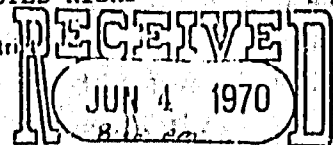


No. 1756-3

"VESTED RIGHT"

Map No. _____ Water Division No. 3 JAMES RIVER (Divisions to be Filled by the Engineer for the W. R. C.)



**VESTED RIGHT
APPLICATION FOR PERMIT**

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant Town of Orient
Postoffice address Orient, 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 Orient Municipal Water Supply
4. Amount of water claimed (cubic feet per second) .0555 c.f.s. (25 g.p.m.)
5. Source of water supply 1365 Ft. deep Artesian Well
6. Location of point of diversion 1590 feet west and 1325 feet north of the SE Corner of Section 36, T117N, R69W
County Faulk
7. Annual period or periods during which water is to be used continuously
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 ~~XXXXX~~ Additional time required to complete application of water to the proposed beneficial use completed ~~XXXXXX~~
11. Choice of newspaper for Notice of Intent to Appropriate Water publication N/A
12. Principal Features of the Proposed Water Supply System.

- A. Works proposed to divert water from its natural source.
Artesian well, 1365 feet deep with top 200 feet cased with 5 inch dia., steel casing with remaining part of well being cased with smaller steel casing.
Submersible pump, A.Y. Mac Donald with 1½ H.P. motors set at 140 foot depth.
10 unit Jacuzzi Hydrocall pressure units.
- B. Works proposed to transport water to place of use.

City main and distribution system

- C. Works proposed to apply water to beneficial use.
Household and commercial cutoffs

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, Alfred Boyd 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 Alfred Boyd - Chairman

Subscribed and sworn to before me this 6 day of May 1970

M. H. W. Leason
Notary Public (or other qualified officer)

MELVIN H. WEISSNER, Notary Public, Faulk County
My Commission Expires April 16, 1972

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1756-3

TOWN OF ORIENT

(Applicant)

(Post Office Address)

SOUTH DAKOTA

(State)

With the following modifications:

"VESTED RIGHT" CLAIMED

Date of first receipt of application JUNE 4 19 70

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

Date of receipt of corrected application _____ 19 _____

Approved JULY 22 19 70, Recorded in Book 11 Page 170

WATER RIGHT PERMIT NO. 1756-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1756-3 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 _____ 19 75
2. The equivalent of at least one-fifth of the work above specified is ~~to be~~ completed ~~on or before~~ _____
3. The whole of said work is ~~to be~~ completed ~~on or before~~ _____
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 .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 purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water was actually and beneficially ~~applied for irrigation~~ USED FOR MUNICIPAL PURPOSES on or before JUNE 30 19 55; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 3RD day of AUGUST 19 70

WATER RESOURCES COMMISSION

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued AUGUST 3 19 70

Water License Issued AUGUST 3 19 70

Permit No. 1756-3

Water Diversion No. 3 JAMES RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Town of Orient

the holder of
Vested Right
/Permit No. 1756-3, issued upon Application No. 1756-3, bearing date of priority of 1915
authorizing the diversion of .05 cu. ft. per second of the waters of
ground water County of Faulk, State of South Dakota at
a point 1590 feet west and 1325 feet north of the SE Corner, Section 36,
T117N, R69W
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 **recognized as** ~~found~~ satisfactory
~~satisfactory~~ for diverting and conveying to the place of intended use .05 cu. ft. per second of water.

Date August 3, 1970

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1756-3

(1) WHEREAS, On the 4th day of June A. D. 19 70
the Town of Orient

made Water Right Application No. 1756-3 **Vested Right**
 for a permit to use .05 cubic feet per second of the waters
 of ground water

County of Faulk, State of South Dakota, for municipal
 purposes; and

(2) WHEREAS, On the 3rd day of August A. D. 19 70
 Permit No. 1756-3, with a date of priority of 1915
 was issued to said applicant recognizing for the diversion of said water, and ~~xxxxxxx~~ the completion of construction of the water
 supply system therein described ~~on or before the~~ xxxxxx ~~xxxxxx~~ xxxxxx 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 .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 to be used for municipal purposes by the Town of Orient

(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 Orient

rkx So South Dakota
the holder and owner Vested Right 1756-3 a water right, dating from 1913
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 a point 1590' West and 1325' feet North of the SE
Corner, Section 36, T117N, R69W

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

for the purpose of municipal use

Subject to any limitations listed in Water Right Permit No. 1756-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 3rd day of August A. D.
Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer , J.W. GRIMES

Orient		TOWN OF ORIENT		LOCATION	DATE	PAGE No	BY
No.	DEPTH	TIME		REMARKS		10	LELAND KLUG
1	20	11:15	0-20	Yellow Clay			
2	40	11:30	20-40	Blue Clay			Start 10:45
3	60	11:42	40-60	Coal and Blue Clay			
4	80	11:55	60-80	Shale			
5	100	12:07		Rock 70 ft.			
6	120	12:13					
7	140	12:30					
8	160	12:55		1/27/75			Start 12:45
9	180	1:04					
10	200	1:13					
11	220	1:23					
12	240	1:34					
13	260	1:50					
14	280	2:04					
15	300	2:15					
16	320	2:27					
17	340	2:40					
18	360	2:48					
19	380	2:56		395 Rock			
20	400	3:12		400 Rock			
21	420	3:40					
22	440	3:55					
23	460	4:12					
24	480	4:26					
25	500	4:42					
26	520	4:58					
27	540	5:08					
28	560	5:18					
29	580	5:35					
30	600	5:47		Check Gearr Boxes			
31	620	6:16					
32	640	6:26					
33	660	6:42		Pulled one up last night			
34	680	DNO		808 Start time drilling 1/27/75			
35	700	8:30					
36	720	8:42		9:30 Broke Down Drill head came loose, has to be welded also the rail			
37	740	3:50		it moves on.			
38	760	3:14		Rock 770			
39	780	3:37					
40	800	3:56		3:00 Done			

JOB NAME			LOCATION	DATE	PIG NO	FOREMAN
JT No	TOWN OF DEPTH	ORIENT TIME	REMARKS			
41	820	4:13				
42	840	4:32	Rock 855			
43	860	5:05				
44	880	5:23	Rock 898			
45	900	5:48				
46	920	6:06				
47	940	6:27	Rock 945			
48	960	6:57				
49	980	7:17	Rock 985			
50	1000	7:52				
51	1020	DNO	Rock 1015 Rock 1035 Rock 1050			
52	1040	11:00	Pull back to 900 feet at night			
53	1060	11:40	Rock 1150 Went in hole O.K. No tight places			
54	1080	12:30	DNO Broken pump shaft			Start 8:00
55	1100	2:23	Rock 1190 -1195 Broken Fan Belt			
56	1120	2:51	Rock 1130			
57	1140	3:23	Rock 1155-1157			
58	1160	4:15				
59	1180	4:48				
60	1200	5:17				Start 8:45
61	1220	9:10	New Gear Bit			
62	1240	9:30	Sand			
63	1260	9:55	Sand 1260-1270 Shale			
64	1280	10:37	1270-1280 Sand Fair to Good			
65	1300	12:53	Rock 1290 Streaks			
66	1320	3:00	1320-1325 Tuff			
67	1340	5:05	1325-1335 Fair to Poor 1335-1340 Good			
68	1360	5:31				
69	1380	6:12	Fair to good sand			
70	1400	6:34	Good Sand Visc. 35			
71	1420	7:10	1400-1405 Tuff 1405-1415 Good Weight 105			
72	1440	7:53 DNO	1415-1420 Fair			
73	1460	10:06	1420-1427 Tuff			Start-9:10
74	1480	6:00	1427-1437 Fair --1437-1440 -Tuff Rock 1457 and 1458 -1475 Top Sundance			
75	1500	7:20	1480-1490 Fair to Good Sand			Start 1:40
76	1520	10:08	1490-1500 Hard sand with good streaks			
77	1540	12:15	1520-1520 Tuff			
78	1560	12:50	1520-1525 Tuff			
79	1580	TD	1525-1545 Hard with Good Streaks			
80			1545-1560 Good Open Sand			
			1565-1580 Fair with good streaks			

WELL REPORT

HURON
DRILLING CO.
Huron, S. D.

Town of Orient _____
OWNER
Faulk County _____
DESCRIPTION
February 1, 1975 _____
DATE

CASING LOG

Depth	1580	ft.				
Flows	100	gpm	146	ft. 5" Galv. R&D	pipe to	146 ft.
Pumps		gpm	1580	ft. 2" Sch. 80 Plastic	pipe to	1580 ft.
Head		ft.			pipe to	ft.
100 ft. Perf. & bottom					pipe to	ft.
Perforations						

REMARKS

Pressure _____
7 days _____
Drilling Time _____
2 - New 4 1/2" K-3 Varel Bits
Rig No. 10
Karl Osberg
Leland Klug Foreman

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 Orient
Post Office Address Orient, 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 Artesian well drilled about 1915

15. Date that water was first applied to beneficial use about 1915

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

17. Amount of water originally applied to beneficial use over .0555 c. f. s.

18. Present Use of Water

Amount of water now being used .0555 c. f. s.

Date that this amount of water was first used since before July 1, 1955

19. Chronological History of Water Use

Artesian well, about 1365 feet deep was drilled as indicated above. Before 1955 water was stored in tower. Water Tower is no longer used, but 10 Jacuzzi Hydrocell pressure Units are used. Water is also pumped from well and stored in nearby cisterns to be.

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.

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

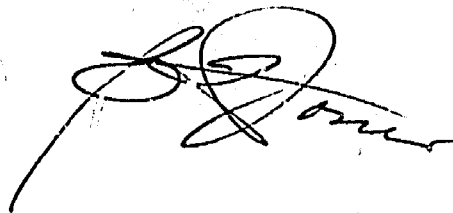
Signed Lloyd Boyd - Chairman

Subscribed and sworn to before me this 6 day of May, 19 70

M. H. Weisner
(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.

VISITED WITH LLOYD BOYD - MAYOR
OF ORIENT ON FEBRUARY 20, 1975.
HE INDICATES THIS IS A REPLACE-
MENT WELL FOR THE EXISTING
WELL, AND THE EXISTING WELL IS
TO BE ABANDONED

A handwritten signature in dark ink, appearing to be "B. J. Jones", written in a cursive style.

South Dakota



GREAT FACES. GREAT PLACES.

April 25, 1991

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

1756-3

Donald Clement, Town President
Town of Orient
PO Box 25
Orient SD 57467

Dear President Clement:

The Water Management Board has validated the enclosed Vested Water Right No. 1756-3. 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. 1756-3

Date Claim Accepted For Filing June 4, 1970.

Date of Validation September 27, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim No. 1756-3 for the Town of Orient, Orient, South Dakota 57467 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1756-3 appropriates 0.05 cubic feet of water per second from one well approximately 1580 feet deep and located in the SW 1/4 SE 1/4, Section 36, T117N, R69W.
2. The appropriated water is used for supplying water for the Town of Orient 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 date of the Vested Water Right is: January 1, 1915.
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: *John Hatch*
Chief Engineer
Division of Water Rights
Dept. of Water and Natural Resources

APR 25 1991

date