Water Division No. 3

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

# **APPLICATION FOR PERMIT**

 STATE WATER RESOURCES COMM.  
 PIERRE, SOUTH DAKOTA

## **To Appropriate Water within the State of South Dakota**

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

 1. Name of applicant Town of Lane  
 Postoffice address Lane, County Jessup, State S. Dak.

- I. If a corporation Municipal Town
- (a) Name of same Town of Lane
- (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 Wells #1 & 2 & 3

 3. Amount of water claimed \_\_\_\_\_ cubic feet per second 200 gallons per minute

 4. Source of water supply Artesian Well

 5. Location of point of diversion Town of Lane - the three wells  
are located in Block 6, Original township of Lane.

 6. Annual period or periods during which water is to be used Continuously

 7. To be used for:  
 I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? \_\_\_\_\_

- (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.) for use of all  
residents in Town of Lane

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

- (a) Nature of use fire protection  
 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 electric motor

- (e) Point where water will be returned to stream \_\_\_\_\_

3. Estimated cost of work:

(a) Head Gates, \$----- (b) Pumping plant, \$-----  
 (c) Fluming, \$----- (d) Canal-earth, \$----- Rock, \$-----  
 (e) Other structures \$----- Total, \$-----

4. 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 | FEET | 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-----

STATE OF SOUTH DAKOTA

County of Jessie } ss.

I, Bernice Paulsen, 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 Bernice Paulsen

Subscribed and sworn to before me this 23 day of May 1962

John T. Carmichael  
 Notary Public (or other qualified officer.)

*"Vested right" claimed*

STATE OF SOUTH DAKOTA  
County of Hughes } ss.

Pierre, South Dakota,

January 13, 1964

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock  
2 m. upon the 11<sup>th</sup> day of June, 1963

State Water Resources Commission

By:

*Durston Jones*  
for Chief Engineer, Executive Officer

Number of permit 1070-3

Date of first receipt of application June 11, 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 .14 from 1938, .10 from 1920, 19\_\_\_\_

Approved January 13, 1964, Recorded in Book 8 Page 148

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~~ \_\_\_\_\_, 19\_\_\_\_

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

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is Completed, 19\_\_\_\_

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 .44 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 ~~was~~

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

Continuously  
Witness my hand this 13<sup>th</sup> day of January, 1964

State Water Resources Commission

By:

*Durston Jones*  
Chief Engineer, Executive Officer

Certificate of Construction issued January 13, 1964

Water License issued January 13, 1964

## 9. (Continued)

## III. Well Specifications

## (a) Hole and casing

Size of drill hole or excavation ..... Depth 803Type of casing steel  
(wood, concrete, steel, etc.)Size of casing 4", Thickness of casing standardLength of casing 800' If collection gallery, length, size and depth of gallery .....

## (b) Screens

Type of perforated screen .....

Size of perforated screen .....  
(diameter) (length)

Thickness of gravel pack ..... length of gravel pack .....

## (c) Water Bearing Materials

Distance to water ..... Character of water bearing materials .....

Thickness of water bearing material .....

## (d) Pump and Motor

Type of pump Centrifugal  
(centrifugal, propeller, mixed flow, etc.)Name of pump Fairbanks-Morse, size 2"Kind of motor Electric  
(gasoline, electric, diesel, etc.)

Horsepower ..... Name of Motor .....

## (e) Complete well

Capacity 65 GPM at drawdown of ..... Estimated cost .....(f) Owner of land upon which well is located TOWN OF LAKE  
Name .....

Address .....

## (g) Distance to nearest existing wells

On same owner's property 100' rods. On property owned by others ? rods

## 9. (Continued)

## III. Well Specifications

## (a) Hole and casing

Size of drill hole or excavation ..... Depth 780'Type of casing .....  
(wood, concrete, steel, etc.)Size of casing 2" Thickness of casing std.Length of casing 780' If collection gallery, length, size and depth of gallery .....

## (b) Screens

Type of perforated screen .....

Size of perforated screen .....  
(diameter) (length)

Thickness of gravel pack ..... length of gravel pack .....

## (c) Water Bearing Materials

Distance to water ..... Character of water bearing materials .....

Thickness of water bearing material .....

## (d) Pump and Motor

Type of pump Centrifugal  
(centrifugal, propeller, mixed flow, etc.)Name of pump Fairbanks-Morse size 1 1/2"Kind of motor Electric  
(gasoline, electric, diesel, etc.)

Horsepower ..... Name of Motor .....

## (e) Complete well

Capacity 45 gpm at drawdown of ..... Estimated cost .....(f) Owner of land upon which well is located TOWN OF LANE  
Name

Address .....

## (g) Distance to nearest existing wells

On same owner's property 100' rods. On property owned by others ? rods

WELL #3 - 1955

## 9. (Continued)

## III. Well Specifications

## (a) Hole and casing

Size of drill hole or excavation 6 inch, Depth 830'Type of casing steel  
(wood, concrete, steel, etc.)Size of casing 6", Thickness of casing 3/8"Length of casing 830' If collection gallery, length, size and depth of gallery: .....

## (b) Screens

Type of perforated screen .....

Size of perforated screen ..... (diameter) ..... (length)

Thickness of gravel pack ..... length of gravel pack .....

## (c) Water Bearing Materials

Distance to water ..... Character of water bearing materials .....

Thickness of water bearing material .....

## (d) Pump and Motor

Type of pump centrifugal  
(centrifugal, propeller, mixed flow, etc.)Name of pump Morse, size 2"Kind of motor electric  
(gasoline, electric, diesel, etc.)Horsepower ..... Name of Motor FAIRBANKS-MORSE

## (e) Complete well

Capacity 100 gpm at drawdown of 2 1/2' Estimated cost .....(f) Owner of land upon which well is located Town of Lane  
NameLane, S.D.  
Address

## (g) Distance to nearest existing wells

On same owner's property 200' rods. On property owned by others ..... rods

**WATER LICENSE No. 1070-3**

WHEREAS, On the 11th day of June A. D. 1963  
proof was duly made of the application to beneficial use of .44 cubic feet per second of said water;  
**for municipal use by the Town of Lane**

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 Town of Lane

~~apx~~ Vested Right  
the holder and owner of said permit No. 1070-3

a water right, dating from 1920, 1938 and 1955 to the use of .44

cubic feet per second of the waters of artesian ground water

in the County of Jerauld and State of South Dakota, or so much thereof as may be

necessray for the purposes hereinbelow mentioned, to be diverted at three points in Block 6,

Original Townsite of Lane

and conducted ~~through the town water system~~ through the town water system

for the purpose of municipal use

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 13th day of January A. D. Nineteen  
Hundred and Sixty-Four

State Water Resources Commission

By:

J. W. GRIMES  
Chief Engineer, Executive Officer

## Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That the Town of Lane

~~of~~ \_\_\_\_\_, County of Jerault, and State of  
South Dakota, the holder Vested Right of Permit No. 1070-3, issued upon Application  
 No. 1070-3, bearing date of priority of 1920, 1938 and 1955, authorizing the diversion of  
.44 cu. ft. per second of the waters of artesian ground water

County of Jerault, State of South Dakota, at three points in Block 6,  
Original Townsite of Lane

\_\_\_\_\_ for municipal  
 purposes, has fully 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 recognized as  
 satisfactory ~~for~~ for diverting and conveying to the place of intended use .44 cu. ft.  
 per second of water; and that the ~~work proposed to be done by the~~ use of said water are described as follows,  
 to-wit: to be used for municipal purposes in the Town of Lane

Witness my hand this 13th day of January A. D. 1964

State Water Resources Commission

By:

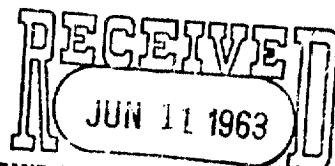
J. W. GRIMES  
 Chief Engineer, Executive Officer

|         |      |        |     |
|---------|------|--------|-----|
| Well #1 | 1938 | 65 gpm | .14 |
| Well #2 | 1920 | 45 gpm | .10 |
| Well #3 | 1955 | 90 gpm | .20 |

Location No. \_\_\_\_\_

Water Division No. \_\_\_\_\_

Water District \_\_\_\_\_

STATE WATER RESOURCES COMM.  
PIERRE, SOUTH DAKOTA

## Proof of Application of Water to Beneficial Use

### PETITION OF HOLDER

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

Ans. \_\_\_\_\_

*Town of Lave**Lave, 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. \_\_\_\_\_

*Artesian well - located in center of town*

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. \_\_\_\_\_

*water is distributed by town for pressure  
and to water mains for distribution*

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. \_\_\_\_\_

*domestic use and fire protection*

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

Ans. \_\_\_\_\_

*domestic use of town residents*

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

Ans. \_\_\_\_\_

*100 gallons per person per day*

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. Well #1 drilled 1938, Well #2 drilled 1920, Well #3 drilled 1955, AND have been used for municipal purposes since drilled.

(Sign) Beverly Pawlowski  
Town Clerk

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 Lane, County of Gerald

State of South Dakota, on this 23 day of May A. D. 1963

Herbert Thier  
E. W. Pato } Witnesses.

Beverly Pawlowski  
Clerk

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.

Beverly Pawlowski  
Clerk

*South Dakota*

GREAT FACES. GREAT PLACES.

**DEPARTMENT OF WATER & NATURAL RESOURCES**

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

April 26, 1991

1070-3

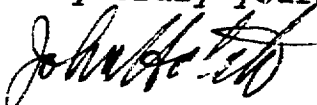
Donald Wetzel, Town President  
Town of Lane  
PO Box 81  
Lane SD 57358

Dear President Wetzel:

The Water Management Board has validated the enclosed Vested Water Right No. 1070-3. 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. 1070-3

Date Claim Accepted For Filing June 11, 1963.

Date of Validation September 27, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim No. 1070-3 for the Town of Lane, P O Box 81, Lane, South Dakota 57358 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1070-3 appropriates 0.14 cubic feet of water per second (cfs) from Well No. 1 approximately 803 feet deep, 0.10 cfs from Well No. 2 approximately 780 feet deep and 0.20 cfs from Well No. 3 approximately 830 feet deep. The wells are located in the SW 1/4, Section 17, T107N, R63W.
2. The appropriated water is used for supplying water for the Town of Lane and may not exceed the amount of water needed for beneficial use for municipal purposes.

The water is to be used during the following annual period:  
January 1 - December 31

3. The priority dates of the Vested Water Right are: Well No. 1 - 0.14 cfs - January 1, 1938. Well No. 2 - 0.10 cfs - January 1, 1920. Well No. 3 - 0.20 cfs - January 1, 1955.
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 must not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: \_\_\_\_\_

  
Chief Engineer

Division of Water Rights  
Dept. of Environment and Natural Resources

APR 29 1991

\_\_\_\_\_  
date