

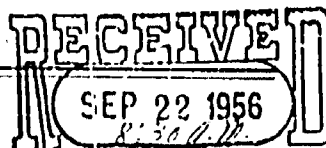
1. Considered Nov- 13, 1956
2. Name of Applicant City of Rapid City # 457-2
3. Post Office Address Rapid City, S. Dak.
4. Amount of water claimed 0.78 cfs
5. Source of water supply City Springs
6. Water to be used for Municipal Purposes  
Acres to be irrigated
7. Water to be diverted and used in Pennington County about  
         miles near          or Rapid City         .
8. Proof of Publication Received          Not Received Not Needed
9. Application Approved           
Subject to           
Not Approved           
Action deferred

10. Remarks:

*Vested Right*  
*Pennington*

No. 4372Water Division No. 2

(Blanks to be filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES COMM.  
PIERRE, SOUTH DAKOTA

# APPLICATION FOR PERMIT To appropriate water within the State of South Dakota

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

1. Name of applicant City of Rapid City  
Postoffice address Rapid City, County Pennington, State South Dakota

I. If a corporation Municipal(a) Name of same City Commissioners—H. Baker, J. Ewing, M. Haugen, C. Hoseth, F. Johnson, F. Krieger, M. Rypkema, R. Severson, L. Yeoman.(b) Date and place of incorporation City of Rapid City

(c) Amount of capital stock \_\_\_\_\_

(d) Amount paid in \_\_\_\_\_

(e) Names and addresses of directors \_\_\_\_\_

(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 work (Whether by contract, employment of others, or by direct labor)

By Contract

(b) Cash on hand, \$ \_\_\_\_\_

(c) Treasury stock, \$ \_\_\_\_\_

(d) Bonds to be issued, \$ \_\_\_\_\_

(e) Other resources, \$ \_\_\_\_\_

2. Name of diversion work City Springs3. Amount of water claimed 0.78 cubic feet per second \_\_\_\_\_4. Source of water supply Gallery5. Location of point of diversion 2222' S. 10° 23' of the N.E. corner of section 32, Township2 N. Range 7 E. BHM on \_\_\_\_\_ bank \_\_\_\_\_ County.6. Annual period or periods during which water is to be used Year around

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Municipal purposes

(a) Number of acres to be irrigated \_\_\_\_\_ acres.

(b) Legal subdivisions to be irrigated \_\_\_\_\_

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or 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.) Domestic use for the City of Rapid City.

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use Fire protection, public recreation and purposes incidental to municipal use of water. Name any of the above uses claimed

(b) Amount of power to be generated \_\_\_\_\_ horse power.

Amount claimed for engine cooling \_\_\_\_\_

(c) Location of plant \_\_\_\_\_

(d) Method of developing power \_\_\_\_\_

(e) Point where water will be returned to stream \_\_\_\_\_  
On same owner's property \_\_\_\_\_ rods. On property owned by others \_\_\_\_\_ rods

Map No. 4372-2

8. Estimated cost of work:

(a) Head Gates, \$-----

(b) Pumping plant, \$-----

(c) Fluming, \$-----

(d) Canal-earth, \$-----

Rock, \$-----

(e) Other structures ----- Gallery ----- \$ 5,000.00

Total, \$-----

10. Description of diversion works:

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

Gallery-Underground Collection

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 at front water face -----; slope at back face ----- material used in construction -----

(b) Reservoir: Capacity when filled ----- acre feet. Surface area at highwater mark ----- acres.

| DEPTH AT<br>OUTLET-FEET | SURFACE AREA AT EACH<br>DEPTH AT OUTLET--ACRES | FEET<br>ACRE-FEET<br>CAPACITY |
|-------------------------|------------------------------------------------|-------------------------------|
|                         |                                                |                               |
|                         |                                                |                               |
|                         |                                                |                               |
|                         |                                                |                               |
|                         |                                                |                               |
|                         |                                                |                               |
|                         |                                                |                               |
|                         |                                                |                               |
|                         |                                                |                               |

(c)\* Head gate: Width ----- feet; height ----- feet; Material -----

(d) Canal: Total length ----- miles.

| LOCATION BELOW<br>HEADGATE | DEPTH      | BOTTOM<br>WIDTH | WIDTH AT<br>WATER-LINE | GRADE<br>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        |
| At ----- Mile              | ----- feet | ----- feet      | ----- feet             | ----- feet        |

(Give dimensions where reductions in size are made.)

10. Time required for completion of work Completed-1886 years.

Completed-1886

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

12. Choice of newspaper for publication of notice of intention to appropriate -----  
Rapid City Daily Journal

STATE OF SOUTH DAKOTA

County of PENNINGTON ss.

official representative of

I, H.S. Thorgrimsen, City Manager, City of Rapid City, S. Dak., being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, 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

H.S. Thorgrimsen

Subscribed and sworn to before me this 20th day of September 1924

Notary Public (or other qualified officer.)

T-2-N, R-7-E

29 28

32 33

S 11° 02' W 2190'

CITY SPRINGS

WELL No. 4

N 21° 05' E 1162'

SIOUX PARK GALLERY  
(PROPOSED)

N 53° 31' E 1200'

5

4

8

9

S 66° 56' E 1445'

WELL No. 3

455-2  
1-78-45  
priority 1934

S 70° 31' E 2685'

WELL No. 1

0-91-05  
155-2 1935  
priority 1937

WELL No. 2

0-55-05  
454-2  
priority 1937

CLEGHORN SPRINGS

JACKSON SPRINGS

N 49° 26' W 2095'

N 58° 54' W 2943'

N 23° 02' E 2402'

N 46° 16' E 2180'

POINT OF DIVERSION FOR  
MEADOWBROOK GOLF COURSE  
PERMIT FROM LEEDY DITCH

CREEK

RAPID

DITCH

LEEDY

MEADOWBROOK GALLERY

Lot 3  
Land to be irrigated from  
Meadowbrook Golf Course Permit  
from LEEDY Ditch.  
104.25 Acres

Lot 1 Lot 2

Lot 2

Lot A

Andrenco  
Valley  
30 mi E  
Wt  
Rd 1  
Divided

WALPOLE WELL

N 10° 07' E 917'

33 34

4 3

T-2-N, R-7-E

## SURVEYOR'S CERTIFICATE

I, VINAL C. FRANCIS A REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR No. 625 IN AND FOR THE STATE OF SOUTH DAKOTA DO HEREBY CERTIFY THAT THE ACCOMPANYING MAP SHOWS THE LOCATION OF WELLS, SPRINGS AND WATER GALLERIES AS USED BY OR PROPOSED TO BE USED BY THE CITY OF RAPID CITY, SOUTH DAKOTA, SAID MAP BEING MADE FROM PLATS AND RECORDS ON FILE IN THE REGISTER OF DEEDS OFFICE, PENNINGTON COUNTY, SOUTH DAKOTA. I FURTHER CERTIFY THAT THIS MAP IS A TRUE AND CORRECT REPRESENTATION OF THE WELLS, SPRINGS AND GALLERIES.

WITNESS MY HAND AND SEAL THIS 10<sup>th</sup> DAY OF August 1956.

Vinal C. Francis

REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR No. 625

## ACKNOWLEDGEMENT

ON THIS DAY BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR THE STATE OF SOUTH DAKOTA, COUNTY OF PENNINGTON, PERSONALLY APPEARED VINAL C. FRANCIS KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

WITNESS MY HAND AND SEAL THIS 10<sup>th</sup> DAY OF August 1956.

Helma M. Rietz

NOTARY PUBLIC

MY COMMISSION EXPIRES December 10, 1959

Scale: 1" = 400'

Map No. 452-2  
(Appl's No. 431-2, 432-2, 433-2, 434-2,  
435-2, 436-2, 437-2, 438-2,  
439-2, and 0646-2)

WATER RIGHT APPLICATION  
CITY OF RAPID CITY, SOUTH DAKOTA

## VESTED RIGHTS:

|                     |            |
|---------------------|------------|
| MEADOWBROOK GALLERY | WELL No. 1 |
| JACKSON SPRINGS     | WELL No. 2 |
| CITY SPRINGS        | WELL No. 3 |
| WALPOLE WELL        | WELL No. 4 |

## FUTURE WITHDRAWAL:

|                     |                    |
|---------------------|--------------------|
| MEADOWBROOK GALLERY | CLEGHORN SPRINGS   |
| JACKSON SPRINGS     | SIOUX PARK GALLERY |

## IRRIGATION USE:

(TRANSFER OF EXISTING WATER RIGHT)  
MEADOWBROOK GOLF COURSE  
PERMIT FROM LEEDY DITCH.

T-1-N, R-7-E

9 10

16 15

Remarks by State Water Resources Commission:

The attached supplementary statement regarding and limiting water use under this permit is hereby made a part of this permit

STATE OF SOUTH DAKOTA  
County of Hughes ss.

Pierre, South Dakota, September 22, 1956

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock a.m. upon the 22 day of September, 1956

State Water Resources Commission

By:

J. O. Driver

Chief Engineer, Executive Officer

Number of permit 437-2

Date of first receipt of application

September 22, 1956

Date of return to applicant for correction, amendments or changes required as follows:

September 29, 1956

Date of receipt of corrected application

December 18, 1956

Date from which applicant may claim right

1886, 1956

Approved

May 15, 1957

Recorded in Book

437-2

Page

112

This is to certify that we have examined the foregoing application for permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

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

Completed, 1956

2nd. The whole of said work is to be completed on or before

Completed, 1956

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

Completed, 1956

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

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 0.78 cubic feet per second; 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 production 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 or, or before Completed, 1956; said water to be used during the following described annual period:

The non-irrigation season. Diversion of water during the irrigation season shall not be made except under the conditions and limitations contained in the attached statement

Witness my hand this

24

day of

April

1957

State Water Resources Commission

By:

J. O. Driver

Chief Engineer, Executive Officer

Certificate of Construction Issued

June 24

1957

Water License Issued

June 24

1957

Form 2A -- Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation \_\_\_\_\_, Depth \_\_\_\_\_

Type of casing \_\_\_\_\_  
(wood, concrete, steel, etc.)

Size of casing \_\_\_\_\_ Thickness of casing \_\_\_\_\_

Length of casing \_\_\_\_\_ If collection gallery, length, size and depth of  
gallery length-50 feet, size-15" open joint concrete, Depth-6 feet.

(b) Screens

Type of perforated screen \_\_\_\_\_

Size of perforated screen \_\_\_\_\_  
(diameter) (length)

Thickness of gravel pack \_\_\_\_\_, length of gravel pack \_\_\_\_\_

(c) Water Bearing Materials

Distance to water 4 feet Character of water bearing materials

Well graded gravel

Thickness of water bearing material \_\_\_\_\_ rings

(d) Pump and Motor

Type of pump \_\_\_\_\_  
(centrifugal, propeller, mixed flow, etc.)

Model of pump \_\_\_\_\_, size \_\_\_\_\_

Kind of motor \_\_\_\_\_  
(gasoline, electric, diesel, etc.)

Horsepower \_\_\_\_\_ Name of Motor \_\_\_\_\_

(e) Complete well

Capacity \_\_\_\_\_ at drawdown of \_\_\_\_\_ Estimated cost \_\_\_\_\_

(f) Owner of land upon which well is located City of Rapid City  
Name

Rapid City, South Dakota

Address

(g) Distance to nearest existing wells

On same owner's property \_\_\_\_\_ rods. On property owned by others \_\_\_\_\_ rods

Vested Rights - Rapid City

|       |             |                 |
|-------|-------------|-----------------|
| 431-2 | 6.17 c.f.s. | Kendowbrook     |
| 432-2 | 7.75 c.f.s. | Jackson Springs |
| 437-2 | .73 c.f.s.  | City Springs    |

Provisions of a contract between Rapid City, the Rapid Valley Water Conservancy District, and the United States (Bureau of Reclamation) provide that Rapid City's share of storage in Deerfield Reservoir shall be released to replace water diverted by the City from certain sources of water downstream in an amount equal to the City's diversion rate during the irrigation season.

Since completion of Deerfield dam, the City has replaced water in Rapid Creek in the amount of the City's diversion during the irrigation season by means of works described in Applications 431-2, 432-2 and 437-2 and have thus satisfied priority irrigation water rights downstream. The water used by Rapid City for irrigation water replacement is covered by Water Rights established by the United States Bureau of Reclamation (U.S. No. 509-2). Under existing contractual arrangements the City may use the diversion points described in Applications 431-2, 432-2 and 437-2 during the irrigation season of each year but only so long as the City's share of the Deerfield Reservoir storage water right is valid and water is released from such storage in the amount of the City's current diversion rate in satisfaction of the vested priority irrigation water rights downstream from the City's diversion points.

The above limitation does not apply to diversions of water for use by the City during the non-irrigation season since the irrigation water rights are not applicable during such non-irrigation season. The City's Vested Rights to use of water during such non-irrigation season from the sources tapped by the City's works as described in Applications 431-2, 432-2 and 437-2 are hereby recognized.

It shall be clearly understood that rights to the use of the water flows of Rapid Creek during irrigation seasons are vested in prior water rights downstream and that Permits Nos. 431-2, 432-2 and 437-2 are valid only to the extent that arrangements to replace water in satisfaction of prior vested water rights downstream continue.

## STATE OF SOUTH DAKOTA

## WATER LICENSE No. 437-2

WHEREAS, On the 22nd day of September A. D. 1956  
the City of Rapid City

of Rapid City County of Pennington and State of  
South Dakota duly made application (No. 437-2) to us for vested right permit to use 0.78  
cubic feet per second of the waters of ground water (City Springs Gallery)  
County of Pennington, State of South Dakota, for municipal  
purposes; and

WHEREAS, On the 24th day of June A. D. 1957  
vested right Permit No. 437-2 was issued to said applicant for the diversion of said water, and recognizing  
completion of the works of diversion therein described ~~XXXXXX~~ the ~~XXXXXX~~  
in 1886 ~~XXXXXX~~ and ~~XXXXXX~~ application to beneficial use of said  
water on ~~XXXXXX~~ the ~~XXXXXX~~ in 1886 ~~XXXXXX~~  
and,

WHEREAS, On the 14th day of December A. D. 1956  
vested right the holder of said permit duly made proof of the completion of adequate works for the diversion of 0.78  
cubic feet per second of said waters, as evidenced by our Certificate No. 437-2  
dated June 24, 1957 confirming the completion of works of sufficient capacity for  
diverting and conveying to the place of intended use 0.78 cubic feet per second of water, with date of  
priority of 1886 ~~XXXX~~ and,

WHEREAS, On the 14th day of December A. D. 1956  
proof was duly made of the application to beneficial use of 0.78 cubic feet per second of said water;  
in the distribution system of the city of Rapid City.

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,  
We hereby grant and confirm to the City of Rapid City vested right  
of Rapid City, South Dakota the holder and owner of said Permit No. 437-2  
a water right, dating from 1886 to the use of 0.78

cubic feet per second of the waters of ground water ( City Springs)  
in the County of Pennington and State of South Dakota, or so much thereof as may be  
necessray for the purposes hereinbelow mentioned, to be diverted at 2190 feet, S. 11° 02' W. of  
the NE Cor. of Sec. 32, T 2 N, R 7 E

and conducted to and upon ~~xxxxxx~~ the residents of the City of Rapid City through the  
municipal distribution system.

for the purpose of 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 seal of our office at Pierre, South Dakota,  
this 24th day of June A. D. Nineteen  
Hundred and fifty-seven

State Water Resources Commission

By:

J. W. GRIMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. \_\_\_\_\_

To \_\_\_\_\_

Source of Supply \_\_\_\_\_

County \_\_\_\_\_

Am't \_\_\_\_\_ C. F. S. \_\_\_\_\_

Point of Diversion \_\_\_\_\_

Place of Use \_\_\_\_\_

Purpose \_\_\_\_\_

Date of Priority \_\_\_\_\_

Recorded \_\_\_\_\_

in Book \_\_\_\_\_ of \_\_\_\_\_ Page \_\_\_\_\_

Permit No. 437-2Water Division No. 2 Rapid Creek Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That the City of Rapid City

of Rapid City, County of Pennington, and State of South Dakota, the holder vested right of Permit No. 437-2, issued upon Application No. 437-2, bearing date of priority of 1886, authorizing the diversion of 0.78 cu. ft. per second of the waters of ground water (City Springs Gallery) County of Pennington, State of South Dakota, at 2190 feet 311° 02' W of the NE Cor., Sec. 22, T 2 N, R 7 E

for municipal purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works or diversion set out and described in said Permit; that said works are recognized as in satisfactory condition for diverting and conveying to the place of intended use 0.78 cu. ft. per second of water; and that the ~~lands~~ proposed ~~use~~ by the use of said water is described as follows, to-wit: to furnish municipal water for the distribution system of the City of Rapid City

Witness my hand this 24th day of June A. D. 1967

State Water Resources Commission

By:

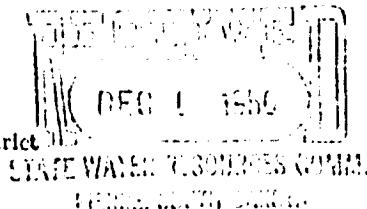
J. W. GRIMES,

Chief Engineer, Executive Officer

Location No. 4372

Water Division No. \_\_\_\_\_

Water District \_\_\_\_\_



## Proof of Application of Water to Beneficial Use

### PETITION OF HOLDER

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

Ans. H. S. Thorgrimsen, City Manager

Rapid City, South Dakota

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. City of Rapid City, South Dakota

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans. \_\_\_\_\_

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

Ans. Underground collection gallery-2190 feet South 11° 02' West of the NE Corner,

Section 32, Township 2 N, RTE. 1111.

Ques. 5. Describe your works of diversion giving length and height of each dam 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, and date of completion of same.

Ans. Water is pumped from underground collection gallery to the city

distribution system.

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. Public water supply

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

Ans. \_\_\_\_\_

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

Ans. 0.78 CFS

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. \_\_\_\_\_

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

Ans. Water has been used from this source at the rate of 0.78 CFS since 1896.

(Sign) A. B. Hougum

I hereby certify that the foregoing testimony was read to the above subscriber before its 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 Rapid City, County of Pennington

State of South Dakota, on this 12<sup>th</sup> day of December A. D. 1916

William M. Lacey  
} Witnesses.

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion work designated in the foregoing testimony, that I have no interest in the work, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

|                                                    |  |
|----------------------------------------------------|--|
| Location No.-----                                  |  |
| PROOF OF APPLICATION OF<br>WATER TO BENEFICIAL USE |  |
| PETITION OF HOLDER                                 |  |
| Amount of Water ----- c. f. s.                     |  |
| Source -----                                       |  |
| County -----                                       |  |
| Purpose -----                                      |  |
| Place of Use -----                                 |  |
| Date of recording -----                            |  |
| Received and filed -----                           |  |

Rapid City, S. Dak.  
20 September 1958

Mr. L. Stalling  
City Water Superintendent  
Rapid City, S. Dakota

Dear Mr. Stalling:

Pursuant to our discussion today I am including a summary (on a form letter used to order water from the Bureau) of the releases that the District has requested the City to make during the 1958 season.

Note that the total days that the City is obligated (for sure) to the District for replacement would be 152 days. The days for which releases were actually made totaled 111 days.

The total acre-feet for which the city is obligated to replace I don't know but should include water which went into pumps at

1. Jackson Springs
2. Meadway Brook
3. Sprinkler system out of Rapid Creek for Sioux Park
4. Sprinkler system out of Lagoon fed by Iowa ditch for Roosevelt Park
5. Water to Arrowhead out of Leedy ditch

The total water replaced from the City to the District was 3148 acre-feet.

After August all orders from City replacement were figured from Pactola (instead of Duerfield) assuming roughly a 10% loss from Pactola to City:

i.e. if City was pumping 10 cfs the release from Pactola would be

10 plus  $0.10 \times 10$ , or 11 cfs

For the record I think it should be pointed out to the Mayor and the water committee that the irrigators have been concerned about conserving water (the town and the City's) as I have tried to illustrate above and which can be more vividly illustrated by a study of prior water year's records. There are several flows in the valley that could be diminished if not eliminated by more careful irrigation practices but not all of these could be completely eliminated anymore than individual users in the city could always eliminate runoff from their lawns into the streets. The difference is in quantities - if an irrigator working with a 1 cfs should let this amount of water get away for 10 minutes this would be the equivalent of about 1000 gallons. State Engineer Orimes has criticized the District for being too conservative at times with the City releases. This will then be to the detriment of the lower valley as Bob Long will testify.

I only mention these things briefly here because as watermaster one of my jobs should be, I believe, to keep both sides informed. I see both sides of the problem and from what I see I know the irrigators are appreciative and respectful of the City's cooperation. I also know that very few people understand or appreciate the significance of the irrigator's VISTED RIGHT.

If I can be of any help with the problem I would be happy to oblige.

RAPID VALLEY  
Water Conservancy District  
Rapid City  
South Dakota

Date:

Bureau of Reclamation  
Box 156  
Keystone Route  
Rapid City, South Dakota

Attention:

Gentlemen,

This letter is to confirm the request which has been made  
for the release of water as indicated below.

| No. | Charged<br>to | Amount<br>A.C. | Rate of Release |      | Date of Release** |         | Released<br>from |
|-----|---------------|----------------|-----------------|------|-------------------|---------|------------------|
|     |               |                | cfs             | days | ON                | OFF     |                  |
| C-1 | City          | 125            | 8.5             | 8    | 15 May            | 23 May  | Deerfield        |
| C-2 | City          | 380            | 10              | 29   | 23 May            | 21 June | Deerfield        |
| C-3 | City          | 540            | 16              | 20   | 30 June           | 20 July | Deerfield        |
| C-4 | City          | 330            | 14              | 11   | 7 Aug             | 18 Aug  | Pactola          |
| C-5 | City          | 1452           | 17              | 43   | 18 Aug            | 29 Sept | Pactola          |

Total 3125 111

\*This is the date of the time the request was submitted by  
means of telephone conversation

\*\*The hour of release (on and off) is understood by the District  
to be 12:00 O'clock noon unless otherwise arranged for and  
stated herein.

Very truly

Watermaster

## Water Rights Division - DWNR

File No. WR 437-2

## Conversation or File Documentation

NAME OF PERSON OR FILE: CITY OF RAPID CITYADDRESS: 300 6<sup>th</sup> ST RAPID CITY SD COUNTY PENNINGTONDATE: 7/14/1992 TELEPHONE \_\_\_\_\_RE: INSPECTION OF VESTED RIGHT CLAIM No. 437-2

## COMMENTS:

I MADE AN INSPECTION OF VESTED WATER RIGHT CLAIM No.  
437-2 FOR THE CITY SPRINGS GALLERY. I FOUND THAT  
THE POINT OF DIVERSION HAS BEEN MOVED FROM THE  
SE<sup>1</sup>/<sub>4</sub> & NE<sup>1</sup>/<sub>4</sub> SECTION 32-T2N-R7E TO THE SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>  
of SECTION 3 T1N-R7E. OFFICIAL FOR THE CITY OF RAPID CITY HAVE  
BEEN ADVISED THAT A NEW APPLICATION REQUEST A CHANGE  
IN DIVERSION POINT MUST BE FILED.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Mark Smith

437-2

SOUTH DAKOTA

VESTED WATER RIGHT NO. 437-2

Date of Receipt of Claim September 22, 1956.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 437-2 for the City of Rapid City, 300 6th Street, Rapid City, South Dakota 57701 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 437-2 appropriates 0.78 cubic feet per second of water from City Springs Gallery located in the SE1/4 NE1/4 Section 32, T2N, R7E.
2. The appropriated water is used for supplying water for the City of Rapid City and may not exceed the amount of water needed for beneficial use for municipal purposes.

The water is to be used during the following annual period:  
January 1 - December 31

3. The priority date of the Vested Water Right is: January 1, 1886
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water Rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By:   
Chief Engineer

MAR 16 1993

date

Division of Water Rights  
Dept. of Environment and Natural Resources



437-2

**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

Dan Bjerke, Public Works Director  
City of Rapid City  
300 6th St  
Rapid City SD 57701

Dear Mr. Bjerke:

The Water Management Board has validated the enclosed Vested Water Right Nos. 431-2, 432-2, 433-2, 435-2, 436-2 and 437-2. These validations give legal status to the claim and are the final document for the vested rights.

As long as the water is used beneficially, as stated in the validations, State Water Laws provide a continuing right to use the water.

Very truly yours,

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

enclosures



437-2  
DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3181  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

JUN 05 2000

Daniel L Bjerke  
City of Rapid City  
300 5<sup>th</sup> 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,

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

enclosure