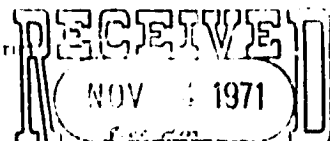


No. 1903-3Map No. VIR Water Division No. 3 JAMES RIVER District

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

"VESTED"

APPLICATION FOR PERMIT

STATE 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 City of Hecla
 Post-office address Hecla State South Dakota
 If a corporation show date and place of incorporation _____
 Method of accomplishing work (contract, employment of others, or by direct labor) completed
 2. Name of diversion work Hecla Water Supply System
 3. Amount of water claimed (cubic feet per second) 0.3 (135 G.P.M.)
 4. Source of water supply Three 98 foot deep wells
 5. Location of point of diversion from SE Corner of Sec. 22, T128N, R61W. Well No. 1, 600 feet north and 200 feet west. Well No. 2, 200 ft. north and 200 ft. west. Well No. 3, 200 ft. north and 260 ft. west. County Brown
 6. Annual period or periods during which water is to be used continuous
 7. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) municipal
 8. 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:

All three wells are 98 feet deep with 4 inch casing.

Well No. 1, electric submersible pump, 1 H.P.

Well No. 2, Fairbanks Morse, 2 inch turbine pump, 3 H.P.

Well No. 3, Jakazzi, 5 H.P., submersible pump.

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

City distribution system, 100,000 storage tank.

C. Works proposed to apply water to beneficial use:

240 service connections

Estimated Total Cost \$ N/AAttachments: 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 BrownI, Carl N. Meyer, Mayor 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 26th day of October 1971

Signed Carl N. Meyer, Mayor
Sue Stiegler
 Notary Public (or other qualified officer)
 Sue Stiegler

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1903-3

CITY OF HECLA
(Applicant)

(Post Office Address)

SOUTH DAKOTA
(State)

With the following modifications:

"VESTED RIGHT" CLAIMED

Date of first receipt of application NOVEMBER 4 19 71

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

Date of receipt of corrected application — 19 —

Approved NOVEMBER 10 19 71 Recorded in Book 12 Page 49

WATER RIGHT PERMIT NO. 1903-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1903-3 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 1931 & 1954

2. The equivalent of at least one-fifth of the work above specified is ~~to be~~ completed immediately

3. The whole of said work is ~~to be~~ completed as a whole

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 .30 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 ~~the construction of the water supply system and the putting of water to beneficial use~~
USED FOR MUNICIPAL PURPOSES

actually and beneficially ~~applied to irrigation~~ on or before JUNE 30 1955; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 15TH day of NOVEMBER 19 71

WATER RESOURCES COMMISSION

By

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued NOVEMBER 15 19 71

Water License Issued NOVEMBER 15 19 71

1944

(1) WELL CONSTRUCTION

Location of well: SE 1/4 SE 1/4 SE Section 2 Township 13N Range 6W

Wall owner _____ (Name) _____ (Address) _____

Core well drilling completed 6-18-77 Purpose of well Domestic
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layer, top to top in feet	Description of layer	Depth to top of water producing aquifer
0-4	Sandy loam soil	86
4-20	yellow clay	30
20-35	blue clay	99
35-50	sandy blue clay	86'-10"
50-75	gray clay	
75-86	sandy gray clay	
86-99	soil	

Casing information: In the space below show kind, size, weight, length, the per diameter, etc. for production casing and surface casing, if used.

86'-10" of 12" galvanized steel pipe

15' of 10" galvanized steel pipe

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen, or casing perforations.

If flowing well, flow of completed well _____ O.P.M.

Approved: _____

Some of Driving Contractors

2) PUMP INSTALLATION

Company name and size of pump _____ HP

Type of pump Submersible Capacity of installed pump 125 G.P.M.

Depth of pump placement B5 ft., Date of pump installation _____

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINNAPOLIS WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____

tube material _____

Type of Firm: Installation Contractor

1903-3

July 1, 1976

Frances Ellis, Auditor
City of Hecla
Hecla, S.D. 57440

Dear Mrs. Ellis:

Enclosed is a copy of Water License No. 1903-3 issued to the City of Hecla on November 15, 1971. You will note that it covers the three 98' deep wells in use by the City at that time. It does not make provisions for further development. If additional wells are constructed, the city should submit applications for such construction. If you have further questions, feel free to contact this office.

Sincerely,

BURTON F. JONES
Water Rights Specialist

BFJ/bw
Encl: As stated

City of Hecla

Phone 455-605/994-2333
Hecla, South Dakota 57446

June 28, 1976



South Dakota Water Resources Commission
State Office Building #2
Pierre, South Dakota

Gentlemen:

I am writing for information concerning "Vested Right" Water license for the City of Hecla.

According to a letter from your office dated October 1971, a "Vested Right" declaration was filed for the City of Hecla along with the required fee of ten dollars (\$10.00).

According to the letter we were to receive a "Vested Right" water license, but I can find no such license in the City records.

Would you please check this and if our declaration is on file, send us the water license.

The City Council would also like to know if this Vested Right license guarantees future water rights and if boundaries are fixed for appropriation of water by the City.

Thank you for your help in this matter.

Yours Sincerely,

Frances Elsen

Frances Elsen
Hecla City Auditor

Form 15.

1903-3

Permit No. _____

3

JAMES RIVER

Water Diversion No. _____ Water District _____

CERTIFICATE OF CONSTRUCTION

the City of Hecla

This is to Certify, That _____

all in case
Vested Right 1903-3 _____ the holder _____ of
Permit 1903-3 and 1954 issued upon Application No. 1903-3 bearing priority of _____
.30 cu. ft. per second
_____ ground water _____ authorizing the diversion of _____ Brown _____ of the waters of _____
_____ SE Cor. Sec. 22, T128N, R51W, Well #1, 600 ft. North and 200 ft. West. Well #2, xx from
_____ 200 ft. North and 200 ft. West. Well #3, 200 ft. North and 260 ft. West

_____ Municipal _____

for _____

_____ e _____
purposes, has _____ complied with the provisions of the laws of the State of South Dakota, and _____ recognized as
completion of the works of diversion set out and described in said Permit; that said works are _____ satisfactory
_____ .30 cu. ft. per second
_____ for diverting and conveying to the place of intended use _____ of water.

November 15, 1971

Date. _____

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1903-3

(1) WHEREAS, On the 4th day of November A. D. 19 71
the City of Hecla

made Water Right Application No. 1903-3 Vested Right
 for permit to use .30 cubic feet per second of the waters
 of ground water
 County of Brown State of South Dakota, for municipal

purposes; and
 (2) WHEREAS, On the 15th day of November A. D. 19 71
Vested Right 1903-3 with a date of priority of 1931 and 1954
 Permit No. 1903-3 was issued to said applicant recognizing the completion of construction of the water
 supply system therein described and as the
 application to beneficial use of said water is

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 .30 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 City of Hecla

(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 City of Hecla

_____ of _____
the holder _____ and owner _____ of said permit No. **Vested Right 1903-3** a water right, dating from **1931 and 1954**
_____ to use of **.20** 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 ~~xx~~ **from SE Cor. Sec. 22, T128N, R61W, Well #1, 600 ft.**
North and 200 ft. West. Well #2, 200 ft. North and 200 ft. West. Well #3,
200 ft. North and 200 ft. West

and ~~to be used for~~ **conducted through the City water distribution system**

for the purpose of **municipal use**

Subject to any limitations listed in Water Right Permit No. **1903-3** and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this **15th** day of **November** A. D.
Nineteen Hundred and **Sevinty-one**

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) City of Hecla
Post Office Address Hecla, 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 1931, 1954 and 1964
15. Date that water was first applied to beneficial use 1931
16. Name of owner of original water supply system City of Hecla
17. Amount of water originally applied to beneficial use 0.3 c. f. s.
18. Present Use of Water
Amount of water now being used 0.3 c. f. s.
Date that this amount of water was first used 1931
19. Chronological History of Water Use:

An artesian well was drilled in 1931 and supplied over 0.3 c.f.s. of water.
Well No. 1 and Well No. 2 were drilled in 1954 to supplement the artesian well.
Well No. 3 was drilled in 1964 to replace the artesian well which was then abandoned.

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 Brown) ss

I, Carl H. Meyer, Mayor, the applicant, certify that I have read the foregoing and that the matters therein stated are true.

Signed Carl H. Meyer, Mayor

Subscribed and sworn to before me this 26th day of October, 1971

Bue Stieger
(Notary Public or other qualified Officer)
Bue Stieger

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



GREAT FACES. GREAT PLACES.

1903-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 20, 1992

City of Hecla
Gayle Lloyd, Finance Officer
PO Box 188
Hecla SD 57446

Dear Ms. Lloyd:

The original Notice of Intent to Validate Vested Water Right Claims was published with an error. The January 1, 1954 priority date was deleted. Therefore, the notice needs to be readvertised to correct the error. The Readvertisement of the Notice of Intent to Validate Vested Water Right Claims has been sent to the Publisher of the Aberdeen American printed at Aberdeen SD. For your information, a copy of the notice is enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

The cost of publication of this notice will be paid by the Division of Water Rights. Please contact us if you have any questions.

Sincerely,

Eric Gronlund

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

1903-3

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

COUNTY OF BROWN

1903-3
READVERTISEMENT
OF NOTICE OF INTENT TO
VALIDATE VESTED WATER
RIGHT CLAIMS

Notice is given that the following vested water right claims in Brown County are eligible for validation by the Water Management Board pursuant to SDCL 46-2A-17 without a hearing unless a petition to oppose the validation is filed pursuant to SDCL 46-2A-22. Readvertisement of the original notice of intent to validate these claims, as published on June 13 and 21, 1992 in the Aberdeen American News, is necessary to correct errors in the previously published notice.

Vested Water Right No. 19033, City of Hecla, PO Box 188, Hecla, SD 57446 appropriates 0.30 cubic feet of water per second (cfs) from three wells, approximately 70 feet deep, located in the SE 1/4, SE 1/4, Section 22, T18N, R10W. The priority dates are January 1, 1931 and January 1, 1934.

Vested Water Right No. 14491, City of Groton, PO Box 387, Groton, SD 57445 appropriates 0.71 cfs from four wells, approximately 1000 feet deep, located in the SW 1/4 NW 1/4, W 1/2 SW 1/4 Section 20, T12N, R10W. The priority dates are as follows: 0.31 cfs - January 1, 1922; 0.13 cfs - January 1, 1946; and 0.27 cfs - January 1, 1950.

Any person who wishes to oppose validation of any of the advertised vested right claims shall file a petition of intent to oppose the validation by September 18, 1992 with the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources, Joe Foss Building, 523 East Capitol, Pierre, SD 57501 (605 773 3327) and with the vested water right holder at the listed address. The petition may be informal, but it must include a statement describing the petitioner's interest in the vested water right claim, the reasons for the petitioner's opposition to the claim, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained.

If a petition of intent to oppose the validation of a recognized vested water right claim is filed, the Water Management Board will conduct a hearing on the opposed claim on September 30, 1992. Floyd Matthews, Training Counsel, Joe Foss Building, 523 E. Capitol, Pierre, SD, The September 30, 1992 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by September 18, 1992.

If no person opposes validation of a recognized vested water right claim pursuant to SDCL 46-2A-16, the Water Management Board will issue an order pursuant to SDCL 46-2A-17 validating the vested water right claim.

These validations are made pursuant to the provisions of SDCL 46-1 through 46-19, 46-21, 46-22, 46-23, 46-24, 46-25, 46-26, 46-27, 46-28, 46-29, 46-30, 46-31, 46-32, 46-33, 46-34, 46-35, 46-36, 46-37, 46-38, 46-39, 46-40, 46-41, 46-42, 46-43, 46-44, 46-45, 46-46, 46-47, 46-48, 46-49, 46-50, 46-51, 46-52, 46-53, 46-54, 46-55, 46-56, 46-57, 46-58, 46-59, 46-60, 46-61, 46-62, 46-63, 46-64, 46-65, 46-66, 46-67, 46-68, 46-69, 46-70, 46-71, 46-72, 46-73, 46-74, 46-75, 46-76, 46-77, 46-78, 46-79, 46-80, 46-81, 46-82, 46-83, 46-84, 46-85, 46-86, 46-87, 46-88, 46-89, 46-90, 46-91, 46-92, 46-93, 46-94, 46-95, 46-96, 46-97, 46-98, 46-99, 46-100. Contact Eric Gronlund, September 18, 1992, at the above Water Rights Division address for: 1) request copies of information pertaining to a vested right claim or a copy of the vested water right claim list for another county; 2) obtain a summary of South Dakota Water Law and Water Rights information; 3) to assure access to the hearing by the handicapped; or 4) obtain an interpreter for the hearing impaired.

Robert E. Roberts, Secretary
Department of Environment and Natural Resources

Lori Wickham BEING DULY SWORN, ON HIS OATH SAYS:
That the ABERDEEN AMERICAN NEWS is a DAILY newspaper of general circulation, printed and published in Aberdeen, Brown County, South Dakota, by the Aberdeen News Company, a corporation, and has been such a newspaper during the times hereinafter mentioned, that affiant is an employee and principal clerk of said publisher and has personal knowledge of all the facts stated in this affidavit; that the advertisement headed Notice of intent to validate vested water right claims

a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper, and not in a supplement thereof once each week for 2 successive weeks
The first publication being made on the 26th day of August
The second publication being made on the 2nd day of September
The third publication being made on the day of
The fourth publication being made on the day of
The fifth publication being made on the day of
The sixth publication being made on the day of
The seventh publication being made on the day of
The eighth publication being made on the day of
The ninth publication being made on the day of

That said newspaper is a legal newspaper, being published five days or more each week, having a bona fide circulation of more than two hundred copies daily, having been published in the English language within the said County of Brown for more than one year next prior to the first publication of said notice, and is printed in whole in an office maintained at the place of publication of said newspaper. That the whole amount of the fee paid for the publication of the annexed notice is \$ 71.20, which inures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any person whomsoever.

Lori Wickham

Subscribed and sworn to before me this 2nd day of

September 19 92

Eric Gronlund

Notary Public, Brown County, S. D.

My commission expires 7-17-95

daily circulation 19,930



SOUTH DAKOTA

VESTED WATER RIGHT CLAIM NO. 1903-3

Date of Receipt of Claim November 4, 1971.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 1903-3 for the City of Hecla, PO Box 188, Hecla SD 57446 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1903-3 appropriates 0.30 cubic feet of water per second from three wells, approximately 98 feet deep, located in the SE 1/4 SE 1/4 Section 22-T128N-R61W.
2. The appropriated water is used for supplying water to the City of Hecla 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, 1931 and 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 must not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: John Hatch
John Hatch, Chief Engineer

OCT 29 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources

1903-3



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

OCT 23 1992

City of Hecla
Gayle Lloyd, Finance Officer
PO Box 188
Hecla SD 57446

Dear Ms. Lloyd:

The Water Management Board has validated the enclosed Vested Water Right No. 1903-3. 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