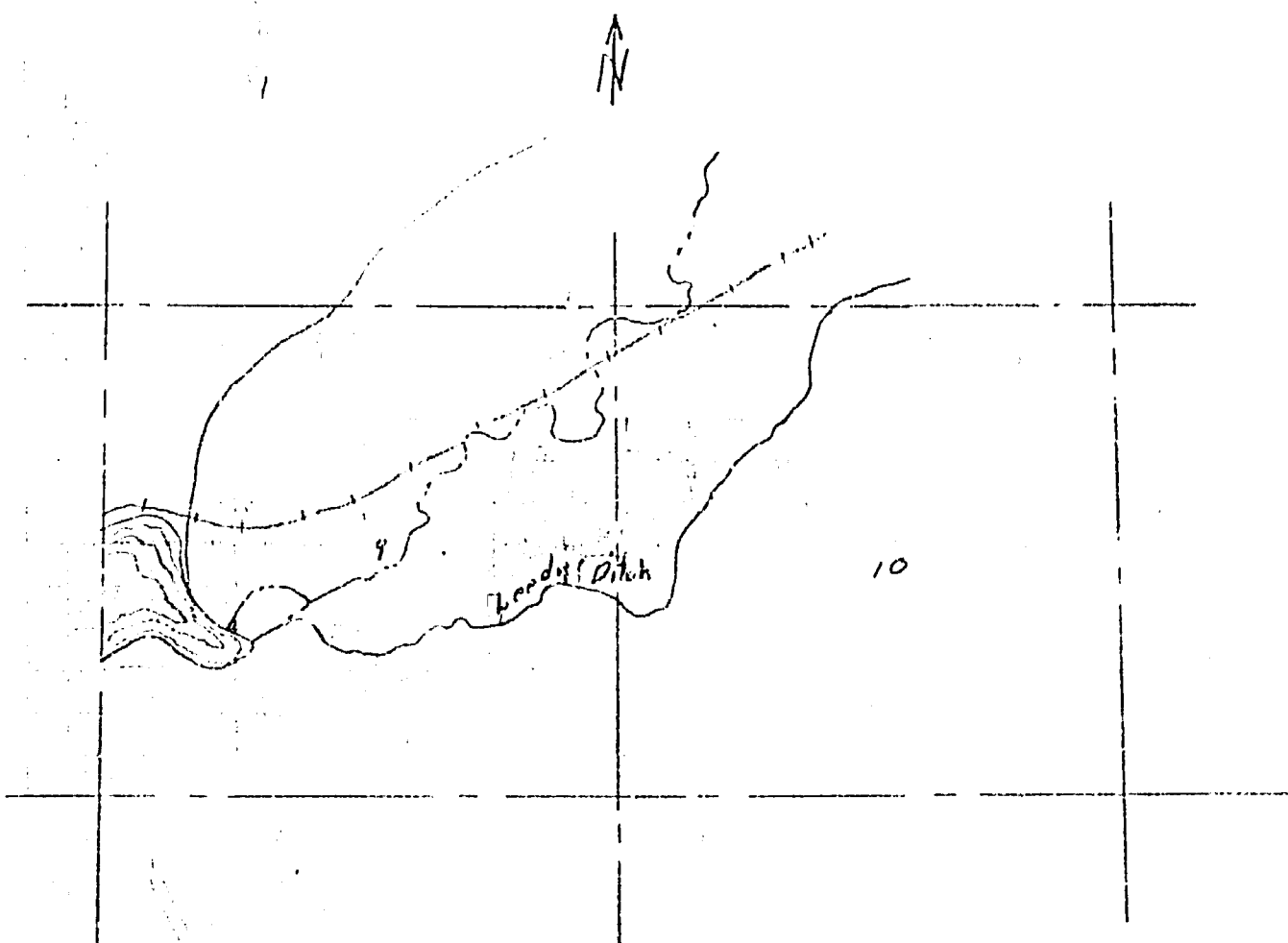
By:

J. W. Grimes, Chief Engineer, Executive Officer

TRANSFER - RAPID CITY

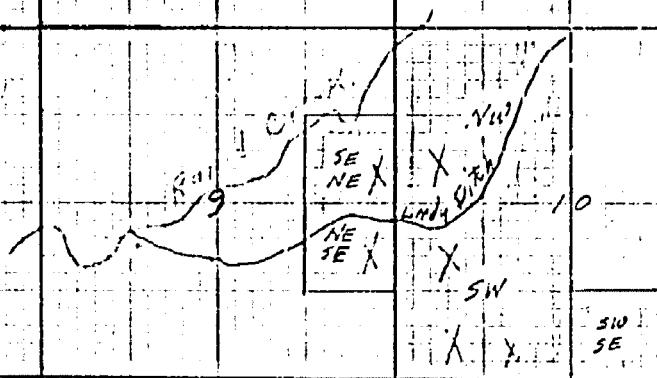
0646-2A 1.6 cfs Leedy Ditch (Leedy-Sickler)

Transfer of right limited to that portion of the Leedy right
(No. 0646-2) for irrigation of the lands described in the transfer
permit only.



See protest in # 218-2 in which C. Sickler
claims the following lands under Leedy W/R # 0646-2

TIN, RTE



ORDINANCE NO. 683

AN ORDINANCE APPROPRIATING SUMS OF MONEY TO DEFRAY THE EXPENSES AND LIABILITIES OF THE CITY OF RAPID CITY, SOUTH DAKOTA, DURING THE FISCAL YEAR BEGINNING JANUARY 1, 1957, AND ENDING DECEMBER 31, 1957; SPECIFYING OBJECTS, PURPOSES, AND AMOUNTS OF APPROPRIATIONS OF AND FROM SPECIFIC FUNDS; PROVIDING TAX LEVY FOR RAISING TAX FUNDS.

BE IT ORDAINED BY THE CITY OF RAPID CITY, SOUTH DAKOTA:

Section 1. That the following sums of money out of any funds in the City Treasury, not otherwise appropriated, be, and hereby are appropriated to defray the expenses and liabilities of the City of Rapid City, South Dakota, for the fiscal year beginning January 1, 1957, and ending December 31, 1957, in the several amounts and for the specific purposes following, to-wit:

<u>Item</u>	<u>Account No.</u>	<u>Department</u>	<u>Amount</u>
1	1	City Assessor's Office	\$ 33,253.00
2	2	City Auditor's Office	22,334.00
3	3	City Manager's Office	19,662.00
4	4	City Treasurer's Office	13,772.00
5	5	City Attorney	21,083.00
6	6	Municipal Court	20,260.00
7	7	City Commission	6,294.00
8	7B	Publicity	12,500.00
9	8	Civil Defense	6,185.00
10	11A	Health, Meat Inspection	5,200.00
11	11B	Health, Sanitary Inspection	12,145.00
12	12	Fire Department	188,303.00
13	13A	Police Department	176,318.00
14	14A	Safety Inspection, Buildings	14,449.00
15	14B	Safety Inspection, Electrical	5,516.00
16	14C	Safety Inspection, Plumbing & Gas	5,356.00
17	15A	Refuse Collection	44,279.00
18	15B	Refuse Disposal	28,993.00
19	21	Airport	23,810.00
20	22	Auditorium	9,936.00

<u>Item</u>	<u>Account No.</u>	<u>Department</u>	<u>Amount.</u>
21	23	City Hall	\$ 5,125.00
22	25A	Electric Systems, Street Lighting	53,290.00
23	25B	Electric Systems, Traffic Lights	12,995.00
24	25C	Electric Systems, Buildings	2,403.00
25	27	Public Works Engineering & Administration	52,065.00
26	28A1	Street Maintenance, Heavy	13,615.00
27	28A2	Street Maintenance, Light	80,690.00
28	28A3	Street Cleaning	47,124.00
29	28A6	Traffic Control Painting; Street Name Plates	14,495.00
30	28B	Storm Sewers, Culverts, Bridges	15,490.00
31	28C	Quarry, PW	40,023.00
32	28D	Sanitary Sewer System	22,933.00
33	29	Cemetery, PW	24,912.00
34	30	Sewage Treatment	20,450.00
		Total General Fund	\$ 1,033,280.
35	44	Maintenance, Non-Permanent Sts.	20,627.00
		Total Non-Permanent Street Mtncce. Fund	20,627.
36	31A	Parks Department, General	72,877.00
37	31B	Parks, Swimming Pool	15,414.00
38	31C	Parks, Recreation	9,395.00
39	31D	Parks, Golf Course	7,055.00
		Total Park Fund	104,741.
40	32A	Water Records & Billing Office	24,106.00
41	32B	Water Production & Storage	156,504.00
42	32C	Water Distribution System	127,123.00
43	32D	Water Capital Improvement	140,670.00
		Total Water Fund	456,571.

<u>Item</u>	<u>Account No.</u>	<u>Department</u>	<u>Amount</u>	
44	41	Public Library	\$ 45,450.00	
		Total Library Fund		\$ 45,450.
45	42	Musical Concerts	9,075.00	
		Musical Concerts Fund		9,075.
46	7A	Social Security	17,500.00	
		Old Age & Survivors Insurance Fund		17,500.
47	44	Parking Lot & Area Fund	79,930.00	79,930.
48		INTEREST & SINKING FUNDS:		
	52B	Waterworks 6/50 Prin. & Int.	7,700.00	
	53A	Waterworks & Sewer 7/51 Bonds, Prin. & Int.	51,900.00	
	53B	Waterworks & Sewer 1/52 Prin. & Int.	35,000.00	
	54A	Airport Bonds 11/47 Prin. & Int.	19,300.00	
	55A	Swimming Pool Bonds 11/47 Prin. & Int.	12,900.00	
	56A	Sewage Treatment Bonds 11/47 Prin. & Int.	11,500.00	
	56B	Sewer System Bonds 6/50 Prin. & Int.	6,700.00	
	58	Deerfield Water Contract	17,500.00	
	59A	1955 Municipal Building Bonds Prin. & Int.	8,900.00	
	60	1956 General Obligation Bonds	7,800.00	
		Total Debt Service Funds		179,200.
		Shaver Judgment (2nd of 5)	2,200.00	
		Orrison Judgment	1,300.00	
		Baken Park (Sheehan) Judgment	1,050.00	
		Total Judgments		4,630.
49	20A5	Snow Removal & Damage Repair	12,045.00	<u>12,045.</u>
		GRAND TOTAL		\$2,022,657.00

Section 2. That the amounts hereby appropriated for the purposes indicated in Items No. 1 through 34 in Section 1 hereof, shall be provided for and paid out of the General Fund.

Section 3. That the amounts herein appropriated for the following purposes shall be provided for and paid out of the funds which are hereby established and designated as follows:

PURPOSE	FUND
Maintenance, Non-Permanent Streets	Non-Permanent Street Maintenance Fund
Snow Removal & Damage Repair	Snow Removal & Damage Repair Fund
Park Care & Development	Park Fund
Water Production, Storage, Distribution	Water Fund
Library Operation & Expansion	Library Fund
Support of Municipal Band, Chorus, Orchestra	Musical Concerts Fund
Providing City Share of Soc. Sec. payments	Old Age & Survivors Insurance Fund
Provide for Maintenance of Parking Meters and Funds for Lot Purchase	Parking Lot and Area Fund
Servicing General Obligation Debt as follows: Payment of portions of principal and interest as they fall due on	Interest & Sinking Funds, G.O. Debt.,
(1) 1947 Bonds to construct airport,	1947 Airport Bonds I & S Fund;
1947 Bonds to construct Swimming Pool,	1947 Swimming Pool Bonds I. & S. Fund;
1947 Bonds to expand Sewage Plant,	1947 Sewage Treatment Plant Bonds I & S. Fund;
1950 Bonds to expand Water system,	1950 Waterworks Bonds I. & S. Fund;
1950 Bonds to expand Sewer System,	1950 Sewer Bonds I. & S. Fund;
1951 Bonds to expand Water & Sewer Systems,	1951 Waterworks & Sewer Bonds I. & S. Fund;
1952 Bonds to expand Water & Sewer Systems,	1952 Waterworks & Sewer Bonds, I. & S. Fund;
1955 Bonds to construct Municipal Bldg.,	1955 Municipal Building Bonds Fund;
1956 Bonds to build two Swimming Pools & Complete Municipal Building,	1956 General Obligation Bonds Fund;
Deerfield Dam Contract Payments	Deerfield Contract Fund; and
(2) Payment of judgments as rendered by the courts, as follows:	
Payment on Shaver Judgment,	
Payment on Orrison Judgment,	
Payment on Baken Park (Sheehan) Judgment,	Judgment Funds.
Payment to former firemen & their reliefs	Fireman's Pension Fund

Section 4. That monies received from all sources by the City of Rapid City, shall be credited to the several funds of the City as follows:

- A. From and for the assessment for the Maintenance of Non-permanent streets, to the Non-Permanent Street Maintenance Fund;
- B. From general taxation for snow removal and damage repair, to the Snow Removal and Damage Repair Fund;
- C. From general taxation and miscellaneous sources for the support of the park system and its facilities and activities, to the Park Fund;
- D. From the sale of water and related sources for the operation and expansion of the water system, to the Water Fund;
- E. From general taxation and miscellaneous sources for the support of the Public Library, to the Library Fund;
- F. From general taxation and pertinent miscellaneous sources for the support of the activities of the Municipal Band, Chorus, and Orchestra, to the Musical Concerts Fund.
- G. From general taxation for the payment of the City's share of Social Security, to the Old Age & Survivor's Insurance Fund.
- H. From parking meter income for the maintenance of parking meters, the purchase of parking lots, and the provision of funds to the General Fund, to the Parking Lot and Area Fund.
- I. From general taxation for the payment of principal and interest on respective general obligation debts, to the respective Interest and Sinking Fund.
- J. From general taxation for payments on the Deerfield Contract, to the Deerfield Contract Fund.
- K. From general taxation for payments on respective judgments rendered by the Courts, to the respective Judgment Fund.
- L. From general taxation and related sources for the support of the Firemen's Pension System, to the Firemen's Pension Fund.
- M. From all other sources to the General Fund.

Section 5. That any funds in cash or accrued credits in the several funds of the City are hereby appropriated to and for the use of the respective fund in which such balance may exist.

Section 6. That the amounts herein appropriated for various and specific purposes, and chargeable to the specified funds herein, less any existing credit balances and receipts and accretions to such specific funds as provided for in Section 5 hereof, shall be, and hereby are provided for by tax levy upon all property subject to levy of municipal tax within the corporate limits of the City of Rapid City, South Dakota, as follows:

That the following amounts at the following mill rates on dollar valuation of all of said property are hereby levied for the fiscal year 1957 to meet the necessary expenditures and liabilities of said City for the fiscal year beginning January 1, 1957 and ending December 31, 1957, for the specific purposes as follows:

	Amount	Mills
I <u>GENERAL FUND</u> , Total, Items No. 1		
No. 1 through No. 34, both inclusive	\$ 646,555.00	
II <u>Special Funds</u>		
a. Park Fund	74,697.00	
b. Library Fund	46,249.00	

	<u>Amount</u>	<u>Hills</u>
c. Musical Concerts Fund	\$ 0,252.00	
d. Old Age and Survivor's Ins. Fund	17,500.00	

b. Interest and Sinking Funds

1. 1947 Airport Bonds	\$ 19,300.00	
2. 1947 Swimming Pool Bonds	12,900.00	
3. 1947 Sewage Disposal-Plant Bonds	11,500.00	
4. 1950 Waterworks Bonds	7,700.00	
5. 1950 Sewer Bonds	6,700.00	
6. 1951 Waterworks and Sewer Bonds	51,900.00	
7. 1952 Waterworks and Sewer Bonds	35,000.00	
8. 1955 Municipal Building Building Bonds	8,900.00	
9. 1956 G. O. Bonds	7,800.00	
10. Deerfield Dam-Contract Bonds	<u>17,500.00</u>	
TOTAL INTEREST & SINKING FUNDS		\$ 179,200.00

f. Judgment Funds

1. Shavor Judgment	2,800.00	
2. Orrison Judgment	1,300.00	
3. Baken Park (Sheehan) Judgment	<u>1,050.00</u>	
TOTAL JUDGMENT FUNDS		4,650.00

g. Firemen's Pension Fund		<u>16,000.00</u>
---------------------------	--	------------------

III TOTAL, ALL FUNDS		\$ 995,276.00
----------------------	--	---------------

Section 7. That this ordinance shall become effective after its passage and publication as provided by law.

H. J. Baker

Mayor

ATTEST:

R. R. Lang

City Auditor

October 4, 1956

Mr. H. S. Thorgrimsen, City Manager
City of Rapid City
Rapid City, South Dakota

Dear Mr. Thorgrimsen:

Your Notice of Transfer of Water Permit on behalf of the City of Rapid City, dated September 20, 1956, was received September 22, 1956, and filed under #0646-2. Receipt No. 1-270 in the amount of \$1.00 for filing fees, which you have paid, is enclosed.

While examining your Application and Notice of Transfer of Water Permit on the Leedy Ditch, we noted some discrepancy between the form 25 and your map. The form 25 states that the permit is for the Leedy Ditch and covers the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 10, all in T 1N, R 7E. The map designates the Lockhart Ditch and the lands as including parts of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 9; SW $\frac{1}{4}$ NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, all in T 1N, R 7E. Please advise which designations are correct.

From the information that you have furnished us and plus a search of our files, we have come to the conclusion that these documents refer to an old water right No. 0646-2 with a Jacob M. Leedy as the locator. Subsequent documents state claims by a Clover Sickler that he later acquired ownership of the lands.

We are enclosing both copies of Form 25 and a print of your map. Please make the necessary alterations and corrections. If you so wish, we can transfer the corrections to the original map and save sending it to you.

Mr. H. S. Thorgrimsen, City Manager
October 4, 1956
Page 2

Please return the documents and print of map to this
office.

Sincerely,

J. W. GRIMES
Chief Engineer

JWG:rs

Enc: 4

October 20, 1956

Mr. Vinal C. Francis, City Engineer
City of Rapid City
Rapid City, South Dakota

Dear Mr. Francis:

In your letter of October 11, 1956, you requested confirmation of the lands listed on your application that are covered by the Leedy Ditch Water Right #0646-2. You also requested that we return the tracing #4522 so that you may enter the correct designation for the Leedy Ditch.

You are correct in your assumption that the Leedy Water Right covered NE $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 9 and SW $\frac{1}{4}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$; and S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 10, all in T 1N, R 7E. The City of Rapid City needs only to transfer this portion of the Leedy Water Right. If you will return the forms 25, which we sent to you on October 4, 1956, you will have complied with the necessary procedure to complete this.

In our letter of October 4, 1956, we only requested the land descriptions on the map which you submitted and the descriptions on the Form 25 be made to correspond. You do not need to submit a separate map in connection with this request for transfer.

Under separate cover we are returning your map so that you may put the correct designation on the Leedy Ditch.

Sincerely,

J. W. GRIMES
Chief Engineer

LW:rs

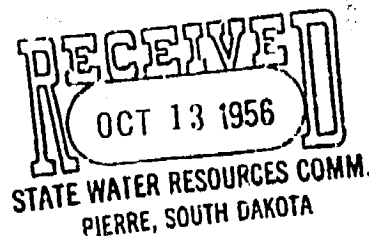


City of Rapid City

OFFICE OF THE CITY ENGINEER

*RAPID CITY, SOUTH DAKOTA

October 11, 1956



J. W. Grimes
Chief Engineer
State Water Resources Commission
Pierre, South Dakota

Dear Mr. Grimes:

I have before me your letter of October 4, 1956 addressed to the City Manager. It seems that there is some discrepancy concerning the Leedy Ditch and the Lockhart Ditch.

The basic work and the discussions and determinations concerning our water rights were made by the Leo Daly Company. My department surveyed and platted the map that accompanied our applications. I did not review the application forms.

Since receiving your letter, I have investigated the matter and have made several discoveries. First, one assumption; namely, that the Leedy Ditch water right for the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 9, SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 10 is an existing water right. If this is so, then the City needs only a transfer and no map will be necessary.

If the water right does not exist then we want a new right on the Leedy Ditch for our property in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 9 and the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 10.

If the water right exists, then we want an additional water right for the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 9.

In any event, our map designation is wrong. We were told that this was the Lockhart Ditch but it is the Leedy Ditch. It may be an existing right to be transferred only.

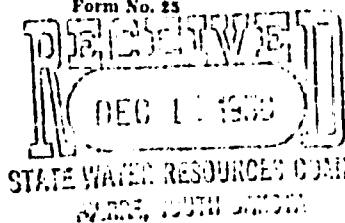
Please return our linen map of the water rights and we will correct it. Please also advise us concerning the status of the Leedy Ditch.

Very truly yours,

ENGINEERING DEPARTMENT

Vinal C. Francis
VINAL C. FRANCIS
City Engineer

VCF/wmr



NOTICE OF TRANSFER OF WATER PERMIT

TO: Office of State Water Resources Commission
Pierre, South Dakota

This is to notify you that Green's Incorporated

who previously owned the land described below has sold his interests to City of Rapid City

together with any rights to the beneficial use of water thereon as evidenced by State Water Permit No. Leedy Ditch
and Water Right. NE 1/4 of Sec. 9 & SE 1/4 of the NE 1/4, Sec. 9 in the
and as provided for in section 61.0141 of the SDC of 1939 and elsewhere SW 1/4 of the NW 1/4, NW 1/4 of the SW 1/4, SE 1/4 of the SW 1/4, Sec. 10, Township 1N, Range 7 E, RUM.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at
the OFFICE OF WATER RESOURCES COMMISSION as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 55.1806 of the SDC of 1939.

STATE OF SOUTH DAKOTA

County of Pennington

ss.

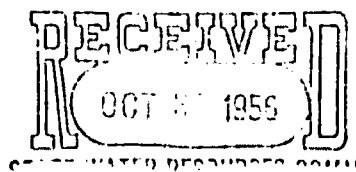
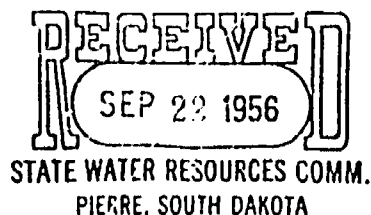
official representative of

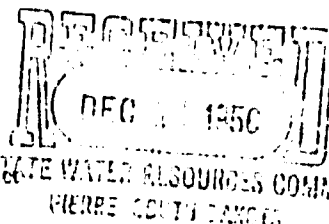
H. S. Thorgrimsen, City Manager, City of Rapid City, S.D. being first duly sworn on my
oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the
above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Signed H. S. Thorgrimsen

Subscribed and sworn to before me this 20th day of September 1956

Dorothy M. Hall
Notary Public



Location No. 2100Water Division No. 3 Water District 1

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

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

Ans. H. S. Thorgrimsen, City Manager

Rapid City, South Dakota

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 Rapid City, South Dakota

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

Ans. 16 April 1905 Pennington County Register of Deeds

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

Ans. North 34° 16' East, 2180 feet from SW Corner of Section 9, Township 1 N,
Range 7 E.

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. Canyon Lake Dam is 1200 feet long and 23 feet high. Was rebuilt in final
form in 1933—water is conducted from dam by the Leedy Ditch.

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. SE $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 9, T1N, R7E-39 acres

NE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 9, T1N, R7E-21 acres

SW $\frac{1}{4}$ of NE $\frac{1}{4}$ Sec. 10, T1N, R7E-30 acres

Lot 2 of NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 10, T1N, R7E-14 Acres

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

Ans. none

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

Ans. 1600 miners inches.

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. Transfer from Green's Inc.

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

Ans. Original location by J. M. Leedy and others in 1877. Appropriation began June, 1881—Appropriation claim 1600 miners inches. Maximum use has been 1600 miners inches.

(Sign) *A. B. Hargnum*

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 *Rapid City*, County of *Pennington*

State of South Dakota, on this *12th* day of *December* A. D. 19*56*

Wilma M. Laatz
Witnesses.

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. s.

Source -----

County -----

Purpose -----

Place of Use -----

Date of recording -----

Received and filed -----



0646-2A

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

AUG 5 1999

Daniel Bjerke
City of Rapid City
300 6th St
Rapid City, SD 57701

Dear Mr. Bjerke:

Enclosed is your Reissued Water Right License No. 2294-2. The original water license has been reissued to include the applicable portions of Water Right Filing No. 0646-2A and Water Permit Nos. 1998-2 and 2276-2. This was done to consolidate all the permits/rights pertaining to irrigation of the Meadowbrook Golf Course.

As long as you beneficially use the water as described in Water License No. 2294-2, South Dakota Water Laws provide that you have a continuing right to the use of the water.

If you have any questions concerning the enclosed license, please contact Mark Rath with our program at (605) 773-3352.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program

enclosure