

Considered: _____

WATER PERMIT NO. 2103-2

~~HAP~~ No. 574-2300

Name of Applicant Hill City, SD

Post Office Address P.O. Box 395, Hill City, SD 57745

Amount of Water Claimed 0.20 cfs Total Acres NA

Source of Water Supply Ground water

Water to be used for Municipal County Pennington

About _____ miles _____ of _____.

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received October 3, 1989 Fee \$225.00 Remarks _____

Corrected Application Received _____ Period of Annual Use Jan 1 - Dec 31

WATER QUALITY APPROVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

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

Diversion Point NE 1/4 SE 1/4 Section 30-T1S-R5E

Land to be Irrigated NA

		30			
			x well		

Well Log: Driller Alexander Drilling Co. Licensed YES ☒ NO _____

Depth of Well 430 feet REMARKS _____

Type of Map Plat PREPARED BY Gary D. Renner Reviewed and the Number

assigned on Oct 5, 1989 By Delwin D. Brong

No. 2103-2Map No. _____ Water Division No. 10120109 Upper Cheyenne District
Pennington Co. Prevailer
Box 266, Hill City 57745
(Thurs)

Above for Office Use



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

Check one of the following:

New ☒ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Hill City, SD Phone No. (605) 574-2300Post Office Address P.O. Box 395 Hill City State SD 57745
(Street, R.R. or Box) (Town) (Zip Code)

If a corporation show date and place of incorporation _____

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

3. Name of diversion work Hill City Water System4. Amount of water claimed (cubic feet per second) 0.20 cfs.5. Source of water supply New Well6. Location of point of diversion N 52° 14' 38" W, 287.22 from SE Corner of NE¼, NW¼, SE¼ of Section 30, T1S, R5E, BHM (NE¼SE¼) well to _____

County _____

7. Annual period or periods during which water is to be used Perpetually Jan 1 - Dec 318. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Municipal

9. 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.

Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 0/125 years. Additional time required to complete application of water to the proposed beneficial use 4 0/1 years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Pennington Co.
12. Principal Features of the Proposed Water Supply System. Prevailer News

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

Well with Submersible Pump

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

6" PVC Watermain

C. Works proposed to apply water to beneficial use.

Municipal Water Distribution System with Storage ReservoirEstimated Total Cost \$ 30,000Attachments: 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 - HILL CITY 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 TobiassonSubscribed and sworn to before me this 26TH day of SEPTEMBER, 19 89

CHARLENE L. ANDERSON, Notary Public

My Commission Expires 8-14-92

Notary Public (or other qualified officer)

D Well Information

- (1) Drill Hole, Diameter 6", Depth 430
- (2) Casing, Type steel, Diameter 6", Thickness .25"
(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 75 ft.

Depth to bottom of water bearing material 308 ft.

Depth to water (ground surface to water level) 15 ft.

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

On same owner's property N/A rds.

On property owned by others 1000 ft.

G Water Storage Dams

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

1. Freeboard

2a. Crest width , length

3. Height of Dam

4. Outlet dimensions:

Pipe diameter

Spillway width

X & Y slope:

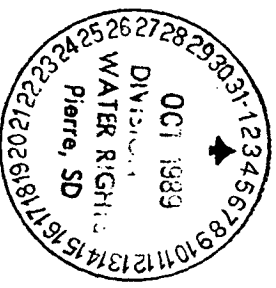
Upstream

Downstream

Surface area of impoundment

Drainage area above dam

Russell Toberson
Signature of Applicant



SOUTH DAKOTA
WATER PERMIT No. 2103-2

Date of first receipt of application October 3, 1989.

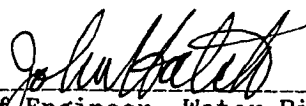
The Water Management Board approved Water Permit Application No. 2103-2 on December 7, 1989 for the City of Hill City, PO Box 395, Hill City SD 57745 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 2103-2 appropriates 0.20 cubic feet of water per second from one well (Pre-Cambrian Rocks) 430 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 October 3, 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

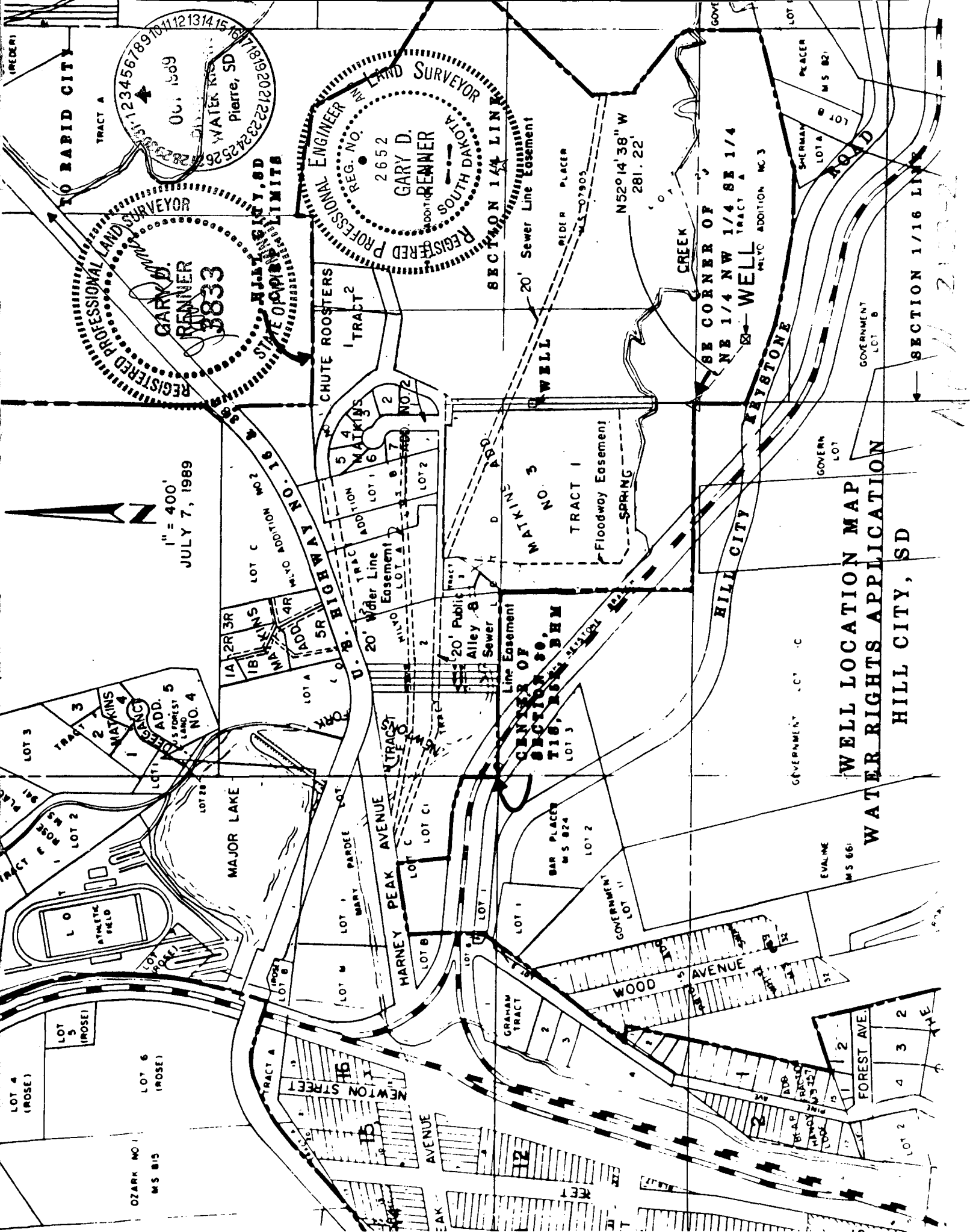
The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having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

WATER MANAGEMENT BOARD

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

MAR 21 1990

(date)



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411928

Pierre, _____ October 4 _____, 1989

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. <u>2103-2</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

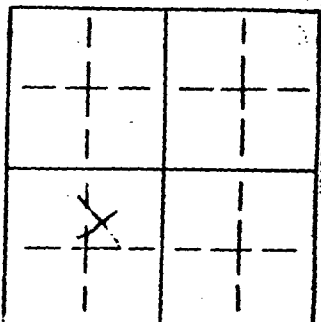
By John Hatch
Chief Engineer

Location SE 1/4 Sec 30 Twp 15 Rg R5E

County LeFlore

LeFlore

Please mark well location with an "X"



OGI 1989
DIVISION 13
Well Permit Number 1457-9-23-87
Drilled 4-28-87

☐ Irrigation ☐ Municipal ☐ Test Holes
☐ Industrial ☐ Stock

Method of Drilling:

Downhole Hammer

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe 40' - 1250 wahl

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	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 ☐ NO

To what depth? 5 - 38 ft FEET

What is grouting material? type III Portland

If cement, number of sacks? 5

Describe grouting procedure Remix Pig

What was grout weight? _____ LB/GAL

SCREEN: ☐ 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? Casing Dress Hd. Rock

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NO

Explain Chlorine Solution

Bacteriological analysis ☐ YES ☐ NO

Laboratory sent to _____

Well Owner:

Name Hill City Memorial Park

Address Hill City, S.D.

Well Log:

Depth

Formation	4-28-87	From	To
Gr. Ft.		0	34
Schist Hl. grey		34	48
Schist - Quartzite - Hl. grey		48	49
Schist - Hl. grey		49	71
Schist - Hl. grey		71	76
Schist - Hl. grey		76	110
Schist - Hl. grey		110	112
Schist - Hl. grey		112	120
Schist - Hl. grey		120	125
Schist - Hl. grey		125	130
Schist - Hl. grey		130	132
Schist - Hl. grey		132	145
Schist - Hl. grey		145	230

STATIC WATER LEVEL 15.2 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pi

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other, specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped 40' - 20' from surface

☐ Bailed Describe: _____

☐ Other _____

Pumping Level Below Land Surface

ft. After _____ Hrs. pumped _____ G.

ft. After _____ Hrs. pumped _____ G.

ft. After _____ Hrs. pumped _____ G.

REMARKS:

Schist Fract. Baro - H2O - 60'pm - 230-

Schist Baro, Med Hl. 235-2

Schist quartzite Baro grey 245-5

Schist Fracture - H2O - 70'pm 306-5

Schist grey - Blk. Hl. 308-4

Quartzite 400-

Schist grey - Hl. to Black. 401-

This well was drilled under license # 324

And this report is true and accurate.

Drilling firm Alexander Drilling Co.

Signature of License Representative: _____

Signature of Well Owner: _____

Date _____

REPORT ON APPLICATION NO. 2103-2
THE CITY OF HILL CITY
NOVEMBER 3, 1989

Water Permit Application No. 2103-2 proposes to appropriate 0.20 cubic feet of water per second from one well 430 feet deep, located in the NE 1/4 SE 1/4 Sec.30, T1S-R5E. The water is to be used as a municipal water supply for the City of Hill City.

AQUIFER: Pre-Cambrian Rock

GEOLOGY AND AQUIFER CHARACTERISTICS:

The Pre-Cambrian rock in this area consists of thin bedded, mica schists (DeWitt, 1989). The primary porosity and permeability (intergranular openings) of this type of rock is relatively low. Ground water is obtained from bedding planes, joints, and fractures. Movement of water to wells is dependent on the orientation and density of fractures at the wellbore, therefore the characteristics of the Pre-Cambrian aquifer are highly variable and site specific. Ground water is probably under water table conditions, with the potentiometric surface following the areal topography. Recharge to this aquifer is accomplished through infiltration of precipitation via fractures and fissures and probably through a hydraulic connection to Spring Creek. There are no recharge estimates available for the Pre-Cambrian Rock in this area.

The South Dakota Water Well Completion Report which accompanies this application indicates the well is capable of a sustained yield of 70 gallons per minute (gpm) for 4 hours, while using air to pump the well. It is reasonable to assume that the well is capable of producing 90 gallons per minute with a pump.

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

REVIEW OF EXISTING PERMITS:

The nearest existing Water Permit not belonging to Hill City is located approximately one mile west of this well site. The permit, No. 1694-2, belongs to Leslie Wade. The permit authorizes diversion of 0.44 cfs. 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,

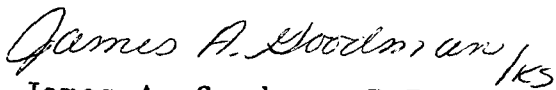
and groundwater is available for appropriation.

2. The proposed appropriation of 0.20 cfs should have no adverse effect on domestic users or existing appropriative rights supplied with adequate wells.
3. Estimates are not available for average annual recharge in the area.
4. The South Dakota Water Well Completion Report submitted with this application indicates the well is completed in accordance with the SD Well Construction Standards.



Ken Buhler
Natural Resources Engineer

approved by:



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

REFERENCES:

DeWitt, E., J. Redden, D. Buscher, A.B. Wilson, 1989, Geologic Map of the Black Hills Area, South Dakota and Wyoming, USGS Miscellaneous Investigations Series.

Division of Water Rights, 1989, "Domestic Well Log and Water Permit Files", DWNR- Division of Water Rights, Joe Foss Building, Pierre, SD.

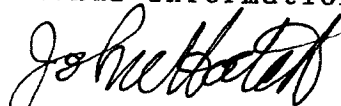
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2103-2, City of Hill City

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. 2103-2, City of Hill City, PO Box 395, Hill City SD.

The Chief Engineer is recommending APPROVAL of Application No. 2103-2 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.



JOHN HATCH, Chief Engineer
November 2, 1989



Department of Water & Natural Resources

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

November 3, 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

Dear Mr. Tobiason:

Water Permit Application No. 2103-2 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 Pennington County Prevalier News 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,

for 
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

November 3, 1989

Pennington Co. Prevailer News
Box 266
Hill City, SD 57745

ATTN: Legal Department

Enclosed is a Notice of Hearing on Application No. 2103-2 to be published twice. Please publish the first notice on or before November 9, 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,

for 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 9, 1989 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2103-2 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 0.20 cubic feet of water per second from one well (Pre-Cambrian Rock Formation) 430 feet deep, located in the NE1/4 SE1/4 Section 30-T1S-R5E. The water is to be used as a municipal water supply for the City of Hill City.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 2103-2 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, Joe Foss Building, 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.



AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA)
COUNTY OF PENNINGTON)

)
) SS.
)

Randel Walgamuth
of said county, being duly sworn, on oath says that he is
Bookkeeper of the PREVAILER, a weekly newspaper
printed and published in Hill City, said County of
Pennington and has full and personal knowledge of all the
facts herein stated; that said newspaper is a legal
newspaper and has a bona-fide circulation of at least two
hundred copies weekly, and has been published within
said County for fifty-two successive weeks next prior to
the publication of the notice herein, mentioned, and was
and is printed wholly or in part in an office maintained at
said place of publication: that the

City of Hill City
Notice of Hearing
Appropriations of Water

a printed copy of which, taken from the paper in which the
same was published, is attached to this sheet, and is
made a part of this Affidavit, was published in said
newspaper at least once each week for
2 successive week(s), on the day of each week on
which said newspaper was regularly published, to wit:

<u>11/9</u>	19 <u>88</u>	_____	19 <u> </u>
<u>11/16</u>	19 <u>88</u>	_____	19 <u> </u>
_____	19 <u> </u>	_____	19 <u> </u>
_____	19 <u> </u>	_____	19 <u> </u>
_____	19 <u> </u>	_____	19 <u> </u>

that the full amount of the fees for the publication of the
annexed notice is \$ 38.29

Randel M Walgamuth

Subscribed and sworn to me before this 4th

of November 1989

Luanne Quick
Notary Public

My Commission Expires: June 30, 1990

NOTICE OF
HEARING
on Application
No. 2103-2 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 0.20 cubic feet of
water per second from one well
(Pre-Cambrian Rock
Formation) 430 feet deep,
located in the NE1/4 SE1/4
Section 30-T1S-R5E. The water
is to be used as a municipal
water supply for the City of Hill
City.

Pursuant to SDCL 46-2A-2,
the Chief Engineer of the Water
Rights Division recommends
APPROVAL of Application No.
2103-2 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, Joe Foss Building, 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.
#1500 11/9, 11/16/89



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,

A handwritten signature in black ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

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.



**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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 10, 1996

SECOND NOTICE

* Permit No. 2094-2
2103-2

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Diana Ronne, Finance Officer
City of Hill City
P.O. Box 395
Hill City, SD 57745-0395

Dear Ms. Ronne:

On August 6, 1996, you were notified the final inspection fee of \$50.00 per license (\$100.00 total) is due before Water License Nos. 2094-2 and 2103-2 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee per license (\$100.00 total), your Water Licenses will be sent to you. These are the final documents for the perfection of your Water Rights. Perfected water rights are similar to property rights and once a water right is perfected, it cannot be lost as long as the water is used.

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

According to South Dakota Water Law 46-5-30.1, you may not divert water until the License fees are paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

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

RECEIPT

415152

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>2103-2</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 
Chief Engineer

Permit No. 2103-2
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. 2103-2, bearing the priority of October 3, 1989 authorizing the diversion of 0.20 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 90 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:

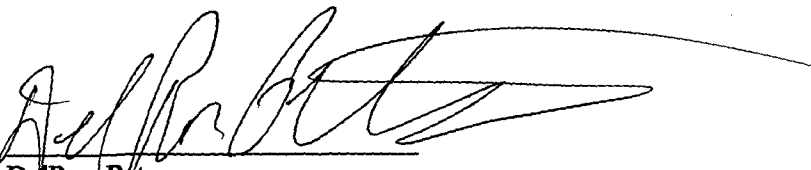
Municipal uses

The system is in the following condition good. The point of diversion is located NE 1/4 SE 1/4 SEC. 30 T1S-R5E (1800 ft. north and 1090 ft. west of the southeast corner of section 30 T1S-R5E). The works are capable of diverting and conveying to the place of use 0.20 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 0.20 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. 2103-2

Other permit(s) associated with the project: 1598-2, 2094-2

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: 430 feet
- 4) Well log is available: Y
- 5) Comment: pump cannot be utilized at max. pumping rate - only up to 55gpm

Casing:

- 1) Diameter: 6 inches
- 2) Length: 40 feet
- 3) Type: steel
- 4) Static water level 15 feet

Pump:

- 1) Make Grundfoss
- 2) Model
- 3) Size
- 4) Capacity 90 GPM

Motor:

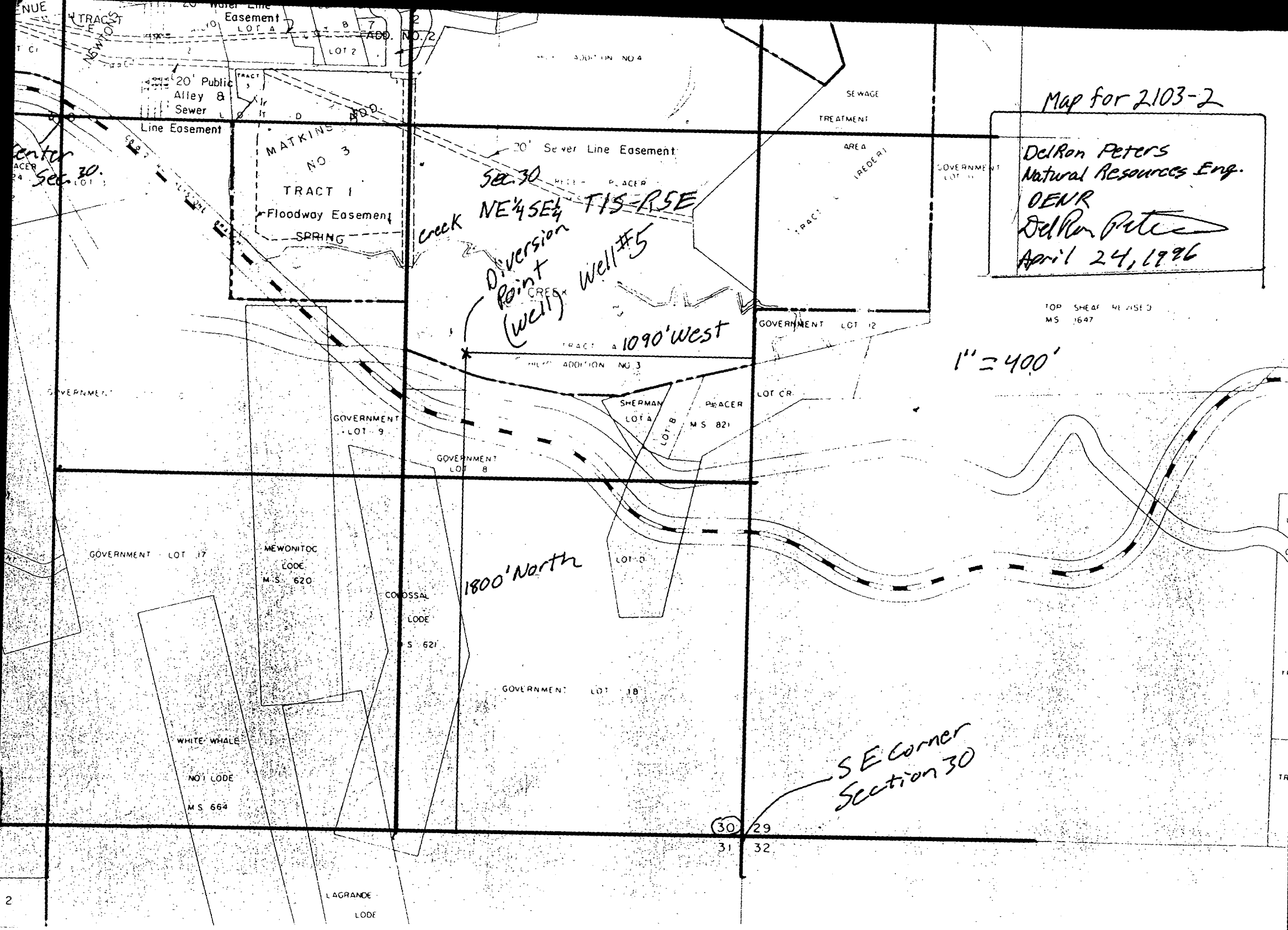
- 1) Horsepower rating 460 volt - 3 phase 15 hp

DISTRIBUTION LINES OR CANALS:

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

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



Map for 2103-2

DelRon Peters
Natural Resources Eng.
OENR
DelRon Peters
April 24, 1996

TOP SHEET REVISION
MS 1647

1" = 400'

SE Corner
Section 30

1800' North

1090' West

Sec. 30
NE 1/4 SE 1/4 T15-R5E
creek
Diversion Point (well)
Well #5

Enter
Sec. 30.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2103-2

(1) The City of Hill City, PO Box 395, Hill City SD 57745 made Application No. 2103-2, October 3, 1989 for a water permit to divert 0.20 cubic feet of water per second from groundwater (one well), Pennington County, South Dakota for municipal use purposes. Permit No. 2103-2, with a priority date of October 3, 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.

(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 0.20 cubic feet of water per second for beneficial use. The location of the diversion point is 1,800 feet north and 1,090 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. 2103-2 is issued a license to appropriate water, the right to use 0.20 cubic feet of water per second from groundwater (one well) with a priority date of October 3, 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. 2103-2 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