

No. 1739-3
 Map No. _____ Water Division No. 3 BIG SIOUX RIVER District 1
 (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 Summit
 Post office address Summit 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 Summit Municipal water system
 4. Amount of water claimed (cubic feet per second) 0.89
 5. Source of water supply Well - 25 feet deep
 6. Location of point of diversion South 1180 feet and East 2905 feet from the NW Corner of
Section 34, T122N, R51W
 County Codington ROBERTS

7. Annual period or periods during which water is to be used year around
 8. Use of the 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. n/a
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication _____
 12. Principal Features of the Proposed Water Supply System.

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

Well - 25 feet deep - 6 foot diameter

Two 2" pumps powered by 20 H.P. Electric motors

Each pump has a capacity of 200 g.p.m. One pump is operated on a standby basis

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

City Main System

40,000 gallon overhead tank located approximately 1585 feet south and 1120 feet east of NW Corner of Section 34, T122N, R51W

C. Works proposed to apply water to beneficial use.

Approximately 115 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 Roberts

I, Robert Hansen 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.

Subscribed and sworn to before me this _____ day of _____ 1970

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1739-3

TOWN OF SUMMIT
(Applicant)

(Post Office Address)

SOUTH DAKOTA
(State)

With the following modifications:

"VESTED RIGHT" CLAIMED

Date of first receipt of application MARCH 5, 1970

Date of return to applicant for correction, amendments or changes required —, 19—

Date of receipt of corrected application —, 19—

Approved MARCH 18, 1970, Recorded in Book 11 Page 106

WATER RIGHT PERMIT NO. 1739-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1739-3 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 limitation and conditions:

1. The date from which applicant may claim right is .25 FROM 1936
.64 FROM 1954
2. The equivalent of at least one-fifth of the work above specified is not completed not
3. The whole of said work is not completed not
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is COMPLETED
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 .89 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 for the irrigation purposes, and appropriation, must be limited to not more than 2 cubic feet per second and be limited to not more than one-fourth of the cubic feet of water per second of the acreage of land to which water was~~
USED FOR MUNICIPAL PURPOSES
actually 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 24TH day of MARCH, 1970

WATER RESOURCES COMMISSION

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued MARCH 24, 1970

Water License Issued MARCH 24, 1970

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 Summit

Post Office Address Summit, 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 1936

15. Date that water was first applied to beneficial use 1936

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

17. Amount of water originally applied to beneficial use .25 c. f. s.

18. Present Use of Water

Amount of water now being used .89 c. f. s.

Date that this amount of water was first used 1954

19. Chronological History of Water Use

Well was drilled in 1936. There has been an increase in pump sizes since the well was drilled.

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 Roberts) ss.

I, R. M. Hansen, the applicant, certify that I have read the foregoing and that the matters therein stated are true.

Signed [Signature] rec. admin.

Subscribed and sworn to before me this 1 day of May, 1970

[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.~~

Permit No. 1739-3

Water Diversion No. 3 BIG SIOUX RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Town of Summit

Vested Right the holder of

Permit No. 1739-3, issued upon Application No. 1739-3, bearing date of priority of 1936 and

1954 authorizing the diversion of .89 cu. ft. per second of the waters of

ground water County of Roberts, State of South Dakota at a

point 1180' South and 2905' East of the NW Corner, Section 34, T122N, R51W

 , for municipal

purposes, has 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 .89 cu. ft. per second of water.

Date March 24, 1970

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1739-3

(1) WHEREAS, On the 5th day of March A. D. 19 70
the Town of Summit

made Water Right Application No. 1739-3 Vested Right
for a permit to use .89 cubic feet per second of the waters
of ground water

County of Roberts, State of South Dakota, for Municipal

—purposes; and

(2) WHEREAS, On the 24th day of March A. D. 19 70
 Vested right / Permit No. 1739-3, with a date of priority of 1936 and 1954

was issued to said applicant _____ for the diversion of said water, and ~~provided for~~ **recognizing** the completion of construction of the water supply system therein described ~~and for the application to beneficial use of said water~~ _____ and ~~for the~~ _____

attest:

(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 .89 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 Summit

(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 Summit

_____ of _____
the holder _____ and owner _____ of said **Vested Right** permit No. 1739-3 water right, dating from 1936 and 1954
_____ to use of .89 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 hereinbelow mentioned, to be diverted at a point 1160' South and 2905' East of the NW Corner,
Section 34, T122N R51W

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

for the purpose of municipal use

Subject to any limitations listed in Water Right Permit No. 1739-3 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**

February 3, 1970

Mr. M.G. Slaathaug
Town Clerk
Summit, South Dakota 57266

Dear Mr. Slaathaug:

On January 28, 1970, Mr. Donald Driscoll of this office checked with you regarding the request of the Town of Summit 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 Summit. It consists of the two enclosed forms which have been prepared in duplicate.

All four copies of the enclosed forms should be signed by an official of the Town of Summit, 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 Summit soon after that date.

Sincerely,

BURTON F. JONES
Water Rights Specialist

BFJ/bw/DD
Encl: As stated

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1739-3

Date of Receipt of Claim March 5, 1970.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 1739-3 for the Town of Summit, P.O. Box 751, Summit, South Dakota 57266 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1739-3 appropriates 0.89 cubic feet per second of water from one well located in the NW1/4 NE1/4 Section 34, T122N, R51W.
2. The appropriated water is used for supplying water for the Town of Summit 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, 1936 - 0.25 cfs
January 1, 1954 - 0.64 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

1739-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

MAR 17 1993

Connie Brus, Finance Officer
Town of Summit
PO Box 751
Summit SD 57266-0751

Dear Ms. Brus:

The Water Management Board has validated the enclosed Vested Water Right No. 1739-3. 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,

A handwritten signature in cursive script, appearing to read "John Hatch", is written over a horizontal line.

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosure



1739-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

August 12, 2009

Town of Summit
Norma Arend, Finance Officer
PO Box 751
Summit SD 57266

Dear Ms. Arend:

I am writing in regard to a well driller's report filed by Lee Well Drilling, Inc. The report shows a new well was completed for the Town of Summit on June 19, 2009.

A review of our files indicates the town holds Water Right No. 1739-3. Water Right No. 1739-3 authorizes 0.89 cubic feet of water per second (400 gallons per minute) from one well with priority dates of 1936 and 1954 (copy enclosed).

Is this well a replacement well or an additional well for your town? Once we know this information we can determine what additional action, if any, needs to be taken to ensure the water rights accurately reflect your town's water supply system.

Please contact Eric Gronlund or me regarding the status of this well or if you have any questions.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosure

SOUTH DAKOTA WATER WELL COMPLETION REPORT

07-92

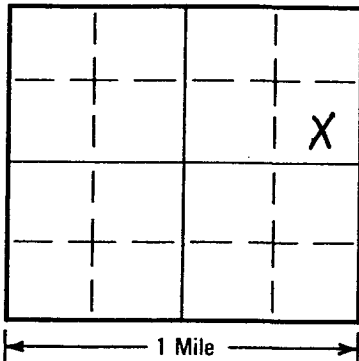
Location SE 1/4 NW 1/4 Sec 34 Twp 122-N Rg 51-W
 County Roberts North

Please mark well location with an "X"

Summit Township W E

Well Completion Date

6/19/09



LOCATION:

Distance from nearest potential pollution source (septic tank, abandoned well, feed lot, etc.)? 250 ft. from sealed sewer line (identify source).

PROPOSED USE:

☐ Domestic/Stock ☒ Municipal ☐ Business ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Institutional ☐ Monitoring well

METHOD OF DRILLING:

Forward Rotary

CASING DATA:

☐ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
<u>SDR-17 LB/FT</u>	<u>5 IN</u>	<u>188 FT</u>	<u>268 FT</u>	<u>9 IN</u>
<u>DR-21 LB/FT</u>	<u>5 IN</u>	<u>0 FT</u>	<u>188 FT</u>	<u>9 IN</u>
_____ LB/FT	_____ IN	_____ FT	_____ FT	_____ IN

GROUTING DATA

Grout Type	No. of Sacks	Grout Weight	From	To
<u>Neat Cement</u>		<u>15 lb./gal</u>	<u>0 ft</u>	<u>40 ft</u>
<u>High Solids Portland Cement</u>		<u>lb./gal</u>	<u>40 ft</u>	<u>250 ft</u>

Describe grouting procedure Pressure Grout thru tremie pipe

SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 4" tel IN Length 16 FEET

Material Stainless Steel
 Slot Size 20 Set From 268 Feet to 284 Feet

Other information _____

WAS A PACKER OR SEAL USED? ☐ YES ☒ NO

If so, what material? _____

Describe packer(s) and location? _____

DISINFECTION: Was well disinfected upon completion?

YES, How: ChlorineNO, Why Not? Solution

Laboratory sent to for water quality analysis

DHDA Lab

Well Owner: City of Summit
 Business Name: City Clerk
 Address: PO Box 791
Summit, SD 57246

WELL LOG:

FORMATION	DEPTH	
	FROM	TO
topsoil Dark soft	0	2
clay & Gravel Mixed w/ rocks Hard	2	25
clay Blue med	25	45
clay yellow med	45	58
clay Blue Hard	58	264
Sand Grey & yellowish soft	264	294
clay Blue Med	294	307

STATIC WATER LEVEL 142 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other _____

Reduced Flowrate _____ GPM

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped Describe: w/ Air compressor
☐ Bailed
☐ Other

Pumping Level Below Land Surface

200 ft. After 4 Hrs. pumped 75 GPM

_____ ft. After _____ Hrs. pumped _____ GPM

If pump installed, pump rate N/A GPM

REMARKS

See water analysis attached

RECEIVED
 JUL 15 2009
 WATER RIGHTS
 PROGRAM

This well was drilled under license # 63

And this report is true and accurate.

Drilling firm Lee Well Drilling Inc

Signature of License Representative: _____

Signature of Well Owner or Equitable Property Holder: _____

Date: _____



Stearns DHIA Central Lab

825 12th Street South
PO Box 227
Sauk Centre, MN 56378-0227

Phone: 320.352.2028

800.369.2697

FAX: 320.352.6163

WEBSITE: www.stearnsdhialab.com

EMAIL: mail@stearnsdhialab.com

Date Printed: 06/30/09

SAMPLE NUMBER: 83872
SAMPLE TYPE: NEW WELL-MEMBRANE
SAMPLE ID: CITY OF SUMMIT SD
DATE PROCESSED: 06/30/09

INVOICE NUMBER: 1165483
CUSTOMER NUMBER: LEEWELLD

LEE WELL DRILLING
PO BOX 143
HOFFMAN, MN 56339

Results:

WATER ANALYSIS

PROPERTY: CITY OF SUMMIT
CITY USE

UNIQUE WELL NO:

NPDES PERMIT:

COLLECTION INFO:

RECEIPT INFO:

DATE: 6-24-09
TIME: 11:00AM
BY: LEE WELL
TEMP: 23

6-25-09
10:50AM
MELINDA MASON

SAMPLE CONDITION: GOOD
ANALYSIS

	RESULT	PASS	FAIL
TOTAL COLIFORMS, COLONIES/100 ML	LESS THAN 1	XXX	
NITRATE-NITROGEN, ppm	LESS THAN 0.015	XXX	
ARSENIC, ppm	0.006		

STATE OF MINNESOTA CERT. #027-145-378

MINNESOTA DEPARTMENT OF HEALTH STANDARDS FOR DRINKING WATER
COLIFORM, COLONIES/100 ML: LESS THAN 1
NITRATE-NITROGEN, ppm: 10 ppm OR LESS
ARSENIC, ppm: 0.010 OR LESS

*
* YOUR SAMPLE DOES MEET
* MN DEPT OF HEALTH STANDARDS FOR DRINKING WATER
*

This analysis is based solely on the sample provided.
Improper sampling techniques will result in misrepresentation of values.



Stearns DHIA Central Lab

825 12th Street South
PO Box 227
Sauk Centre, MN 56378-0227

Phone: 320.352.2028

800.369.2697

FAX: 320.352.6163

WEBSITE: www.stearnsdhiab.com

EMAIL: mail@stearnsdhiab.com

Date Printed: 06/29/09

SAMPLE NUMBER: 83874
SAMPLE TYPE: WATER SUITABILITY
SAMPLE ID: CITY OF SUMMIT SD
DATE PROCESSED: 06/29/09

INVOICE NUMBER: 1165439
CUSTOMER NUMBER: LEEWELLD

LEE WELL DRILLING
PO BOX 143
HOFFMAN, MN 56339

Results:

WATER ANALYSIS:

NITRATE-NITROGEN, ppm	LESS THAN	0.015
pH		7.93
CONDUCTIVITY, mmhos/cm		1.05
CALCIUM, ppm		119.23
MAGNESIUM, ppm		43.05
SODIUM, ppm		60.63
IRON, ppm	LESS THAN	0.15
MANGANESE, ppm		0.34
COPPER, ppm	LESS THAN	0.02
HARDNESS, gr/gal (calculated)		28.00
HARDNESS, ppm (calculated)		476.00
CHLORIDE, ppm		3.07
SULFATE, ppm		154.00
TOTAL DISSOLVED SOLIDS, ppm		648.00
*POTENTIAL PROBLEMS		

This analysis is based solely on the sample provided.
Improper sampling techniques will result in misrepresentation of values.

Water Rights Program - File Documentation

NAME: Norma Arend, Finance Officer

ADDRESS: Town of Summit

DATE: 8-26-09 **COUNTY:** Roberts **TELEPHONE:**

RE: Well Completion Report

COMMENTS:

Ms. Arend called regarding my letter dated August 12, 2009 and the new well drilled by Lee Well Drilling, Inc.

Ms. Arend indicated this will be a replacement well for the existing well. The town is awaiting approval of the necessary funding which they have applied for. She stated the pump capacity has not been determined yet. I advised her that the town's existing permit was for 400 gpm and if they exceeded that amount, a new water permit would need to be obtained.



Karen Schlaak
Environmental Scientist