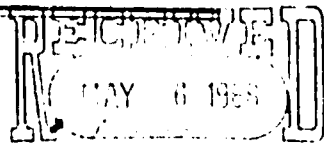


No. 1583-3Water Division No. 3 JAMES RIVER District

(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 CARTHAGE
 Postoffice address CARTHAGE, County MINER, 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)

COMPLETED

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

2. Name of diversion work WELLS #1 & #2
3. Amount of water claimed .20 cubic feet per second
4. Source of water supply ARTESIAN GROUND WATER
5. Location of point of diversion BOTH WELLS IN BLOCK 7, ORIGINAL TOWNSITE OF CARTHAGE, SE 1/4 SEC 7, T108N, R25W on _____ bank MINER 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? _____

- (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.) _____

MUNICIPAL USE

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 _____

V/R

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 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	FEET	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 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

NOT APPLICABLE

STATE OF SOUTH DAKOTA

County of MINER } ss.

I, Matthew J. Brown, 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 Matthew J. Brown

Subscribed and sworn to before me this 3 day of July 1961

Frank W. Johnson
Notary Public (or other qualified officer.)

Remarks by State Water Resources Commission:

"VESTED RIGHT" CLAIMER

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, MAY 31, 1968

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
9 a.m. upon the 6TH day of MAY, 1968.

State Water Resources Commission

By:

Burton Jones
for Chief Engineer, Executive Officer

Number of permit 1583-3

Date of first receipt of application MAY 6, 1968

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 13 FROM 1948 07 FROM 1910

Approved MAY 22, 1968, Recorded in Book 10 Page 205

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~~ complete! ~~on or before~~ _____

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

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 20 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 acre of time for each acre of land to which water is actually
WAS

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 31ST day of MAY, 1968.

State Water Resources Commission

By:

John G. Miller
Chief Engineer, Executive Officer

Certificate of Construction Issued MAY 31, 1968

Water License Issued MAY 31, 1968

9. (Continued)

III. Well Specifications

(a) Hole and casing

WELL #1 1140'

WELL #2 1040'

Size of drill hole or excavation Depth

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

Size of casing Thickness of casing

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

(b) Screens

Type of perforated screen JOHNSON

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, propeller, mixed flow, etc.)

Name of pump REDA SUBMERSIBLE, size 3"

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

Horsepower Name of Motor

(e) Complete well

Capacity #1 .13
#2 .07 at drawdown of Estimated cost(f) Owner of land upon which well is located TOWN OF CARTHAGE
Name

Address

(g) Distance to nearest existing wells

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

Permit No. 1583-3Water Division No. 3 James River Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That the Town of Carthage

~~is~~ County of Miner, and State of Vested Right, the holder of Permit No. 1583-3, issued upon Application

No. 1583-3, bearing date of priority of 1910 and 1941, authorizing the diversion of

.20 cu. ft. per second of the waters of ground water

County of Miner, State of South Dakota, at two points in Block 7,

Original Townsite of Carthage in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, T102N, R57W

, 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 .20 cu. ft.

per second of water; and that the ~~lands proposed to be irrigated by the~~ use of said water are described as follows, to-wit: used for municipal purposes by the Town of Carthage.

Witness my hand this 31st day of May A. D. 1966.

State Water Resources Commission

By

J.W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No.....1583-3.

WHEREAS, On the 6th day of May A. D. 1968
the Town of Carthage
County of Miner and State of South Dakota
duly made application (No. 1583-3) to us for a Vested Right permit to use .20
cubic feet per second of the waters of ground water
County of Miner, State of South Dakota, for municipal
purposes; and

WHEREAS, On the 31st day of May A. D. 1968
Vested Right / Permit No. 1583-3 was issued to said applicant... recognizing
for the diversion of said water. and providing for
completion of the works of diversion therein described ~~on or before the~~ day of
and for the application to beneficial use of said
water ~~on or before the~~ day of
and,

WHEREAS, On the 6th day of May A. D. 1968
the holder... of said permit duly made proof of the completion of adequate works for the diversion of
.20 cubic feet per second of said waters, as evidenced by our Certificate No. 1583-3
dated May 31, 1968 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use .20 cubic feet per second of water, with date of
priority of 1910 and, 1948 and,

WHEREAS, On the 6th day of May A. D. 1968
proof was duly made of the application to beneficial use of .20 cubic feet per second of said water;
used for municipal purposes by the Town of Carthage.

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 Carthage

~~xx~~ Vested Right
the holder and owner of said ~~Permit~~ No. 1583-3

a water right, dating from 1910 and 1946 to the use of 20

cubic feet per second of the waters of ground water

In the County of Miner and State of South Dakota, or so much thereof as may be

necessary for the purposes hereinbelow mentioned, to be diverted at two points in Block 7, Original

Townsite of Carthage in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, T108N, R57W

and conducted to ~~and from~~ through the city water distribution system

for the purpose of Municipal use, subject to any limitations listed in the

Permit to Appropriate Water, and

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 31st day of May A. D. Nineteen
Hundred and Sixty-eight.

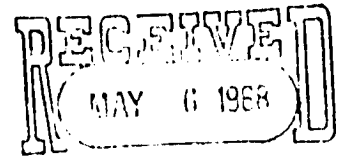
State Water Resources Commission

By:

J.W. GRIMES
Chief Engineer, Executive Officer

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 CARTHAGE

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

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

Ans. TWO WELLS IN BLOCK 7, ORIGINAL TOWNSITE OF CARTHAGE

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. 2 WELLS 46,000 GALLON ELEVATED STEEL STORAGE TANK

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. 21

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 IN 1948, WELL #2 DRILLED IN 1910,
REBUILT IN 1963. WATER HAS BEEN USED SINCE
COMPLETION OF THE WELLS.

(Sign) Walter William Meyer

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 CARTHAGE, County of MINER
State of South Dakota on this 3 day of MAY A. D. 1968

Paul A. Moenstad
NOTARY PUBLIC

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 -----

City of Carthage

FINANCE OFFICER • Carthage, S. D. 57323

13 July 1976

S.D. Dept. of Natural Resources Development
Joe Foss Bldg
Pierre, S D 57501

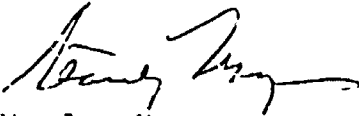
Sirs;

In May, 1968, the City of Carthage established water rights for our two existing wells (license no. 1583-3).

However, the next year, 1969, we had to drill a new well and I can find no record that water rights were ever established for that well.

Therefore we would like to request that water rights be established for the third well. Please inform us of the proper procedure and forward whatever application forms are necessary.

Sincerely,



Stanley Meyer
Finance Officer



SOUTH DAKOTA

VESTED WATER RIGHT CLAIM NO. 1583-3

Date of Receipt of Claim May 6, 1968.

Date of Validation May 6, 1992.

The Water Management Board validated Vested Water Right Claim No. 1583-3 for the Town of Carthage, PO Box 112, Carthage SD 57323 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1583-3 appropriates 0.20 cubic feet of water per second (cfs) from two wells located in the SE 1/4 SE 1/4 Section 7-T108N-R57W.
2. The appropriated water is used for supplying water to the Town of Carthage 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:

0.07 cfs - January 1, 1910
0.13 cfs - January 1, 1948

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

Town of Carthage
Stanley Meyer, Finance Officer
PO Box 112
Carthage SD 57323-0112

Dear Mr. Meyer:

The Water Management Board has validated the enclosed Vested Water Right No. 1583-3. 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