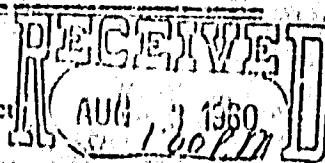


Change in diversion

Form 2—Application for Permit to Appropriate Water—Original

No. 617-2

Water Division No. 2 Rapid Creek District
(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 22 Main Street, County Pennington, State South Dakota

I. If a corporation Municipal

- (a) Name of same Mayor Dusek & Rapid City City Council
(b) Date and place of incorporation _____
(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)
Cash (direct labor)

- (b) Cash on hand, \$ 10,000 (c) Treasury stock, \$ _____
(d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work Black Hills Packing Company Pumphouse No. 1.

3. Amount of water claimed 255 gpm cubic feet per second 0.5 cfs

4. Source of water supply RAPID CREEK

5. Location of point of diversion S-15°-57' E for 145.60' from the SW 1/16th corner of NW 1/4, Section 35, T2N, R7E on North bank Pennington County.

6. Annual period or periods during which water is to be used January 1 through Dec. 31

7. To be used for:

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

(a) Number of acres to be irrigated None 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 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 Stockwatering and fire protection.

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 Approximately 100' downstream from

pumphouse

MAP No 562-2

8. Estimated cost of work:

(a) Head Gates, \$..... (b) Pumping plant, \$ 10,000
 (c) Plumbing, \$..... (d) Canal-earth, \$..... Rock, \$.....
 (e) Other structures \$..... Total, \$.....

9. Description of diversion works:

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

Sump in pumphouse

II. Dimensions of works.

(a) Dam: Height.....feet; length at bottomfeet; length at topfeet; thickness at bottomfeet; thickness at topfeet; slope at front water face; slope at back face
 material used in construction
 (b) Reservoir: Capacity when filledacre feet. Surface area at highwater mark.....acres.

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

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

Material

(d) Canal: Total lengthmiles.

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 3 years.

11. Time required for complete application of water to the proposed beneficial use 3 years.

12. Choice of newspaper for publication of notice of intention to appropriate Gate City Guide

STATE OF SOUTH DAKOTA

County of Pemington ss.

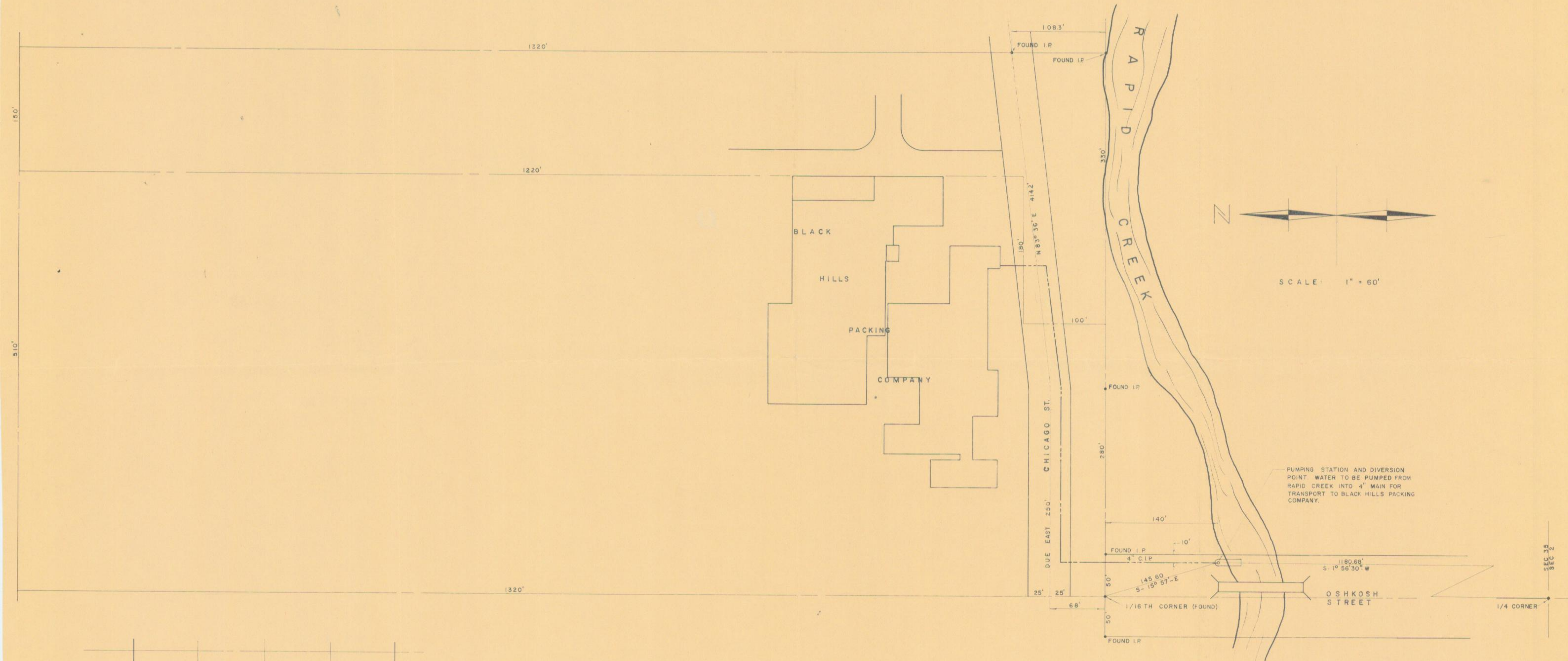
I, Fred Dusch, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and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

Signed Fred Dusch

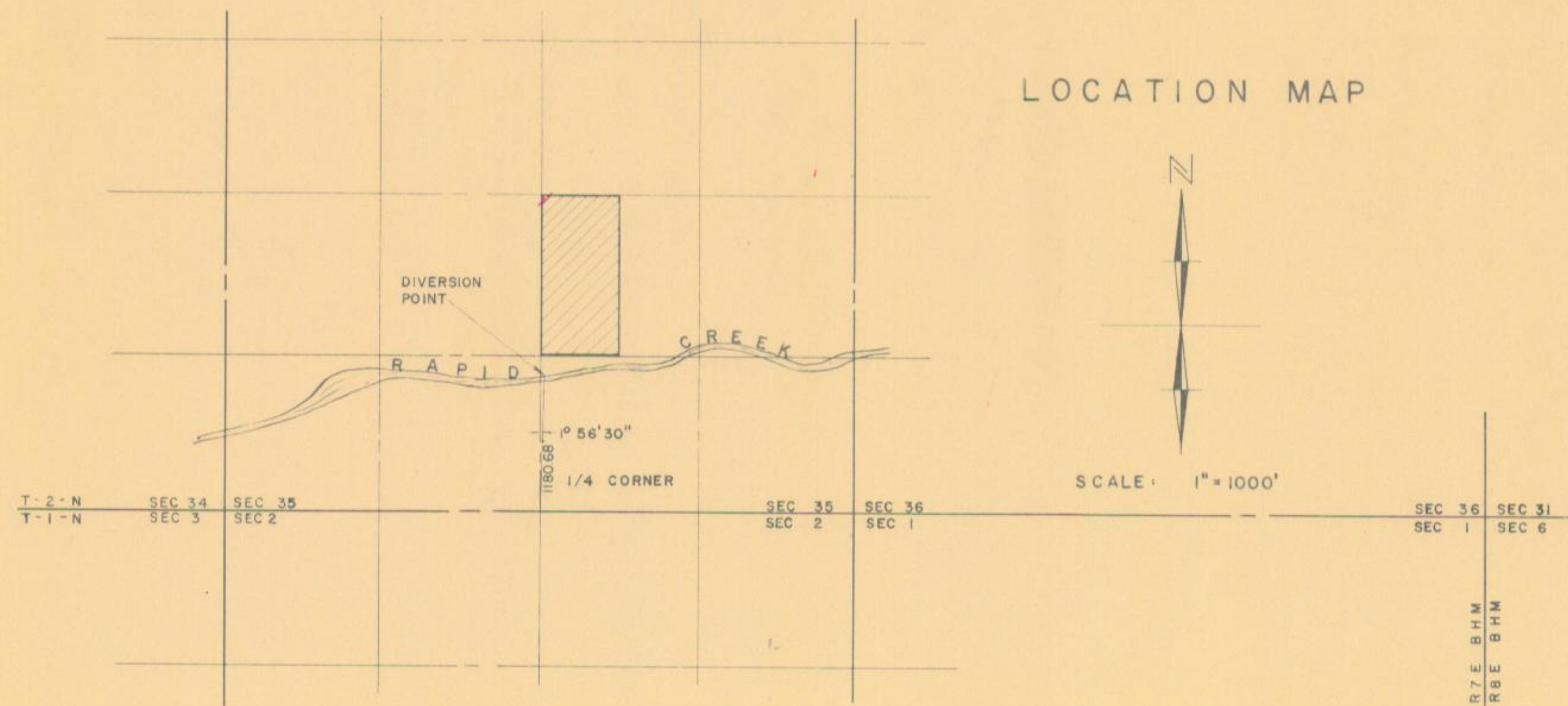
Subscribed and sworn to before me this 28th day of July 1960

W. L. Roberts
 Notary Public (or other qualified officer.)

WATER RIGHTS APPLICATION MAP FOR BLACK HILLS PACKING COMPANY
RAPID CITY, SOUTH DAKOTA



LOCATION MAP



SURVEYOR'S CERTIFICATE

I, VINAL C. FRANCIS, A DULY REGISTERED PROFESSIONAL ENGINEER AND LAND SURVEYOR IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT THE ACCOMPANYING MAP SHOWS THE TRUE AND CORRECT LOCATION OF THE WATER DIVERSION POINT FROM WHICH WATER WILL BE TAKEN FROM RAPID CREEK BY THE BLACK HILLS PACKING COMPANY FOR USE AS DESCRIBED IN THE WATER RIGHTS APPLICATION.

Vinal C. Francis
PROFESSIONAL ENGINEER AND
LAND SURVEYOR

SURVEYOR'S ACKNOWLEDGEMENT

ON THIS THE 1st DAY OF August, 1960 BEFORE ME THE UNDERSIGNED OFFICER PERSONALLY APPEARED VINAL C. FRANCIS WHOSE NAME IS SUBSCRIBED TO THE WITHIN SURVEYOR'S CERTIFICATE AND ACKNOWLEDGED THAT HE EXECUTED THE SAME FOR PURPOSES THEREIN CONTAINED.

H. L. Roberts
NOTARY PUBLIC

Remarks by State Water Resources Commission:

The priority date for this permit is established under
future use withdrawal permit 439-2
Withdrawals under this permit must be replaced
from city storage in Pactola or Barrfield reservoirs

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, November 22, 1960

This is to certify that the foregoing application was received by the Commission at 1:00 o'clock
P.M. upon the 3rd day of August, 1960

State Water Resources Commission

By:

Burlin Jones
for Chief Engineer, Executive Officer

Number of permit 439-2

Date of first receipt of application August 3, 1960

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 September 22, 1960

Approved October 19, 1960, Recorded in Book 6 Page 142

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 _____

April 19, 1962

2nd. The whole of said work is to be completed on or before October 19, 1963

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

October 19, 1963

4th. The water appropriated shall be used for the purpose of industrial 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 0.50 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

used as specified above

and beneficially applied for irrigation on or before October 19, 1963; said water to be used during the following described annual period:

Continuously

Witness my hand this 22nd day of NOVEMBER, 1960

State Water Resources Commission

By:

Jell Humes
Chief Engineer, Executive Officer

Certificate of Construction Issued OCTOBER 28, 1970

Water License Issued OCTOBER 28, 1970

RESTRICTIONS / LIMITATIONS
LISTED IN "FUTURE USE" PERMIT
434-2 ALSO APPLY TO
THE FACILITY

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 617-2

(1) WHEREAS, On the 3rd day of August A. D. 19 60
the City of Rapid City

made Water Right Application No. 617-2 for a permit to use .50 cubic feet per second of the waters of Rapid Creek

County of Pennington State of South Dakota, for Industrial (Black Hills Packing Co.) purposes; and

(2) WHEREAS, On the 22nd day of November A. D. 19 60

Permit No. 617-2, with a date of priority of September 22, 1956

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 19th day of October A. D. 19 63 and for the application to beneficial use of said water on or before the 19th day of October A. D. 19 63

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 .50 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 is used for industrial purposes in operation of the Black Hills
Packing Company plant.

(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 The City of Rapid City

~~xxx~~
the holder _____ and owner _____ of said permit No. 617-2 a water right, dating from September 22, 1956
to use of .50 cubic feet per second of the waters
of Rapid Creek
in the County of Pennington and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point South 15° 57' East, 145.6 feet from the
SW 1/4 Corner, NW 1/4 SE 1/4, Section 35, T2N, R7E

and conduct to ~~xxxxx~~ the Black Hills Packing Company plant

for the purpose of Industrial use

Subject to any limitations listed in Water Right Permit No. 617-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 28th day of October A. D.
Nineteen hundred and Seventy

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIES

Form 15.

Permit No. 617-2

Water Diversion No. 2 RAPID CREEK Water District

CERTIFICATE OF CONSTRUCTION

the City of Rapid City

This is to Certify, That

_____ the holder _____ of
Permit No. 617-2, issued upon Application No. 617-2, bearing date of priority of September 22,
1956 authorizing the diversion of .50 cu. ft. per second of the waters of _____
Rapid Creek _____ County of Pennington, State of South Dakota at _____
a point South 15° 57' East, 145.6 feet from the SW 1/16 Corner, NW 1/4 SE 1/4,
Section 35, T2N, R7E
_____, for IMM Industrial (Black Hills Packing Company)

_____ ⁸ _____ 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 .55 cu. ft. per second of water.

Date October 28, 1970

WATER RESOURCES COMMISSION

B,:

J.W. CRIMES, Executive Officer

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County of Pennington } ss.

Faye Crawford being duly sworn, deposes and says the annexed printed copy of Notice of Intention to appropriate Water was taken from the _____

Gate City Guide a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the _____

City of Rapid City, _____ County of Pennington and State of South Dakota; that the said notice was published in said newspaper on the following dates:

September 8, 1960

September 15, 1960

September 22, 1960

September 29, 1960

in each and every issue of the full number thereof, the first publication being made on the 8th day of Sept.

1960 and the last publication on the 29th day of

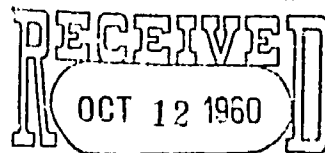
September 1960, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was business manager the printer and publisher of the said newspaper.

Faye Crawford

Subscribed and sworn to before me this 30th day of September A. D. 19 60

Thickstone

Notary Public, Pennington County, S. D.



STATE WATER RESOURCES COMM.
 PIERRE SOUTH DAKOTA

No. 617-2
 APPROPRIATION OF WATER
 Office of State Water Resources Commission, Pierre, S. Dak., August 10, 1960.
 Notice is hereby given that the City of Rapid City, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to change the point of diversion for diverting 60 cubic feet of water per second of time from Rapid Creek through the Black Hills Packing Co. Pumphouse No. 1, the point of diversion of which is to be located on the North bank of said stream in the SW 1/4 of the SE 1/4 of Section 33 Twp. 2N Range 7E. Said water to be used for the purpose of providing raw water for industrial supplies without running it through the City Treatment Plant.
 This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 19th day of October, 1960, at 2 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: Burton F. Jones
 Water Right Specialist
 Published Sept. 6-11

On or before
(First Publication September 23, 1960.)

A PROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., August 10, 1960

Notice is hereby given that the City of Rapid City ~~xxxxxxxxxx~~

~~address xx~~ S. Dak., has made an application in accordance with
change the point of diversion for
the provisions of the water laws of South Dakota for a permit to appropriate for ~~xxxxxxxxxx~~ ~~xxxxxxxxxx~~ diverting

.50 cubic feet of water per second of time from the Rapid Creek through the

Block Hills Packing Co. Pump House #1
the point of diversion of which is to be located on the North

bank of said stream in the SW 1/4 of the SE 1/4 of Section 35

Twp. 2N Range 7E. Said water is to be used for the purpose of providing raw water for

low water diversion:

Industrial supplies without running it through the City

Treatment Plant

~~xxxxxx~~ ~~xxxxxx~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for
consideration upon the 12th day of August, 1960, at 2 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.

cc: Theodora B. Werner
Publisher
Gate City Guide
Rapid City, South Dakota

State Water Resources Commission

By: EUSTON F. JONES

~~xxxxxx~~ ~~xxxxxx~~ ~~xxxxxx~~
Water Right Specialist

Permit No. 617-2Water Division 2 RAPID CREEK Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by _____

THE CITY of RAPID CITY holder _____

of Permit No. 617-2, bearing date of priority of SEPTEMBER 22, 1970authorizing the diversion of .50 cu. ft. per second of the waters of RAPID CREEKfor INDUSTRIAL purposes, in PENNINGTON 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:

FILTRATION GALLERY TO PUMP STATION

3" ALLIS CHAMBERS CENTRIFUGAL PUMP, POWERED BY

20 H.P. ALLIS CHAMBERS ELECTRIC MOTOR

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

4" MAIN LINE TO 35000 GALLON STORAGE TANK

C. Works used to apply water to beneficial use.

4" LINE TO BLACK HILLS PACKING CO PLANT &
THROUGH PLANT TO PLACES OF USEThe system is in the following condition: GOODThe point of diversion is located S 15° 57' E, 145.60 FEET FROM THE
SW 1/4 CORNER, NW 1/4, SECTION 35, T2N, R7EThe works are capable of diverting and conveying to the place of use .55cu. ft. per second of water which is to be used for INDUSTRIAL USE

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

comprising a total of _____ acres of land.

Date OCTOBER 13, 1970Dustin L. Jones
(Signature)WATER RIGHTS SPECIALIST
WATER RESOURCES COMMISSION

Form 12

617-2

Water Right No. 617-2
Upper Cheyenne River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

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

I have this day made a thorough examination of the water use system constructed by the City of Rapid City of 300 6th St, Rapid City SD holder of Water Right No. 617-2, bearing the priority of September 22, 1956 authorizing the diversion of 0.50 cu. ft. per second of the waters of surface water for Industrial purposes, in Pennington County.

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

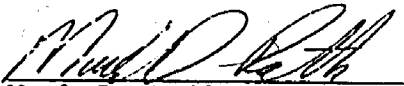
- A. Works used to divert the water:
A Berkley pump with a 350 gpm capacity.
- B. Works used to apply water to beneficial use:
Use in a packing plant

The system is in the following condition good. The point of diversion is located NW1/4 SE1/4 of Section 35 T2N-R7E. The works are capable of diverting and conveying to the place of use 0.78 cu. ft. per second of water which is to be used for industrial. The license should be issued for 0.50 cfs.

Applicable permit qualifications have been complied with: Yes ☒ No

Exceptions to compliance are: none Date: 7/14/1992

Comments: The capacity of the pump is greater than the authorized diversion rate, but the system is limited by the collection capacity of the gallery which limits daily diversion rate to the authorized rate.


Mark D. Rath
Natural Resources Engineer
DENR, Water Rights Division

617-2

REPORT ON INSPECTION OF WATER RIGHT NO. 617-2

DATE: 7/14/1992

DIVERSION POINT LEGAL LOCATION: NW1/4SE1/4 Section 35 T2N-R7E

Pump:

- 1) Make Berkloy
- 2) Model B2-1/2ZBMS
- 3) Size 3"
- 4) Capacity 350 GPM

Motor:

- 1) Make US Electrical
- 2) Model No. 213 JM
- 3) Horsepower rating 7.5 hp

DISTRIBUTION LINES OR CANALS:

- 1) Type Packing plant use.

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit NA
- 2) Special qualifications to permit being abided by Y
- 3) All structures, wells and lands on map Y
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period NA