

Water Right Number 1965-3

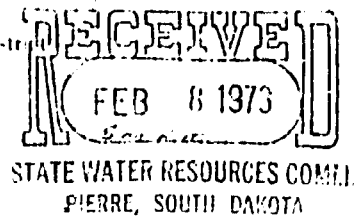
1. Considered MARCH 7, 1973
2. Name of Applicant TOWN OF GAYVILLE
3. Post Office Address _____
4. Amount of Water claimed _____
5. Source of Water supply _____
6. Water to be used for _____
7. Acres to be irrigated _____
7. Water to be diverted and used in _____ County
about _____ miles _____ of _____
8. Proof of Publication
Received _____
Not Received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

WELL DRILLED IN
1914

10. Remarks:

Map No. 412 Water Division No. 3 JAMES RIVER
 (Blanks 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 Town of Gayville
 Postoffice address Gayville 57031 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 City Well #1
 4. Amount of water claimed (cubic feet per second) .37
 5. Source of water supply Ground Water
 6. Location of point of diversion in original townsite of Gayville in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12,
Twp. 93N, Range 54W

- County Yankton
 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 N/A years. Additional time required to complete application of water to the proposed beneficial use N/A years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication _____
 12. Principal Features of the Proposed Water Supply System:

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

92' Deep Well with 6 inch steel casing

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

Elevated steel 50,000 gallon standpipe, 4 inch and 6 inch mains.

C. Works proposed to apply water to beneficial use:

110 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 Yankton

I, Arthur 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 Arthur Olson

Subscribed and sworn to before me this 6th day of February 1973

Marjorie Olson
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1965-3

TOWN OF GAYVILLE

(Applicant)

(Post Office Address)

SOUTH DAKOTA

(State)

With the following modifications

"VESTED RIGHT" CLAIMED

Date of first receipt of application FEBRUARY 8 19 73

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

Date of receipt of corrected application --- 19 ---

Approved MARCH 8 19 73 Recorded in Book 12 Page 194

WATER RIGHT PERMIT NO. 1965-3

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1965-3 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 1914 ~~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
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 .37 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 ~~irrigation~~ ~~and if for the irrigation purpose, and appropriation must be limited to not more than one acre-foot per year, and be limited to not more than one continuous 70 day period in any one year for the purpose of land reclamation~~ USED FOR MUNICIPAL PURPOSES

actually and beneficially ^{applied for irrigation} on or before JUNE 30 19 55 said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 19TH day of MARCH 19 73

WATER RESOURCES COMMISSION

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued MARCH 12 19 73

Water License Issued MARCH 12 19 73

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 Gayville

Post Office Address Gayville, 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 1914

15. Date that water was first applied to beneficial use 1914

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

17. Amount of water originally applied to beneficial use .37 c. f. s.

18. Present Use of Water

Amount of water now being used .37 c. f. s.

Date that this amount of water was first used 1914

19. Chronological History of Water Use

Well was constructed in 1914, and has been used to supply municipal needs since it was constructed.

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 Spink) ss.

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

Signed Robert A. Olson

Subscribed and sworn to before me this 6th day of February, 1923

Notary Public for South Dakota
1914-1976

Robert A. Olson
(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.

WATER LICENSE NO. ... 1965-3

(1) WHEREAS, On the 8th day of February A. D. 1973
the Town of Gayville

made Water Right Application No. 1965-3 Vested Right
for / permit to use .37 cubic feet per second of the waters
of artesian ground water

County of Yankton, State of South Dakota, for municipal

- purposes; and

(2) WHEREAS, On the 12th day of March, A. D. 1973
 Vested Right 1965-3
 Permit No. _____, with a date of priority of 1914

[illegible]

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 .37 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 Gayville

(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 Gayville

_____ ~~xx~~ _____
the holder _____ and owner _____ **Vested Right** _____ **1965-3** _____
_____ ~~by said permit No.~~ _____ **1914** _____
_____ to use of _____ **.37** _____ cubic feet per second of the waters
of _____ **artesian ground water** _____
in the County of _____ **Yankton** _____ and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at _____ **a point in the original townsite of Gayville,**
_____ **in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12, T93N, R34W** _____

and ~~xxxxxxxxxxxx~~ _____ **conducted through the town water distribution system** _____

_____ for the purpose of _____ **municipal use** _____

Subject to any limitations listed in Water Right Permit No. _____ **1965-3** _____ and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this _____ **12th** _____ day of _____ **March** _____ A. D.
Nineteen Hundred and _____ **Seventy-three** _____

WATER RESOURCES COMMISSION

By: _____
Chief Engineer, Executive Officer _____ **J.W. GRIMES**

Permit No. 1965-3

Water Diversion No. 3 JAMES RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Town of Gayville

Vested Right Permit No. 1965-3, issued upon Application No. 1965-3, bearing date of priority of 1914 the holder _____ of _____ authorizing the diversion of .37 cu. ft. per second of the waters of artesian ground water County of Yankton, State of South Dakota at a point in the original townsite of Gayville, in the SE 1/4 NW 1/4, Section 12, T93N, R54W for municipal use

purposes, has E 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 satisfactory ~~in accordance~~ for diverting and conveying to the place of intended use .37 cu. ft. per second of water.

Date March 12, 1973

WATER RESOURCES COMMISSION

By:

J.W. GRIFFS, Executive Officer

1965-3

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1965-3

Date of Receipt of Claim February 8, 1973.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 1965-3 for the Town of Gayville, P.O. Box 162, Gayville, South Dakota 57031 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1965-3 appropriates 0.37 cubic feet per second of water from a well located in the SE1/4 NW1/4 Section 12, T93N, R54W.
2. The appropriated water is used for supplying water for the Town of Gayville 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, 1914
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

1965-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 17 1993

Michael Petersen, President
Town of Gayville
PO Box 162
Gayville SD 57031-0162

Dear Mr. Petersen:

The Water Management Board has validated the enclosed Vested Water Right No. 1965-3. 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

RECEIVED JAN 19 2001

January 17, 2001

2000 South Dakota Water Use Questionnaire

To:

TOWN OF GAYVILLE
PO BOX 162
GAYVILLE SD 57031 0162

Address correction requested:

One questionnaire is being provided for each permitted water source. The following information is based on Water Permit/Right No. 1965-3. If you have other permits/rights in the same water source, also include water use under those permits/rights on this questionnaire.

Water Source: GROUNDWATER
Aquifer: MISSOURI
Management Unit: NOT APPLICABLE

County: YANKTON
Pumping Pt. Legal: SEC 12-T093N-R54W
Type of Water Use: MUNICIPAL

- 1) Please estimate your year 2000 water use from the above water source: _____ gallons
2) If no water use in 2000, please list the reason(s) why in the comments section.

Comments: Gayville does not supply residence with water from the wells.
Clay Rural Water System, 30376 SD Hwy 19, Wakenda, SD supplies
Gayville with water. The wells are only used in case of fire.
The is no meter on the wells, and it is not possible to tell
how much water is pumped. In 2000 the Fire Department used
water 2 times from the wells for a short time.

Contact Person: Betty Putnam, Town Clerk

Telephone No: 605-267-4323

Questions? Please call Mark Rath or Ron Duvall at 605 773-3352 for assistance.

Thank you for completing the 2000 water use questionnaire.

Water Rights on the Web: www.state.sd.us/denr/wr

