

Wa' r Right Number 1954-3

1. Considered Sept. 6, 1972
2. Name of Applicant City of Chamberlain
3. Post Office Address _____
4. Amount of water claimed 3.50
5. Source of water supply Missouri River
6. Water to be used for Municipal
- Acres to be irrigated _____
7. Water to be diverted and used in Deuel County
about _____ Miles _____ of _____
8. Proof of Publication Received _____
Not received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

No. 1954-3Map No. _____ Water Division No. 3 Missouri River District _____
(Blank 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 City of Chamberlain
Postoffice address Chamberlain State South Dakota
If a corporation show date and place of incorporation 1898, South Dakota
2. Method of accomplishing work (contract, employment of others, or by direct labor) completed
3. Name of diversion work Chamberlain Water System
4. Amount of water claim (cubic feet per second) 3
5. Source of water supply Missouri River
6. Location of point of diversion 1543 feet North and 825 feet West of the SE corner of Section 16, Township 104 North, Range 71, West of the 5th P.M.
- County Brule
7. Annual period or periods during which water is to be used continuous- year around
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 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 (not applicable)
12. Principal Features of the Proposed Water Supply System.

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

Five 12 inch diameter intakes from the Missouri River
Centrifugal pumps and Electric motors
Treatment Plant

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

City distribution system.
1,200,000 gallons storage in steel tanks located on two hills

C. Works proposed to apply water to beneficial use.

900 Service connections

Estimated Total Cost \$ 2,000,000.

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 Brule)

I, F. V. Olson 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 [Signature]Subscribed and sworn to before me this 31 day of July 19 72

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1954-3CITY OF CHAMBERLAIN
(Applicant)SOUTH DAKOTA
(Post Office Address)
(State)

With the following modifications:

"VESTED RIGHT" CLAIMEDDate of first receipt of application AUGUST 8, 19 72Date of return to applicant for correction, amendments or changes required —, 19 —Date of receipt of corrected application —, 19 —Approved SEPTEMBER 6, 19 72, Recorded in Book 12 Page 152WATER RIGHT PERMIT NO. 1954-3The Water Resources Commission hereby grants and issues this Water Right Permit No. 1954-3 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 1951, ~~to~~ —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 ~~on~~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 3.50 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 use~~~~and need for the irrigation purposes and appropriation must be limited to not more than it would be necessary for the purpose of~~~~limited to not more than the amount of water per second of time for each acre of land to which water was~~USED FOR MUNICIPAL PURPOSES actually and beneficially ~~applied to irrigation~~ on or before JUNE 30, 19 56; said water to be used during thefollowing described annual period: CONTINUOUSLYWitness my hand this 8TH day of SEPTEMBER, 19 72

WATER RESOURCES COMMISSION

By: J. M. [Signature] ^{NED}
Chief Engineer, Executive OfficerCertificate of Construction Issued SEPTEMBER 8, 19 72Water License Issued SEPTEMBER 8, 19 72

Form 15.

Permit No. 1954-3

Water Diversion No. 3 MISSOURI RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the City of Chamberlain

the holder of
Vested Right / Permit No. 1954-3, issued upon Application No 1954-3, bearing date of priority of 1951

authorizing the diversion of 3.5 cu. ft. per second of the waters of
the Missouri River County of Brule State of South Dakota at
a point 1543' North and 825' East of the SE Corner, Section 16, T104N, R71W

, 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
~~xxxxxx~~ satisfactory
~~xxxxxx~~ for diverting and conveying to the place of intended use 3.50 cu. ft. per second of water.

Date September 8, 1972

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1954-3

(1) WHEREAS On the 8th day of August A. D. 1972
the City of Chamberlain

made Water Right Application No. 1954-3 for a Vested Right permit to use 1954-3 cubic feet per second of the waters of the Missouri River
County of Brule State of South Dakota, for municipal purposes and

(2) WHEREAS, On the 8th day of September A. D. 1972
Vested Right Permit No. 1954-3 with a date of priority of 1951

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

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 3.5 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 Chamberlain

(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 Chamberlain

_____ ~~XX~~ _____
the holder _____ and owner _____ **Vested Right** **1954-3** a water right, dating from **1951**
of _____ to use of **3.5** cubic feet per second of the waters
of **the Missouri River**
in the County of **Brule** and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinafter mentioned, to be diverted at **a point 1543' North and 825' West of the SE Corner,**
Section 16, T104N, R71W

and ~~XXXXXXXXXXXX~~ **conducted through the City water distribution system**

for the purpose of **municipal use**

Subject to any limitations listed in Water Right Permit No. **1954-3** and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this **8th** day of **September** A. D.
Nineteen Hundred and **Seventy-two**

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer J.V. 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 Chamberlain
 Post Office Address Chamberlain, State South Dakota
 If a Corporation show date and place of incorporation 1888, South Dakota

13. Notice of Appropriation (If available)

Date of Posting _____ Date of Recording _____
 Recording Date _____

14. Date of start of construction of water supply system 1951 (present plant)15. Date that water was first applied to beneficial use 191216. Name of owner of original water supply system City of Chamberlain17. Amount of water originally applied to beneficial use 3½ c. f. s.

18. Present Use of Water

Amount of water now being used 3½ c. f. s.
 Date that this amount of water was first used 1912

19. Chronological History of Water Use

Water has been taken from the Missouri River for many years. Water originally came from artesian wells. Present system was completed in 1953 and has been used as indicated since then.

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 Butte)

I, P. V. Olson, Mayor of, the applicant, certify that I have read the foregoing and that the matters therein stated are true.

Signed P. V. OlsonSubscribed and sworn to before me this 31 day of July, 1972.

[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

[Signature]
[Signature]

OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE

1954-3



Department of Water & Natural Resources

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

JUN 13 1989

Mayor Vernon Schoenfelder
City of Chamberlain
Po Box 66
Chamberlain SD 57325

Dear Mayor Schoenfelder:

The Water Management Board has validated the enclosed Vested Water Right No. 1854-3. 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



L

SOUTH DAKOTA

VALIDATION OF VESTED WATER RIGHT CLAIM NO. 1954-3

Date Claim Accepted For Filing August 8, 1989.

Date of Validation May 10, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim No. 1954-3 for the City of Chamberlain, PO Box 66, Chamberlain, South Dakota, 57325 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1954-3 appropriates 3.5 cubic feet of water per second from the Missouri River. The point of diversion is located in the NE 1/4 SE 1/4 Section 16, T104N, R71W.

2. The appropriated water is used for supplying water for the City of Chamberlain 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.

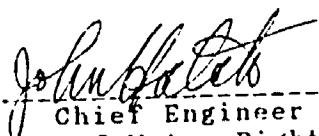
3. The priority date of the Vested Water Right is: January 1, 1951.

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

Division of Water Rights

Dept. of Water and Natural Resources

JUN 13 1989

date