

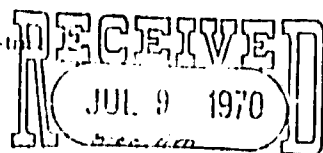
VESTED RIGHT

Water Right Number 1764-3

1. Considered July 22, 19 70
2. Name of Applicant Town of Wilmot
3. Post Office Address Wilmot, South Dakota
4. Amount of Water claimed 0.39
5. Source of Water supply 175 foot deep well
6. Water to be used for municipal
- Acres to be irrigated approx
7. Water to be diverted and used in Roberts County
about _____ miles _____ of _____
8. Proof of Publication
Received _____
Not Received _____
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
9. Application

10. Remarks:

Priority 7 1954 claimant

No. 1764-3Map No. VIR. Water Division No. 3 WHETSTONE CREEK District
(Blanks to be Filled by the Engineer for the W. R. C.)—VESTED RIGHT
APPLICATION FOR PERMITSTATE WATER RESOURCES COMMISSION
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 Wilmot
 Postoffice address Wilmot State South Dakota
 If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of other, or by direct labor) _____

3. Name of diversion work Wilmot Municipal Water Supply4. Amount of water claimed (cubic feet per second) 0.395. Source of water supply 175 foot deep well6. Location of point of diversion from NW Corner, Sec. 6, T122N, R49W, Well No. 1, 1580 feet south and 1050 feet east; Well No. 2, 1580 feet south and 1106 feet east.County Roberts7. 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.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.

Well No. 1, 175 feet deep, 12 inch casing15 H.P. Electric motor, Layne 4 inch pumpWell No. 2, is a standby well—it is 180 feet deep, has 10 inch casing, ispowered by 25 H.P. electrical motor and has a Byrum Jackson pump. Mod. 86H

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

City distribution system60,000 gallon elevated tank

C. Works proposed to apply water to beneficial use.

210 commercial and residential service connections

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, Milton J. Czajman, 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 constructionSigned Milton J. CzajmanSubscribed and sworn to before me this 25 day of June 19 76J. M. Harland
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1764-3

TOWN OF WILMOT
(Applicant)

(Post Office Address)

SOUTH DAKOTA
(State) With the following modifications:

"VESTED RIGHT" CLAIMED

Date of first receipt of application JULY 9, 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 169

WATER RIGHT PERMIT NO. 1764.3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1764.3 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 54

2. The equivalent of at least one-fifth of the work above specified is ~~not~~ completed ~~on or before~~ ---

3. The whole of said work is ~~not~~ 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 .39 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 56; 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

Form 15.

Permit No. 1764-3

Water Diversion No. 3 WILKSTONE CREEK Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That THE TOWN OF WILMOT

~~Vested Right~~ the holder _____ of
/ Permit No. 1764-3, issued upon Application No. 1764-3, bearing date of priority of 1954
_____ authorizing the diversion of .39 cu. ft. per second of the waters of _____
ground water County of Roberts, State of South Dakota at _____
from NW Corner, Section 6, T122N, R49W, Well No. 1, 1580 feet south and 1050 feet
east, Well No. 2, 1580 feet south and 1106 feet east.
_____, for Municipal

purposes, has ^B 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~~ ^{recognized as} satisfactory
~~condition~~ ^{XXXXXX} for diverting and conveying to the place of intended use .39 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. ¹⁷⁶⁴⁻³.....(1) WHEREAS, On the 9th day of July A. D. 19 70the Town of Wilmotmade Water Right Application No. 1764-3 Vested Right for a permit to use .39 cubic feet per second of the waters of ground waterCounty of Roberts, State of South Dakota, for Municipal

purposes; and

(2) WHEREAS, On the 3rd day of August A. D. 19 70Permit No. 1764-3, with a date of priority of 1954was 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~~ and ~~xxx~~ the application to beneficial use of said water ~~on or before the~~ ~~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 .39 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 in the Town of Wilmot

(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 Wilmot

_____ of _____ South Dakota

the holder _____ and owner _____ of Vested Right of said permit No. 1764-3 a water right, dating from 1954

_____ to use of .39 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 from the NW Corner, Section 6, T122N, R49W, Well No. 1, 1580 feet south and 1050 feet east; Well No. 2, 1580 feet south and 1106 feet east

~~and conduct to and from~~ and conducted through the Town's water distribution system
xxxxxxxxxxxxxxxx

for the purpose of municipal use

Subject to any limitation listed in Water Right Permit No. 1764-3 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

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 Wilmot
 Post Office Address Wilmot, State South Dakota
 If a Corporation show date and place of incorporation _____

13. Notice of Appropriation (If available)

Date of Posting 1954 Date of Recording _____
 Recording Data _____

14. Date of start of construction of water supply system 192415. Date that water was first applied to beneficial use 192416. Name of owner of original water supply system Town of Wilmot17. Amount of water originally applied to beneficial use 0.11 c. f. s.

18. Present Use of Water

Amount of water now being used 0.39 c. f. s.Date that this amount of water was first used 1954

19. Chronological History of Water Use

First well was drilled in 1924, since abandoned.

Existing well was drilled in 1954 and this priority is claimed.

Average maximum use of about 0.39 cubic feet per second of water has been used since 1954.

Well No. 2, a standby well was drilled in 1967 and its capacity is also about 0.39 c.f.s.

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

Signed Milton J. CroymannSubscribed and sworn to before me this 25 day of June, 1970

J. M. Barlow
 (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.

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1764-3

Date of Receipt of Claim July 9, 1970.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 1764-3 for the Town of Wilmot, P.O. Box 78, Wilmot, South Dakota 57279 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1764-3 appropriates 0.39 cubic feet per second of water from 2 wells located in the SW1/4 NW1/4 Section 6, T122N, R49W.

2. The appropriated water is used for supplying water for the Town of Wilmot 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, 1954

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



1764-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAR 17 1993

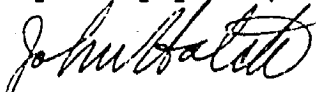
Milton Croymans, Finance Officer
Town of Wilmot
PO Box 78
Wilmot SD 57279-0078

Dear Mr. Croymans:

The Water Management Board has validated the enclosed Vested Water Right No. 1764-3. 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