

No. 470-2Water Division No. 7Cattle Creek District

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

STATE WATER ENGINEER - S. D.
SIOUX FALLS, S. D.

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of applicant Custer City
 Postoffice address Custer City, County Sufter, State S. Dak.

I. If a corporation Custer City, a Municipal Corporation

(f) Name of same Custer City

(b) Date and place of incorporation

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors B. P. Bunke, Mayor, Councilmen: Vern

Baker, J. P. Calvird, Glenn Ventling, Allan Sanford, J. D. Long,

John Maier, and City Auditor, Opal M. Nixon.

(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)

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work

3. Amount of water claimed 250,000 gals. per day, or 0.386 c.f.s.

4. Source of water supply Laughing Water Drainage ground water

5. Location of point of diversion 11.0 feet, N43° W to the north westerly corner
of Lot 12, Block 50, in Custer Township
Sec. 4, T25S, R25E bank County.

6. Annual period or periods during which water is to be used

7. To be used for:

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

(a) Number of acres to be irrigated _____ acres.

(b) Legal subdivisions to be irrigated City of Custer

(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.)

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

(a) Nature of use Fire protection and municipal use
 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 72 rods. On property owned by others 1 rods

Map No. 474-2

8. Estimated cost of work:

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

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

(c) Fluming, \$.....

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

Rock, \$.....

(e) Other structures \$2300.00.....\$2300.00

Total, \$.....

9. Description of diversion works:

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

Pump

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 OUTLET-Feet	SURFACE AREA / EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-Feet CAPACITY

(c)* Head gate: Width.....feet; height.....feet;

Material.....

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
At.....Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work.....One.....years.

11. Time required for complete application of water to the proposed beneficial use.....None.....years.

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

STATE OF SOUTH DAKOTA

County of.....

Custer

ss.

I, B. K. Burke, Mayor, and Opal M. Nixon, City Auditor, Custer City, 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.

Attest:

Opal M. Nixon (Auditor

(SEAL)

Signed

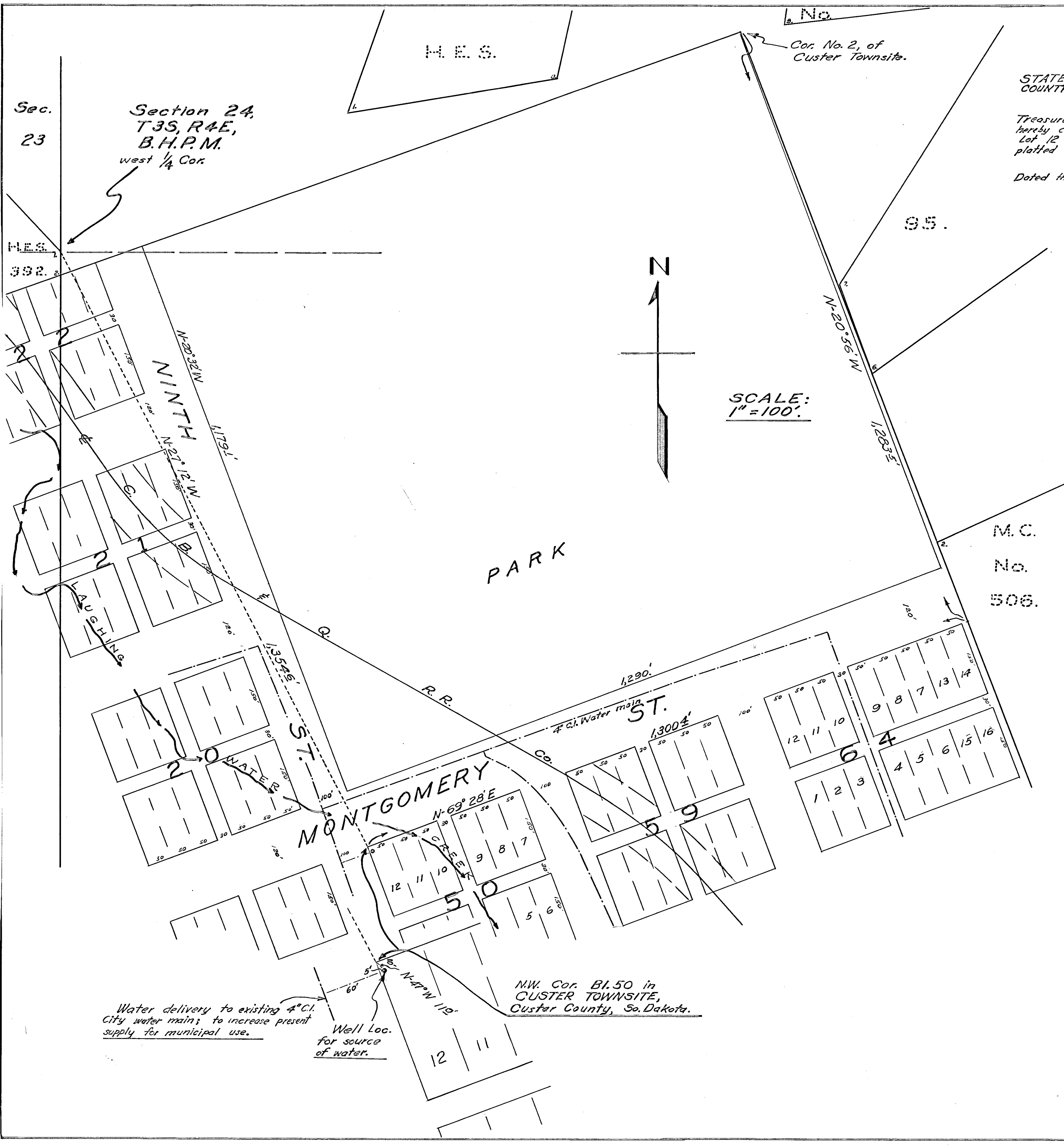
B. K. Burke

Subscribed and sworn to before me this.....day of.....February.....1958

L. J. Bicknell

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



SURVEYOR'S CERTIFICATE.

I, L.B. Bowman, a registered land surveyor, do hereby certify that I did, on and prior to Dec. 29, 1957, survey and plat as shown hereon the location of proposed well-site on the north-west corner of Lot 12 of Block 50 in Custer Township; said portion of Custer Township is in south-west one-quarter of Section 24, T3S, R4E, B.H.P.M., Custer County, South Dakota.

From proposed well-site, the north-westerly corner of said Lot 12 bears N 47° 12' W a distance of 11. feet; thence, bearing N 27° 12' W a distance of 1,354.9 feet to west one-quarter corner of said Section 24. From north-westerly corner of said Lot 12, Custer Township Corner No. 2 bears N 69° 28' E a distance of 1,300.4 feet, thence further, bears N 20° 56' W a distance of 1,283.5 feet.

L.B. Bowman
LAND SURVEYOR Reg. No. 585.

STATE of SOUTH DAKOTA
COUNTY of CUSTER

Treasurer of Custer County, South Dakota, do hereby certify that there are no tax liens upon Lot 12 of Block 50 in Custer Township as platted hereon, except as noted below:

Dated this day of , 195__.

COUNTY TREASURER.

STATE of SOUTH DAKOTA
COUNTY of CUSTER

On this 3rd day of February, 1958, before me, a notary public in and for said State and County, personally appeared L.B. Bowman, to me known to be the person described in, and who executed the above SURVEYOR'S CERTIFICATE.

Opal M. Nissal
NOTARY PUBLIC.

ACKNOWLEDGEMENT for OWNER.

I, B.K. Burke, do hereby acknowledge this survey and plat of proposed well-site, which was made at request of and for the City Council for City of Custer City, South Dakota.

B.K. Burke
Mayor

STATE of SOUTH DAKOTA
COUNTY of CUSTER

On this 5th day of February, 1958, before me, a notary public in and for said State and County, personally appeared B.K. Burke, and executed the above ACKNOWLEDGEMENT for OWNER.

Opal M. Nissal
NOTARY PUBLIC.

Location of well-site for application for

WATER RIGHT

by

CITY of CUSTER CITY
CUSTER COUNTY, SOUTH DAKOTA.

Surveyed & platted by L.B. Bowman, Land Surveyor.

Map No. 474-2
(Appl. No. 470-2)

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, February 13, 1958

This is to certify that the foregoing application was received by the Commission at 9:00 o'clock
a.m. upon the 11 day of February, 1958

State Water Resources Commission

By:

John R. Miller

Chief Engineer, Executive Officer

Number of permit 470-2

Date of first receipt of application February 11, 1958

Date of return to applicant for correction, amendments or changes required as follows: —, 19—

Date of receipt of corrected application —, 19—

Date from which applicant may claim right February 11, 1958

Approved April 23, 1958 Recorded in Book 4 Page 233

This is to certify that we have examined the foregoing application for a 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 October 23, 1958

2nd. The whole of said work is to be completed on or before April 23, 1959

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

April 23, 1960

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 0.386 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 municipal use, used and beneficially applied for irrigation on or before April 23, 1960; said water to be used during the following described annual period:

Continuously

Witness my hand this 9 day of May, 1958

State Water Resources Commission

By:

John R. Miller

Chief Engineer, Executive Officer

Certificate of Construction Issued MARCH 20, 1951

Water License Issued MARCH 20, 1951

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 10" , Depth 200'

Type of casing Steel
(wood, concrete, steel, etc.)

Size of casing 9 5/8" , Thickness of casing 3/8"

Length of casing 200' Max. . . If collection gallery, length, size and depth of
gallery None

(b) Screens

Type of perforated screen Perforated casing

Size of perforated screen 9 5/8" , 12'
(diameter) (length)

Thickness of gravel pack , length of gravel pack

(c) Water Bearing Materials

Distance to water Character of water bearing materials

..... Miscellaneous Schist

Thickness of water bearing material

(d) Pump and Motor

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

Name of pump Fairbanks-Morse , size 50 hp

Kind of motor Electric
(gasoline, electric, diesel, etc.)

Horsepower 50 , Name of Motor Fairbanks-Morse

(e) Complete well

Capacity 200 GPM at drawdown of 100' Estimated cost \$2300.00

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

..... Custer, South Dakota
Address

(g) Distance to nearest existing wells

On same owner's property 1/4 mi. rods. On property owned by others 7 rods

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 470-2

(1) WHEREAS, On the 11th day of February A. D. 19 58

Custer City, South Dakota

made Water Right Application No. 470-2 for a permit to use .386 cubic feet per second of the waters of groundwater (one well)

County of Custer, State of South Dakota, for municipal purposes; and

(2) WHEREAS, On the 23rd day of April A. D. 19 58

Permit No. 470-2, with a date of priority of February 11, 1958

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 23rd day of April A. D. 19 59 and for the application to beneficial use of said water on or before the 23rd day of April A. D. 19 59

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 0.1 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent:

water supplies for municipal purposes

(5) 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 _____

Custer City, South Dakota

XXX
XXX

the holder S and owner S of said permit No. 470-2 a water right, dating from February 11, 1956

to use of 0.1 cubic feet per second of the waters of groundwater (one well)

in the County of Custer and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at 11 ft. N 75° W to the NW corner of Lot 12, Block 15 in

Custer town site, SE 1/4 Sec. 25, T15S, R4E.

and conducted XXXXXXXXXXXX
XXXXXXXXXXXX

thru the Cities distribution system

for the purpose of municipal use

Subject to any limitations listed in Water Right Permit No. 470-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 20th day of March A. D.

Nineteen Hundred and Eighty-one

WATER MANAGEMENT BOARD

By:

John Hatch

Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 470-2

Water Diversion No. 2 Upper Cheyenne Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Custer City

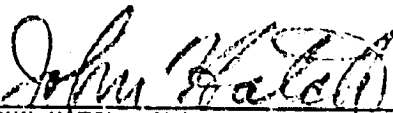
the holder of

Permit No. 470-2, issued upon Application No. 470-2, bearing date of priority of February 11, 1958 authorizing the diversion of 386 cu. ft. per second of the waters of groundwater (one well) County of Custer, State of South Dakota at a point 11 ft., N70°W to the NW corner of Lot 12, Block 50 in Custer town site SE 1/4 Sec. 23, T3S, R4E

for municipal

purposes, has complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 0.1 cu. ft. per second of water.

Date March 20, 1981


JOHN HATCH, Chief Engineer
Water Rights Division

(First Publication before March 21, 1958)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., February 13, 1958

Notice is hereby given that the City of Custer City whose postoffice address is Custer City S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 0.326 cubic feet of water per second of time from the xx ground water through the city well the point of diversion of which is to be located Block 50, in Custer Townsite. ~~in Lot 12,~~

~~XX~~
~~XXXXXXXXXXXXXXXXXXXX~~ Said water to be used for the purpose of providing irrigation on the following described land:

municipal water for the City of Custer City.

~~XXXXXX~~

~~XXXXXX~~

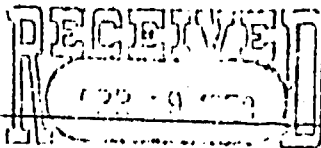
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 23 day of April, 1958, at 2:00 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
Les Wyborny
 Water Rights Engineer



No. 470-2

STATE WATER RESOURCES COMM.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County of Custer } ss.

RECEIVED

APR 8 1958

Carl J. Lundstrom being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the

CUSTER COUNTY CHRONICLE a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the City of Custer, County of Custer and State of South Dakota;

that the said notice was published in said newspaper on the following dates:

February 20, 27, March 6, 13, 1958

in each and every issue of the full number thereof, the first publication being made on the 20 day of February 1958 and the last publication on the 13 day of

March 1958, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was the printer and publisher of the said newspaper.

Clerk Usher

APPROPRIATION OF WATER

No. 470-2

Office of State Water
Resources Commission,
Pierre, S. Dak.,
February 13, 1958

Notice is hereby given that the City of Custer City whose post-office address is Custer City, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 0.38C cubic feet of water per second of time from ground water through the city well, the point of diversion of which is to be located in Lot 12, Block 50, in Custer Townsite. Said water to be used for the purpose of providing municipal water for the City of Custer City.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 23 day of April, 1958, at 2:00 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources
Commission

By: Les Wyborny
Water Rights Engineer

031M13

OK.

Subscribed and sworn to before me this 13 day of March A. D. 1958

James G. Lundstrom
Notary Public Custer County, S. D.

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7845

PIERRI, December 22, 1980

RECEIVED OF City of Custer, SD \$7730

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

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____		
Fee for inspecting Construction, and Issuing Cert. of Construction No. 470-2)	12	00
Fee for inspecting Beneficial Use, and Issuing Water License No. 470-2)		
Fee for issuing Location Certificate-Dry Draw, No. _____		
Fee for filling _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____		
(any other work as provided by law)		
TOTAL	12	00

WATER RIGHTS COMMISSION

By *John H. Hatch*
Chief Engineer, Executive Officer

JOHN HATCH kw

Permit No. 470-2Water Division 2 Battle Creek Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Custer
City of Custer City S. Dak. holder
of Permit No. 470-2, bearing date of priority of February 11, 1958
authorizing the diversion of 2.386 cu. ft. per second of the waters of The well
for Municipal purposes, in Custer County.

I have to report on the condition of the same as follows:

The Water Use System consists of,

A. Works used to divert the water:

Submersible Pump. 20 HP. Pumping 40 gpm

B. Works used to transport water to place of use,

City water mains and distribution system

C. Works used to apply water to beneficial use.

Housing - Commercial and Industrial OutletsThe system is in the following condition: GoodThe point of diversion is located 11.0 ft. N 70° W to the NW corner of
Lot 12 Block 50 in Custer Town site, SE 1/4 SE 1/4 Sec. 23,
T 35 R 4EThe works are capable of diverting and conveying to the place of use 0.1cu. ft. per second of water which is to be used for Municipal Purposes.

Water has been put to beneficial use to the maximum extent as follows:

comprising a total of _____ acres of land.

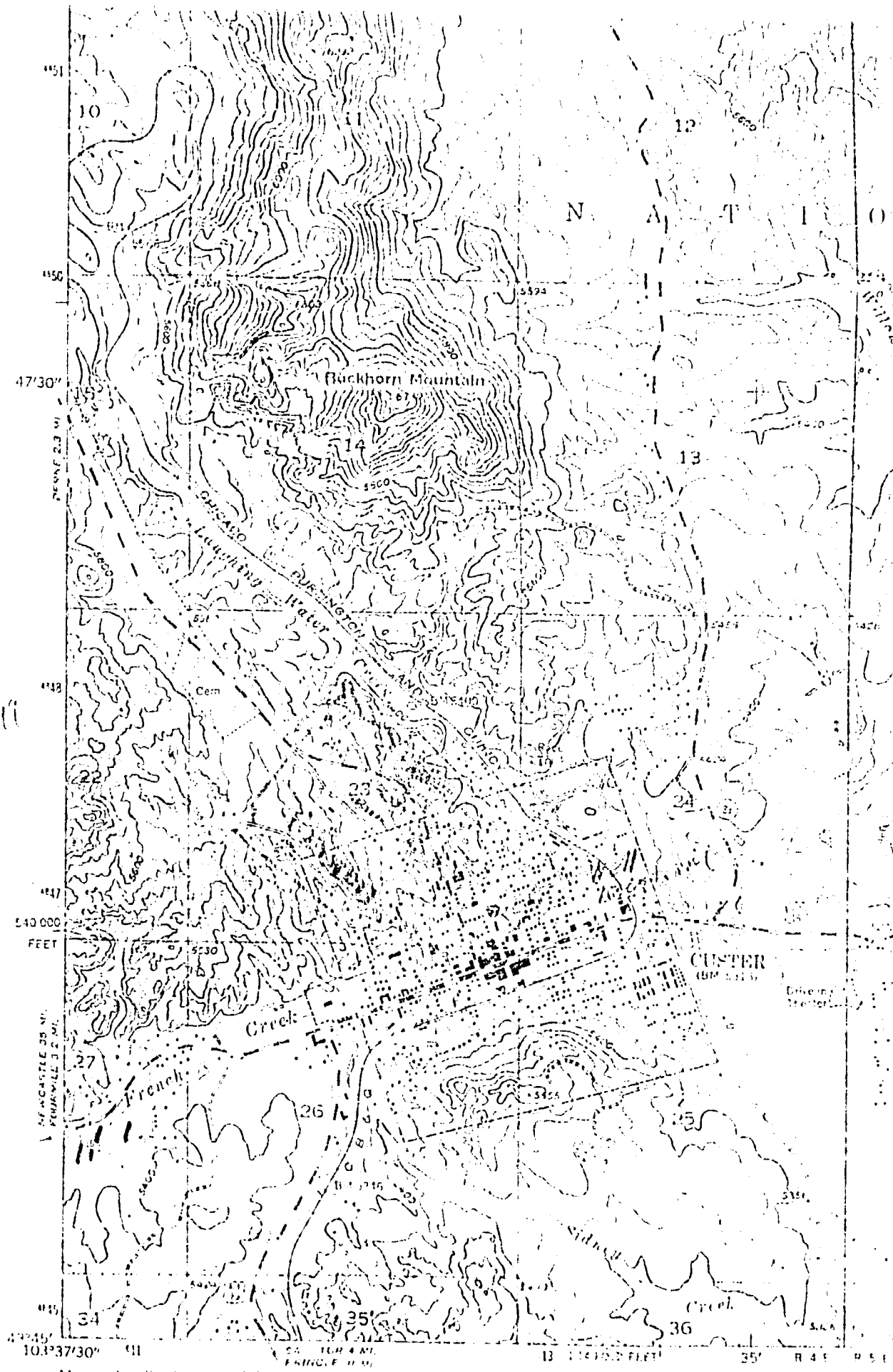
Well depth 200 ft est. In case for 0.1 cfs
Pumping 40 gpm.

Date

July 23, 1950

L. Roy McManis
(Signature)

7-1077



OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE