

1801-2

PARTIAL
VESTED RIGHT

1. Considered: April 7 JUNE 9, 1982 Water Right No. 1801-2
2. Name of Applicant BLACK HAWK WATER COMPANY INC.
3. Post Office Address Black Hawk, S.D.
4. Amount of Water Claimed .56 (.38 Additional) (- its original 0.18) 56' 18" new
maximum acre feet
5. Source of Water Supply 758' existing well and 700 ft. new well
6. Water to be used for MUN acres to be irrigated
7. County Meade about miles of City Limits
8. PROOF OF PUBLICATION: Received 5-14-82 Not Received
- APPLICATION: Approved 6/9/82 Subject to DW
- Not Approved Action Deferred

PRIORITY 1949
 18 cfs
 10-1-50
 18-1949
 18-2/25/82

Dated Received 2/25/82 Application complete-yes xx no Fee n/a

Remarks Well No. 2 being added to Permit No. 546-2 was purchased from Ole Prestjohn. Bringing this application into compliance with laws. Also Well No. 2 Pumping added to this.

Corrected Application Received Mod of Annual Use Continuously

WATER QUALITY N/A

Received N/A no APPROVED/CONDITIONAL (Circle one)

Well Description same as application-yes no Remarks

Disapproved Returned

		*	*		
7			8		

Diversion Point

NW 1/4 NW 1/4 Section 8-T2N-R7E §

Sub 1, SE 1/4 NE 1/4 Sec. 7-2N-7E

Land to be irrigated

WELL LOG

Driller Licensed - yes no

Depth

Remarks no log available, LeRoy Mernaugh has checked out this well

Pumps 90 GPM, depth 700 ft. est. 15 HP submersible pump

Letter of explanation of W/R is filed in 546-2

MAP Map No. 1545-2 Map located in Water Right X Map title _____
Type of Map city plat Prepared by Le Roy Mernaugh PE

+++++

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

2126102 4/22/82

Billy Westlund
(Signed)

+++++

PROTESTS Letters/Petitions in file - yes _____ no _____ Remarks _____

REMARKS Date _____
F.F. & C. Final Decision, including F.F. & C. of Law were adopted _____
OF LAW, Date _____
FINAL Final Decision mailed to parties and/or parties notified that Final Decision was
DECISIONS adopted _____
ETC. Remarks _____

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1801-2.

(1) WHEREAS, On the 25th day of February A. D. 19 82
Black Hawk Water Company, Inc.

made Water Right Application No. 1801-2 for a Partial Vested Right 0.56 cubic feet per second of the waters of groundwater (two wells)

County of Meade, State of South Dakota, for Municipal

purposes; and

(2) WHEREAS, On the 9th day of June A. D. 19 82
Partial Vested Right Permit No. 1801-2 with a date of priority of 0.18 cfs from January 1, 1949; 0.18 cfs from* October 1, 1950 & 0.18 cfs from February 25, 1982
 was issued to said applicant for the diversion of said water, and for the completion of construction of the water supply system therein described recognizing and for the application to beneficial use of said water on or before the

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 0.56 cubic feet per second of water for beneficial use and,

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

* The applicable portions of Permit No. 546-2 have
 been incorporated into this Water License No. 1801-2

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Black Hawk Water Company, Inc.

_____ of Black Hawk, South Dakota 57718
the holder s and owner s of said permit No. 1801-2 Partial Vested Right a water right, dating from Jan. 1, 1949; Oct. 1, 1950
and Feb. 25, 1982 to use of 0.56 cubic feet per second of the waters
of groundwater (two wells)

in the County of _____ and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at Well #1; 1440' S & 308' W of NE Corner Section 7 (AD)
& Well #2, old well- 1100' S & 260' E of NW Corner (BB) Section 8, Both in T2N-R7E

and conducted to and upon thru the distribution system of Black Hawk Water Company, Inc.

for the purpose of Municipal use

Subject to any limitations listed in Water Right Permit No. Partial Vested 1801-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 29th day of December A. D.
Eighty-Two
Nineteen Hundred and _____

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer **JOHN HATCH**

Portions of this Water License No. 1801-2
is based on a Vested Right Claim recorded
and filed by the Water Management Board



No. 1801-2
 Map No. 1545-2 Water Division No. 2 UPPER CHEYENNE District
 Above for Office Use 10/20/11

APPLICATION FOR PERMIT To Appropriately Use Water within the State of South Dakota

Check one of the following.

New ☒ PARTIAL Vested Right ☒ Future Use _____Change in Diversion _____ Additional Diversion ☒ _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Black Hawk Water Co. Inc. Phone No. _____Post Office Address Black Hawk, State South Dakota
(Street, RR, or Box) (Town) (Zip Code)If a corporation show date and place of incorporation: June 6, 1949, Black Hawk, SD2. Method of accomplishing work (contract, employment of others, or by direct labor) completed3. Name of diversion work Black Hawk Wells #1 and #24. Amount of water claimed (cubic feet per second) .56 (.38 additional)5. Source of water supply two wells6. Location of point of diversion Well #1 - 1440'S and 308'W of NE Cor. Sec. 7,
Well #2 (old well) - 1100'S and 260'E of the NW Cor. Sec. 8, All in T2N-R7ECounty Meade7. Annual period or periods during which water is to be used continuously8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) municipal9. For irrigation use, _____ Total number of acres to be irrigated ----

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

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

Attach sheet if more space is needed

10. Time required to complete construction of water supply system completed years. Additional time required to complete application of water to the proposed beneficial use _____ years.11. Choice of county newspaper for publication of Notice of Intent to Appropriately Use Water N/A - Meade County

12. Principal Features of the Proposed Water Supply System.

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

NOTE: Permit #546-2 and Well #2 for which a Vested Right application has been submitted.

B. Works proposed to transport water to place of use.
water mains to resident, business and industrial areasC. Works proposed to apply water to beneficial use.
Residents, business and industrial establishments

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)

County of Meade) ss.I, William R. Osprey President Black Hawk Water Co Inc
 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 William R. Osprey Pres.Subscribed and sworn to before me this 9th day of February, 1982George A. Williamson
 Notary Public (or other qualified officer.)

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. _____

1801-2

BLACK HAWK WATER COMPANY INC.

BLACK HAWK

SOUTH DAKOTA (Applicant) 57718

(Post Office Address)

With the following qualifications

PARTIAL (State)
"VESTED RIGHT" CLAIMED

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

Date of first receipt of application FEBRUARY 25, 1982
Date of return to applicant for correction, amendments or changes required _____, 19____
Date of receipt of corrected application _____, 19____
Approved JUNE 9, 1982, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. 1801-2

The Water Management Board hereby grants and issues this Water Right Permit No. 1801-2 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 0.18 CFS FROM 1949 : 0.18 CFS FROM OCTOBER 1, 1950 19 FEBRUARY 25, 1982
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 0.56 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-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 USED FOR MUNICIPAL USE for irrigation on or before THIS DATE, 19____; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 28th day of JUNE, 1982

THE WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer, Water Rights

Certificate of Construction Issued Dec 29, 1982

Water License Issued Dec 29, 1982

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

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

Name of Applicant (Same as Form 2) Black Hawk Water Co., Inc.Post Office Address Black Hawk, State South DakotaIf a Corporation show date and place of incorporation June 6, 1949 Black Hawk, SD

13. Notice of Appropriation (If available)

Date of Posting _____ Date of Recording _____

Recording Date _____

14. Date of start of construction of water supply system 6-194915. Date that water was first applied to beneficial use 6/194916. Name of owner of original water supply system Ole Prestjohn17. Amount of water originally applied to beneficial use ? c. f. s.

18. Present Use of Water

Amount of water now being used .20 c. f. s. Well #2Date that this amount of water was first used Now Used - ?

19. Chronological History of Water Use

Attach to this Form 28, any copies of notices, postings, filings, publications, affidavits, or other records that apply. You may also attach any written statement by you, or by others, that you deem pertinent.

STATE OF SOUTH DAKOTA)

County of Meade) ss.

I, William R Osgood President of Black Hawk Water Co Inc, the applicant, certify that I have read the foregoing and that the matters therein stated are true.

Signed William R Osgood Pres.Subscribed and sworn to before me this 9th day of February, 19 82

James A Williams
(Notary Public - or other qualified Officer)

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

Permit No. 1801-2

Water Division No. 2 Upper Cheyenne Water District

10120111

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Black Hawk Water Company Inc.

_____ the holder of
Permit No. 1801-2, issued upon Application No. 1801-2, bearing date of priority of October 1, 1950;
* January 1, 1959 & February 25, 1982 authorizing the diversion of 0.56 cu. ft. per second of the waters of _____
groundwater (two wells) County of Meade, State of South Dakota @ _____
Well #1; 1440' S & 308' W of NE Corner, Section 7 (AD) & Well #2, old well -
1100' S & 260' E of NW Corner (BB) Section 8, Both in T2N. R7E.
_____, for Municipal

_____ purposes, has 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 recognized in satisfactory
condition for diverting and conveying to the place of intended use 0.56 cu. ft. per second of water.

Date December 29, 1982

* Applicable portions of Permit No.
546-2 have been incorporated into
this Water License No. 1801-2

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

Permit No. 1801-2Water Division 2 Upper Cheyenne Water District
10120111REPORT 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 Black Hawk Water Co. Inc. of Black Hawk, S.D. holder 0.18 CFS From 1944; 0.18 CFS From October 1, 1980
of Permit No. 1801-2, bearing date of priority of 0.18 CFS From February 25, 1952
authorizing the diversion of 0.56 cu. ft. per second of the waters of Two Wells
for Municipal purposes, in Meade 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:

Well #1. Depth 758 ft. pump 30 H.P. Submersible, Pumping 160 gpm.
Well #2. Depth 700 ft. pump 15 H.P. Submersible, Pumping 90 gpm.

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

Main Lines in Town of Black Hawk.

C. Works used to apply water to beneficial use.

Residents, Business and Industrial Establishments.

The system is in the following condition: Good.

The point of diversion is located Well #1 = 1440' S and 308' W of NE Cor. Sec. 7,
Well #2. (old well) 1100' S and 260' E of NW Cor. Sec. 8, All in T2N R7E

The works are capable of diverting and conveying to the place of use 0.56cu. ft. per second of water which is to be used for Municipal

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

comprising a total of _____ acres of land.

License for 0.56 cfs.

Date September 2, 1980
Leroy J. Monaghan
(Signature)

No. 1801-2

Publish first publication, on or before May 12, 1982

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 27, 1982

Notice is hereby given Black Hawk Water Company whose post office

address is Black Hawk, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 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, 46-5-25, 46-5-41 (ground) 46-6-3 thru 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, ~~(future use) 46-5-30; (transfer lands) 46-5-22 thru 46-5-25 and Board Rules ARSD~~ 74:02:01:01 thru 74:02:01:15, ~~(future use) 74:02:01:16 thru 74:02:01:20 (10,000 AFA)~~ ~~74:02:07:01 thru 74:02:07:03~~, for a permit to appropriate for beneficial use 0.38 vested right partial vested right id 0.18 add'l cubic feet of water per second of time from groundwater (two existing wells)

through the Black Hawk #1 and #2, the point (s) of diversion which ~~is~~ (are) ~~to be~~ located in the Lot 1, SE1/4, Section 7 and NW1/4, Section 8,

Both in of Section, Twp. 2N, Range 7E. Said water to be used for purpose of providing irrigation on portions of the following described land:

water supplies for municipal use

This Application No. 1801-2 will be considered by the Water Management Board at Meeting Room #1, Kneip Bldg. Church & Illinois, Pierre SD upon the 9th day of June, 1982.

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 Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board

cc: applicant
WNR-806-2/82

BETTY WESTLUND, Water Rights Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss
County Meade)

I, Dorothy Allison hereby

certify that the annexed printed copy of Notice of intent to Appropriate

Water was taken from the Meade County Times-Tribune

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 Sturgis

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

May 5, 1982

May 12, 1982

Linda Adams
(Signature)

Bookkeeper
(Title)

5/12/82

(Date Signed)



Cost of Printing: 21.70

59 lines @20.44 per line first publication

59 lines @16.35 per line second publication

8 pt. type 13 pica column

**NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE
WATER**

Notice is hereby given Black Hawk Water Company whose post office address is Black Hawk, South Dakota, has made an application in accordance with the provisions of Chapter 49-1-1; 49-1-2; 49-1-3; 49-1-4; 49-1-5; 49-1-6; 49-1-7; 49-1-8; 49-1-9; 49-1-10; 49-1-11; 49-1-12; 49-1-13; 49-1-14; 49-1-15; 49-1-16; 49-1-17; 49-1-18; 49-1-19; 49-1-20; 49-1-21; 49-1-22; 49-1-23; 49-1-24; 49-1-25; 49-1-26; 49-1-27; 49-1-28; 49-1-29; 49-1-30; 49-1-31; 49-1-32; 49-1-33; 49-1-34; 49-1-35; 49-1-36; 49-1-37; 49-1-38; 49-1-39; 49-1-40; 49-1-41; 49-1-42; 49-1-43; 49-1-44; 49-1-45; 49-1-46; 49-1-47; 49-1-48; 49-1-49; 49-1-50; 49-1-51; 49-1-52; 49-1-53; 49-1-54; 49-1-55; 49-1-56; 49-1-57; 49-1-58; 49-1-59; 49-1-60; 49-1-61; 49-1-62; 49-1-63; 49-1-64; 49-1-65; 49-1-66; 49-1-67; 49-1-68; 49-1-69; 49-1-70; 49-1-71; 49-1-72; 49-1-73; 49-1-74; 49-1-75; 49-1-76; 49-1-77; 49-1-78; 49-1-79; 49-1-80; 49-1-81; 49-1-82; 49-1-83; 49-1-84; 49-1-85; 49-1-86; 49-1-87; 49-1-88; 49-1-89; 49-1-90; 49-1-91; 49-1-92; 49-1-93; 49-1-94; 49-1-95; 49-1-96; 49-1-97; 49-1-98; 49-1-99; 49-1-100; 49-1-101; 49-1-102; 49-1-103; 49-1-104; 49-1-105; 49-1-106; 49-1-107; 49-1-108; 49-1-109; 49-1-110; 49-1-111; 49-1-112; 49-1-113; 49-1-114; 49-1-115; 49-1-116; 49-1-117; 49-1-118; 49-1-119; 49-1-120; 49-1-121; 49-1-122; 49-1-123; 49-1-124; 49-1-125; 49-1-126; 49-1-127; 49-1-128; 49-1-129; 49-1-130; 49-1-131; 49-1-132; 49-1-133; 49-1-134; 49-1-135; 49-1-136; 49-1-137; 49-1-138; 49-1-139; 49-1-140; 49-1-141; 49-1-142; 49-1-143; 49-1-144; 49-1-145; 49-1-146; 49-1-147; 49-1-148; 49-1-149; 49-1-150; 49-1-151; 49-1-152; 49-1-153; 49-1-154; 49-1-155; 49-1-156; 49-1-157; 49-1-158; 49-1-159; 49-1-160; 49-1-161; 49-1-162; 49-1-163; 49-1-164; 49-1-165; 49-1-166; 49-1-167; 49-1-168; 49-1-169; 49-1-170; 49-1-171; 49-1-172; 49-1-173; 49-1-174; 49-1-175; 49-1-176; 49-1-177; 49-1-178; 49-1-179; 49-1-180; 49-1-181; 49-1-182; 49-1-183; 49-1-184; 49-1-185; 49-1-186; 49-1-187; 49-1-188; 49-1-189; 49-1-190; 49-1-191; 49-1-192; 49-1-193; 49-1-194; 49-1-195; 49-1-196; 49-1-197; 49-1-198; 49-1-199; 49-1-200; 49-1-201; 49-1-202; 49-1-203; 49-1-204; 49-1-205; 49-1-206; 49-1-207; 49-1-208; 49-1-209; 49-1-210; 49-1-211; 49-1-212; 49-1-213; 49-1-214; 49-1-215; 49-1-216; 49-1-217; 49-1-218; 49-1-219; 49-1-220; 49-1-221; 49-1-222; 49-1-223; 49-1-224; 49-1-225; 49-1-226; 49-1-227; 49-1-228; 49-1-229; 49-1-230; 49-1-231; 49-1-232; 49-1-233; 49-1-234; 49-1-235; 49-1-236; 49-1-237; 49-1-238; 49-1-239; 49-1-240; 49-1-241; 49-1-242; 49-1-243; 49-1-244; 49-1-245; 49-1-246; 49-1-247; 49-1-248; 49-1-249; 49-1-250; 49-1-251; 49-1-252; 49-1-253; 49-1-254; 49-1-255; 49-1-256; 49-1-257; 49-1-258; 49-1-259; 49-1-260; 49-1-261; 49-1-262; 49-1-263; 49-1-264; 49-1-265; 49-1-266; 49-1-267; 49-1-268; 49-1-269; 49-1-270; 49-1-271; 49-1-272; 49-1-273; 49-1-274; 49-1-275; 49-1-276; 49-1-277; 49-1-278; 49-1-279; 49-1-280; 49-1-281; 49-1-282; 49-1-283; 49-1-284; 49-1-285; 49-1-286; 49-1-287; 49-1-288; 49-1-289; 49-1-290; 49-1-291; 49-1-292; 49-1-293; 49-1-294; 49-1-295; 49-1-296; 49-1-297; 49-1-298; 49-1-299; 49-1-300; 49-1-301; 49-1-302; 49-1-303; 49-1-304; 49-1-305; 49-1-306; 49-1-307; 49-1-308; 49-1-309; 49-1-310; 49-1-311; 49-1-312; 49-1-313; 49-1-314; 49-1-315; 49-1-316; 49-1-317; 49-1-318; 49-1-319; 49-1-320; 49-1-321; 49-1-322; 49-1-323; 49-1-324; 49-1-325; 49-1-326; 49-1-327; 49-1-328; 49-1-329; 49-1-330; 49-1-331; 49-1-332; 49-1-333; 49-1-334; 49-1-335; 49-1-336; 49-1-337; 49-1-338; 49-1-339; 49-1-340; 49-1-341; 49-1-342; 49-1-343; 49-1-344; 49-1-345; 49-1-346; 49-1-347; 49-1-348; 49-1-349; 49-1-350; 49-1-351; 49-1-352; 49-1-353; 49-1-354; 49-1-355; 49-1-356; 49-1-357; 49-1-358; 49-1-359; 49-1-360; 49-1-361; 49-1-362; 49-1-363; 49-1-364; 49-1-365; 49-1-366; 49-1-367; 49-1-368; 49-1-369; 49-1-370; 49-1-371; 49-1-372; 49-1-373; 49-1-374; 49-1-375; 49-1-376; 49-1-377; 49-1-378; 49-1-379; 49-1-380; 49-1-381; 49-1-382; 49-1-383; 49-1-384; 49-1-385; 49-1-386; 49-1-387; 49-1-388; 49-1-389; 49-1-390; 49-1-391; 49-1-392; 49-1-393; 49-1-394; 49-1-395; 49-1-396; 49-1-397; 49-1-398; 49-1-399; 49-1-400; 49-1-401; 49-1-402; 49-1-403; 49-1-404; 49-1-405; 49-1-406; 49-1-407; 49-1-408; 49-1-409; 49-1-410; 49-1-411; 49-1-412; 49-1-413; 49-1-414; 49-1-415; 49-1-416; 49-1-417; 4

then SE 1/4, SW 1/4, NW 1/4, NE 1/4 Sec
44-4-8, T9S-R-1, R-2E, YB-11N, 60-1-1,
and Grand Rules AREA 7E, G-1-1, 60-1-1,
7D: 02:01:15, for a partial vested right
permit to appropriate for beneficial use
of 0.34 yealed right and 0.18 add'l cubic
feet of "water per second of time from
groundwater (two existing wells)
through the Black Hawk No. 1 and No.
2; the point(s) of diversion which (are)
located in the Lot 1, SE 1/4NE 1/4, Section
7 and HW4/NW4, Section 8, both
Twp. 2N, Range 7E. Said water to be
used for purpose of providing water
supply for municipal use.

This Application No. 1901-2 will be considered by the Water Management Board at Meeting Room No. 1, Kneib Bldg., Church & Illinois, Pierre, SD upon the 9th day of June, 1983 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 Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board
 (a) Betty Westlund
BETTY WESTLUND,
 Water Rights Specialist
 Publ May 5 & 12, 1992
 Times-Tribune

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 9061

PIERRE, December 9, 1962

RECEIVED OF Black Hawk Water Co., Inc., Box 515, Black Hawk, SD 57718
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. <u>1301-2</u>	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. <u>1901-2</u>		
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 Hated/ES
Chief Engineer, Executive Officer
JOHN HATED/ES

No. 1801-2

**South Dakota Department of
Water & Natural Resources**

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

December 29, 1982

Black Hawk Water Co., Inc.
Box 515
Black Hawk, South Dakota 57718

Gentlemen:

Enclosed herewith are, Water License No. 1801-2 and Certificate of Construction.

Water License No. 1801-2 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,

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosures

* The applicable portions of Permit No. 546-2 have been incorporated into this Water License No. 1801-2

WNR-817-7/79
Transmittal of Water License

546-2
4-3-80

Black Hawk Water Co.
Well #1.

Depth 758 ft.

Now Pumping 160 gpm.

30 H.P. Submersible Pump.

Same as old 546-2 permit location

Well #2

Purchased from Ole Presgobas: Old 2nd Well.

Depth est 700 ft.

15 H.P. Submersible

Pumping 90 gpm.

Well drilled in about 1949.

4-7-80

CALL FROM JOYCE WILLIAMSON
BLACK HAWK WATER CO.
787-5777

SHE CAN BE REACHED UNTIL 3:30PM
AT SCHOOL - 787-4655

THEY WANT TO INCREASE THE AMOUNT
OF WATER THEY PUMP FROM THE
WELL UNDER PERMIT NO 546-2

THEY ALSO HAVE A WELL THEY
PURCHASED FROM SOME ONE ELSE
THAT THEY USE - THOUGHT THEY
HAVE USED IT SINCE 1949. IF SO,
THEY QUALIFY FOR A VESTED RIGHT

FILE DOCUMENTATION

NAME: Black Hawk Water Company

No. 1801-2

ADDRESS: Box 515, Black Hawk SD 57718

SUBJECT: Correction of diversion rate

DATE: January 5, 1993

During drafting of the validation for No. 1801-2 it was found that an error in the diversion rate was made on the issued permit and water license. The diversion rate from well No. 2 is 0.20 cfs according to the Affidavit of Water Use and an inspection by Leroy Mernaugh. On the permit and water license the diversion rate was listed as 0.18 cfs. The error becomes apparent when all of the diversion rates on No. 1801-2 total to 0.54 cfs rather than the 0.56 cfs listed on the permit and license.

The advertisement for validation of the vested portion of No. 1801-2 was published correctly. The water license should be reissued to reflect the correct diversion rate of 0.20 cfs with a priority date of January 1, 1949.



Ron Duvall, Natural Resources Engineer

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1801-2

Date of Receipt of Claim February 25, 1982.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 1801-2 for Black Hawk Water Company, Inc., Box 515, Black Hawk, South Dakota 57718 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1801-2 appropriates 0.38 cubic feet per second of water from two wells located in the SE1/4 NE1/4 Section 7 and in the NW1/4 NW1/4 Section 8; all in T2N, R7E.

2. The appropriated water is used for supplying water for the community of Black Hawk and may not exceed the amount of water needed for beneficial use for municipal 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:
January 1, 1949 - 0.20 cfs
October 1, 1950 - 0.18 cfs

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.

QUALIFICATION

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

WATER MANAGEMENT BOARD

By: _____

J. J. [Signature]
Chief Engineer

SEP 20 1993

date

Division of Water Rights
Dept. of Environment and Natural Resources



1801-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

SEP 20 1993

Black Hawk Water Company Inc.
Box 515
Black Hawk SD 57718

Dear Sir:

Enclosed are Water License Nos. 1801A-2 and 1801B-2 for Black Hawk Water Company Inc.

No. 1801-2 was originally issued as a "partial vested right claim". On September 30, 1992, the Water Management Board validated the Vested Right portion of No. 1801-2. Partial Vested Right Water License No. 1801-2 is being divided and reissued and will separate the vested portion from the water right as follows:

Vested Water Right No. 1801A-2 - authorizing diversion of 0.38 cfs of water from two wells located in the SE 1/4 NE 1/4 Section 7 and the NW 1/4 NW 1/4 Section 8-T2N-R7E - Priority dates: January 1, 1949 (0.20 cfs) and October 1, 1950 (0.18 cfs)

Water Right No. 1801B-2 - authorizing diversion of 0.18 cfs of water from two wells (described above) - Priority date: February 25, 1982

As long as you use the water beneficially as stated in the licenses, you have a continuing right to the use of the water.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division
605 773-3352

enclosures

1881-2

Map 50 1545-2

Ampl. 1801-2

Co. Inc.

14401

Scale 1" = 200 ft

Wahl #1

TRACT.
C
25 acres

TRACT
B

10. 10. 10.
20. 5

22-11-11
J. L. VERNIER

L H 11/11/11
JE ROLLS
T-7-7

Line NW
Tract R
E. L. O. F. R. I. N.

4078

Mill St 00

Lot 6.

21

Lot

Map by J. J. Mena
Water Resource Engineer

Water Resources Engineer

~~1545.2~~

APPL # 1801-2

R.7 E

C. J. K. #2

Wahl #1

380

1100'—

260°

Called
L. 19
1912

Binge 84000
B631
page 33

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page 33

342. f.

1787

ET H
GRIN

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27	25	26	3
	17		

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10. 4. 11. 20. 21. 22.