

Water Right Number 1274.2

1. Considered JULY 24, 19 75
2. Name of Applicant CITY OF BURKE
3. Post Office Address _____
4. Amount of Water claimed . 22
5. Source of Water supply 150' DEEP WELL
6. Water to be used for MUNICIPAL USE

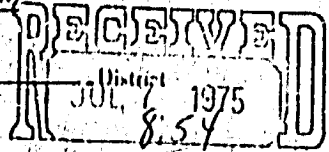
Acres to be irrigated _____

7. Water to be diverted and used in GREGORY County
about WEDGE OF miles _____ of BURKE

8. Proof of Publication Received _____
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 1274-2
 Map No. 751-2 Water Division No. 2 WHITE RIVER
 (Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT TO APPROPRIATE WATER RIGHTS COMMISSION PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE: Draw a line through items not applicable)

- Name of Applicant City of Burke
 Postoffice address Box 312 Burke S. Dak. State S. Dak 57523
 If a corporation show date and place of incorporation Municipal June 1906
- Method of accomplishing work (contract, employment of others, or by direct labor) Contract
- Name of diversion work Well #5
- Amount of water claimed (cubic feet per second) 100 G. P. M. .22
- Source of water supply Well
- Location of point of diversion A POINT IN THE NE¹/₄ NE¹/₄ NW¹/₄ SECTION 36, T97N, R72W

County GREGORY

- Annual period or periods during which water is to be used used all year
- Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Municipal
- 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.	Description	No. Acres Irr.

Attach sheet if more space is needed

- Time required to complete construction of water supply system 2 months years. Additional time required to complete application of water to the proposed beneficial use _____ years.
- Choice of newspaper for Notice of Intent to Appropriate Water publication Burke Gazette the
- Principal Features of the Proposed Water Supply System.

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

Well

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

Pipeline

C. Works proposed to apply water to beneficial use.

Pipeline

Estimated Total Cost \$ 15,000.00 to 20,000.00

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)
) ss.
 County of Gregory)

I, Richard G. Bailey 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 Richard G. Bailey Sup. of Public Works

Subscribed and sworn to before me this 3rd day of July 19 75

Thaddeus D. B. Smith
 Notary Public (Seal of Office)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1274-2

CITY OF BURKE

(Applicant)

(Post Office Address)

SOUTH DAKOTA 57523

(State)

With the following modifications:

Date of first receipt of application JULY 7, 19 75

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

Date of receipt of corrected application , 19

Approved JULY 24, 19 75, Recorded in Book 14 Page 17

WATER RIGHT PERMIT NO. 1274-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1274-2 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 JULY 7, 19 74
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JUN 24, 19 76
3. The whole of said work is to be completed on or before JULY 24, 19 77
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 24, 19 77
5. The water appropriated shall be used for the purpose of MUNICIPAL

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 .22 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~~
USED FOR MUNICIPAL PURPOSES
 actually and beneficially applied for irrigation on or before JULY 24, 19 77; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 12TH day of SEPTEMBER, 19 75

WATER RIGHTS COMMISSION

By:

John Katoth
 Chief Engineer, Executive Officer

Certificate of Construction Issued , 19

Water License Issued , 19

No. _____

Map No. _____ Water Division No. _____ District _____
(Blanks to be Filled by the Engineer for the W. R. C.)**APPLICATION FOR PERMIT****To Appropriate Water within the State of South Dakota**

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

1. Name of Applicant _____

Postoffice address _____, State _____

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) _____

3. Name of diversion work _____

4. Amount of water claimed (cubic feet per second) _____

5. Source of water supply _____

6. Location of point of diversion _____

_____ County _____

7. Annual period or periods during which water is to be used _____

8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) _____

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 _____ years. Additional time required to complete application of water to the proposed beneficial use _____ years.

11. Choice of newspaper for Notice of Intent to Appropriate Water publication _____

12. Principal Features of the Proposed Water Supply System.

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

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 map.
(See instructions concerning preparation.)STATE OF SOUTH DAKOTA)
) ss.
County of _____)

I, _____ 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 _____

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

Notary Public (or other qualified officer)

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 36 INCH, Depth 130 to 150 FEET
- (2) Casing, Type STEEL (wood, concrete, steel, etc) Diameter 16 INCH Thickness 2.375 INCHES
- (3) Perforated Screen.
Type 304 18-8 Stainless Steel Diameter 16 INCH Length approx. 15' 6"
- (4) Gravel Pack. Thickness 10 INCH, Length of gravel pack 70 FEET

E. ~~Dugout~~ 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 Fine to medium sand

Depth to top of water bearing material 80 FEET

Depth to bottom of water bearing material 130 TO 150 FEET

Thickness of water bearing material 50 TO 70 FEET

Depth to water (ground surface to water level) 80 FEET

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

On same owner's property 120 rds. On property owned by others 150 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.

Richard N. Bailey
Signature of Applicant

No. 1274-2

Publish first publication, on or before

July 10, 1975

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

July 8, 1975

Notice is hereby given that the City of Burke

~~XXXX-2004-2005-2006-2007-2008-2009-2010-2011-2012-2013-2014-2015-2016-2017-2018-2019-2020-2021-2022-2023-2024-2025-2026-2027-2028-2029-2030-2031-2032-2033-2034-2035-2036-2037-2038-2039-2040-2041-2042-2043-2044-2045-2046-2047-2048-2049-2050-2051-2052-2053-2054-2055-2056-2057-2058-2059-2060-2061-2062-2063-2064-2065-2066-2067-2068-2069-2070-2071-2072-2073-2074-2075-2076-2077-2078-2079-2080-2081-2082-2083-2084-2085-2086-2087-2088-2089-2090-2091-2092-2093-2094-2095-2096-2097-2098-2099-2100-2101-2102-2103-2104-2105-2106-2107-2108-2109-2110-2111-2112-2113-2114-2115-2116-2117-2118-2119-2120-2121-2122-2123-2124-2125-2126-2127-2128-2129-2130-2131-2132-2133-2134-2135-2136-2137-2138-2139-2140-2141-2142-2143-2144-2145-2146-2147-2148-2149-2150-2151-2152-2153-2154-2155-2156-2157-2158-2159-2160-2161-2162-2163-2164-2165-2166-2167-2168-2169-2170-2171-2172-2173-2174-2175-2176-2177-2178-2179-2180-2181-2182-2183-2184-2185-2186-2187-2188-2189-2190-2191-2192-2193-2194-2195-2196-2197-2198-2199-2200-2201-2202-2203-2204-2205-2206-2207-2208-2209-2210-2211-2212-2213-2214-2215-2216-2217-2218-2219-2220-2221-2222-2223-2224-2225-2226-2227-2228-2229-2230-2231-2232-2233-2234-2235-2236-2237-2238-2239-2240-2241-2242-2243-2244-2245-2246-2247-2248-2249-2250-2251-2252-2253-2254-2255-2256-2257-2258-2259-2260-2261-2262-2263-2264-2265-2266-2267-2268-2269-2270-2271-2272-2273-2274-2275-2276-2277-2278-2279-2280-2281-2282-2283-2284-2285-2286-2287-2288-2289-2290-2291-2292-2293-2294-2295-2296-2297-2298-2299-2300-2301-2302-2303-2304-2305-2306-2307-2308-2309-2310-2311-2312-2313-2314-2315-2316-2317-2318-2319-2320-2321-2322-2323-2324-2325-2326-2327-2328-2329-2330-2331-2332-2333-2334-2335-2336-2337-2338-2339-2340-2341-2342-2343-2344-2345-2346-2347-2348-2349-2350-2351-2352-2353-2354-2355-2356-2357-2358-2359-2360-2361-2362-2363-2364-2365-2366-2367-2368-2369-2370-2371-2372-2373-2374-2375-2376-2377-2378-2379-2380-2381-2382-2383-2384-2385-2386-2387-2388-2389-2390-2391-2392-2393-2394-2395-2396-2397-2398-2399-2400-2401-2402-2403-2404-2405-2406-2407-2408-2409-2410-2411-2412-2413-2414-2415-2416-2417-2418-2419-2420-2421-2422-2423-2424-2425-2426-2427-2428-2429-2430-2431-2432-2433-2434-2435-2436-2437-2438-2439-2440-2441-2442-2443-2444-2445-2446-2447-2448-2449-2450-2451-2452-2453-2454-2455-2456-2457-2458-2459-2460-2461-2462-2463-2464-2465-2466-2467-2468-2469-2470-2471-2472-2473-2474-2475-2476-2477-2478-2479-2480-2481-2482-2483-2484-2485-2486-2487-2488-2489-2490-2491-2492-2493-2494-2495-2496-2497-2498-2499-2500-2501-2502-2503-2504-2505-2506-2507-2508-2509-2510-2511-2512-2513-2514-2515-2516-2517-2518-2519-2520-2521-2522-2523-2524-2525-2526-2527-2528-2529-2530-2531-2532-2533-2534-2535-2536-2537-2538-2539-2540-2541-2542-2543-2544-2545-2546-2547-2548-2549-2550-2551-2552-2553-2554-2555-2556-2557-2558-2559-2560-2561-2562-2563-2564-2565-2566-2567-2568-2569-2570-2571-2572-2573-2574-2575-2576-2577-2578-2579-2580-2581-2582-2583-2584-2585-2586-2587-2588-2589-2590-2591-2592-2593-2594-2595-2596-2597-2598-2599-2600-2601-2602-2603-2604-2605-2606-2607-2608-2609-2610-2611-2612-2613-2614-2615-2616-2617-2618-2619-2620-2621-2622-2623-2624-2625-2626-2627-2628-2629-2630-2631-2632-2633-2634-2635-2636-2637-2638-2639-2640-2641-2642-2643-2644-2645-2646-2647-2648-2649-2650-2651-2652-2653-2654-2655-2656-2657-2658-2659-2660-2661-2662-2663-2664-2665-2666-2667-2668-2669-2670-2671-2672-2673-2674-2675-2676-2677-2678-2679-2680-2681-2682-2683-2684-2685-2686-2687-2688-2689-2690-2691-2692-2693-2694-2695-2696-2697-2698-2699-2700-2701-2702-2703-2704-2705-2706-2707-2708-2709-2710-2711-2712-2713-2714-2715-2716-2717-2718-2719-2720-2721-2722-2723-2724-2725-2726-2727-2728-2729-2730-2731-2732-2733-2734-2735-2736-2737-2738-2739-2740-2741-2742-2743-2744-2745-2746-2747-2748-2749-2750-2751-2752-2753-2754-2755-2756-2757-2758-2759-2760-2761-2762-2763-2764-2765-2766-2767-2768-2769-2770-2771-2772-2773-2774-2775-2776-2777-2778-2779-2780-2781-2782-2783-2784-2785-2786-2787-2788-2789-2790-2791-2792-2793-2794-2795-2796-2797-2798-2799-2800-2801-2802-2803-2804-2805-2806-2807-2808-2809-2810-2811-2812-2813-2814-2815-2816-2817-2818-2819-2820-2821-~~

a permit to appropriate for beneficial use .22 cubic feet of water per

second of time from the ground water through the

Well #6 _____, the point of diversion of which is to:

be located in the

SE4 SE4

of Section 25, Twp. 97N, Range 72W. Said water to be used for the purpose of providing ~~irrigation on the following described land~~ municipal supplies for the City of Burke

This application No. 1274-2 will be considered by the Water Rights
Commission at the North Lounge, Surbeck Center, S.D. School of Mines at
Rapid City, South Dakota.

upon the 24th day of July, 1975 at 2:30 P. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/bw
cc:

Richard N. Bailey, Superintendent of Utilities, Burke, S.D. 57523

No. 1274-2

Publish first publication, on or before

July 10, 1975

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

July 8, 1975Notice is hereby given that the City of Burke

~~whose post office address is~~, 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 .22 cubic feet of water per second of time from ~~the~~ ground water through ~~the~~ Well #5, the point of diversion of which is to be located in the _____

SE 1/4 SE 1/4

of Section 25, Twp. 97N, Range 72W. Said water to be used for the purpose of providing ~~irrigation on the following described land~~ municipal supplies for the City of Burke

This application No. 1274-2 will be considered by the Water Rights Commission at the North Lounge, Surbeck Center, S.D. School of Mines at Rapid City, South Dakota upon the 24th day of July, 1975 at 2:30 P. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/bw

cc:

Richard N. Bailey, Superintendent of Utilities, Burke, S.D. 57523

STATE OF SOUTH DAKOTA)
) ss.
County Gregory)

(Date Signed)

Water Rights Commission
by **Burton F. Jones**
July 9-16

Water Rights Program - File Documentation

NAME: City of Burke

DATE: 9-8-2000 COUNTY: Gregory

RE: Summary of City of Burke's water rights/permits

		Amount	Priority Date	
455-2	Well #2	0.33 cfs	August, 1936	
456-2	Well #1	0.26 cfs	August, 1952	Well #1 plugged, diversion rate and priority date transferred to 2065A-2
872-3	Well #4	0.26 cfs	April 30, 1969	
1274-3	*Well #5	0.22 cfs	July 7, 1974	see 2330-2
1660-2	Future Use	396 AF	February 2, 1977	
1661-2	Well #3	0.10 cfs	April 7, 1977	
	*Well #6	0.34 cfs	August 11, 1977	see 2330-2
2065A-2	**Well #7	0.16 cfs	December 21, 1988	see 2330-2
	Well #8	0.21 cfs		Reissued for: 0.21 cfs - August 1, 1952
2330-2	Well #5	0.22 cfs	July 7, 1974	*this permit transferred Wells # 5 & 6 from municipal use to irrigation for the golf course
	Well #6	0.14 cfs	August 11, 1977	
	Well #7			** transferred Well #7 for use at the golf course (see file doc for add'l diversion pt dated 8/11/00)

Karen Schlaak
Karen Schlaak
Environmental Scientist

1274-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 22 2004

2330-2

City of Burke
% Wade Broome Water Superintendent
PO Box 312
Burke SD 57523

Dear Mr. Broome:

Enclosed is Water License No. 2330-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 417128 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

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,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

NOTE: The applicable portions of No. 1274-2 and Well #6 from 1661-2 are incorporated into Water License No. 2330-2.

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2330-2

(1) City of Burke, PO Box 312, Burke SD 57523 made Application No. 2330-2, March 7, 1995 for a water permit to divert an additional 0.36 cubic feet of water per second (cfs) from groundwater (2 wells), Gregory County, South Dakota for irrigation purposes. Permit No. 2330-2, with priority dates of July 7, 1974 and August 11, 1977 was approved May 22, 1995 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before May 22, 2000 and for the application to beneficial use of said water on or before May 22, 2004.

The two wells were previously authorized for municipal use by Water Permit Nos. 1274-2 (Well #5) and 1661-2 (Well #6). The applicable portions of Nos. 1274-2 and Well #6 from 1661-2 are incorporated into Water Right No. 2330-2. Well #3, used for municipal purposes is licensed under No. 1661-2.

On August 10, 2000, the City submitted an Application for an additional point of diversion (Well #7). Pursuant to SDCL 46-5-13.1, the Chief Engineer made the finding that the additional diversion point did not increase the potential for interference with existing water rights.

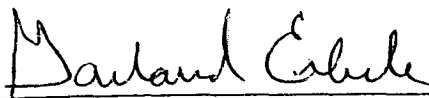
(2) It is certified that the permit holder has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.35 cubic feet of water per second for beneficial use. The location of the diversion points are: Well # 5 – 500 feet south and 1,270 feet east; Well # 6 – 600 feet south and 1,000 feet east and Well # 7 – 1,270 feet south and 1,270 feet east; all from the northwest corner of Section 36-T97N-R72W (NE ¼ NW ¼).

Water is diverted from the wells to a 4.9 acre-feet holding pond also located in the NE ¼ NW ¼ Section 36-T97N-R72W.

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

55 acre golf course located in the NW ¼ Section 36-T97N-R72W

(4) Pursuant to South Dakota Water Law 46-5-30.1 City of Burke, PO Box 312, Burke SD 57523 the holder and/or owner of Water Right No. 2330-2 is issued a license to appropriate water, the right to use 0.35 cubic feet of water per second from groundwater (3 wells) with priority dates of July 7, 1974 (0.22 cfs) and August 11, 1977 (0.13 cfs) from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Water Right No. 2330-2 and subject to South Dakota State Law.



GARLAND ERBELE, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

APR 22 2004

date

