

No. 257-2

Division No. 2

Battle Creek Water District.

PERMIT

to appropriate water from

French Creek drainage basin

Custer County, South Dakota.

Name of applicant Custer City

Name of diversion works

Custer City Pump

Date of first receipt at office of State Engineer August 11, 19 30

Returned to applicant for correction

August 12, 19 30

Corrected application received

August 15, 19 30

Date of water right (date of priority)

November 3, 19 30

Recorded in Book Two Pages 402 & 403

One-fifth of work to be completed

June 22, 19 31

Whole work to be completed

December 22, 19 31

Final proof of use of water

December 22, 19 31

Approved December 22, 19 30

CHARLES A. TRIMMER

State Engineer.

No. 257-2

Water Division No. 2

Battle Creek Water Div.

(Blanks to be filled by the State Engineer.)

RECEIVED

AUG 11 1937

APPLICATION FOR A PERMIT To Appropriately Water Within the State of South Dakota

OFFICE OF STATE ENGINEER
PIERRE, S. D.

(NOTE—Draw a line through item not applicable.)

1. Name of applicant Custer City, S. D., Municipal Corporation.
Postoffice address Custer, County Custer, State South Dakota

I. If a corporation:

- (a) Name of same Custer City, S. D.
(b) Date and place of incorporation None
(c) Amount of capital stock None
(d) Amount paid in None
(e) Names and addresses of directors:

T. F. Delicato, Mayor, Custer, S. D., John Gates, City Auditor, Custer, S. D.
S. U. Cos, Alderman, Custer, S. D., S. E. Ainslie, Alderman, Custer, S. D.
B. Wixel, Alderman, Custer, S. D., Will Wehr, Alderman, Custer, S. D.

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing the work. (Whether by contract, employment of others, or by direct labor) Work done

- (b) Cash on hand, \$ None (c) Treasury stock, \$ None
(d) Bonds to be issued, \$ None (e) Other resources, \$ None

2. Name of diversion works Custer City Pump
3. Quantity of water claimed 150,000 gallons per day
4. Source of water supply French Creek drainage basin above diversion point
5. Location of point of diversion From 1/4 Sec. corner on north side of section 26, T. 3 S., R. 4 E., B. H. M., bears S. 41 deg. 20 minutes W. 1434 feet distant.
on Right
(Right or left bank looking down stream.)

6. Annual periods during which water is to be used All year

7. To be used for:

I. Adapted for domestic use in Custer City, S. D.

- (a) Adapted for domestic use in Custer City, S. D. acres None
(b) Legal subdivisions to be irrigated None

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, may be appended as a part of this application. Same must also be shown on accompanying map.)

- (c) Statement as to domestic use (giving location, etc.) In Custer City.

II. Mining, power, industrial, domestic, transportation, or other purposes:

- (a) Nature of use Adapted for
(b) Amount of power to be generated None horse power.
(c) Location of plant None
(d) Method of developing power None
(e) Point where water will be returned to stream None

State Engineer.

8. Estimated cost of works:

(a) ~~17444.14~~

(b) Pumping plant, \$ 2000

(c) ~~11444.14~~(d) ~~11444.14~~

11444.14

(e) Other structures Frame 20 x 36 ft

\$ 1000.

Total, \$ 3000

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

1 triplex, plunger type pump, 4 inch discharge

II. Dimensions of works:

(a) Dam: Height _____ feet; length at bottom _____ feet; length at top _____ feet; thickness at bottom _____ feet; thickness at top _____ feet; slope of front (water) face _____; slope of back face _____; material used in construction _____

(b) Reservoir: Capacity when filled _____ acre feet. Surface area at highwater _____ acre feet. one concrete water tank 50,000 gallons, one steel water tank _____ mark _____ acres. 100,000 gallons.

Tanks are at a elevation of 135 feet above pump.

Water is pumped from a well twenty feet deep at the side of French creek where it is believed that the waters of French creek filter through the gravel into the well. At this season of the year, the well supplies about 50,000 gallons daily but the supply is much too inefficient and the tanks are often lowered and part or all of the town without water for short periods during the evenings, when lawns are being watered. It is thought that deepening of the well may give more capacity. The pipe leading to the tank is four inches in diameter and 3045 feet in length. Has been installed for 28 years.

(c) Head gate: Width _____ feet; height _____ feet;

Material _____

(d) Canal: Total length _____ miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER LINE	GRADE PER MILE
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work. Now built _____ years.

11. Time required for complete application of water to the proposed beneficial use. Now _____ years.

12. Choice of newspaper for publication of notice of intention to appropriate. Gustor Chronicle

STATE OF SOUTH DAKOTA,
County of _____

Scovell Johnson

I, _____, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of _____, that I have read the above and foregoing statement, and examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed _____

June, 1930

Subscribed and sworn to before me this 28th.

day of _____ 19.

Notary Public (or other qualified officer.)

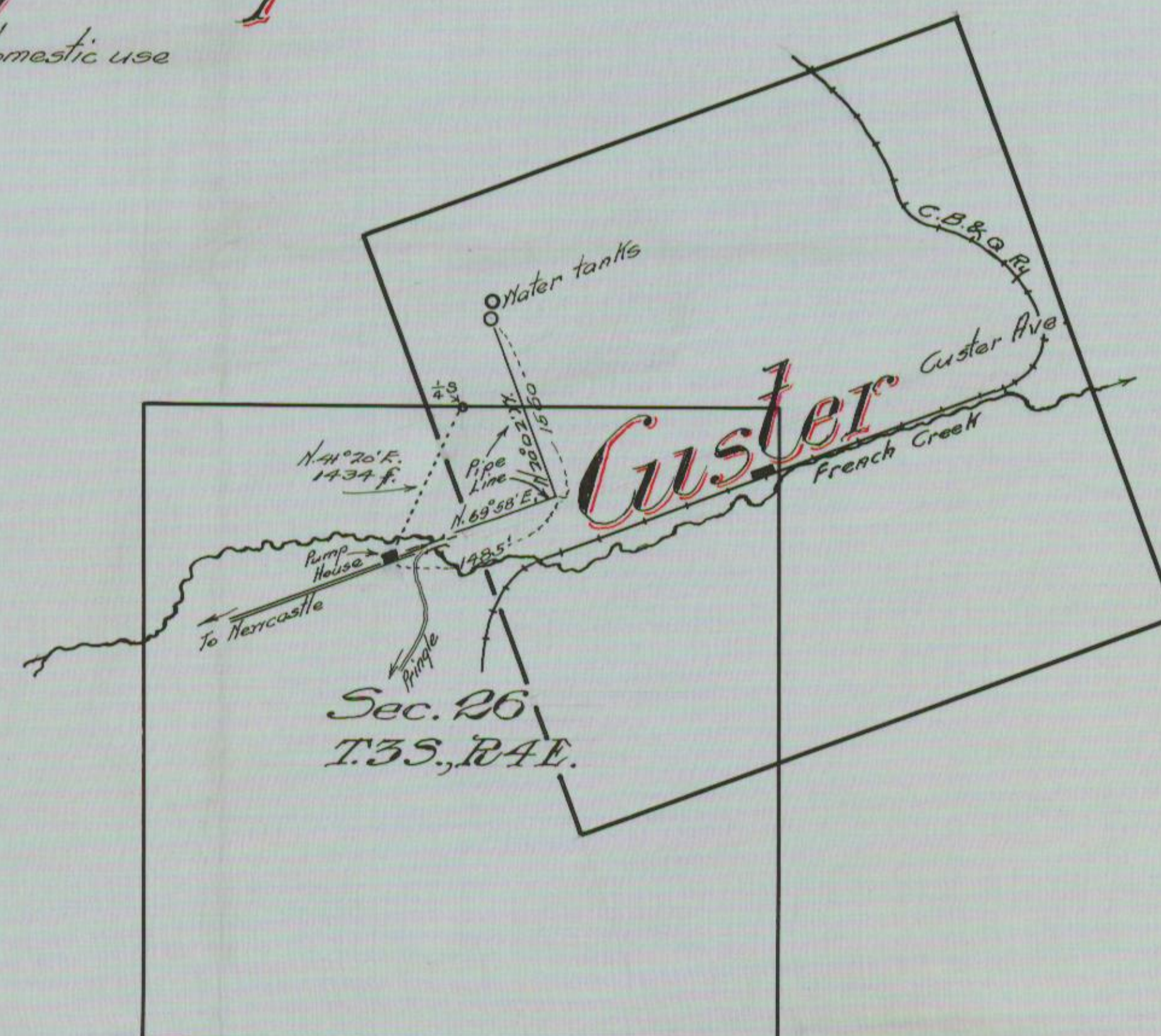
207-2

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AUG 11 1930
OFFICE OF STATE ENGINEER
SOUTH DAKOTA

Custer City

Water-Right Map

Water for City domestic use



Map shows:
Custer City pump house + water tanks +
pipe line to water tanks + French Creek + the
government quarter section corner from which
the pump station is located.
Map scale: 1 inch = 1000 ft.
Scovel Johnson
June, 1930

Map shows
Area drained by French Creek above the
Custer City, S.D. pumping plant, in Custer County.
Covering 35 sq. miles in T. 2nd 3rd 3rd 4th E.
B. H. Meridian.

297-2

RECEIVED
AUG 11 1930
OFFICE OF STATE ENGINEER
SOUTH DAKOTA

WR # 257-2

T. 2 S.
T. 3 S.

Map scale: 2 inches = 1 mile.

Drainage basin has an
area of 35 square miles,
or 22,400 acres.

State of South Dakota, ss
County of Custer

I, Scovel Johnson, being duly sworn, upon my oath,
say, that I am the engineer of the Custer City Water Right,
that the survey and map, here on shown, were made
by me, and that it, and the statements thereon made
are true, to my own knowledge.

Subscribed and sworn to
before me June 25, 1930.
Thomas W. Wilkatz,
Notary Public

Scovel Johnson
Licensed Engineer.
Custer, S.D.

RECEIVED
AUG 11 1930
OFFICE OF STATE ENGINEER
SOUTH DAKOTA

Filed Aug-11-1930

Remarks by State Engineer:

STATE OF SOUTH DAKOTA

County of Hughes } ss.

Pierre, South Dakota, December 22, 1930.

This is to certify that the foregoing application was received at this office at 8 o'clock
a. m. upon the 21st day of August, 1930 and that after examination it
was returned for correction on August 12, 1930. Date of priority was changed be-
cause of delay in receipt of the affidavit of publication of notice to appropriate
water which should have been received in this office on or before October 27, 1930
and was not received until November 2, 1930.

Chas. A. Trimmer
CHARLES A. TRIMMER, State Engineer.

Number of f.e.mit. 257-2

Date of first receipt of application August 11, 1930
Date of return to applicant for correction August 12, 1930
Date of receipt of corrected application August 15, 1930
Date from which applicant may claim right November 3, 1930

Approved December 22, 1930, Recorded in Book Two Page 402 & 403

This is to certify that I have examined the foregoing application for a permit to appropriate water of
the state of South Dakota, and I hereby grant the same as stated herein, subject, however, to the follow-
ing limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before
June 22, 1931.

2nd. The whole of said work is to be completed on or before December 22, 1931.

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is
December 22, 1931.

4th. The water appropriated shall be used for the purpose of

domestic use in Custer City, S. D.

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota,
have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 150,000 gallons per cubic foot
of water per second of time; neither shall it exceed the capacity of the above described system of diversion
works; ~~nor the least amount of water that experience may hereafter indicate as necessary for the produc-~~
~~tion of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not~~
~~more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to~~
~~which water is actually and beneficially applied for irrigation on or before~~
~~19~~ said water to be used during the following described annual periods.

All year

Witness my hand this 22nd day of December, 1930.

Chas. A. Trimmer
CHARLES A. TRIMMER, State Engineer.

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 257-2

WHEREAS, On the eleventh day of August A. D. 1930
the City of Custer, by T. W. Delicate, Mayor, John Gates, City Auditor, and S. U. Coe,
S. E. Ainslie, B. Wixen, and Will Fehle, Aldermen

of Custer County of Custer and State of
South Dakota duly made application (No. 257-2) to me for a permit to use 150,000
gallons per day cubic feet per second of the waters of French Creek Drainage Basin County of
Custer State of South Dakota for domestic and municipal purposes; and

WHEREAS, On the 22nd day of December A. D. 1930 Permit No. 257-2
was issued to said applicant for the diversion of said water, and providing for the completion of the works of di-
version therein described on or before the 22nd day of December A. D. 1931 and for the
application to beneficial use of said water on or before the 22nd day of December A. D. 1931 and,

WHEREAS, On the 25th day of February A. D. 1932 the holder of said permit
duly made proof of the completion of adequate works for the diversion of -0.23- cubic feet per
second of said waters, as evidenced by my Certificate No. 257-2 dated February 23, 1932
confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use
-0.23- cubic feet per second of water, with date of priority of November 3, 1930 and,

WHEREAS, On the 25th day of February A. D. 1932 proof was duly made
of the application to be for domestic and municipal use of -0.23- cubic feet per second of said water;
for domestic use and other municipal purposes as desired by the citizens of the
City of Custer, Custer County, South Dakota.

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of South Dakota, I
hereby grant and confirm to The City of Custer of
Custer County, South Dakota, the holder and owner of said permit No. 257-2 a water right,
dating from November 3, 1930 to the use of -0.23- cubic feet per second of the
waters of French Creek Drainage Basin in the County of Custer
and State of South Dakota, or so much thereof as may be necessary for the purposes hereinafter mentioned, to
be diverted at a point which from the 4 section corner on north side of section 26, T. 3 S.,
R. 4 E., B. H. M., bears S. 41 deg. 20 min. W. 1434 feet distant
and connected to and upon the water system and storage tanks.

for the purpose of domestic and municipal use

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the
State, and subject, also, to the local or community customs, rules and regulations which have been or may be
adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which
such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Pierre, South Dakota,
this 25th day of February A. D. 1932

State Engineer.

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

County of Custer

C. W. Truitt

OFFICE OF STATE ENGINEER,
PIERRE, S. DAK.

being first duly sworn, deposes and says: That he is a resident of the County of Custer and State of South Dakota; that the Custer Weekly Chronicle is a weekly newspaper of general circulation, printed and published in Custer City in said county and State, by Chronical Pub. Co. and is now, and has been such newspaper continuously, during all the times hereinafter mentioned; that the affiant is and was during all the times hereinafter mentioned the editor of said newspaper in charge of the advertising department thereof; and has personal knowledge of all the facts stated in this affidavit, and that the notice and advertisement headed Notice of Intention to appropriate Water a printed copy of which is hereunto attached and made a part hereof, was printed and published in the said newspaper Five consecutive times

That the first publication of said notice in said newspaper aforesaid was on 11 day of September A. D. 1930, and that the succeeding publications were as follows:

on <u>Thursday</u> the <u>18th</u> day of <u>September</u> A. D. 19 <u>30</u>	on <u>Friday</u> the <u>22nd</u> day of <u>September</u> A. D. 19 <u>30</u>
on <u>Monday</u> the <u>25th</u> day of <u>September</u> A. D. 19 <u>30</u>	on <u>Wednesday</u> the <u>27th</u> day of <u>September</u> A. D. 19 <u>30</u>
on <u>Thursday</u> the <u>28th</u> day of <u>September</u> A. D. 19 <u>30</u>	on <u>Friday</u> the <u>29th</u> day of <u>September</u> A. D. 19 <u>30</u>
on <u>Saturday</u> the <u>30th</u> day of <u>September</u> A. D. 19 <u>30</u>	on <u>Sunday</u> the <u>1st</u> day of <u>October</u> A. D. 19 <u>30</u>
on <u>Monday</u> the <u>2nd</u> day of <u>October</u> A. D. 19 <u>30</u>	on <u>Tuesday</u> the <u>3rd</u> day of <u>October</u> A. D. 19 <u>30</u>
on <u>Wednesday</u> the <u>4th</u> day of <u>October</u> A. D. 19 <u>30</u>	on <u>Thursday</u> the <u>5th</u> day of <u>October</u> A. D. 19 <u>30</u>
on <u>Friday</u> the <u>6th</u> day of <u>October</u> A. D. 19 <u>30</u>	on <u>Saturday</u> the <u>7th</u> day of <u>October</u> A. D. 19 <u>30</u>
on <u>Sunday</u> the <u>8th</u> day of <u>October</u> A. D. 19 <u>30</u>	on <u>Monday</u> the <u>9th</u> day of <u>October</u> A. D. 19 <u>30</u>
on <u>Tuesday</u> the <u>10th</u> day of <u>October</u> A. D. 19 <u>30</u>	on <u>Wednesday</u> the <u>11th</u> day of <u>October</u> A. D. 19 <u>30</u>
on <u>Thursday</u> the <u>12th</u> day of <u>October</u> A. D. 19 <u>30</u>	on <u>Friday</u> the <u>13th</u> day of <u>October</u> A. D. 19 <u>30</u>
on <u>Saturday</u> the <u>14th</u> day of <u>October</u> A. D. 19 <u>30</u>	on <u>Sunday</u> the <u>15th</u> day of <u>October</u> A. D. 19 <u>30</u>
on <u>Monday</u> the <u>16th</u> day of <u>October</u> A. D. 19 <u>30</u>	on <u>Tuesday</u> the <u>17th</u> day of <u>October</u> A. D. 19 <u>30</u>
on <u>Wednesday</u> the <u>18th</u> day of <u>October</u> A. D. 19 <u>30</u>	on <u>Thursday</u> the <u>19th</u> day of <u>October</u> A. D. 19 <u>30</u>
on <u>Friday</u> the <u>20th</u> day of <u>October</u> A. D. 19 <u>30</u>	on <u>Saturday</u> the <u>21st</u> day of <u>October</u> A. D. 19 <u>30</u>
on <u>Sunday</u> the <u>22nd</u> day of <u>October</u> A. D. 19 <u>30</u>	on <u>Monday</u> the <u>23rd</u> day of <u>October</u> A. D. 19 <u>30</u>
on <u>Tuesday</u> the <u>24th</u> day of <u>October</u> A. D. 19 <u>30</u>	on <u>Wednesday</u> the <u>25th</u> day of <u>October</u> A. D. 19 <u>30</u>
on <u>Thursday</u> the <u>26th</u> day of <u>October</u> A. D. 19 <u>30</u>	on <u>Friday</u> the <u>27th</u> day of <u>October</u> A. D. 19 <u>30</u>
on <u>Saturday</u> the <u>28th</u> day of <u>October</u> A. D. 19 <u>30</u>	on <u>Sunday</u> the <u>29th</u> day of <u>October</u> A. D. 19 <u>30</u>
on <u>Monday</u> the <u>30th</u> day of <u>October</u> A. D. 19 <u>30</u>	on <u>Tuesday</u> the <u>31st</u> day of <u>October</u> A. D. 19 <u>30</u>

that the fees charged for the printing and publication of said notice and advertisement in said newspaper as aforesaid were Eight Dollars and 61 Cents, and for this affidavit Twenty-five Cents, and that said fees for the printing and publishing of said notice and advertisement, and for the affidavit as aforesaid, have been fully paid; that the full amount of the fee charged for the publishing of the said attached and annexed notice and advertisement inures to the benefit of the publishers of the said Chronicle that no agreement or understanding for the division thereof has been made with any person, and that no part thereof has been agreed to be paid to any person, whomsoever. That the said newspaper is a legal newspaper as provided in Section 7069 of the Revised Code of 1919.

Subscribed and sworn to before me this 11 day of November 1930
J. Brakes
Notary Public, Custer County, South Dakota.

AFFIDAVIT EX-REL. PUBLICATION FEES

STATE OF SOUTH DAKOTA,

County of Custer being first duly sworn, on his oath, says that he is one of the authorized attorneys of the

In the action mentioned and described in the annexed notice; that the affiant directed the publication of the annexed notice; that no agreement or understanding for any division of the fees thereof has been made with any person whomsoever, and that no part thereof has been refunded or rebated by the publishing said notice.

Subscribed and sworn to before me this 11 day of November 1930

County, South Dakota.

NOTICE OF INTENTION TO APPROPRIATE WATER

Office of the State Engineer,
Pierre, S. D., August 28, 1930.
Notice is hereby given that the City of Custer, whose postoffice address is Custer, Custer County, South Dakota, has made an application in accordance with the provisions of the Irrigation Laws of South Dakota for a permit to appropriate for beneficial use 150,000 Gallons of water per day from French Creek Drainage Basin through the Custer City Pump, the point of diversion of which is to be located upon the right bank of said stream from 1-4 Sec. corner on north side of section 28, township 3 S., range 1 E., N. 1/2, M. 1/2, bears S 41 deg. 20 min. W. 7434 feet distant; said water to be used for the purpose of domestic use in Custer City, S. D.
This application will be taken up by the state engineer at his office at Pierre for consideration and appropriate action upon the 28th day of October, 1930, at 9 a. m. at which time all persons who believe that the prior rights would be injuriously affected, or that the allowance of the permit would be detrimental to the public welfare and also parties making the application and to be benefited are notified to be present either by sworn affidavit or in person for the purpose of presenting any relative testimony.
CHAS. A. TRIMMER,
State Engineer.

SCOVILL JOHNSON,
Consulting Engineer,
Pierre, S. D., Sept. 11, 1930.

TRIPPLICATE

Form 9--Notice of Intention to appropriate water.

No. 257-2

(First Publication At once 1930)

APPROPRIATION OF WATER

Office of the State Engineer,

Pierre, S. D., August 28, 1930

Notice is hereby given that City of Custer
whose postoffice address is Custer, Custer,
County, S. D., has made an application in accordance with the pro-
visions of the irrigation laws of South Dakota for a permit to appro-
priate for beneficial use 100,000 ^{gallons} ~~cubic feet~~ of water per day or
~~time from~~ "French Creek drainage basin" through the Custer City Pump
the point of diversion of which is from 1/4 Sec. corner
to be located upon the right bank of said stream in the on north side of
1/4 of the of section 26 township 3 S. range 4 E. B. P. M.,
bears S. 41 deg. 20 minutes W. 1434 feet distant;
said water to be used for the purpose of domestic use
in Custer City upon the

This application will be taken up by the state engineer at his
office at Pierre for consideration and appropriate action upon the
23th day of October 1930, at 9 a. m., at which time all
persons who believe that the prior rights would be injuriously affect-
ed, or that the allowance of the permit would be detrimental to the
public welfare, and also parties making the application, and to be
benefited, are notified to be present either by sworn affidavit or in
person for the purpose of presenting any relative testimony.

Charles A. Trimmer
CHARLES A. TRIMMER, State Engineer.

nb
cc: Scovel Johnson, Consulting Engineer

Permit No. 257-2.....

Water Division No. 2..... Battle Creek Water District

Certificate of Application of Water to Beneficial Use.

Deposition of Holder

RECEIVED

FEB 25 1932

Ques: 1. State your name, residence, occupation and postoffice address.

Ans. T.W. Delicate

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

Ques: 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. Acting for Custer City, S.D., a municipal corporation, Address, Custer, S.D.

My official title is Mayor and as such have authority to act.

Ques: 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit No. 257-2 Dec. 22, 1930 Date of Priority wished established, Nov. 3, 1930

Ques: 4. State source of water supply and give exact location of point of diversion.

Ans. Supply from the French Creek Drainage Basin in Custer County, South Dakota, at a diversion point from which the section corner on the north side of section 26 of T. 2 S., R. 1 E., S. 1 E., bears N. 41 deg. 20 Min. E., 1432 feet distant.

Ques: 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. One 85 GHP Runsey, three cycle, electric driven pump- One 150 GHP Hill centrifugal, electric driven pump. One 52,000 and one 100,000 gal. storage tank.
Capable of handling 0.23 second feet of water.

Ques: 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. Water to be used for domestic and municipal purposes in the City of Custer, Custer County, South Dakota.

Ques: 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans. None

Ques: 8. What is the minimum amount of water required for the use specified above?

Ans. 0.23 second feet.

Ques: 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Custer City has used such water for municipal purposes for sixty years.

(Sign.)

W. Helicaty

I hereby certify that the foregoing testimony was read to the above subscriber before signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in City of Custer, County of Custer

State of South Dakota, on this January 23rd day of February, A. D., 19 32

Edward Johnson
Notary Public.

Permit No. 257-2

Proof of Application of Water, to
Beneficial Use.

DEPOSITION OF HOLDER.

Amount of water 0.23 second feet

Source French Creek Drainage Basin

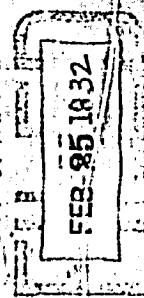
County Custer

Purpose Domestic and Municipal Use

Place of Use City of Custer

Date of priority November 3, 1930

OFFICE OF STATE ENGINEER



PIERRE - S. D.

Received and filed

Permit No.

Water Division No.

Water District

Certificate of Examination of Works

Report of Examining Engineer

RECEIVED

FEB 25 1932

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

To the State Engineer, Pierre, South Dakota:

Dear Sir: I hereby certify that in accordance with your letter of authorization dated February 19, 1932, 1932, I have this day made a thorough examination of the diversion works constructed by Custer City, South Dakota, of

Custer County, South Dakota, holder of permit No. 257-2, issued upon application No. , bearing date of priority of November 3, 1930, authorizing the diversion of 0.23 second feet of the waters of French Creek Drainage Basin for domestic and municipal purposes. I have to report on the condition of the same as follows:

The diversion works comprise: One 85 G M P Rumsey three cycle, electric driven pump. One 150 G.M.P. Hill centrifugal, electric driven pump. Water stored in one 52,000 gal tank and one 100,000 gal tank.

and the system is in the following condition: In good working condition.

The point of diversion is located at a point S.41 deg. 20 min. W. 1432 feet distant from the 1/4 section corner on the north side of section 26 of T.3 S., R.4 E., B.H.M., Custer County, South Dakota.

The works are capable of diverting and conveying to the place of use 0.23 second-feet of water, which is to be used for domestic and municipal purposes.

The legal sub-divisions to be irrigated are: None

comprising a total of acres of land.

The domestic use intended comprises For the City of Custer, S.D.

The utilization for power, mining, or other beneficial uses comprises: None

Witness my hand, this 23rd day of February 1932.

Examining Engineer.

Permit No.....

Water Division No.....

Water District.....

FEB 11 1931

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

Notice of Completion of Works

(This blank must be filled out by the holder of permit and forwarded to the State Engineer at least 60 days before the time set for completion of works.)

(P. O.).....Custer, Custer County, South Dakota

(Date).....February 9, 1932.

TO THE STATE ENGINEER OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of 150,000 gallons per day second-feet of the waters of the state from through the Franch Creek drainage basin, through Custer City Pump for City Municipal purposes

in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of South Dakota.

1. The name of the person or corporation holding said permit is Custer City, Custer County, South Dakota, a municipal corporation, by T. W. Delicate, Mayor,
2. The principal address of such person or the place of business of such corporation is Custer City, County of Custer, State of South Dakota
3. The number of such permit is 257-2 and the date set for the completion of such work is December 1931
4. Said water to be used for City Municipal purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 150,000 gallons per day
6. The amount of land for which said water is available is acres, particularly described as follows: Custer, Custer County, South Dakota

(In case of all canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

I hereby certify that the facts set forth in the above notice are true.

(Signature.)

Robert Johnson
Engineer
Custer City, South Dakota
by T. W. Delicate
Mayor.