

Considered: _____

WATER PERMIT NO. 2110-2

HAP No. same 342-8222

Name of Applicant Coca-Cola Bottling Co. of the Black Hills

Post Office Address 2150 Coca-Cola Lane, Rapid City SD 57702

Amount of Water Claimed 0.25 cfs Total Acres 4.5

Source of Water Supply Madison well & holding pond

Water to be used for IRR & COM County Pennington

About N mttes side of Rapid City.

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received Aug 11, 1989 Fee \$225⁰⁰ Remarks _____

December 20, 1989

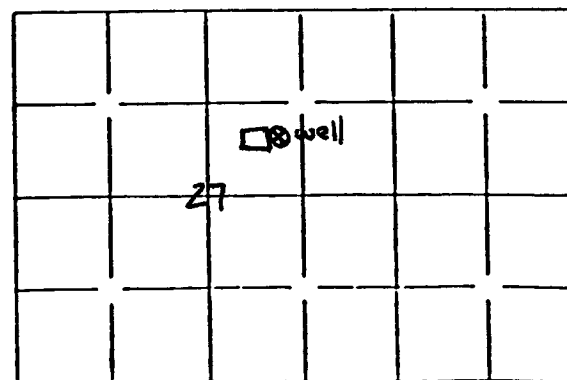
Corrected Application Received Sept 13, 1989 Period of Annual Use Jan 1 - Dec 31 COM
Apr 1 - Oct 31 IRR

WATER QUALITY APPROVAL RECEIVED Dec 20, 1989 APPROVED CONDITIONAL (Circle one)

WI-1 Description same as Application YES ☒ NO _____ REMARKS primary source is ground
water

Diversion Point well & holding pond: SW 1/4
NE 1/4 section 27 - T2N-R7E

Land to be Irrigated SW 1/4 NE 1/4 section 27 -
T2N-R7E



Well Log: Driller _____ Licensed YES _____ NO _____

Depth of Well 1000 feet - 1400' REMARKS _____

Type of Map plat PREPARED BY Warne Fisk Reviewed and the Number
assigned on Dec. 28, 1989 By Ron Duvall

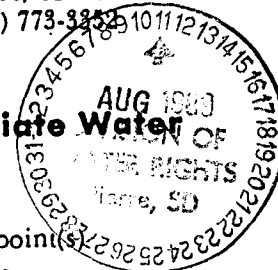
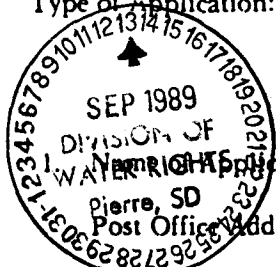
(See instructions)

No. 2110-2 Hydrologic Unit 10120110
Basin Upper Cheyenne
Newspaper Rapid City Journal, PO Box 450
57709

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 commercial



- Applicant Coca-Cola Bottling Co. of the Black Hills Phone No. 605-342-8222
Address 2150 Coca-Cola Lane Rapid City State S.D. Zip Code 57702
(Street, RR or Box) (City)
2.5 41/2
2. Amount of water claimed (c.f.s.) 2.2 CFS (100 gpm) total acres irrigated _____
3. Source of Water supply holding pond for process water and Rain run off. & Madison well
4. Location of point of diversion Appo. 160ft west 240ft south of N.E. corner of Lot A track 12
which is located in SW 1/4 of NE 1/4 of section 27 T2N, R7E (See Map)
Pennington County _____
5. Counties where water will be used Same
6. Annual period during which water is to be used All year but most irrigation April thru 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.
10 acres plot in section 27	
T2N, R7E, known as Lot A	
track 12 SW 1/4 NE 1/4	4.5 acres

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: _____ Other: Pop - Up Sprinkler
(Specify)
9. Crops to be Irrigated: None
10. Give a description of proposed project. (Attach sheet if more space is needed)

Irrigation of grass and ground around Coca-Cola Bottling Co. from holding Pond which is to be filled from commercial well located on grounds.

It would be OK by Coca-Cola Bottling Co. to combine both Applications for water use into one application. Thank you - Tom Adams

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 Pennington)^{ss}

I, Coca-Cola Bottling Co. of the Black Hills, 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 _____

Subscribed and sworn to before me this _____

Notary Public

523 E. Capitol
Pierre, SD 57501
(605) 773-3352
P.L. 7/21/87

No. _____ Hydrologic Unit _____
Map No. _____ Basin _____
Newspaper _____

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use of water: Industrial ☐ Commercial ☒ Municipal ☐ Other Common Distribution System ☐
Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
Domestic ☐ (above 18gpm) Other ☒

Type of Application: Check one or more of the following

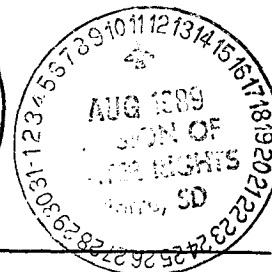
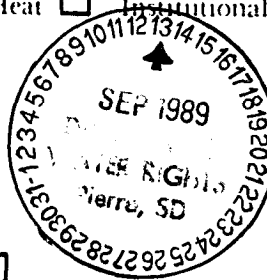
New ☒ Vested Right ☐ Future Use ☐ Change Use ☐

☐ Amend Permit No. _____ with old priority date retained

Change diversion point(s) ☐ Add diversion point(s) ☐ Other ☐

☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____

☐ Construction to use water reserved by Future Use Permit No. _____



1. Name of Applicant Coca-Cola Bottling of the Black Hills Phone No. 605-342-8222

Post Office Address 2150 Coca-Cola Lane Rapid City State SD 57702
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s.) 8.2 C.F.S. Should be .25 C.F.S. or 100 gpm ok

3. Source of water supply Deep Well (Madison Well) 1400 ft.

4. Location of point of diversion N.E. 1/4 of lot A of tract 12 in SW1/4 of N.E. 1/4 of section 27 T2N, R7E. Appo. 160 ft west & 240 ft south of N.E. corner Pennington S.D.

County _____

5. Counties where water will be used Pennington

6. Annual period during which water is to be used 65% April thru Oct. 35% Nov. thru March

7. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

Commercial well for Soft Drink manufacturing, washing equipment, also water storage dam for irrigation of grounds.

The Pumping rate from pond for irrigation is 100 gpm

The Pumping rate from well to pond would be about 50 gpm

The Pumping rate from well to plant for commercial use would be 50 gpm

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction) Also, if necessary both water permits can be combined.
STATE OF SOUTH DAKOTA) ss for irrigation and commercial use. ok by
County of Pennington) Tom Sims

I, Coca-Cola Bottling Company of the Black Hills the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

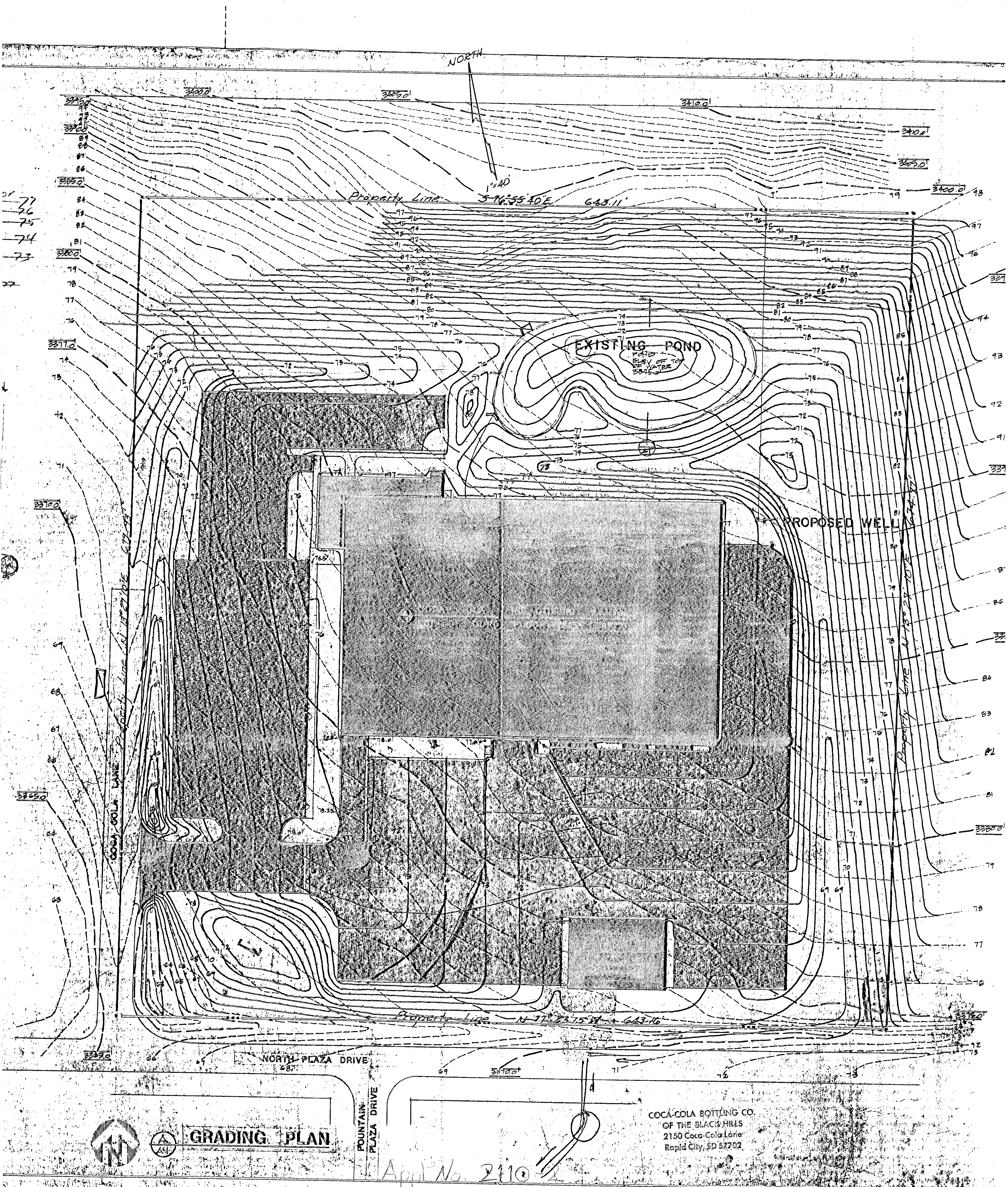
Signed Tom Sims

Subscribed and sworn to before me this 10th

Notary Public
STATE OF SOUTH DAKOTA
1989
Sheri [Signature] Bravin
Notary Public

-

Two circular professional engineer stamps from South Dakota. The top stamp is for Warren L. Fisk, Registered Professional Engineer No. 1771, with a signature across it. The bottom stamp is for Warren L. Fisk, Registered Professional Engineer No. 1771, dated 9/28/89.



Supplemental Information

(type or print in ink)



1. Well Information - Proposed construction

- a) Drill Hole Diameter 8" Depth 1,000 ft.
- b) Casing Type Steel Diameter 7" Thickness 258 wall
- c) Screen Type - Diameter - Thickness -
- d) Gravel Pack Thickness - Length of Gravel Pack -
- e) Depth to Top of Water Bearing Material 900 ft.
- f) Depth to Water (ground surface to water level) Surface
- g) Distance to nearest existing domestic well: 1/4 Mile
- On applicants property No On property owned by others Yes

2. Dugout Information Estimates

- a) Surface Dimensions 200 ft X 100 ft Depth 5 ft.
- b) Depth to water (ground surface to water level) from 2 ft to 6 ft

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

Lund Associates Inc. RC

Haskins-Western-Souderegger Inc. RC..

- b) Freeboard 1 ft to 5 ft.

- c) Crest Width Nonet

Crest Length Pond is hole in ground

- d) Height none

- e) Primary Outlet Capacity spill way-
If Pipe, diameter 8"

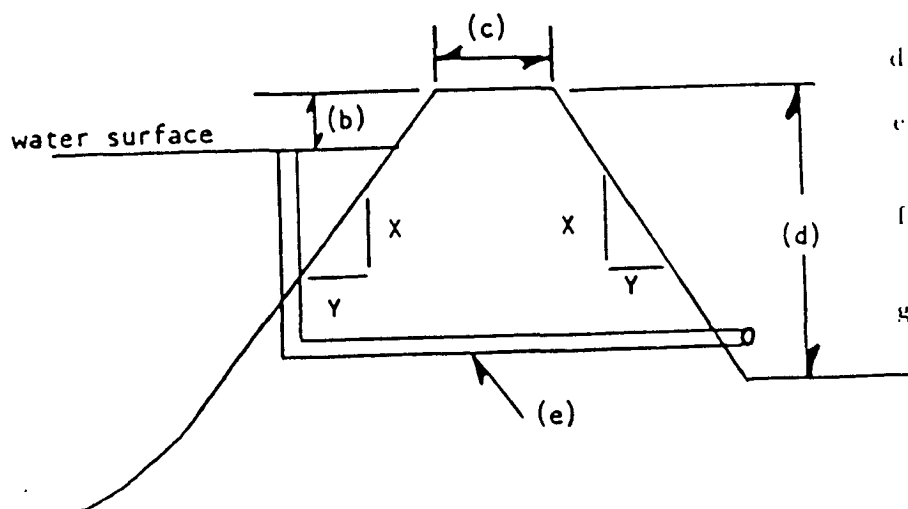
- f) Secondary Spillway Capacity 2nd spill way-
Spillway width 6"

- g) X & Y Slope
Upstream None

Downstream None

Surface Area of Impoundment 200 ft X 100ft

Storage 100,000 Cu. ft acre feet

Drainage area above dam None

Coca-Cola Bottling Co. of the Black Hills

Signature of Applicant

By Tom Series

SOUTH DAKOTA
WATER PERMIT No. 2110-2

Date of first receipt of application August 11, 1989.

Date Soil/Water Compatibility Permit received December 20, 1989.

Date of return to applicant for corrections, amendments or changes August 14, 1989.

Date of receipt of corrected application September 13, 1989.

The Water Management Board approved Water Permit Application No. 2110-2 on March 7, 1990 for Coca-Cola Bottling Company of the Black Hills, 2150 Coca-Cola Lane, Rapid City SD 57702 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. 2110-2 appropriates 0.25 cubic feet of water per second from one well (Madison Formation) approximately 1400 feet deep. Water is to be used for commercial purposes in the operation of the Coca-Cola Bottling facilities and also for irrigation of 4.5 acres adjacent to the bottling company. Process water from the facility and runoff impounded by an existing 2.3 acre-feet holding pond is to be diverted at a rate of 0.25 cfs for irrigation of the 4.5 acres. The proposed well site, holding pond and 4.5 acres are all located in the SW1/4 NE1/4 section 27-T2N-R7E.
2. The amount of the appropriation may not exceed 2 acre feet per acre per year for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - October 31 for irrigation; January 1 - December 31 for commercial use.
3. The date from which applicant may claim right is December 20, 1989.
4. One-fifth of the construction is to be completed on or before September 7, 1992.
5. All construction is to be completed on or before March 7, 1995.
6. Water is to be put to beneficial use on or before March 7, 1999.
7. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. The well authorized by Permit No. 2110-2 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted with cement (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:33.
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. The maximum volume of water that may be applied for irrigation to 4.5 acres is 9.0 acre-feet annually pursuant to SDCL 46-5.

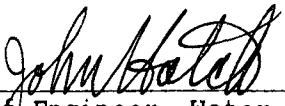
(continued)

Permit No. 2110-2

Page 2

4. This permit is approved subject to the irrigation water use questionnaire being submitted each year.
5. Water may not be diverted directly from the well for irrigation.

WATER MANAGEMENT BOARD

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

APR 26 1990

(date)



Department of Water & Natural Resources

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

August 14, 1989

Tom Sims
Coca-Cola Bottling Co.
2150 Coca-Cola Lane
Rapid City SD 57702

Dear Mr. Sims:

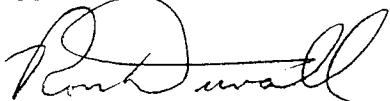
This letter is in response to your water permit application received on August 11, 1989. The following information is needed to complete the application:

- 1) The application for irrigation of 4.5 acres and the application for commercial use can be combined into one application. I believe the 8.2 cfs (3680 gpm) pumping rate placed on the commercial use application is an error. Please indicate what the correct pumping rate should be and if the applications can be combined. The combined application needs to specify the pumping rate from the holding pond for irrigation and the diversion rate from the well to the pond and also to the plant for commercial purposes. I will combine the applications and add the responses to the above questions to the combined application if you give written permission.
- 2) The map submitted with the applications is not acceptable due to the additions being completed after the original preparation of the map by James P Heald. The map needs to be prepared and signed by one of the following persons: 1) A South Dakota registered professional engineer, 2) A South Dakota licensed land surveyor or 3) A government employee that regularly prepares maps as part of his or her duties. The map will also need to show the location of a government section or quarter-section corner.

The application can not be considered by the Water Management Board until the application is complete. I am also returning the application fee until the water appropriation is revised. The \$250.00 application fee is not correct for the current application.

Please contact me if you have any questions.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enc.





Department of Water & Natural Resources

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

October 12, 1989

Tom Sims
Coca-Cola Bottling Co.
2150 Coca-Cola Lane
Rapid City SD 57702

Dear Mr. Sims:

I am writing in response to your reply to my letter dated August 14, 1989 (copy enclosed). The map portion of the application was not completed as requested in the August 14, 1989 letter. The following is needed to complete the map:

The map submitted with your application has been properly signed; however, the map does not contain any reference to a government section or quarter section corner. Therefore, I am enclosing a copy of a topographical map with the well site plotted on the map according to the description by Warren L Fisk. The location of the area to be irrigated will need to be outlined and the map will then need to be signed according to the directions in the August 14, 1989 letter.

The irrigation portion of the application will also require obtaining a soil/water compatibility permit. I will forward a copy of the application to the Department of Agriculture for processing of the soil/water application. Enclosed is an instruction sheet outlining the information needed for the soil/water application.

Please contact me if you have any questions about the water permit application or Jim Stukel (605 773-3259) if you have questions about the soil/water application.

Sincerely,

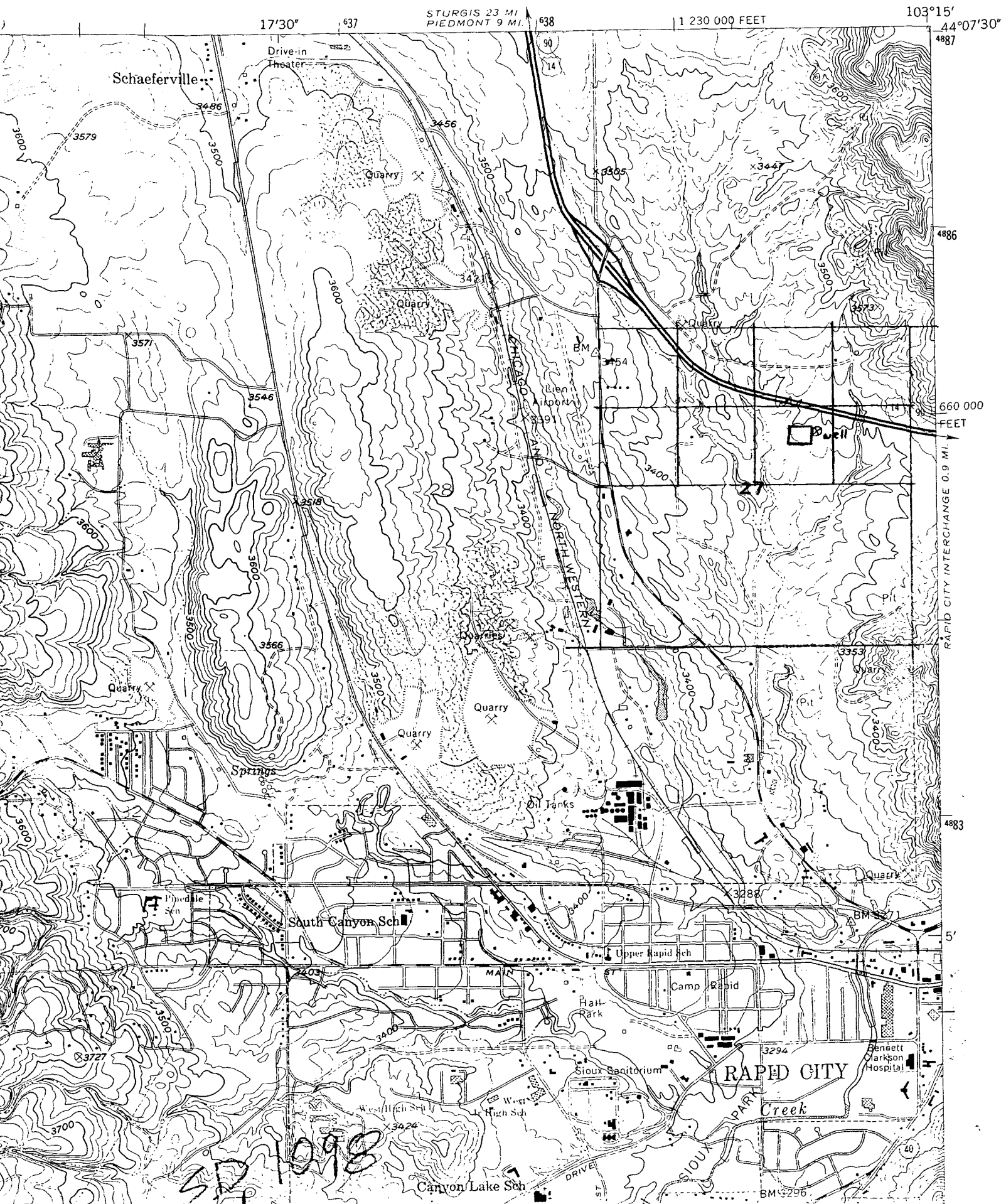
Ron Duvall
Natural Resources Engineer
605 773-3352

enc.



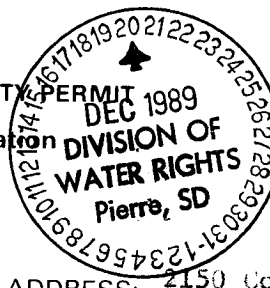
RAPID CITY WEST QUADRANGLE
SOUTH DAKOTA-PENNINGTON CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

5372 II
(RAPID C)



Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation



Office Use Only

4426

WR#

OWNERS NAME: Coca-Cola Bottling Co.
of the Black Hills

OWNERS ADDRESS: 2150 Coca-Cola Lane

Rapid City, SD 57702

COUNTY LAND LOCATED IN: Pennington PHONE: (605) 842-8222

LEGAL DESCRIPTION:

1. LOCATION SW1/4 NE1/4 27-T2N-R7E

☒ Well

☐ Surface

Depth 939'

Legal Description	Acres	Legal Description	Acres
KNOWN AS LOT A-Track 12 (10 acre plot)			
SW1/4 NE1/4 27-T2N-R7E	4.5		

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: Pop-Up
(Specify) Sprinkler

3. CROPS TO BE IRRIGATED: None. (trees, grass, shrubs, etc.)

WATER QUALITY:

4. WATER SAMPLE NUMBER: _____

7. ADJUSTED (SAR): _____

5. SALINITY (EC X 10⁶): _____

8. PERCENT SODIUM 8.9

6. SODIUM (SAR): 0.31

Requirements:

The areas mapped as Canyon-Bridget Complex, 9-15% slope (CcL) and Tilford silt loam, 6-12% slope (TfC) have excessively steep slope which may result in erosion occurring. The areas shall be restricted from irrigation on slopes greater than 9% unless addressed through landscaping practices.

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.

[Signature]
Director, Division of Conservation

December 14, 1989
Date

APPROVED

DISAPPROVED

WAIVER

REQUIREMENTS

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

RECEIPT

411910

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, September 13, 1939RECEIVED OF Coca-Cola Bottling Co., 2150 Coca-Cola Ln., Rapid City, SD 57701

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

Fee for Application for Permit No. <u>2110-2</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/mra
Chief Engineer John Hatch/mra

REPORT ON APPLICATION NO. 2110-2
for Coca-Cola Bottling Co.
January 10, 1990

This application proposes to appropriate 0.25 cfs from one approximately 1400 feet deep well. Water is to be used for commercial purposes in the operation of the Coca-Cola bottling facilities and also for irrigation of 4.5 acres adjacent to the facility. Process water from the facility and runoff is impounded by an existing 2.3 acre-feet holding pond. Water will be diverted from the holding pond at a rate of 0.25 cfs for irrigation of the 4.5 acres. The proposed well, the holding pond and the 4.5 acres are all located in the SW 1/4 NE 1/4 of section 27, T2N-R7E BHM.

AQUIFER - MADISON FORMATION (MDSN)

The Madison Formation (locally called Pahasapa) is medium crystalline dolomitic limestone which can be cavernous in the upper part (Cattermole, 1969). In this area the formation is 300 to 400 feet thick and regionally thins from the North to the South along the axis of the Black Hills (Allen, 1984). The Madison underlies 1.48 million acres and contains 29.8 million acre feet of recoverable water in Pennington County (Allen, 1984). Regionally groundwater moves from North to South and West to East with major discharges to springs like Cleghorn springs. Recharge occurs through streamflow losses directly into the Madison and by infiltration of precipitation which falls directly on the outcrop. Recharge for the entire Black Hills has been estimated to range from 140,000 to 400,000 acre feet per year (Woodward Clyde, 1981).

Well yields from the Madison are very unpredictable and are reported to range from 22 to more than 500 gpm in this area (Peter, 1985). Nearly all investigators agree that the Madison is an aquifer which contains excellent quality water especially near the outcrop and is basically an undeveloped source in terms of quantity.

The Division of Water Rights monitors 5 Madison Formation observation wells in Pennington County. Three of these wells were drilled within the last few months for the purpose of evaluating additional well development by the city of Rapid City. Records for these wells indicate the Madison responds to seasonal precipitation changes and to droughts. In general terms, the data indicates that existing development is not adversely affecting the aquifer (Water Rights, 1990). Rapid City is beginning to drill and test new wells at this time.

The Madison is under artesian conditions and should have a static water level of about 50 feet below land surface at this site.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

This application is located within the future use area specified under Permit No. 2086-2 for Rapid City. This location is approximately 2 miles northeast of site No. 1 and 2 miles north of site No. 2 (proposed well sites) specified by Permit No. 2085-2 for Rapid City. One existing well, Permit No. 454-2 for Black Hills Power and Light, is approximately 1 1/2 miles south of this application. Data is not available to determine the affects of pumping caused by the new city wells. Testing of the wells will be completed as they are finished. Preliminary data from the recently completed observation wells indicate excellent potential for development. Interference is not expected to be adverse.

CONCLUSIONS

1. Water is available from the Madison Formation.
2. The aquifer is under artesian conditions and is not expected to flow at this location.
3. The well proposed by this application must be completed in accordance with SD Well Construction standards. Grouting with neat cement is required from the top of the Madison to the ground surface.
4. Interference potential can not be evaluated. Further testing by Rapid City will be conducted which will provide data to evaluate this potential.
5. This application has a junior priority to Permit No. 2086-2 (future use for Rapid City) and is located within that future use area.
6. This application authorizes the use of surface water which may runoff into a small holding pond (dugout).
7. The diversion rate of .25 cfs can be allowed for irrigation pursuant to SDCL 46-5-6. However, the permit should be limited to 9 acre feet per year for irrigation.
8. Only well water will be allowed into the pond plus incidental runoff. No wastewater from the process will enter the pond. The plant is connected to the city sewer system.


James A Goodman

Natural Resources Engineer IV

BIBLIOGRAPHY

- Allen, J.C., 1984, ANALYSIS OF GROUND WATER AND STREAMFLOW DATA WESTERN DAKOTAS REGION OF SD, TASK 3 AND 4, GROUND WATER RESOURCES INVENTORY, for US Army Corps of Engineers, SD DWR, SDGS, Vermillion, SD, 57069.
- Cattermole, J.M., 1969, GEOLOGIC MAP OF RAPID CITY WEST QUADRANGLE, Map GQ-828, USGS, Washington, DC.
- Peter, K.D., 1985, AVAILABILITY AND QUALITY OF WATER FROM BEDROCK AQUIFERS IN THE RAPID CITY AREA, SD, WRI 85-4022, USGS, Rapid City, SD, 57709.
- Water Rights, 1990, RECORDS OF OBSERVATION WELLS COMPLETED IN THE MADISON AND MINNELUSA FORMATIONS IN THE BLACK HILLS, UNPUBLISHED DATA, SD DWR, Div. of Water Rights, Joe Foss Bldg., Pierre, SD, 57501.
- Woodward Clyde, 1981, WELL FIELD HYDROLOGY, ETSI EIS, at SD DWR, Div. of Water Rights, Joe Foss Bldg., Pierre, SD, 57501.

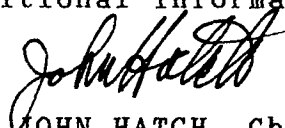
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2110-2, Coca-Cola Bottling Company
of the Black Hills

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. 2110-2, Coca-Cola Bottling Company of the Black Hills, 2150 Coca-Cola Lane, Rapid City SD.

The Chief Engineer is recommending APPROVAL of Application No. 2110-2 as a TEMPORARY PERMIT pursuant to SDCL 46-5-39 with the following qualifications:

1. The well authorized by Temporary Permit No. 2110-2 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted with cement (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:33.
2. The wells approved under this Temporary 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. Approval of Temporary Permit No. 2110-2 does not grant any water rights pursuant to SDCL 46-5-40. Temporary Permit No. 2110-2 may be cancelled pursuant to SDCL 46-5-40 following at least six months notice to the holder of No. 2110-2.
4. Temporary Permit No. 2110-2 may be changed to be a permanent appropriation and a water right following notice and hearing before the Water Management Board, if subsequent study and development of the 9991 acre feet of water reserved by Future Use Permit No. 2086-2 shows that there will still be unappropriated water available for No. 2110-2 and that there will be no unlawful impairment of prior water rights. If No. 2110-2 is change to a permanent water right, the priority date for No. 2110-2 will be December 20, 1989.
5. The maximum volume of water that may be applied for irrigation to 4.5 acres is 9.0 acre-feet annually pursuant to SDCL 46-5.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
January 16, 1990

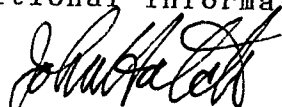
REVISED RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2110-2, Coca-Cola Bottling Company
of the Black Hills

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. 2110-2, Coca-Cola Bottling Company of the Black Hills, 2150 Coca-Cola Lane, Rapid City SD.

The Chief Engineer is recommending APPROVAL of Application No. 2110-2 as a TEMPORARY PERMIT pursuant to SDCL 46-5-39 with the following qualifications:

1. The well authorized by Temporary Permit No. 2110-2 shall be constructed by a licensed well driller and construction shall comply with Water Management Board Well Construction Rules, Chapter 74:02:04 with the well casing pressure grouted with cement (bottom to top) from the producing formation to the surface pursuant to Section 74:02:04:33.
2. The wells approved under this Temporary 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. Approval of Temporary Permit No. 2110-2 does not grant any water rights pursuant to SDCL 46-5-40. Temporary Permit No. 2110-2 may be cancelled pursuant to SDCL 46-5-40 following at least six months notice to the holder of No. 2110-2.
4. Temporary Permit No. 2110-2 may be changed to be a permanent appropriation and a water right following notice and hearing before the Water Management Board, if subsequent study and development of the 9991 acre feet of water reserved by Future Use Permit No. 2086-2 shows that there will still be unappropriated water available for No. 2110-2 and that there will be no unlawful impairment of prior water rights. If No. 2110-2 is change to a permanent water right, the priority date for No. 2110-2 will be December 20, 1989.
5. The maximum volume of water that may be applied for irrigation to 4.5 acres is 9.0 acre-feet annually pursuant to SDCL 46-5.
6. 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
January 17, 1990



Coca-Cola Bottling Company of the Black Hills

February 7, 1990

Chief Engineer
Water Rights Division
Foss Building
523 E. Capitol
Pierre, SD 57501

Dear Mr. Duvall:

The Coca-Cola Bottling Co. of the Black Hills would like to be heard at the water board meeting on March 7, 1990.

We would like to be changed from a temporary permit, to a permanent water use permit. This is what we have been applying for since July 1989.

Our business depends on good quality water. The water quantity and quality have gone down in the last two years and the rates are going up. It has taken 6 to 10 months for the future use study that Rapid City and the State are doing and there is still proposed well sites to be dug.

What we are saying is that we would like to start our well drilling this spring.

Sincerely,

Tom Sims
Plant Supervisor
Coca-Cola Bottling of the BH

skf/TS

 **Department of
Water & Natural Resources**

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

January 16, 1990

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

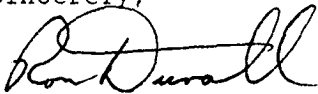
Tom Sims
Coca-Cola Bottling Co. of the Black Hills
2150 Coca-Cola Lane
Rapid City, SD 57702

Dear Mr. Sims:

Water Permit Application No. 2110-2 for irrigation and commercial 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 Rapid City Journal printed at Rapid 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 Hearing 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



SOUTH Dakota Department of
Water & Natural Resources

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

January 16, 1990

Rapid City Journal
PO Box 450
Rapid City, SD 57709-0450

ATTN: Legal Publications:

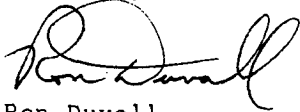
Enclosed is a Notice of Hearing on Application No. 2110-2 to be published twice. Please publish the first notice on or before January 25, 1990 with the second publication 7 days later.

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 Coca-Cola Bottling Company of the Black Hills, 2150 Coca-Cola Lane, Rapid City, SD 57702.

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 _____



PROOF OF PUBLICATION



STATE OF SOUTH DAKOTA)
) ss.
 County _____)

I, I, Mary K. Garness

certify that the attached printed Notice was taken
 from the Rapid City Journal

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 Rapid City

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

January 25, 1990

February 1, 1990

Mary K. Garness
 (Signature)

Bookkeeper
 (Title)

February 1, 1990
 (Date Signed)

Cost of Printing: Ran 8 12/16 inches legal advertising

in the Rapid City Journal on January 25 & February
1 @ \$4.20 per inch = \$73.50

Ran public notice of hearing for water appropriation

L489

Jan. 25, Feb. 1
 NOTICE OF HEARING
 ON APPLICATION NO. 2118-2
 TO APPROPRIATE WATER
 Notice is given that Coca-Cola
 Bottling Co. of the Black Hills, 2150
 Coca-Cola Lane, Rapid City, SD
 57702 has filed an application for a
 water permit to appropriate 0.25
 cubic feet of water per second
 (cfs) from one well (Madison
 Formation) approximately 1400
 feet deep. Water is to be used for
 commercial purposes in the oper-
 ation of the Coca-Cola Bottling fa-
 cilities and also for irrigation of 4.5
 acres adjacent to the Bottling
 Company. Process water from the
 facility and runoff impounded by
 an existing 2.3 acre-foot holding
 pond is to be diverted at a rate of
 0.25 cfs for irrigation of the 4.5
 acres. The proposed well site,
 holding pond and 4.5 acres are all
 located in the SW1/4 NE1/4 Section
 27, T2N, R7E.
 Pursuant to SDCL 46-2A-2, the
 Chief Engineer of the Water
 Rights Division recommends AP-
 PROVAL of Application No. 2118-2
 as a TEMPORARY Water Permit
 pursuant to SDCL 46-5-39. This
 application will be considered by
 the Water Management Board in
 the Roosevelt-Jefferson Room,
 Howard Johnson, 2211 LaCrosse,
 Rapid City, SD on March 7, 1990 at
 10:00 a.m. The Chief Engineer's
 recommendation is not final or
 binding upon the Board. The Board
 is authorized to 1) approve, 2) ap-
 prove with qualifications, 3) defer
 or 4) deny this application based
 on the facts presented at the public
 hearing.
 Any interested person that in-
 tends to participate in the hearing
 before the Board by presenting
 evidence or cross-examining wit-
 nesses according to SDCL 1-26,
 must file a written petition with
 BOTH the applicant and Chief
 Engineer by February 23, 1990.
 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 peti-
 tioner's interest in the application,
 the petitioner's reasons for oppos-
 ing or supporting the application
 and the signature and mailing ad-
 dress of the petitioner or legal
 counsel if legal counsel is ob-
 tained. The applicant need not file
 a petition. Contact the Water
 Rights Division to request infor-
 mation 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 pro-
 cess 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 February 23,
 1990.
 This application is made pursu-
 ant 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.

SOUTH Dakota Department of
Water & Natural Resources

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

January 17, 1990

Tom Sims
Coca-Cola Bottling Co. of the Black Hills
2150 Coca-Cola Lane
Rapid City SD 57702

Dear Mr. Sims:

Enclosed is a Revised Recommendation of the Chief Engineer for
Water Permit Application No. 2110-2. The recommendation was
revised to add Qualification No. 6.

Sincerely,

Karen Schlaak

KAREN SCHLAACK
Senior Secretary
Water Rights Division
605 773-3352

enclosure





Department of Water & Natural Resources

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

APR 26 1990

Tom Sims
Coca-Cola Bottling Co. of the Black Hills
2150 Coca-Cola Lane
Rapid City SD 57702

Dear Mr. Sims:

Enclosed is Water Permit No. 2110-2 as approved by the Water Management Board authorizing you to construct your water diversion system and put the water to beneficial use, not exceeding the limits as specified in the Water Permit.

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 the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

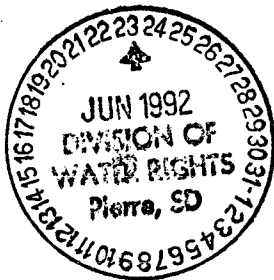
A handwritten signature in black ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

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

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit 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 June 18, 1992

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

FROM: Coca Cola Bottling Co. of The Black Hills, Rapid City, S.
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. 2110-2.

Water Permit No. 2110-2 states that the diversion system is to be constructed by Taylor Drilling Co. 3-7-95, and that the water it put to beneficial use by Coca Cola Bottling Co. 3-7-99

The diversion system was completed on Feb 26 1992.

Applying the water to beneficial use was completed on June 1, 1992

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

Tom Sims
signature Plor & Supt.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

APR 28 1998

2313-2

Coca-Cola Bottling Company of the Black Hills
Tom Simms, Production Supervisor
2150 Coca-Cola Lane
Rapid City, SD 57702

Dear Mr. Simms:

Enclosed is Water License No. 2313-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415735 in the amount of \$50.00 which you paid for the investigation 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. 2323-2, 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

ks
enclosures

NOTE: The applicable portions of Water Permit No. 2110-2 have been incorporated into No. 2313-2.