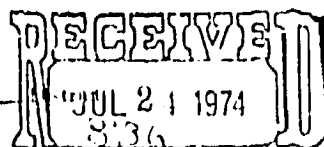


No. 2102-3App No. 1501-3 Water Division No. 3 JAMES RIVER
(Blank to be filled by the Engineer for the W. R. C.)STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

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 ABERDEEN, SOUTH DAKOTA
Postoffice address CITY AUDITOR, MUNICIPAL BLDG., State SOUTH DAKOTA
If a corporation show date and place of incorporation 1882 - ABERDEEN, DAKOTA TERRITORY
Method of accomplishing work (contract, employment of others, or by direct labor) CONTRACT
2. Method of accomplishing work (contract, employment of others, or by direct labor) CONTRACT
3. Name of diversion work MAPLE CREEK BYPASS SYSTEM TO WILLOW LAKE RESERVOIR
4. Amount of water claimed (cubic feet per second) 18.568 CU.FT. PER SEC (12000000 GPD)
5. Source of water supply OVERFLOW PERIOD AT NO. 1 ABERDEEN DAM ON ELM RIVER
6. Location of point of diversion NW 1/4 20-126-64, ADJACENT TO S.D. HIGHWAY NO. 10
AT A DUD PUMP STATION DELIVERING WATER THRU FORCE MAIN PIPING TO A
DISCHARGE POINT INTO THE WILLOW LAKE RESERVOIR County BROWN
7. Annual period or periods during which water is to be used MARCH 1 TO JULY 1, SEPT. 1 TO NOV. 15
8. Use to be made of water (irrigation, industrial, municipal, commercial, recreation, etc.) MUNICIPAL WATER SUPPLY
9. For irrigation use, NONE Total number of acres to be irrigated NOT APPLICABLE

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 90 DAYS 1 YEAR Additional time required to complete application of water to the proposed beneficial use NONE IMMEDIATE USE POSSIBLE
AFTER COMPLETION OF UNIT
11. Choice of newspaper for Notice of Intent to Appropriate Water publication ABERDEEN AMERICAN NEWS
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source. THE SYSTEM WOULD INCLUDE DUD ELECTRIC PUMPING STATION DISCHARGING THROUGH FORCE MAIN PIPING INTO THE WILLOW LAKE RESERVOIR. SYSTEM WOULD BE OPERATED ONLY DURING PERIODS OF OVERFLOW AT NO. 1 ABERDEEN DAM ON ELM RIVER CREATED BY MAPLE CREEK RUN OFF INTO ELM RIVER. DESIGN CAPACITY OF SYSTEM IS 12000000 GPD (18.568 CFS)

B. Works proposed to transport water to place of use.
FORCE MAIN PIPING OF ADEQUATE SIZE, PLACED UNDERGROUND, TO PERMIT THE PUMPING UNITS AND PIPING TO DELIVER THE DESIGN CAPACITY AGAINST THE TOTAL DYNAMIC HEAD INVOLVED.

C. Works proposed to apply water to beneficial use.

THE ENTIRE AMOUNT OF WATER OBTAINED FROM THE OPERATION OF THIS SYSTEM WOULD BE USED TO SUPPLEMENT THE PRINCIPAL WATER RESERVOIR STORAGE FOR ABERDEEN AT WILLOW CREEK DAM.
Estimated Total Cost \$ 250000.00

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water is proposed. Attach map.
(See instructions concerning preparation.) SEE U.S. GOVT. QUADRANGLE MAP AND MAP

OF BROWN COUNTY INDICATING PROPOSED FEATURES OF WATER SYSTEM.
STATE OF SOUTH DAKOTA)
)
)

County of BROWN

I, CITY OF ABERDEEN, S.D., 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

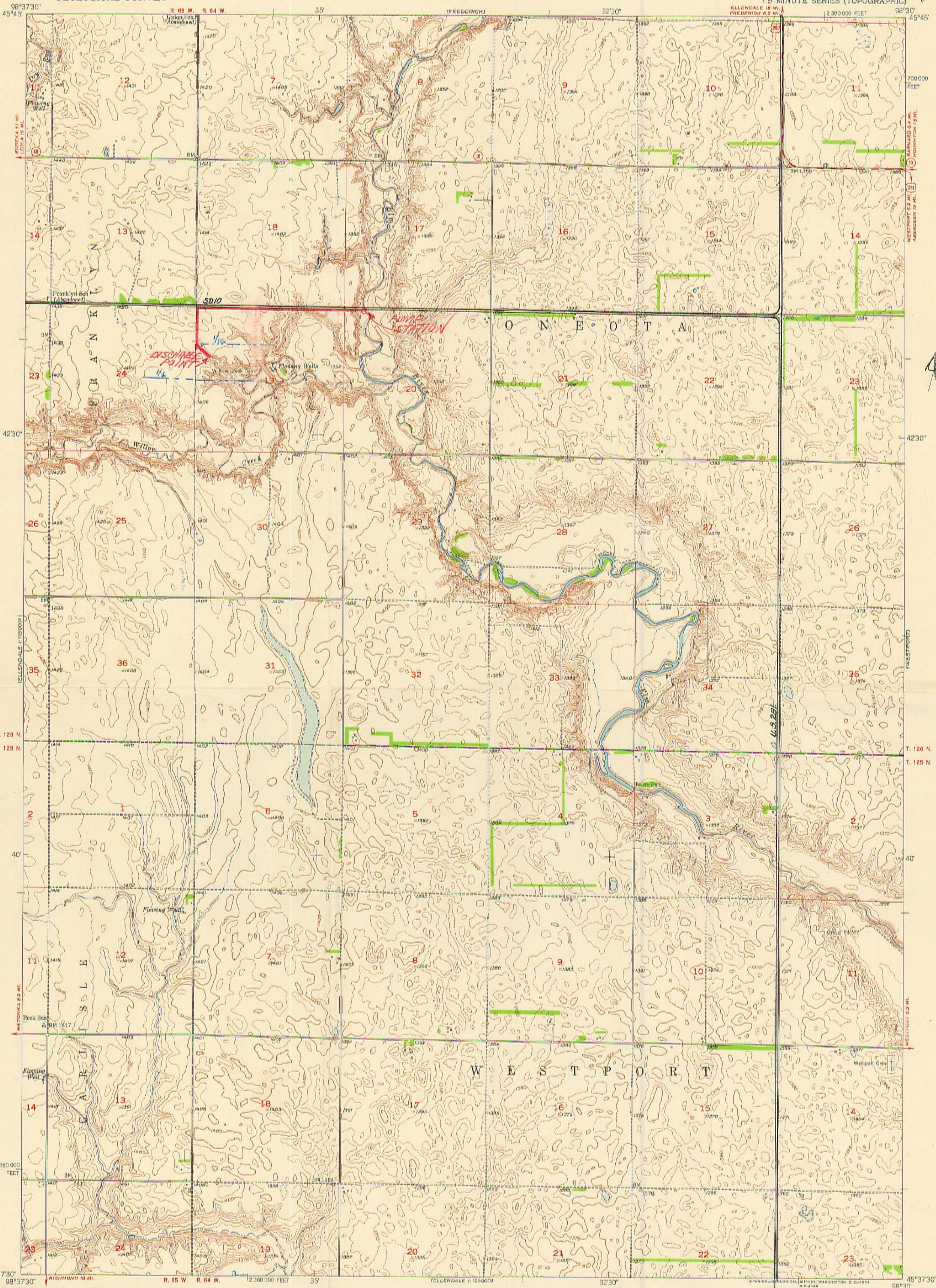
Signed JEFF SOLTIS

Subscribed and sworn to before me this

Notary Public (or other qualified official)

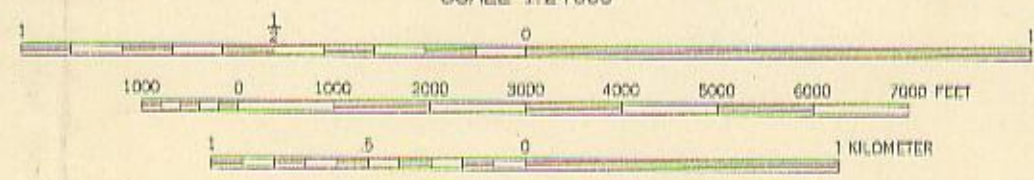
UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

RICHMOND NE QUADRANGLE
SOUTH DAKOTA-BROWN CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)

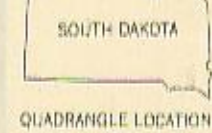


6/25/74

Mapped, edited, and published by the Geological Survey as part of the Department of the Interior program for the development of the Missouri River Basin.
Control by USGS and USC&GS
Culture and drainage in part compiled from aerial photographs taken 1951. Topography by plane-table surveys 1952.
Polyconic projection. 1927 North American datum.
10,000-foot grid based on South Dakota coordinate system, north zone.



CONTOUR INTERVAL 5 FEET
DATUM IS MEAN SEA LEVEL



ROAD CLASSIFICATION
Heavy-duty 4 LANE 16 LANE Light-duty
Medium-duty 4 LANE 16 LANE Unimproved dirt
U.S. Route State Route

RICHMOND NE, S. DAK.
N4537.5-W9830/7.5

1952

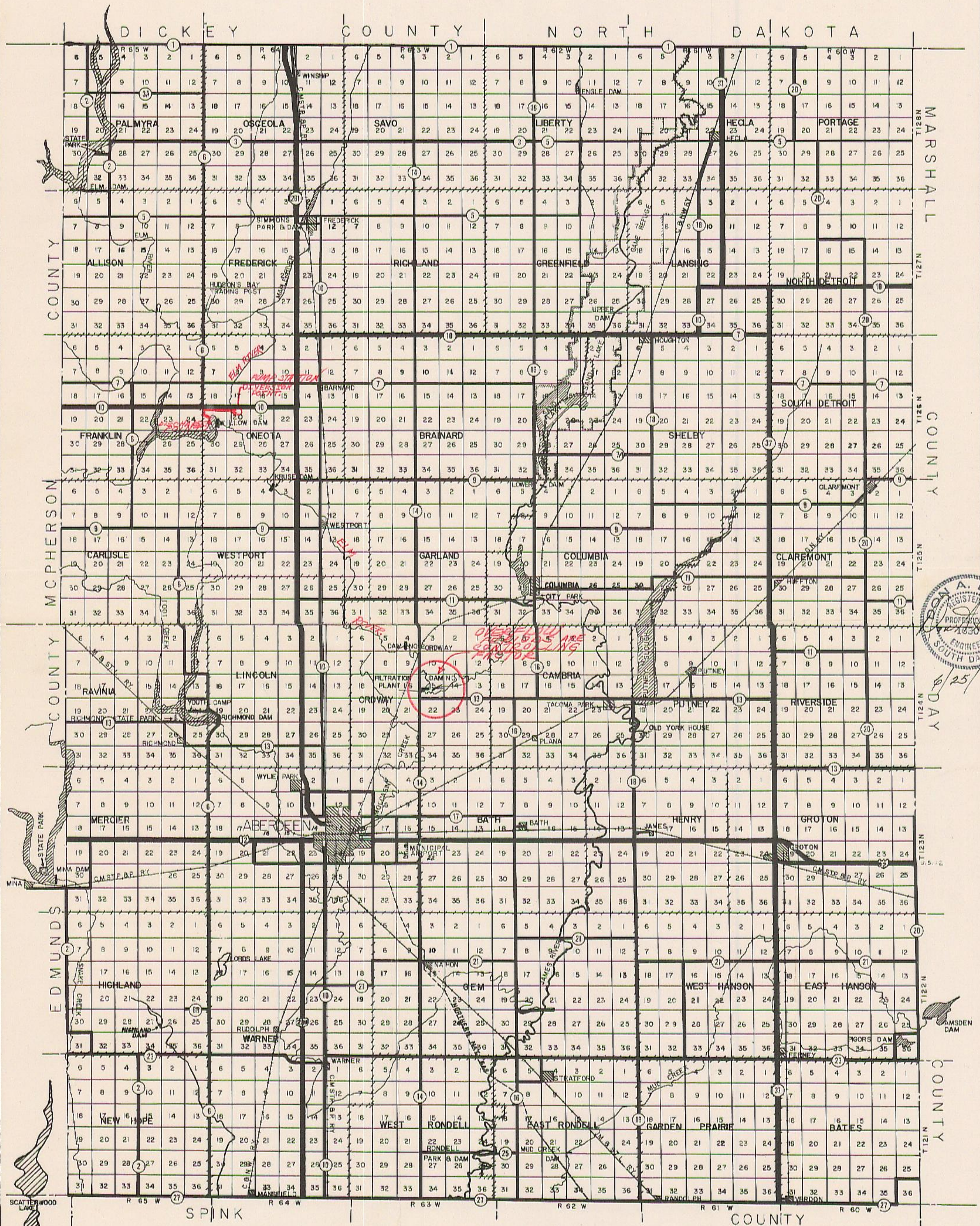
THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, FEDERAL CENTER, DENVER, COLORADO OR WASHINGTON 25, D. C.
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

Map No. 3 Appl. No. 2102-3

SCALE IN MILES



U.S. HIGHWAY
STATE HIGHWAY
COUNTY HIGHWAY
GAS PIPE LINE



WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2102-3
CITY OF ABERDEEN
 (Applicant) _____ (Post Office Address)
SOUTH DAKOTA 57401
 (State) _____ With the following modifications:

Diversions of water under this Water Permit No. 2102-3 are not to be made except when there are excess flows of water overflowing the No. 1 Aberdeen Dam on Elm River, as specified in the application.

CANCELLED
 BY ACTION OF W. R. C.
 DATE 10-10-79 BY [Signature]
 See Permit No. 2009-3

Date of first receipt of application JULY 24 19 74
 Date of return to applicant for correction, amendments or changes required _____ 19 _____
 Date of receipt of corrected application _____ 19 _____
 Approved SEPTEMBER 11 19 74, recorded in Book 13 Page 71

WATER RIGHT PERMIT NO. 2102-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2102-3 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 JULY 24 19 74
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 11 19 75
3. The whole of said work is to be completed on or before SEPTEMBER 11 19 75
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith SEPTEMBER 11 19 76
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 18.516 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 is

actually and beneficially applied for irrigation on or before SEPTEMBER 11 19 76; said water to be used during the following described annual period MARCH 1 TO JULY 1 - SEPT 1 TO NOVEMBER 15
WHEN WATER IS OVERFLOWING THE CITY OF ABERDEEN NO 1 DAM ON THE ELM RIVER

Witness my hand this 13TH day of SEPTEMBER 19 74

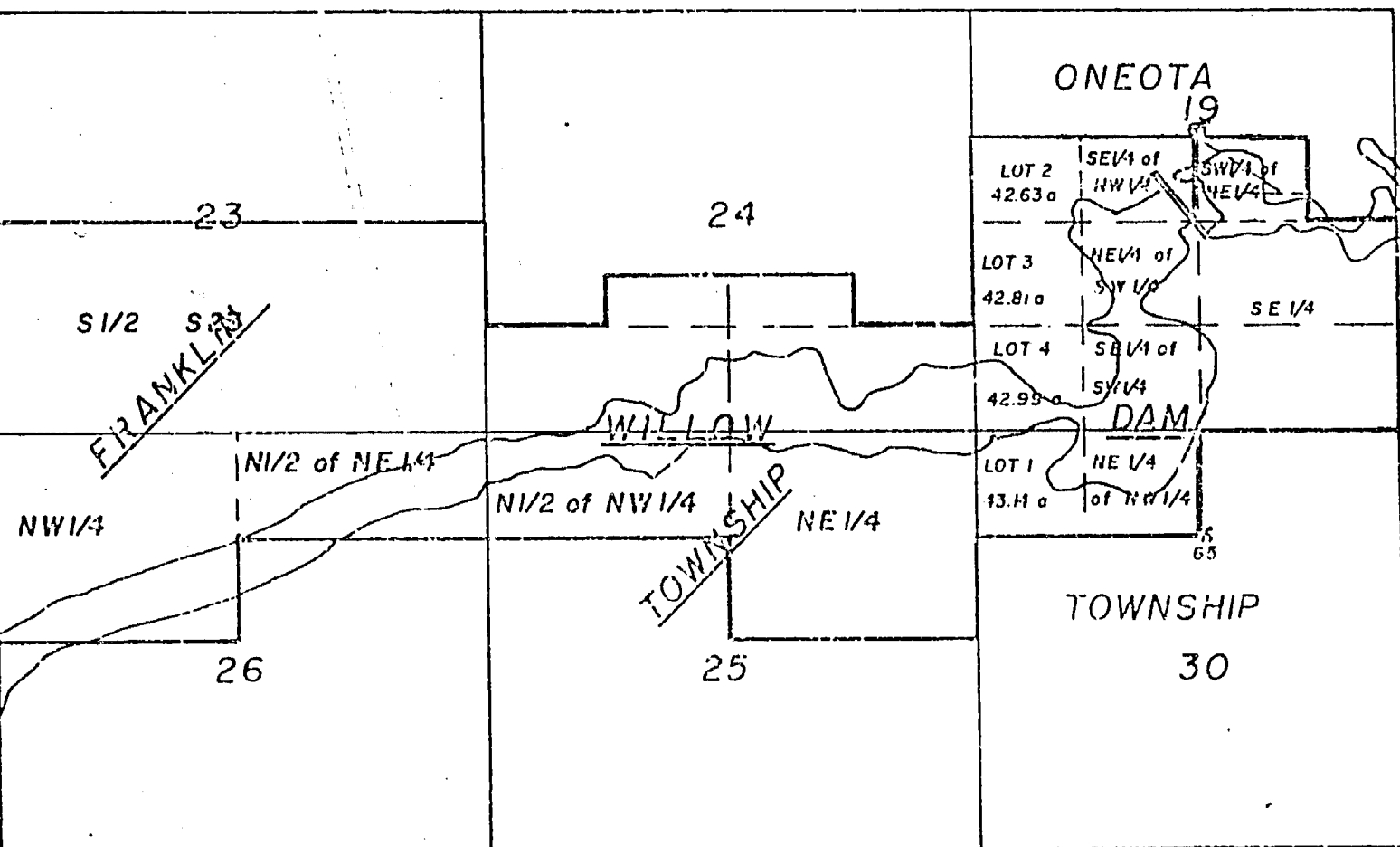
WATER RIGHTS COMMISSION

By: [Signature]
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 _____

Water License Issued _____ 19 _____

WILLOW CREEK DAM AREA



DON A. BOYD

Registered Professional Engineer

PHONE 228-5510

CONSULTING ENGINEER - CIVIL

P. O. BOX 484

616 NORTH 4TH STREET

ABERDEEN, SOUTH DAKOTA

17 JULY 1974

DEPARTMENT OF NATURAL RESOURCE DEVELOPMENT
DIVISION OF WATER RIGHTS
STATE OFFICE BUILDING NO. 2
PIERRE, SOUTH DAKOTA 57501

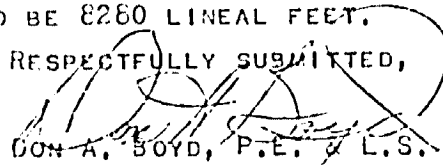
RE: WATER RIGHTS APPLICATION
MUNICIPAL WATER SUPPLY
CITY OF ABERDEEN, SOUTH DAKOTA

GENTLEMEN:

THIS LETTER IS SUBMITTED TO PROVIDE SPACE TO EXPLAIN THE PRINCIPAL FEATURE OF THIS PROPOSED WATER DIVERSION SYSTEM. EACH YEAR, DURING NORMAL RUNOFF PERIODS THE MAPLE CREEK RUNOFF FLOWS INTO THE ELM RIVER AND AFTER THE DAMS ON THE ELM ENROUTE TO THE CITY OF ABERDEEN FILTRATION PLANT ARE FILLED, THE OVERFLOW BECOMES WASTE WATER DISCHARGING FINALLY INTO THE JAMES RIVER NEAR COLUMBIA. DURING THE PERIODS THAT THIS WATER IS CAUSING OVERFLOW AT ABERDEEN DAM NO. 1 AT THE FILTRATION PLANT IT IS PROPOSED THAT THE DESIGN PUMPING SYSTEM BE USED TO DIVERT THIS EXCESS WATER INTO THE WILLOW LAKE RESERVOIR, WHICH IS THE PRINCIPAL INITIAL STORAGE AREA FOR THE ABERDEEN MUNICIPAL WATER SYSTEM. THE PROPOSED SYSTEM TO BE CONSTRUCTED IF THIS WATER RIGHTS PERMIT IS GRANTED, WOULD BE OPERATED ONLY DURING THE DATES INDICATED WHEN THE OVERFLOW AT ABERDEEN DAM NO. 1 WAS OCCURRING. THE LOCATION OF THE SYSTEM NEXT TO S.D. HIGHWAY 10 RIGHT-OF-WAY AND ROUTED AS SHOWN ALONG THE WEST SECTION LINE OF SECTION 19-126-64 INVOLVES A MINIMUM OF RIGHT-OF-WAY PROBLEMS TO BE ANTICIPATED AND ELECTRICAL ENERGY FOR THE OPERATION OF THE PUMPING STATION IS AVAILABLE AT THIS TIME AT THE PROPOSED SITE.

THE DESCRIPTION OF THE PROPOSED DIVERSION WORKS IS AS FOLLOWS: BEGINNING AT A POINT ON THE ELM RIVER, ON THE SOUTH SIDE OF STATE HIGHWAY 10 AND 800 FT. EAST OF THE SECTION LINE ON THE WEST SIDE OF 20-126-64; THENCE WEST ALONG THE SOUTH SIDE OF S.D. HIGHWAY 10 A DISTANCE OF 6080 FT. TO THE WEST SECTION LINE OF 19-126-64; THENCE SOUTH ALONG THE WEST SECTION LINE OF 19-126-64 A DISTANCE OF 1500 FT.; THENCE IN A SE DIRECTION A DISTANCE OF 700 FT. TO DISCHARGE INTO THE WILLOW CREEK RESERVOIR. TOTAL LENGTH OF PIPING IS ESTIMATED TO BE 8280 LINEAL FEET.

RESPECTFULLY SUBMITTED,


DON A. BOYD, P.E. & L.S.

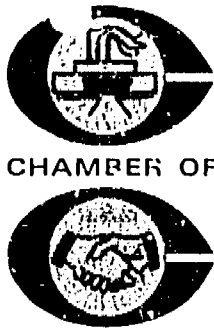
CONSULTING ENGINEER

ACTING FOR THE CITY OF ABERDEEN, S.D.

DAB:KO

COPY: CITY AUDITOR

ABERDEEN



CHAMBER OF COMMERCE • 516 South Main, Aberdeen, South Dakota • Phone 225-2860

August 14, 1974

Mr. Burton F. Jones
Water Rights Specialist
Water Resources Commission
Pierre, South Dakota 57401

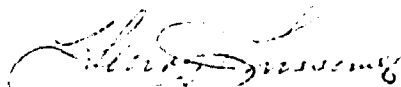
Dear Mr. Jones:

I am writing in regard to application No. 2102-3 made by the City of Aberdeen, currently scheduled for hearing in your office September 11, 1974.

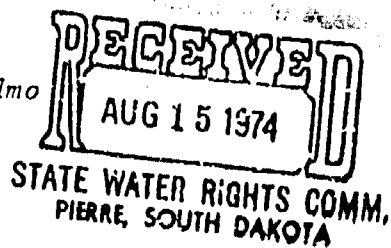
As you are probably aware, the City of Aberdeen faces a severe problem relative to its supply of water for the use of its almost 30,000 people. During the past several years it has been necessary to restrict water usage in order to insure that an adequate supply is available.

In view of the circumstances, the Board of Directors of the Aberdeen Chamber of Commerce unanimously supports the City's application and we urge the Water Resources Commission to act favorably on said application. We will greatly appreciate the Commission's favorable consideration.

Yours very truly,


Henry J. Lussem, Jr.
President

HJL:dmo



ACCREDITED
CHAMBER OF COMMERCE
CHAMBER OF COMMERCE
OF THE UNITED STATES

2102-3

CITY OF ABERDEEN

18.568 CFS (12 million G.P.D.)

16 N 4W Aberdeen.

P o P Recidant. - *Antine Hall*

MR. WILSON

MR. BOYD

MR. PERAUD

April 1, 1976

Earl Coyne
918 South First Street
Aberdeen, South Dakota 57401

Dear Mr. Coyne:

Enclosed is a copy of a letter from J.W. Grimes dated April 12, 1973 outlining the City of Aberdeen's water permits up until that date.

Since that time additional permits have been granted.

Permit No. 1024-3 was granted May 1, 1963, with priorities of .31 c.f.s. from 1921 and .11 from February 26, 1963. This Permit covers two artesian wells used at Wylie Park.

Permit No. 2102-3 was granted September 11, 1974, with a priority date of July 24, 1974. This permit was issued to pump water in the amount of 18.56 c.f.s. from the Elm River during periods when excess water is flowing over the No. 1 Aberdeen dam on the Elm River.

Permit No. 2551-3 was granted March 17, 1976, with a priority of February 20, 1976. This permit was issued to pump 5.0 c.f.s. from ground water from the Eyestone Gravel Pit.

Future use Permit No. 192-3 defines the area of future development as ground water areas along the Elm River between Section 19, T125N, R63W, and Section 15, T124N, R63W, plus the Pickus and Eyestone gravel pits.

If you have further questions, feel free to contact this office.

Sincerely,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/BFS/lw
Encl: as stated

original filed in 2551-3