

1. Considered March 15, 19 7
2. Name of Applicant Rapid Valley Water Service Company
3. Post Office Address Rapid City, S.D.
4. Amount of water claimed 1.73
5. Source of water supply ground water, adj. to Rapid Creek
6. Water to be used for suburban housing
- Acres to be irrigated -
7. Water to be diverted and used in Pennington County
about 1/2 Miles East of Rapid City
8. Proof of Publication Received _____
Not received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

1101-2 Rapid Valley Water Service Co.
6-11-80 Reopening the plant. Had
problems with 1 step down. Hoped
to pump 300 gpm.
Will add more as funds become
available.
Check about becoming the permit
May be necessary before they
can get funds to enlarge to the
170 gpm 1.73 cfs the permit
call for. Getting 170 gpm
and not 170 cfs. not 170 gpm.
Check for possible future use.

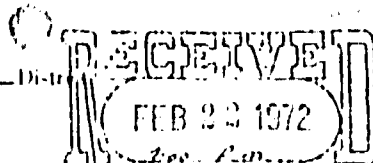
By J. J. McLaughlin

Map No. 935.2

Water Division No.

2 RAPID CREEK

(Blanks to be filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota
IN A MANNER AS STATED BELOW AND IN THE ATTACHED WATER RIGHT APPLICATION STATEMENT

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

1. Name of Applicant Rapid Valley Water Service Company
- Post-office address Route 4, Box 20, Rapid City State South Dakota
- If a corporation show date and place of incorporation Rapid City on January 19, 1962
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Rapid Valley Water Service Company Water Gallery
4. Amount of water claimed (cubic feet per second) 1.73
5. Source of water supply Ground water adjacent to Rapid Creek
6. Location of point of diversion 832 feet South and 58 feet West of the East $\frac{1}{4}$ Corner of
Section 8, T1N, R5E, BHM

County Fennington

7. Annual period or periods during which water is to be used Year around (see attached statement)
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) n/A
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 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Rapid City Journal, Rapid City, S.D.
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Infiltration gallery, 300 feet long in natural bedded gravel in place, pumps and electric motor, plus chemical dosing and holding tank.

B. Works proposed to transport water to place of use.

Underground main as shown on water right map

C. Works proposed to apply water to beneficial use.

Existing 550 service connections, plus up to an additional 1000 service connections

Estimated Total Cost \$ 25,000

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

STATE OF SOUTH DAKOTA

County of Harris

I, Harold M. Hayes, 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.

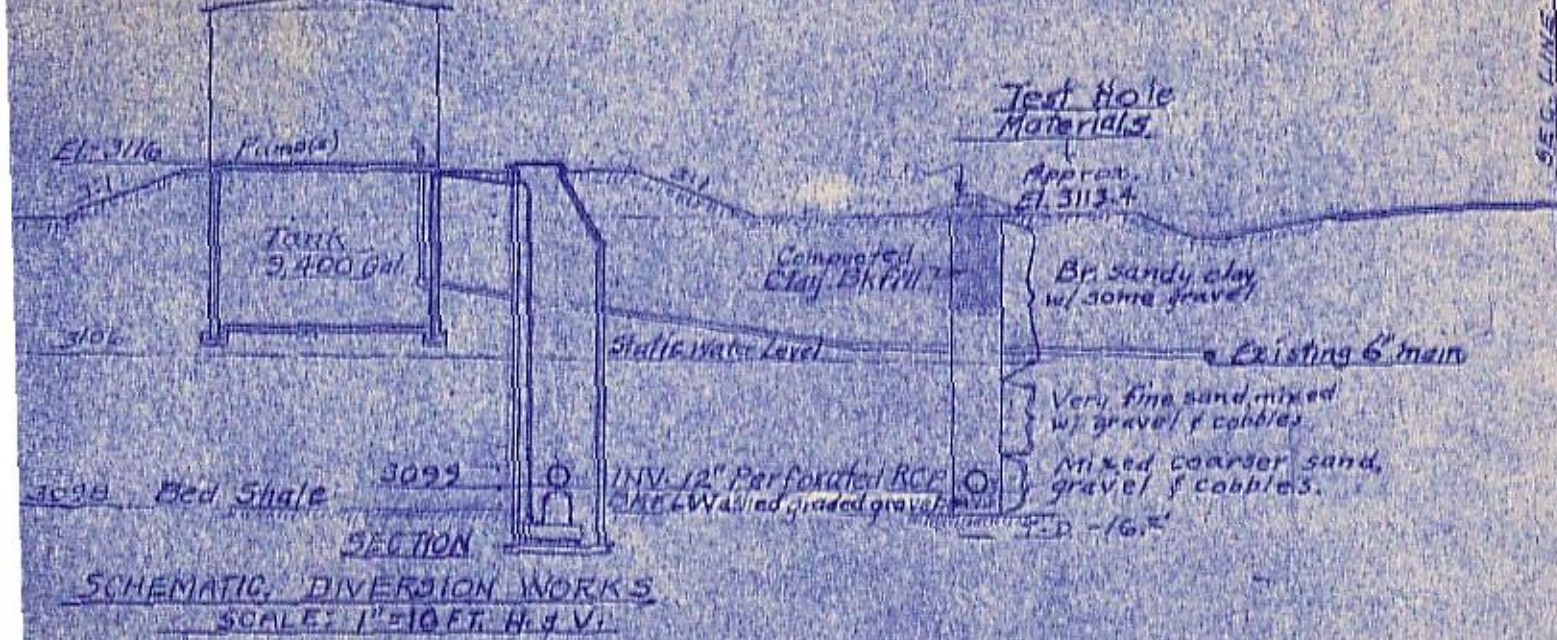
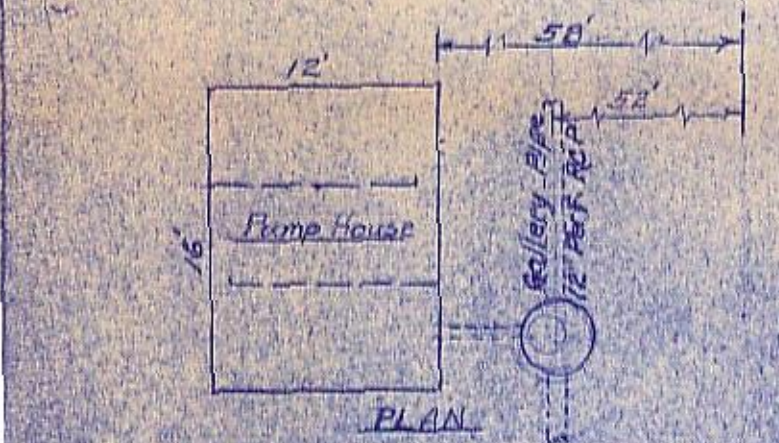
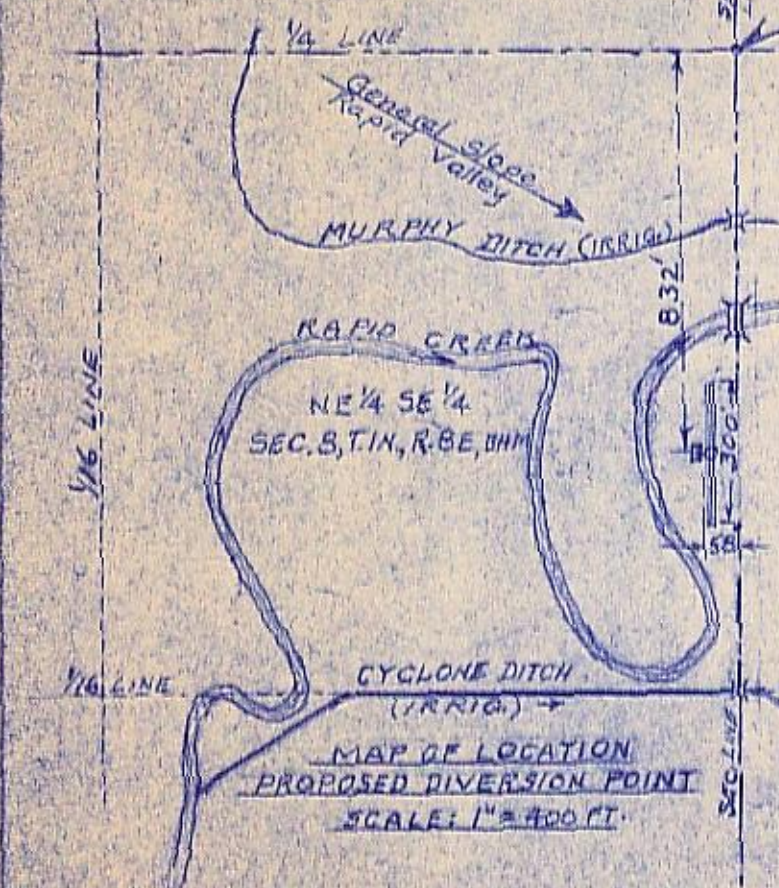
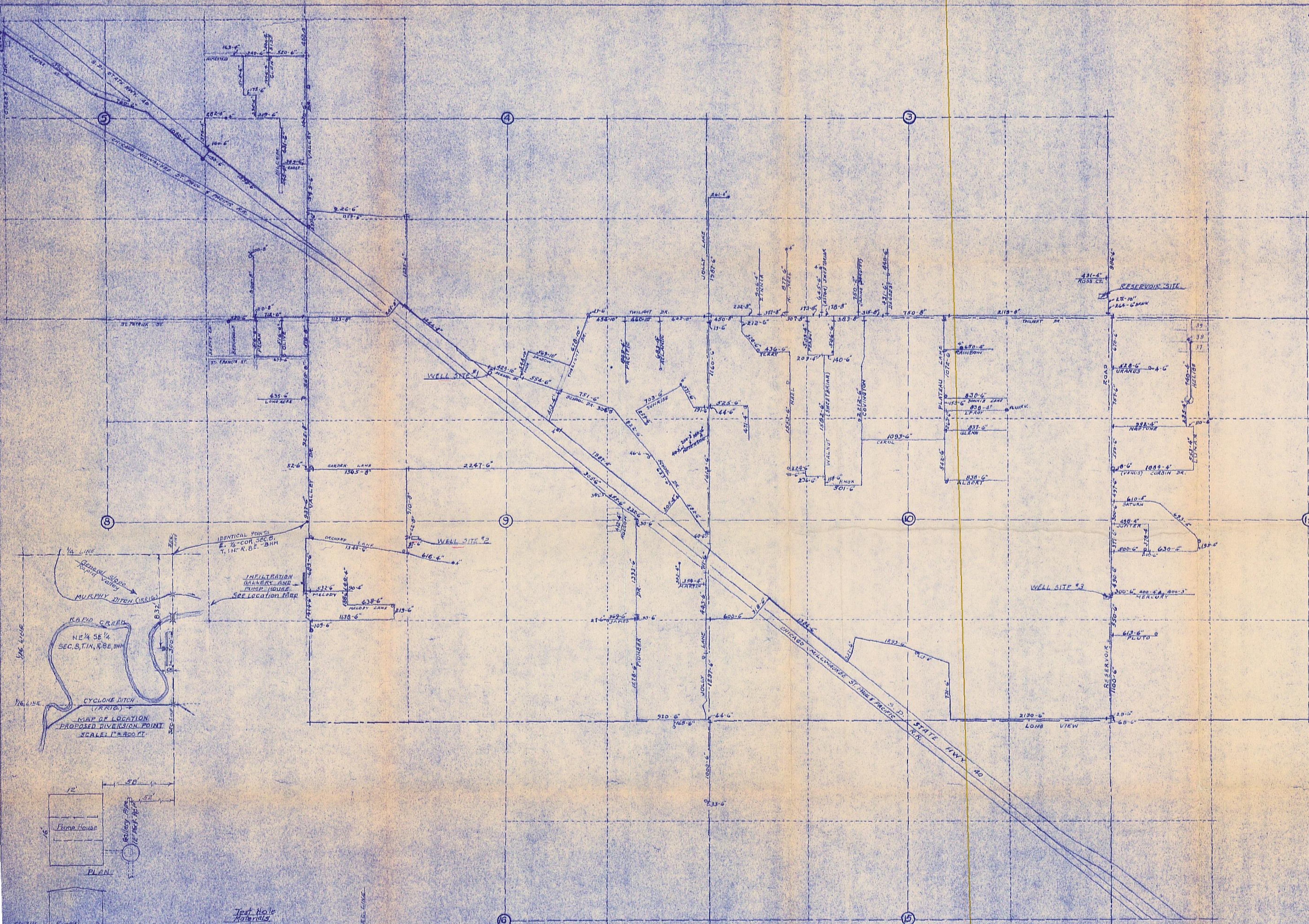
Signed Harold M. HayesSubscribed and sworn to before me this 33rd day of February 19 72

Notary Public (or other qualified officer)

John Assistant, W.R.C.



LEGEND
Length (Feet) & Diameter (Inches) 652'-6"
Valves 6'-0" 3'-0"
Fire Hydrants 6'-0" 3'-0"
Scale 1" = 600'



SURVEYOR'S CERTIFICATE

I, V.L. RUGG, a Registered Land Surveyor, do hereby certify that the within map of location of proposed water diversion point was prepared by me from a field survey made in person, and that the location of said diversion point, with respect to a U.S. Land Survey Corner, is as shown herein.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 31st day of January, 1972.



ACKNOWLEDGMENT OF SURVEYOR

STATE OF SOUTH DAKOTA
COUNTY OF PENNINGTON

ON THIS DAY, before me the undersigned, a Notary Public within and for the State and County aforesaid, personally appeared V.L. RUGG, known to me to be the person who executed the foregoing Surveyor's Certificate and acknowledged to me that he executed the same.

WITNESS MY HAND AND SEAL THIS 31st day of January, 1972.

My commission expires 6-10-76



REVISIONS	
12-21-71	V.L.R. Extension: Nelson, Anderson, Casin (Dorham)
11-27-71	V.L.R. Extension: Creek Dr, Centre, Union, Highway, St. Patrick, N. Valley Dr, Decatur, Miss. E. Hydrants
DATE	DRAWN BY T.E.M.
RAPID VALLEY WATER SERVICE CO.	
ROUTE 4, BOX 20, RAPID CITY, S.D.	
MAP OF WATER SYSTEM	
PREPARED FROM MAPS AND RECORDS OF THE RAPID VALLEY WATER SERVICE CO.	
V.L. RUGG, CONS. ENGR. RAPID CITY, S.D.	

MAP NO. 935-2 APR. 1972

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1101-2

RAPID VALLEY WATER SERVICE CO.
(Applicant)

RT. 4, Box 20, RAPID CITY
(Post Office Address)

SOUTH DAKOTA
(State)

With the following modifications:

Source of water. Rapid Creek is the source of water for United Corporation as specified in Water License No. 653-2. This Water Application #1101-2 proposes to divert water from an underground gallery located near Rapid Creek. Water diverted from this gallery will reduce to some degree the flow of Rapid Creek and will withdraw water stored in saturated sands & gravels, which at times contribute to the flow of Rapid Creek. As it is not possible to differentiate as to the amounts of water diverted from the two sources the surface and ground waters constitute a single water supply source and since the flows of Rapid Creek, & irrigation therefrom, are the principal replenishment of water to the saturated sands and gravels, Rapid Creek is considered & specified as the source of water in this Water Permit No. 1101-2.

Annual period or periods during which water is to be used. The intent is that water will be diverted from the proposed water gallery on a near continuous basis. The priority of the Little Giant Water Right is June 14, 1878, but this priority applies only to diversions made during the irrigation season. Therefore the priorities for this Water Permit No. 1101-2 are a priority date of June 14, 1878 during the irrigation season and February 22, 1972, the date that this application was submitted to the Water Resources Commission as the priority date for the remainder of the year.

Date of first receipt of application FEBRUARY 22 19 72

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

Date of receipt of corrected application _____ 19 ____

Approved MARCH 15 19 72 Recorded in Book 12 Page 68

WATER RIGHT PERMIT NO. 1102-2

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1101-2 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 IRRIG. SEASON JUN 14, 1878
NEW PRAIRIE SEASON FEBRUARY 22, 1972
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 15 19 74
3. The whole of said work is to be completed on or before MARCH 15 19 77
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 15 19 77
5. The water appropriated shall be used for the purpose of SUBURBAN WATER SUPPLY
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 1.73 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 uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and 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 MARCH 15, 1981 said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 17TH day of MARCH 19 72

WATER RESOURCES COMMISSION

By: [Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 ____

Water License Issued _____ 19 ____

WATER RIGHT APPLICATION STATEMENT

Water License No. 653-2, Little Giant Ditch Company issued by the Water Resources Commission on May 21, 1971 lists legal sub-divisions and the number of acres irrigated in each sub-division.

United Corporation of Rapid City, South Dakota is the owner of the following listed sub-divisions shown in Water License No. 653-2;

<u>Sub-Division</u>	<u>Acres Irrigated</u>
S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 14, T1N, R8E, BHM	60 acres
N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 23, T1N, R8E, BHM	79 acres

Water License No. 653-2 entitles United Corporation to divert up to 1.73 cubic feet per second of the flows of Rapid Creek to irrigate the above described land. The priority date of this water right as specified in Water License No. 653-2 is June 14, 1878.

This water right application proposes the following:

1. To transfer the water right of the United Corporation to use the described 1.73 cubic feet per second of water to Rapid Valley Water Service Company;
2. To apply for a water right to use the water as proposed during the non-irrigation season;
3. To change the use made of the specified 1.73 cubic feet per second of water from irrigation use to suburban water supply use;
4. To change the point of diversion for the specified cubic feet per second diversion rate from, "a point South 44° 55' East, 3607 feet from the NW Corner of Section 15, T1N, R8E," to a point 832 feet South and 58 feet West of the East $\frac{1}{4}$ Corner of Section 18, T1N, R8E, BHM.

PERMIT STATEMENT

Source of water. Rapid Creek is the source of water for United Corporation as specified in Water License No. 653-2. This Water Application No. 1101-2 proposes to divert water from an underground gallery located near Rapid Creek. Water diverted from this gallery will reduce to some degree the flow of Rapid Creek and will withdraw water stored in saturated sands and gravels, which at times contribute to the flow of Rapid Creek. As it is not possible to differentiate as to the amounts of water diverted from the two sources the surface and ground waters constitute a single water supply source and since the flows of Rapid Creek, and irrigation therefrom, are the principal replenishment of water to the saturated sands and gravels, Rapid Creek is considered and specified as the source of water in this Water Permit No. 1101-2.

Annual period or periods during which water is to be used. The intent is that water will be diverted from the proposed water gallery on a near continuous basis. The priority of the Little Giant Water Right is June 14, 1878, but this priority applies only to diversions made during the irrigation season. Therefore the priorities for this Water Permit No. 1101-2 are a priority date of June 14, 1878 during the irrigation season and February 20, 1972, the date that this application was submitted to the Water Resources Commission as the priority date for the remainder of the year.

1101-2

Publish first publication, on or before February 25, 19 72

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 22, 19 72

Notice is hereby given that, the Rapid Valley Water Service Company
whose post office address is Rapid City, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
1.73 cubic feet of water per second of time from the ground water through the
Rapid Valley Water Service Company
Water Gallery, the point of diversion of which is to be located in the _____

NF& 5E&

of Section 8, Twp. 1N, Range 3E. Said water to be used for the purpose
of providing ~~irrigation on the following described land:~~
water supplies to suburban housing served by the service company.

This application No. 1101-2 will be considered by the Water Resources Commission at their office at
Pierre upon the 15th day of March, 19 72, at 2:00 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

cc: Rapid Valley Water Service Co.
Route 4, Box 20, Rapid City, S.D. 57501

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Pennington) ss.

I, Jerry J. Shoener hereby
certify that the annexed printed copy of Notice of Intent to Appropriately
Water was taken from the Rapid City Journal

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 Rapid City

County of Pennington and State of South Dakota;
that the said notice was published in said newspaper on the following
four dates:

February 25, 1972

February 29, 1972

March 7, 1972

March 11, 1972

Jerry J. Shoener
(Signature)

Circulation Manager
(Title)

March 11, 1972

(Date Signed)

Romy Washburn
Notary Public

Feb. 25, 29, March 7, 11
No. 1101-2
NOTICE
INTENT TO APPROPRIATE WATER
Pierre, South Dakota 57501
February 22, 1972
Notice is hereby given that the Rapid
Valley Water Service Company, whose
post office address is Rapid City, South
Dakota, has made an application in ac-
cordance with the provisions of the
water laws of South Dakota for a per-
mit to appropriate for beneficial use
731 cubic feet of water per second of
time from ground water through the
Rapid Valley Water Service Company
Water Gallery, the point of diversion of
which is to be located in the NE 1/4 of
Section 8, Twp. 13, Range 8E, said
water to be used for the purpose of
providing water supplies to suburban
housing served by the service company.
This application, No. 1101-2, will be
considered by the Water Resources Com-
mission at their office at Pierre upon
the 15th day of March, 1972, at 2:00
P.M. All interested persons may appear
and be heard.
WATER RESOURCES COMMISSION
By: BURTON E. JONES,
Water Rights Specialist

RECEIVED
MAR 15 1972

STATE WATER RESOURCES COMM
PIERRE, SOUTH DAKOTA

ASSIGNMENT OF WATER RIGHTS

UNITED CORPORATION, a South Dakota Corporation of Rapid City, South Dakota, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration hereby assigns to the RAPID VALLEY WATER SERVICE COMPANY, a South Dakota Corporation, One and Seventy-Three Hundredths (1.73) c.f.s. of their water rights, that is their water right which is now pertinent to the North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) of Section Twenty-Three (23), and the South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$) of Section Fourteen (14), Township One North (T1N), Range Eight East (R8E) of the Black Hills Meridian, Pennington County, South Dakota. This assignment is to be effective upon approval of the same by the South Dakota Water Resources Commission as required by SDCL 46-5-32. It is understood and agreed by United Corporation that this assignment shall not become effective until the same is approved by the State Water Resources Commission, and that before said approval is obtained that the United Corporation will continue to use the water for irrigation purposes on the North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$) of Section Twenty-Three (23), and the South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$) of Section Fourteen (14), Township One North (T1N), Range Eight East (R8E) of the Black Hills Meridian. Also in connection with the assignment, the United Corporation agrees to join with the Rapid Valley Water Service Company, a South Dakota Corporation, in an application to the South Dakota Water Resources Commission for the transfer of said water right and to change the diversion point from the Little Giant Ditch located in Rapid Valley to such point as the Rapid Valley Water Service Company shall desire and also in the changing of use of the water right to that of a domestic use for water by the Rapid Valley Water Service Company for use in the company service area to supply domestic water to the homes and customers in their water service area located in Rapid Valley, South Dakota. Rapid Valley Water Service Company will pay the annual assessments for the equivalent of One Hundred Thirty-Nine (139) irrigated acres to Little Giant Ditch Company.

The Rapid Valley Water Service Company accepts this assignment and the terms and conditions therein contained.

Dated this ____ day of March, 1972.

UNITED CORPORATION, a South Dakota
Corporation

(Corp Seal)

BY

President

RAPID VALLEY WATER SERVICE COMPANY, a
South Dakota Corporation

(Corp Seal)

BY

President

State of South Dakota)
County of Pennington) SS.

On this the 7 day of March, 1972, before me, the undersigned officer, personally appeared John T. Vucurevich, who acknowledged himself to be the President of United Corporation, a South Dakota Corporation, and that he, as such President, being authorized so to do, executed the foregoing Assignment of Water Rights for the purposes therein contained, by signing the name of the corporation by himself as President.

In witness whereof I hereunto set my hand and official seal.

Notary Public

(SEAL)

My Commission Expires: 8-10-79

State of South Dakota)
County of Pennington) SS.

On this the 9 day of March, 1972, before me, the undersigned officer, personally appeared Harold M. Hayes, who acknowledged himself to be the President of Rapid Valley Water Service Company, a South Dakota Corporation, and that he, as such President, being authorized so to do, executed the foregoing Assignment of Water Rights for the purposes therein contained, by signing the name of the corporation by himself as President.

In witness whereof I hereunto set my hand and official seal.

Notary Public

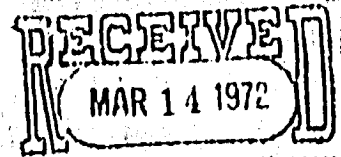
(SEAL)

My Commission Expires: 8-10-79

RAPID VALLEY WATER CONSERVANCY DISTRICT

601 Centre Street
Rapid City, SD

March 13, 1972



South Dakota Water Resources Commission
Pierre, SD 57501

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

Gentlemen:

The Rapid Valley Water Conservancy District has no objection to the transfer of water rights from the United Corporation of Rapid City to the Rapid Valley Water Service Company of Rapid City, S. D.

This attitude is the direct result of the explanation given by Joe Grimes and Donald Priscoll to the directors of the Rapid Valley Water Conservancy District at a meeting Wednesday, March 8, 1972.

Briefly, it is our understanding of the transfer that the Rapid Valley Water Service Company will assume all obligations that would have been assessed against the land involved in the transfer by the Little Giant Ditch Company. This, in effect, will place on the Rapid Valley Water Service Company a continuing financial responsibility to the Little Giant Ditch Company.

This meeting, and hopefully the resulting transfer of water rights by the South Dakota Water Resources Commission at your hearing on March 15, will establish the responsibility of the Rapid Valley Water Service Company to the Rapid Valley Water Conservancy District as the organization responsible for the administration and the laws and directives as they pertain to water and water use in Rapid Valley and as they are supervised by the South Dakota Water Resources Commission or their appointed deputies.

With the added possibility that there will be further subdivision of irrigated land for urban development in Rapid Valley, the above transfer of irrigation water rights may be only a beginning of this change in water use. Each application will be dealt with as it is requested. Under any consideration, it is hoped that the developers will follow the advice of personnel of the Water Resources Commission and withdraw the water rights from any lands that are subdivided for urban development.

Again, the Rapid Valley Water Conservancy District would like to take this opportunity to express their thanks to the South Dakota Water Resources Commission for the many hours of time spent by the personnel of that office in informing the irrigators and the directors of the Rapid Valley Water Conservancy District about their responsibilities and rights as irrigators and water right holders. This effort has been responsible for many years of harmony among the many users of the waters of Rapid Creek in Pennington County and the State of South Dakota.

Yours Truly,

Carl Ham
Carl Ham, President

Rapid Valley Water Conservancy District

cc: Harold Hayes, Pres., Rapid Valley Water Service Company

Mr. J.W. Grimes, Chief Engineer
Water Resources Commission
State Office Building #2
Pierre, South Dakota 57501

Dear Mr. Grimes:

Water License No. 653-2, Little Giant Ditch Co., issued by the Water Resources Commission on May 21, 1971 lists legal sub-divisions and the number of acres irrigated in each sub-division.

United Corporation of Rapid City, South Dakota is the owner of the following listed sub-divisions shown in Water License No. 653-2:

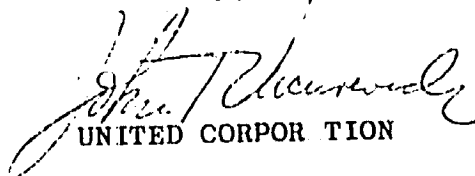
<u>Sub-Divisions</u>	<u>Acres Irrigated</u>
South One-Half ($\frac{1}{2}$) Southwest Quarter ($\frac{1}{4}$), Section Fourteen (14), Township One (1) North, Range Eight (8) East. Less Lots One (1) and Two (2) and Parcels A and B upon which there are no water rights.	30
North One-Half ($\frac{1}{2}$) Northeast Quarter ($\frac{1}{4}$) Section Twenty-three (23), Township One (1) North, Range Eight (8) East, Pennington County	79

Agreement has been reached between the United Corporation and Rapid Valley Water Service Company of Rapid City that the water right on the above described land will be transferred to the Rapid Valley Water Service Company, provided such transfer is approved by the Water Resources Commission as specified in SDCL 46-5-31, 46-5-32, 46-5-33, 46-5-34, 46-5-35.

The above specified agreement also contains a provision that the Rapid Valley Water Service Company will accept and pay the annual assessments made by the "Little Giant Ditch Company" for the equivalent of 139 irrigated acres under the Little Giant Ditch.

Enclosed for your information is a copy of the Agreement between United Corporation and Rapid Valley Water Company.

Sincerely,


UNITED CORPORATION

1101-2 & 653-2

June 11, 1973

Mr. Ernest W. Hansen
2736 Lanark Road
Rapid City, South Dakota 57701

Dear Mr. Hansen:

As per our discussion, enclosed for your information is a copy of Water Permit No. 1101-2 of Rapid Valley Water Service Company.

This authorizes a diversion rate of 1.73 c.f.s. of water, to be deducted from the Little Giant Water Right. The Little Giant diversion rate as specified in Water License No. 653-2 was 8.00 c.f.s. With the 1.73 c.f.s. deducted the authorized diversion rate for the Little Giant Ditch is now 6.27 c.f.s.

Sincerely,

DONALD DRISCOLL
Deputy Chief Engineer

DD/bw

Encl: as stated

FINDING OF NO SIGNIFICANT IMPACT

Water Service Contract
Pactola Reservoir, South Dakota

Bureau of Reclamation
Upper Missouri Region
Billings, Montana

FCNSI UM 82-

The Bureau of Reclamation proposes to enter into a water service contract with the Rapid Valley Water Service Company (RVWSC) for up to 600 acre-feet of water annually from Pactola Reservoir. At the beginning of the contract period, the RVWSC would require about 100 acre-feet. Because of projected growth within its service area by 1992, RVWSC would need 600 acre-feet.

Based on the attached Environmental Assessment, we have concluded the proposed action will not have significant environmental impact for the following reasons:

1. Potential depletion of 600 acre-feet would have little effect on present reservoir operation.
2. The proposed action would not significantly affect reservoir recreation.
3. There will be no effect on cultural resources or endangered species.
4. The proposed action is not controversial.

Recommended:

Approved:

Regional Supervisor of Water and Land

Regional Environmental Affairs Officer

Regional Director

ENVIRONMENTAL ASSESSMENT
PROPOSED WATER SERVICE CONTRACT
RAPID VALLEY WATER SERVICE COMPANY
PACTOLA RESERVOIR, SOUTH DAKOTA

I. Proposed Action

The Bureau proposes to contract with the Rapid Valley Water Service Company (RVWSC) for up to 600 acre-feet of water annually from Pactola Reservoir. At the beginning of the contract period the RVWSC would require about 100 acre-feet. Because of projected growth within its service area by 1922, RVWSC would need 600 acre-feet.

Water would be diverted through the RVWSC's existing diversion works. A diversion schedule has not been established by the RVWSC but it is assumed that diversions would take place during the July through September period. An increase in present releases from the reservoir of about 0.6 ft³/s and 3.4 ft³/s for 90 days would provide 100 acre-feet and 600 acre-feet, respectively.

II. Purpose and Need

The RVWSC provides water service to rural subdivisions located downstream of Rapid City along Rapid Creek. During dry periods, the RVWSC does not have sufficient water rights to meet its customer's demands.

III. Other Alternatives Examined

1. Contracting for a lesser amount - the diversion location and time period during which the diversions would be made are the same as the proposed action. This alternative would not meet the company's projected needs for the same time frame and would likely result in the company requesting a second contract before 1992.

2. No federal action - under this alternative water would not be released from Pactola for RVWSC use. The company would be forced to either develop a new source of water, ration water, or limit development within their service area. Studies by the Bureau of Reclamation to determine the potential of other water sources for future use in the Rapid City and general Black Hills area are scheduled to begin in fiscal year 1983. Results of these studies will not be available for several years. A forced water conservation or rationing program would place unnecessary hardship on the RVWSC customers since surplus water is available at Pactola Reservoir. South Dakota law would likely require that this surplus be made available for domestic use. The potential for annexation of the RVWSC service area by the city of Rapid City exists but is not likely in the very near future. Should annexation occur and the RVWSC water system be taken over by the city, no new contract would be required since the city has ample entitlement under its existing contracts.

Affected Environment

Pactola Dam, located on Rapid Creek approximately 20 miles west of Rapid City, was completed in 1956 and forms a reservoir with a conservation storage capacity of 55,000 acre-feet. The reservoir is operated in conjunction with the 15,000 acre-foot Deerfield Reservoir on Castle Creek, a tributary of Rapid Creek. Storage in these two reservoirs provide a supplemental municipal water supply for Rapid City and Ellsworth Air Force Base and supplemental irrigation water for the 8,900-acre Rapid Valley Water Conservancy District.

The dam and reservoir are situated in the Black Hills of South Dakota. Vegetation around the reservoir consists of Ponderosa Pine with an under-story of grasses.

All recreation areas around the reservoir are administered by the Forest Service. Facilities associated with outdoor recreation include picnic grounds, campgrounds, boat ramp development, visitor center, and scenic overlooks.

Highway 385, a major north-south highway through the Black Hills, crosses over the dam. Because of this, the reservoir area is visited by tourists who stop for sightseeing, picnicking, and touring the visitors center. Most overnight use is from locals who utilize the reservoir for boating and fishing.

Visitation to Pactola Reservoir has been as follows:

1978	1979	1980	1981
841,300	739,500	672,100	776,200

The proposed plan would have no impact on terrestrial wildlife or habitat. Although the aquatic system within the reservoir and Rapid Creek below the reservoir could be affected, the effects would not be significant.

Game species within the reservoir include rainbow and brown trout, salmon, perch and limited numbers of bass. Trout usually make up over 90 percent of the fish caught from the reservoir. Rainbow trout are stocked yearly by the South Dakota Department of Game, Fish and Parks.

By the end of September, the annual reservoir drawdown would be increased by about 10 inches if 600 acre-feet were marketed. This additional drawdown would not prevent brown trout from migrating from the reservoir to spawn during the fall, nor would it affect the fisheries within the reservoir.

The fisheries within Rapid Creek below the reservoir, would not be significantly affected since marketing up to 600 acre-feet would not affect the Bureau's ability to meet instream flow releases from Pactola Dam. Minimum instream flow releases are as follows:

October - February	15 ft ³ /s
March - September	20 ft ³ /s

If the reservoir storage is below 29,000 acre-feet, reservoir releases can be lowered to 7 ft³/s and if the South Dakota Game, Fish and Parks gives their approval, reservoir releases during March through September can be lowered to 15 ft³/s.

Marketing 600 acre-feet would mean that during a dry year the reduction to 20 ft³/s would occur slightly earlier than without marketing and at times releases may be reduced to 7 ft³/s; however, occurrences of this type would be infrequent.

The increased drawdown would be a minor inconvenience to the marina owner who would have to let the boat docks out further in September than is done at present. This may not affect boating at all since recreational boating has essentially ended by September.

The dam and reservoir are within the known historical range of the bald eagle and peregrine falcon, but neither would be affected by water marketing.

The proposed plan would not affect any cultural resources.

If an alternative of marketing a lesser amount were chosen, the affects would be to a lesser degree than these described above. Marketing 100 acre-feet would mean an increased annual drawdown of about 1.5 inches instead of 10 inches as would happen with marketing 600 acre-feet.

No federal action is not considered a viable alternative since South Dakota law would likely require the Bureau to provide the available surplus for domestic use.

List of Preparers

Richard Blaskovich	Environmental Specialist	B.S. Biology, 2 years Bureau Environmental Specialist, 4 years Bureau Natural Resource Specialist
Bill Crosby	Economist	B.S. Economics, 17 years Bureau



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1101-2

April 25, 1988

Rapid Valley Water Service Company
3201 School Drive
Rapid City, South Dakota 57701

Dear Sir:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 1101-2 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Maxine Stirling
Secretary

ms/

NOTE: On check or money order, please indicate the number of the water permit. This insures proper handling of the fee.

DWNR-814 8/83

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, April 28, 1991

RECEIVED OF Rapid Valley Water Service Co., 3201 School Dr., Rapid City, SD 57701
the following amount in fees for services rendered as provided for by law.

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>1101-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	50	00

By John Hatch
Chief Engineer JOHN HATCH (PS)

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DWR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Rapid Valley
Water Service Co. of 3201 School St. Rapid City, SD 57701 holder of
 Permit No. 1101-2, bearing the priority of June 14 1878 *
February 22 1972 authorizing
 the diversion of 1.73 cu. ft. per second of the waters of Rapid Creek
 for Suburban Housing purposes, in Pennington County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

Infiltration gallery with 2 submersible pumps with a combined capacity of 500 gpm. Surface water diversion with one pump with a capacity of 400 gpm. (see Attachment A & B).

B. Works used to transport water to place of use:

underground mains

C. Works used to apply water to beneficial use:

Service connections to individual users.
 * priority date of June 14, 1878 during irrigation season and
 February 22, 1972 during non-irrigation season.

The system is in the following condition: Good

The point of diversion is located 1850 feet N 3° E from SW 1/4 Section 8-
T1N-28E; NE 1/4 of the SE 1/4 of Section 8-T1N-28E

The works are capable of diverting and conveying to the place of use 2.0
 cu. ft. per second of water which is to be used for Suburban Housing Water Supply

Water has been put to beneficial use to the maximum extent as follows: This water originally was for
irrigation under the Little Giant Ditch and was only used from April 15 through
October 1. It was then transferred to be used as a water supply for
suburban housing and is used throughout the year. The priority date of
February 22, 1972 applies during the non-irrigation season.

comprising a total of NA acres of land and the license should be issued for 1.73 cfs

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: _____ Date 4/21/08

Lin Caldwell
 (signature)

LICENSE FOR PERMIT NUMBER 1101-21. Legal location of ~~well~~: Surface water diversion:NE 1/4 SE 1/4 of Section 8 - T1N - R8E

dams & structures: _____

2. Well Information: Well Drilling Firm _____

No. of wells _____ Depth _____

Casing a) diameter _____ Screen a) type _____

b) length _____ b) length _____

c) type _____ Static Water Level _____

Pump a) make Berkeley Motor a) make General Electricb) model 1250 b) model no. SK213DP6005c) size 3 HP c) horsepower rating 7.5d) capacity 400 GPM d) motor efficiency rating _____e) turbine pump
no. of stages _____

3. Distribution lines:

a) size of lines _____

b) type _____

c) length _____

4. Dam Information:

a) height to crest _____

b) height to spillway _____

c) crest width _____

d) crest length _____

e) spillway length _____

f) spillway width _____

g) approx. storage _____

h) Distribution lines or canals:

1) size _____

2) type _____

3) length _____

i) Outlet tubes:

1) diameter _____

2) type _____

3) valued (Y/N) _____

4) valve type _____

5) location on structure _____

5. System Type: a) sizeroll:

1) length _____ feet

2) diameter of pipe _____

3) make, model & number of sprinklers _____

4) spacing of sprinklers _____

5) nozzle size _____

b) towline:

1) length _____ feet

2) make, model & number of sprinklers _____

3) spacing of sprinklers _____

4) nozzle size _____

5. System Type: c) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running _____
- 9) GPM _____

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES

NO

Check Items

NA

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.

✓

2. Special Qualifications to permit being abided by.

✓

3. All Structures, wells and lands on map.

REMARKS:

LICENSE FOR PERMIT NUMBER 1101-21. Legal location of ~~wells~~: Infiltration Gallery:NE 1/4 SE 1/4 of Section 8 - T1N - R8E

dams & structures: _____

2. Well Information: Well Drilling Firm _____

No. of wells _____ Depth _____

Casing a) diameter _____ Screen a) type _____
 b) length _____ b) length _____
 c) type _____ Static Water Level _____

2 Pump a) make Fairbanks Morse Submersible Motor a) make same
 a) model 6m 3417 b) model no. 6m 3417
 c) size 3 stage, 6m bowl assembly c) horsepower rating 10 H.P.
 d) capacity 250 GPM d) motor efficiency rating _____
 e) turbine pump _____
 no. of stages _____

3. Distribution lines:

a) size of lines _____
 b) type _____
 c) length _____

4. Dam information:

a) height to crest _____
 b) height to spillway _____
 c) crest width _____
 d) crest length _____
 e) spillway length _____
 f) spillway width _____
 g) approx. storage _____
 h) Distribution lines or canals:
 1) size _____
 2) type _____
 3) length _____

i) Outlet tubes:

1) diameter _____
 2) type _____
 3) valued (Y/N) _____
 4) valve type _____
 5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet
 2) diameter of pipe _____
 3) make, model & number of sprinklers _____
 4) spacing of sprinklers _____
 5) nozzle size _____

b) towline:

1) length _____ feet
 2) make, model & number of sprinklers _____
 3) spacing of sprinklers _____
 4) nozzle size _____

5. System Type: c) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running _____
- 9) GPM _____

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES

NO

Check Items

NA

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.

✓

2. Special Qualifications to permit being abided by.

✓

3. All Structures, wells and lands on map.

REMARKS:

Two pumps present in Gallery - total pumping capacity of 500 gpm.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1101-2

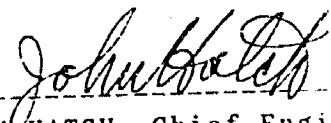
(1) Rapid Valley Water Service Company of 3201 School Drive, Rapid City SD 57701 made Application No. 1101-2, February 22, 1972 for water permit to appropriate 1.73 cubic feet of water per second from Rapid Creek, Pennington County, South Dakota for suburban housing development purposes. Permit No. 1101-2, with priority dates of June 14, 1878 and February 22, 1972* was approved March 15, 1972 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before March 15, 1977 and for the application to beneficial use of said water on or before March 15, 1977.

- * The water authorized under No. 1101-2 was originally for irrigation purposes under the Little Giant Ditch from April 15th through October 1. The water was then transferred for use as a water supply for suburban housing throughout the remainder of the year. A priority date of June 14, 1878 is retained for use of water during the irrigation season and a priority date of February 22, 1972 is retained during the non-irrigation season.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.73 cubic feet of water per second for beneficial use. The location of the diversion point(s) is: 1850 feet N 3°E from the SW 1/4 Section 8, 11N, R8E (NE 1/4 SE 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent: water is diverted from the infiltration gallery through underground mains to service connections for individual users.

(4) Pursuant to Section 46-5-30.1 Rapid Valley Water Service Company of 3201 School Drive, Rapid City SD the holder and/or owner of Water Permit No. 1101-2 is issued a license to appropriate 1.73 cubic feet of water per second from Rapid Creek with priority dates of June 14, 1878 & February 22, 1972 from the location specified in (2) of this license. The water is to be used for the purpose of suburban housing development. This license is subject to any limitations, conditions or qualifications listed in Water Permit No. 1101-2 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Department of Water and Natural
Resources
DEC 20 1988

No. 1101-2



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

DEC 20 1988

Rapid Valley Water Service Co.
3201 School Drive
Rapid City SD 57701

Dear Sir:

Enclosed herewith is, Water License No. 1101-2. This is the final water right document completing your process of obtaining a water right.

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

Very truly yours,

A handwritten signature in cursive script that reads "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

Enclosures

WNR-817 3/83
Transmittal of Water License



1101-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 20 1993

Lorraine Weimer, Manager
Rapid Valley Water Service Company
3201 School Drive
Rapid City, SD 57701

Dear Ms. Weimer:

The Water Management Board has validated the enclosed Vested Water Right No. 1101-2. This validation gives legal status to the claim and is the final document for your vested right. Enclosed is the reissued water license which reflects the correct location of the diversion point.

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,

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

enclosure

1101-2

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1101-2

Date of Receipt of Claim February 22, 1972.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 1101-2 for the Rapid Valley Water Service Company, 3201 School Drive, Rapid City, South Dakota 57701 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1101-2 appropriates 1.73 cubic feet per second of water from ground water adjacent to Rapid Creek located in the NE1/4 SE1/4 Section 8, T1N, R8E.
2. The appropriated water is used for supplying water for the Rapid Valley Water Service Company and may not exceed the amount of water needed for beneficial use for suburban housing development purposes.

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

3. The priority dates of the Vested Water Right are:
June 14, 1878 - during the irrigation season
February 22, 1972 - during non-irrigation season
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 may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

Rapid Creek is the source of water for United Corporation as specified in Water License 653-2. Water License #1101-2 diverts water from an underground gallery located near Rapid Creek. Water diverted from this gallery will reduce to some degree the flow of Rapid Creek and will withdraw water stored in saturated sands and gravels, which at times contribute to the flow of Rapid Creek. As it is not possible to differentiate as to the amounts of water diverted from the two sources, the surface and ground waters constitute a single water supply source and since the flows of Rapid Creek, and irrigation therefrom, are the principal replenishment of water to the saturated sands and gravels, Rapid Creek is considered and specified as the source of water in Water License 1101-2.

1101-2

Vested Water Right Claim No. 1101-2

Page 2

Water will be diverted from the water gallery on a near continuous basis. The priority of the Little Giant Water Right is June 14, 1878, but this priority applies only to diversions made during the irrigation season. Therefore, the priorities for Water Licence 1101-2 are a priority date of June 14, 1878 during the irrigation season and February 22, 1972, the date that the original application was submitted to the Water Management Board, as the priority date for the remainder of the year.

WATER MANAGEMENT BOARD

By: _____

John H. H. H.
Chief Engineer

SEP 20 1993

date

Division of Water Rights
Dept. of Environment and Natural Resources

STATE OF SOUTH DAKOTA

1101-2

REISSUED VESTED RIGHT WATER LICENSE NO. 1101-2

(1) Rapid Valley Water Service Company, of 3201 School Drive, Rapid City SD 57701 made Application No. 1101-2, February 22, 1972 for a water permit to appropriate 1.73 cubic feet of water per second from Rapid Creek, Pennington County, South Dakota for suburban housing development purposes. Permit No. 1101-2, was validated May 5, 1993 with priority dates of June 14, 1878 and February 22, 1972*. Construction of the described water supply system and application to beneficial use has been completed and complies with applicable provisions of South Dakota State Law.

- * The water authorized under No. 1101-2 was originally for irrigation purposes under the Little Giant Ditch from April 15th through October 1. The water was then transferred for use as a water supply for suburban housing throughout the remainder of the year. A priority date of June 14, 1878 is retained for use of water during the irrigation season and a priority date of February 22, 1972 is retained during the non-irrigation season.

The original water license issued December 20, 1988 contained an error in the legal description of the diversion point. The diversion point was described as 1850 feet N 3 degrees E from the SW 1/4 Section 8-T1N-R8E and should have been described as 1850 feet N 3 degrees W from the SE 1/4 corner of Section 8-T1N-R8E. The license is being reissued to correct this error.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.73 cubic feet of water per second for beneficial use. The location of the diversion point is 1850 feet N 3 degrees W from the SE 1/4 Section 8-T1N-R8E (NE 1/4 SE 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent: water is diverted from the infiltration gallery through underground mains to service connections for individual users.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Rapid Valley Water Service Company of 3201 School Drive, Rapid City SD the holder and/or owner of Vested Water Right No. 1101-2 is issued a license to appropriate water, the right to use 1.73 cubic feet of water per second from Rapid Creek with priority dates of June 14, 1878 and February 22, 1972 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (2) of this license. The water is used for the purpose of suburban housing development. This license is subject to any limitations or qualifications listed in Vested Water Right No. 1101-2 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

SEP 20 1993

46103-4773(R)

W. P.
1101-2

N

Diversion
point

Rapid
creek

1850 ft.

N 3° E

Scale:
1 in $\approx$ 660 ft.

8

9

17

16

TIN-RSE

Tom Sallp. 4/24/88

1101-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3132
www.state.sd.us/dem

February 14, 2006

741-2
779-2
830-2
1101-2

Rapid Valley Sanitary District
c/o Jim Jester
4611 Teak Dr.
Rapid City SD 57703

Dear Mr. Jester:

Enclosed are 2005 Water Use Questionnaires and partially completed "Notice of Transfer" forms for use in filing ownership changes on Water Right Nos. 741-2, 779-2, 830-2 and 1101-2. We originally sent the questionnaires to Rapid Valley Water Service which were returned by the post office. Mark Rath, with our office, indicated these water rights should be transferred to the correct entity.

Water Permit No. 2557-2 which was approved last summer is listed correctly.

Along with completing the questionnaires, please complete the enclosed Notice of Transfer forms. The transfer forms should be checked over for accuracy and signed by the new owner. Upon completion, return the forms and questionnaires to our office with a required filing fee of \$2.50 each (total \$10).

If you have any questions, please contact Mark Rath or me.

Sincerely,

Karen Schlaak
Environmental Scientist
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosures

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date February 23, 20 06

RECEIVED OF Rapid Valley Sanitary Dist - Water Service, 4611 Teak Dr, Rapid City SD 57703

The following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>1101-2</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	2	50
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

02341

By

Darland Ebel
Chief Engineer

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 1101-2

Date: Feb. 22, 2006

I/We request that Water Right/Permit No. 1101-2

formerly owned by: Rapid Valley Water Service Company

be transferred to: (name & address) Rapid Valley Sanitary District - Water Service

4611 Teak Dr., Rapid City SD 57703

Telephone No. 605-393-1050

Title to the following described land(s)/property has been transferred as described above:

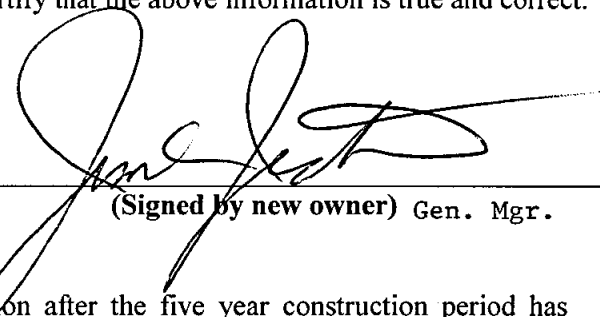
Rapid Creek - NE ¼ SE ¼ Section 8-T1N-R8E

I/We understand that the validity of Water Right/Permit No. 1101-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Jim L Jester, the new owner, certify that the above information is true and correct.


(Signed by new owner) Gen. Mgr.

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIVED

FEB 23 2006

WATER RIGHTS
PROGRAM



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

March 22, 2006

741-2
779-2
830-2
1101-2

Jim Jester
Rapid Valley Sanitary District
4611 Teak Dr
Rapid City SD 57703

Dear Mr. Jester:

I am writing to acknowledge receipt of the ownership changes for Water Right Nos. 741-2, 779-2, 830-2 and 1101-2. The transfers have been completed. The water rights formerly listed in the name of Rapid Valley Water Service Company are now listed in the name of Rapid Valley Sanitary District – Water Service. Enclosed are Receipt Nos. 02310, 02311, 02312 and 02313 in the amount of \$2.50 each.

Mark Rath visited with Rusty Schmidt regarding two of the water rights. Based on their conversation, Water Right Nos. 741-2 and 830-2 will be scheduled for cancellation because the wells have been abandoned and plugged. The notice regarding the pending cancellations will be sent to you under separate cover. If I can answer any questions for you, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosure

1101-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

JUL 22 2016

1101-2
2557-2

Rusty Schmidt, District Manager
Rapid Valley Sanitary District
4611 Teak Drive
Rapid City SD 57703

Dear Mr. Schmidt:

Enclosed is Water License No 2557-2. This is the final water right document completing the process of obtaining a Water Right. Included with the license is a map prepared by the staff engineer who conducted the field investigation.

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

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: Upon licensing, the applicable portions of Partial Vested Water Right No. 1101-2 were incorporated into Water License No. 2557-2.