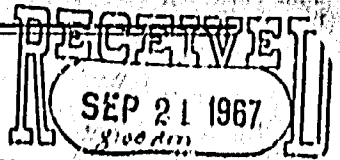


934-2

1. Considered Nov 8, 1967
2. Name of Applicant Town of Box Elder
3. Post Office Address _____
4. Amount of water claimed 0.24
5. Source of water supply Ground
6. Water to be used for irrigation
- Acres to be irrigated _____
7. Water to be diverted and used in Fremont County
about _____ miles _____ of City lands.
8. Proof of Publication Received 6 of 31
Not Received _____
9. Application Approved ✓
Subject to _____
Not Approved _____
Action deferred _____

10. Remarks:

No. 934-2Water 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 Town of Box Elder
Postoffice address Box Elder, County Pennington, State South Dakota

I. If a 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 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)
by contract

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

2. Name of diversion work Box Elder Well #23. Amount of water claimed 120 gpm cubic feet per second 0.244. Source of water supply deep well, Lakota Formation5. Location of point of diversion Lot A, SE 1/4 SE 1/4 Section 19, Township 2 North,
Range 9 East, B.H.M. on bank Pennington County.6. Annual period or periods during which water is to be used all twelve (12) months

7. To be used for:

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

(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.) additional domestic water supply
for Town of Box Elder, South Dakota

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

(a) Nature of use domestic, fire protection and public recreation
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 # 808-2

2. Estimated cost of work:

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

(b) Pumping plant, \$5,000.00

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

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

Rock, \$-----

(e) Other structures ----- Well ----- \$30,000.00

Total, \$-----

3. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, surge, 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	FEET	ACRE-Feet 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 ----- three (3) ----- years.

11. Time required for complete application of water to the proposed beneficial use five (5) ----- years.

12. Choice of newspaper for publication of notice of intention to appropriate ----- Gate City Guide, Rapid City, South Dakota -----

STATE OF SOUTH DAKOTA
County of Pennington ----- ss.

I, A.F. Iliff, President, Board of Trustees, Box Elder, S.D., 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 ----- A.F. Iliff -----

Subscribed and sworn to before me this 20th day of September 1927

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

My term expires May 21, 1928

LOT 1 OF LOTA, SE 1/4 SE 1/4
SECTION 19, T2N, R9E, B.H.M.

SURVEYOR'S CERTIFICATE

I, ALLEN L. DITTMAN, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT, AT THE REQUEST OF THE PROPERTY OWNER, THE TOWN OF BOX ELDER, SOUTH DAKOTA, I HAVE SURVEYED THE TRACT OF LAND SHOWN, AND FOUND THE LOCATION OF THE BOX ELDER WELL NO. 2. IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL, THIS 20 DAY OF SEPTEMBER, 1967.

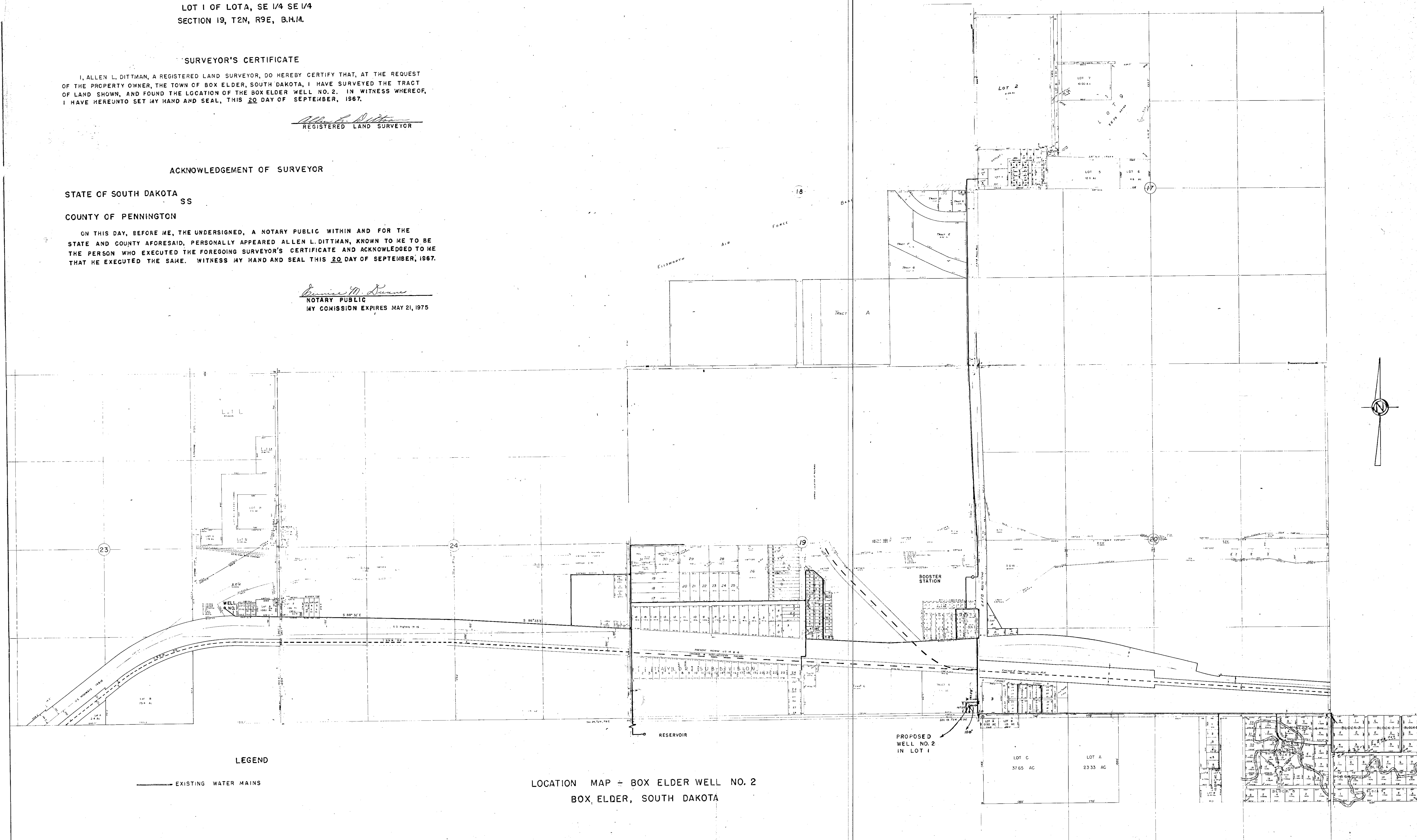
Allen L. Dittman
REGISTERED LAND SURVEYOR

ACKNOWLEDGEMENT OF SURVEYOR

STATE OF SOUTH DAKOTA SS
COUNTY OF PENNINGTON

ON THIS DAY, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC WITHIN AND FOR THE STATE AND COUNTY AFORESAID, PERSONALLY APPEARED ALLEN L. DITTMAN, KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING SURVEYOR'S CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME. WITNESS MY HAND AND SEAL THIS 20 DAY OF SEPTEMBER, 1967.

Ernest M. Rums
NOTARY PUBLIC
MY COMMISSION EXPIRES MAY 21, 1975



LEGEND

— EXISTING WATER MAINS

LOCATION MAP - BOX ELDER WELL NO. 2
BOX ELDER, SOUTH DAKOTA

MAP# 222 Appl# 934-2

1-222-12W

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, NOVEMBER 15, 1967

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
a.m. upon the 21st day of SEPTEMBER, 1967

State Water Resources Commission

By:

Burton J. Jure
for Chief Engineer, Executive Officer

Number of permit 934-2

Date of first receipt of application SEPTEMBER 21, 1967

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 21, 1967

Approved NOVEMBER 8, 1967, Recorded in Book 10 Page 19

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

MAY 8, 1969

2nd. The whole of said work is to be completed on or before NOVEMBER 8, 1970

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

NOVEMBER 8, 1972 76 EXTENSION APPROVED 7-14-71

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 .24 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 ~~in the exercise of the best husbandry, and further, said appropriation must be limited to not more than seven-tenths (7/10) of one cubic foot of water per acre of the land to which water is actually~~

USED FOR MUNICIPAL PURPOSES

and beneficially applied for irrigation on or before NOVEMBER 8, 1972; said water to be used during the following described annual period:

CONTINUOUS

Witness my hand this 15TH day of NOVEMBER, 1967

State Water Resources Commission

By:

J.W. Jure
Chief Engineer, Executive Officer

Certificate of Construction Issued OCTOBER 9, 1975

Water License Issued OCTOBER 9, 1975

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing (1 1/2" bore hole 60')
(2" bore hole 240')
(3" bore hole 1230')
(5" bore hole 120')
 Size of drill hole or excavation _____, Depth _____

Type of casing _____
(wood, concrete, steel, etc.)
 Size of casing / 100' of 8", 60' of 1 1/2", 1230' of 3" and 120' of 5" screen and casing _____, Thickness of casing _____
 Length of casing _____, Is collection gallery, length, size and depth of gallery _____

(b) Screens

Type of perforated screen wire wound - Johnson Everdur or equal
 Size of perforated screen 3" o.d. 100'
(diameter) (length)
 Thickness of gravel pack 1", length of gravel pack 120'

(c) Water Bearing Materials

Distance to water 2230' Character of water bearing materials _____
Lakota Sandstone

Thickness of water bearing material approximately 100'

(d) Pump and Motor *

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

(e) Complete well *

Capacity _____ at drawdown of _____ Estimated cost _____

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

Box Elder, South Dakota
Address

(g) Distance to nearest existing wells

On same owner's property 720 rods. On property owned by others 640 rods

To be determined () on completion of well and test pumping.

Form 15.

Permit No. 934-2

Water Diversion No. 2 RAPID CREEK Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Town of Box Elder

_____ the holder _____ of
Permit No. 934-2, issued upon Application No. 934-2, bearing date of priority of September 21,
1967 authorizing the diversion of .24 cu. ft. per second of the waters of _____
ground water _____ County of Pennington, State of South Dakota at _____
the SE Corner, Section 19, T2N, R9E

_____, 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 _____ .29 cu. ft. per second of water.

Date October 9, 1975

By: WATER RIGHTS COMMISSION

JOHN HATCH, Chief Engineer

WATER LICENSE NO. . . . 934-2

(1) WHEREAS, On the 21st day of September A. D. 19 67
the Town of Box Elder

made Water Right Application No. 934-2 for a permit to use .24 cubic feet per second of the waters
of ground water

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

(2) WHEREAS, On the 15th day of November A. D. 19 67
Permit No. 934-2, with a date of priority of September 21, 1967

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 8th day of November A. D. 19 72 and for the
application to beneficial use of said water on or before the 8th day of November A. D. 19 76

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 .29 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 Box Elder.

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the law of the State of South Dakota, We hereby grant and confirm to the Town of Box Elder

~~XXXXXX~~
the holder ~~XXXXXX~~ and owner ~~XXXXXX~~ of said permit No. 934-2 a water right, dating from September 21, 1967
to use of .24 cubic feet per second of the waters
of ground water
in the County of Dennington and State of South Dakota, or so much thereof as may be necessary for the
purpose hereinbelow mentioned, to be diverted at the SE Corner, Section 16, T2N, R9E

and ~~XXXXXXXXXXXX~~ conducted through the Town's water distribution system

for the purpose of municipal use

Subject to any limitations listed in Water Right Permit No. 934-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal in our office at Pierre, South Dakota
this 9th day of October A. D.
Nineteen Hundred and Seventy-five

WATER RIGHTS COMMISSION

By:

Chief Engineer, Executive Officer

JOHN HATCH

On or before
(First Publication October 5, 1967.)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., September 29, 1967.

Notice is hereby given that the Town of Box Elder whose postoffice address is Box Elder 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 0.24 cubic feet of water per second of time from the ground water through the Box Elder Well #2, the point of diversion of which is to be located on the bank of said stream in the Lot A K of the SE 1/4 - SE 1/4 1/4 of Section 10 Twp. 2N Range 9E. Said water to be used for the purpose of providing irrigation on the following described land:

Municipal purposes

and for

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 21 day of November, 1967, 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:

RICHARD SCHMOYER
Water Rights Specialist

cc: AF. Iliff, President
Board of Trustees
Box Elder, S.D.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Pennington } ss.

_____ being duly sworn, deposes and says the annexed printed copy of Notice of Intention to appropriate Water was taken from the _____
Gato City Grido _____ 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:

October 5, 12, 19 and 26, 1967

_____ in each and every issue of the full number thereof, the first publication being made on the 5th day of October 1967 and the last publication on the 26th day of October 1967, 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.

Burt R. Mariner

Subscribed and sworn to before me this 26 day of October A. D. 19 67

Mildred A. Kershner

Notary Public Pennington County, S. D.

APPROPRIATION OF WATER

Pierre, S. Dak., Sept. 20, 1967
 Notice is hereby given that the Town of Box Elder whose postoffice address is Box Elder, 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 0.21 cubic feet of water per second of time from ground water through the Box Elder Well No. 2, the point of diversion of which is to be located in Lot A of the NE 1/4 SE 1/4 of Section 19 Twp. 2N Range 6E. Said water to be used for municipal purposes.
 This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 8th day of November, 1967, 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: Richard Schmoyer
 Water Rights Specialist
 cc: A.P. Hill, President
 Board of Trustees
 Box Elder, S.D.
 Oct. 5, 12, 19, 26

OCT 31 1967

Water Right 934-2
Town of Box Elder

Checked on February 16, 1971, no construction started to date.

Donald Driscoll

Technically an extension of Time should be obtained if the
well is to be constructed between now and November 8, 1972.

Donald Driscoll

Forag... .. Gilhaus

APPLICATION FOR EXTENSION OF TIME

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

Date July 1, 1971

Dear Sirs:

In Water Right Permit No. 934-2 it is specified that the water diversion system is to be completed by
November 8, 1970 and that the water is to be put to the limit of beneficial use by
November 8, 1972.

I hereby request that the date for completing the diversion system be extended to November 8, 1972
and that the date for putting the water to the limit of beneficial use be extended to
November 8, 1976.

The extension of time for the completion of these works is requested for the following reasons:

Lack of funding

Enclosed herewith is a fee of \$1.00 to pay the cost of filing this request for extension of time.

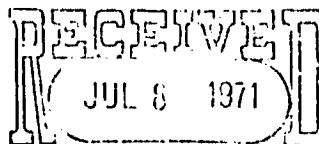
P.S. It is our intent to move the site of the proposed well from the site shown on water right map No. 808-2 to the booster station location shown on the same map, both being in the SE $\frac{1}{4}$ of Section 19, T2N, R1E.

Henry J. Paulsen
(Signed)
Holder of Permit No. 934-2

APPROVED:

WATER RESOURCES COMMISSION

By:



STATE WATER RESOURCES COM. M.
PIERRE, SOUTH DAKOTA

Permit No. 934-2
 Water Division 2 Rapid Creek Water District

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 Town of Fox Elder of Fox Elder, SD 57719 holder
 of Permit No. 934-2, bearing date of priority of SEPTEMBER 21, 1967
 authorizing the diversion of .24 cu. ft. per second of the waters of ground water
 for municipal purposes, in DeWitt 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:

Well #1: 2250 foot deep with 4-8 inch casing
 3" 40 H.P. 27 stage PFDA pump motor

#1: 75,000 gal steel tank and #2 27,000 gal steel elevated storage

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

1200 feet of 6 inch transit
 2000 feet of 6 inch plastic pipe

C. Works used to apply water to beneficial use.

185 service connections

The system is in the following condition: Good

The point of diversion is located SE corner Sec. 19, T2N, R9E., E.H.M.

The works are capable of diverting and conveying to the place of use .29

cu. ft. per second of water which is to be used for municipal

Water has been put to beneficial use to the maximum extent as follows: 185 service connections

comprising a total of ----- acres of land.

Town of Fox Elder
 Fox Elder, SD 57719

Date 8-25-75

Thomas A Gardner
 (Signature)

THOMAS A GARDNER
 Water Person