

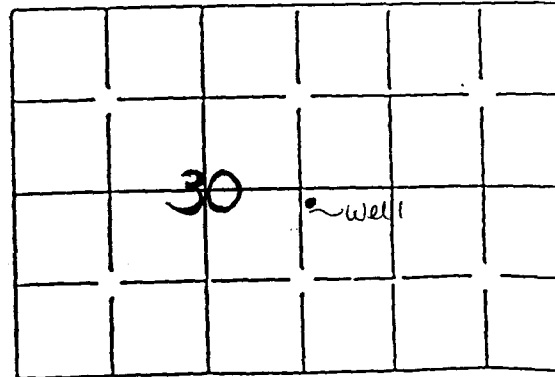
HAP No. same

Name of Applicant City of Hill City
Post Office Address P.O. Box 395 Hill City, SD 57745
Amount of Water Claimed 0.27 cfs Total Acres NA
Source of Water Supply groundwater - well
Water to be used for municipal purposes County Pennington
~~About~~ _____ ~~miles~~ near ~~of~~ Hill City

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received July 17, 1989 Fee \$225⁰⁰ Remarks _____Corrected Application Received Aug 1, 1989 Period of Annual Use Jan 1 - Dec 31WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)WI-1 Description same as Application YES NO REMARKS _____Diversion Point NE 1/4 SE 1/4 Sect 30 - T1S - R5ELand to be Irrigated NAWell Log: Driller Alexander Licensed YES X NO _____Depth of Well 329' REMARKS _____

Type of Hap city plat PREPARED BY Gary Renner Reviewed and the Number
assigned on August 2, 1989 By Susan Bowser

No. 2094-2Map No. Same Water Division No. 10120109 Upper Cheyenne District
Hill City / Pennington Co. Prevalier Above for Office Use
Box 266 57745 Thurs

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

Check one of the following:

New X Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

- Name of Applicant Hill City, South Dakota Phone No. _____
Post Office Address P.O. 395 Hill City State South Dakota 57745
(Street, RR, or Box) (Town) (Zip Code)
If a corporation show date and place of incorporation _____
- Method of accomplishing work (contract, employment of others, or by direct labor) contract
- Name of diversion work Hill City Water System
- Amount of water claimed (cubic feet per second) 0.27 cfs.
- Source of water supply new well
- Location of point of diversion N 2°05'02" E, 560.36 feet from the southeast corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 30, T1S, R5E, BHM to the well (NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 30-T1S-R5E) County Pennington
- Annual period or periods during which water is to be used -perpetually January 1 - December 31
- Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) municipal
- For irrigation use, _____ Total number of acres to be irrigated N/A

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.
NA	

Land Description	No. Acres Irr.

Attach sheet if more space is needed

- Time required to complete construction of water supply system $\frac{1}{2}$ years. Additional time required to complete application of water to the proposed beneficial use -0- years Pennington County
- Choice of county newspaper for publication of Notice of Intent to Appropriate Water Prevalier - News
- Principal Features of the Proposed Water Supply System.
 - Works proposed to divert water from its natural source.
Well with submersible pump
 - Works proposed to transport water to place of use.
8" PVC Water Main
 - Works proposed to apply water to beneficial use.
municipal distribution system with storage reservoir

Estimated Total Cost \$ 50,000.00

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

STATE OF SOUTH DAKOTA)
County of PENNINGTON)ss.I, DUANE TOBIASON, MAYOR 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 Duane TobiasonSubscribed and sworn to before me this 11th day of July, 1989Charlene L. AndersonNotary Public (or other qualified officer).
CHARLENE L. ANDERSON, Notary Public
My Commission Expires 8-14-92



D Well Information

- (1) Drill Hole, Diameter 8", Depth 329 ft.
- (2) Casing, Type PVC, Diameter 6", Thickness Cl. 160
(wood, concrete, steel, etc.)
- (3) Screen, Type N/A, Diameter _____, Length _____
- (4) Gravel Pack, Thickness N/A, Length of gravel pack _____

E. Dugout Information or Estimates

- (1) Surface dimensions, N/A, Depth N/A

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

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

Depth to top of water bearing material 159

Depth to bottom of water bearing material 232

Depth to water (ground surface to water level) 14 ft.

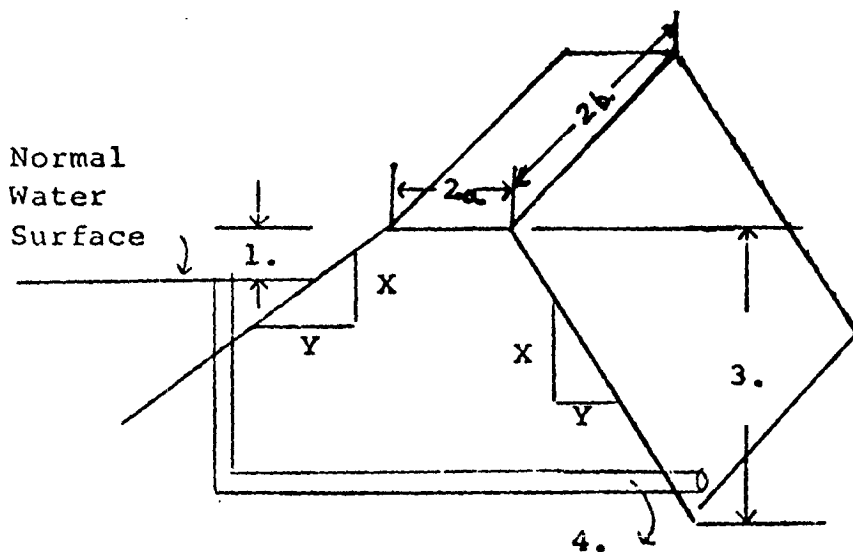
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property N/A rds.

On property owned by others 500 ft.

G Water Storage Dams N/A

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



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

Deane Johnson
Signature of Applicant

SOUTH DAKOTA
WATER PERMIT No. 2094-2

Date of first receipt of application July 17, 1989.

Date of return to applicant for corrections, amendments or changes July 26, 1989.

Date of receipt of corrected application August 1, 1989.

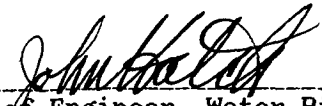
The Water Management Board approved Water Permit Application No. 2094-2 on December 7, 1989 for the City of Hill City, PO Box 395, Hill City SD 57745 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2094-2 appropriates 0.27 cubic feet of water per second from one well (Pre-Cambrian Rock Formation) 329 feet deep located in the NE1/4 SE1/4 section 30-T1S-R5E.
2. The water appropriated shall be used for the purpose of supplying the City of Hill City and may not exceed the amount of water needed for beneficial use for municipal purposes.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date from which applicant may claim right is July 17, 1989.
5. One-fifth of the construction is to be completed on or before June 7, 1992.
6. All construction is to be completed on or before December 7, 1994.
7. Water is to be put to beneficial use on or before December 7, 1998.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

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.

WATER MANAGEMENT BOARD

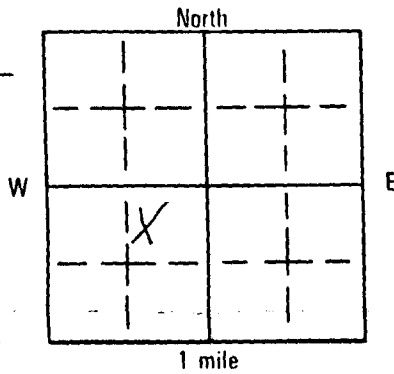
By: 
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

MAR 21 1990

(date)

SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location 5/4 Sec 30 Twp 15 Rg 5ECounty
PenningtonPlease mark well
location with
an "X"HILL City
Site # 2
matkins Add.Well Completion Date 5-4-89

PROPOSED USE:

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

Method of Drilling:

Rotary Downhole Hammer

CASING DATA:

☐ Steel ☒ Plastic ☐ OtherIf other describe 6" - P.V.C. 160

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	<u>6</u> IN	<u>0</u> FT	<u>85</u> FT	<u>8</u> 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? 10' to 8.3' FEETWhat is grouting material? type IIIIf cement, number of sacks? 10Describe grouting procedure tremie pipe w/
Diaphragm pumpWhat was grout weight? 14 LB/GALSCREEN: ☐ Perforated pipe ☐ Manufactured NONE

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? NONE - casing set
in HARD ROCK.Was well disinfected upon completion? ☒ YES ☐ NOExplain Chlorine SolutionBacteriological analysis ☒ YES ☒ NOLaboratory sent to when test pumped.

Well Owner:

Name HILL City CityAddress HILL City, S. D 57745

Well Log:

Depth

Formation	From	To
Drift - Broken schist	0	6
Schist - Broken, gray	6	35
Cased off water - 10 gpm.	35	43
Schist gray Hard	43	110
Schist gray Hd w/ quartz Vein	110	141
Schist w/ qtz - Fract. H ₂ O - 15 gpm	141	142
Quartzite Hd	142	145
Schist - gray to Black Hd.	145	155
Quartzite	155	159
Schist w/ quartz H ₂ O - 24 gpm	159	160
Schist gray Hard	160	179
Schist w/ qtz - Fract. H ₂ O - 36 gpm	179	180
Schist gray Hard	180	230
Schist w/ qtz - Fract. H ₂ O - 54 gpm	230	232

STATIC WATER LEVEL 14' 3" top of Case 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:

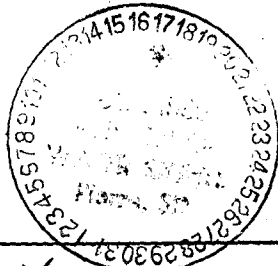
☒ Pumped w/ pump - 24 HR. - 126 gpm -☐ Bailed Describe: Drawdown - 252 ft. ALS☐ Other was Final Pumping Level

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS: Schist 232 - 295Schist - Fract. H₂O - 150 gpm 295 - 296Schist - Hard, gray 296 - 329This well was drilled under license # 324

And this report is true and accurate.

Drilling firm ALEXANDER Drilling Co.

Signature of License Representative:

Roy Alexander Jr.

Signature of Well Owner:

Date 6-23-89

LOT 4 (ROSE)

LOT 5 (ROSE)

LOT 6 (ROSE)

OZARK NO. 1 MS 815

LOT 1

LOT 2

LOT 3

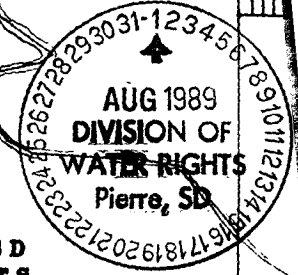
MATKINS

ADD. NO. 4

1" = 400'
JULY 7, 1989

TO RAPID CITY

TRACT A



MAJOR LAKE

HILL CITY, SD
CORP. LIMITS

U. S. HIGHWAY NO. 16 & 286

CHUTE ROOSTERS

NEWTON STREET

PEAK AVENUE

HARNEY PEAK AVENUE

STREET

STREET

STREET

STREET

STREET

STREET

GRAHAM TRACT

LOT 1

BAR PLACER MS 824

LOT 2

GOVERNMENT LOT 11

CENTER OF SECTION 80, T18, R64, BHM LOT 3

MATKINS NO. 3

TRACT 1

Floodway Easement

SPRING

WELL

SECTION 1/4 LINE

20' Sewer Line Easement

REDER PLACER MS 07905

S 02° 05' 02" W
560.36'

CREEK

SE CORNER OF
NE 1/4 NW 1/4 SE 1/4
TRACT A

MLYO ADDITION NO. 3

HILL CITY

KEYSTONE

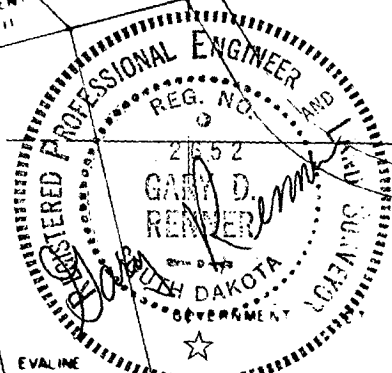
SHERMAN LOT A

PEACER LOT B MS 821

GOVERN LOT

GOVERNMENT LOT 8

SECTION 1/16 LINE



WELL LOCATION MAP
WATER RIGHTS APPLICATION
HILL CITY, SD

Appl N 2091-2



Department of Water & Natural Resources

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

July 26, 1989

Duane Tobiason, Mayor
City of Hill City
P.O. Box 395
Hill City, SD 57745

Dear Mr. Tobiason:

This letter is in response to the water permit application received from you on July 17, 1989. The applicaiton is incomplete for the following reason(s):

- (1) The enclosed map that was submitted needs to be signed by either a South Dakota Registered Professional Engineer, a South Dakota Licensed Land Surveyor, or by a government employee who normally prepares maps as part of their duties (see enclosed instruction sheet).

The Water Management Board cannot consider a water permit application until it is complete. Please return the enclosed map with the required signature to begin processing of your water permit application.

Feel free to contact us if you have any questions.

Sincerely,

Susan A. Bowar
Natural Resources Engineer
Water Rights Division
(605) 773-3352

enclosures



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, _____ July 17, 1980

RECEIVED OF City of Hill City, PO Box 395, Hill City, SD 57745-0395

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

Fee for Application for Permit No. <u>2094-2</u> to Appropriate Water, to construct works and to put water to beneficial use _____	225	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	225 00

By John Hatch
Chief Engineer John Hatch (mra)

REPORT ON PERMIT APPLICATION No. 2094-2
THE CITY OF HILL CITY
SEPTEMBER 21, 1989

Water Permit Application No. 2094-2 proposes to appropriate 0.27 cubic feet of water per second from one well 329 feet deep located in the NE 1/4 SE 1/4 Sec.30, T1S-R5E. Water is to be used for municipal purposes to supply the City of Hill City.

AQUIFER: Pre-Cambrian Rock (CRSL)

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Pre-Cambrian Rock in this area consists of primarily of siliceous mica schist with impure quartzite (DeWitt, et.al., 1989). Ground water is derived from thin bedding planes, joints, and fractures that occur in the metamorphic rocks. Recharge is accomplished through precipitation infiltrating down into the rocks via fractures and fissures. These metamorphic rocks are distinguished by low porosity, and transmit water to wells along joints, faults, and fractures. The total porosity of the Pre-Cambrian rock is estimated to be 3% and the effective porosity, containing recoverable water is assumed to be 1% (Rahn, 1979). The importance of the Pre-Cambrian rock as an aquifer is largely due to zones of secondary porosity and permeability, in the form of fractures and fissures. The distribution, orientation and interconnection of these fractures are unpredictable, and the aquifer characteristics are site specific and highly variable. Well completion reports on file with the Division of Water Rights indicate well yield from domestic wells in the area range from .5 to 100+ gpm. The completion report submitted with this permit application indicates this well is capable of producing 126 gpm. The specific capacity of this well is reported to be 0.5gpm/ft.

The Division of Water Rights does not monitor any observation wells in this area and there is no historical data (water levels) available.

REVIEW OF EXISTING WATER RIGHTS:

The nearest existing Water Permit not belonging to Hill City is located approximately one mile west of this well site. The permit is:

Permit #	Owner	Location	Source	Diversion
1694-2	Leslie Wade	001S-04E24dc	PC	.44cfs

The Division of Water Rights has record of several domestic wells in the area. The depths of these wells vary from 55 to 360 feet deep and rely on the Pre-Cambrian rock as a water source.

CONCLUSIONS:

1. The Pre-Cambrian rock is a viable aquifer in this area, and groundwater is available for appropriation.
2. The proposed appropriation (0.27 cfs) should have no adverse effect on domestic users or existing appropriative rights.
3. Estimates are not available for average annual recharge in the area.
4. Information submitted with the application indicates the well is completed in accordance with SD Well Construction Standard 74:02:04:30.

Ken Buhler /KS
Ken Buhler
Natural Resources Engineer
approved by:

James A. Goodman
James A. Goodman, P. E.,
Natural Resources Engineer IV

REFERENCES:

- DeWitt, E., J.Redden, D. Buscher, and A.B. Wilson, 1989, Geologic Map of the Black Hills Area, South Dakota and Wyoming, USGS Miscellaneous Investigations Series
- Redden, J. A., 1975, Precambrian Geology of the Black Hills, SDSM&T and USGS, Mineral and Water Resources of South Dakota, Committee on Interior and Insular Affairs, U.S. Government Printing Office, Washington, D.C.
- Rahn, P.H., 1979, Ground Water Resources of Western South Dakota, US Army Corps of Engineers, SDSM&T Project #2533

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2094-2, City of Hill City SD

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. 2094-2, City of Hill City, PO Box 395, Hill City SD.

The Chief Engineer is recommending APPROVAL of Application No. 2094-2 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 qualification:

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.

See the attached report for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", is written over the typed name.

JOHN HATCH, Chief Engineer
September 25, 1989



Department of Water & Natural Resources

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

October 24, 1989

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

Duane Tobiason, Mayor
City of Hill City
Box 395
Hill City, SD 57745-0395

Dear Mr. Tobiason:

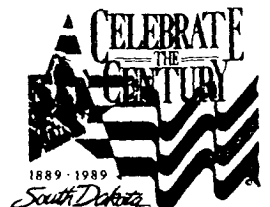
Water Permit Application No. 2094-2 for municipal use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Hill City/Pennington Co. Prevalier printed at Hill City SD. For your information, a copy of the notice is enclosed. Copies of the report and the Chief Engineer's recommendation are also enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper 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 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 Duvall
Natural Resources Engineer
605 773-3352

enclosures





Department of Water & Natural Resources

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

October 24, 1989

Hill City/Pennington Co. Prevailer
Box 266
Hill City, SD 57745-0266

ATTN: Legal Publications

Enclosed is a Notice of Hearing on Application No. 2094-2 to be published twice. Please publish the first notice on or before November 2, 1989 with the second publication 7 days later.

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 the City of Hill City, P.O. Box 395, Hill City, SD 57745.

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 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

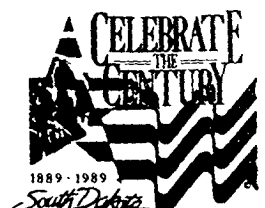
TO: Ron Duvall
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

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



Instruction to Newspaper - Publish first Notice on or before November 2, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2094-2 to Appropriate Water

Notice is given that the City of Hill City, P.O. Box 395, Hill City, SD 57745 has filed an application for a water permit to appropriate 0.27 cubic feet of water per second from one well (Pre-Cambrian Rock Formation) 329 feet deep located in the NE1/4 SE1/4 Section 30-T1S-R5E. Water is to be used for municipal purposes to supply the City of Hill City.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 2094-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board in Room 216 of the Joe Foss Building at 523 E. Capitol, Pierre, SD on December 6, 1989 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and Chief Engineer by November 24, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is obtained. The applicant need not file a petition. Contact the Water Rights Division to request information on this application or to assure access to the hearing by the handicapped.

This hearing is an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days upon written request to the Chief Engineer from the applicant or a petitioner. The request for a delay must be received by November 24, 1989.

This application is made pursuant to 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, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Pennington) ss.

I, Rachel M Walgamuth

certify that the attached printed Notice was taken

from the Hill City Prevaler (Pennington County Prevaler)

A newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the Pennington County Prevaler

of Pennington

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

October 26, 1989

November 2, 1989

Rachel M Walgamuth
(Signature)

Bookkeeper
(Title)

11/02/89
(Date Signed)

Cost of Printing: \$ 42.96

NOTICE OF HEARING on Application No. 2094-2 to Appropriate Water

Notice is given that the City of Hill City, P.O. Box 395, Hill City, SD 57745 has filed an application for a water permit to appropriate 0.27 cubic feet of water per second from one well (Pre-Cambrian Rock Formation) 329 feet deep located in the NE1/4 SE1/4 Section 30-T1S-R5E. Water is to be used for municipal purposes to supply the City of Hill City.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 2094-2 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water and 4) it is in the public interest. This application will be considered by the Water Management Board in Room 205 of the Joe Foss Building at 523 E. Capitol, Pierre, SD on December 6, 1989 at 10:00 am. The Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer or 4) deny this application based on the facts presented at the public hearing.

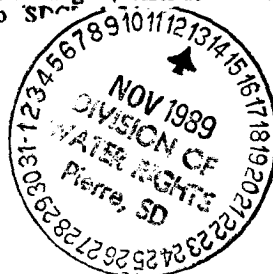
Any interested person that intends to participate in the hearing before the Board by presenting evidence or cross-examining witnesses according to SDCL 46-2A-15.

SDCL 1-26, must file a written petition with DOTI the applicant and Chief Engineer by November 24, 1989. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, SD 57501-4005-775-3352". The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for desiring or supporting the application and the signature and mailing address of the petitioner or legal counsel if legal counsel is engaged. The petitioner need not file a petition. Contact the Water Rights Division to request information on the application and to assure access to the hearing by the hearing. The hearing is an open public proceeding. Any person wishing a petition and/or interested party must have a right to be heard by a hearing. These rights are due persons rights and are forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. The time of the hearing will also be automatically delayed for at least twenty days after written notice is received.

appeal must be received by November 24, 1989.

This application is made pursuant to SDCL 46-1-1 thru 46-1-12 thru 46-1-15; 46-2-1, 46-2-9, 46-2-11, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-15; 46-5-1 thru 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, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

#1490 10-26, 11-2-89





Department of Water & Natural Resources

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

MAR 21 1990

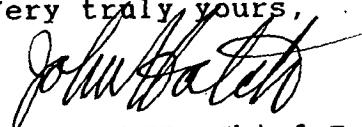
Duane Tobiason, Mayor
City of Hill City
Box 395
Hill City, SD 57745

Dear Mayor Tobiason:

Enclosed are Water Permit Nos. 2094-3 and 2103-2 as approved by the Water Management Board authorizing you to construct your water diversion systems and put the water to beneficial use, not exceeding the limits as specified in the Water Permits.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that a Water License may be issued, thus completing your acquisition of the Water Rights.

Very truly yours,


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

enclosures

PLEASE NOTE: Certain changes can be made in your permits within the five year construction period, usually without affecting the priority dates provided an application to amend your permits is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.



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

Date _____ X

TO: Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

FROM: City of Hill City PO Box 395
(name) (address)

Hill City SD 57745
(city) (state) (zip) (phone)

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. 2094-2.

Water Permit No. 2094-2 states that the diversion system is to be constructed by December 7, 1994, and that the water is put to beneficial use by
(date)

December 7, 1998
(date)

The diversion system was completed on January 1990. X
(date)

Applying the water to beneficial use was completed on January 1990. X
(date)

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

D. J. Vith X
(signature)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 6, 1996

2094-2, 2103-2

Diana Ronne, Finance Officer
City of Hill City
PO Box 395
Hill City SD 57745-0395

Dear Ms. Ronne:

The inspection of Hill City's water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit Nos. 2094-2 and 2103-2, was completed on April 24, 1996. The final water right documents, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the each Water License. At the time of the inspection, DelRon Peters, staff engineer, was given the enclosed form to be completed in order for the City to process the payment. Upon receipt of the \$100.00 fee from the City, we will begin processing the Water Licenses.

Please remit fee to:

**Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181**

Also, enclosed is a partially completed Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use* form. This form states that the City's diversion system has been completed. Please complete the form with approximate dates, sign and return the form with the license fees.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak
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

415151

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ October 15, 19 96

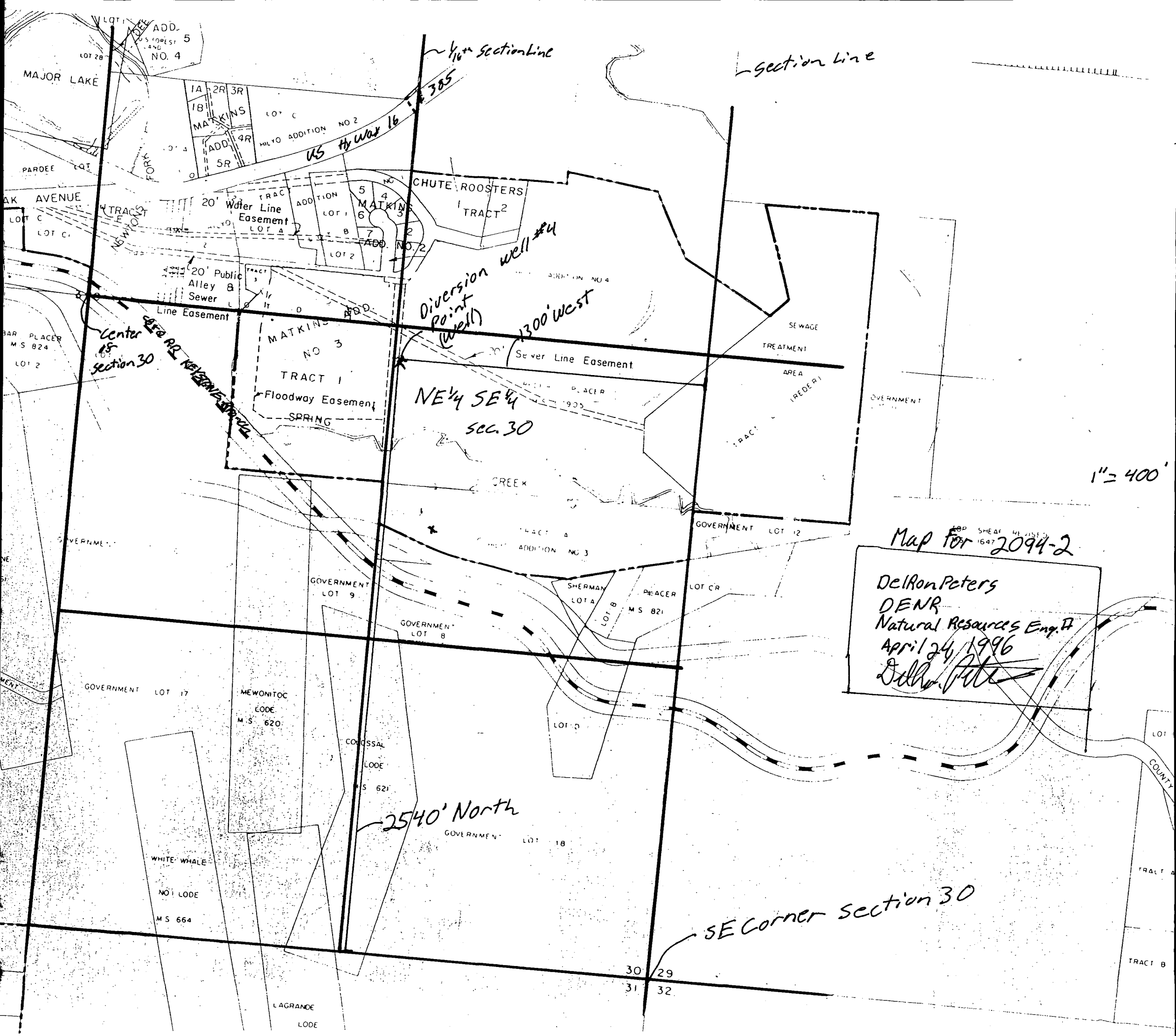
RECEIVED OF City of Hill City, P.O. Box 395, Hill City, SD 57745

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>2094-2</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 John Hatcher (Signature)
Chief Engineer



STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2094-2

(1) City of Hill City, PO Box 395, Hill City SD 57745 made Application No. 2094-2, July 17, 1989 for a water permit to divert 0.27 cubic feet of water per second from groundwater (one well), Pennington County, South Dakota for municipal use purposes. Permit No. 2094-2, with a priority date of July 17, 1989 was approved December 7, 1989 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before December 7, 1994 and for the application to beneficial use of said water on or before December 7, 1998.

The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on October 15, 1996. The *Notice* stated the diversion system was completed in January, 1990 and the water placed to beneficial use in January, 1990.

(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 0.25 cubic feet of water per second for beneficial use. The location of the diversion point is 2,540 feet north and 1,300 feet west of the southeast corner of Section 30-T1S-R5E (NE 1/4 SE 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

(4) Pursuant to South Dakota Water Law 46-5-30.1 the City of Hill City, PO Box 395, Hill City SD 57745 the holder and/or owner of Water Permit No. 2094-2 is issued a license to appropriate water, the right to use 0.25 cubic feet of water per second from groundwater (one well) with a priority date of July 17, 1989 from the location specified in (2) of this license, for the purpose of municipal use. This license is subject to any limitations or qualifications listed in Water Permit No. 2094-2 and subject to South Dakota State Law.



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

JUN 12 1997

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 12 1997

2094-2

2103-2

Diana Ronne, Finance Officer
City of Hill City
P.O. Box 395
Hill City, SD 57745

Dear Ms. Ronne:

Enclosed are Water License Nos. 2094-2 and 2103-2. These are the final water right documents completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 415151 and 415152 in the amount of \$50.00 each which you paid for the investigation and issuance of the Water Licenses.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the wells authorized by Water Right Nos. 2094-2 and 2103-2, 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 Licenses, 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

ks
enclosures

Permit No. 2094-2
Upper Cheyenne River - Water District

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

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

I have this day, April 24, 1996, made a thorough examination of the water use system constructed by the city of Hill City of P. O. Box 395 holder of Permit No. 2094-2, bearing the priority of July 17, 1989 authorizing the diversion of 0.27 cu. ft. per second of the waters of the Precambrian Aquifer for municipal purposes, in Pennington County.

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

A. Works used to divert the water:

A Grundfoss pump with a 110 gpm capacity. The motor is a 15 hp with 460 volt - 3phase.

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

The city has 6 and 10 inch pvc water mains.

C. Works used to apply water to beneficial use:

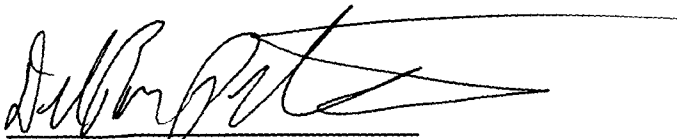
Municipal uses

The system is in the following condition good. The point of diversion is located NE 1/4 SE 1/4 SEC. 30 T1S-R5E (2540 ft. north and 1300 ft. west of the southeast corner of section 30 T1S-R5E). The works are capable of diverting and conveying to the place of use 0.25 cu. ft. per second of water which is to be used for municipal use. Water has been put to beneficial use to the maximum extent as follows:
municipal use

The license should be issued for 0.25 cfs.

Applicable permit qualifications have been complied with: Yes X

Exceptions to compliance are: none Date Report Completed: July 29, 1996



DelRon Peters
Natural Resources Engineer II
DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 2094-2

Other permit(s) associated with the project: 1598-2, 2103-2

DATE OF INSPECTION: April 24, 1996

NAME & ADDRESS OF INSPECTION CONTACT/

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: Art Anderson (Hill City Water Super)

P.O. Box 395

Hill City, SD 57745

DIVERSION POINT LEGAL LOCATION: NE1/4 SE1/4 SEC. 30 T1S-R5E

WELL INFORMATION:

- 1) Well Drilling Firm: Alexander Well Drillers
- 2) No. of Wells: 1
- 3) Depth: 329 feet
- 4) Well log is available: Y
- 5) Comment:

Casing:

- 1) Diameter: 6 inches
- 2) Length: 85 feet
- 3) Type: pvc
- 4) Static water level 14.25 feet

Pump:

- 1) Make Grundfoss
- 2) Model
- 3) Size 460 volt - 3phase
- 4) Capacity 110 gpm

Motor:

- 1) Horsepower rating 15 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type pvc
- 2) Size 6 and 10 inches
- 3) municiple

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
N/A

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2094-2

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The permit holder submitted a *Notice of Completion of Works and Application of Water to Beneficial Use* on October 15, 1996. The *Notice* stated the diversion system was completed in January, 1990 and the water placed to beneficial use in January, 1990.

(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 0.25 cubic feet of water per second for beneficial use. The location of the diversion point is 2,540 feet north and 1,300 feet west of the southeast corner of Section 30-T1S-R5E (NE 1/4 SE 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

(4) Pursuant to South Dakota Water Law 46-5-30.1 the City of Hill City, PO Box 395, Hill City SD 57745 the holder and/or owner of Water Permit No. 2094-2 is issued a license to appropriate water, the right to use 0.25 cubic feet of water per second from groundwater (one well) with a priority date of July 17, 1989 from the location specified in (2) of this license, for the purpose of municipal use. This license is subject to any limitations or qualifications listed in Water Permit No. 2094-2 and subject to South Dakota State Law.



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

JUN 12 1997

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 12 1997

2094-2
2103-2

Diana Ronne, Finance Officer
City of Hill City
P.O. Box 395
Hill City, SD 57745

Dear Ms. Ronne:

Enclosed are Water License Nos. 2094-2 and 2103-2. These are the final water right documents completing your process of obtaining a Water Right. Enclosed are Receipt Nos. 415151 and 415152 in the amount of \$50.00 each which you paid for the investigation and issuance of the Water Licenses.

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As long as you use the water beneficially, as stated in the Water Licenses, 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

ks
enclosures