

1. Considered 5-9, 1962 744-2
2. Name of Applicant Town of Belmont
3. Post Office Address _____
4. Amount of water claimed 66
5. Source of water supply Drushell's well - Wharton 23
on Williams Fork - New 23
6. Water to be used for Municipal
 Acres to be irrigated _____
7. Water to be diverted and used in Calhoun County about
1 1/2 miles of Belmont
8. Proof of Publication Received ☒
 Not Received ☐
9. Application Approved ☐
 Subject to _____
 Not approved ☐
 Action deferred _____

10. Remarks:

Well already constructed for highway purposes under
 Temporary Permit - well to be turned over
 to Town when highway completed.

No. 744-2Water Division No. 2 BATTLE CREEK District
(Blank to be Filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMMISSION
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

Town of Hermosa

Postoffice address

Hermosa, County Custer, State S. Dak.

I. If a corporation

(a) Name of same

Town of Hermosa

(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)

(b) Cash on hand, \$ Adequate

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work

City Wells #1 & 2

3. Amount of water claimed

300 GPM cubic feet per second

4. Source of water supply

1 Shallow Well 1 Artesian Well

5. Location of point of diversion

BOTH WELLS LOCATED IN LOT 'C' SW 1/41/4 Sec. 32, T2S R2E on

bank

Custer

County.

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

Year around

7. To be used for:

Public Consumption

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

(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.)

To be used in the Town of Hermosa

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. 648-2

Form 2A — Wells (Supplement to Form 2)

B. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation $0-810' = 9\frac{1}{8}$ $810'-1100' = 6\frac{3}{8}$ Depth $1100'$

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

Size of casing 8" Thickness of casing Std. 32 lb. per foot

Length of casing 810' If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen

Size of perforated screen 8" 55'
(diameter) (length)

Thickness of gravel pack 0 length of gravel pack 0

(c) Water Bearing Materials

Distance to water 710' to perforation Character of water bearing materials
Sandstone + Lime stone

Thickness of water bearing material 165' at sand stone total

(d) Pump and Motor

Type of pump Unknown at this time
(centrifugal, propeller, mixed flow, etc.)

Name of pump size

Kind of motor Electric when and if installed
(gasoline, electric, diesel, etc.)

Horsepower Name of Motor

(e) Complete Well

Capacity 150 P.M. at drawdown of 470 ft Estimated cost

(f) Owner of land upon which well is located Town of Hermosa
Name

Hermosa S. Oak
Address

(g) Distance to nearest existing wells 1 mile to nearest Deep Well
Depth - 500 ft.

On same owner's property 10 rods. On property owned by others rods
Depth - 1 ft.

Log: Of well drilled on tract 14-33-34 and
tract well portions of outlet C, located
in the northwest quarter of section Thirty Two.

0-18' Dirt
18-29' Gravel
29-460' black to grey shale
460-470' yellow sandstone
470-480' yellow clay
480-490' sandstone
490-710' Black shale
710-765' dakota sandstone
765-810' grey to white shale
810-870' white sandstone
870-920' red shale
920-925' white limestone
925-940' maroon shale
940-960' white sandstone
960-990' white to grey shale
990-1015' soft yellow sandstone
1015-1065' light grey shale some red
1065-1070' hard pink to red sandstone spotted
1070-1100' soapy grey shale

Static water level 93' from top

Cased to 610' with 8" casing perforated at 710-765'.

8. Estimated cost of work:

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

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

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

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

Rock, \$-----

(e) Other structures ----- \$-----

Total, \$-----

9. Description of diversion works:

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 high water mark ----- acres.

DEPTH AT OUTLET-FEET	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-FOOT CAPACITY

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

Material -----

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

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

(Give dimensions where reductions in size are made.)

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

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 -----

WATER COUNTY CHRONICLE

STATE OF SOUTH DAKOTA

County of Butte ss.

I, Jack Churchill, Chairman of the Board, 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

Subscribed and sworn to before me this 14th day of Dec. 1901

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Remarks by State Water Resources Commission:

PARTIAL "VESTED RIGHT" CLAIMED

STATE OF SOUTH DAKOTA

County of

HUDDLES

ss.

Pierre, South Dakota,

MAY 17

1962

This is to certify that the foregoing application was received by the Commission at 8:15 o'clock

on the 29th day of DECEMBER, 1961

State Water Resources Commission

By:

for Chief Engineer, Executive Officer

Number of permit

744-2

Date of first receipt of application

DECEMBER 29

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

33 1885 DECEMBER 29, 1961

Approved

MAY 9

1962

Recorded in Book

7

Page

95

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 9, 1962

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

MAY 9

1963

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

MAY 9

1964

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 .66 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 on or before MAY 9, 1964; said water to be used during the following described annual period:

CONTINUOUSLY

Witness my hand this

17th

day of

MAY

1962

State Water Resources Commission

By:

for Chief Engineer, Executive Officer

Chief Engineer, Executive Officer

Certificate of Construction Issued

SEPTEMBER 7, 1973

Water License Issued

SEPTEMBER 7, 1973

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 744-2

(1) WHEREAS, On the 29th day of December A. D. 19 61
The Town of Hermosa

made Water Right Application No. 744-2 for a permit to use .66 cubic feet per second of the waters
of ground water

County of Custer, State of South Dakota, for municipal

purposes; and

(2) WHEREAS, On the 17th day of May A. D. 19 62

Permit No. 744-2, with a date of priority of 1985 and December 29, 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 9th day of May A. D. 19 63 and for the
application to beneficial use of said water on or before the 9th day of May A. D. 19 64

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 .30 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 Hermosa

(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 Hermosa

SWK

the holder _____ and owner _____ of said permit No. 744-2 a water right, dating from 1885 and December 29, 1961

to use of .30 cubic feet per second of the waters

of ground water

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 two points in Outlot "C"; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, T2S, R8E

~~with XXXXXXXXXXXXXXX~~ conducted through the town water distribution system

for the purpose of municipal use

Subject to any limitations listed in Water Right Permit No. 744-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 7th day of September A. D.

Nineteen-Hundred and Seventy-three

WATER RIGHTS COMMISSION
~~WATER RIGHTS COMMISSION~~

By:

Chief Engineer, Executive Officer **DONALD DRISCOLL**

Form 15.

Permit No. 744-2

Water Diversion No. 2 BATTLE CREEK Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Town of Hermosa

the holder of
Permit No. 744-2, issued upon Application No. 744-2, bearing date of priority of 1885 and
December 29, 1961, authorizing the diversion of .66 cu. ft. per second of the waters of ground water
County of Custer, State of South Dakota at two points in Outlot "C", SW 1/4 NW 1/4, Section 32, T23, R8E

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 .30 cu. ft. per second of water.

Date September 7, 1973

By: WATER RIGHTS COMMISSION

DONALD DRISCOLL, Chief Engineer

on or before April 12, 1962.
(First Publication)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., March 19, 1962

Notice is hereby given that the Town of Hermosa

has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 33 cubic feet of water per second of time from an artesian ground water through the City Well #2, the point of diversion of which is to be located

in the SW 1/4 of the NW 1/4 of Section 32 Twp. 2 S Range 8 E. Said water to be used for the purpose of providing

municipal supplies for the Town of Hermosa

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 29th day of May, 1962, 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:

CC: Carl H. Sundstrom, Publisher
Custer County Chronicle
Custer, South Dakota

BURTON F. JONES
Water Right Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County of Custer }Carl H. Sundstrom being duly
sworn, deposes and says the annexed printed copy of Notice
of Intention to Appropriate Water was taken from theCuster 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 City County ofCuster and State of South Dakota;
that the said notice was published in said newspaper on the
following dates:March 29, 1962 April 5, 1962
April 12, 1962 April 19, 1962In each and every issue of the full number thereof, the first
publication being made on the 29 day of March
19 62 and the last publication on the 19 day of
April 19 62, upon which days or times
of publication aforesaid the newspaper was regularly pub-
lished, 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 19 day of April A. D. 1962

Notary Public Custer County, S. D.

No. 744-2
APPROPRIATION OF WATER
 Office of State Water
 Resources Commission
 Pierre, S. Dak.
 March 17, 1962

Notice is hereby given that the
 Town of Hermosa, S. Dak., has
 made an application in accordance
 with the provisions of the
 water laws of South Dakota for
 a permit to appropriate for bene-
 ficial use 33 cubic feet of water
 per second of time from artesian
 ground water through the City
 Well No. 2, the point of diversion
 of which is to be located in the
 SW 1/4 of the NW 1/4 of Section 32,
 Twp. 2S Range 8E. Said water
 to be used for the purpose of pro-
 viding municipal supplies for the
 Town of Hermosa.

This application will be taken
 up by the State Water Resources
 Commission at their office at
 Pierre for consideration upon the
 9th day of May, 1962, at 2 P.M.
 All interested persons may ap-
 pear and be heard.

Appropriate action will be tak-
 en by the Water Resources Com-
 mission after suitable time has
 elapsed for the consideration of
 any or all information presented.
 State Water Resources
 Commission
 BURTON F. JONES
 Water Right Specialist
 963A19

RECEIVED
 MAY 7 1962

STATE WATER RESOURCES COM.
 PIERRE, SOUTH DAKOTA

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

I have to report on the condition of the same as fo'

The Water Use System consists of

'A' Works used to divert the water:

Well 1100 ft. deep-cased with 810 feet of 8 inch steel casing. Submersible pump "Red Jacket" Mod. 16 MB6 with 20 H.P. electric motor. Standby well washed out June 9, 1972 flood - but plans are to replace it. Six ft. dia. steel culvert, 21 feet deep, submersible pump available. Well is about 10 ft. deep relative to ground surface.

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

3000 ft. of 2 in. main line
1600 ft. of 3 inch main line
33,000 gallon concrete reservoir

C. Works used to apply water to beneficial use

100+ service connections

The system is in the following condition: good

The point of diversion is located Both wells are located in Outlot "C" SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 32,
T2S R8E

The works are capable of diverting and conveying to the place of use _____ (0.15 c.f.s. - 1885 priority)
 _____ (0.15 c.f.s. - Dec. 29, 196 priority)
 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:

Wells have been constructed and used as indicated.

Send notification to:

Mr. Tom Champion, Chairman
Hermosa Town Board
Hermosa, S.D. 57744

Date: August 14, 1973

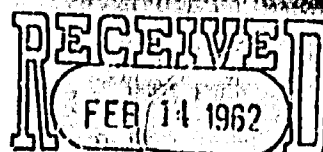
Donald J. Russell
(Signature)

DONALD DRISCOLL, ^(Signature) Chief Engineer, Div. of Water Rights

Location No.

Water Division No.

Water District No.

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

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

Ans. TOWN OF HERMOSA

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. _____

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

Ans. None Previously

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

Ans. ground water shallow well

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. 6' diameter dug well, 16' deep
lined with steel

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. municipal waters for town of
Hermosa

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. 150 GPM

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

Ans. _____

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

Ans. Well was dug during 1880's and has been used for town's water supply continuously since construction

(Sign)

Jack Churchill
Chairman

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 Hermosa, County of Custer

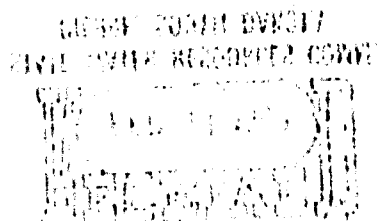
State of South Dakota, on this 6th day of Febr. A. D. 1962

Witnesses.

Jack Zasadil
Notary Public

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, 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 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 _____
--------------------	--	--------------------	--------------------------------	--------------	--------------	---------------	--------------------	-------------------------	--------------------------



Watch Right
apt 744.2

August 30, 1961

Hermosa
Telephone 255 4120

Mr. Jack Casadil
Town Clerk
Hermosa, South Dakota

Dear Mr. Casadil:

As discussed by telephone, water right application forms with instructions, a copy of the State water laws and a copy of Minimum Specifications for Flowing Artesian Wells are enclosed.

The artesian well specifications will not apply entirely to the proposed Dakota-Lakota well which the Town of Hermosa is considering. However, they will provide information of benefit to you. Also, as mentioned over the telephone, the Sanitary Division, State Department of Health, has requirements for wells used for public water supplies. The health standards usually include requirements for well construction which are in addition to those covered in the enclosed specifications.

Sincerely,

J. W. GRIMES
Executive Officer

JWG:ls
cc Charles Carl
Sanitary Division
Health Department

744-2

SOUTH DAKOTA

VESTED WATER RIGHT NO. 744-2

Date of Receipt of Claim December 29, 1961.

Date of Validation May 6, 1992.

The Water Management Board validated Vested Water Right Claim No. 744-2 for the Town of Hermosa, PO Box 298, Hermosa SD 57744-0298 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 744-2 appropriates 0.15 cubic feet of water per second from one well located in the SW 1/4 NW 1/4 Section 32-T2S-R8E.
2. The appropriated water is used for the Town of Hermosa and may not exceed the amount of water needed for beneficial use for municipal use 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, 1885.
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 must not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: John Hatch
John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 18 1996

date





744-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

JUL 18 1996

Judy Bishop, Finance Officer
Town of Hermosa
PO Box 298
Hermosa SD 57744-0298

Dear Ms. Bishop:

The Water Management Board has validated the enclosed Vested Water Right No. 744-2. This validation gives legal status to the claim and is the final document for the Town of Hermosa's vested rights.

Also, enclosed are Reissued Vested Water Right License No. 744A-2 and Reissued Water License No. 744B-2. The original water license was divided and reissued to separate the vested right portion from the water right.

As long as the Town of Hermosa uses the water beneficially, as stated in the validation and licenses, State Water Laws provide that the Town has a continuing right to use the water.

Very truly yours,

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

enclosure

3386

NW Corner
Section 32

BM 3303

3315

1940' South

Capitol
100' well
400' E

Diversions Pnt.
Replacement well

Backup
Well

SW 1/4 NW 1/4
Section 32

32

Section 32

T2S-R8E

3300

CHICAGO

Gravel Pit

Gravel Pit

DeRon Peters
Natural Resources Eng.
DNR
DeRon Peters
August 31, 1995

744-2

3303A

NW Corner
Section 32

BM 3303

3315

1940' South

Corral
Well
400' E

Diversion Pit
Replacement Well

Backup
Well

SW 1/4 NW 1/4
Section 32

32

Section 32

T2S-R8E

3300

CHICAGO

Gravel Pit

Gravel Pit

DeRon Peters
Natural Resources Eng.
DNR
DeRon Peter
August 31, 1995

3304

NW Corner
Section 32

BM 3303

3315

1940' South

Copper
100' well
400' E

Diversions Pit
Recharge well

Backup
Well

SW 1/4 NW 1/4
Section 32

Boyle
Creek

32

Section 32

T2S-R8E

3300

CHICAGO

Gravel Pit

Gravel Pit

DeRon Peters
Natural Resources Eng.
DENR
DeRon Peters
August 31, 1995