

No. 1035-3

Water Division No. 3

(Blanks to be filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

VESTED RIGHT

APPLICATION FOR PERMIT & CHANGE IN DIVERSION

To appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant State University of South Dakota
Postoffice address Vermillion, County Clay, State South Dakota

I. If a corporation—An Agency of the State of South Dakota

- (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)

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

- 2. Name of diversion work SUSD Campus Irrigation
- 3. Amount of water claimed 24 MAXIMUM ALLOWABLE cubic feet per second
- 4. Source of water supply Well
- 5. Location of point of diversion See Attached Drawing on bank County.
- 6. Annual period or periods during which water is to be used June thru September
- 7. To be used for:
 - (a) Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Sprinkler System
 - (b) Number of acres to be irrigated 38.48 acres.
 - (c) Legal subdivisions to be irrigated SEAS 1, 2, 3, 4 SUSD Campus

(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 None Name of the above uses claimed
- (b) Amount of power to be generated None horse power.
- (c) Location of plant
- (d) Method of developing power
- (e) Point where water will be returned to stream

MAP No 676-3

8. Estimated cost of work:

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

(b) Pumping plant, \$-----3000

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

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

Well Book, \$-----4000

(e) Other structures -----sprinkler system-----\$-----2000

Total, \$-----7000

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- 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-----3-----years.

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

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

Vermillion Plain Talk

STATE OF SOUTH DAKOTA

County of-----Clay-----

ss.

I, L. D. Weeks, President SDUSD, Vermillion, South Dakota, 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

Subscribed and sworn to before me this

11th

day of

L. D. Weeks

1913

Notary Public (or other qualified officer.)

Remarks by State Water Resources Commission:

"VESTED RIGHT" CLAIMED. THE WELL DRILLED IN 1963 IS A REPLACEMENT WELL FOR ONE CONSTRUCTED IN 1910.

STATE OF SOUTH DAKOTA
County of HUGHES ss.

Pierre, South Dakota, JANUARY 30, 1967

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
in, upon the 17 day of APRIL, 1963

State Water Resources Commission

By:

Burton Jones
for Chief Engineer, Executive Officer

Number of permit 1035-3

Date of first receipt of application APRIL 17, 1963

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 1910, 1963

Approved SEPTEMBER 15, 1966, Recorded in Book 9 Page 214

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 _____

2nd. The whole of said work is ~~to be~~ completed ~~on or before~~ _____

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

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

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 .54 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 ~~was~~

and beneficially applied for irrigation on or before JUNE 30, 1955; said water to be used during the following described annual period:

JUNE THRU SEPTEMBER

Witness my hand this 30TH day of JANUARY, 1967

State Water Resources Commission

By:

McQuinn
Chief Engineer, Executive Officer

Certificate of Construction Issued

JANUARY 30, 1967

Water License Issued

JANUARY 30, 1967

Remarks by the Applicant:

Pursuant to section 61.0102 (7) of the South Dakota Code applicant is requesting a vested right and a change in the point of diversion (61.0129).

Applicant has pumped water from its present source since 1910. Until 1958 this well furnished water for the entire campus. The amount of water pumped prior to the conversion to the city water supply was approximately 150,000 gallons per day..

Due to the present deterioration of this well we are planning to sink a new well approximately 5 rods north of the present well.

Form 2A — Wells (Supplement to Form 2)

2. (Continued)

III Well Specifications

(a) Hole and casing

Size of drill hole or excavation 15" , Depth 165

Type of casing Steel or concrete
(wood, concrete, steel, etc.)

Size of casing 12" Thickness of casing 12 ga

Length of casing 180-200 If collection gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen Dempster

Size of perforated screen 12"
(diameter) (length)

Thickness of gravel pack , length of gravel pack

(c) Water Bearing Materials

Distance to water 100 plus ft Character of water bearing materials
sand & gravel

Thickness of water bearing material 127 ft

(d) Pump and Motor

Type of pump centrifugal
(centrifugal, propeller, mixed flow, etc.)

Name of pump Deming or equal , size

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

Horsepower 15-20 , Name of Motor

(e) Complete well

Capacity 250 gal. per min. at drawdown of 20 ft. Estimated cost

(f) Owner of land upon which well is located State of South Dakota
Name

Vermillion, South Dakota
Address

(g) Distance to nearest existing wells

On same owner's property 5 rods. On property owned by others rods

STATE OF SOUTH DAKOTA

WATER LICENSE No. 1035-3

WHEREAS, On the 17th day of April A. D. 1963
the State University of South Dakota

of Vermillion County of Clay Vested Right and State of
South Dakota duly made application (No. 1035-3) to us for a permit to use .54
cubic feet per second of the waters of ground water
County of Clay, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 30th day of January A. D. 1967
Vested Right /Permit No. 1035-3 was issued to said applicant, recognizing the
completion of the works of diversion therein described ~~XXXXXX~~ and for the application to beneficial use of said
water ~~XXXXXX~~ and, ~~XXXXXX~~

WHEREAS, On the 26th day of July A. D. 1966
the holder of said permit duly made proof of the completion of adequate works for the diversion of .54
cubic feet per second of said waters, as evidenced by our Certificate No. 1035-3
dated January 30, 1967 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use .54 cubic feet per second of water, with date of
priority of 1910 and,

WHEREAS, On the 26th day of July A. D. 1966
proof was duly made of the application to beneficial use of .54 cubic feet per second of said water;
for irrigation of 38.48 acres of the campus of the University in the E $\frac{1}{2}$ Section
13, 192N, R52W

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 State University of South Dakota
of Vermillion the holder and owner of said permit No. 1035-3
a water right, dating from 1910 to the use of .54
cubic feet per second of the waters of ground water
In the County of Clay and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinafter mentioned, to be diverted at a point S5°W73 1/2 feet from the
E 1/2 corner, Section 13, T92N, R52W
and conducted to and upon portions of the N 1/2 SE 1/4 and SE 1/4 NE 1/4, Section 13, T92N, R52W

for the purpose of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 30th day of January A. D. Nineteen
Hundred and Sixty Seven

State Water Resources Commission
By: J. W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA	
Water License No. _____	
To _____	
Source of Supply _____	
County _____	
Am't _____ c. f. s.	
Point of Diversion _____	
Place of Use _____	
Purpose _____	
Date of Priority _____	
Recorded _____	
In Book _____ of _____ Page _____	

Permit No. 1035-3Water Division No. 3 Vermillion River Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That the State University of South Dakotaof VermillionSouth DakotaCounty of Clay

Vested Right

No. 1035-3the holder c/ Permit No. 1035-3, Issued upon Application

.54

cu. ft. per second of the waters of ground water, authorizing the diversion ofCounty of ClayState of South Dakota, at a point 35°W, 731.1feet from the E½ corner, Section 13, T92N, R52Wfor irrigationpurposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of recognized

completion of the works of diversion set out and described in said Permit; that said works are found to be satisfactory

for diverting and conveying to the place of intended use .54 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,

to-wit: All in Section 13, T92N, R52WN½ S14 18.52 acresS½ NE½ 19.96 "Total - 38.48 "Witness my hand this 30thday of JanuaryA. D. 1967

State Water Resources Commission

By:

J. K. GRIMES

Chief Engineer, Executive Officer

Location No. _____

Water Division No. _____ Water District _____

Proof of Application of Water to Beneficial Use**PETITION OF HOLDER**

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. University of South DakotaVermillion, South Dakota

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans. _____

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. _____

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. _____

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. _____

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans. _____

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. _____

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

Ques. 10. State when, how, in what amount and to what extent, the water diverted under above mentioned permit has been used.

Ans. This well was drilled as a replacement well for original well drilled
in 1910, and is used for irrigation of lawns during summer months as needed,
and as a source of fire protection water.

(Sign)

W. J. Anderson, Purchasing Agent

University of South Dakota

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Vermillion, County of Clay

State of South Dakota, on this 26 day of July, A. D. 1926

Witnesses.

Arnie L. Peterson
NOTARY PUBLIC, CLAY CO.

Commission Expires 8-1-73

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

Location No. _____

**PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE**

PETITION OF HOLDER

Amount of Water: _____ c. f. s.

Source _____

County _____

Purpose _____

Place of Use _____

Date of recording _____

Received and filed _____

South Dakota
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

JUN 13 1989

University of South Dakota
Physical Plant
414 East Clark St
Vermillion SD 57069

Dear Sir:

The Water Management Board has validated the enclosed Vested Water Right No. 1035-3. This validation gives legal status to the claim and is the final document for your vested right.

As long as you use the water beneficially, as stated in the validation, 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

enclosure



SOUTH DAKOTA

VALIDATION OF VESTED WATER RIGHT CLAIM NO. 1035-3 FOR IRRIGATION

Date Claim Accepted For Filing April 17, 1963.

Date of Validation May 10, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim Permit No. 1035-3 for irrigation purposes for the University of South Dakota, Physical Plant, 414 East Clark St., Vermillion, South Dakota 57069 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1035-3 appropriates 0.54 cubic feet of water per second from one well approximately 166 feet deep to irrigate 38.48 acres. The well is located in the NE 1/4 SE 1/4 and the irrigated acres are located in the N 1/2 SE 1/4, SE 1/4 NE 1/4, all in Section 13, T92N, R52W.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per acre per year and may not exceed one-seventieth (1/70) cubic feet of water per second for each acre of irrigated land. The water is to be used during the following annual period: June 1 - September 30.
3. The priority date of the Vested Water Right is: January 1, 1910.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: John H. H. H.
Chief Engineer
Division of Water Rights
Dept. of Water and Natural Resources

JUN 13 1989
date

Water Rights Division
Joe Foss Bldg, 623 E Capitol
Pierre, SD 57501-3181

1035-3 Facilities Mgmt
UNIVERSITY OF SOUTH DAKOTA PHYSICAL PLANT
414 EAST CLARK STREET
VERMILLION, SD 57069-2350
(605) 677-5341

SUBJECT

Irrigation Questionnaire

DATE

10-20-93

MESSAGE

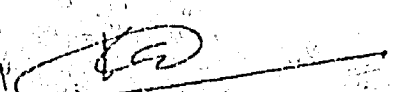
Inclosed are the questionnaire responses
for our permits # 1035-3, 1293-3, 5645-3,
5646-3, and 4424-3.

Adequate rainfall meant a sum-
mer without irrigating.

If you have any questions, please call

enc.




Kenneth L. Schmidt, Director

SEND WHITE COPY RETAIN YELLOW COPY