

Considered: _____

WATER PERMIT NO. 2024-2

MAP No. Same

Name of Applicant Custer School District 16-1

Post Office Address 215 North 3rd Street, Custer, SD 57730

Amount of Water Claimed 0.02 Total Acres 1 1/2

Source of Water Supply groundwater (one well)

Water to be used for irrigation County Custer

About _____ miles of in city limits.

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received May 14, 1987 Fee \$50.00 Remarks _____

Sent for additional info -

Corrected Application Received May 27, 1987 Period of Annual Use May 1-Oct 31

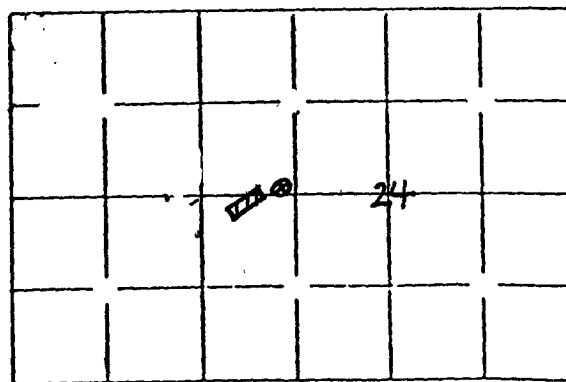
WATER QUALITY APPROVAL RECEIVED July 13, 1987 APPROVED CONDITIONAL (Circle one)

WI-1 Description same as Application YES X NO _____ REMARKS _____

Diversion Point SW 1/4 NW 1/4 Section 24, T3S - R4E

Land to be Irrigated SW 1/4 NW 1/4 & NW 1/4 SW 1/4

(Football field/complex) Section 24, T3S, R4E



Well Log: Driller Raby Drilling Licensed YES X NO _____

Depth of Well 140' REMARKS _____

Type of Map Plat PREPARED BY Frank A Bryant / P.E. Reviewed and the Number

assigned on July 14, 1987 By Genny McMath

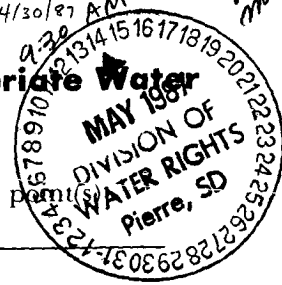
Mail to: Water Rights Div.
DWNR, Foss Bldg.
Pierre, SD 57501
(605) 773-3352
4/30/87 AM

2 app
fee
map

(See instructions)

No. 2024-2 Hydrologic Unit 10120109
Basin 2024-2 Upper Cheyenne
Newspaper Custer County Chronicle

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water



- Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
- ☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
- ☐ Add Acreage ☐ Increase diversion rate ☐ Other _____
1. Name of Applicant Custer School District 16-1 Phone No. 673-3154
- Post Office Address 215 North 3rd Street Custer State SD 57730
(Street, RR or Box) (City) Zip Code
2. Amount of water claimed 9.6 gpm ~~(cfs) 25 gal. per min.~~ Total acres irrigated 1 1/2
3. Source of Water supply well - monitor #3 at the ball shack
4. Location of point of diversion Please refer to enclosed copy of map:
S89° 45' W - 1280' to W 1/4 corner of sec 24, T3S, R4E
(30 feet east of ball shack) County Custer
5. Counties where water will be used Custer County
6. Annual period during which water is to be used May 1 - Oct. 31
7. 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.
Football Field/Complex	1 1/2
NW 1/4 SW 1/4 Section 24 T3S-R4E	1.4
SW 1/4 NW 1/4 Section 24 T3S-R4E	.1

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: _____ Other: _____ (Specify) _____
9. Crops to be Irrigated: _____
10. Give a description of proposed project. (Attach sheet if more space is needed)

The City of Custer recently drilled some test holes for a proposed well in the City of Custer. The City has given the School District well - monitor #3 at the ball shack for the purpose of irrigating the schools Football Field located at that sight. The Custer School District would like to begin irrigation as soon as possible.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of Custer)^{ss}

I, William Gaskins, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed William G. Gaskins

Subscribed and sworn to before me this 13 day of May 19 87

Rich H... Exp 1-8-93
Notary Public

IRRIGATION WATER PERMIT APPROVAL

The Water Management Board hereby approves Water Permit Application No. 2024-2
 to irrigate 1.5 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, T3S, R4E from one well
(legal description of land)
(Pre-Cambrian Rock Formation), 140 feet deep located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24, T3S, R4E
 _____ for
(diversion point, source, depth of well, etc.)

Custer School District No. 16-1

(Applicant)

215 North 3rd Street

(Street, RR or Box)

Custer, South Dakota 57730

(City)

(State)

(Zip Code)

With the following qualifications.

SEE ATTACHED SHEET

Date of first receipt of application May 14, 1987Date Soil/Water Compatibility Permit received July 13, 1987Date of return to applicant for correction, amendments or changes required May 20, 1987Date of receipt of corrected application May 27, 1987. Approved September 9, 1987

The Water Management Board approved this Water Permit No. 2024-2 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is May 14, 1987
2. One-fifth of the work is to be completed on or before March 9, 1990
3. The whole of said work is to be completed on or before September 9, 1992
4. The time limit for proof of beneficial use of water is September 9, 1996
5. 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 unlawfully impaired by this appropriation.
6. The amount of the appropriation herein granted shall not exceed 0.02 cubic feet per second; neither shall it exceed 2 acre feet per acre per year or 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 September 9, 1996. The water is to be used during the following described annual period: May 1 - October 31

WATER MANAGEMENT BOARD

By: John Hatch

Chief Engineer

JOHN HATCH

Division of Water Rights

Dept. of Water and Natural Resources

NOV 4 1987

Qualifications for Water Permit Application No. 2024-2

1. The well as constructed does not comply with State Well Construction Standards, Chapter 74:02:04. The well may not be used unless a minimum of 20 feet of casing is installed and pressure grouted with neat cement from the bottom of the casing to the ground surface or 20 feet of casing is grouted to the bottom of a pitless adapter or pitless unit, if used, pursuant to Section 74:02:04:32.
2. The well approved under this Permit will be 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 or in adequate wells having prior water rights.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 8 inch, 5 inch Depth 140 feet
- b) Casing Type plastic Diameter 6 inch Thickness _____
- c) Screen Type none Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) 33 feet
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____
 If Pipe, diameter _____

f) Secondary Spillway Capacity _____
 Spillway width _____

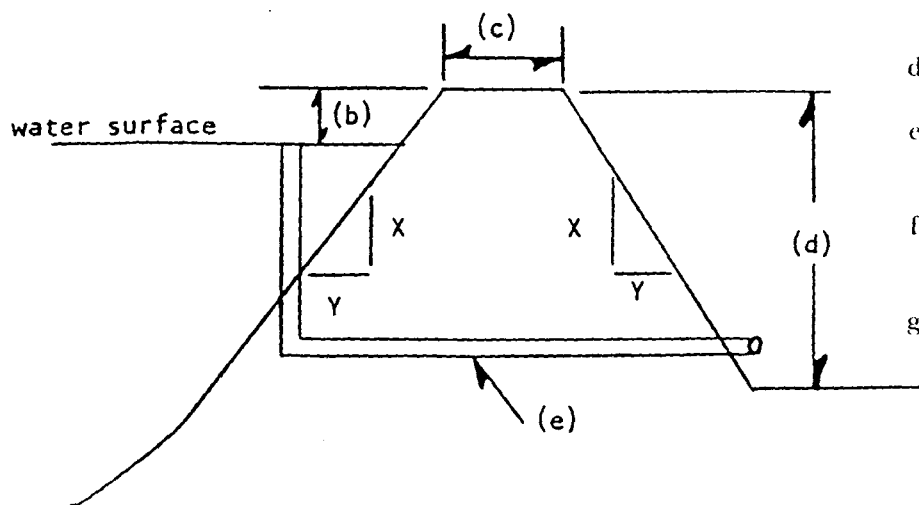
g) X & Y Slope
 Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

May 20, 1987

William Gaskins
Custer School District 16-1
215 N 3rd St
Custer SD 57730

Dear Mr. Gaskins:

This letter is in response to the water permit application received on May 14, 1987 for irrigation of the football field. The following information is needed to complete the application:

1. The application fee to appropriate 0.1 cfs or less is \$50.00 not \$150.00. Enclosed is the \$150.00 check. Please return the correct application fee of \$50.00.
2. The maximum amount of water that can be appropriated to irrigate 1.5 acres is 9.6 gpm pursuant to SDCL 46-5-6 (see enclosed copy). I will make the needed correction to the application with your written permission.
3. The enclosed map needs to include section lines and I believe the legal description from the well to the W 1/4 corner of Section 24 may be incorrect. Please have the map completed and make any needed corrections.

Please complete and return the enclosed map with the correct application fee. The permit application can not be processed until the application is complete. Contact us if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Ron Duvall".

RON DUVAL
Natural Resources Engineer

enclosures

cc: Jim Stukel, Division of Conservation ✓

CUSTER SCHOOL DISTRICT NO. 16-1

ADMINISTRATIVE OFFICES

215 NORTH 3rd STREET
CUSTER, SOUTH DAKOTA

WILLIAM G. GASKINS, Superintendent
Telephone 673-3154

57730

RICK R. HOHN, Business Manager
Telephone 673-3154

May 26, 1987

Ron Duvall, Natural Resources Engineer
Department of Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181



Mr. Ron Duvall:

Thank you for immediate response to the water permit application for irrigation of the football field located in Custer, South Dakota. The following are responses to the concerns you had with our application:

- (1) Please find enclosed a check for \$50.00 which should be the appropriate application fee.
- (2) You have the permission of the Custer School to change the gpm on the present application from 25 gpm to your suggested 9.6 gpm.
- (3) I have contacted Mr. Frank Bryant, Professional Land Surveyor, and he re-checked the W 1/4 corner of Section 24. Mr Bryant assured me that this well is properly located as stated on the map. (Please correct the typing errors on the application to: S89 45W - 1280' to W1/4 corner of sec. 24 T3S R4E)

Thank you for your immediate attention in this very important matter. Please let me know if you need any addition information or if I can help in any way.

Sincerely,

Rick Hohn, Business Manager
Custer School District 16-1

Enclosure:

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

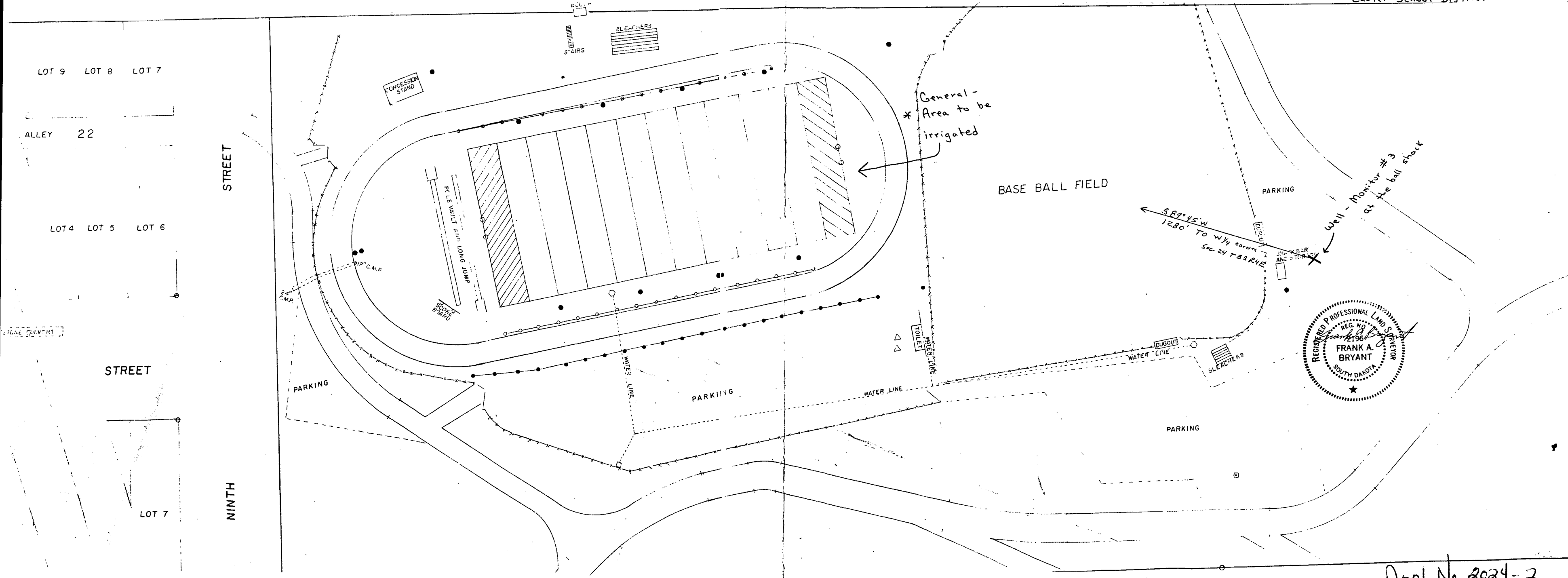
Pierre, May 27, 1987

RECEIVED OF Custer School District 16-1, 215 N 3rd St., Custer, SD 57730

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

Fee for Application for Permit No. <u>2024-2</u> to Appropriate Water, to construct works and to put water to beneficial use _____	50	00
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 _____		
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 



W 1/4 corner
sec 4

Custer

LOT 8 LOT 7

22

LOT 5 LOT 6

STREET

CONCESSION
STAND

BLEACHERS
STAIRS

* General -
Area to be
irrigated

BASE BALL FIELD

989°45'W
1280' TO W 1/4 corner
Sec 24 T53 R4E

PARKING

Well - Monitor

STREET

PARKING

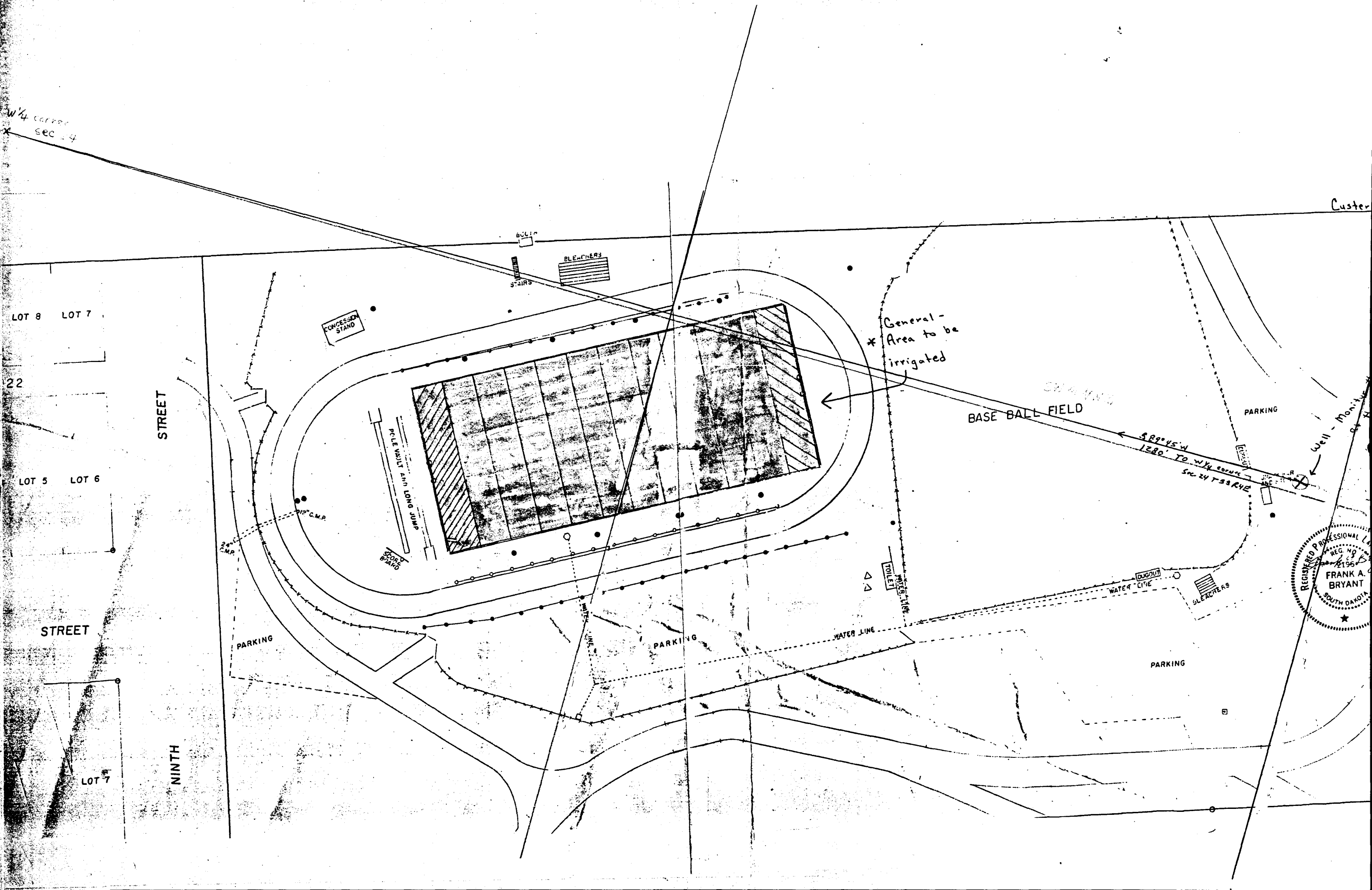
PARKING

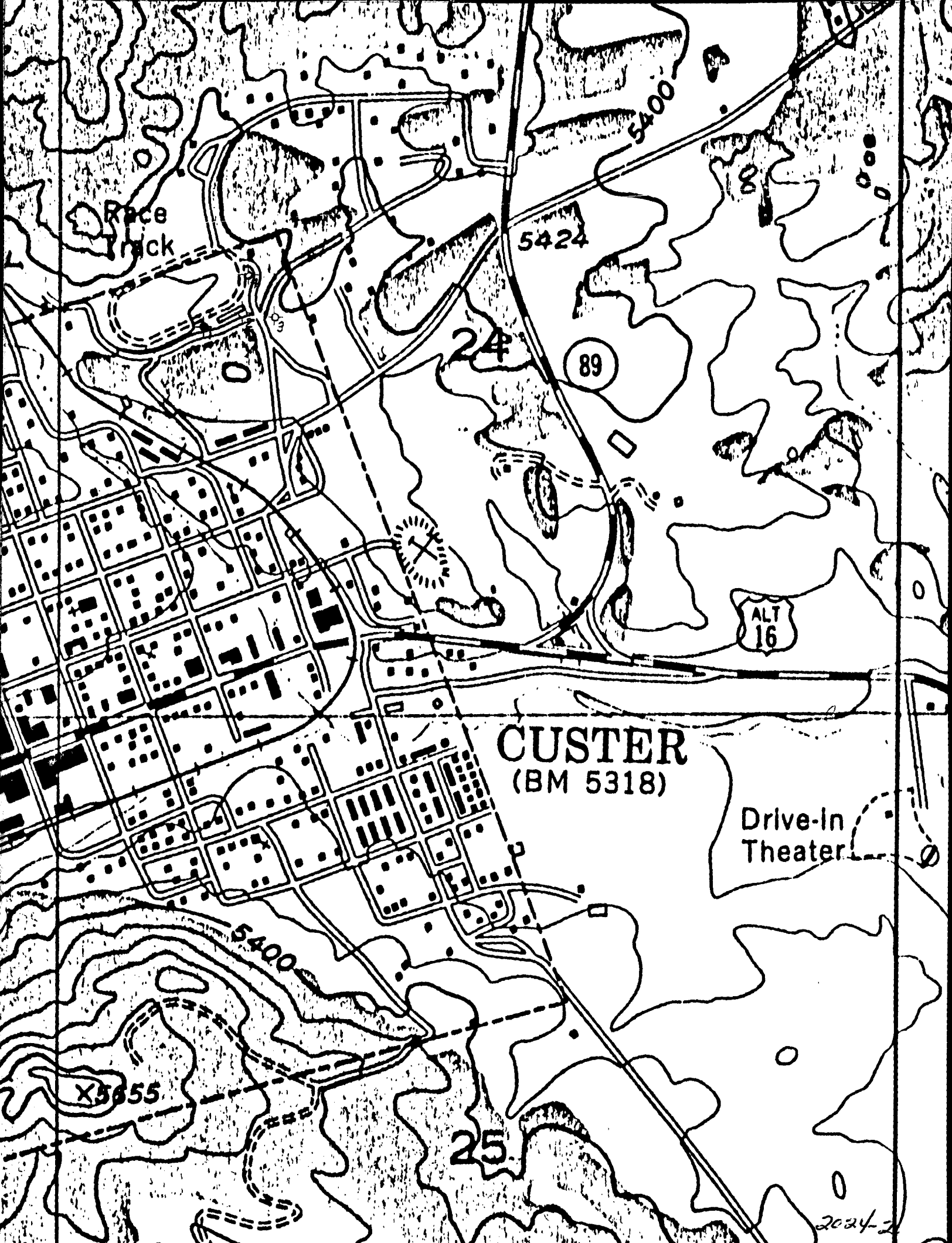
PARKING

LOT 7

NINTH

REGISTERED PROFESSIONAL L.S.
REG. NO. 2195
FRANK A. BRYANT
SOUTH DAKOTA





Race Track

5424

89

ALT
16

CUSTER
(BM 5318)

Drive-In
Theater

5400

X 55

25

2024-2

RABY DRILLING & EXPLORATION

P.O. BOX 301

EDGEMONT, SO.DAK. 57735

DRILLERS LOG ON MONITOR WELL # 2 NORTH EAST OF TEST WELL FOR CITY OF CUSTER,
S.D.

DRILLED 0 TO 10 FT. 8" HOLE, SET IN 10 FT. 6 INCH SEWER PIPE FURNISHED BY CITY
WATER DEPT. SURFACE CASEING NOT CEMENTED IN. DRILLED UNDER CASEING TO 140 FT.
TOTAL DEPTH, WITH 5" OM 7 NEW BUTTON BIT. WELL STARTED 10-29-86 AND COMPLETED
11-1-86.

(FORMATION LOG)

0 - 40 FT.	SHIST
40 - 45 FT.	SHIST WITH MICA, QUARTZ (1 GPM AT 44 FT. FIRST WATER)
45 - 55 FT.	GRANITE, MICA, QUARTZ
55 - 60 FT.	SHIST WITH MICA & QUARTZ LAYERS
60 - 65 FT.	SHIST WITH MICA & QUQRTZ (6 GPM FLOW MEASURED AT SURFACE)
65 - 70 FT.	SHIST WITH MICA & QUARTZ (12 GPM FLOW MEASURED AT SURFACE)
70 - 75 FT.	SHIST
75 - 80 FT.	MICA, QUARTZ, SPAR (WATER FLOW INCREASED TO
80 - 90 FT.	MICA, QUARTZ, GRANITE, SHIST (50 GPM THROUGH THIS AREA
90 - 95 FT.	SHIST
95 - 105 FT.	SHIST, QUARTZ, MICA (TAN) (100 GPM MEASURED)
105 - 120 FT.	SHIST, QUARTZ, MICA (TAN) (200 GPM MEASURED)
120 - 140 FT.	SHIST WITH THIN QUARTZ & MICA LAYERS

(INCREASES IN WATER OUTPUT OF HOLE ABOVE, IN THE FORMATION LOG.)

STATIC WATER LEVEL 33' 1"

SOUTH DAKOTA WATER WELL COMPLETION REPORT

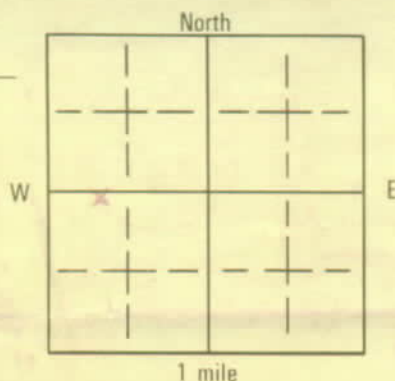
10-85

Location 1/4 SW 1/4 Sec 24 Twp 35 Rg 4E

County

CUSTER

Please mark well location with an "X"

Well Completion Date April 22-1988

PROPOSED USE:

- ☐ Domestic ☐ Municipal ☐ Test Holes
☒ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Rotary Air

CASING DATA:

- ☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT DIAMETER FROM TO HOLE DIAMETER

5.4700 LB/FT 6 IN 0 FT 23 FT 10" IN
____ LB/FT ____ IN ____ FT ____ FT ____ IN
____ LB/FT ____ IN ____ FT ____ FT ____ IN
____ LB/FT ____ IN ____ FT ____ FT ____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 22 ft FEETWhat is grouting material? Type II CementIf cement, number of sacks? 8Describe grouting procedure TremieingWhat was grout weight? 1 bag 9# 7 gal LB/GALSCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter ____ IN Length ____ FEET

Material _____

Slot Size ____ Set From ____ Feet To ____ Feet

Slot Size ____ Set From ____ Feet To ____ Feet

Slot Size ____ Set From ____ Feet To ____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☐ YES ☒ NO

Explain _____

Bacteriological analysis ☐ YES ☐ NO

Laboratory sent to _____

Well Owner: City of Custer to theName CUSTER PUBLIC SCHOOLS DIST 16-1Address 215 No 3rd Custer S.D. 57701

Well Log:

Depth

Formation

From

To

THIS WELL WAS
A STATE/CITY MONITOR
WELL DRILLED IN 1987
FOR THE CITY OF CUSTER
FORMATION LOG IS ON
FILE WITH THE STATE

STATIC WATER LEVEL 35 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other; specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☐ Pumped☒ BailedDescribe: Air Bailed in☐ Other

Pumping Level Below Land Surface

____ ft. After ____ Hrs. pumped ____ GPM

____ ft. After ____ Hrs. pumped ____ GPM

____ ft. After ____ Hrs. pumped ____ GPM

REMARKS:

SCHOOL DIST ASSUMED
MONITOR WELL #2 FOR USE AS
PLAYING FIELD WATER SUPPLY
FOR IRRIGATION OF GRASS ON
DUNE FIELDS. INSTALLED 22 FT
OF CASING & GROUTED. CLEANED
OUT WELL BORE TO 140 FT

This well was drilled under license # 415

And this report is true and accurate.

Drilling firm ROBY DRILLING & EXP

Signature of License Representative:

Quinn P. Roby

Signature of Well Owner:

Ed H. H. Bus. Mgr.Date 4-27-88

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation

Office Use Only

4210

WR#

OWNERS NAME: Custer School District 16-1 OWNERS ADDRESS: 215 North 3rd St.

COUNTY LAND LOCATED IN: Custer PHONE: 673-3154

LEGAL DESCRIPTION:

1. LOCATION 5 89 45 - 1280' to W1/2 corner Sec 24-T3S-R4 ☐ Well ☐ Surface

Depth: _____

Legal Description	Acres	Legal Description	Acres
Football Field Complex	11/2		

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: XX CENTER PIVOT: _____ GUN: _____ OTHER: (Specify) _____

3. CROPS TO BE IRRIGATED: Grass

WATER QUALITY:

4. WATER SAMPLE NUMBER: D166 7. ADJUSTED (SAR): _____
5. SALINITY (EC X 10⁶): 250 8. PERCENT SODIUM: 13.0
6. SODIUM (SAR): _____

Requirements:

The maximum allowable limits of salt and sodium buildup in the profile at the root zone (upper 12 inches of the soil profile) at the beginning of the growing season apply. They become applicable upon the issuing of a soil-water compatibility permit by the division or the commission.



Garth McPherson
Director, Division of Conservation

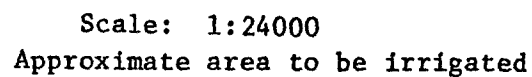
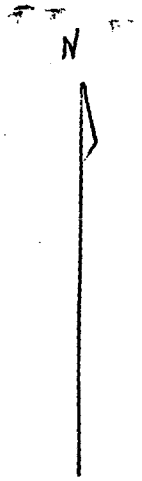
Date

7-9-87

XX APPROVED
____ DISAPPROVED
____ WAIVER

XX REQUIREMENTS

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.



55C Buska-Virkula loams 2-15% slope

The Buska soil occurs on the higher parts and edges of this mapping unit, white and virkula soil occurs on the concave sideslopes and swale positions.

The school playing field lies in the virkula portion of the soil mapping complex.

See attached Soil Interpretation Record for a description of the soil properties.

~~WIRKULA SERIES~~

THE VIRKULA SERIES CONSISTS OF DEEP, WELL-DRAINED SOILS FORMED IN A SILTY MANTLE OVERLYING IGNEOUS OR METAMORPHIC ROCKS ON MOUNTAINS. THE SURFACE LAYER IS GRAYISH BROWN SILTY LOAM 1 INCH THICK. THE SUBSURFACE LAYER IS VERY PALE BROWN SILTY LOAM 11 INCHES THICK. SUBSOIL IS SILTY CLAY LOAM AND SILT LOAM IN THE UPPER 3 INCHES, BROWN SILTY CLAY LOAM IN MIDDLE 14 INCHES, AND PALE BROWN CLAY LOAM IN THE LOWER 7 INCHES. THE SUBSTRATUM IS GRAVELLY CLAY LOAM. SLOPES RANGE FROM 2 TO 35 PERCENT. WOODLAND IS THE MAIN USE.

ESTIMATED SOIL PROPERTIES														
DEPTH (IN.)	USDA TEXTURE	UNIFIED	AASHTO	PERCENT OF MATERIAL LESS THAN 3" PASSING SIEVE NO.					LIQUID LIMIT	PLASTICITY INDEX				
0-12" SIL		CL-ML, CL	A-4, A-6	0	190-100	75-100	60-100	55-95	25-40	5-15				
0-12" IL		ML, CL	A-4, A-6	0	190-100	75-100	60-95	50-85	30-40	5-15				
12-29" CL, SIL		CL, CH, ML, CH	A-7, A-6	0-5	190-100	85-100	85-100	90-95	35-55	11-25				
29-36" CL, GR-CL, L		CL	A-6, A-7, A-4	0-5	190-100	70-95	65-95	60-95	30-50	8-25				
36-60" GR-CL, GRV-CL, CL		CL, SC	A-6, A-7, A-2, A-4	0-15	190-100	40-85	35-75	25-60	30-50	8-25				
DEPTH (IN.)	CLAY MOISTURE DENSITY (G/CM3)	PERMEABILITY (IN/HR)	AVAILABLE WATER CAPACITY (IN/IN)	SOIL REACTION (PH)	SALINITY (MMHOS/CM)	SHRINKAGE POTENTIAL (%)	EROSION FACTOR	WIND EROSION GROUP	ORGANIC MATTER (%)	CORROSIVITY				
0-12" IL	1.10-1.25	0.6-2.0	0.17-0.20	5.1-6.5	<2	LOW	1.37	5	6	2-4				
0-12" IL	1.20-1.30	0.6-2.0	0.16-0.18	5.1-6.5	<2	LOW	1.37	5	6	2-4				
12-29" CL	1.20-1.40	0.2-0.6	0.12-0.17	5.1-6.5	<2	MODERATE	1.37							
29-36" CL	1.25-1.45	0.2-2.0	0.11-0.17	5.1-6.5	<2	MODERATE	1.37							
36-60" GR-CL	1.30-1.50	0.2-2.0	0.10-0.15	5.6-7.3	<2	MODERATE	1.37							
FLOODING			HIGH WATER TABLE	CEMENTED PAN	BEDROCK	SUBSIDENCE	HYDROPHOBICITY	FROST ACTION						
FREQUENCY	DURATION	MONTHS	DEPTH (FT)	DEPTH (IN)	DEPTH (IN)	DEPTH (IN)	INITIAL	TOTAL	GROUP	ACTION				
NONE			>6.0		-	>60				MODERATE				
SANITARY FACILITIES														
SEPTIC TANK	2-15%: SEVERE-PERCS SLOWLY					CONSTRUCTION MATERIAL								
ABSORPTION FIELDS	15%: SEVERE-PERCS SLOWLY, SLOPE				ROADFILL	2-15%: FAIR-SHRINK-SWELL								
						15-25%: FAIR-SHRINK-SWELL, SLOPE								
						25%: POOR-SLOPE								
SEWAGE LAGOON AREAS	2-7%: MODERATE-SLOPE					IMPROBABLE-EXCESS FINES								
	7%: SEVERE-SLOPE				SAND									
SANITARY LANDFILL (TRENCH)	2-8%: MODERATE-TOO CLAYEY					IMPROBABLE-EXCESS FINES								
	8-15%: MODERATE-SLOPE, TOO CLAYEY				GRAVEL									
	15%: SEVERE-SLOPE													
SANITARY LANDFILL (AREA)	2-8%: SLIGHT					2-15%: POOR-SMALL STONES, AREA RECLAIM								
	8-15%: MODERATE-SLOPE				TOPSOIL	15%: POOR-SMALL STONES, AREA RECLAIM, SLOPE								
	15%: SEVERE-SLOPE													
DAILY COVER FOR LANDFILL	2-15%: POOR-SMALL STONES					WATER MANAGEMENT								
	15%: POOR-SMALL STONES, SLOPE				POND RESERVOIR AREA	2-3%: MODERATE-SEEPAGE								
						3-8%: MODERATE-SEEPAGE, SLOPE								
						8%: SEVERE-SLOPE								
BUILDING SITE DEVELOPMENT														
SHALLOW EXCAVATIONS	2-8%: SLIGHT					MODERATE-PIPING								
	8-15%: MODERATE-SLOPE				EMBANKMENTS									
	15%: SEVERE-SLOPE				DIKES AND LEVEES									
DWELLINGS WITHOUT BASEMENTS	2-8%: MODERATE-SHRINK-SWELL					SEVERE-NO WATER								
	8-15%: MODERATE-SHRINK-SWELL, SLOPE				EXCAVATED PONDS									
	15%: SEVERE-SLOPE				AQUIFER FED									
DWELLINGS WITH BASEMENTS	2-8%: MODERATE-SHRINK-SWELL					DEEP TO WATER								
	8-15%: MODERATE-SLOPE, SHRINK-SWELL				DRAINAGE									
	15%: SEVERE-SLOPE													
SMALL COMMERCIAL BUILDINGS	2-8%: MODERATE-SHRINK-SWELL					2-3%: ERODES EASILY								
	4-8%: MODERATE-SHRINK-SWELL, SLOPE				IRRIGATION	3%: SLOPE, ERODES EASILY								
	8%: SEVERE-SLOPE													
LOCAL ROADS AND STREETS	2-15%: SEVERE-LOW STRENGTH					2-8%: ERODES EASILY								
	15%: SEVERE-LOW STRENGTH, SLOPE				TERRACES AND DIVERSIONS	8%: SLOPE, ERODES EASILY								
LAWNS, LANDSCAPING AND GOLF FAIRWAYS	2-8%: SLIGHT					2-8%: ERODES EASILY								
	8-15%: MODERATE-SLOPE				GRASSED WATERWAYS	8%: SLOPE, ERODES EASILY								
	15%: SEVERE-SLOPE													
REGIONAL INTERPRETATIONS														
PASTURE	GROUP NS (NOT SUITED), SD													

RECREATIONAL DEVELOPMENT

RECREATIONAL DEVELOPMENT			
CAMP AREAS	2-8%: SLIGHT		2-6%: MODERATE-SLOPE, SMALL STONES
	8-15%: MODERATE-SLOPE		6+%: SEVERE-SLOPE
	15+%: SEVERE-SLOPE	PLAYGROUNDS	
PICNIC AREAS	2-8%: SLIGHT		2-8%: SLIGHT
	8-15%: MODERATE-SLOPE	PATHS	8-25%: SEVERE-ERODES EASILY
	15+%: SEVERE-SLOPE	AND	25+%: SEVERE-SLOPE, ERODES EASILY
		TRAILS	

CAPABILITY AND YIELDS PER ACRE OF CROPS AND PASTURE (HIGH LEVEL MANAGEMENT)

[illegible]

WOODLAND SUITABILITY

[illegible]

WINDBREAKS (A)

[illegible]

WILDLIFE HABITAT SUITABILITY

[illegible]

POTENTIAL NATIVE PLANT COMMUNITY (RANGELAND OR FOREST UNDERSTORY VEGETATION) (B)

COMMON PLANT NAME	PLANT	PERCENTAGE COMPOSITION (DRY WEIGHT) BY CLASS DETERMINING PHASE		
	S Y M B O L	S P A R C A N O P Y	M E D C A N O P Y	D E N S E C A N O P Y
	(NLSPN)			
PRAIRIE DROPSEED	SPHE	15	10	-
WESTERN WHEATGRASS	AGSM	10	5	-
BEARDED WHEATGRASS	AGSU	5	3	-
LITTLE BLUESTEM	ANSC2	10	5	-
FOATGRASS	DANTH	3	3	-
NEEDLEGRASS	STIPA	10	5	-
PRAIRIE JUNEGRASS	KOCR	2	2	-
SEGE	CAREX	5	10	15
VETCH	VICIA	5	3	-
SCURFPEA	PSORA	5	-	-
YARROW	ACHIL	5	2	-
SNOWBERRY	SYMPH	5	3	-
LEADPLANT	AMCA6	5	5	3
BEARBERRY	ARUV	5	10	10
OTHER SHRUBS	SSSS	5	10	5
POTENTIAL PRODUCTION (LBS./AC. DRY WT.):				
FAVORABLE YEARS		2200	1100	550
NORMAL YEARS		1800	900	400
UNFAVORABLE YEARS		1200	600	200

FOOTNOTES

A WINDBREAK GROUP 10.

B SILTY FOOTSLOPES GRAZABLE WOODLAND GROUP, SPAR CANOPY: 0-25%, MED CANOPY: 25-50%; DENSE CANOPY:>50%.

Travis Laboratories

COAL — ORES — ENVIRONMENTAL WATERS — FEEDS — SOILS

School

1854 Lombardy Dr.
Rapid City, South Dakota 57701

JAMES H. TRAVIS
Laboratory Director

Water Supply: Custer Potable Water Well
City, County: Pitot Hole
Source Sampled: Well# #10 Depth _____
Date drilled _____ Other _____
Type of Sample: Raw _____ Treated _____ Composite _____
Treatment Process(s): _____

Date Collected: 3-12-86
Collected By: Mike Strub
Report Mailed To: Dallas Wassonburg
Alliance of Architects & ERS
722 Main
Rapid City, SD 57701
Lat: _____ Long: _____
Comments: _____

Received By Lab: 97 3-13-86

Report Sent By Lab: _____

Parameter	Maximum Limit	Results	Parameter	Suggested Limit	Results
Arsenic (As)	50 ug/l		Chloride (Cl)	250 mg/l	8
Barium (Ba)	1000 ug/l		Iron (Fe) (<u>Dissolved</u>)	0.3 mg/l	8.25
Cadmium (Cd)	10 ug/l		Manganese (Mn) (<u>Dissolved</u>)	0.05 mg/l	.20
Chromium (Cr)	50 ug/l		Sulfate (SO ₄)	250 mg/l	80
Lead (Pb)	50 ug/l		Tot. Diss. Solids (TDS)	500 mg/l	175
Mercury (Hg)	2 ug/l		pH	6.5-8.5	6.93
Nitrate (NO ₃) (as N)	10 mg/l	.210	Alkalinity-M (CaCO ₃)	mg/l	130
Selenium (Se)	10 ug/l		Alkalinity-P (CaCO ₃)	mg/l	0
Silver (Ag)	50 ug/l		Bicarbonate (HCO ₃)	mg/l	159
Fluoride (F)	2.4 mg/l	.41	Carbonate (CO ₃)	mg/l	0
Gross alpha	15 pCi/l		Spec. Cond. @ °C	umhos/cm	250
Gross radium	pCi/l		Calcium (Ca)	mg/l	123
Radium 226	5 pCi/l		Magnesium (Mg)	mg/l	29
OTHER PARAMETERS			Hardness (CaCO ₃) gpg: <u>8.8</u>	mg/l	150
			Langelier Index		-1.63
			Sodium (Na)	mg/l	13
			Potassium (K)	mg/l	19
			Field temperature	°F	°C
			Nitrite (NO ₂) (as N)	mg/l	
LAB COMMENTS:			mg/l = milligrams/liter = parts/million (ppm)		
			ug/l = micrograms/liter = parts/billion (ppb)		
			gpg = grains per gallon		
			pCi/l = picocuries per liter		
Percentage of Error:			LAB NUMBER: <u>D166</u>		
WNR - 606R - 6/82					

REPORT ON PERMIT APPLICATION NO. 2024-2
CUSTER SCHOOL DISTRICT 16-1
July 14, 1987

Application No. 2024-2 proposes to appropriate 0.02 cubic feet of water per second from one well 140 feet deep. The well is located in the SW 1/4 NW 1/4 Section 24, T3S, R4E and is to be used to irrigate 1 1/2 acres (football field complex) in the SW 1/4 NW 1/4, NW 1/4 SW 1/4, Section 24, T3S, R4E.

Aquifer: Pre-Cambrian Rock

Geology and Aquifer Characteristics

The Pre-cambrian complex in this area consists of thin bedded quartz-mica-schists and pegmatite, which is an exceptionally coarse-grained igneous rock. Groundwater is derived from voids in the Pre-cambrian rock which occur either as small intergranular openings (primary porosity); or bedding planes, joints, and fractures (secondary porosity). The total porosity of the Pre-cambrian rock in this area is estimated to be 3% and the effective porosity, generally in the form of secondary porosity, is estimated to be 1% (Rahn, 1979). Water in the Pre-cambrian rock is under water table conditions.

There are no recharge estimates available for the Pre-cambrian rock in this area. Recharge occurs through direct infiltration of precipitation via fractures and fissures, and possibly through streamflow from French Creek and its tributaries.

A 72 hour pump test was conducted by the City of Custer on a well located 312 feet south west of this well, and the aquifer characteristics were delineated for the Pre-cambrian rock in this area. Transmissivity values obtained from the recovery portion of the test range from 16,950 gpd/ft to 48,888 gpd/ft, and storage coefficient values for the aquifer range from 3.95×10^{-5} to 6.8×10^{-8} . The specific capacity of the city's well ranged from 7.6 gpm/ft at 81.1 gpm to 3.36 gpm/ft at 400 gpm. The pump test also identified an instantaneous response to pumping regardless of well depth, and identified that the aquifer is being recharged.

Based on the aquifer characteristics delineated from the city of Custer's pump test, drawdown resulting from continuous pumping at 9.6 gpm, is estimated to be less than 3 feet, 100 feet from the well.

The driller's log provided with this application indicates the well has 10 feet of 6-inch diameter surface casing set, but not cemented in place.

Review of Existing Water Rights

The Division of Water Rights has record of several domestic wells in the area. There are 9 existing water permits within two miles of the proposed diversion point for Application No. 2024-2. They include:

Permit No.	Owner	Source	Amount of Water Claimed
257-2	City of Custer	French Cr.	0.23 cfs
298-2	City of Custer	French Cr.	30 ac/ft storage/yr
470-2	City of Custer	200' well	0.10 cfs
1786-2	Lee Wagner	French Cr.	1.00 cfs
1924-2	City of Custer	150' well	0.10 cfs
1937-2	Gray Rocks Resort	2 wells (100', 160')	0.05 cfs
1938-2	Gerald Dennis	110' well	0.17 cfs
1948-2	Needles View Supper Club	95' well	0.10 cfs
1963-2*	City of Custer	480' well	1.11 cfs

* There was considerable controversy over Water Permit No. 1963-2.

Most of the wells in this area are 10-494 feet deep, completed open hole with surface casing placed at a shallow depth.

Conclusions

1. The Pre-cambrian rock in this area is a viable source of groundwater in this area.
2. Groundwater flow through the Pre-cambrian rock is along joints, fractures, and down dip bedding planes.
3. Recharge to the Pre-cambrian rock, which is through direct infiltration of precipitation and streamflow from French Creek, has not been quantified.
4. There are several existing water rights and numerous domestic wells in this area.
5. This proposed appropriation should not adversely effect existing water rights.
6. There is a history of controversy over water rights in this area.
7. The well, in it's present condition does not meeting the State Well Construction Standards, and must be brought into compliance with State Well Construction Standards or plugged.



KENT BUHLER
Natural Resources Engineer

References

- Rahn, P.H., 1979, Groundwater Resources of Western South Dakota, U.S. Army Corps of Engineers, SDSM & T, Project No. 2533, Rapid City SD.
- Water Rights Division, 1986, "Water Permit and Domestic Well Log Files", SWNR, Water Rights Division, Joe Foss Bldg, Pierre SD.

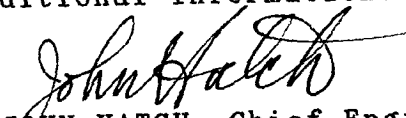
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2024-2

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 2024-2, Custer School District 16-1, 215 North 3rd St, Custer SD.

The Chief Engineer is recommending APPROVAL of Application No. 2024-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The well as constructed does not comply with State Well Construction Standards, Chapter 74:02:04. The well may not be used unless a minimum of 20 feet of casing is installed and pressure grouted with neat cement from the bottom of the casing to the ground surface or 20 feet of casing is grouted to the bottom of a pitless adapter or pitless unit, if used, pursuant to Section 74:02:04:32.
2. The wells approved under this Permit will be 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 or in adequate wells having prior water rights.
3. This permit is approved subject to the irrigation water use questionnaire being submitted each year.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
July 20, 1987



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Water Rights Division
(605) 773-3352

August 3, 1987

NOTE:

TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT THE
NEWSPAPER RIGHT AWAY.

Custer School District 16-1
215 N. Third Street
Custer, South Dakota 57730

Dear Sir:

Your Application No. 2024-2 for a permit to appropriate water for

irrigation use, has been examined and found to
comply with the South Dakota Water Laws and applicable rules. A notice of
your intent to appropriate water has been sent to the Publisher of the

Custer County Chronicle printed at Custer

South Dakota. For your information, a copy of this notice, the recommendation
of the Chief Engineer and a report on the application are enclosed. Please
review this notice prior to publication and notify this office, if you have
any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION
OF YOUR NOTICE OF INTENT TO APPROPRIATE WATER AND TO ARRANGE FOR PAYMENT.
Early contact with the paper can eliminate delays. The publisher has been
instructed to publish your notice once each week for two consecutive weeks
with the last publication to occur at least twenty days before the board
meeting. We must receive Proof of Publication before the application can be
considered by the Water Management Board.

Sincerely,

RON DUVAL
Natural Resources Engineer

enclosures



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

August 3, 1987
Custer County Chronicle
Box 551
Custer, South Dakota 57730

Dear Sir:

Enclosed is a Notice of Hearing to Application No. 2024-3. Please publish this notice once each week for two consecutive weeks in your paper. The first publication should be on or before August 12, 1987.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Custer School District 16-1, 215 N. Third St., Custer, SD 57730.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made before in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE
No. _____

TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

No. 2024-2

Instruction to Newspaper - Publish first publication of the following Notice on or before August 12, 1987 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2024-2 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that Custer School District 16-1 whose mailing address is
215 North 3rd St., Custer, South Dakota has made an application for a permit

to appropriate 0.02 cubic feet of water per second from one well (Pre-Cambrian Rock Formation) 140 feet deep. The well is located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24, T3S-R4E and is to be used to irrigate 1 1/2 acres (football field complex) in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 24, T3S-R4E

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends

APPROVAL of Application No. 2024-2 with qualifications because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, September 9, 19 87 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by August 28, 1987. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2 46-5-30.4, 46-5-31; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~ 46-5-38 thru 46-5-40; ~~(transfer lands)~~ 46-5-30.4, 46-5-33 thru 46-5-35; ~~(10,000 AFA)~~ 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, ~~(future use)~~ 74:02:01:24 thru 74:02:01:25; ~~(10,000 AFA)~~ 74:02:01:15.02 thru 74:02:01:15.05.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNr, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by August 28, 1987.

No. 2024-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Custer) ss.

I, Randall O'Neill hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Custer County Chronicle

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 Custer

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

August 12, 1987

August 19, 1987

(Signature)

Publisher

(Title)

8/19/87

(Date Signed)

Cost of Printing: _____

August 12, 1987 - \$27.55

August 19, 1987 - \$22.04 (80% of first ins. Total)

Total for publication of Notice of Hearing on
August 12, 1987 & August 19, 1987 - \$49.59

Notice Of
Hearing

on Application No. 2024-2
to Appropriate Water

Notice is hereby given that Custer School District 16-1 whose mailing address is 215 North 3rd St., Custer, South Dakota has made an application for a permit to appropriate 0.02 cubic feet of water per second from one well (Pre-Cambrian Rock Formation) 140 feet deep. The well is located in the SW1/4 NW1/4 Section 24, T3S-R4E and is to be used to irrigate 1 1/2 acres (football field complex) in the SW1/4 NW1/4, NW1/4 SW1/4 Section 24, T3S-R4E

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 2024-2 with qualifications because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, September 9, 1987 at 10:00 a.m. The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by August 28, 1987. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31; 46-6-3, 46-6-3.1, 46-6-6.1, 4-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief's Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNr, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by August 28, 1987.

#726 8/12 & 8/19/87





NOTICE OF COMPLETION OF WORKS AND
APPLICATION OF WATER TO BENEFICIAL USE

Date 5/6/88

TO: Water Rights Division, DWNR
Joe Foss Building
Pierre SD 57501-3181

FROM: Custer School District 215 N. 3rd Custer, SD
name address city

I have completed the construction of the water diversion system and I have put the water to beneficial use to the maximum extent it is going to be used. I have not exceeded the amounts specified in Water Permit No. 2024-2.

Water Permit No. 2024-2 states that the diversion system is to be constructed by Custer School District, and that the water it put to beneficial use by September 9, 1996.

The diversion system was completed on April 10, 1988.
Applying the water to beneficial use was completed on May 5, 1988.

You may schedule an inspection so that the Water License may be issued.

Rob He
signature Business manager



2024-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 12, 1994

NOTICE

TO: James F. Preston
Custer School District 16-1
215 North Third Street
Custer, SD 57730

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

SUBJECT: Denial of Water Permit Application No. 2299-2

On April 6, 1994, the Water Management Board denied Custer School District's Water Permit Application No. 2299-2. This application proposed to appropriate 0.03 cubic feet of water per second from the well authorized by Water Permit No. 2024-2 to irrigate an additional 2.5 acres (athletic field).

The Board's denial of the School District's application was consistent with their past decision to deny Water Permit Application No. 2204-2 for Flintstone Bedrock City. Enclosed is a copy of the Findings of Fact, Conclusions of Law and Final Decision in the matter of the application of Flintstone Bedrock City.

The Board suggested that any new water permit application for irrigation within the city limits should be made by the City of Custer. In case of future water shortages this will enable the City to impose watering restrictions on all people watering grass within the city limits. It is my understanding that there have been discussions between the City and School District regarding transferring the School District's irrigation permit to the City. The City may apply for a water permit for irrigating the athletic field.

Seventy five percent of the \$50 application filing fee will be refunded to the School District. If you have any questions on the Board's action, please contact Eric Gronlund at 773-3352.

enclosure

c: Diane Best, Assistant Attorney General
Dallas Wasserburger

STATE OF SOUTH DAKOTA

BEFORE THE WATER MANAGEMENT BOARD

IN THE MATTER OF THE	)	
APPLICATION OF	)	FINDINGS OF FACT,
FLINTSTONE BEDROCK CITY, INC.	)	CONCLUSIONS OF LAW AND
FOR WATER PERMIT #2204-2	)	FINAL DECISION
	)	

FINDINGS OF FACT

I

This is an application by Flintstone Bedrock City, Inc. for a permit to appropriate twenty (20) gallons per minute from one well one hundred forty three (143) feet deep. The water is proposed to be used for irrigation of approximately four acres for commercial purposes by Flintstone Bedrock City, Inc. in Custer, South Dakota.

II

The aquifer in question is of crystalline rock. Aquifer characteristics are site specific and highly variable. Recharge to the crystalline rock occurs through direct infiltration of precipitation through fractures and fissures and possibly from stream flow from French Creek and its tributaries.

III

Flintstone Bedrock City, Inc. is located within the city of Custer. It is served by city water. Except for fire protection, the City had provided water for all of Flintstone City's needs, including a swimming pool, and when water restrictions have not been imposed, irrigation of lawns, shrubs and trees.

IV

During the 1987-89 drought, the city was unable to supply water for lawn watering purposes without restriction to its residents.

V

The city during this period did institute water restrictions. Likewise, it imposed building restrictions and, in fact, delayed the construction of a motel within the city because of the lack of water within the city.

VI

The city during the period of 1986 to the present has engaged in a continual search for water and has drilled several wells that it has not been able to use for the following reasons: potential contamination through septic tanks; dry well on two occasions; and high iron content.

For the period of 1986 on the city has expended approximately 1.9 million dollars of city monies on development of wells and iron removal plants. It has expended an additional \$670,000 of grant monies for the same purposes during that period.

VII

The primary demand for water under this permit will be in the summer months. The city of Custer's primary need is likewise in the summer months; indeed, many of its commercial enterprises operate only five months of the year during the summer during the tourist season.

VII

It is probable that the quantity of water withdrawn from the aquifer during the recent drought period exceeded the recharge during the drought period; it is probable that, at present, the quantity of water withdrawn annually will not exceed the quantity of recharge.

CONCLUSIONS OF LAW

I

The Board has jurisdiction of this matter.

II

State statute, in particular SDCL 46-1-5(2) counsels this Board to give protection to the "fullest extent necessary" to uses of water by a municipality and the public interest likewise requires the Board to do the same. Approval of this permit would not be consistent with either SDCL 46-1-5(2) or the "public interest" requirement, because of the shortage of water in the area as set forth above and the necessity which flows from the statutes of protecting the city water supply.

III

Moreover, it is likely, in the case of a drought, that the city of Custer will again be compelled to impose watering restrictions upon those receiving city water. In the event of such a drought, however, the city would not be able to impose such restrictions upon Flintstone under this permit, even though the Flintstone's property is entirely within the city. The Board finds that, in the context of

this case, in which there is a limited supply of water and in which the city provides water for the purpose of irrigating lawns to others within the city, it is not in the public interest to allow an advantage to the applicant for purpose of irrigating its lawns by granting a new water right.

IV

The applicant in this matter has the burden of proof. The applicant has not demonstrated that an adequate quantity of ground water would be available to supply the applicant's requested use without the imposition of conservation restrictions such as those currently imposed by the City of Custer.

FINAL DECISION

The application for Water Permit No. 2204-2 is Denied.

Dated this 23rd day of May, 1992.

BY THE BOARD

Francis E. Brink
Chairman

c-pld8.jpg



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

CUSTER SCHOOL DISTRICT 16-1
JAMES F PRESTON
215 N 3RD ST
CUSTER SD 57730

NOTICE

RE: Violation of Water Permit No 2024-2.

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No 2024-2. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No 2024-2 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 9:30 am, March 8, 1995 in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 200 S Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No 2024-2 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire is received in this office on/or before March 3, 1995, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

Is your RETURN Address indicated on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

CUSTER SCHOOL DISTRICT 16-1
JAMES F PRESTON
215 N 3RD ST
CUSTER, SD 57730

4a. Article Number

P757566359

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

2-8-90

5. Signature (Addressee)

Carol Noem

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991

*U.S. GPO: 1993-352-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 3, 1995

2024-2

Jim Preston
Custer School District 16-1
215 N 3rd Street
Custer, SD 57730

Dear Mr. Preston:

I am writing to acknowledge receipt of your 1994 irrigation questionnaire. You may disregard the February 7, 1995, **Notice of Violation of Water Permit No. 2024-2.**

The questionnaire was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Division
(605) 773-3352

REPORT ON INSPECTION OF PERMIT NO. 2024-2

Other permit(s) associated with the project: none

DATE OF INSPECTION: August 15, 1995

NAME & ADDRESS OF INSPECTION CONTACT/

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: Neal Witt - School Maintenance Employee

NAME & ADDRESS OF PERMIT HOLDER: Custer Public School Dist. 16-1.

215 N. 3rd

Custer S.D. 57730

DIVERSION POINT LEGAL LOCATION: SW 1/4 NW 1/4 Section 24 T3S-R4E. 1265 FEET EAST AND 2685 FEET NORTH OF SW CORNER SECTION 24.

WELL INFORMATION:

- 1) Well Drilling Firm: Raby Drilling
- 2) No. of Wells : 1
- 3) Depth(s) feet: 140'
- 4) Well log is available Y
- 5) Comment: School Dist assumed monitor well #2 for use as playing field water supply for irrigation of grass on ball fields. On April 22, 1988 the well was cased and grouted to 22 ft.

Casing:

- 1) Diameter: 6 inches
- 2) Length: 10 feet
- 3) Type: pvc

Screen: N/A

Pump:

- 1) Make: Sta-Rite
- 2) Model: 20P4E02P-34
- 3) Size : 2"
- 4) Capacity: 9 GPM
- 5) Operating Pressure: 50 psi

Motor:

- 1) Make
- 2) Model No.

3) Horsepower rating: 1 hp

DISTRIBUTION LINES OR CANALS:

1) Type: Polyethylene 2) Size: 2 inches 3) Length: 600 feet

SYSTEM TYPE: Nelson Raintrain

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit N/A
- 2) Special qualifications to permit being abided by Y
- 3) All structures, wells and lands on map Y
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period Y

Permit No. 2024-2
Upper Cheyenne - Water District

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

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

I have this day, August 15, 1995, made a thorough examination of the water use system constructed by Custer School District 16-1 holder of Permit No. 2024-2, bearing the priority of May 14, 1987 authorizing the diversion of 0.02 cu. ft. per second of the waters of Pre-Cambrian Formation for irrigation purposes, in Custer County.

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

- A. Works used to divert the water:
2" Sta-Rite pump.
- B. Works used to transport water to place of use:
Approximately 600 ft. of 2" polyethylene pipe.
- C. Works used to apply water to beneficial use:
Nelson Raintrain

The system is in the following condition good. The point of diversion is located in the SW 1/4 NW 1/4 Section 24 T38-R4E. The works are capable of diverting and conveying to the place of use 0.02 cu. ft. per second of water. Water has been put to beneficial use to the maximum extent as follows:

Irrigation of a 1.5 acre football field\complex in the NW 1/4 SW 1/4 and SW 1/4 NW 1/4 Section 24 comprising a total of 1.5 acres of land and the license should be issued for 0.02 cfs.

Applicable permit qualifications have been complied with: Yes

Exceptions to compliance are: none Date Report Completed: August 22, 1995



DelRon Peters
Natural Resources Engineer
DENR, Water Rights Division





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 21, 1995

2024-2

Neal Witt, School
Maintenance Employee
Custer School District
215 North 3rd Street
Custer, SD 57730

Dear Mr. Witt:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 2024-2, 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 issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

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

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

414641

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ October 11, 19 95

RECEIVED OF Custer School District No. 16-1, 215 N 3rd St, Custer, SD 57730

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 _____		
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>2024-2</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By _____
Chief Engineer

John Hatch
[Signature]



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 18 1995

2024-2

Rick Hohn, Business Manager
Custer School District
215 N. 3rd St.
Custer, SD 57730

Dear Mr. Hohn:

Enclosed is Water License No. 2024-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414641 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 2024-2, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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. If you have any questions, please contact our office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

rd
enclosures

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 2024-2

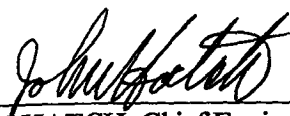
(1) Custer School District 16-1, 215 N 3rd St, Custer SD 57730 made Application No. 2024-2, May 14, 1987 for a water permit to appropriate 0.02 cubic feet of water per second from groundwater (one well), Custer County, South Dakota for irrigation purposes. Permit No. 2024-2, with a priority date of May 14, 1987 was approved September 9, 1987 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before September 9, 1992 and for the application to beneficial use of said water on or before September 9, 1996.

The permit holder submitted a "*Notice of Completion of Works and Application of Water to Beneficial Use*" on May 11, 1988. The "*Notice*" stated the diversion system was completed on April 10, 1988 and the water placed to beneficial use on May 5, 1988.

(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 0.02 cubic feet of water per second for beneficial use. The location of the diversion point is 1265 feet east and 2685 feet north of the SW corner of Section 24-T3S-R4E (SW 1/4 NW 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 irrigate the following land: 1.5 acre football field/complex in the NW 1/4 SW 1/4 and the SW 1/4 NW 1/4 Section 24-T3S-R4E.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Custer School District, 215 N 3rd St., Custer SD 57730 the holder and/or owner of Water Permit No. 2024-2 is issued a license to appropriate water, the right to use 0.02 cubic feet of water per second from groundwater (one well) with a priority date of May 14, 1987 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 Permit No. 2024-2 and subject to South Dakota State Law.



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

DEC 18 1995

date



2024-2

McMath, Genny

From: Lepke, Scott
Sent: Tuesday, October 18, 2011 9:43 AM
To: McMath, Genny
Subject: RE: address for school

Please send correspondence to:

Lisa Fluch, Business Manager
Custer School District 16-1
527 Montgomery Street
Custer, SD 57730

From: McMath, Genny
Sent: Tuesday, October 18, 2011 8:26 AM
To: Lepke, Scott
Subject: address for school

Mr. Lepke,

I tried to send correspondence to the school (2011 irrigation questionnaire) and it was returned in the mail the post office.

Original correspondence was mailed as follows:

Jeanne Foss, Business Mgr
Custer School District 16-1
147 N 5th St
Custer SD 57730

The post office gave me a new address of: 527 Montgomery St, Custer SD 57730-1124

I see on your website that the address is still on 5th St so I am definitely confused.

Please let me know which address to use.

Genny McMath
Water Rights Program
605.773.5455