

Considered: _____

WATER PERMIT NO. 2125-2

HAP No. 394-4162

Name of Applicant City of Rapid City, Water Division

Post Office Address 300 6th St. Rapid City SD

Amount of Water Claimed 2.23 (800ac-ft/year) Total Acres _____

Source of Water Supply municipal groundwater

Water to be used for municipal County Pennington

About _____ miles _____ of Rapid City

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY _____ Date Received 3/14/90 Fee \$525 Remarks within

future use area 2086-2

Corrected Application Received _____ Period of Annual Use _____

WATER QUALITY APPROVAL RECEIVED N/A APPROVED/CONDITIONAL (Circle one)

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

Diversion Point 350 feet South of

Center of Section 1-T1N R2E

Land to be Irrigated _____

Well Log: Driller _____ Licensed YES _____ NO _____

Depth of Well 2650' REMARKS _____

Type of Map Topo PREPARED BY Dan Bjerke Reviewed and the Number

assigned on April 4, 1990 By Eric Thorslund

		1			
		0			
			1		

Mail to: Water Rights Div.
523 E. Capitol
Pierre, SD 57501
(605) 773-3352

No. 2125-2 Hydrologic Unit 10120110
Map No. _____ Basin Upper Cheyenne
Newspaper Rapid City Journal

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. 2086-2

1. Name of Applicant Water Division, City of Rapid City Phone No. 394-4162

Post Office Address 300 6th Street, Rapid City State SD 57701
(Street, RR or Box) (City) Zip Code

2. Amount of water claimed (c.f.s.) 2.23 c.f.s. (800 acre-feet/year)

3. Source of water supply Ground Water - Madison Formation

4. Location of point of diversion Approximately 350 feet south of the center of Section 1 on the quarter section line, Sec. 1, T1N, R2E, BHM

County Pennington

5. Counties where water will be used Pennington

6. Annual period during which water is to be used All Year January 1 - December 31

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)

See Attached Sheet

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

STATE OF SOUTH DAKOTA)
County of Pennington)^{SS}

I, Keith T. Carlyle, Mayor for the City of Rapid City 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 [Signature]

Subscribed and sworn to before me this 14th day of March 19 90

[Signature]
Notary Public

4-30-92



MEMORANDUM

TO: Water Rights Division

FROM: Daniel L. Bjerke
Water/Wastewater Division Manager
City of Rapid City, SD

RE: Application for Permit to Appropriate Water

DATE: March 8, 1990

Item No. 7: Brief Description of Proposed Project

Proposed well will be drilled into the Madison Formation. Depths are estimated from existing wells drilled into the Madison Formation. 13 3/8 inch O.D. casing will be set from the ground surface to the top of the Madison Formation. 12 1/4 inch open borehole will penetrate Madison Formation until satisfactory production is achieved.

The water will be used for municipal domestic supply for the City of Rapid City.

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 17-1/2 inch 2,300 feet Total Depth 2,650
 Depth 350 feet
- b) Casing Type Steel Diameter 13-3/8" O.D. Thickness 0.31 inches
- c) Screen Type None Diameter Thickness
- d) Gravel Pack Thickness N/A Length of Gravel Pack N/A
- e) Depth to Top of Water Bearing Material 2,300 feet
- f) Depth to Water (ground surface to water level) Est. 200 feet
- g) Distance to nearest existing domestic well: Madison Formation
- On applicants property 12,000 On property owned by others 13,000

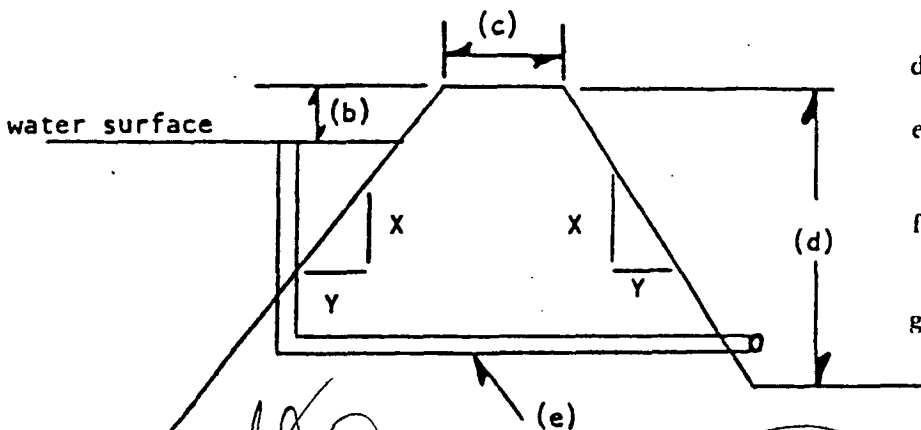
2. Dugout Information Estimates

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

3. Water Storage Dams

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

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



- b) Freeboard _____
- c) Crest Width _____
- Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If Pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway width _____
- g) X & Y Slope
Upstream _____
Downstream _____
- Surface Area of Impoundment _____
- Storage _____ acre feet
- Drainage area above dam _____

Signature of Applicant



**SOUTH DAKOTA
WATER PERMIT No. 2125-2**

Date of first receipt of application March 19, 1990.

Date of return to applicant for correction, amendments or changes March 20, 1990.

Date of receipt of corrected application March 28, 1990.

The Water Management Board approved Water Permit Application No. 2125-2 on May 23, 1990 for City of Rapid City, 300 6th Street, Rapid City, SD 57701 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. 2125-2 authorizes construction and placement to beneficial use 2.23 cubic feet of water per second (800 acre feet annually) from one well (Madison formation) 2650 feet deep located on the quarter section line of the NE1/4 SW1/4 and NW1/4 SE1/4 of Section 1 T1N-R7E. This water was appropriated and reserved by future use permit No. 2086-2.
2. The water appropriated shall be used for the purpose of supplying a portion of the cities water needs 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 May 18, 1989.
5. One-fifth of the construction is to be completed on or before November 23, 1992.
6. All construction is to be completed on or before May 23, 1995.
7. Water is to be put to beneficial use on or before May 23, 1999.
8. 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. 2125-2 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 74:02:04:30.
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. That the City report to the chief engineer annually the amount of water withdrawn each year under this Permit.

WATER MANAGEMENT BOARD

By: _____

John Hatch
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JUL 10 1990

(date)

March 20, 1990

Daniel Bjerke
Water/Wastewater Division Manager
Public Works Department
300 Sixth Street
Rapid City, SD 57701

RE: Application for Water Right Permit for Well Nos. 7 & 8
Well No. 1 - Increase in Diversion Rate (permit No. 433-2)

Dear Mr. Bjerke:

This letter is a follow-up to the recent Rapid City water permit applications and our subsequent phone conversation.

- 1) The fee for increasing the diversion rate of well No. 1 by 0.27 cfs is \$225 instead of the \$50 fee you submitted. I have attached the \$50 purchase order you submitted, please remit the correct fee of \$225.
- 2) What is the yearly volume (ac-ft) to be utilized by the water permit application claiming 2.23 cfs from Rapid City's future use permit No. 2086-2? If this were continuous use it would approximately 1614 acre feet yearly and this would be deducted from the city's future use permit. Please inform me of the yearly volume of water to be claimed under this permit.
- 3) Pursuant to our conversation, I am processing the permit using well No. 8 as a new permit and not including it in Rapid City's future use permit No. 2086-2. The well location is not within the boundaries of the future use permit and thus can not utilize permit No. 2086-2. Let me know if you disagree with procedure I am following. Also, please contact me on the yearly volume of water to be claimed under this permit.

I am going to proceed with processing these permits but would appreciate attention the above mentioned items. If you have any question, please feel free to contact me.

Sincerely,

Eric Gronlund
Natural Resources Engineer
Division of Water Rights
(605) 773-3352

attachment

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, 2152 March 27, 1920

412167

RECEIVED OF City of Rapid City, 300 6th Street Rapid City, SD 57701

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

Fee for Application for Permit No. <u>2125-2</u> to Appropriate Water, to construct works and to put water to beneficial use _____	525	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	525 00

By John H. Hotal (ms)
Chief Engineer



City of Rapid City

RAPID CITY, SOUTH DAKOTA 57701

Michael D. Strub, Public Works Director

Public Works Department

300 Sixth Street

605-394-4165

March 26, 1990

Mr. Eric Gronlund
Natural Resources Engineer
SD Dept of Water & Natural Resources
Division of Water Rights
523 East Capitol
Pierre, SD 57501-3181

Re: Application for Water Right Permit for Wells Nos. 7 & 8
Well No. 1, Increase in Diversion Rate

Dear Mr. Gronlund:

Enclosed are Rapid City's Purchase Order Nos. 215625 and 218289 totaling \$225.00 to cover the fee for increasing the diversion rate of Well No. 1., please sign below the "Verification" statement and return as soon as possible so that we may issue payment.

The yearly volume of water to be claimed under the water use permit No. 2086-2 is 800 acre feet. The yearly volume of water to be claimed under the water use permit for Well No. 8 is also 800 acre feet.

Sincerely,

DANIEL L. BUERKE, P.E./L.S.
Water/Wastewater Division Manager

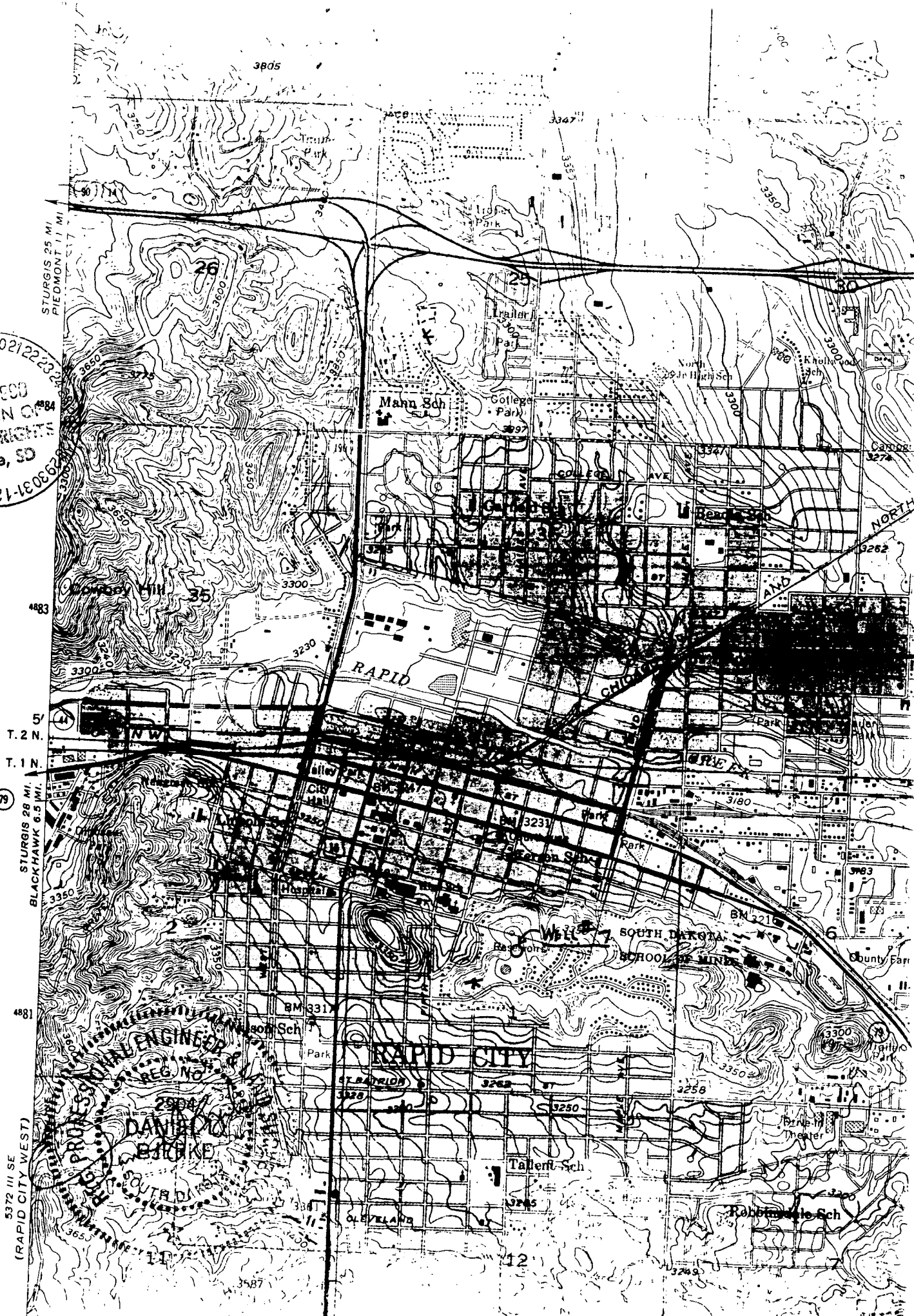
Enclosures

cc File: Daniel\Correspo\Permits



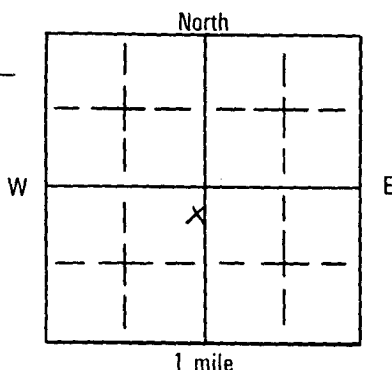
EQUAL HOUSING
OPPORTUNITY

EQUAL OPPORTUNITY EMPLOYER



SOUTH DAKOTA WATER WELL COMPLETION REPORT

10-85

Location NE 1/4 SW 1/4 Sec 1 Twp 1N Rg 7ECounty
PenningtonPlease mark well
location with
an "X"Well Completion Date Nov. 1990

PROPOSED USE:

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

Method of Drilling:

Air + Mud Rotary

CASING DATA:

☒ Steel ☐ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>80 LB/FT</u>	<u>20 IN</u>	<u>0 FT</u>	<u>38 FT</u>	<u>25 IN</u>
<u>54 LB/FT</u>	<u>13 3/4 IN</u>	<u>0 FT</u>	<u>1643 FT</u>	<u>17 1/2 IN</u>
<u>36 LB/FT</u>	<u>9 5/8 IN</u>	<u>1597 FT</u>	<u>2792 FT</u>	<u>12 1/4 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 2792 FEETWhat is grouting material? CementIf cement, number of sacks? 1366Describe grouting procedure all three casing strings were pressure groutedWhat was grout weight? 15 LB/GALSCREEN: ☐ Perforated pipe ☐ Manufactured

Diameter _____ IN Length _____ FEET

Material _____

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Slot Size _____ Set From _____ Feet To _____ Feet

Other information _____

Was a packer or seal used? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

Was well disinfected upon completion? ☒ YES ☐ NOExplain Circulated chlorine solutionBacteriological analysis ☐ YES ☐ NO

Laboratory sent to _____

Well Owner:

Name City of Rapid CityAddress 300 6th Street 57701Well Log: attn: Dan Bjerke

Depth

Formation RC, SD 57701

From

To

<u>gravel</u>	<u>C</u>	<u>30</u>
<u>Belle Fourche / Newry</u>	<u>25</u>	<u>370</u>
<u>Newcastle</u>	<u>370</u>	<u>400</u>
<u>Skull Creek</u>	<u>400</u>	<u>666</u>
<u>Fall River</u>	<u>666</u>	<u>710</u>
<u>Fusion + Lakota</u>	<u>710</u>	<u>950</u>
<u>Morrison</u>	<u>950</u>	<u>1040</u>
<u>Sundance</u>	<u>1040</u>	<u>1570</u>
<u>Spearfish</u>	<u>1570</u>	<u>2059</u>
<u>Minnekahta</u>	<u>2059</u>	<u>2087</u>
<u>Opeche</u>	<u>2087</u>	<u>2214</u>
<u>Minnelusa</u>	<u>2214</u>	<u>2845</u>
<u>Madison</u>	<u>2845</u>	<u>3265</u>
<u>Englewood</u>	<u>3265</u>	<u>3280</u>

STATIC WATER LEVEL 220 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☐ Bailed

Describe: _____

☐ Other

Pumping Level Below Land Surface

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS:

This well was drilled under license # 331

And this report is true and accurate.

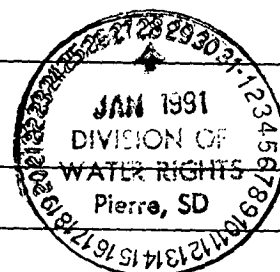
Drilling firm Taylor Drilling Co.

Signature of License Representative:

Ralph Taylor Jr.

Signature of Well Owner:

Date _____



REPORT ON APPLICATION NO. 2125-2
FOR THE CITY OF RAPID CITY
April 19, 1990

This application proposes to construct one well approximately 2650 feet deep into the Madison Formation and put to beneficial use 2.23 cfs (800 acre feet per year). The well is to be located approximately 350 feet south of the center of section 1, T1N R7E BHM in Pennington County. This water has been reserved by Future Use Permit No. 2086-2 and will be used for municipal purposes by the City of Rapid City.

AQUIFER - MADISON (MDSN)

The Madison Formation (locally called Pahasapa) is a crystalline dolomitic limestone which is typically cavernous in the upper 1/2 of the formation (Cattermole, 1969). The Madison underlies 1.48 million acres and contains an estimated 29.8 million acre feet of recoverable water in Pennington County alone (Allen, 1984). Recharge to the Madison occurs through streamflow losses in the sinkhole areas along the major drainages and by direct infiltration of precipitation on the outcrop.

Well yields from the Madison are unpredictable and reportedly range from 22 to more than 500 gpm in this area (Peter, 1985). Nearly all investigators agree that the Madison contains excellent quality water especially near the outcrop and is basically an undeveloped source. Recent testing by Rapid City (two new wells authorized by permit No. 2085-2) indicated well yields in excess of 700 gpm.

The Division of Water Rights monitors 5 Madison wells in the Rapid City area. One of the wells PE-65A has been in place since 1965. Records for this well indicate water levels respond to climatic conditions but have not been obviously affected by any development (Water Rights, 1990).

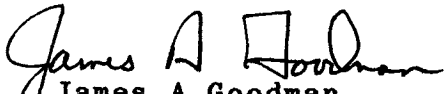
The potential effect of pumping from the Madison upon the springflow at Cleghorn springs is unknown. Additional testing and development of Madison wells in this area along with monitoring of the observation wells and streamflow will provide data to evaluate this question.

REVIEW OF EXISTING WATER RIGHTS/PERMITS

The nearest existing diversions are for Permit Nos. 2086-2 and 454-2. These wells are over 2 miles from this proposed site. Any other existing Madison well or permit is over 3 miles from this site. Drawdowns caused by pumping are expected but data is not available to determine their magnitude. The City of Rapid City is presently testing two new wells authorized by Permit No. 2086-2 for the purpose of evaluating potential drawdown.

CONCLUSIONS

1. Water is available from the Madison Formation.
2. Drawdowns will occur. Interference potential can not be evaluated with the data available.
3. The Madison is under artesian conditions and should not flow at this site.
4. This well must be constructed in accordance with SD Well Construction Standard 74:02:04:30.
5. This application is to construct a well and put water to beneficial use which has been reserved by Future Use Permit No. 2086-2.
6. One of the conditions placed upon Permit No. 2086-2 was that the Madison wells would be 800 to 1200 feet deep. This qualification needs to be corrected.


James A Goodman
Natural Resources Engineer

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, SD DWR, SDGS, Vermillion, SD, 57069.
- Cattermole, J.M., 1969, GEOLOGIC MAP OF THE 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, OBSERVATION WELL RECORDS FOR PENNINGTON COUNTY SD, SD DWR, Div. of Water Rights, Joe Foss Bldg., Pierre, SD, 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2125-2, City of Rapid 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. 2125-2, City of Rapid City, 300 6th Street, Rapid City SD.

The Chief Engineer is recommending APPROVAL of Application No. 2125-2 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. The well authorized by Permit No. 2125-3 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 74:02:04:30.
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. That the City report to the chief engineer annually the amount of water withdrawn each year under this Permit.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
April 19, 1990



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
April 19, 1990

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

Keith T. Carlyle, Mayor
City of Rapid City
300 6th St
Rapid City SD.

Dear Mayor Carlyle:

Water Permit Application Nos. 2121-2, 2124-2 and 2125-2 for municipal use have been examined and found to comply with the South Dakota Water Laws and applicable rules. The Notice of hearings have 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. The recommendations of the Chief Engineer and reports on the application will be sent later. Please review the notices 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 the Notice of Hearings and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish the notices once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publications. We must receive Proof of Publication before the applications can be considered by the Water Management Board.

Sincerely,

A handwritten signature in cursive script that reads "Eric Gronlund".

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures



Department of Water & Natural Resources

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

April 19, 1990

Rapid City Journal
PO Box 450
Rapid City SD 57709

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 2125-2 to be published twice. Please publish the first notice on or before April 26, 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 the City of Rapid City, 300 6th St, Rapid City SD.

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,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
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, 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:

April 26, 1990

May 3, 1990

Mary K. Garness
 (Signature)

Bookkeeper
 (Title)

May 3, 1990
 (Date Signed)

Cost of Printing: Ran 8 5/16 inches legal advertising
in the Rapid City Journal on April 26 & May 3
@ \$4.20 per inch = \$69.82

Ran public notice of hearing L187

April 26, May 3 L187
**NOTICE OF HEARING
 ON APPLICATION NO. 2125-2
 TO DEVELOP RESERVED
 WATER**

Notice is given that the City of Rapid City, 300 6th St., Rapid City, S.D. has filed an application for a water permit to construct and place to beneficial use 2.23 cubic feet of water per second (800 acre-feet annually) from one well (Madison Formation) 2650 feet deep located on the quarter section line of the NE 1/4 SW 1/4 and NW 1/4 SE 1/4 of Section 1-T1N-R7E. This water was appropriated and reserved by future use Permit No. 2086-2. The water will be used for municipal purposes by the City of Rapid City.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 2125-2 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 the Pelican Room, Ramkota Inn, Hwy 312, Watertown, S.D., on May 23, 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) 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 May 11, 1990. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E. Capitol, Pierre, S.D. 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. Decision 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 May 11, 1990.

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.



Instruction to Newspaper - Publish first Notice on or before April 26, 1990 with 2nd publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 2125-2 to Develop Reserved Water

Notice is given that the City of Rapid City, 300 6th St, Rapid City SD has filed an application for a water permit to construct and place to beneficial use 2.23 cubic feet of water per second (800 acre-feet annually) from one well (Madison Formation) 2650 feet deep located on the quarter section line of the NE 1/4 SW 1/4 and NW 1/4 SE 1/4 of Section 1-T1N-R2E. This water was appropriated and reserved by future use Permit No. 2086-2. The water will be used for municipal purposes by the City of Rapid City.

Pursuant to SDCL 46-2A-2, the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 2125-2 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 the Pelican Room, Ramkota Inn, Hwy 212, Watertown SD on May 23, 1990 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 May 11, 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 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 May 11, 1990.

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.

SOUTH Dakota Department of
Water & Natural Resources

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

April 30, 1990

Keith T. Carlyle, Mayor
City of Rapid City
300 6th St
Rapid City SD 57701

Dear Mayor Carlyle:

Enclosed are the reports and recommendations of the Chief Engineer for Water Permit Application Nos. 2121-2, 2124-2 and 2125-2 for Rapid City.

Sincerely,

Karen Schlaak

KAREN SCHLAACK
Senior Secretary
Water Right Division
605 773-3352

enclosures



Department of Water & Natural Resources

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

JUL 10 1990

Keith T Carlyle, Mayor
City of Rapid City
300 - 6th St
Rapid City SD 57701

Dear Mayor Carlyle:

Enclosed are Water Permit Nos. 2121-2, 2124-1 and 2125-1 as approved by the Water Management Board authorizing the construction of the water diversion systems and put the water to beneficial use, not exceeding the limits as specified in each Water Permit.

Also enclosed are three 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 Licenses 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.



2125-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 6 1995

2273-2

Dan Bjerke
City of Rapid City
300 6th St.
Rapid City, SD 57701

Dear Mr. Bjerke:

Enclosed is Water License No. 2273-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414358 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 2273-2, 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

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enclosures

NOTE: The applicable portions of Water Permit Nos. 2085-2, 2125-2, 2271-2 and 2272-2 have been incorporated into this Water License No. 2273-2 with a total annual diversion of 5,394 acre-feet of water annually.