

744A-2

STATE OF SOUTH DAKOTA
REISSUED VESTED RIGHT WATER LICENSE NO. 744A-2
DIVISION OF NO. 744-2 INTO NOS. 744A-2 AND 744B-2

(1) The Town of Hermosa, PO Box 298, Hermosa SD 57744-0298 was issued Water License No. 744-2, September 7, 1973 for a right to appropriate 0.30 cubic feet of water per second (cfs) from groundwater (two wells), Custer County, South Dakota for municipal use purposes. Water Right No. 744-2, with priority dates of 1885 and December 29, 1961 was issued to the town for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water complete¹.

On May 6, 1992, the Water Management Board validated the vested right portion of No. 744-2. Water License No. 744-2 is being divided and reissued and will separate the vested right portion from the water right as follows:

Vested Water Right No. 744A-2 - authorizing diversion of 0.15 cfs from one well with a priority date of January 1, 1885.

Water Right No. 744B-2 - authorizing diversion of 0.15 cfs from one well with a priority date of December 29, 1961. In 1994 a replacement well was drilled.

The Town of Hermosa maintains the well with the 1885 priority date as a backup well.

(2) The vested right owner is entitled to divert 0.15 cubic feet of water per second for beneficial use. The location of the diversion point is: SW 1/4 NW 1/4 Section 32-T2S-R8E.

(3) Pursuant to Section 46-5-30.1 the Town of Hermosa, PO Box 298, Hermosa SD 57744-0298 the holder and/or owner of Vested Water Right No. 744A-2 is issued a license to appropriate 0.15 cubic feet of water per second from groundwater (one well) with a priority date of January 1, 1885 from the location specified in (2) of this license. The water is to be used for the purpose of municipal use. This license is subject to any limitations, conditions or qualifications listed in Vested Water Right No. 744A-2 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 18 1996

date



DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
WATER RIGHTS PROGRAM

August 31, 1995

Subject: Change in location of a diversion point for Water License No. 744-2, Town of Hermosa.

An inspection of Water License No. 744-2 found that a replacement well had been constructed to be used as a primary water source for the Town of Hermosa. The replacement well is approximately 100 ft. from the previously licensed well with a Priority date of December 29, 1961 in the same formation. Both wells are 1100 ft. deep. SDCL 46-5-13.1 provides that a point of diversion may be changed or additional points of diversion may be approved without application or publication of a notice of hearing if the diversion is within 660 ft and does not increase the potential for interference with existing diversions.

Water License No. 744-2 appropriates 0.30 cfs for both a 1100 ft. deep, 8 inch diameter well with a priority date of December 29, 1961 and a 21 ft deep well with a priority date of 1885 both in the SW 1/4 NW 1/4 Section 32, T2S-R8E. The 1885 well is used for a backup well, the new deep well replaced the well with 1961 priority date as the primary water source. The well with the 1961 priority date was capped and needs repair. No additional water is required.

The nearest permitted well in the Inyan Kara is approximately four miles away. Permit No. 1645-2, held by Hermosa Water Users Assoc., authorizes the well. No adverse effects to domestic wells are expected. The new well was drilled in the spring of 1994 by Taylor Drilling. The change in location of a diversion point with the December 29, 1961 priority date can be approved with the same qualifications listed on Water Permit No. 744-2.


DelRon Peters
Water Rights Program
Natural Resources Engineer

August 31, 1995
date


JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

10-13-95
date



744B-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3191

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