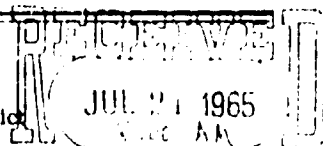


No. 1211-3Water Division No. 3 Big Sioux River District
(Blanks to be Filled by the Engineer for the W. H. C.)

VESTED RIGHT STATE WATER RESOURCES COMM. 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 Town of Sinner
 Postoffice address Sinner County Beck State SD
 I. If a corporation Incorporated Town
 (a) Name of same Sinner
 (b) Date and place of incorporation Dec 29 1912
 (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, \$ 2500.00 (c) Treasury stock, \$ 0
 (d) Bonds to be issued, \$ 3500.00 Remaining Other resources, \$ 0

2. Name of diversion work Town Well
 3. Amount of water claimed 12 GPM cubic feet per second
 4. Source of water supply Land Rock
 5. Location of point of diversion Lot 1, Block 4
Well Enclosed in Pump House on _____ bank _____ County
 6. Annual period or periods during which water is to be used All year
 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.) Residence of
Town of Sinner

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

(a) Nature of use Domestic & fire
 Name any of the above uses claimed

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

(c) Amount claimed for engine cooling _____

(d) Location of plant Residence Pump House

(e) Method of developing power _____

(f) Point where water will be returned to stream _____

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 bottomfeet; 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 workyears.
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 DeWitt ss.

I, Herbert J. Langman, 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 Herbert J. Langman

Subscribed and sworn to before me this 13 day of April 1915

Herbert J. Langman
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, AUGUST 13, 1965

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
A.m. upon the 21ST day of JULY, 1965

State Water Resources Commission

By:

Burton Jones
for Chief Engineer, Executive Officer

Number of permit 1211-3

Date of first receipt of application JULY 21, 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 1920, 19—

Approved AUGUST 13, 1965, Recorded in Book 9 Page 41

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~~ —, 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

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 12 GALLONS PER MINUTE ~~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

USED FOR MUNICIPAL PURPOSES

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

CONTINUOUSLY

Witness my hand this 13TH day of AUGUST, 1965

State Water Resources Commission

By:

Robert Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued AUGUST 13, 1965

Water License Issued AUGUST 13, 1965

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation *4"* Depth *720*
 Type of casing *4" Galv Pipe*
 (wood, concrete, steel, etc.)
 Size of casing *4"* Thickness of casing
 Length of casing *718* If collection gallery, length, size and depth of
 gallery

(b) Screens

Type of perforated screen
 Size of perforated screen *3" Copper* *20'*
 (diameter) (length)
 Thickness of gravel pack *Sand/Kicks* length of gravel pack

(c) Water Bearing Materials

Distance to water *210* Character of water bearing materials
19 In Hard
310 PPM alkali

Thickness of water bearing material

(d) Pump and Motor

Type of pump *Submersible*
 (centrifugal, propeller, mixed flow, etc.)
 Name of pump *Barnes* size *4"*
 Kind of motor *Electric*
 (gasoline, electric, diesel, etc.)
 Horsepower *5* Name of Motor

(e) Complete well

Capacity *14 GPM* at drawdown of
 Estimated cost *4000.00*

(f) Owner of land upon which well is located

Address

(g) Distance to nearest existing wells

On same owner's property rods On property owned by others *50* rods

STATE OF SOUTH DAKOTA

WATER LICENSE No. 1211-3

WHEREAS, On the 21st day of July A. D. 1965
the town of Sinai

County of Brookings and State of
South Dakota duly made application (No. 1211-3) to us for a permit to use 12 gallons per minute
of the waters of ground water
County of Brookings, State of South Dakota, for municipal
purposes; and

WHEREAS, On the 13th day of August A. D. 1965
Vested Right / Permit No. 1211-3 was issued to said applicant for the diversion of said water, and providing for the
completion of the works of diversion therein described before the
and XXXX application to beneficial use of said
water XXXX before the
and,

WHEREAS, On the 21st day of July A. D. 1965
the holder of said permit duly made proof of the completion of adequate works for the diversion of 12 gallons
per minute of said waters, as evidenced by our Certificate No. 1211-3
dated August 13, 1965 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 12 gallons per minute
priority of 1920 and,

WHEREAS, On the 21st day of July A. D. 1965
proof was duly made of the application to beneficial use of 12 gallons per minute
to be used for municipal purposes by the Town of Sinai

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 Sinal

nk Vested Right
the holder and owner of said permit No. 1211-3

a water right, dating from 1920 to the use of 12 gallons per minute

~~xxxxxx~~ of the waters of ground water

In the County of Brookings and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinafter mentioned, to be diverted at a point in Lot 1, Block 14, Town
of Sinal

and conducted ~~to 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 13th day of August 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 _____

Am't _____ c. f. s. _____

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 1211-3

Water 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 Sinai

~~xxx~~ County of Brookings, and State of South Dakota, the holder of Vegeted Right 1211- Issued upon Application

No. 1211-3, bearing date of priority of 1920, authorizing the diversion of 12 gallons per minute ~~xxxxxx~~ of the waters of ground water

County of Brookings, State of South Dakota, at a point in Lot 1, Block 14, Town of Sinai

for municipal

purposes, has ⁵ 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 ~~xxxxxx~~ satisfactory

~~xxxxxx~~ for diverting and conveying to the place of intended use 12 gallons per minute ~~xxxxxx~~

~~xxxxxx~~ of water; and that the ~~xxxxxx~~ use of said water are described as follows, to-wit: to be used for municipal purposes in the town of Sinai

Witness my hand this 13th day of August A. D. 1965

State Water Resources Commission

By: J. W. GUTTS
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. *James J. Linn*

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 his behalf.

Ans. *James J. Linn*

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

Ans. *Oct. 27, 1958*

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

Ans. *Lot 1 Blk 2*
Will inside pump & firehouse

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. *4" 770' deep sand rock well*
pumps 9 GPM. into Res (20,000 gal) Using
12,000 gal pressurized tank and 1 Hr. Jet Pump
Capacity 1400 GPM

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 - for use of*
Linn

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. *13,000 gals daily*

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. Water runs through main and
pressurized tank. The amount to be used
Replaces well drilled in 1920
for irrigation

(Sign) John J. Langman
Clark County, Wyo.

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 Denver, County of Brookings

State of South Dakota, on this 13 day of July A. D. 1925
William J. Jones } Witnesses. John J. Langman
O. B. Thomas } Clark - Denver

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.

W. C. Brooks
Charles L. Berg

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
123 East Capitol
Pierre, South Dakota 57501-1100

GREAT FACES GREAT PLACES

March 22, 1991

Charles Langum, Town President
Town of Sinai
PO Box 36
Sinai SD 57061

Dear Mr. Langum:

The Water Management Board has validated the enclosed Vested Water Right No. 1211-3. 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. 1211-3

Date Claim Accepted For Filing July 21, 1965.

Date of Validation September 27, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim No. 1211-3 for the Town of Sinai, PO Box 36, Sinai, South Dakota 57061 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1211-3 appropriates 12 gallons of water per minute from one well approximately 720 feet deep and located in the NE 1/4, Section 14, T109N, R52W.
2. The appropriated water is used for supplying water for the Town of Sinai 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 date of the Vested Water Right is: January 1, 1920.
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: _____

John H. Ketch
Chief Engineer

Division of Water Rights

Dept. of Water and Natural Resources

MAR 22 1991

date