

1. Considered JAN 30 19 80
2. Name of Applicant CITY OF BOY ELDER
3. Post Office Address Box 27
4. Amount of Water Claimed .356
5. Source of Water Supply 2580 2545' WELL - LAKOTA SANDSTONE
6. Water to be used for MUNICIPAL
7. Acres to be irrigated --- maximum acre feet ---
8. Water to be diverted and used in PENNINGTON County about IN CITY LIMITS miles --- of ---
9. PROOF OF PUBLICATION: Received (initials) 1-21-80

Not Received ---

APPLICATION

Approved 1-30-80

Subject to DW (initials) 1608-2

Not Approved ---

Action deferred ---

Priority 12-19-79 Date Received 12-19-79 Application Complete yes X no --- FEE N/A

Remarks ---

Date information and/or fee or corrected Application received ---
Period of Annual use CONTINUOUSLY

~~WATER QUALITY~~

Received yes --- no --- APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application yes --- no --- Remarks ---

Disapproved ---

Returned ---

Diversion Point ---

SE⁴ NW⁴ SEC. 17-2N-9E

		*			
		17			

Lands to be irrigated ---

WELL LOG

Remarks ---

Driller Gene Kamp GEORGE CAMP Licensed yes X no *

Depth 2545 ±

MAP

Map No. 1449-3 Map located In Water Right X Map file _____

Type of Map DRAWN - ENGR. Prepared by FRANCIS-MEADOR-GELUMUS, INC.

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REVIEWED

This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on 1-30-80

Devothine
(Signed)

+++++

PROTESTS

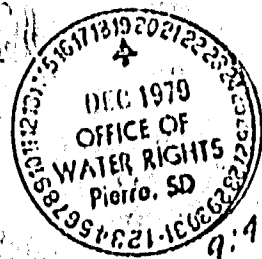
Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS
F.F. & C
OF LAW,
FINAL
DECISIONS
ETC.

Date _____
Final Decision, including F.F. & C of Law were adopted _____
Date _____
Final Decision mailed to parties and/or parties notified that Final Decision was adopted _____

Remarks _____

No. 1689-2



Map No. 1449-2 Water Division No. 2 RAPID CREEK District
Above for Office Use

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

Law 12 Vested Right _____ Future Use _____
Change in Diversion _____ Additional Diversion _____
Change in Acreage _____ Additional Acreage _____

1. Name of Applicant City of Box Elder Phone No. 923-1626
Post Office Address P.O. Box 27 Box Elder State South Dakota 577 19
(Street, Rte. or Box) (Town) (Zip Code)
If a corporation show date and place of incorporation _____

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

3. Name of diversion work Box Elder Well #3

4. Amount of water claimed (cubic feet per second) 0.356

5. Source of water supply Groundwater - Lakota Sandstone

6. Location of point of diversion 503.39', N 45°17' 21" W of the Center of Section 17, T2N,
R9E, BHM SE 1/4 NW 1/4 - 1/4 - 2N-9E

County Pennington

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

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

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 0 years. Additional time required to complete application of water to the proposed beneficial use 0 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Rapid City Journal

12. Principal Features of the Proposed Water Supply System.

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

Deep well into the Lakota Sandstone with submersible pump, well house, chlorination & fluoridation equipment.

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

Existing municipal water system.

C. Works proposed to apply water to beneficial use.

Existing municipal water system.

Estimated Total Cost \$ 158,297.50

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 Pennington)ss.
Lewis G. Klein

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

Lewis G. Klein

Subscribed and sworn to before me this 18th day of December, 1977

Esther M. Klein

Notary Public (or other qualified officer)

Finance Officer

WATER RIGHT APPLICATION APPROVAL

The Board of Water Management hereby approves Water Right Application No. 1689-2

CITY OF BOX ELDER Box 27 Box ELDER
(Applicant) (Post Office Address)
SOUTH DAKOTA 57719 With the following qualifications
(State)

The ~~water right~~ well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The ~~water right~~ well owner, under this Permit, shall control his ~~water right~~ withdrawals so there is not a reduction of needed water supplies in adequate domestic wells.

APPROVAL OF THIS PERMIT No. 1689-2 CANCELS PERMIT No. 1608-2.

Date of first receipt of application DECEMBER 19, 1979
Date of return to applicant for correction, amendments or changes required _____, 19____
Date of receipt of corrected application _____, 19____
Approved JANUARY 30, 1980 Record in Book 21 Page 126
WATER RIGHT PERMIT NO. 1689-2

The Board of Water Management hereby grants and issues this Water Right Permit No. 1689-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is DECEMBER 19, 1979
2. The equivalent of at least one-fifth of the work above specified is ~~to be~~ completed on or before _____, 19____
3. The whole of said work is ~~to be~~ completed on or before _____, 19____
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is COMPLETED, 19____
5. The water appropriated shall be used for the purpose of MUNICIPAL USE

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed .356 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 irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one sixteenth (1/16) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied~~

USED FOR MUNICIPAL PURPOSES

for irrigation on or before THIS DATE, 19____; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 4th day of FEBRUARY, 1980

THE BOARD OF WATER MANAGEMENT

By: John Hated
Chief Engineer, Water Rights

Certificate of Construction Issued MARCH 16, 1981

Water License Issued MARCH 16, 1981

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

D. Well Information

1000' of 12" &
1650' of 9 3/4" Depth 932' of 10" & 10" = 0.307"
(1) Drill Hole, Diameter 171 1/4' of 7" Thickness 7" = 0.275"
(2) Casing, Type Steel (wood, concrete, steel, etc.) Diameter 7" Casing Length 57' of Perforations
(3) Screen, Type Perforated Casing Diameter 7" Casing Length 57' of Perforations
(4) Gravel Pack, Thickness N/A Length of gravel pack

E. Dugout Information or Estimates

(1) Surface dimensions Depth

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

(1) Water Bearing Materials (Attach a copy of test well log)

Depth to top of water bearing material 2390'±
Depth to bottom of water bearing material 2545'±
Depth to water (ground surface to water level) 450'±

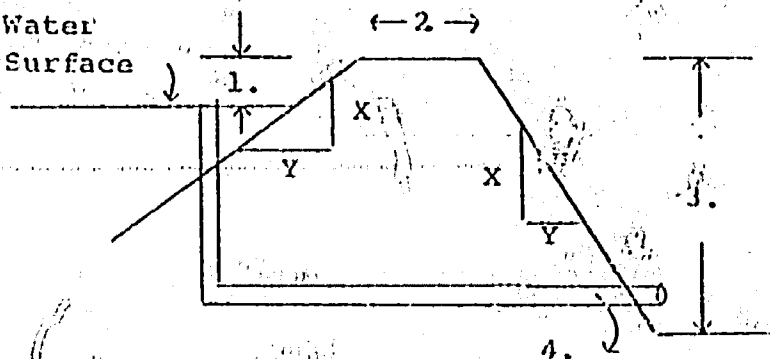
(2) Distance to nearest existing household or livestock watering well.

On same owner's property Unknown rds.
On property owned by others Unknown 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, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.

Normal
Water
Surface



1. Freeboard
2. Crest width
3. Height of Dam
4. Outlet dimensions:
 - Pipe diameter
 - Spillway width
 - X & Y slope:
 - Upstream
 - Downstream
 - Surface area of impoundment
 - Drainage area above dam

The 7" casing was perforated from a depth of 2396 to 2424 (25'), 2438 to 2444 (6'), 2454 to 2468 (14') and 2486 to 2495 (9'). Total length of perforation was 57'. The well was intended to go to the Madison Formation but had to be abandoned and completed in the Lakota Sandstone. A plug was set with the top of the plug @ 2600'±.

Lewis B. Klein
Signature of Applicant

Permit No. 1689-2

Water Diversion No. 2 Upper Cheyenne Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the City of Box Elder

_____ the holder S of
Permit No. 1689-2, issued upon Application No. 1689-2, bearing date of priority of December 19,
1979 authorizing the diversion of .356 cu. ft. per second of the waters of _____
groundwater (one well) County of Pennington, State of South Dakota at _____
a point 508.39 feet north 45° 17' 21" west of the center of Section 17,
T2N, R9E
_____, for municipal use

purposes, have complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use .41 cu. ft. per second of water.

Date March 16, 1981

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to the City of Box Elder, South Dakota

XX
the holder S and owner S of said permit No 1689-2 a water right, dating from December 19, 1979
to use of 356 cubic feet per second of the waters
of groundwater (one well)
in the County of Pennington and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinafter mentioned, to be diverted at a point 500.39 feet north 45° 17' 21" west of the
center of Section 17, T2N, R9E

and conducted to and ~~through~~ thru the City of Box Elder's distribution system

for the purpose of municipal use

Subject to any limitations listed in Water Right Permit No. 1689-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 16th day of March A. D.
Nineteen Hundred and Eighty-one

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

No. 1689-2

Publish first publication, or on or before January 11, 1980

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

December 27, 1979

Notice is hereby given that the City of Box Elder ~~XXXXXXXXXXXXXXX~~

XXXXXXXXXX _____, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use .356 cubic feet of water per second of time from ground water

(one well) through the Box Elder Well #3, the point ~~xxx~~ of diversion of which is ~~(one)~~ to be located in the SE 1/4 NW 1/4

of Section 17, Twp. 2N, Range 9E. Said water to be used for the purpose of providing ~~XXXXXXXXXXXXXXX~~:

water supplies for the City of Box Elder

This Application No. 1689-2 will be considered by the Water Management Board at
Meeting Room #1, Knisp Bldg.

Church & Illinois, Pierre, South Dakota upon the 30th day of January, 1980

at **10 A.M.** The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

WATER MANAGEMENT BOARD

BETTY WESTLUND
Water Rights Specialist

cc: City of Box Elder, SD 57719

Affidavit of Publication

STATE OF SOUTH DAKOTA

County of Pennington

ss.

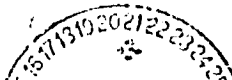
I, Jerry J. Shoener, being first duly sworn, upon his oath says: That he is now and was at all times hereinafter mentioned, an employee of the RAPID CITY JOURNAL COMPANY, a corporation, of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bonafide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said RAPID CITY JOURNAL, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said newspaper once each week for two successive weeks, the first publication thereof being on the ninth day of January, 1980, that the fees charged for the publication thereof are twenty-five Dollars and forty cents.

Jerry J. Shoener

Subscribed and sworn to before me this 16th day of

January, 1980.

Harold B. Stenberg
Notary Public.



JAN 9, 1980
NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER
No. 1689-2
Pierre, South Dakota 57501
December 27, 1979

Notice is hereby given that the City of Box Elder, South Dakota, has made an application in accordance with the provisions of SDCL 45-1-1 thru 45-1-9, 45-1-14, 45-2-1 thru 45-2-11, 45-2-13, 45-5-1 thru 45-5-8, 45-5-10 thru 45-5-22, 45-5-24, 45-6-1, 45-6-3, 45-6-5, 45-6-6, 45-6-7, 45-6-10, 45-6-14 and Board Rules ARSD 52-01:01 thru 52-01:01.13, for a permit to appropriate for beneficial use .350 cubic feet of water per second of time from ground water (one well) through the Box Elder Well No. 1, the point of diversion of which is to be located in the SE 1/4 of Section 17, Twp. 2N, Range 9E. Said water to be used for the purpose of providing water supplies for the City of Box Elder.

This Application No. 1689-2 will be considered by the Water Management Board at Meeting Room No. 1, Kneip Bldg., Church & Illinois, Pierre, South Dakota upon the 30th day of January, 1980 at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-24 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

WATER MANAGEMENT BOARD
BETTY WESTLUND
Water Rights Specialist

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7949

January 26 81

PIERRE, 19

RECEIVED OF City of Box Elder, P.O. Box 27, Box Elder SD 57719

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for Inspecting Construction, and Issuing Cert. of Construction No. 1689-2)	50	00
Fee for Inspecting Beneficial Use, and Issuing Water License No. 1690-2)		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By *(John Hatch)*
 Chief Engineer, Executive Officer
 JOHN HATCH kw

1689-2 City of Br. 223

11-16-50 Depth 2600 ft (Lith. section)

1857 pm. Nov.

40 H.P. Submersible

Location on map

Permit No. 1689-2Water Division 2 Rapid Creek Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by City of Box Elder
 of Box Elder, S. Dak. 57719 holder.
 of Permit No. 1689-2, bearing date of priority of December 19, 1977
 authorizing the diversion of .356 cu. ft. per second of the waters of Grand Water. Well
 for Municipal purposes, in Pennington County.

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

The Water Use System consists of,

A. Works used to divert the water:

40 H.P. Submersible Pump.
Pumping 185 gpm

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

Main line To Water Tower and Municipal Water
System

C. Works used to apply water to beneficial use.

Municipal use by Town of Box Elder

The system is in the following condition: Good

The point of diversion is located 508.39' N' 45° 17' 21" W of the Center of
Section 17, T2N R9E

The works are capable of diverting and conveying to the place of use .41cu. ft. per second of water which is to be used for Municipal Purposes

Water has been put to beneficial use to the maximum extent as follows:

comprising a total of _____ acres of land.

Well Depth 200 ft.License for .356 cfs

Date April 16, 1980
Leroy J. Menough
 (Signature)

