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STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

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

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

VESTED RIGHT
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 Hetland
Postoffice address Hetland, County Kingsbury, State S. Dak.

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

2. Name of diversion work CITY WELL
3. Amount of water claimed 0.5 cubic feet per second
4. Source of water supply GROUND WATER
5. Location of point of diversion LOTS 16 & 17, Block 1 ORIGINAL
TOWNSHIP 51 NORTH, RANGE 53W on KINGSBURY County.
6. Annual period or periods during which water is to be used CONTINUOUS
7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Domestic
- (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.) Main of city of Hetland

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

8. Estimated cost of work:

(a) Head Gate, \$_____

(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 OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET-ACRES	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 _____ 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: King

ss.

I, Mrs. Margaret Honaback, 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

7th

day of

July

1912

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Remarks by State Water Resources Commission:

"VESTED RIGHT" CLAIMED

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota,

JULY 22, 1965

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock

9 m. upon the 10TH day of MAY, 1965

State Water Resources Commission

By:

Sturton
for Chief Engineer, Executive Officer

Number of permit 1210-3

Date of first receipt of application

MAY 10, 1965

Date of return to applicant for correction, amendments or changes required as follows:

10

Date of receipt of corrected application

JULY 22

1965

Date from which applicant may claim right

1919

for

Approved

JULY 22

1965

Recorded in Book:

9

Page

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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~~

12

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

12

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 .05 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-seventh (1/7) 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 ~~applied for irrigation~~ WAS on or before JUNE 30, 1955; said water to be used during the following described annual period:

CONTINUOUSLY

Witness my hand this

22ND

day of

JULY

1965

State Water Resources Commission

By:

John

Chief Engineer, Executive Officer

Certificate of Construction Issued

JULY 22

1965

Water License Issued

JULY 22

1965

Form 2A — Wells (Supplement to Form 2)

D. (Continued)

III. Well Specification

(a) Hole and casing

Size of drill hole or excavation 6 in, Depth 350 ft

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

Size of casing 6 in, Thickness of casing 1/4"

Length of casing 326 ft If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen Red Brass

Size of perforated screen 4 1/2" (diameter), 13" (length)

Thickness of gravel pack, length of gravel pack

(c) Water Bearing Materials

Distance to water, Character of water bearing materials sand

Thickness of water bearing material

(d) Pump and Motor

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

Name of pump Remington, size 3 1/2"

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

Horsepower 3, Name of Motor Wagner

(e) Complete well

Capacity 35 gals per minute at drawdown of, Estimated cost

(f) Owner of land upon which well is located Town of Hethland
Name

Hethland, S.D.
Address

(g) Distance to nearest existing wells

On same owner's property none rods. On property owned by others 25 rods

Permit No. 1210-3Water 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 Town of Hetland

~~xx~~ _____, County of Kingsbury, and State of
South Dakota, the holder of Vested Right Permit No. 1210-3, issued upon Application
 No. 1210-3, bearing date of priority of 1919, authorizing the diversion of
.05 cu. ft. per second of the waters of ground water

County of Kingsbury, State of South Dakota, at a point in Lots 15 and 16,
Block 1, Original Townsite of Hetland

_____ for municipal

purposes, has ^s fully complied with the provisions of the laws of the State of South Dakota relating to proof of
recognized as
 completion of the works of diversion set out and described in said Permit; that said works are ~~XXXX~~ satisfactory
~~XXXXXX~~ for diverting and conveying to the place of intended use .05 cu. ft.
 per second of water; and that the ~~XXXXXX~~ use of said water are described as follows,
 to-wit: to be used for municipal purposes by the residents of Hetland.

Witness my hand this 22nd day of July, A. D. 1965

State Water Resources Commission

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

STATE OF SOUTH DAKOTA

WATER LICENSE No. 1210-3

WHEREAS, On the 10th day of May A. D. 1965
the Town of Hetland

of Kingsbury County of South Dakota and State of
duly made application (No. 1210-3 Vested right) to us for a permit to use .05
cubic feet per second of the waters of ground water
County of Kingsbury, State of South Dakota, for municipal
purposes; and

WHEREAS, On the 22nd day of July A. D. 1965
Vested Right 1210-3 recognizing
/Permit No. 1210-3 was issued to said applicant for the diversion of said water, and providing for the
completion of the works of diversion therein described XXXXXXXXXXXX
XXXXXXXX and the application to beneficial use of said
water XXXXXXXXXXXX
and,

WHEREAS, On the 10th day of May A. D. 1965
the holder of said permit duly made proof of the completion of adequate works for the diversion of .05
cubic feet per second of said waters, as evidenced by our Certificate No. 1210-3
dated July 22, 1965 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use .05 cubic feet per second of water, with date of
priority of 1919 and,

WHEREAS, On the 10th day of May A. D. 1965
proof was duly made of the application to beneficial use of .05 cubic feet per second of said water;
to be used for municipal purposes in the Town of Hetland

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 Hetland
~~xxx~~ Vested Right 1210-3
 the holder and owner of said permit No. 1210-3
 a water right, dating from 1919 to the use of .05
 cubic feet per second of the waters of ground water
 in the County of Kingsbury and State of South Dakota, or so much thereof as may be
 necessary for the purposes hereinbelow mentioned, to be diverted at a point in Lots 15 and 16, Block 1,
Original Townsite of Hetland
 and conducted ~~xxxxxx~~ through the town water 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 22nd day of July A. D. Nineteen
Sixty-Five
 Hundred and

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 _____

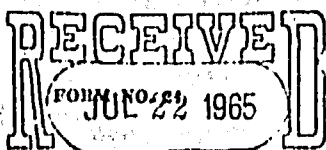
Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

in Book _____ of _____ Page _____

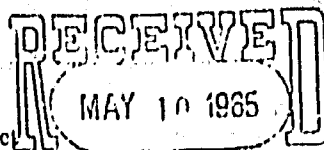


STATE WATER RESOURCES COMM.

PIERRE, SOUTH DAKOTA Water Division No. _____

Location No. _____

Water District _____



STATE WATER RESOURCES COMM.

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

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

Ans. Town of Hetland

Hetland, 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. NO PREVIOUS POSTING

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

Ans. lots 16 & 17 Block 1, ORIGINAL TOWN SITE

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

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. 35 G.P.M.

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 WAS CONSTRUCTED IN 1919, AND
HAS BEEN USED FOR MUNICIPAL USE SINCE
THAT TIME

(Sign) *M. Margaret Thorsen*
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 *Kenigsbury, Hetland*, County of _____

State of South Dakota, on this *20* day of *July* A. D. 19*25*

Martin W. Thorsen
Orville Oanes } Witnesses. *W. A. Anderson*

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 _____	



DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

April 26, 1991

John Rybak, Town President
Town of Hetland
PO Box 53
Hetland SD 57244

Dear President Rybak:

The Water Management Board has validated the enclosed Vested Water Right No. 1210-3. 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

