

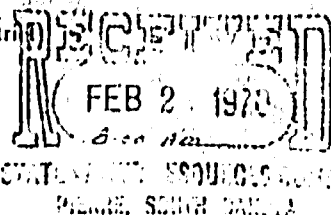
No. 1738-3

Map No. _____

Water Division No. 3JAMES RIVER

District _____

(Blanks to be Filled by the Engineer for the W. R. C.)

"VESTED RIGHT"APPLICATION FOR V PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant Town of Seneca
 Postoffice address Seneca, State South Dakota
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) completed
3. Name of diversion work Seneca Water Supply System
4. Amount of water claimed (cubic feet per second) .05
5. Source of water supply Well No. 1, 270 feet deep, 3 inch casing. Well No. 2, 270 feet deep, 2 in. casing
6. Location of point of diversion From SW Corner of Section 3, T118N, R72W. Well No. 1, 1585 feet North and 150 feet East. Well No. 2, 2000 feet North and 450 feet East.

County Faulk

7. Annual period or periods during which water is to be used Year around
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Municipal
9. For irrigation use, _____ Total number of acres to be irrigated _____

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system completed years. Additional time required to complete application of water to the proposed beneficial use completed years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication n/2
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source:

Well No. 1, 270 feet deep, 3 inch casing, Monitor cylinder pump with 1 H.P. Electric Motor
 Well No. 2, 270 feet deep, 3 inch casing, Monitor cylinder pump with 1/2 H.P. Electric Motor
 Static water level in each well is about 70 feet deep.

B. Works proposed to transport water to place of use.

Two 7000 gallon elevated tanks (20' Elevation) (One to be pressurized)
 One 80 gallon pressure tank
 City Main System

C. Works proposed to apply water to beneficial use.

About 35 residential and commercial hook-ups

Estimated Total Cost \$ _____

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of Faulk

I, Town of Seneca the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed [Signature]Subscribed and sworn to before me this 24 day of February 1970

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1738-3

TOWN OF SENECA
(Applicant)

(Post Office Address)

SOUTH DAKOTA
(State)

With the following modifications:

"VESTED RIGHT" CLAIMED

Date of first receipt of application FEBRUARY 25, 19 70
Date of return to applicant for correction, amendments or changes required ---, 19 ---
Date of receipt of corrected application ---, 19 ---
Approved MARCH 18, 19 70, Recorded in Book 11 Page 105

WATER RIGHT PERMIT NO. 1738-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1738-3 authorizing the construction of the water-use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following ... situations and conditions:

1. The date from which applicant may claim right is .05 1920 and 19 30
2. The equivalent of at least one-fifth of the work above specified is not completed on or before ---, 19 ---
3. The whole of said work is not completed on or before ---, 19 ---
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is COMPLETED on ---
5. The water appropriated shall be used for the purpose of MUNICIPAL USE

6. 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.

7. 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 water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purpose said appropriation must be limited to a maximum of four acre feet per second and be limited to a maximum of 1470 cubic feet of water per second of time for each acre of land to which water was
USED FOR MUNICIPAL PURPOSES
actually and beneficially applied for irrigation on or before JUNE 30, 19 55; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 23RD day of MARCH, 19 70

WATER RESOURCES COMMISSION

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued MARCH 24, 19 70

Water License Issued MARCH 24, 19 70

Form 2B - Affidavit of Water Use (Supplement to Form 2)

NOTE: This Form is supplemental to Form 2, and is to be used when an affidavit pertaining to construction and water use, already completed, is needed.

AFFIDAVIT OF CONSTRUCTION OF WATER USE
SYSTEM AND APPLICATION OF WATER TO BENEFICIAL USE

Name of Applicant (Same as Form 2) Town of Seneca
Post Office Address Seneca, State South Dakota
If a Corporation show date and place of incorporation _____

13. Notice of Appropriation (If available)

Date of Posting _____ Date of Recording _____
Recording Data _____

14. Date of start of construction of water supply system Well No. 1, 1920, Well No. 2, 1930

15. Date that water was first applied to beneficial use 1920

16. Name of owner of original water supply system Town of Seneca

17. Amount of water originally applied to beneficial use .05 c. f. s.

18. Present Use of Water

Amount of water now being used .05 c. f. s.

Date that this amount of water was first used 1920

19. Chronological History of Water Use

Well No. 1, was drilled in 1920, and Well No. 2, in 1930 with water use of about .05 c.f.s. being used since start of construction.

Attach to this Form 2B, any copies of notices, postings, filings, publications, affidavits, or other records that apply. You may also attach any written statement by you, or by others, that you deem pertinent.

STATE OF SOUTH DAKOTA)

County of Faulk) ss.

I, Town of Seneca, the applicant, certify that I have read the foregoing and that the matters therein stated are true.

Signed [Signature]

Subscribed and sworn to before me this 24 day of February, 1920

[Signature]
(Notary Public or other qualified Officer)

~~I, the undersigned, do hereby certify that I know about the water use system described above that I have read the foregoing and that the matters therein stated are true.~~

Form 15.

Permit No. 1738-3

Water Diversion No. JAMES RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Town of Seneca

the holder Li

Permit No. 1738-3, issued upon Application No. 1738-3, bearing date of priority of 1929 and
1930 authorizing the diversion of .05 cu. ft. per second of the waters of ground water
County of Faulk, State of South Dakota at points 1585' North and 150' East, and 2000' North and 450' East of the
SW $\frac{1}{4}$ Corner, Section 3, T118N, R72W

, for municipal

purposes, has 8 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 .05 cu. ft. per second of water.

Date March 24, 1970

WATER RESOURCES COMMISSION

By:

J.W. GRINES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1738-3

(1) WHEREAS, On the 25th day of February, A. D. 19 70
the Town of Seneca

made Water Right Application No. 1738-3 Vested Right
 of ground water for a permit to use .05 cubic feet per second of the waters

County of Faulk, State of South Dakota, for none municipal

purposes; and

(2) WHEREAS, On the 23rd day of March, A. D. 19 70
Vested Right Permit No. 1738-3, with a date of priority of 1920 and 1930

was issued to said applicant recognizing for the completion of construction of the water
 supply system therein described ~~on or before the _____ day of _____, A. D. 19 _____~~ and for the
 application to beneficial use of said water ~~on or before the _____ day of _____, A. D. 19 _____~~

and;

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert .05 cubic feet per second of water for beneficial use and;

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

water is used for municipal purposes by the Town of Seneca

(5) 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 Seneca

of _____
the holder _____ and owner Vested Right of said permit No. 1738-3 a water right, dating from 1920 and 1930
to use of .05 cubic feet per second of the waters

of ground water
in the County of Faulk and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at points 1585' North and 150' East and 2000' North and
450' East of the SW Corner, Section 3, T118N, R72W

and ~~and water~~ conducted through the town water distribution system

for the purpose of municipal use

Subject to any limitations listed in Water Right Permit No. 1738-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 24th day of March A. D.
Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION

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

9-9-80

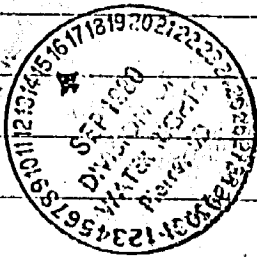
Dear Sir:

This letter is in regard to
your request for the amount
of water we use.

We have been keeping
records since the fall of 1978
when our new water system
was completed. We use 13,000
gallons a day. We have no
records of amount used before
this time.

Sincerely,
Louise Hoffer, Clerk
Town of Seneca
Seneca, S. D.

57473



February 5, 1970

Mrs. Marian Olesen, Town Clerk
Seneca, South Dakota 57473

Dear Mrs. Oleson:

On February 4, 1970, Mr. Donald Driscoll of this office checked with Mr. Ernest Rasmussen regarding the request of the Town of Seneca to obtain water rights.

South Dakota Water Laws specify that use of water originating before July 1, 1955 can qualify as a "vested right" and where the water is from an underground source, such "vested right" can be validated by filing a declaration of such use in a form and manner as prescribed by the Water Resources Commission.

The Commission Staff has prepared the required "Vested Right" declaration for the Town of Seneca. It consists of the two enclosed forms. These forms have been prepared in duplicate.

All four copies of the enclosed forms should be signed by an official of the Town of Seneca, before a Notary Public, where indicated. The signed copies should then be returned to this office with the required fee of ten dollars.

These forms will then be considered by the Water Resources Commission at their next meeting on March 18, 1970. Unless there is some unforeseen development, a "Vested Right" Water License will be sent to the Town of Seneca soon after that date.

Sincerely,

BURTON F. JONES
Water Rights Specialist

BFJ/bj/sd
Encl: As stated



DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

April 25, 1991

1738-3

Robert Potter, Town President
Town of Seneca
PO Box 25
Seneca SD 57473

Dear President Potter:

The Water Management Board has validated the enclosed Vested Water Right No. 1738-3. 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. 1738-3

Date Claim Accepted For Filing February 25, 1970.

Date of Validation September 27, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim No. 1738-3 for the Town of Seneca, P O Box 25, Seneca, South Dakota 57473 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1738-3 appropriates 0.05 cubic feet of water per second from two wells approximately 270 feet deep and located in the NW 1/4 SW 1/4, Section 3, T118N, R72W.
2. The appropriated water is used for supplying water for the Town of Seneca 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, 1920 and January 1, 1930.
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

Division of Water Rights

Dept. of Water and Natural Resources

APR 25 1991

_____ date