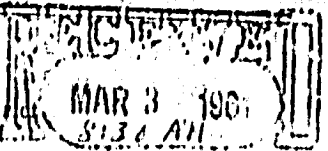


660-2

1. Considered S-10, 1961
2. Name of Applicant H. J. Rogers
3. Post Office Address North Liberty, Mo.
4. Amount of water claimed 1.0
5. Source of water supply Artesian ground water
6. Water to be used for municipal (New Underwood)
Acres to be irrigated —
7. Water to be diverted and used in Adair County about
1/4 miles 1/4 mile 1/4 mile of —
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☐
Subject to ☐
Not Approved ☐
Action deferred ☐
10. Remarks: Subject to contract between City & Rogers
Well will be turned over to City
of New Underwood later

No. 660-2Water Division No. 2 EAST CHEYENNE RIVER Dist.
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

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

Trans. 3/5/11

1. Name of applicant W. F. Rogers, Town of New Underwood
 Postoffice address STOUTSDALE, County SCOTT BLUFF, State NEBRASKA 57761

I. If corporation

(a) Name of same

(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 this 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)

WILL USE OWN CREW AND EQUIPMENT(b) Cash on hand, \$ 60,000

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work NEW UNDERWOOD WELL No. 13. Amount of water claimed 1.0 cubic feet per second4. Source of water supply FALL RIVER LAKOTA FORMATION5. Location of point of diversion S. 53°-06' E. 1/4 COR. 1/4 SECTION 31, T2N, R11E, BHM IN NW 1/4 SAID SECTION 31 on PENNINGTON bank PENNINGTON County.6. Annual period or periods during which water is to be used ALL YEAR

7. To be used for:

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

(a) Number of acres to be irrigated

(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 and attached as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) MUNICIPAL WATER SUPPLYFOR TOWN OF NEW UNDERWOOD, SOUTH DAKOTA

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

(a) Nature of 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

MAP NO 589-2

Form 2A — Wells (Supplement to Form 2)

4

9. (Continued)

III. Well Specifications

- (a) Hole and casing 2680
 Size of drill hole or excavation 12 1/4 to 600'
 Size of drill hole or excavation 7 7/8 to 2860 EST., Depth 2860
 Type of casing STEEL (wood, concrete, steel, etc.)
 Size of casing 8" Thickness of casing 3"-0.264"
 Length of casing 5 1/2"-600 to 2700 collection gallery, length, size and depth of gallery 2680
 (b) Screens
 Type of perforated screen _____
 Size of perforated screen 4 1/2" Nom - 4 1/2" ACTUAL, EST. 160'
 (diameter) (length)
 Thickness of gravel pack 2", length of gravel pack 160' EST.
 (c) Water Bearing Materials
 Distance to water 2700 EST., Character of water bearing materials SAND
 Thickness of water bearing material EST. 160'
 (d) Pump and Motor
 Type of pump SUBMERSIBLE (centrifugal, propeller, mixed flow, etc.)
 Name of pump RODA FAIRBANKS MORSE, size 6" 4"
 Kind of motor ELECTRIC (gasoline, electric, diesel, etc.)
 Horsepower 30, Name of Motor FAIRBANKS MORSE
 (e) Complete well
 Capacity 150 GPM FOR PUMP PROPOSED
 at drawdown of 100, Estimated cost \$59,303.00
 INCL. PUMP EQUIP.
 (f) Owner of land upon which well is located TOWN OF NEW UNDERWOOD, Name
LEASED TO W.F. ROGERS, Address
 (g) Distance to nearest existing wells IN THIS FORMATION
NONE
 On same owner's property 12 MILES, On property owned by others 12 MILES

8. Estimated cost of work:

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

(b) Pumping plant, \$6000.00

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

Rock, \$.....

(e) Other structures \$54,000..

Total, \$69,000..

9. Description of diversion works: SEE FORM 2-A

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

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 AT EACH DEPTH AT OUTLET-ACRES	ACRE-Feet CAPACITY

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

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

LOCATION & FLOW 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.....1.....years.

11. Time required for complete application of water to the proposed beneficial use.....1.....years.

12. Choice of newspaper for publication of notice of intention to appropriate WALL COURANT, WALL, S. D.

STATE OF SOUTH DAKOTA

County of LAWRENCE

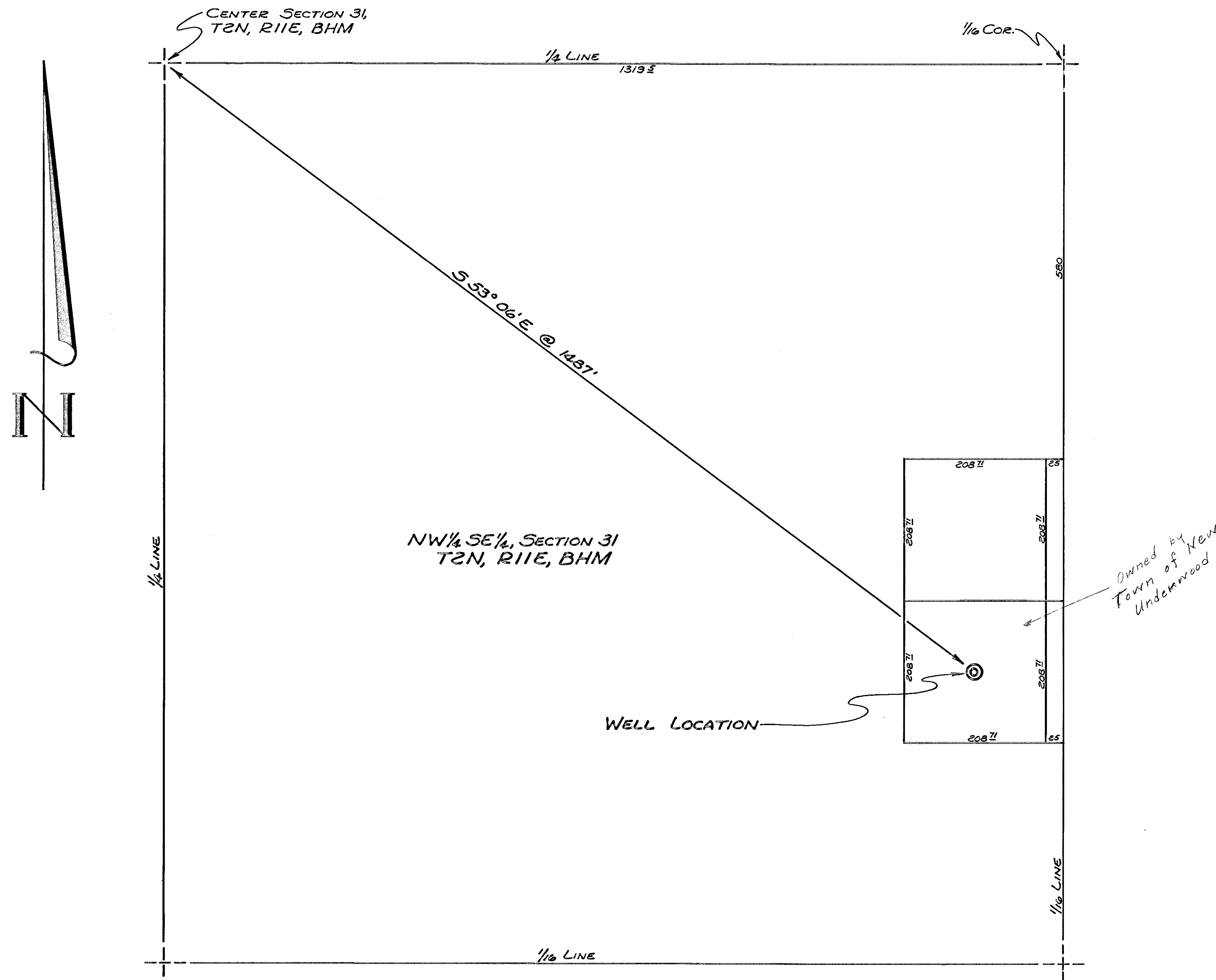
ss.

I, W. E. ROGERS, 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 W. E. RogersSubscribed and sworn to before me this 2nd day of March 1961W. E. Rogers
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

D. R. MCCAIN, NOTARY PUBLIC
MY COMMISSION EXPIRES DEC. 31, 1968



SURVEYORS CERTIFICATE:

I, FRANK R. BRADY, REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT AT THE DIRECTION OF W. F. ROGERS, I HAVE SURVEYED THE PROPOSED NEW UNDERWOOD WELL NO. 1 AS SHOWN HEREON. ALL BEARINGS AND DISTANCES ARE AS SHOWN.

Frank R. Brady
REGISTERED LAND SURVEYOR

ACKNOWLEDGEMENT OF SURVEYOR:

BE IT REMEMBERED THAT ON THIS 2ND DAY OF MARCH 1961, BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED FRANK R. BRADY, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING CERTIFICATE.

MY COMMISSION EXPIRES Mar 31, 1968.

W. F. Rogers
NOTARY PUBLIC

**LOCATION OF PROPOSED
NEW UNDERWOOD WELL NO. 1**

Brady Engineering Consulting Engineers Spearfish, South Dakota	Drawn By: <i>L.A.M.</i> Checked By: <i>F.R.B.</i>	Scale: 1" = 100' Date: <i>MAR. 1961</i> Sheet of
--	--	--

MAP NO 589-2 (APPL NO 660-2)

Remarks by State Water Resources Commission.

STATE OF SOUTH DAKOTA
County of Hughes ss.

Pierre, South Dakota, MAY 31, 1961

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock
a.m. upon the 3rd day of March, 1961.

State Water Resources Commission

By: Burtin

for Chief Engineer, Executive Officer

Number of permit 660-2

Date of first receipt of application MARCH 3rd, 1961

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 MARCH 3rd, 1961

Approved MAY 10, 1961, Recorded in Book 6 Page 264

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 November 10, 1961

2nd. The whole of said work is to be completed on or before MAY 10, 1962

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

MAY 10, 1962

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 10 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 for municipal needs

and beneficially ~~applied for irrigation~~ on or before MAY 10, 1962; said water to be used during the following described annual period:

Continuously
Witness my hand this 31st day of MAY, 1961

State Water Resources Commission

By: Jacobson

Chief Engineer, Executive Officer

Certificate of Construction issued MARCH 4, 1971

Water License issued MARCH 4, 1971

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 660-2

(1) WHEREAS, On the 3rd day of March A. D. 19 61

W.F. Rogers, Scottsbluff, Nebraska

made Water Right Application No. 660-2 for a permit to use 1.0 cubic feet per second of the water of artesian ground water

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

(2) WHEREAS, On the 31st day of May A. D. 19 61

Permit No. 660-2, with a date of priority of March 3, 1961

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 10th day of May A. D. 19 62 and for the application to beneficial use of said water on or before the 10th day of May A. D. 19 62

and, Whereas, on the 4th day of March, 1971, the permit was transferred to the Town of New Underwood,

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 .45 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 municipal purposes by the Town of New Underwood

(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 Town of New Underwood

xx
the holder _____ and owner _____ of said permit No. 660-2 a water right, dating from March 3, 1961
_____ to use of .45 cubic feet per second of the waters
of artesian ground water

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 55° East, 1430 feet from the center,
Section 31, T2N, R11E

and ~~xxxxxx~~ conducted through the town water distribution system

for the purpose of municipal use

Subject to any limitations listed in Water Right Permit No. 660-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 4th day of March A. D.
Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Permit No. 660-2

Water Diversion No. 2 EAST CHEYENNE RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Town of New Underwood

_____ the holder _____ of
Permit No. 660-2, issued upon Application No. 660-2, bearing date of priority of March 3,
1961 authorizing the diversion of 1.0 cu. ft. per second of the waters of _____
artesian ground water County of Pennington, State of South Dakota at _____
a point South 55⁰ East, 1430 feet from the center of Section 31,
T2N, R11E
_____, for irrigation

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 .45 cu. ft. per second of water.

Date March 4, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

On or before April 13, 1961
(First Publication)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., March 30, 1961

Notice is hereby given that H.F. Rogers whose postoffice address is Scottsbluff, Nebraska ~~South~~, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.0 cubic feet of water per second of time from ~~the~~ Artesian ground water through the New Underwood Well #1, the point of diversion of which is to be located on ~~the~~ bank of said stream in the NW 1/4 of the SE 1/4 of Section 21 Twp. 2N Range 11E. Said water to be used for the purpose of providing ~~irrigation on the~~ Municipal supplies for the Town of New Underwood ~~following described land:~~

Municipal supplies for the Town of New Underwood

and for ~~the~~ purpose

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 10th day of May, 1961, 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: R.F. Lewis--publisher

Well Courant
Wall, South Dakota

State Water Resources Commission

By:

(Not Registered Executive Order)

MURTON F. JONES
Water Right Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Pennington } ss.

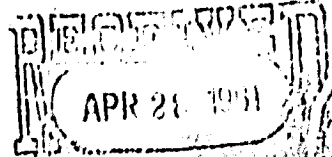
R. F. Lewis being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Pennington Co. Courant a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the City of Hall County of Pennington and State of South Dakota; that the said notice was published in said newspaper on the following dates:

April 6, 13, 20, 27

in each and every issue of the full number thereof the first publication being made on the 6 day of April 1961 and the last publication on the 27 day of April 1961, 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.

Subscribed and sworn to before me this 27 day of April A. D. 1961

Notary Public Pennington County, S. D.

STATE WATER RESOURCES COMMISSION
APPROPRIATION OF WATER

(First Publication on or before April 13, 1961)

Office of State Water Resources Commission,
Pierre, S. Dak.

March 30, 1961

Notice is hereby given that W. F. Rogers, whose postoffice address is Scottsbluff, Nebr., has made an application in accordance with the provision of the water laws of South Dakota for a permit to appropriate for beneficial use 1.0 cubic feet of water per second of time from Artesian ground water through the New Underwood Well No. 1, the point of diversion of which is to be located in the NW 1/4 of the SE 1/4 of Section 31, Twp. 2N, Range 11 E. Said water to be used for the purpose of providing Municipal supplies for the Town of New Underwood.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 10th day of May, 1961, 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
cc: R. F. Lewis-Publisher
Pennington County Courant
Wall, South Dakota
Pub. April 6, 13, 20, 27.

AGREEMENT

Between

W. F. ROGERS

OF

Scottsbluff, Nebraska

and

TOWN OF NEW UNDERWOOD, SOUTH DAKOTA

THIS AGREEMENT, made and entered into this _____ day of February, A.D., 1951, by and between W. F. Rogers of Scottsbluff, Nebraska, party of the first part, hereinafter referred to as Seller, and the Town of New Underwood, South Dakota, hereinafter referred to as Town:

WHEREAS, the above named town, by its duly authorized officers and corporate representatives, has determined that its present source of water supply is inadequate and that an emergency exists by reason of such inadequacy, has determined to increase the same, and desires to acquire and control a source of water supply to be delivered to the Town for the present and future users of such water supply and to be distributed through the mains owned, operated and controlled by the said Town, and or any Special Improvement District therein; and

WHEREAS, the aforesaid Seller, has assured the said Town that he can and will furnish a source of water supply sufficient to meet the needs and requirements of the said Town, therefore,

WITNESSETH, that for and in consideration of the mutual covenants and agreements expressed in this agreement, and the payment of moneys herein provided for, and the other mutual agreements herein contained by each party hereto to be kept and performed, the parties hereto agree, do with the other, as follows:

SELLER AGREES:

1. To make, or cause to be made, all the surveys, tests, analyses, investigations, geological work and explorations necessary, and to do all the work and furnish all things necessary, in an endeavor to locate and

develop a subterranean water supply from the Fall River and/or Lakota sands suitable for the use of the said Town, including as a part of such development the construction of a well system, and installation of a pumping plant, all in accordance with the recommendations furnished by the official Engineer for the Town of New Underwood, said Engineer being Brady Engineering of Spearfish, South Dakota.

2. To lease from the Town for a period of twenty-five (25) years, at an annual rental of One Dollar (\$1.00) per year, one (1) acre of ground to be used by Seller in furnishing said water supply, said location site to be determined and surveyed by the said official Engineer for the Town. It being further understood and agreed that said lease shall automatically terminate as of and upon the date when the Town has paid Seller the consideration set forth in this contract.

3. It is the understanding that said source of water supply shall be capable of producing not less than 50 gallons per minute.

4. To begin work within thirty days from the effective date of this contract and thereafter diligently prosecute the same to its completion, to the end that the plant and system herein contemplated may be constructed and completed at the earliest possible moment, and thereafter to deliver water to the Town at the earliest possible date as herein contemplated.

5. To make at its own expense all necessary repairs and replacements necessary to maintain the said water well and pump well and pump in first class operating condition during the effective term of this contract.

6. The details of construction of said well contemplated to furnish said subterranean water supply and the pump to be installed therein by Seller shall be agreed upon between the said Seller and the official Engineer for the Town of New Underwood. Changes and alterations may be made and agreed upon by and between the said official Engineer for the Town and Seller without official approval by the Town.

7. To make any installation hereunder and to do any work hereunder in such manner that there could be and shall be no liability against the Town for any damage to person or property arising, during the construction of any part of such water system and prior to the delivery of water to the Town, from any negligence on the part of Seller in the construction of such part of such water system, and to keep and hold the Town harmless and free from loss therefrom.

8. During the term of this contract and until the title to said water supply system shall have passed from Seller to the Town it is agreed and understood that the Seller shall pay any and all personal property taxes upon the said water well and pump installed therein as may be legally assessed and levied thereon.

TOWN AGREES:

1. To accept as soon as Seller shall make the same available, all water contracted to be taken hereunder for the Town's uses from the Seller's producing system, and to meet, discharge, and fulfill each and all of the Town's agreements and covenants hereunder.

2. Town agrees to pay to Seller, as compensation for his undertakings hereunder, the sum of Fifty-nine Thousand Three Hundred Three Dollars (\$59,303) in the following manner:

- (a) The Town shall pay to Seller the sum of Six Hundred Sixty-five Dollars and Eighty-four Cents (\$665.84) on the 10th day of every successive and consecutive month hereafter until the said purchase price, together with earned interest thereon at the rate of six per cent (6%) per annum shall have been paid to Seller in full. It is expressly understood that the said payments shall commence on the 10th day of the month following the acceptance by the Town of said water supply according to the terms of this contract.

(b) It being expressly understood that by virtue of the payments hereinbefore described the agreed purchase price together with agreed interest thereon shall be paid in full by the Town to Seller during a period of ten years following the effective date of this agreement.

(c) It is expressly understood and agreed that the said Town has the privilege, in the event it is able and so desires, to pay off the balance due under the terms of this agreement at any time within the said ten years and in such event the Town shall be obligated only to pay interest on unpaid principal up to the date when said unpaid principal is paid in full.

3. It is also understood and agreed that from and after the date of acceptance of said water supply by the Town according to the terms of this agreement the Town shall be responsible and pay for all electricity required and used in connection with the operation of said water supply system.

4. It is further understood and agreed that the Town shall pay for the expense of connecting the water supply system herein contemplated by this agreement up with the existing water system now used by said Town.

5. In the event of default by the Town in the payments required under the terms of this agreement, which said default is caused by the lack of revenue to the said Town from the sale of water from the water supply contemplated herein, the Seller shall have the right to require the Town to increase the rates charged for water from the water supply which is the subject of this agreement so that the revenue therefrom shall be sufficient to enable the Town to comply with the monthly payments required by this agreement.

IN WITNESS WHEREOF the parties hereto acting through their corporate

officers who have been heretofore duly authorized, herewith execute this agreement in duplicate on the day and year first above written, and hereby duly affix their corporate seals. By its execution hereof the Town of New Underwood represents and covenants that this agreement has been unanimously approved by its governing body as provided in S.D. Supp. 65.1404-1.

TOWN OF NEW UNDERWOOD

By _____

SELLER

ATTEST:

Clerk

(SEAL)

Permit No. 660-2Water Division No. 2 EAST CHEYENNE Water District
RIVER**NOTICE OF COMPLETION OF WORKS**

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) Scottsbluff, Nebraska(Date) April 10, 1961TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of

1.0 cu. ft. per second of the waters of the state fromthrough the New Underwood Well #1for Municipal water supply purposes

In accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota,

1. The name of the person or corporation holding said permit is

W. F. Rogers2. The postoffice address of such person or the place of business of such corporation is ScottsbluffCounty of Scotts Bluff State of Nebraska3. The number of such permit is 660-2 and the date set for the completion of such work isMay 10, 19624. Said water to be used for Municipal water 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 1.0 cubic feet per second.

6. The amount of land for which said water is available is _____ acres,

particularly described as follows: S 53⁰-06' E 1487 feet from center of S 31, T2N, R11EBHM in NW 1/4 SE 1/4 said Section 31, Pennington County

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

W. F. Rogers

(Signature of Owners) _____

Permit No. 660-2

Water Division No. 2 EAST CHEYENNE RIVER Water District

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) Scottsbluff, Nebraska

(Date) April 10, 1961

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the _____ day of _____
 10_____, at _____ County of _____ State of South Dakota,
 before _____ proof will be submitted of the application to beneficial use
 (Examining Engineer or Officer)
 of 1.0 _____ cubic feet per second of the waters of New Underwood Well #1 _____
 _____ in accordance with the terms and conditions of Permit No. 660-2
 heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are _____

W. F. Rogers

Scottsbluff, Nebraska

2. The use to which said water has been applied is _____ municipal water supply

3. The amount applied to beneficial use is 1.0 Cubic feet per second

4. The place where said water is used is (If for irrigation, give full and accurate description of the lands irrigated) New Underwood, South Dakota

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is

City pipe line

6. The right to take the water from such works is based upon permit No. 660-2

7. The source of supply from which such water is diverted is Fall River ~~La~~ Formation

8. The date of priority which said user is prepared to establish is _____

(Sign)

J. W. Rogers

Permit No. 660-2Water Division 2 EAST CHEYENNE RIVER Water District*Letter sent 2-18-71*REPORT 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 W.P. Rogers
of Scottsbluff, Nebraska holderof Permit No. 660-2, bearing date of priority of March 3, 19 61authorizing the diversion of 10 cu. ft. per second of the waters of ground water (Fall River-Lakota)
for municipal purposes in Pennington County.I have to report on the condition of the same as follows: Static water level, 192 feet deep
37 ft. drawdown, recovery in 48 seconds.

The Water Use System consists of,

A. Works used to divert the water:

Well 2680 ft. deep. Eight inch casing to 600 ft. depth. Remainder 5½ inch casing except for 120 feet of 4 inch stainless steel casing.

Reda pump - size 4 inch, 30 H.P.

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

City distribution system
15,000 gallon elevated tank

C. Works used to apply water to beneficial use.

150 service connections

The system is in the following condition: very goodThe point of diversion is located South 55° East, 1430 feet from the center of
Section 31, T2N, R11EThe works are capable of diverting and conveying to the place of use .45
cu. ft. per second of water which is to be used for municipal purposes

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

Well completed in 1961 and has been used as indicated since~~XX~~This well is now owned by the Town of New Underwood.
Transfer of Water Right and letter of notification should be sent to:
Mr. Eugene Madson, Chairman
Town Board))
New Underwood, S.D. 57761Date February 16, 1971Donald Driscoll
(Signature)
DONALD DRISCOLL, Deputy Chief Engineer
W.R.C.

NOTICE OF TRANSFER OF WATER PERMIT

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

Date March 1, 1971.

This is to notify you that title to the land described as follows

Municipal well for New Underwood, drilled and owned by W.F. Rogers of
Scottsbluff, Nebraska and being sold to the Town of New Underwood under
an agreement entered into during February of 1961

~~formerly owned by~~

has been transferred to the Town of New Underwood, South Dakota

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 660-2 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Resources Commission as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA)
County of Pennington) ss.

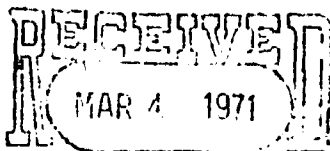
I, Eugene Madsen,
Chairman being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Eugene Madsen, Chairman, Trustees
Town of New Underwood

Eugene Madsen Chairman Town of New Underwood
(Signed)

Suscribed and sworn to before me this 1st day of March, 19 71.

Robert L. Luning
(Notary Public)



STATE WATER RESOURCES COMMISSION