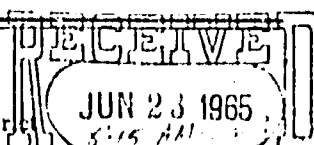


1. Considered July 16, 1969 **872-2**
2. Name of Applicant City of Burke
3. Post Office Address Burke, S. D.
4. Amount of water claimed 24
5. Source of water supply Ground water - well
6. Water to be used for Municipal
- Acres to be irrigated -
7. Water to be diverted and used in Gregory county
about _____ miles _____ of _____
8. Proof of Publication Received _____
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____

10. Remarks:

No. 872-2Water Division No. 2 WHITE RIVER 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 BURKE
 Postoffice address BURKE, County GREGORY, State SO DAK

- I. If a corporation Municipal
- (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 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)

Contract

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

2. Name of diversion work City well No. 13. Amount of water claimed 110 gpm cubic feet per second4. Source of water supply Ground Water5. Location of point of diversion Above 1415' E & 1325' S OF THE NW CORNER, SECTION 36, T97N, R12W on _____ bank GREGORY County.6. Annual period or periods during which water is to be used all year continuous

7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?
- none

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

(c) Statement as to domestic use (giving location, etc.) _____

II. Stockwatering, milking, milling, power, fish culture, fire protection and public recreation(a) Nature or use Fire Protection & Public Recreation, Municipal
Name any of the above uses claimed(b) Amount of power to be generated none horse power.

Amount claimed for engine cooling _____

(c) Location of plant none(d) Method of developing power none(e) Point where water will be returned to stream none

MAP NO 751-2

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.)

..... *pumping plant*

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	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 *Completed* years.

11. Time required for complete application of water to the proposed beneficial use *1/2* years.

12. Choice of newspaper for publication of notice of intention to appropriate

Burke Gazette

STATE OF SOUTH DAKOTA

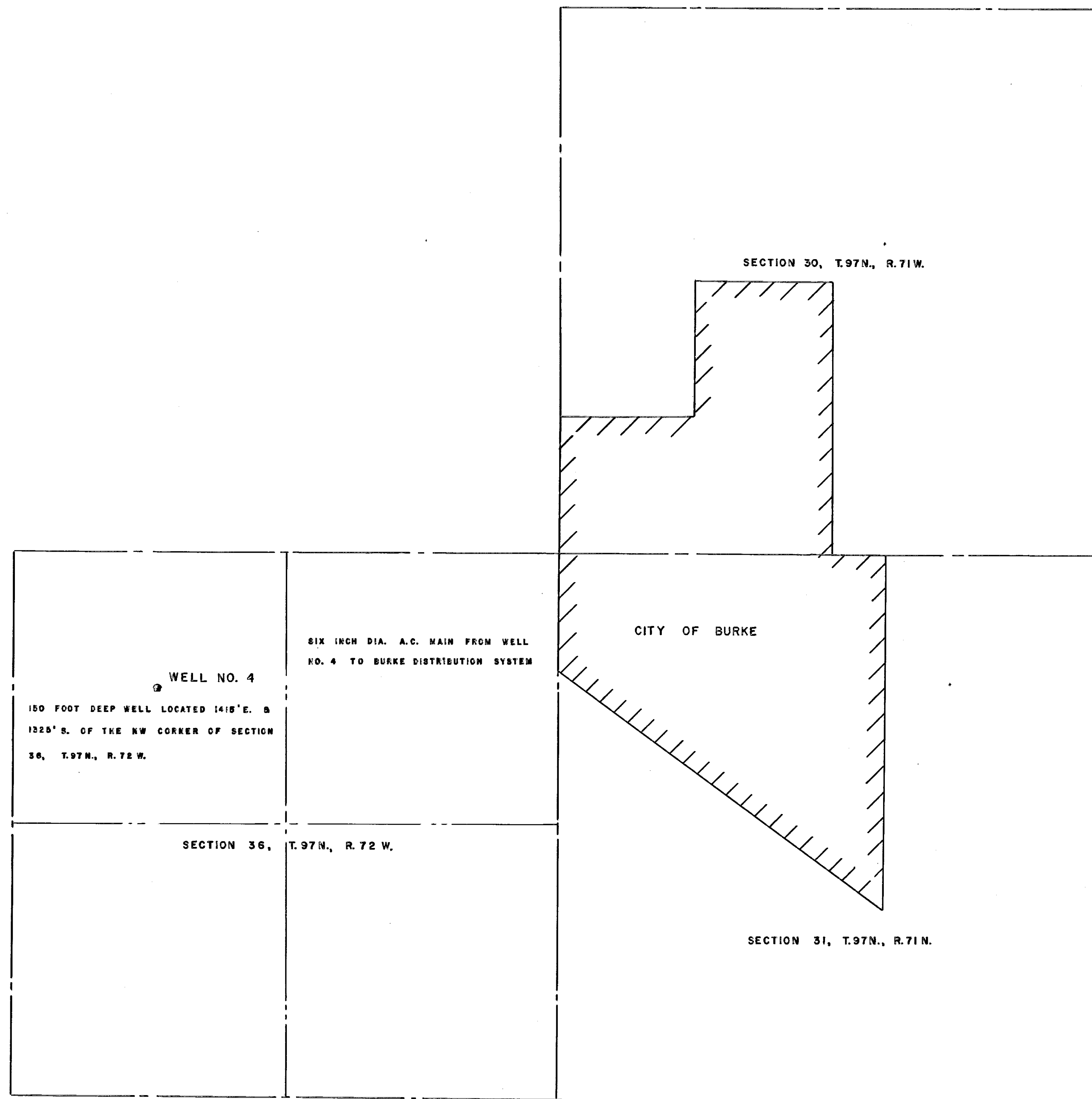
County of *Gregory* } ss.

I, *William Loh* - Auditor, being first duly sworn on 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 *William Loh* - Auditor

Subscribed and sworn to before me this *7* day of *June* 19*55*

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



WATER RIGHT MAP CITY OF BURKE
SHOWING
LOCATION OF WATER WELL NO. 4
LOCATION & EXTENT OF CITY LIMITS

PREPARED BY
Donald Driscoll
DONALD DRISCOLL
DEPUTY CHIEF ENGINEER
WATER RESOURCES COMMISSION

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of HUGHES ss.

Pierre, South Dakota, AUGUST 11, 1969

This is to certify that the foregoing application was received by the Commission at 8:15 o'clock
a.m. upon the 23RD day of JUNE, 1965

State Water Resources Commission

By:

Burton Jones
for Chief Engineer, Executive Officer

Number of permit 872-2

Date of first receipt of application JUNE 23, 1965

Date of return to applicant for correction, amendments or changes required as follows: AUGUST 31, 1967

Date of receipt of corrected application APRIL 30, 1969

Date from which applicant may claim right APRIL 30, 1969

Approved JULY 16, 1969 Recorded in Book 11 Page 27

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

COMPLETED, 19

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

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

JANUARY 16, 1970

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

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 26 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 JANUARY 16, 1970, said water to be used during the following described annual period:

CONTINUOUSLY

Witness my hand this 11TH day of AUGUST, 1969

State Water Resources Commission

By:

J. Williams

Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 29, 1969

Water License Issued SEPTEMBER 29, 1969

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 36" Depth approx. 150'
 Type of casing steel galv.
 (wood, concrete, steel, etc.)
 Size of casing 13" Thickness of casing 12 Ga.
 Length of casing approx. 150' If collection gallery, length, size and depth of
 gallery

(b) Screens

Type of perforated screen Galv. 12 Ga.
 Size of perforated screen 13" 30'
 (diameter) (length)
 Thickness of gravel pack 9" length of gravel pack approx. 100'

(c) Water Bearing Materials sand

Distance to water unknown Character of water bearing materials sand-
 we think

Thickness of water bearing material approx. 30'

(d) Pump and Motor

Type of pump (centrifugal, propeller, mixed flow, etc.)
 Name of pump size unknown
 Kind of motor (gasoline, electric, diesel, etc.)
 Horsepower Name of Motor

(e) Complete well

Capacity approx. 75 P.M. drawdown of 150' approx. Estimated cost \$2400.00

(f) Owner of land upon which well is located

City of Burke
 Name

Burke, S. Dak.

Address

(g) Distance to nearest existing wells approx. one-half mile

On same owner's property rods. On property owned by others X rods

on or before
(First Publication June 19 1969)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak. May 13 1969.

Notice is hereby given that the City of Burke

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 24

cubic feet of water per second of time from the ground water through the

City Well #4, the point of diversion of which is to be located at

in the SE 1/4 of the NW 1/4 of Section 36

Twp. 97N Range 72W. Said water to be used for the purpose of providing

being described as

municipal supplies for the City of Burke.

This application will be taken up by the State Water Resources Commission at their office at Pierre for

consideration upon the 16th day of July 1969, 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

cc: Lloyd Truesdell, Treas.
City of Burke

By:

BURTON F. JONES
Water Rights Specialist

Affidavit Of Publication

STATE OF SOUTH DAKOTA
COUNTY OF GREGORY

FR.

P. J. FAHRENBACHER of said county being first duly sworn, on oath says that he is the publisher of THE BURKE GAZETTE, a weekly newspaper printed and published in Burke said County of Gregory and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said county for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the

APPROPRIATION OF WATER No. 872-2

a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week for four successive weeks on the day of each week on which said newspaper was regularly published, to-wit:

June 12, 1969
June 19, 1969
June 26, 1969
July 3, 1969

that the full amount of the fees for the publication of the annexed notice is \$11.86

Subscribed and sworn to before me this 7th day

of July 1969

[Signature]
Notary Public
County of Gregory, South Dakota

No. 872-2
APPROPRIATION OF WATER
Office of State Water
Resources Commission,
Pierre, S. Dak.,
May 13, 1969

Notice is hereby given that the City of Burke, 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 .24 cubic feet of water per second of time ground water through the City Well No. 4, the point of diversion of which is to be located in the SE¼ of the NW¼ of Section 36 Twp. 97N Range 72W. Said water to be used for the purpose of providing municipal supplies for the City of Burke.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 16th day of July, 1969, 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: Burton F. Jones
Water Rights Specialist
June 12-19-26 July 3

RECEIVED
AUG - 1 1969

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 872-2

(1) WHEREAS, On the 23rd day of June, A. D. 1965
the City of Burke

made Water Right Application No. 872-2 for a permit to use .26 cubic feet per second of the waters
of ground water

County of Gregory, State of South Dakota, for municipal
purposes and

(2) WHEREAS, On the 11th day of August, A. D. 1969

Permit No. 872-2 with a date of priority of April 30, 1969

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 completed ~~xxxxxx~~ xxxxxxx and for the
application to beneficial use of said water on or before the 16th day of January, A. D. 1970

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 .26 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.

to be used for municipal purposes by the City of Burke

(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 Burke _____

~~xxxx~~

the holder _____ and owner _____ of said permit No. 872-2, a water right, dating from April 30, 1969 _____
to use of .26 cubic feet per second of the waters
of ground water

in the County of Gregory and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 1415 feet E. and 1325 feet S. of the NW
corner, Section 36, T97N, R72W

and conduct ~~xxxxxxx~~ through the City water distribution system

for the purpose of municipal use

Subject to any limitations listed in Water Right Permit No. 872-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 29th day of September A. D.
Nineteen Hundred and Sixty-nine

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Permit No. 872-2Water Diversion No. 2 WHITE RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the City of Burke

_____ the holder _____ of
Permit No. 872-2, issued upon Application No. 872-2, bearing date of priority of _____
April 30, 1969 authorizing the diversion of .26 cu. ft. per second of the waters of _____
ground water County of Gregory, State of South Dakota at _____
a point 1415 feet E. and 1325 feet S. of the NW Corner, Section 36, T97N, R72W

_____, 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. .26 cu. ft. per second of water.

Date September 29, 1969

WATER RESOURCES COMMISSION

By.

J.W. CRIMES, Executive Officer

Permit No. 872-2Water Division No. 2

Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated 10--, I have this day made a thorough examination of the diversion works constructed by the City of Burke, of Gregory County, South Dakota, holder of Permit No. 872-2, issued upon Application No. 872-2, bearing date of priority of 19--, authorizing the diversion of --- cu. ft. per second of the waters of Ground water for Municipal purposes. I have to report on the condition of the same as follows:

The diversion works comprise: well 150' deep with 12.5" 16" casing and 25' screen. Pump is Deming 4" vertical Turbine fig. 4700, Serial # T 36676 driven by 10 H.P. electric motor. System includes sand trap, 3000' 4" main to city, 55000 gals tower storage and city distribution system and the system is in the following condition: Excellent

The point of diversion is located ---

The works are capable of diverting and conveying to the place of use 26 cu. ft. per second of water, which is to be used for Municipal purposes

The legal sub-divisions to be irrigated are: None

The domestic use intended comprises None comprising a total of --- acres of land.

The utilization for power, mining, or other beneficial uses comprises: NoneWitness my hand, this 26th day of August, A. D. 1967.

-SEAL-

Richard D. Schnepf
Examining Engineer.
Water Right Specialist.

Water Rights Program - File Documentation

NAME: City of Burke

DATE: 9-8-2000 COUNTY: Gregory

RE: Summary of City of Burke's water rights/permits

		Amount	Priority Date	
455-2	Well #2	0.33 cfs	August, 1936	
456-2	Well #1	0.26 cfs	August, 1952	Well #1 plugged, diversion rate and priority date transferred to 2065A-2
872-3	Well #4	0.26 cfs	April 30, 1969	
1274-3	*Well #5	0.22 cfs	July 7, 1974	see 2330-2
1660-2	Future Use	396 AF	February 2, 1977	
1661-2	Well #3	0.10 cfs	April 7, 1977	
	*Well #6	0.34 cfs	August 11, 1977	see 2330-2
2065A-2	**Well #7	0.16 cfs	December 21, 1988	see 2330-2
	Well #8	0.21 cfs		Reissued for: 0.21 cfs - August 1, 1952
2330-2	Well #5	0.22 cfs	July 7, 1974	*this permit transferred Wells #
	Well #6	0.14 cfs	August 11, 1977	5 & 6 from municipal use to irrigation for the golf course
	Well #7			** transferred Well #7 for use at the golf course (see file doc for add'l diversion pt dated 8/11/00)

Karen Schlaak
Karen Schlaak
Environmental Scientist