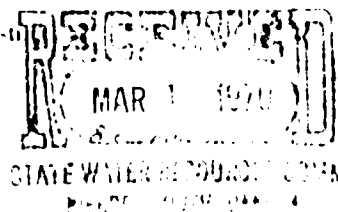


No. 1740-3Map No. _____ Water Division No. 3 JAMES RIVER (Blanks to be Filled by the Engineer for the W. R. C.) Dist. _____VESTED RIGHT
APPLICATION FOR PERMIT**To Appropriate Water within the State of South Dakota**

(NOTE: Draw a line through items not applicable)

1. Name of Applicant Mansfield Water Users Association
Postoffice address Mansfield 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) _____

3. Name of diversion work Mansfield Water Supply4. Amount of water claimed (cubic feet per second) 0.22 (100 gallons per minute)5. Source of water supply Two wells over 1180 feet deep6. Location of point of diversion from SE Corner of Sec. 32, T121N, R64W. South well is North 35 feet and West 2105 feet. R.R. well is North 450 feet and West 1850 feetCounty Brown7. Annual period or periods during which water is to be used year around8. 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.

N/A

1. Choice of newspaper for Notice of Intent to Appropriate Water publication _____

2. Principal Features of the Proposed Water Supply System.

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

Two flowing wells

South well is 1186 feet deep and cased with 2 inch diameter copper pipe

R.R. well is 1186 feet deep and recased with 2 inch diameter copper pipe

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

Main distribution system

C. Works proposed to apply water to beneficial use.

Fifty two residential and business 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)

) ss.

County of _____)

I, _____ 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 Mildred S. K...Subscribed and sworn to before me this 11th day of March 1970Walter J. Hafferty
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1740-3
MANSEFIELD WATER USERS ASSOCIATION, MANSEFIELD
 (Applicant) (Post Office Address)
SOUTH DAKOTA With the following modification:
 (State)

"VESTED RIGHT" CLAIMED

Date of first receipt of application MARCH 17 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 107

WATER RIGHT PERMIT NO. 1740-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1740-3 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 limitations and conditions:

1. The date from which applicant may claim right is 11 CES FROM 1935
11 CES FROM 1950
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 22 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 the appropriation must be limited to not more than one foot per acre per year and to not more than the amount of water that the irrigation system is capable of applying to the land 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 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

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) Mansfield Water Users Association
Post Office Address Mansfield, 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 Date _____
14. Date of start of construction of water supply system R.R. well, 1935 and South Well 1950
15. Date that water was first applied to beneficial use R.R. Well 1935 and South Well 1950
16. Name of owner of original water supply system R.R. Well, C & NW Railroad
South Well, Mansfield Water Users Association
17. Amount of water originally applied to beneficial use Each Well - 0.11 c.f.s.
18. Present Use of Water
Amount of water now being used 0.22 c.f.s.
Date that this amount of water was first used R.R. Well, 1935 and South Well 1950

19. Chronological History of Water Use

The w

The two wells were constructed and water has been used as indicated above.

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)
) ss.
County of _____)

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

Signed

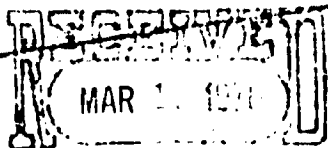
Subscribed and sworn to before me this

day of

1953

Walter J. Hittinger
(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. 1740-3

Water Diversion No. 3 JAMES RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Mansfield Water Users Association

Vegetated Right the holder _____ of
/ Permit No. 1740-3, issued upon Application No. 1740-3, bearing date of priority of 1935 and
1950 authorizing the diversion of .22 cu. ft. per second of the waters of _____
ground water County of Brown, State of South Dakota at _____
points 35' North and 2105' West and 450' North and 1850' West of the SE
Corner, Section 12, T121N, R64W
_____, for municipal

purposes, has 6 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 .22 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. 1740-3

(1) WHEREAS, On the 17th day of March A.D. 1970
the Mansfield Water Users Association

Vested Right
 made Water Right Application No. 1740-3 for ☒ permit to use .22 cubic feet per second of the waters
 of an ground water

County of Brown, State of South Dakota, for municipal

_____ purposes; and

(2) WHEREAS, On the 24th day of March A.D. 1970
Vested Right
/ Permit No. 1740-3, with a date of priority of 1935 and 1950

was issued to said applicant _____ for the diversion of said water, recognizing
and providing for the completion of construction of the water
 supply system therein described ~~as a water right~~ ~~the xxxxxxxx day of xxxxx, xxxxxxxx~~ and for the
 application to beneficial use of said water ~~on or before the~~ xxxxxx ~~xxxxxx~~ xxxxxx

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 .22 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 Mansfield

(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 Mansfield Water Users Association

_____ of Mansfield
the holder Vested Right and owner _____ of said permit No. 1740-3 a water right, dating from 1935 and 1950
_____ to use of .22 cubic feet per second of the waters
of ground water

in the County of Brown and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinafter mentioned, to be diverted at points 35' North and 2105' West, and 450' North and
1850' West of the SE Corner, Section 32, T121N, R64W

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

for the purpose of municipal use

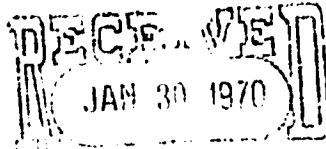
Subject to any limitations listed in Water Right Permit No. 1740-3 and subject to the laws of the State of South Dakota.

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. A. GRIMES



1-28-70
Mansfield, S.D.

South Dakota

Department of Health
Division of Sanitary Engineering

Dear Sir:

Would you please inform me
to what steps we need to take, to
obtain water rights to the two
flowing drilled wells possessed by
the Village of Mansfield. We have
been using one of these wells since
1935 the other since 1958 & now
are aware that we need permission
from the state to use the water.
If you will tell me what the
requirements are we will try to comply.

Thank you

Mansfield Water Users Assn
Mansfield, S.D. 57460
Norval Wedger - Secretary

February 16, 1970

Mr. Ronald Hedges, Secretary
Mansfield Water Users Assn.
Mansfield, South Dakota 57460

Dear Mr. Hedges:

On February 13, 1970, Mr. Donald Driscoll of this office checked with Mr. Ted Foester regarding the request of the Mansfield Water Users Assn. 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 Mansfield Water Users Assn. 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 Mansfield Water Users Assn., 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 Mansfield Water Users Assn, soon after that date.

Sincerely,

BURTON F. JONES
Water Rights Specialist

BFJ/bw/DD
Encl: As stated



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

February 3, 1988

A. L. Anderson
Mansfield Water Users Association
PO Box 43
Mansfield SD 57460

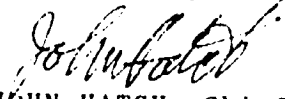
Dear Mr. Anderson:

I am writing in regard to information we have received that the town of Mansfield will obtain its water supply from the WEB Rural Water system. The town of Mansfield has Vested Water Right Claim No. 1740-3 which allows the diversion of 0.22 cubic feet of water per second from two flowing artesian wells.

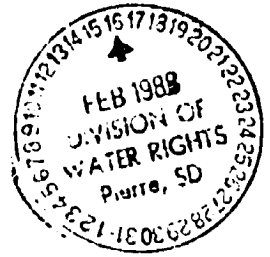
The purpose of this letter is to inquire about your town's plans for the flowing wells after connection to WEB. If the wells are to be maintained for stand-by water supply, they will have to be either controlled to a minimum flow or shut off. If the wells are to be abandoned, they will need to be plugged pursuant to South Dakota Law SDCL 46-6-27 and Water Management Board Rules for plugging wells.

Please advise or contact us, if you have any questions.

Very truly yours,


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

February 15, 1988



S D Dept of Water & Natural Resources
Mr. John Hatch, Chief Engineer
Water Rights Division
523 East Capitol
Pierre, S D 57501-3181

Dear Mr. Hatch:

I am writing in response to your letter dated February 3rd addressed to Mr. A. L. Anderson regarding WEB water hook-up.

Several years ago when WEB was just starting up the Mansfield Water Users Assn checked in to the possibility of hooking up to WEB Water.

We were informed, and I don't remember just exactly by whom, that the Water Users Association could not hook up to WEB.

We were told individual water users in the Village of Mansfield could sign up for WEB water but not the town as a whole.

At the present time we (the Mansfield Water Users Assn) do not intend to make any changes in our water system. We do not plan to hook up to WEB. We plan to continue using the present artesian wells.

Cordially yours,

(Mrs.) Edna Schnoor
Secretary
Mansfield Water Users Assn
P O Box 43
Mansfield, S D 57460

P.S. Mr Anderson is no longer acting president. Mr. Doug Mayer of Mansfield is our current president. The P O Box used on your letter is my P O Box.

SOUTH DAKOTA

VESTED WATER RIGHT CLAIM NO. 1740-3

Date of Receipt of Claim March 17, 1970.

Date of Validation March 4, 1992.

The Water Management Board validated Vested Water Right Claim No. 1740-3 for the Mansfield Water Users, PO Box 43, Mansfield SD 57460 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1740-3 authorizes the diversion of 0.12 cubic feet of water per second (cfs) from two wells, approximately 1,186 feet deep, located in the SW 1/4 SE 1/4 Section 32-T121N-R64W.
2. The appropriated water is used for supplying water to the town of Mansfield and may not exceed the amount of water needed for beneficial use for municipal use.

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:
0.11 cfs - January 1, 1935
0.11 cfs - January 1, 1950
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

MAY 12 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAY 12 1992

Mansfield Water Users
PO Box 43
Mansfield SD 57460

Dear Sir:

The Water Management Board has validated the enclosed Vested Water Right No. 1740-3. 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