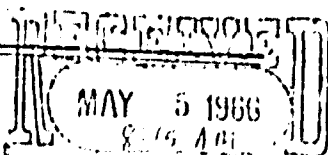


No. 1273-3

Water Division No. 3 WHETSTONE CREEK District _____
(Blanks to be Filled by the Engineer for the W. R. C.)



**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 Rosholt
Postoffice address Rosholt, County Roberts, State So. 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)

Contract

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

2. Name of diversion work Well B and Well C
3. Amount of water claimed 33 c.f.s. Well B - .22 cfs
Well C - .11 cfs
4. Source of water supply Ground Water
Well B Well C
5. Location of point of diversion Lot 14, Block 15 and Lots 10-12 Block 20
Town of Rosholt Sec 13, T128N, R47W
_____ on _____ bank Robert County.

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

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 domestic use (giving location, etc.) _____

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 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	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 completed years.
 11. Time required for complete application of water to the proposed beneficial use completed years.
 12. Choice of newspaper for publication of notice of intention to appropriate

STATE OF SOUTH DAKOTA

County of Roberts } ss.

I, Glenford Heifner, 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 Glenford Heifner

Subscribed and sworn to before me this 17th day of May 1910

A. J. [Signature]
 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, MAY 5, 1966

This is to certify that the foregoing application was received by the Commission at 8:15 o'clock
A m. upon the 5TH day of MAY, 1966

State Water Resources Commission

By:

Durston Jones
for Chief Engineer, Executive Officer

Number of permit 1273-3

Date of first receipt of application MAY 5, 1966

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 .11 FROM 1938; .22 FROM 1953, 1966

Approved MAY 5, 1966, Recorded in Book 9 Page 106

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, 1966

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

CONTINUOUSLY

Witness my hand this 5TH day of MAY, 1966

State Water Resources Commission

By:

Jed Palmer
Chief Engineer, Executive Officer

Certificate of Construction Issued MAY 5, 1966

Water License Issued MAY 5, 1966

Location Lot 13, Block 15, City of Rosholt
Date Drilled 1938

9. (Continued)

Now Abandoned

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 10 inches , Depth 110 feet

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

Size of casing 8 inches , Thickness of casing standard

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 none , length of gravel pack

(c) Water Bearing Materials

Distance to water 48 feet , Character of water bearing materials
medium sand

Thickness of water bearing material Approx. 20 feet

(d) Pump and Motor

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

Name of pump Fairbanks Morse , size

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

Horsepower 10 H.P. , Name of Motor

(e) Complete well

Capacity 75 gpm at drawdown of , Estimated cost

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

Address

(g) Distance to nearest existing wells

On same owner's property 2 rods. On property owned by others 60 rods

Form 2A — Wells (Supplement to Form 2)

WELL BLocation Lot 14, Block 15 City of Rosholt
Date drilled 1953

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 10 inches Depth 110 feet

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

Size of casing 8 inches Thickness of casing standard

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 none length of gravel pack

(c) Water Bearing Materials

Distance to water 48 feet Character of water bearing materials
medium sand

Thickness of water bearing material Approx. 20 feet

(d) Pump and Motor

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

Name of pump Fairbanks-Morse size

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

Horsepower 10 H.P. Name of Motor

(e) Complete well

Capacity 100 g.p.m. at drawdown of Estimated cost

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

Address

(g) Distance to nearest existing wells

On same owner's property 2 rods. On property owned by others 60 rods

Form 2A -- Wells (Supplement to Form 2)

WELL C

Location Lots 10-12 Block 20 Town of Rosholt
Date drilled 1962

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 12 inches , Depth 115 feet

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

Size of casing 8 inches , Thickness of casing standard

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

(b) Screens

Type of perforated screen Johnson stainless

Size of perforated screen 7½ inches 12 feet
(diameter) (length)

Thickness of gravel pack none , length of gravel pack

(c) Water Bearing Materials

Distance to water 45 feet , Character of water bearing materials
Medium sand

Thickness of water bearing material

(d) Pump and Motor

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

Name of pump Fairbanks Morse , size

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

Horsepower 7 ½ H.P. , Name of Motor

(e) Complete well

Capacity 50 gpm at drawdown of 50 feet , Estimated cost

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

Address

(g) Distance to nearest existing wells

On same owner's property 20 rods On property owned by others 60 rods

STATE OF SOUTH DAKOTA

WATER LICENSE No. 1273-3

WHEREAS, On the 5th day of May 66
the Town of Rosholt.

County of Roberts and State of
South Dakota duly made application (No. 1273-3 Vested Right
to us for a permit to use .33
cubic feet per second of the waters of ground water
County of Roberts, State of South Dakota, for municipal
purposes; and

WHEREAS, On the 5th day of May 66
Vested Right /Permit No. 1273-3 was issued to said applicant... for the diversion of said water, recognizing the
completion of the works of diversion therein described
and, the application to beneficial use of said
water and,

WHEREAS, On the 5th day of May 66
the holder... of said permit duly made proof of the completion of adequate works for the diversion of .33
cubic feet per second of said waters, as evidenced by our Certificate No. 1273-3
dated May 5, 1966 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use .33 cubic feet per second of water, with date of
priority of 1938 and, 1953 and,

WHEREAS, On the 5th day of May 66
proof was duly made of the application to beneficial use of .33 cubic feet per second of said water;
to be used for municipal purposes in the Town of Rosholt

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 Fosholt

~~xx~~ Vested Right
the holder and owner of sal/permit No. 1273-3
a water right, dating from 1928 and 1953 to the use of .33

cubic feet per second of the waters of ground water

in the County of Roberts and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinafter mentioned, to be diverted at two points in the E $\frac{1}{2}$ SE $\frac{1}{4}$, Section
13, T128N, R49W

and conducted ~~through the town's water distribution system~~ through the town's 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 5th day of May A. D. Nineteen
Sixty-Six
Hundred and

State Water Resources Commission
By: J. W. GPTMES
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. 1273-3Water Division No. 2 Whetstone Creek Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That the Town of Rosholt

of _____, County of Roberts, and State of
South Dakota, the holder of Vested Right Permit No. 1273-3, Issued upon Application
 No. 1273-3, bearing date of priority of 1933 and 1953, authorizing the diversion of
.33 cu. ft. per second of the waters of ground water

County of Roberts, State of South Dakota, at two points in the
E¹ SE¹ Section 13, T128N, R49W

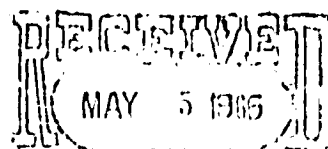
for municipal
 purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of
 completion of the works of diversion set out and described in said Permit; that said works are recognized as satisfactory
 condition for diverting and conveying to the place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

Witness my hand this 5th day of May A. D. 1966

State Water Resources Commission

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

Location No. _____


 Water Division No. _____ Water District _____ STATE WATER RESOURCES DIVISION
 FARMINGTON, MINN.

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

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

Ans. Town of Rosholt, Rosholt, 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. Well A, Lot 13, Block 15, Well B, Lot 14, Block 15,
Well C, Lots 10-12 Block 20, all in Town of Rosholt

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. see forms 2A for wells A,B, and C plus elevated tank 22,000
gallons capacity and underground distribution system.

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 within the Town of Rosholt

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

Ans. Municipal use with underground distribution system

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

Ans. 33 c.f.s.

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 A, drilled and use of .17 c.f.s. commenced in 1938.
Abandoned in 1962. Well B drilled and use of .22 c.f.s. commenced
in 1953. Well C drilled and use of .11 c.f.s. commenced in 1962.

(Sign) Alvin H. H. Chapman

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 ROCKHOUT, County of ROBERTS

State of South Dakota, on this 4th day of MAY A. D. 1966
J. J. H. H. H. Witnesses.

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 -----	

1273-3

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1273-3

Date of Receipt of Claim May 5, 1966.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 1273-3 for the Town of Rosholt, Box 156, Rosholt, South Dakota 57260 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1273-3 appropriates 0.33 cubic feet per second of water from two wells located in the E1/2 SE1/4 Section 13, T128N, R49W.
2. The appropriated water is used for supplying water for the Town of Rosholt 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, 1938 - 0.11 cfs
January 1, 1953 - 0.22 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 may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: _____

Chief Engineer

MAR 17 1993

date

Division of Water Rights
Dept. of Environment and Natural Resources



MAR 17 1993

1273-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

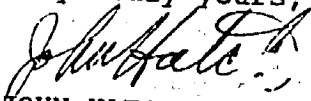
Jan Houghtaling, Finance Officer
Town of Rosholt
PO Box 156
Rosholt SD 57260-0156

Dear Ms. Houghtaling:

The Water Management Board has validated the enclosed Vested Water Right No. 1273-3. 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

2000 South Dakota Water Use Questionnaire

To:

TOWN OF ROSHOLT
PO BOX 156
ROSHOLT SD 57260 0156

Address correction requested:

One questionnaire is being provided for each permitted water source. The following information is based on Water Permit/Right No. 1273-3. If you have other permits/rights in the same water source, also include water use under those permits/rights on this questionnaire.

Water Source: GROUNDWATER
Aquifer: FAIRMONT
Management Unit: NOT APPLICABLE

County: ROBERTS
Pumping Pt. Legal: SEC 13-T128N-R49W
Type of Water Use: MUNICIPAL

- 1) Please estimate your year 2000 water use from the above water source: ~~14,287,800~~ gallons
2) If no water use in 2000, please list the reason(s) why in the comments section.

Comments:

These wells have been abandoned and capped.

Contact Person:

Gary A. Peterson

Telephone No:

605-530-4225

Questions? Please call Mark Rath or Ron Duvall at 605 773-3352 for assistance.

Thank you for completing the 2000 water use questionnaire.

Water Rights on the Web: www.state.sd.us/denr/wr

