

WATER PERMIT NO. 2274-2

Phone: 394-4165

Name of Applicant: City of Rapid City

Post Office Address: 300 6th St, Rapid City SD 57701

Amount of Water Claimed: 0.78 (no add'l) Total Acres: _____

Source of Water Supply: city springs

Water to be used for: municipal County: Pennington

About _____ miles _____ of _____

PRIORITY Date Received: 3-24-93 Fee: _____ Remarks: Transfer

diversion authority from License No. 437-2 to No. 2138-2

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

WATER QUALITY APPROVAL RECEIVED: NA APPROVED/CONDITIONAL (Circle one)

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

Diversion Point: SE 1/4 NE 1/4 Sec 3- T1N-R7E

Land to be Irrigated: _____

Well Log: Driller: _____ Licensed YES _____ NO _____

Depth of Well: _____ REMARKS: _____

Type of Map: topo PREPARED BY: Daniel Bjerke Reviewed and the Number

Assigned on: 3-25-93 By: Karen Schlaak

FORM 2: Application for uses other than irrigation

(type or print)

50

Mail to:

Water Rights Division
Joe Foss Building
523 E Capitol
Pierre SD 57501-3181
605 773-3352

No. 2274-2 Hydrologic Unit 10120110
Basin Upper Cheyenne
Newspaper Rapid City Journal
(office use only)



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

Check use of water:

☒ Municipal ☐ Suburban Housing ☐ Recreational ☐ Institutional
☐ Rural Water System ☐ Commercial ☐ Fish & Wildlife ☐ Geothermal Heat
☐ Domestic ☐ Industrial ☐ Other _____
(over 18 gpm)

Type of Application: ☒ New ☐ Vested Right (Use predates Mar 2, 1955) ☐ Future Use Reservation
(check one) ☐ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
☐ Amendment/Correction to Permit No. _____

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

Transfer diversion authority from License No. 437-2 to Permit No. 2138-2.

- Name of Applicant City of Rapid City Phone (605) 394-4165
(check one) ☒ Owner ☐ Tenant/lessee
Mailing Address 300 6th St Rapid City State SD 57701
(Street, RR, or Box) (City) (Zip Code)
- Amount of water claimed 0.78 *CFS or _____ **GPM _____ ***AF _____
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply City Springs
- Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W) _____
City treatment plant, SE1/4 NE1/4 Sec 3 T1N-R7E
_____ County Pennington
- County or counties where water will be used Pennington
- Annual period during which water is to be used January 1 - December 31
- Give a description of the 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)

This will change the diversion site from City Springs on Lime Creek to the treatment plant on Rapid Creek.

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

STATE OF SOUTH DAKOTA)

County of Pennington ss

I, Ed McLaughlin, 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 Ed McLaughlinSubscribed and sworn to before me this 22nd day of March 1993

Gatsy Horton
Notary Public

**SOUTH DAKOTA
WATER PERMIT NO. 2274-2**

Date of first receipt of application March 24, 1993.

The Water Management Board approved Water Permit Application No. 2274-2 on December 1, 1993 for the City of Rapid City, 300 6th St, 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. 2274-2 transfers the diversion authority for 0.78 cubic feet of water per second (cfs) from Vested Water Right No. 437-2 to Water Permit No. 2138-2. Vested Water Right No. 437-2 appropriates 0.78 cfs from City Springs Gallery (on Lime Creek) located in the SE 1/4 NE 1/4 Section 32-T2N-R7E. Water Permit No. 2138-2 authorized placement of beneficial use of 12.38 cfs from Rapid Creek at the city treatment plant located in the SE 1/4 NE 1/4 Section 3-T1N-R7E. This permit changes the diversion site from City Springs Gallery to the treatment plant.
2. The water appropriated shall be used for the purpose of supplying water to the 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 January 1, 1886.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

The City of Rapid City shall report to the Chief Engineer annually the amount of water withdrawn each year at the water treatment plant.

WATER MANAGEMENT BOARD

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

FEB 1 1994
date

RECEIPT

413723

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ April 8, 19 93

RECEIVED OF City of Rapid City Finance Office, Rapid City SD

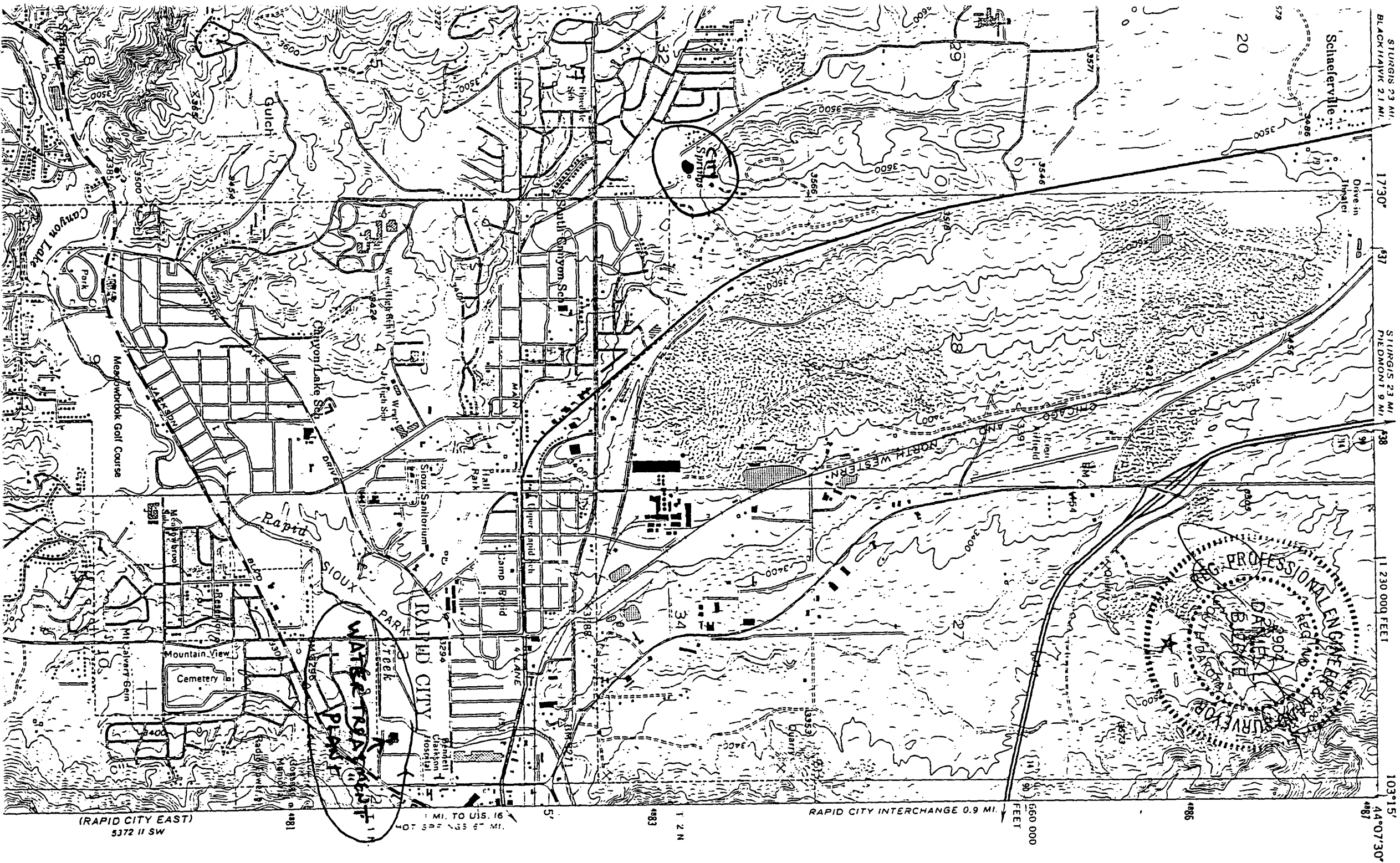
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>2274-2</u> to Appropriate Water, to construct and to put water to beneficial use _____	50	00
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer

KS



STURGIS 23 MI.
BLACK HAWK 2.1 MI.

17°30'

37

STURGIS 23 MI.
PIEDMONT 9 MI.

38

11 230 000 FEET

103°15'
44°07'30"

(RAPID CITY)

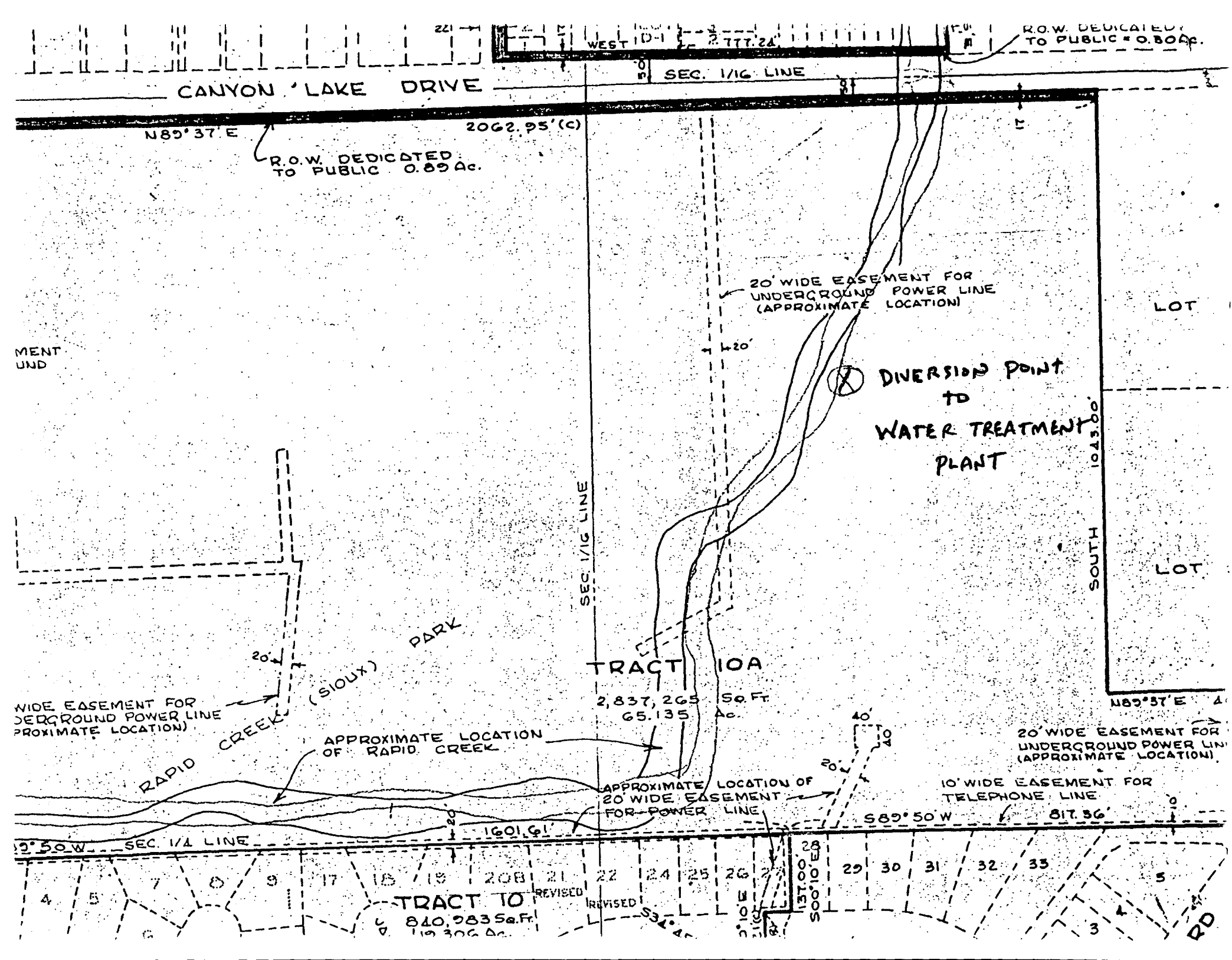
(RAPID CITY EAST)
5372 11 SW

1 MI. TO U.S. 16
NOT TO SCALE

RAPID CITY INTERCHANGE 0.9 MI.

660 000
FEET

840, 983 5a. Fr.
118 306 Aa



Report on Water Permit Application No. 2274-2
City of Rapid City
May 10, 1993

Application No. 2274-2, City of Rapid City, proposes to change the location of the diversion point, authorized by Vested Water Right No. 437-2 with a diversion rate of 0.78 cubic feet of water per second (cfs) and a priority of January 1, 1886, from City Springs Gallery located on Lime Creek in the SW1/4 NE1/4 of Section 32 T2N-R7E to the water treatment plant located on Rapid Creek in the SE1/4 NE1/4 of Section 3 T1N-R7E. A July 13, 1992 inspection of Vested Water Right No. 437-2 found that the City of Rapid City was no longer utilizing the original point of diversion, but was diverting the water at the water treatment plant. This application proposes to change the authorized point of diversion for pumping City Springs water from City Springs gallery to the water treatment plant. This water would be allowed to flow from the springs into Lime Creek down to Rapid Creek and diverted at the water treatment plant. The new diversion point is located 2.9 creek miles downstream from the original diversion point with 0.7 miles being in Rapid Creek.

Review of the Water Source

The source of water for this project is from the springs at City Springs located on Lime Creek. There are two US Geological Survey (USGS) gaging stations located on Lime Creek. One gaging station is located at City Springs to measure flow from the springs, the second gaging station is located at the mouth of Lime Creek to measure flow from Lime Creek into Rapid Creek. The City of Rapid City would only be able to divert water at the treatment plant when there is flow from the springs as measured at the City Springs gaging station and when there is sufficient flow at the mouth of Lime Creek. If flow from the springs into Lime Creek is less than 0.78 cfs, the City would be required to reduce their diversion rate to the measured amount.

Review of Existing Water Rights

There are 72 existing water rights/permits located on Rapid Creek from Pactola Reservoir to the confluence with the Cheyenne River. Of these 26 water permits/rights authorized to appropriate 87.8 cfs and having priority dates junior to September 22, 1956 are located downstream from Jackson Springs gallery. Six of these junior water rights/permits, appropriating 63.97 cfs, are held by the City of Rapid City. If approved, this project would not be expected to adversely affect existing water rights/permits.

There are no existing water rights located on Lime Creek downstream from the springs to the confluence with Rapid Creek.

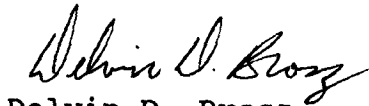
Conclusions

1. Application No. 2274-2 proposes to change the point of diversion, with a diversion rate of 0.78 cfs, for Vested Water Right No. 437-2 from City Springs to The Rapid City water treatment plant.
2. If approved the City of Rapid City would only be able to divert water at the water treatment plant when City Springs is flowing into Lime Creek and there is corresponding flow to Rapid Creek, as measured at the two USGS gaging stations on Lime Creek.
3. Existing water rights should not be adversely affected.



Mark D. Rath
Natural Resources Engineer III

Approved by,



Delvin D. Brosz
Natural Resources Engineer IV

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2274-2, City of Rapid City**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 2274-2, City of Rapid City, c/o Dan Bjerke, 300 6th Street, Rapid City, SD 57701.

The Chief Engineer is recommending DEFERRAL of Application No. 2274-2 to allow additional time for review of the application.

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

for JOHN HATCH, Chief Engineer
May 20, 1993

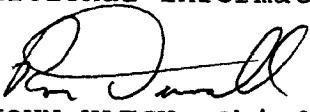
REVISED RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 2274-2, City of Rapid City

Pursuant to SDCL 46-2A-2, the following is the revised recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 2274-2, City of Rapid City, c/o Dan Bjerke, 300 6th Street, Rapid City, SD 57701.

The Chief Engineer is recommending APPROVAL of Application No. 2274-2 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 qualification:

The City of Rapid City shall report to the Chief Engineer annually the amount of water withdrawn each year at the water treatment plant.

See report on application for additional information.


for JOHN HATCH, Chief Engineer
August 10, 1993



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

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

August 12, 1993

Dan Bjerke, Utility Manager
City of Rapid City
300 6th Street
Rapid City, SD 57701

Dear Mr. Bjerke:

Water Permit Application Nos. 2270-2, 2274-2 and 2277-2 for municipal uses have 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 (Ph # 394-8300). For your information, a copy of the notice, the recommendations of the Chief Engineer and reports on the applications are 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. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the applications.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendations, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the applications.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 12, 1993

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

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application Nos. 2270-2, 2274-2 and 2277-2 to be published twice. Please publish the first notice on August 26, 1993, 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 Street, Rapid City, SD 57701 (Ph # 394-4165).

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 forms. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit applications 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

Instruction to Newspaper - Publish first Notice on August 26, 1993, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application Nos. 2270-2, 2274-2 and 2277-2

Notice is given that the City of Rapid City, 300 6th Street, Rapid City, SD 57701 has filed applications for water permits.

Water Permit Application No. 2270-2 proposes to increase the authorized diversion rate from Jackson Springs Gallery by 2.71 cubic feet of water per second (cfs) [1,177 acre-feet of water annually] by placing to beneficial use water reserved by Future Use Permit No. 439-2. Vested Water Right No. 432-2 currently appropriates 7.75 cfs of water from Jackson Spring Gallery located in the NW 1/4 SE 1/4 Section 8-T1N-R7E. The Jackson Springs Gallery has been developed for 10.46 cfs. The 2.71 cfs (1,177 acre-feet of water annually) proposed water was appropriated and reserved by Future Use Permit No. 439-2. Permit No. 439-2 reserves 5,539 acre-feet of water annually from groundwater, infiltration galleries and Minnelusa and Madison Formation wells located along Rapid Creek in the SE 1/4 NE 1/4 Section 9, NW 1/4 SE 1/4 Section 8, and the SW 1/4 SW 1/4 Section 3; all in T1N-R7E for municipal use with a priority date of September 22, 1956.

Water Permit Application No. 2274-2 proposes to transfer the diversion authority for 0.78 cfs from Vested Water Right No. 437-2 to Water Permit No. 2138-2. Vested Water Right No. 437-2 appropriates 0.78 cfs from City Springs Gallery (on Lime Creek) located in the SE 1/4 NE 1/4 Section 32-T2N-R7E. Water Permit No. 2138-2 authorized placement to beneficial use of 12.38 cfs from Rapid Creek at the city treatment plant located in the SE 1/4 NE 1/4 Section 3-T1N-R7E. This application, if approved, will change the diversion site from City Springs Gallery to the treatment plant.

Water Permit Application No. 2277-2 proposes to place to beneficial use 1.34 cfs with an annual limit of 53 acre-feet from Rapid Creek for the irrigation of the Executive Golf Course. This water has been reserved under Future Use Permit No. 1088-2 with a priority date of June 28, 1971. Water Permit No. 1911-2 has a priority date of June 28, 1971, and authorizes the irrigation of 37 acres of the Executive Golf Course with a diversion rate of 0.1 cfs and an associated annual volume of 21 acre-feet. A July 15, 1992, inspection found that the golf course was capable of diverting water at a greater rate than and using a greater volume than the amount authorized. Water Permit No. 1931-2 authorizes the diversion of 0.10 cfs from Rapid Creek with the diversion point located in the SE 1/4 SW 1/4 of Section 35 to irrigate 37 acres located in the SE 1/4 of Section 35; all in T2N-R7E. This application does not propose to change the number of acres irrigated nor the location of the diversion point. It does propose to bring the authorized annual volume of water diverted up to the statutory limitation of 2 acre-feet per irrigated acre.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application Nos. 2270-2, 2274-2 and 2277-2 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest.

Any person interested in opposing or supporting these applications must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by November 22, 1993. The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

The Water Management Board will consider this application at 10:00 a.m., December 1, 1993, Floyd Matthew Training Center, Joe Foss Building, 523 East Capitol, Pierre, SD. The Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this applications based on the facts presented at the public hearing. The December 1, 1993, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the applications. The request for an automatic delay must be filed by November 22, 1993.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. 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. Contact Eric Gronlund by November 22, 1993, at the above Water Rights Division address to request copies of information pertaining to these applications, to assure access to the hearing by the handicapped or to obtain an interpreter for the hearing impaired.

These applications are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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, 46-2A-20, 46-2A-21; 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:24 thru 74:02:01:25. Robert E. Roberts, Secretary, Department of Environment and Natural Resources.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Pennington) SS

I, Helena M. Bauer

certify that the attached printed Notice was

taken from the _____

Rapid City Journal

printed and published in Rapid City

County of Pennington and State of

South Dakota. The notice was published in
the newspaper on the following two dates:

August 26, 1993

Sept. 2, 1993

Cost of Printing: 16 inches run 2 times

@ 5.10 per inch \$163.20

Helena M. Bauer
(Signature)

Bookkeeper

(Title)

September 2, 1993

(Date Signed)

Aug. 26, Sept. 2

NOTICE OF HEARING ON APPLICATION

NOS. 2270-2, 2274-2 and 2277-2
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Rapid City, 300 6th Street, Rapid
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water reserved by Future Use
Permit No. 439-2. Vested Water
Right No. 432-2 currently appro-
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Jackson Springs Gallery located in
the NW 1/4 SE 1/4 Section 8 T1N-R7E.
The Jackson Springs Gallery has
been developed for 10.46 cfs. The
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infiltration galleries and Min-
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the SE 1/4 NE 1/4 Section 9, NW 1/4
SE 1/4 Section 6, and the SW 1/4 SW 1/4
Section 3; all in T1N-R7E for mu-
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Water Permit No. 2138-2. Vested
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SE 1/4 NE 1/4 Section 32-T2N-R7E.
Water Permit No. 2138-2 autho-
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the SE 1/4 NE 1/4 Section 3-T1N-R7E.
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Water Permit Application No.
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Pursuant to SDCL 46-2A-2, the
Chief Engineer recommends AP-
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of water, and 3) it is in the public
interest.

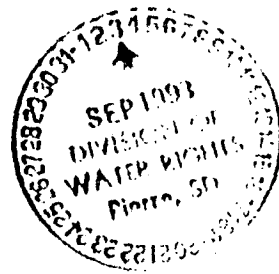
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Engineer. The applicant must also
file a petition if opposed to the
Chief Engineer's recommenda-
tions. The Chief Engineer's ad-
dress is "Water Rights Division,
Foss Building, 523 E. Capitol,
Pierre, SD 57501 (605-773-3352)"
and the applicant's mailing ad-
dress is given above. A petition
filed by either an interested person
or the applicant must be filed by
November 22, 1993. The petition
may be informal, but must include
a statement describing the peti-
tioner's interest in the applica-
tions, the petitioner's reasons for
opposing or supporting the appli-
cations, and the signature and
mailing address of the petitioner
or the petitioner's legal counsel. If
legal counsel is obtained.

The Water Management Board
will consider this application at
10:00 a.m., December 1, 1993,
Floyd Mathew Training Center,
Joe Foss Building, 523 East Cap-
itol, Pierre, S.D. The Chief Engi-
neer's recommendations are not
final or binding upon the Board.
The Board is authorized to 1) ap-
prove, 2) approve with modifica-
tions, 3) defer, or 4) deny this ap-
plication based on the facts pre-
sented at the public hearing. The
December 1, 1993, hearing date
will be automatically delayed for
at least 20 days upon written re-
quest to the Chief Engineer from
the applicant or any interested
person opposing the applications.
The request for an automatic de-
lay must be filed by November 22,
1993.

Any hearing will be an adver-
sary proceeding. Any person filing
a petition and/or the applicant
have the right to be represented by
a lawyer and may present evi-
dence or cross-examine witnesses
according to SDCL 1-26. These and
other due process rights will be
forfeited if not exercised. Deci-
sions of the Board may be ap-
pealed to the Circuit Court and
State Supreme Court as provided
by law. Contact Eric Granlund by
November 22, 1993, at the above
Water Rights Division address to
request copies of information per-
taining to these applications, to
assure access to the hearing by the
handicapped or to obtain an inter-
preter for the hearing impaired.

These applications are made
pursuant to SDCL 46-1-1 thru 46-1-9,
46-1-12 thru 46-1-16; 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, 46-2A-20, 46-2A-21; 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;
and Board Rules ARSD 74:02:01:01
thru 74:02:01:15; 74:02:01:24 thru
74:02:01:25.

Robert E. Roberts
Secretary
Department of Environment
& Natural Resources





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 12, 1993

Jerry Hammerquist
Rapid Valley Water Conservancy District
Box 26
Caputa, SD 57725

Dear Mr. Hammerquist:

This letter is in reference to three City of Rapid City Rapid Creek water permit applications the City has submitted. These applications are the result of inspections I made for all of the City's water permits and licensed water rights. At that time I found some of the works were not developed as they had been permitted. The City filed these applications to bring the existing systems into compliance. I am enclosing the reports for these applications and the Chief Engineer's recommendations. These should explain what the City is proposing to do in each case. If you have any questions concerning these, please feel free to contact me.

Sincerely,

Mark D Rath
Natural Resources Engineer
Water Rights Division
(605) 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 1 1994

Dan Bjerke, Utility Manager
City of Rapid City
300 6th Street
Rapid City, SD 57701

Dear Mr. Bjerke:

Enclosed are Water Permit Nos. 2270-2, 2274-2, 2277-2 authorizing your water diversion systems and beneficial uses of the water, not exceeding the limits as specified in the Water Permits.

The final inspections have been completed on these Permits, and we are ready to issue the Water Licenses. Statutes require we charge \$50 for each Permit (\$150.00) for the inspection and issuance of the final papers. Upon receipt of this amount the Water Licenses will be sent to you.

Very truly yours,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

November 5, 1998

Daniel L Bjerke
City of Rapid City
300 6th St
Rapid City SD 57701-2724

Dear Mr. Bjerke:

The investigation of the City of Rapid City's water use systems was conducted on September 9, 1998, by Mark Rath, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under each permit. The final water right documents, the Water Licenses, can now be issued. Below is a list of the permits that were investigated.

Permit No.	amount	source	
2136-2	0.78 cfs	Rapid Creek	Sioux Park
2138-2	12.38 cfs	Rapid Creek	Water Treatment Plant
* 2274-2	0.78 cfs	Rapid Creek	Water Treatment Plant
2156-2	1.11 cfs	Madison Formation	SW ¼ SE ¼ Sec 16-T1N-R7E
transfer the use of a portion of Rapid Creek flows			formerly known as
2142-2	0.62 cfs	Murphy Ditch	Tyler property
2199-2	0.05 cfs	Murphy Ditch	Pelle property
2201-2	0.13 cfs	Murphy Ditch	Long property
2217-2	0.33 cfs	South Side Ditch	Keller property
2218-2	2.16 cfs	South Side Ditch	Stromer property
2234-2	0.79 cfs	South Side Ditch	Eisenbraun property
2249-2	1.19 cfs	South Side Ditch	Weber property
2296-2	2.85 cfs	South Side Ditch	Jundt property
2316-2	0.81 cfs	Murphy Ditch	Morris property
2317-2	0.84 cfs	Hawthorne Ditch	Morris property
2360-2	0.37 cfs	South Side Ditch	Soetaert property
2397-2	0.59 cfs	South Side Ditch	Eisenbraun property
2399-2	0.75 cfs	Murphy & Little Giant Ditch	Wileman property

* license fee already submitted

Statutes require that we charge \$50.00 fee for the investigation and issuance of the each Water License. Upon receipt of the \$800.00 fee (16 permits x \$50) we will process the Water Licenses.

Please sent fee to: Dept. of Environment & Natural Resources, Water Rights Program, 523 E. Capitol, Pierre, SD 57501-3181. If you have questions, please contact us.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

RECEIPT

414080

Division of Water Rights

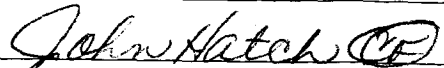
South Dakota Department of Environment and Natural Resources

Pierre, _____ March 9, 19 94

RECEIVED OF City of Rapid City Finance Office, 300 Sixth Street, Rapid City, SD 57701
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>2274-2</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 Hatch 
Chief Engineer

Permit No. 2274-2
Cheyenne River - Water District

Report Of Examination Of Works

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

On, September 9, 1998, I made a thorough examination of the water use system constructed by City of Rapid City of 300 6th St, Rapid City SD holder of Permit No. 2274-2, bearing the priority of January 1, 1886 authorizing the diversion of 0.78 cu. ft. per second of surface water from Rapid Creek 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:

Pumps at the water treatment plant.

The system is in the following condition good. The points of diversion are located in the SE1/4 NE1/4 Section 3 T1N-R7E (Rapid City Water Treatment Plant). The permit holder is entitled to divert and convey to the place of use 0.78 cu. ft. per second of water which is to be used for municipal purposes. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.78 cfs.

Applicable permit qualifications have been complied with: yes

Exceptions to compliance are: none



Mark D. Rath

Natural Resources Engineer

DENR, Water Rights Program



Date

REPORT ON INSPECTION OF PERMIT NO. 2274-2

Other related permits: 437-2, 1865-2 & 2138-2

DATE OF INSPECTION: September 9, 1998

Contact Person & Address: John Wagner, 300 6th St, Rapid City SD 57701

DIVERSION POINT LEGAL LOCATION: is in the SE1/4 NE1/4 Section 3 T1N-R7E (Rapid City Water Treatment Plant

WATER SUPPLY Source: Rapid Creek

WATER TREATMENT PLANT

Pump\ Motor:

- | | |
|---------------------------------------|------------------------------------|
| 1) Pump Make <u>Peerless</u> | 2) Model <u>258595</u> |
| 3) Capacity <u>5600</u> GPM | 4) Motor Make <u>GE</u> |
| 5) Model No. <u>5K405DP7011B FR2G</u> | 6) Horsepower rating <u>75</u> hp |
| | |
| 1) Pump Make <u>Layne Bowler</u> | 2) Model <u>14MSL</u> |
| 3) Capacity <u>2780</u> GPM | 4) Motor Make <u>US Electrical</u> |
| 5) Model No. <u>326UP</u> | 6) Horsepower rating <u>30</u> hp |
| | |
| 1) Pump Make <u>Vertiline</u> | 2) Model <u>27908</u> |
| 3) Capacity <u>5560</u> GPM | 4) Motor Make <u>US Electrical</u> |
| 5) Model No. <u>445UPY</u> | 6) Horsepower rating <u>60</u> hp |
| | |
| 1) Pump Make <u>Layne Bowler</u> | 2) Model <u>85522</u> |
| 3) Capacity <u>5875</u> GPM | 4) Motor Make <u>Louis Allis</u> |
| 5) Model No. <u>COG5B</u> | 6) Horsepower rating <u>60</u> hp |
| | |
| 1) Pump Make <u>Vertiline</u> | 2) Model <u>27989</u> |
| 3) Capacity <u>8000</u> GPM | 4) Motor Make <u>US Electrical</u> |
| 5) Model No. <u>CFU</u> | 6) Horsepower rating <u>100</u> hp |

DISTRIBUTION LINES OR CANALS:

Municipal distribution system

PERMIT QUALIFICATIONS AND REGULATIONS:

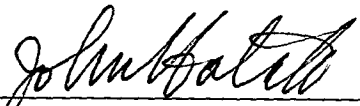
- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes

COMMENTS: #

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 2274-2

- (1) The City of Rapid City, 300 6th St, Rapid City SD 57701 made Application No. 2274-2, March 24, 1993 for a water permit to divert 0.78 cubic feet of water per second from Rapid Creek, Pennington County, South Dakota for municipal purposes. Permit No. 2274-2, with a priority date of January 1, 1886 was approved December 1, 1993 and issued to the applicant for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.
- (2) It is certified that the permit holder 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 0.78 cubic feet of water per second for beneficial use. The location of the diversion point is SE ¼ NE ¼ Section 3-T1N-R7E (Rapid City Water Treatment Plant).
- (3) The permit holder 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 Rapid City, 300 6th St, Rapid City SD 57701 the holder and/or owner of Water Right No. 2274-2 is issued a license to appropriate water, the right to use 0.78 cubic feet of water per second from Rapid Creek with a priority date of January 1, 1886 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 Right No. 2274-2 and subject to South Dakota State Law.



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

JAN 15 1999

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

JAN 15 1999

Daniel L Bjerke
City of Rapid City
300 6th St
Rapid City SD 57701-2724

Dear Mr. Bjerke:

Enclosed are the Water Licenses and receipts for the investigation and issuance of the water licenses. These water licenses are the final document which complete the process of obtaining a water right.

As long as the City of Rapid City uses the water beneficially, as stated in the water licenses, State Water Law provides that the City has a continuing right to use the water.

Very truly yours,

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

ks

enclosures

STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 2274-2

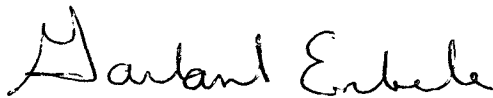
(1) The City of Rapid City, 300 6th St, Rapid City SD 57701 was issued Water License No. 2274-2², January 15, 1999 for a water right to divert 0.78 cubic feet of water per second (cfs) from Rapid Creek, Pennington County, South Dakota for municipal purposes. Water License No. 2274-2, with a priority date of January 1, 1886 was approved December 1, 1993 and issued to the city for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Water Right No. 437-2, with a priority date of January 1, 1886 authorized 0.78 cfs from Rapid Creek for municipal use. No. 2274-2 authorized the diversion site change from City Springs Gallery to the treatment plant. **Water License No. 2274-2 is being reissued to include the applicable portions of Water Right No. 437-2.**

(2) It is certified that the permit holder 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 0.78 cubic feet of water per second for beneficial use. The location of the diversion point is SE ¼ NE ¼ Section 3-T1N-R7E (Rapid City Water Treatment Plant).

(3) The permit holder 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 Rapid City, 300 6th St, Rapid City SD 57701 the holder and/or owner of Water Right No. 2274-2 is reissued a license to appropriate water, the right to use 0.78 cubic feet of water per second from Rapid Creek with a priority date of January 1, 1886 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 Right No. 2274-2 and subject to South Dakota State Law.



GARLAND ERBELE, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 05 2000

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

JUN 05 2000

Daniel L Bjerke
City of Rapid City
300 6th St
Rapid City SD 57701-2724

Dear Mr. Bjerke:

Enclosed is Reissued Water License No. 2274-2. The license is being reissued to incorporate the applicable portions of Water Right No. 437-2. A priority date of January 1, 1886 is retained.

As long as the City uses the water beneficially, as stated in the water license, State Water Law provides that the City has a continuing right to use the water.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
605 773-3352

enclosure