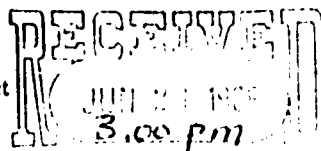


1599-3

1. Considered 9.24, 1968
2. Name of Applicant CITY OF HOWARD
3. Post Office Address _____
4. Amount of water claimed 1.1
5. Source of water supply GROUND WATER
6. Water to be used for MUNICIPAL
Acres to be irrigated _____
7. Water to be diverted and used in MINER county
about IN CITY LIMITS miles _____ of _____
8. Proof of Publication Received 1st
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No.

1599-3

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

APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

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

1. Name of applicant CITY OF HOWARD
 Postoffice address HOWARD, County MINER, State S.D.A.C.

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 CITY WELL #5
 3. Amount of water claimed 1.1 cubic feet per second
 4. Source of water supply GROUND WATER
 5. Location of point of diversion 500' W & 100' N OF S 1/4 CORNER, SECTION 2, T10N, R56W on MINER County.
 6. Annual period or periods during which water is to be used CONTINUOUS
 7. To be used for:

1. 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 thereon, 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

11 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 near On property owned by others XXXXXX road

SEE MAP No 439-3

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.)

WELL & PUMPED TO CITY MAINS

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 ----- 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 -----

MINER COUNTY PIONEER, HOWARD, S. DAK

STATE OF SOUTH DAKOTA

County of -----

MINER

ss.

I, -----

RAY CALLAHAN

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 matter herein stated and shown are true.

Signed -----

Ray Callahan

Subscribed and sworn to before me this -----

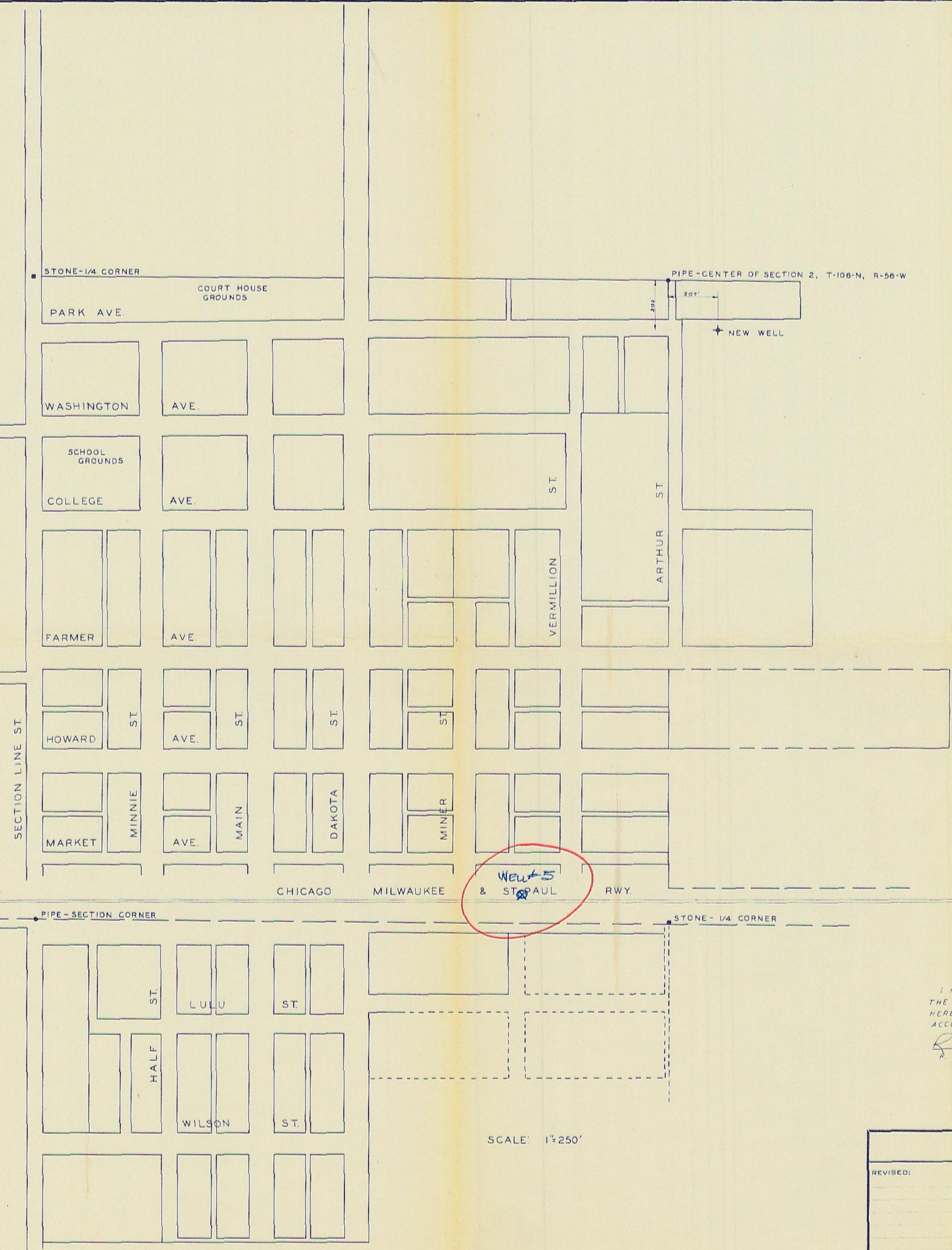
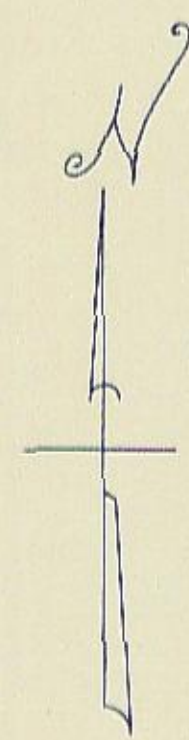
27th

day of -----

JUNE

1948

Notary Public (or other qualified officer.)



I HEREBY CERTIFY THAT I HAVE SURVEYED
THE LOCATION OF THE NEW WELL SHOWN
HEREON AND THAT THIS IS A TRUE AND
ACCURATE RECORD THEREOF.
R.D. Reckert 11-58
R. D. RECKERT - PROF. ENGR & LAND SURVEYOR NO 720

RECEIVED
-B 24 1959
STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

REVISED:	DEWILD, GRANT, RECKERT & STEVENS ENGINEERS & ARCHITECTS ROCK RAPIDS, IOWA	JOB NO.
AS BUILT:	CITY OF HOWARD, SO. DAK.	SHEET NO.
OWN. BY:	APP'D BY:	DATE:

Map No. 439-3 (App'd Nos 576-3, 577-3, 578-3)

Remarks by State Water Resources Commission:

The ~~irrigation~~ well approved under this Permit is located near domestic wells which may obtain water from the same aquifer.
The ~~irrigation~~ well owner, under this Permit, shall control his ~~irrigation~~ withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

STATE OF SOUTH DAKOTA
County of HUGHES ss.

Pierre, South Dakota, NOVEMBER 1, 1968

This is to certify that the foregoing application was received by the Commission at 3:00 o'clock
p.m. upon the 28th day of JUNE, 1968

State Water Resources Commission

By:

Durton E. Jones
for Chief Engineer, Executive Officer

Number of permit 1599-3

Date of first receipt of application JUNE 28, 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 JUNE 28, 1968

Approved SEPTEMBER 24, 1968, Recorded in Book 10 Page 268

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 MARCH 24, 1969

2nd. The whole of said work is to be completed on or before SEPTEMBER 24, 1969

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 24, 1970

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 1.1 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 acre-foot (1470) 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~~ on or before SEPTEMBER 24, 1970; said water to be used during the following described annual period:

CONTINUOUSLY

Witness my hand this 1st day of NOVEMBER, 1968

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued NOVEMBER 26, 1968

Water License Issued NOVEMBER 26, 1968

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 14", Depth 200'Type of casing STEEL
(wood, concrete, steel, etc.)Size of casing 10", Thickness of casing EXTRA HEAVYLength of casing 185. If collection gallery, length, size and depth of gallery _____

(b) Screens

Type of perforated screen JOHNSONSize of perforated screen 10' (diameter) 15' (length)Thickness of gravel pack 2", length of gravel pack 200

(c) Water Bearing Materials

Distance to water 130' Character of water bearing materials GRAVELThickness of water bearing material 17'

(d) Pump and Motor

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

Name of pump _____, size _____

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

Horsepower _____, Name of Motor _____

(e) Complete well

Capacity _____ at drawdown of _____ Estimated cost _____

(f) Owner of land upon which well is located _____ Name: _____

Address _____

(g) Distance to nearest existing wells

On same owner's property 500' rods On property owned by others 300 rods

STATE OF SOUTH DAKOTA

WATER LICENSE No. . . . 1599-3 .

WHEREAS, On the 28th day of June A. D. 1968
the City of Howard

X County of Miner and State of
South Dakota duly made application (No. 1599-3) to us for a permit to use 1.1
cubic feet per second of the waters of ground water
County of Miner, State of South Dakota, for Municipal
purposes; and

WHEREAS, On the 1st day of November A. D. 1968
Permit No. 1599-3 was issued to said applicant for the diversion of said water, and providing for the
completion of the works of diversion therein described on or before the 24th day of
September A. D. 1969 and for the application to beneficial use of said
water on or before the 24th day of September A. D. 1970
and,

WHEREAS, On the 22nd day of November A. D. 1968
the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.1
cubic feet per second of said waters, as evidenced by our Certificate No. 1599-3
dated November 26, 1968 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 1.1 cubic feet per second of water, with date of
priority of June 28, 1968 ~~xxxx~~ and,

WHEREAS, On the 22nd day of November A. D. 1968
proof was duly made of the application to beneficial use of 1.1 cubic feet per second of said water;
for municipal use by the City of Howard.

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 Howard
of the holder and owner of said permit No. 1599-3
a water right, dating from June 26, 1968 to the use of 1.1
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
necessray for the purposes hereinbelow mentioned, to be diverted at a point 500' N. & 100' E. of
the S4 Corner, Section 2, T106N, R50W.
and conducted to and upon 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 26th day of November A. D. Nineteen
Hundred and Sixty-eight.

State Water Resources Commission

By:

WILL GRIMES
Chief Engineer, Executive Officer

Permit No. 1599-3

Water Division No. 3 VERMILLION Water District
RIVER

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That the City of Howard

County of Miner, and State of
South Dakota, the holder of Permit No. 1599-3, issued upon Application
No. 1599-3 bearing date of priority of June 22, 1962, authorizing the diversion of
1.1 cu. ft. per second of the waters of ground water
County of Miner, State of South Dakota, at a point 500' W. and
100' N. of the SW Corner, Section 2, T106N, R56W
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 found in satisfactory
condition for diverting and conveying to the place of intended use 1.1 cu. ft.
per second of water; and that the ~~known and intended uses~~ use of said water are described as follows,
to-wit: to be used for municipal purposes by the City of Howard.

Witness my hand this 26th day of November A. D. 1966

State Water Resources Commission

By:

J.W. GRIMES
Chief Engineer, Executive Officer

on or before
(First Publication August 29, 1968)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., August 12, 1968

Notice is hereby given that the City of Howard ~~XXXXXXXXXX~~
address is ~~XXXXXX~~ S. Dak., has made an application in accordance with
the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.1
cubic feet of water per second of time from the ~~xx~~ ground water through the
City Well #5, the point of diversion of which is to be located ~~under~~
back of said stream in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 2
Twp. 106N Range 56W. Said water to be used for the purpose of providing ~~XXXXXXXXXX~~
following described land:
municipal supplies for the City of Howard

and for ~~XXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for
consideration upon the 24th day of September, 1968 at 2:00 P.M. All interested persons
may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for
the consideration of any or all information presented.

State Water Resources Commission

cc: City of Howard

By:

~~Chief Engineer, Executive Office~~

Burton F. Jones
Water Rights Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County of Miner } ss.

Theo Bradbury being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____

Miner County Pioneer a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the city of Howard County of _____

Miner and State of South Dakota; that the said notice was published in said newspaper on the following dates:

Aug. 23, 1968

Aug. 30, 1968

Sept. 6, 1968

Sept. 13, 1968

in each and every issue of the full number thereof, the first publication being made on the 23 day of Aug.

1968 and the last publication on the 13 day of

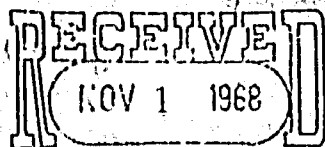
Sept. 1968, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was _____ the printer and publisher of the said newspaper.

Theo Bradbury

Subscribed and sworn to before me this 6 day of September

A. D. 1968



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPROPRIATION OF WATER

Office of State Water Resources
Commission

Pierre, S. Dak., August 12, 1968

Notice is hereby given that the City of Howard, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.1 cubic feet of water per second of time from ground water through the City Well No. 5, the point of diversion of which is to be located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 2 Twp. 10N Range 56W. Said water to be used for the purpose of providing municipal supplies for the City of Howard.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 24th day of September, 1968, at 2:00 P. M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By: Burton F. Jones

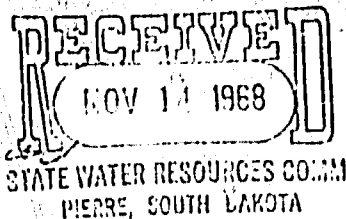
Water Rights Specialist

cc: City of Howard

Aug. 23, 20, Sept. 6, 13

Notary Public



Permit No. 1599-3Water Division No. 3Water District Vermillion River

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.)

Howard, S. Dak

(Date)

Nov. 13, 1968

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the _____ day of _____

19_____, at _____ County of _____ State of South Dakota,

before _____ proof will be submitted of the application to beneficial use
(Examining Engineer or Officer)

of _____ cubic feet per second of the waters of _____

_____ in accordance with the terms and conditions of Permit No. _____

heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are _____

City of HowardHoward, S. Dak 57349

2. The use to which said water has been applied is _____

municipal use

3. The amount applied to beneficial use is _____

1.1 cu ft per second

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) _____

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is _____

6. The right to take the water from such works is based upon permit No. 1599-3

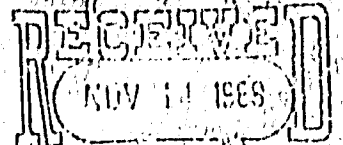
7. The source of supply from which such water is diverted is _____

ground water

8. The date of priority which said user is prepared to establish is _____

(S. M.)

City of Howard
Genevieve Zimmerman
Auditor



Permit No. 21-3

Water Division No. 3

Water District

STATE WATER RESOURCES COM. OF SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.)

Hamard, South Dakota

(Date)

November 13, 1968

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of

1.1 cu. ft. per second of the waters of the state from

through the

For

domestic purposes

in accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is

City of Hamard

2. The postoffice address of such person or the place of business of such corporation is

County of

Miner

State of

South Dakota

3. The number of such permit is 21-3 and the date set for the completion of such work is

work completed

4. Said water to be used for

domestic

purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is

1.1

cubic feet per second.

3. The amount of land for which said water is available is

acres,

particularly described as follows: 500 ft. and 100 ft. of S. 1/4 corner

Sec. 2 T106N R. 56W

I hereby certify that the facts set forth in the above notice are true.

(Signature of Owners)

City of Hamard

Hamard, South Dakota

Auditor

Permit No. 1599.3
VERMILLION
 Water Division No. 3 RIVER Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that ~~in accordance with your letter of authorization dated~~ _____
 I have this day made a thorough examination of the diversion works constructed by _____
THE CITY OF HOWARD of _____
MINER County, South Dakota, holder of Permit No. 1599-3, issued
 upon Application No. 1599-3, bearing date of priority of JUNE 28, 1968, authorizing the
 diversion of 1.1 cu. ft. per second of the waters of ground water for municipal
 purposes. I have to report on the condition of the same as follows:

The diversion works comprise: 200' - 10" DIA. WELL W/ 6" BAKER
SUBMERSIBLE PUMP POWERED BY 30 HP U. S. ELECTRIC
MOTOR - THRU METER TO MAINS & STORAGE TANK

and the system is in the following condition: EXCELLENT

The point of diversion is located 500' W & 100' N of THE S 1/4
CORNER SECTION 2, T106N, R56W

The works are capable of diverting and conveying to the place of use 1.1 cu. ft. per second of water,
 which is to be used for MUNICIPAL PURPOSES

The legal sub-divisions to be irrigated are: _____

_____ comprising a total of _____ acres of land.
 The domestic use intended comprises _____

The utilization for power, mining, or other beneficial uses comprises: _____

In witness my hand, this 22ND day of NOVEMBER, D. 1968.

--SEAL--

Austin Jones
 WATER RIGHT SPECIALIST
 WATER RESOURCES COMMISSION

WATER RIGHTS DIVISION
(605) 773-3352

June 1, 1987

Ellwyn Hohn
Schmucker, Paul, Hohn & Associates
P.O. Box 398
Mitchell, South Dakota 57301

Dear Mr. Hohn:

Enclosed are copies of Water Right Nos. 576-3, 577-3, 578-3, 994-3, and 1599-3 listed under the City of Howard. At the present time we do not have any pending applications for the City.

Also enclosed are copies of the Water Management Board's General Rules and South Dakota Water Rights Laws.

If you need further information or have any questions concerning the enclosed data, please contact us.

Sincerely,

Genny McIlath
Natural Resources Analyst

GM:ms
Enc.

Appl. # 1599-3

-see also Appl. # 576, 577, 578-3