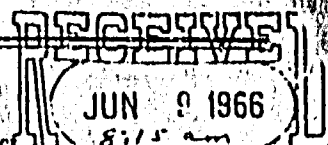


889-2

1. Considered 7-20, 1906
2. Name of Applicant City of Proctor
3. Post Office Address \_\_\_\_\_
4. Amount of water claimed .56
5. Source of water supply artesian groundwater
6. Water to be used for municipal
- Acres to be irrigated \_\_\_\_\_
7. Water to be diverted and used in Seymour County about  
\_\_\_\_\_ miles \_\_\_\_\_ of in city limits
8. Proof of Publication Received 1st  
Not Received \_\_\_\_\_
9. Application Approved \_\_\_\_\_  
Subject to \_\_\_\_\_  
Not Approved \_\_\_\_\_  
Action deferred \_\_\_\_\_

10. Remarks:

No. 889-2Water Division No. 2 WHITE RIVER District  
(Blanks to be Filled by the Engineer for the W. P. C.)STATE WATER RESOURCES COM. PI.  
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 PRESHO  
Postoffice address PRESHO, County LYMAN, State SOUTH DAKOTA

- I. If a corporation SECOND CLASS CITY
- (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, \$ \_\_\_\_\_ (c) Treasury stock, \$ \_\_\_\_\_

(d) Bonds to be issued, \$ 30,000 (e) Other resources, \$ \_\_\_\_\_

2. Name of diversion work WATER WELL NO. 43. Amount of water claimed 0.55 cubic feet per second 250 GPM4. Source of water supply DAKOTA FORMATION5. Location of point of diversion INTERSECTION OF 2ND AVENUE & 2ND STREET,Sec 10, T.05N, R.77W  
CITY OF PRESHO on \_\_\_\_\_ bank \_\_\_\_\_ County.6. Annual period or periods during which water is to be used MUNICIPAL SUPPLY - 12 MONTHS

7. To be used for:

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

(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.) \_\_\_\_\_

## 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 773-2

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.)

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<br>OUTLET-Feet | SURFACE AREA AT EACH<br>DEPTH AT OUTLET-ACRES | ACRE-Feet<br>CAPACITY |
|-------------------------|---|-----------------------|
|                         |   |                       |
|                         |   |                       |
|                         |   |                       |
|                         |   |                       |
|                         |   |                       |
|                         |   |                       |
|                         |   |                       |
|                         |   |                       |
|                         |   |                       |

(c)\* Head gate: Width.....feet; height.....feet;  
Material.....

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

| LOCATION BELOW<br>HEADGATE | DEPTH     | BOTTOM<br>WIDTH | WIDTH AT<br>WATER-LINE | GRADE<br>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.....  
LYMAN COUNTY HERALD, PRESNO

STATE OF SOUTH DAKOTA

County of.....LAWRENCE.....SS.

I, GEORGE FULLERTON, ENGINEER FOR THE CITY OF PRESNO, 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

FOR THE CITY OF PRESNO

Subscribed and sworn to before me this.....day of.....

Notary Public (or other qualified officer)

STATE OF SOUTH DAKOTA  
County of Hughes } ss.

Pierre, South Dakota, December 9, 1966

This is to certify that the foregoing application was received by the Commission at 8:15 o'clock  
A.m. upon the 7th day of JUNE, 1966

State Water Resources Commission

By: Richard D. Schuyler  
for Chief Engineer, Executive Officer

Number of permit 889-2

Date of first receipt of application JUNE 9, 1966

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 JUNE 9, 1966

Approved JULY 20, 1966, Recorded in Book 9 Page 188

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 \_\_\_\_\_

JANUARY 20, 1967

2nd. The whole of said work is to be completed on or before JULY 20, 1967

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

JULY 20, 1968

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 0.56 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

used for municipal purposes and beneficially used for irrigation on or before JULY 20, 1968, said water to be used during the following described annual period:

Continuously

Witness my hand this 9th day of December, 1966

State Water Resources Commission

By: Richard D. Schuyler  
Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 8, 1973

Water License Issued FEBRUARY 8, 1973

## 9. (Continued)

## III. Well Specifications

## (a) Hole and casing

Size of drill hole or excavation 11 5/8 to 500'  
8 5/8 Depth 1775'

Type of casing STEEL  
 (wood, concrete, steel, etc.)

Size of casing 9 5/8" x 32.3 ft, Thickness of casing 6 5/8" x 20 ft

Length of casing 1675' If collection gallery, length, size and depth of gallery

## (b) Screens

Type of perforated screen 5" STAINLESS STEEL OR  
4 1/2" x 10.5 PERFORATED ALTERNATE

Size of perforated screen 100'  
 (diameter) (length)

Thickness of gravel pack 2", length of gravel pack 100'

## (c) Water Bearing Materials

Distance to water 1675 to 1775' Character of water bearing materials DAKOTA FORMATION

Thickness of water bearing material 100' ±

## (d) Pump and Motor

Type of pump SUBMERSIBLE - 250' SETTING  
 (centrifugal, propeller, mixed flow, etc.)

Name of pump REDA OR EQUAL, size

Kind of motor ELECTRIC  
 (gasoline, electric, diesel, etc.)

Horsepower 20, Name of Motor REDA OR EQUAL

## (e) Complete well

Capacity 215 GPM at drawdown of 250' TDH, Estimated cost

(f) Owner of land upon which well is located CITY OF PRESHO  
 Name

Address

## (g) Distance to nearest existing wells

On same owner's property 9 rods. On property owned by others rods

## Driller's Notice Of Intent To Construct Well

Water Resources Commission of South Dakota  
State Office Building  
Pierre, South Dakota

Gentlemen:

In accordance with Section 61.0406 of the 1969 Supplement to the South Dakota Code of 1939, Notice of Intent is hereby given to drill the following well.

Person for whom the well is to be drilled: CITY OF PRESHO  
(Name)

PRESHO, SOUTH DAKOTA  
(Address)

Owner of land if other than above:   
(Name)

(Address)

Location of well ..... $\frac{1}{4}$ ..... $\frac{1}{4}$ , Section ....., Township .....,

Range ..... WITHIN CITY LIMITS @ INTERSECTION OF 2ND STREET  
& 2ND AVENUES

Proposed use of water ..MUNICIPAL.....  
(domestic, irrigation, municipal, industrial, other)

Very truly yours,

*George Fullerton*  
Brady Engineering Co  
for the  
CITY OF PRESHO

on or before June 23, 1966  
(First Publication)

## APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., June 10, 1966

Notice is hereby given that the City of Fresho

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 .56cubic feet of water per second of time from artesian ground water through the  
Fresho well #4the point of diversion of which is to be located on the  
SE 1/4 of the NW 1/4 of Section 10

Twp. 105N Range 77W Said water to be used for the purpose of providing irrigation on the

municipal supplies for the City of Fresho

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

consideration upon the 20th day of July, 1966, 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:

BURTON F. JONES  
Water Right SpecialistCC: Mr. Robert C. Cameron, Publisher  
Lyman County Herald  
Fresho, S.D.

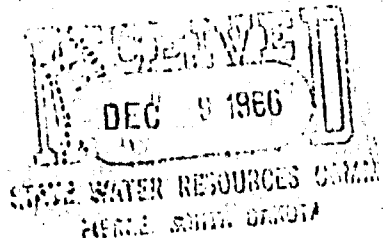
## PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }  
County Lynn } ss.

Robert C. Cameron being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Lynn County Herald 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 Presho County of Lynn and State of South Dakota; that the said notice was published in said newspaper on the following dates:

June 16, 1966June 23, 1966June 30, 1966July 7, 1966

In each and every issue of the full number thereof, the first publication being made on the 16 day of June 1966 and the last publication on the 7 day of July 1966, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was publisher the printer... and publisher... of the said newspaper.

Robert C. CameronSubscribed and sworn to before me this 8 day of December A. D. 1966Notary Public Edythe Parks County, S. D.

No. 689-2  
APPROPRIATION OF WATER  
Office of State Water  
Resources Commission,  
Pierre, S. Dak.,  
June 10, 1966

Notice is hereby given that the City of Presho, 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, 50 cubic feet of water per second of time from Artesian ground water through the Presho Well No. 14, the point of diversion of which is to be located in the SE 1/4 of the NW 1/4 of S. 102, T. 10, R. 105N Range 77W. Said water to be used for the purpose of providing municipal supplies for the City of Presho.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 20th day of July, 1966, 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.

By: Burton F. Jones,  
Water Right Specialist  
June 16, 23, 30 July 7



## WATER LICENSE NO. 889-2

(1) WHEREAS, On the 9th day of June A. D. 19 66  
the City of Presho

made Water Right Application No. 889-2 for a permit to use 1.0 cubic feet per second of the waters of Artesian ground water

County of Lyman, State of South Dakota for Municipal

purposes; and

(2) WHEREAS, On the 9th day of December A. D. 19 66

Permit No. 889-2 with a date of priority of 1940, 1948 and June 1, 1966

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 20th day of July A. D. 19 67 and for the application to beneficial use of said water on or before the 20th day of July A. D. 19 68

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 1.0 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 City of Presho.

(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 Presidio

~~xx~~  
the holder \_\_\_\_\_ and owner \_\_\_\_\_ of said permit No. 889-2 a water right, dating from 1940, 1948 and  
June 9, 1966 to use of 1.0 cubic feet per second of the waters  
of artesian ground water

in the County of Lyman and State of South Dakota, or so much thereof as may be necessary for the  
purposes hereinbelow mentioned, to be diverted at All in Section 10, T105N, R77W-Kate Well-

intersection, 2nd Ave. and 2nd St., in SE 1/4 NW 1/4; East and West well, approx.  
same location, 530 ft. North and 2000 ft. West of SW Corner, Section 10,

T105N, R77W

and conducted ~~through the City water distribution system~~ conducted through the City water distribution system

for the purpose of Municipal use

Subject to any limitations listed in Water Right Permit No. 889-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota  
this 8th day of February A. D.  
Nineteen Hundred and Seventy - Three

WATER RESOURCES COMMISSION

By:

\_\_\_\_\_  
Chief Engineer, Executive Officer J.W. GRIMES

Permit No. 889-2Water Diversion No. 2 WHITE RIVER Water District

## CERTIFICATE OF CONSTRUCTION

This is to Certify, That the City of Fresno

\_\_\_\_\_ the holder \_\_\_\_\_ of  
Permit No. 889-2, issued upon Application No. 889-2, bearing date of priority of 1940, 1948,  
and June 9, 1966 authorizing the diversion of 1.0 cu. ft. per second of the waters of \_\_\_\_\_  
Artesian ground water County of Lyman, State of South Dakota at A11 in  
Sec. 10, T105N, R77W-Main well-intersection, 2nd Ave. & 2nd St., in SE 1/4 NW 1/4; East  
and West well, approx. same location, 530 ft. North and 2000 ft. West of SW Corner  
Sec. 10, T105N, R77W, 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 1.0 cu. ft. per second of water.

Date February 8, 1973

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

## NOTE:

This Form is supplemental to Form 2, and is to be used when an affidavit pertaining to construction and water use, already completed, is needed.

# AFFIDAVIT OF CONSTRUCTION OF WATER USE SYSTEM AND APPLICATION OF WATER TO BENEFICIAL USE

Name of Applicant (Same as Form 2) City of PreshoPost Office Address Presho, State South Dakota

If a Corporation show date and place of incorporation \_\_\_\_\_

## 13. Notice of Appropriation (If available)

Date of Posting \_\_\_\_\_ Date of Recording \_\_\_\_\_

Recording Data \_\_\_\_\_

14. Date of start of construction of water supply system West well, 1940 and East Well, 194815. Date that water was first applied to beneficial use same16. Name of owner of original water supply system City of Presho17. Amount of water originally applied to beneficial use greater than present use18. Present Use of Water West Well = 0.14East Well = 0.23 c.f.s.Date that this amount of water was first used about 1966

## 19. Chronological History of Water Use

Wells were constructed in years indicated and have had water use as indicated since being constructed.

Attach to this Form 2B, any copies of notices, postings, filings, publications, affidavits, or other records that apply. You may also attach any written statement by you, or by others, that you deem pertinent.

STATE OF SOUTH DAKOTA ) ss.

County of \_\_\_\_\_ )

I, \_\_\_\_\_, the applicant, certify that I have read the foregoing and that the matters therein stated are true.

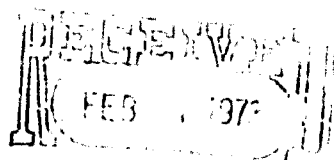
Signed

Subscribed and sworn to before me this 25th day of Jan., 1973

(Notary Public or other qualified Officer)

I, the undersigned, do hereby certify that I know about the water use system described above that I have read the foregoing and that the matters therein stated are true.

John Furberg  
Furberg Officer



STATE WATER RESOURCES COM.  
PIERRE, SOUTH DAKOTA

Water Division 2 WHITE RIVER Water District

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

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

I have this day made a thorough examination of the water use system constructed by \_\_\_\_\_

\_\_\_\_\_ of Presho, S.D. \_\_\_\_\_ holder.

of Permit No. 889-2, bearing date of priority of 1940, 1948 and June 9, 19<sup>66</sup>

authorizing the diversion of 1 cu. ft. per second of the waters of ground water

for municipal purposes, in Lyman 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:

Main Well - 6-9-66 Priority  
1775 feet deep cased with 5"  
steel casing. Layne-Mirr. 6"  
turbine pump, U.S. Electric  
Motor Tupe RU - 25 H.P.

West Well-1940 Priority  
1500' deep, 6" steel casing  
Fairbanks Morse 6" turbine  
Pump.  
15 H.P. G.E. electric motor

East Well - 1948 Priority  
1520' deep- 5" casing  
Red Jacket, 5 H,P.  
submersible pump

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

City distribution system  
50,000 gallon elevated storage tank

C. Works used to apply water to beneficial use.

350 service connections

The system is in the following condition: good  
All in Sec. 10, T105N, R77W - Main well - intersection, 2nd Ave. & 2nd St. in SE 1/4 NW 1/4;

The point of diversion is located East and west well, approx. same location, 530' North and 2000 feet West of SW' Corner, Section 10, T105, R77

June 9, 1966 Priority = 0.63

June 9, 1966 Priority = 0.63  
June 9, 1940 Priority = 0.23  
Municipal Purposes.  
The works are capable of diverting and conveying to the place of use — 1948 Priority = 0.14

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: \_\_\_\_\_

Municipal water supply to 350 service connections

---

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~~CONFIDENTIAL~~ XXXXXXXXXXXXXXXXXXXXXXXX  
CONFIDENTIAL S D 57568

Mail notification letter to Jake Fenenta, City Auditor, Fresno, S.D. 57568  
Put this P.S. on letter:

"Please have the enclosed completed Form 2B signed by a City Official before a Notary Public and return with the voucher so that the East and West wells can be included in the Water License and record."

Date January 12, 1973

Date \_\_\_\_\_  
*Donal H. Quisner*  
 \_\_\_\_\_  
 (Signature)

DONALD DRISCOLL, Deputy Chief Engineer, W.R.C.



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

August 6, 2004

889-2

RECEIVED

SEP - 1 2004

WATER RIGHTS  
PROGRAM

Marlys Schlomer, Finance Officer  
City of Presho  
PO Box 354  
Presho SD 57568-0354

Dear Ms. Schlomer:

I am contacting you in regard to Water Right No. 889-2 held by the city of Presho. Enclosed is a copy of the water right. A review of the file found the water license was issued incorrectly as far as the legal description of the wells.

We would like to go ahead and reissue the water license to correct the error but prior to doing that wanted to check with the city to see which wells were still being used.

Our Drinking Water Program within the Department indicated the city is supplied water from the West River-Lyman Jones Rural Water System. Their records show that only one of the three wells was still in service and was being maintained as a backup water supply.

Please review the enclosed material and mark on the map or "Examination of Works" form which well is being maintained. Also, please make a notation as to the pump rate that the well could divert at if needed.

As soon as we receive the information back from you, we can go ahead and update the water right with the changes and reissue the water license to reflect the city's use. Thank you in advance for your help and if I can answer any questions for you, please get in touch with me. I am enclosing a postage paid envelope for your reply, or if you wish you can call or email me with the information.

Sincerely,

Genny McMath  
Environmental Scientist  
Water Rights Program  
(605) 773-3352  
email: [genny.mcmath@state.sd.us](mailto:genny.mcmath@state.sd.us)

enclosures





Prasho 670

Siting Plans for Water Sampling.

889-2

RECEIVED

DEC 21 1990

RECEIVED

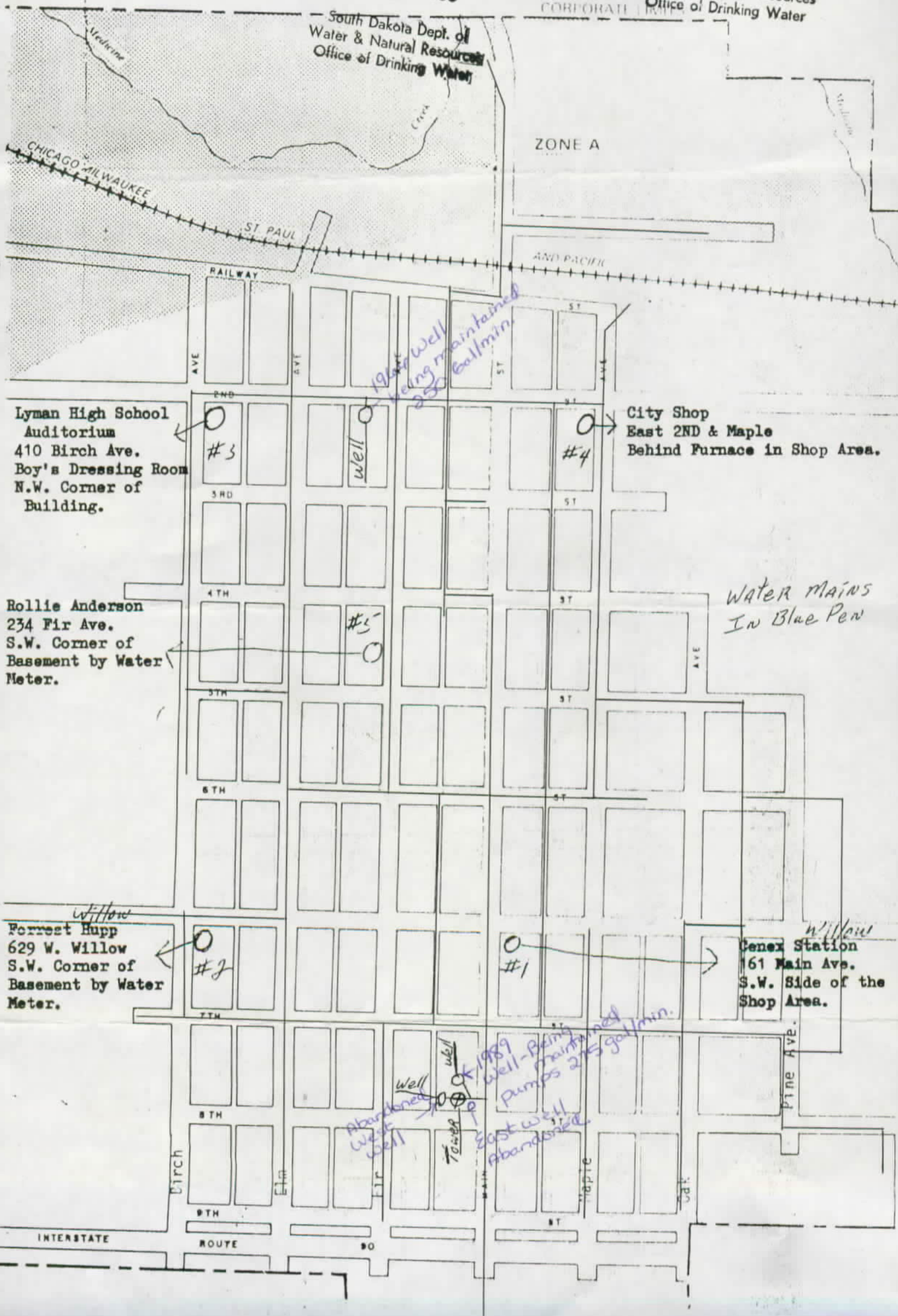
DEC 6 1990

South Dakota Dept. of  
Water & Natural Resources  
Office of Drinking Water

CORPORATE

South Dakota Dept. of  
Water & Natural Resources  
Office of Drinking Water

ZONE A



Lyman High School  
Auditorium  
410 Birch Ave.  
Boy's Dressing Room  
N.W. Corner of  
Building.

City Shop  
East 2ND & Maple  
Behind Furnace in Shop Area.

Rollie Anderson  
234 Fir Ave.  
S.W. Corner of  
Basement by Water  
Meter.

Water Mains  
In Blue Pen

Forrest Hupp  
629 W. Willow  
S.W. Corner of  
Basement by Water  
Meter.

Cenex Station  
161 Main Ave.  
S.W. Side of the  
Shop Area.

1964 Well - Being maintained  
250 Gall/min.  
1989 Well - Being maintained  
pumps 275 Gall/min.  
Abandoned Well  
East well  
Abandoned





DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

NOV 30 2004

889-2

Marlys Schlomer, Finance Officer  
City of Presho  
PO Box 354  
Presho SD 57568-0354

Dear Ms. Schlomer:

Thank you for sending in the information concerning the city's water use and the location of the wells they maintain. Enclosed is Reissued Water License No. 889-2. The water license was reissued to correct errors in the legal description of the wells.

For your information SDCL 46-6-27 requires that if the owner of an existing well(s), such as the wells authorized by Water Right No. 889-2, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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. If you have any questions, please contact our office.

Sincerely,

Garland Erbele, Chief Engineer  
Water Rights Program  
(605) 773-3352

enclosure

## STATE OF SOUTH DAKOTA

### REISSUED WATER LICENSE NO. 889-2

---

(1) The City of Presho, PO Box 354, Presho SD 57568 was issued Water License No. 889-2, February 8, 1973 for a water right to divert 1.00 cubic feet of water per second from ground water (three wells – Dakota formation), Lyman County, South Dakota for municipal purposes. Water License No. 889-2, with priority dates of 1940, 1948 and 1966 was issued to the permit holder for diversion of water with construction of the water supply system and the application to beneficial use of water completed.

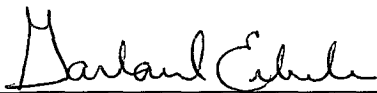
A review of the original water license found the well locations to be incorrectly described. The city was contacted and confirmed which wells are still used. They are currently hooked to the West-River Lyman Jones Rural Water System and have two wells they maintain. The water license is being reissued to correct the legal descriptions of the wells. The remaining portions of the original license have not been altered.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the City of Presho the holder and/or owner of Water Right No. 889-2 is issued a license, bearing priority dates of 1940 (0.14 cfs), 1948 (0.23 cfs) and June 9, 1966 (0.63 cfs) to appropriate 1.00 cubic feet of water per second from ground water (two wells) for municipal purposes.

The diversion points are located as follows:

- Main well (1775 feet deep) – NW ¼ SW ¼ Section 10, T105N, R77W and
- Uptown well (1492 feet deep) – NE ¼ NW ¼ Section 15, T105N, R77W.

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 889-2.



Garland Erbele, Chief Engineer  
Water Rights Program  
Department of Environment and Natural Resources

NOV 30 2004

date

