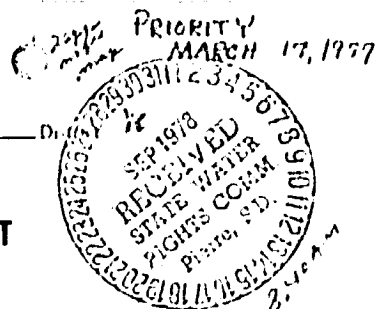


1178-1

1. Considered NOVEMBER 15, 1978
2. Name of Applicant TOWN OF BUFFALO
3. Post Office Address SOUTH DAKOTA
4. Amount of Water claimed .42
5. Source of Water supply 90' 123' & 123' DEEP WELLS
6. Water to be used for MUNICIPAL USE
- Acres to be irrigated ---
7. Water to be diverted and used in HARDING County  
about IN CITY LIMITS miles ---
8. Proof of Publication Received 10-30-78  
Not Received ---  
Approved 11-15-78  
Subject to Domestic Well  
Not Approved ---  
Action Deferred ---
9. Application

10. Remarks:  
14 = 1949  
14 = 1959  
14 = 3-17-77

Map No. 988-1 Water Division No. 1 GRAND RIVER  
(Blank 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 items not applicable)

1. Name of Applicant Town of Buffalo  
 Postoffice address Buffalo 57720, State South Dakota  
 If a corporation show date and place of incorporation 1949, South Dakota  
 2. Method of accomplishing work (contract, employment of others, or by direct labor) employment of others  
 3. Name of diversion work Town of Buffalo water wells  
 4. Amount of water claimed (cubic feet per second) 0.14 per well or a total of 0.42  
 5. Source of water supply 3 wells  
 6. Location of point of diversion lot 4 of block 45 in original addition, lot 6  
of block 1 in Dehlingers addition, block U in Smiths addition,  
all in Buffalo, South Dakota County HARDING  
 7. Annual period or periods during which water is to be used daily  
 8. Use to be made of water (irrigation, industrial, municipal, commercial, recreation, etc.) municipal  
 9. For irrigation use. Total number of acres to be irrigated \_\_\_\_\_

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

| Land Description | No. Acres Irr. | Land Description | No. Acres Irr. |
|------------------|----------------|------------------|----------------|
|                  |                |                  |                |
|                  |                |                  |                |
|                  |                |                  |                |
|                  |                |                  |                |

Attach sheet if more space is needed

10. Time required for complete construction of water supply system N A years. Additional time required to complete application of water to the proposed beneficial use N A years.  
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Nation's Center News  
 12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source

well pump and motor

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

pipeline

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ N AAttachments. Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.  
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of HardingI, Walter J. Stephens, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary constructionSigned Walter J. Stephens  
Subscribed and sworn to before me this 25 day of September, 1978W. Thomas E. Stuehli  
Notary Public (or other qualified officer)  
My Commission Expires:12 July 1984

( S E A L )

# WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1178-1

TOWN OF BUFFALO  
(Applicant)

(Post Office Address)

SOUTH DAKOTA 57720 With the following modifications:  
(State)

## PARTIAL "VESTED RIGHT"

The ~~well~~ <sup>ARE</sup> well approved under this Permit: ~~is~~ located near domestic wells which may obtain water from the same aquifer. The ~~well~~ well owner, under this Permit, shall control his ~~withdrawals~~ withdrawals so there is not a reduction of needed water supplies in adequate domestic wells.

Date of first receipt of application MARCH 17 19 77  
Date of return to applicant for correction, amendments or changes required SEPTEMBER 3 19 78  
Date of receipt of corrected application SEPTEMBER 29 19 78  
Approved NOVEMBER 15 19 78, Recorded in Book 20 Page 43

WATER RIGHT PERMIT NO. 1178-1

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1178-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is 14-1949 & 23-MARCH 17, 1977
2. The equivalent of at least one-fifth of the work above specified is ~~not~~ completed not
3. The whole of said work is ~~not~~ completed not
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is COMPLETED
5. The water appropriated shall be used for the purpose of MUNICIPAL USE
6. The 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 need not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed .42 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial use; and for the irrigation purpose said appropriation must be limited to not more than 2 cubic feet per acre per year and be limited to not more than one-tenth (1/10) of one cubic foot of water per second of time for each acre of land to which water is USED FOR MUNICIPAL PURPOSES actually and beneficially applied for irrigation on or before THIS DATE said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 17<sup>TH</sup> day of NOVEMBER 19 78

WATER RIGHTS COMMISSION

By:

John H. Harkins  
Chief Engineer, Executive Officer

Certificate of Construction Issued \_\_\_\_\_, 19 \_\_\_\_

Water License Issued \_\_\_\_\_, 19 \_\_\_\_

Buffalo municipal water well

12. Principal Features of the Proposed Water Supply System (continued.)

#2 (1440)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 16", Depth 90'
- (2) Casing, Type galvanized (wood, concrete, steel, etc), Diameter 12", Thickness 1/2"
- (3) Perforated Screen.
- Type slots 1/8" wide, Diameter 10", Length 8' casing
- (4) Gravel Pack, Thickness 6", Length of gravel pack 60'

E. Dugout Information or Estimates.

- (1) Surface dimensions \_\_\_\_\_, Depth \_\_\_\_\_

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials Fox Hill Sands

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Depth to top of water bearing material 30'

Depth to bottom of water bearing material 90'

Thickness of water bearing material 60'

Depth to water (ground surface to water level) 30'

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property 110 rds. On property owned by others 350 rds

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Town of Buffalo

BY: Walter Stephens  
Signature of Applicant  
President,  
Board of Trustees

Buffalo municipal water well

12. Principal Features of the Proposed Water Supply System (continued.)

#4 (1954)

D. Well Information or Estimates

- (1) Drill Hole, Diameter 16", Depth 103'
- (2) Casing, Type steel (wood, concrete, steel, etc) Diameter 10" Thickness 1/2"
- (3) Perforated Screen  
Type slots 1/8" wide, Diameter 10", Length 8' casing
- (4) Gravel Pack, Thickness 6", Length of gravel pack 73'

E. Dugout Information or Estimates

- (1) Surface dimensions \_\_\_\_\_, Depth \_\_\_\_\_

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials Fox Hill Sands

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Depth to top of water bearing material 30'

Depth to bottom of water bearing material 102'

Thickness of water bearing material 70'

Depth to water (ground surface to water level) 30'

- (2) Distance to nearest existing household or livestock watering wells.

On same owner's property 60 rds. On property owned by others 450 rds.

G. Water Storage Dams

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Town of Buffalo

BY: Walter Stephens  
Signature of Applicant  
President,  
Board of Trustees

## 12. Principal Features of the Proposed Water Supply System (continued.)

## D. Well Information or Estimates

- (1) Drill Hole, Diameter 16", Depth 123'
- (2) Casing, Type steel (wood, concrete, steel, etc) Diameter 10" Thickness 1/2"
- (3) Perforated Screen  
Type sloes 1/8" wide, Diameter 10", Length 8' casing
- (4) Gravel Pack, Thickness 6", Length of gravel pack 93'

## E. Dugout Information or Estimates.

- (1) Surface dimensions \_\_\_\_\_, Depth \_\_\_\_\_

## F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials Fox Hill Sands

Depth to top of water bearing material 30'

Depth to bottom of water bearing material 123'

Thickness of water bearing material 93'

Depth to water (ground surface to water level) 30'

- (2) Distance to nearest existing house hold or livestock watering wells.

On same owner's property 100 rds. On property owned by others 450 rds.

## G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam, should be shown on the water right map.

Town of Buffalo

BY: Walter Stephens

Signature of Applicant  
President,

Board of Trustees

Form 8 - Proof of Publication - Notice of  
Intent to Appropriate Water

No. 1178-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County of Harding ) ss.

I, Lawrence Brown hereby  
certify that the annexed printed copy of Notice of Intent to Appropriate  
Water was taken from the Nation's Center News

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 Ludlow

County of Harding and State of South Dakota;  
that the said notice was published in said newspaper on the following  
two dates:

October 19, 1978

October 26, 1978

Lawrence Brown  
(Signature)

Publisher

(Title)

October 26, 1978

(Date Signed)

Pierre, South Dakota

October 5, 1978

Notice is hereby given that the  
Town of Buffalo, South Dakota, has  
made an application in accordance  
with the provisions of SDCL 46-1-1  
thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-  
13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-  
5-22, 46-5-41, 46-6-3, 46-6-5, 46-6-6.1,  
46-6-10, 46-6-14 and Commission  
Rules ARSD 52:01:01:01 thru  
52:01:01:13, for a permit to ap-  
propriate for beneficial use .42 cubic  
feet of water per second of time  
from groundwater (3 existing wells)  
through the City wells, #2, #4 & #5,  
the points of diversion of which are  
to be located in the SE 1/4 NE 1/4 and  
SW 1/4 NE 1/4, Section 30 and SW 1/4  
NW 1/4, Section 29, all in Twp. 19N,  
Range 5E. Said water to be used for  
the purpose of providing municipal  
water supplies for Town of Buffalo.

This Application No. 1178-1 will  
be considered by the Water Rights  
Commission at SDEA Auditorium,  
411 E. Capitol, Pierre, SD upon the  
15th day of November, 1978 at 10  
A.M. The Commission is authorized  
to make a determination on this ap-  
plication at the hearing. All in-  
terested persons may appear and be  
heard. Any person who may be af-  
fected by a Commission decision  
who desires to present evidence or  
cross-examine witnesses according  
to SDCL 1-28 may notify the Com-  
mission in writing prior to the  
hearing or orally at the hearing.

This hearing is an adversary  
proceeding. Any person has the  
right to be present or to be  
represented by a lawyer. These and  
other due process rights will be for-  
feited if they are not exercised at  
the hearing. Decisions of the com-  
mission may be appealed to the  
Courts as provided by law.

WATER RIGHTS COMMISSION

Betty Westlund

Water Rights Specialist

10-19, 1978

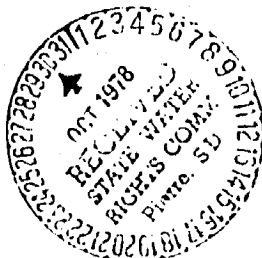
East B.H.M.

30 County Shon

10-19, 1978

NOTICE O

ice is hereby give  
mber 7, 1978. In a  
election polls w  
mountain stand  
this election, the  
d States Senator  
representative in Cong  
nor and Lieuten  
ary of State  
ney General  
Auditor  
Treasurer  
issioner of Sch  
Utilities Comm  
Senator  
Representativ  
y Auditor  
y Sheriff  
FURTHER  
y Register of  
y States Att  
y Commissi  
y Commissi  
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this electi  
ires, Refe  
ed Meas



Publish first publication, on or before October 20, 1978 No. 1178-1

NOTICE OF HEARING ON  
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 6, 1978

Notice is hereby given that the Town of Buffalo ~~wherein~~ ~~XXXXXX~~

address is \_\_\_\_\_, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41, 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use \_\_\_\_\_ cubic feet of water per second of time from ~~groundwater (3 existing wells)~~

through the City wells, #2, #4 & #5, the points of diversion of which <sup>are</sup> ~~is~~ to be located in the SE 1/4 and SW 1/4, Section 30 and SW 1/4, Section 29,

all in \_\_\_\_\_, Twp. \_\_\_\_\_, Range \_\_\_\_\_, Sec. \_\_\_\_\_, said water to be used for the purpose of providing irrigation on portions of the following described land:

municipal water supplies for Town of Buffalo.

This Application No. 1170-1 will be considered by the Water Rights Commission at SOFA Auditorium, 411 E. Capitol, Pierre, SD upon the 15th day of November, 1978 at 10 A.M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Commission may be appealed to the Courts as provided by law.

WATER RIGHTS COMMISSION

Betty Westlund  
Water Rights Specialist

cc: Terry of Buffalo, SD 57720

Form 6, Notice of Intent to Appropriate Water  
GROUND WATER

Water Rights Division  
605 77343352

January 10, 1984

1163-1  
1178-1

Town of Buffalo  
Rich Richard, Town President  
PO Box 82  
Buffalo SD 57720

Dear Mr. Richard:

The inspection of the City of Buffalo's water use system and inspection of the extent of the application of water to beneficial use, as developed under Water Rights No. 1163-1 and 1178-1 have been completed. Your final water right document, the Water License, can now be issued.

Statutes required that we charge a \$50.00 fee for the inspection and issuing of each Water License. Upon receipt of the \$100.00 from the Town of Buffalo the Water Licenses will be sent to you.

South Dakota Water Law 46-5-30.1 required that a permit holder may not divert water until this \$100.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

KAREN SCHLAAK  
Administrative Aide

NOTE: On form of payment, please include the number of the water permits.  
This insures proper handling of the fee.



# Department of Water & Natural Resources

Joo Fass Building  
523 East Capitol  
Pierre, South Dakota 57501-3181

SECOND NOTICE

March 16, 1984

Permit No. 1163-1 & 1178-1

## NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Town of Buffalo  
Rich Richard, Town President  
P.O. Box 82  
Buffalo, South Dakota 57720

Dear Mr. Richard:

January 10, 1984 you were notified the final inspection fee of \$50.00 is due before Water License No. 1163-1 & 1178-1 (\$100 for 2 permits) can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$100.00 fee, your Water Licenses will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

John Hatch, Chief Engineer  
Water Rights Division  
Phone: (605) 773-3352

S508.WR

*Equal Opportunity Employer*

Permit No. 1178-1Grand River Water District # 10130302**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Town of Buffalo.  
PO Box 87, of Buffalo, S. Dak. 57720 holder of  
 Permit No. 1178., bearing the priority of .04 cfs - 1944  
.28 cfs March 17 19 77 authorizing  
 the diversion of .42 cu. ft. per second of the waters of Three Wells  
 for Municipal purposes, in Harding County.

I have to report on the conditions of the same as follows:

## A. Works used to divert the water:

Well # 2 = 3 HP. Radia Submersible pumps 60 gpm Max. (Dug in 1944)  
Depth to Water 30 ft est  
Well depth 98 ft. (See Reverse Side for Wells # 4 + #5)

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

Pipeline to Water Tower

## C. Works used to apply water to beneficial use:

City Water System.The system is in the following condition Good

The point of diversion is located Well #2 = lot 4 of block 5 in original addition to Buffalo, S. Dak.  
490 ft N and 440 ft W of E 1/4 Cor Sec. 30, T19N R5E. (See Reverse Side)

The works are capable of diverting and conveying to the place of use .40  
 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:

Permit # 1178-1 is for wells # 2 - #4 - #5comprising a total of \_\_\_\_\_ acres of land and the license should be issued for .40 cfsApplicable permit qualifications have been complied with X Yes \_\_\_\_\_ NoExceptions to compliance are: No well logs for these 3 wells Date July 21, 1983

LeRoy J. Mernagh  
 (Signature)

Well #4 = 3 HP Rada Submersible Pump. pumps 60 gpm.  
Depth to Water 25 ft est. pump set at 86 ft.  
Well depth = 103 ft.

Well #5 = 3 HP Rada Submersible Pump. pumps 60 gpm  
Depth to Water 50 ft est. pump set at 86 ft.  
Well depth = 123 ft.

#### Points of Diversion

Well #4 = In 1/2 S of Block 1. in Deklingers addition to the town  
of Buffalo, S. Dak.  
200 ft N and 1410 ft W of E 1/4 Cor Sec. 30, T19N R5E

Well #5 = In Block 12. in Smiths addition to the Town of Buffalo, S.D.  
350 ft N and 800 ft E of W 1/4 Cor of Sec. 29, T19N R5E

# 1178-1

# 4- =

Water Temp - 57 degrees

Depth 103 ft

Pump set at 86 ft

Pumping 60 gpm

3 H.P. Submersible Rod

to Water set 25 ft.

**State of South Dakota**  
**Water License No. 1178-1**

(1) Town of Buffalo  
of PO Box 82, Buffalo, South Dakota 57720  
made Application No. 1178-1, March 17, 1977 for a ~~water~~ **partial vested right** permit to appropriate  
.42 cubic feet per second of water from three wells  
Harding County, South Dakota for municipal purposes.  
**partial vested right**  
/Permit No. 1178-1, with a priority date of .14 cfs from 1949 and .28 cfs from March 17, 1977  
was approved November 15, 1978 and issued to applicant(s) for diversion of water with construction of the described  
water supply system ~~to be~~ completed ~~on or before~~ \_\_\_\_\_ and for the application to beneficial use of said  
water ~~on or before~~ \_\_\_\_\_.

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of  
the construction of the water supply system and is entitled to divert .40 cubic feet per second of water  
for beneficial use. The location of the diversion point(s) is Well #2-Lot 4 of Block 5 in original addition  
to Buffalo - 490'N and 440'W of E½ Corner Section 30 (AD); Well #4 - Lot 6 of Block 1  
In Dehlinger's addition to Buffalo - 200'N and 1410'W of E½ Corner Section 30 (AC);  
Well #5 - Block U in Smith's addition to Buffalo - 350'N and 800'E of W½ Corner of  
Section 29 (BC); all in T19N, R5E

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, water is used for municipal purposes for the town

of Buffalo (Wells 2, 4 and 5)

(4) Pursuant to §46-5-30.1 the town of Buffalo

of PO Box 82, Buffalo, South Dakota 57720

of partial vested right  
the holder(s) and/or owner(s) of Water Permit No. 1178-1 is issued a license to appropriate water, the right to use 0.40 cubic feet per second of water from three wells with a priority date of .14 cfs from 1949 and .26 cfs from March 17, 1977 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of municipal use

This license is subject to any limitations or qualifications listed in partial vested right 1178-1 and subject to South Dakota State Law.

  
Civil Engineer, Water Rights Division  
Department of Water and Natural Resources

JOHN HATCH

March 23, 1984

# RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

No 4 9601-

Pierre, March 23, 1984

RECEIVED OF City of Buffalo, Box 82, Buffalo, SD 57720

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. to Appropriate Water, to construct works and to put water to beneficial use

Fee for Application for Permit No. to Appropriate Water for Future Use

Fee to retain Future Use Permit No. after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. 1178-1

Fee for Filing Transfer Form

Fee for Filing Extension Request

Fee for Certified Copy of

Fee for Print Copy of Map

Fee for Certifying

Fee for (Any Other Work Provided by Law)

Total

50 00

50 00

By

Chief Engineer

JOHN A. CHAMBERS

ms

No. 1178-1



# Department of Water & Natural Resources

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501

WATER RIGHTS DIVISION  
Phone (605) 773-3352

March 23, 1983

Town of Buffalo  
Box 82  
Buffalo, South Dakota 57720

Dear Sir:

Enclosed herewith is, Water License No. 1178-1. This is the final water right document completing your process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

A handwritten signature in cursive script, reading "John Hatch".

JOHN HATCH, Chief Engineer  
Water Rights Division

JH:ms

Enclosures

WNR-817 3/83  
Transmittal of Water License



1178-1

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

MAR 14 1994

1178-1

Diane Haivala, Fiscal Officer  
Town of Buffalo  
PO Box 113  
Buffalo SD 57720

Dear Ms. Haivala:

The Water Management Board has validated the enclosed Vested Water Right No. 1178A-1. This validation gives legal status to the claims and is the final document for your vested rights.

Also enclosed are Reissued Vested Right License No. 1178A-1 and Reissued Water License No. 1178B-1. The original water license was divided and reissued to separate the vested right portion from the water right.

As long as you use the water beneficially, as stated in the licenses, State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

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

enclosures

**STATE OF SOUTH DAKOTA**  
**REISSUED VESTED RIGHT WATER LICENSE NO. 1178A-1**  
**DIVISION OF NO. 1178-1 INTO NO. 1178A-1 AND 1178B-1**

(1) The Town of Buffalo of PO Box 113, Buffalo, SD 57720-0113 was issued Partial Vested Water Right License No. 1178-1, March 23, 1984 for a right to appropriate 0.40 cubic feet of water per second (cfs) from groundwater (three wells), Harding County, South Dakota for municipal purposes. Partial Vested Water Right License No. 1178-1, with priority dates of 1949 and March 17, 1977 was issued to the Town of Buffalo for construction of the described water supply system complete with construction to beneficial use of said water completed.

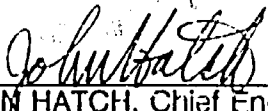
On September 27, 1989, the Water Management Board validated the vested right portion of No. 1178-1. Partial Vested Water Right License No. 1178-1 is being divided and reissued and will separate the vested right portion from the water right as follows:

**Vested Water Right No. 1178A-1** - authorizing diversion of 0.14 cfs of water from one well (Well #2) located in the SE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 30, T19N, R5E - Priority date: January 1, 1949;

**Water Right No. 1178B-1** - authorizing diversion of 0.26 cfs of water from two wells (Wells #4 & #5) located in the SW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 30 and the SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 29, all in T19N, R5E - Priority date: March 17, 1977.

(2) The vested right owner is entitled to divert 0.14 cubic feet of water per second for beneficial use. The location of the diversion point is Lot 4 of Block 5 in the original addition to the Town of Buffalo - 490'N and 440'W of the E $\frac{1}{4}$  corner of Section 30, T19N, R5E (SE $\frac{1}{4}$  NE $\frac{1}{4}$ ).

(3) Pursuant to Section 46-5-30.1 the Town of Buffalo of PO Box 113, Buffalo, SD 57720-0113 the holders and/or owners of Vested Water Right No. 1178A-1 are issued a license to appropriate 0.14 cubic feet of water per second from groundwater (one well) with a priority date of January 1, 1949 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 Water Permit No. 1178-1 and subject to South Dakota State Law.

  
\_\_\_\_\_  
JOHN HATCH, Chief Engineer  
Water Rights Division  
Department of Environment and Natural Resources

MAR 14 1994

\_\_\_\_\_  
date

1178-1

**STATE OF SOUTH DAKOTA  
REISSUED WATER LICENSE NO. 1178B-1  
DIVISION OF NO. 1178-1 INTO NO. 1178A-1 AND 1178B-1**

(1) The Town of Buffalo of PO Box 113, Buffalo, SD 57720-0113 was issued Partial Vested Water Right License No. 1176-1, March 23, 1984 for a right to appropriate 0.40 cubic feet of water per second (cfs) from groundwater (three wells), Harding County, South Dakota for municipal purposes. Partial Vested Water Right License No. 1178-1, with priority dates of 1949 and March 17, 1977 was issued to the Town of Buffalo for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

On September 27, 1989, the Water Management Board validated the vested right portion of No. 1178-1. Partial Vested Water Right License No. 1178-1 is being divided and reissued and will separate the vested right portion from the water right as follows:

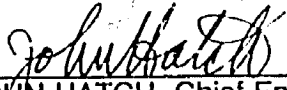
**Vested Water Right No. 1178A-1** - authorizing diversion of 0.14 cfs of water from one well (Well #2) located in the SE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 30, T19N, R5E - Priority date: January 1, 1949;

**Water Right No. 1178B-1** - authorizing diversion of 0.26 cfs of water from two wells (Wells #4 & #5) located in the SW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 30 and the SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 29, all in T19N, R5E - Priority date: March 17, 1977.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.26 cubic feet of water per second for beneficial use. The location of the diversion points are: Well #4 - Lot 6 of Block 1 in Dehlinger's addition to the Town of Buffalo, 200' N and 1410' W of the E $\frac{1}{4}$  corner of Section 30; Well #5 - Block U in Smith's addition to the Town of Buffalo, 350' N and 800' E of the W $\frac{1}{4}$  corner of Section 29, all in T19N, R5E.

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

(4) Pursuant to Section 46-5-30.1 the Town of Buffalo of PO Box 113, Buffalo, SD 57720-0113 the holders and/or owners of Water Right No. 1178B-1 are issued a license to appropriate 0.26 cubic feet of water per second from groundwater (two wells) with a priority date of March 17, 1977 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 Water Permit No. 1178-1 and subject to South Dakota State Law.

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

MAR 14 1994

date