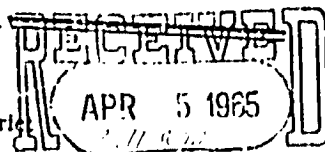


No. 1182-3

Water Division No. 3 BIG SIOUX RIVER District
(Blanks to be filled by the Engineer for the W. R. C.)



VESTED RIGHT
APPLICATION FOR PERMIT

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

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

1. Name of applicant City of Flandreau

Postoffice address Flandreau, County Moody, State South Dakota

I. If a corporation

(a) Name of same

(b) Date and place of incorporation

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

Work completed

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work City wells, #1, #2 and #3

3. Amount of water claimed 1450 G. P. M. cubic feet per second

4. Source of water supply Ground water

5. Location of point of diversion At 3 points in the NW 1/4 Section 27, Twp 107 N. Range 48 W.
on Moody bank Moody County.

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? Municipal

(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 public use (giving location, etc.)

Municipal

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

(a) Nature of use

None any of the above uses claimed

(b) Amount of power to be generated _____ horse po. er.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

VIR.

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 topfeet; thickness at bottomfeet; thickness at topfeet; slope at front water face; slope at back face
 material used in construction
 (b) Reservoir: Capacity when filledacre 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; heightfeet;

Material

(d) Canal: Total lengthmiles.

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 Not applicable years.

11. Time required for complete application of water to the proposed beneficial use Not applicable years.

12. Choice of newspaper for publication of notice of intention to appropriate
Not applicable

STATE OF SOUTH DAKOTA

County of Moody } ss.

I, Willis Ellefson, Mayor

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 Willis Ellefson Mayor

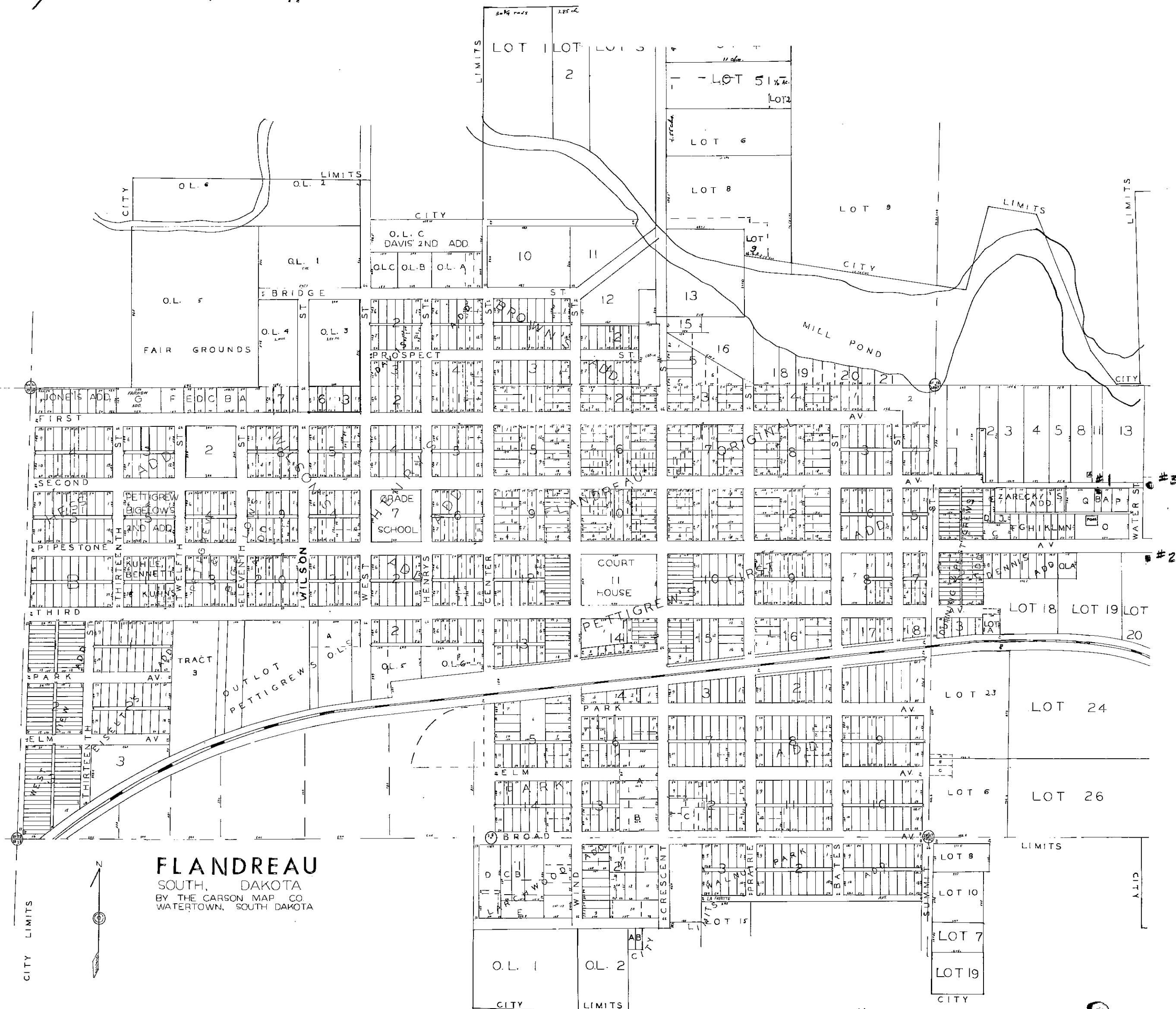
Subscribed and sworn to before me this 1 day of April 1965

[Signature]
 Notary Public (or other qualified officer.)

City Auditor

*Each diversion must have a headgate or measuring device.

WR # 1182-3



VIR

WR 1182-57

Remarks by State Water Resources Commission:

"VESTED RIGHT" CLAIMED

STATE OF SOUTH DAKOTA
County of HUGHES ss.

Pierre, South Dakota, APRIL 14, 1965

This is to certify that the foregoing application was received by the Commission at 8:10 o'clock
2 a.m. upon the 5TH day of APRIL, 1965

State Water Resources Commission
By: [Signature]
for Chief Engineer, Executive Officer

Number of permit 1187-3

Date of first receipt of application APRIL 5, 1965

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 1.42 FROM 1923 1.00 FROM 1939 1.00 FROM FEBRUARY, 1955

Approved APRIL 14, 1965 Recorded in Book 8 Page 321

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~~ _____, 1965

2nd. The whole of said work is ~~to be~~ completed ~~on or before~~ _____, 1965

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

COMPLETED
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 3.42 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, or 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

USED FOR MUNICIPAL PURPOSES

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

CONTINUOUSLY
Witness my hand this 14TH day of APRIL, 1965

State Water Resources Commission

By: [Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued APRIL 14, 1965

Water License Issued APRIL 14, 1965

Well No. 1

9. (Continued)

III Well Specifications

(a) Hole and casing

Size of drill hole or excavation 30' , Depth 28'

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

Size of casing 24' , Thickness of casing

Length of casing 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 11' Character of water bearing materials

Sands and Gravel

Thickness of water bearing material

(d) Pump and Motor

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

Name of pump Hill and Anderson , size 8"

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

Horsepower 40 , Name of Motor G. E.

(e) Complete well

Capacity 550 at drawdown of Estimated cost

(i) Owner of land upon which well is located City of Flandreau
Name

Address

(g) Distance to nearest existing wells

On same owner's property 350' On property owned by others 1/2 Mile

Well No. 2.

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 38" , Depth 32'

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

Size of casing 16" , Thickness of casing Standard

Length of casing 32' If collection gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen

Size of perforated screen Slotted 15'
(diameter) (length)

Thickness of gravel pack 1 1/2" , length of gravel pack 32'

(c) Water Bearing Materials

Distance to water 9' Character of water bearing materials

Sands and gravel

Thickness of water bearing material

(d) Pump and Motor

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

Name of pump Layne , size 6"

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

Horsepower 20 , Name of Motor G. E.

(e) Complete well

Capacity 450 at drawdown of Estimated cost

(f) Owner of land upon which well is located City of Flandreau
Name

Address

(g) Distance to nearest existing wells

On same owner's property 350' ~~100'~~ On property owned by others 600' ~~100'~~

Well No. 3.

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 48", Depth 33'
Type of casing Steel
(wood, concrete, steel, etc.)
Size of casing 24", Thickness of casing
Length of casing 33' If collection gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen
Size of perforated screen Slotted, 10'
(diameter) (length)
Thickness of gravel pack 12", length of gravel pack 36'

(c) Water Bearing Materials

Distance to water 11' Character of water bearing materials
Glacial gravels
.....
.....
Thickness of water bearing material

(d) Pump and Motor

Type of pump Turbine
(centrifugal, propeller, mixed flow, etc.)
Name of pump Layne, size 6"
Kind of motor Electric
(gasoline, electric, diesel, etc.)
Horsepower 20, Name of Motor G. E.

(e) Complete well

Capacity 450 at drawdown of 19' Estimated cost

(f) Owner of land upon which well is located City of Flandreau
Name
Address

(g) Distance to nearest existing wells

On same owner's property 350' ~~feet~~ On property owned by others 1000' ~~feet~~

STATE OF SOUTH DAKOTA

WATER LICENSE No. 1182-3

WHEREAS, On the 5th day of April A. D. 1965
the city of Flandreau

County of Moody and State of
South Dakota duly made application (No. 1182-3) to us for a permit to use 3.42
cubic feet per second of the waters of ground water
County of Moody State of South Dakota, for municipal
purposes; and

WHEREAS, On the 14th day of April A. D. 1965
Vested Right /Permit No. 1182-3 was issued to said applicant... for the diversion of said water, recognizing
completion of the works of diversion therein described ~~XXXXXXX~~ the
XXXXXX and the application to beneficial use of said
water ~~XXXXXXX~~ and,

WHEREAS, On the 5th day of April A. D. 1965
the holder of said permit duly made proof of the completion of adequate works for the diversion of 3.42
cubic feet per second of said waters, as evidenced by our Certificate No. 1182-3
dated April 14, 1965 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 3.42 cubic feet per second of water, with date of
priority of 1923, 1939 and February, 1955 and,

WHEREAS, On the 5th day of April A. D. 1965
proof was duly made of the application to beneficial use of 3.42 cubic feet per second of said water;
for municipal use by the City of Flandreau

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 Flandreau
xx the holder and owner of said permit No. 1182-3
a water right, dating from 1923, 1939 and February, 1955 to the use of 3.42
cubic feet per second of the waters of ground water
In the County of Moody and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinafter mentioned, to be diverted at three points in the NW 1/4, Section 27,
T107N, R48W
and conducted ~~to the city~~ through the city distribution 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 14th day of April A. D. Nineteen
Hundred and Sixty-Five.

State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Amt _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

in Book _____ of _____ Page _____

Permit No. 1182-3Water Division No. 3 Big Sioux River
Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That the City of Flandreau

~~xx~~ _____, County of Moody, and State of
South Dakota, the holder of Vested Right Permit No. 1182-3, issued upon Application
 No. 1182-3, bearing date of priority of 1923, 1939 & Feb., 1955, authorizing the diversion of
3.42 cu. ft. per second of the waters of ground water
 County of Moody, State of South Dakota, at three points in the
NW 1/4 Section 27, T107N, R48W
 _____, 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 in satisfactory
 condition for diverting and conveying to the place of intended use 3.42 cu. ft.
 per second of water; and that the ~~XXXXXX use of said water are described as follows,~~
 to-wit: to supply municipal supplies for the city of Flandreau.

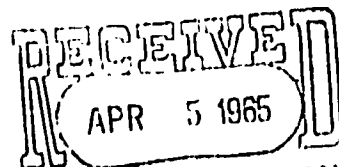
Witness my hand this 14th day of April A. D. 1965

State Water Resources Commission

By: J. W. GRIMES
 Chief Engineer, Executive Officer

Location No. _____

Water Division No. _____ Water District _____

STATE WATER RESOURCES COMM.
SOUTH DAKOTA**Proof of Application of Water to Beneficial Use****PETITION OF HOLDER**

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

Ans. City of Flandreau

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. No previous posting

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

Ans. From 3 wells as shown on the attached city plat

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. Municipal use

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. Well No. 1 was put into use in 1923, Well No.2 in 1939. Contract for Well No. 3 was let in February 1955 and well was put into operation early in 1956.

(Sign) ✓ Will E. E. E. E.

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 St. Lawrence, County of Nebraska State of South Dakota, on this 12th day of April A. D. 1965

Witnesses: W. E. E. E. W. E. E. E.

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

VESTED WATER RIGHT CLAIM NO. 1182-3

Date of Receipt of Claim April 5, 1965.

Date of Validation May 6, 1992.

The Water Management Board validated Vested Water Right Claim No. 1182-3 for the City of Flandreau, 136 E. Second Ave., Flandreau, South Dakota 028 with the following limitations, conditions and

1. Vested Water Right No. 1182-3 appropriates 3.42 cubic feet per second of water from three wells located in the NW1/4 SEC 27, T107N, R48W.
2. The appropriated water is used for supplying water for the City of Flandreau 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:
January 1, 1923 - 1.42 cfs
January 1, 1939 - 1.0 cfs
February 1, 1955 - 1.0 cfs
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

JUN 29 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources



JUN 29 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

City of Flandreau
Craig Shea, Finance Officer
136 E Second Ave
Flandreau SD 57028

Dear Mr. Shea:

The Water Management Board has validated the enclosed Vested Water Right No. 1182-3. 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