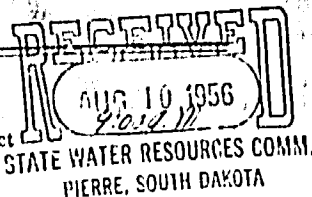


No. 275-3Water Division No. 2 13th Sioux River District
(Blanks to be filled by the Engineer for the W. R. C.)

VESTED RIGHT APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

Applicant City of Sioux Falls, South Dakota
Postoffice address Sioux Falls, County Minnehaha, State So, Dakota

I. If a corporation Municipal Corporation

(a) Name of same -----

(b) Date and place of incorporation -----

(c) Amount of capital stock -----

(d) Amount paid in -----

(e) Names and addresses of directors Fay Wheelton, MayorJohn N. Browning, CommissionerBarth T. Yeager, Commissioner

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

Completed by contract.(b) Cash on hand, \$ -----(c) Treasury stock, \$ -----(d) Bonds to be issued, \$ -----(e) Other resources, \$ -----2. Name of diversion work Well No. 263. Amount of water claimed Max. cap. well cubic feet per second 1.7824. Source of water supply Ground Water5. Location of point of diversion T103N R60W 155' N Ctr Sec 29; 2.0' E East Ctr Sec 29on ----- bank Minnehaha County.6. Annual period or periods during which water is to be used continuous

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system: -----

(a) Number of acres to be irrigated ----- acres.

(b) Legal subdivisions to be irrigated -----

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) -----

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use Municipal water supply.

Name any of the above uses claimed

(b) Amount of power to be generated ----- horse power.

Amount claimed for engine cooling -----

(c) Location of plant -----

(d) Method of developing power -----

(e) Point where water will be returned to stream Sioux Falls Sewage Treatment Plant.

Map No. 702-3

8. Estimated cost of work: (To be shown on Form 2A)

(a) Head Gates, \$..... (b) Pumping plant, \$.....
 (c) Fluming, \$..... (d) Canal-earth, \$..... Rock, \$.....
 (e) Other structures \$..... Total, \$.....

9. Description of diversion works: (To be shown on Form 2A)

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

II. Dimensions of works:

(a) Dam: Height.....feet; length at bottom feet; length at top feet; thickness at bottom feet; thickness at top feet; slope at front water face; slope at back face
 material used in construction
 (b) Reservoir: Capacity when filledacre feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET ACRE-Feet CAPACITY

(c) Head gate: Width.....feet; heightfeet;

Material

(d) Canal: Total lengthmiles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work.....1952.....years.

11. Time required for complete application of water to the proposed beneficial use.....1952.....years.

12. Choice of newspaper for publication of notice of intention to appropriate

(No advertising required for vested rights)

STATE OF SOUTH DAKOTA

County of

I, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

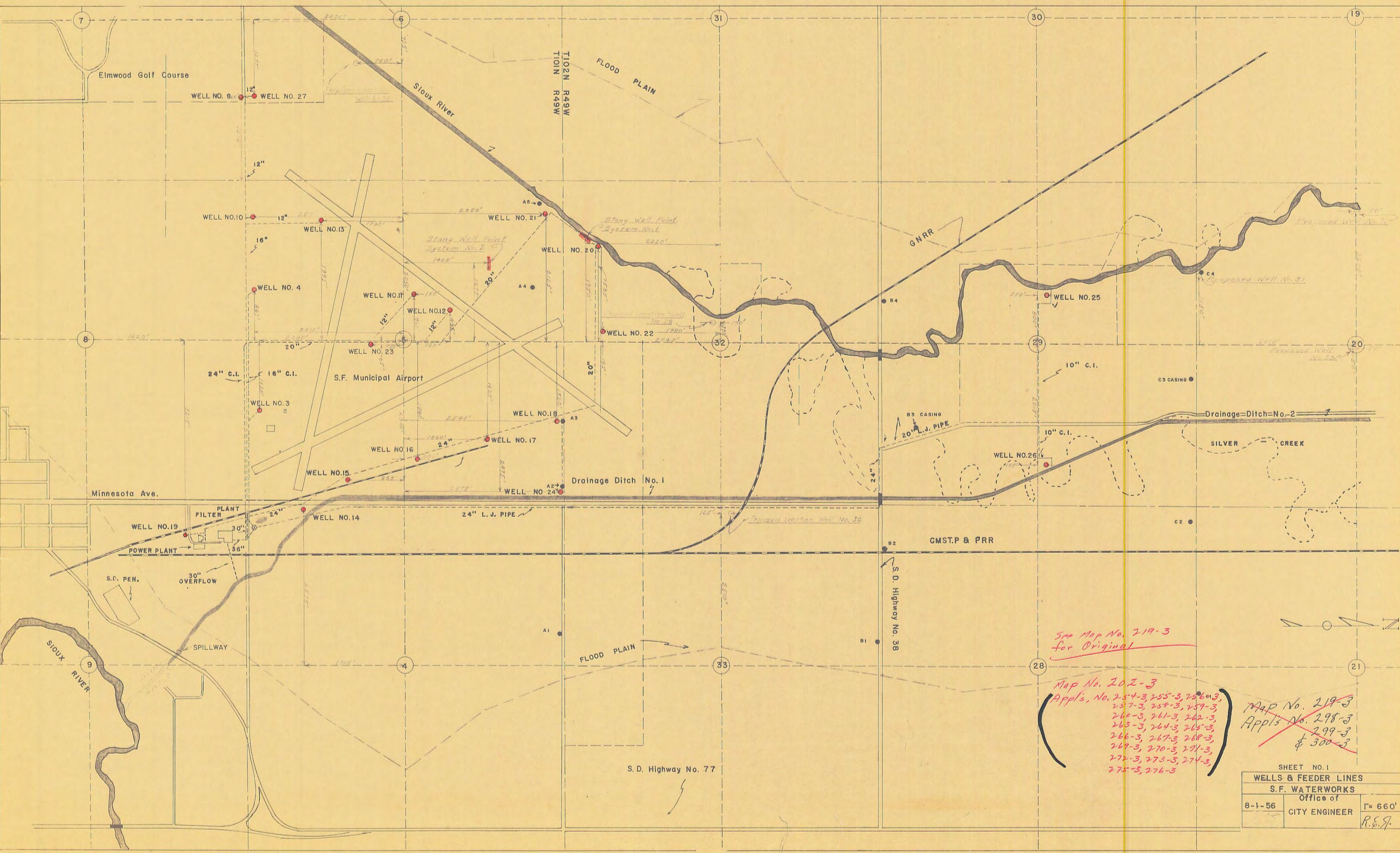
Signed

Subscribed and sworn to before me this 1st day of August, 1956.

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

My Commission Expires April 2nd, 1959



See Map No. 219-3
for Original

Map No. 202-3
App's, No. 254-3, 255-3, 256-3,
257-3, 258-3, 259-3,
260-3, 261-3, 262-3,
263-3, 264-3, 265-3,
266-3, 267-3, 268-3,
269-3, 270-3, 271-3,
272-3, 273-3, 274-3,
275-3, 276-3

MAP No. 219-3
App's No. 298-3
299-3
\$ 300-3

SHEET NO. 1		
WELLS & FEEDER LINES		
S.F. WATERWORKS		
Office of		
8-1-56	CITY ENGINEER	1"= 660'
		R.E.F.

Remarks by State Water Resources Commission:

vested right claimed

STATE OF SOUTH DAKOTA

County of *Lincoln*

Pierre, South Dakota, *September 11*, 19*56*

This is to certify that the foregoing application was received by the Commission at *9:00* o'clock
a.m. upon the *11* day of *September*, 19*56*

State Water Resources Commission

By:

Joseph Krinner

Chief Engineer Executive Officer

vested right
Number of permit *278-3*

Date of first receipt of application *September 11*, 19*56*

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right *1952*, 19____

Approved *September 11, 1956*, Recorded in Book *3*, Page *233*

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one 9th of the work above specified is to be completed on or before _____

Completed, 19____

2nd. The whole of said work is to be completed on or before *Completed*, 19____

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is _____

Completed, 19____

4th. The water appropriated shall be used for the purpose of *municipal use*

5th. 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.

6th. The amount of the appropriation herein granted shall not exceed *1.78* cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must 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 *Completed*, 19____; said water to be used during the following described annual period:

Continuously

Witness my hand this *13* day of *December*, 19*56*

State Water Resources Commission

By:

Joseph Krinner

Chief Engineer, Executive Officer

Certificate of Construction Filed _____, 19*56*

Water License Filed _____, 19*56*

Form 2A — Wells (Supplement to Form 2)

0. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 40.0' Depth 37.0'
Type of casing Concrete
(wood, concrete, steel, etc.)
Size of casing 40.0' Thickness of casing 16"
Length of casing 37.0' If collection gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen None
Size of perforated screen
(diameter) (length)
Thickness of gravel pack length of gravel pack

(c) Water Bearing Materials

Distance to water Character of water bearing materials
Water bearing sand & gravel.
.....
.....
Thickness of water bearing material

(d) Pump and Motor

Type of pump Deep well turbine
(centrifugal, propeller, mixed flow, etc.)
Name of pump Pomona size 1,200 GPM
Kind of motor Electric
(gasoline, electric, diesel, etc.)
Horsepower 40 Name of Motor F.M.

(e) Complete well

Capacity 3 GPM at drawdown of 12-14 ft. Estimated cost \$30,125

(f) Owner on which well is located City of Sioux Falls, South Dakota
Name
.....
Sioux Falls, South Dakota
Address

(g) Distance to nearest existing wells

On same owner's property 73 rods. On property owned by others 110+ rods

STATE OF SOUTH DAKOTA

WATER LICENSE No. 275-3

WHEREAS, On the 10 day of August A. D. 1956The City of Sioux Fallsof Sioux Falls County of Minnehaha and State ofSouth Dakota duly made application (No. 275-3) to us for Vested Right 1.78cubic feet per second of the waters of Ground WaterCounty of Minnehaha, State of South Dakota, for Municipal purposes; andWHEREAS, On the 13 day of December A. D. 1956Vested Right Permit No. 275-3 was issued to said applicant for the diversion of said water, and ~~XXXXXX~~ recognizingcompletion of the works of diversion therein described ~~XXXXXX~~ in 1952 ~~XXXX~~~~XXXXXX~~ and ~~XXXX~~ application to beneficial use of saidwater ~~XXXXXX~~ ~~XXXX~~ in 1952 ~~XXXX~~

and,

WHEREAS, On the 10 day of August A. D. 1956Vested Right the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.78cubic feet per second of said waters, as evidenced by our Certificate No. 275-3dated December 13, 1956 confirming the completion of works of sufficient capacity fordiverting and conveying to the place of intended use 1.78 cubic feet per second of water, with date ofpriority of 1952 ~~XXX~~ ~~XXX~~WHEREAS, On the 10 day of August A. D. 1956proof was duly made of the application to beneficial use of 1.78 cubic feet per second of said water;in the distribution system of the City of Sioux Falls

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 Sioux Falls Vested Right
 of Sioux Falls, South Dakota the holder and owner of said permit No. 27121
 a water right, dating from 1952 to the use of 1.28
 cubic feet per second of the waters of Ground Water
 in the County of Minnehaha and State of South Dakota, or so much thereof as may be
 necessary for the purposes hereinbelow mentioned, to be diverted at 155 feet North and 2,015 feet
East of the N. 1/2 Cor., Sec. 22, T. 103N., R. 50W.
 and conducted to ~~anywhere~~ the residents of the City of Sioux Falls

 for the purpose of Municipal use

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the
 State, and subject, also to the local or community customs, rules and regulations which have been or may be
 adopted from time to time by a majority of the users from a common source of supply, canal or lateral from
 which such water may be taken, when such rules and regulations have for their object the economical use of such
 water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
 this 13 day of December A. D. Nineteen
 Hundred and fifty-six

State Water Resources Commission

By:

J. W. Grimes, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Amt. _____ C. F. S.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

in Book _____ of _____ Page _____

Permit No. 275-3

Water Division No. 3 Big Sioux River
Water District

Certificate of Completion of Works

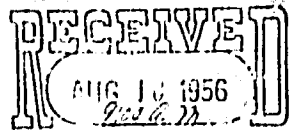
TO ALL WHOM IT MAY CONCERN:

This is to Certify, That The City of Sioux Fallsof Sioux Falls, County of Minnehaha, and State of
South Dakota, the holder Vested Right of Permit No. 275-3, issued upon ApplicationNo. 275-3, bearing date of priority of 1952, authorizing the diversion of
1.78 cu. ft. per second of the waters of Ground WaterCounty of Minnehaha, State of South Dakota, at 155 feet North and
2,015 feet East of the C-1 Cor, Sec 20, T 103N, R 50Wfor Municipal
purposes, has fully 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 Vested Right Permit; that said works are found in satisfactorycondition for diverting and conveying to the place of intended use 1.78 cu. ft.
per second of water, ~~and said diversion is in accordance 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 in satisfactory condition for diverting and conveying to the place of intended use~~to-wit: To furnish municipal water for the distribution system of the
City of Sioux FallsWitness my hand this 13 day of December A. D. 19 56

State Water Resources Commission

By:

J. W. Grimes, Chief Engineer, Executive Officer

Location No. 15-24-5Water Division No. 5-15-24-5 Water DistrictSTATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA**Proof of Application of Water to Beneficial Use****PETITION OF HOLDER**

WELL No. (26)

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. R. E. Bragstad, City EngineerSioux Falls, South Dakota

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans. City of Sioux Falls, South Dakota

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans. -----

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. See Form 2 for information.

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. See Form 2A for information.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have AC TALLY been irrigated with said water.)

Ans. Municipal Water Supply

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans. -----

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 700 GPM.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. -----

Ques. 10. State when, how, in what amount and to what extent, the water diverted under above mentioned permit has been used.

Ans. Since 1911 the city of Sioux Falls has constructed various wells for its Municipal Waterworks. Amount has varied from 4.0 to 10.0 million gallons per day. See Forms 2 & 2A for existing wells.

(Sign) R. E. Jones

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Sioux Falls, County of Minnehaha

State of South Dakota, on this 1st day of August A. D. 1956

R. E. Jones, Jr.
James A. Cox } Witnesses. My Commission Expires April 2nd, 1956

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

Earl Hagen

Location No. _____

**PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE**

PETITION OF HOLDER

Amount of Water 1.78 c. f. s.
Source Ground Water
County Minnehaha
Purpose Municipal Waterworks
Place of Use Sioux Falls

Date of recording _____

Received and filed _____

SIoux FALLS

TO THE DIRECTOR
OF THE BUREAU OF REVENUE

AT THE CITY OF SIoux FALLS

DEAR SIR:

I am writing to you regarding the matter of the
taxes on the property of the City of Sioux Falls.
I am sure that you will find the enclosed
information of interest to you.
Very truly yours,
[Signature]

THE CITY OF SIoux FALLS

Yours truly,

Respectfully,
[Signature]

City of Sioux Falls, S.D.

Very truly yours,
[Signature]

RECEIVED
DEC 16 1950
STATE WATER RESOURCES COM.
SIOUX FALLS, S.D.



DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 7, 1991

Lyle D Johnson, Water/Wastewater Manager
Utilities Department
224 W 9th Street
Sioux Falls SD 57102

Dear Mr. Johnson:

This letter is in response to my inspection of the City's water permits/rights completed on January 16, 1991.

Several of the city's permits can be licensed after receipt of the following information:

- 1) Permit Nos. 5127-3 and 5127A-3 (Well Nos. 53 thru 58).
Permit No. 5115-3 (Well Nos. 48 thru 52).
Permit No. 5235-3 (Well Nos. 60 thru 65).
 - Sustained pump rate for each well under optimal operating conditions,
 - Type and horsepower of the submersible units in each of the wells, and
 - Brief description of the distribution system.

I have located a well completion report (copy enclosed) for a well that appears to be north of well No. 56. A copy of the well completion report for well No. 58 is also enclosed. No well was noted north of No. 58 during my inspection. Please explain if the well exists as described on the enclosed report and if the well is being used by the city.
- 2) Permit No. 5702-3 for water impounded in Silver Creek by the Big Sioux diversion dam. Two units are used with a capacity of 700 gpm each.
 - Type and model no. of the motor and pump with the horsepower.
- 3) Permit No. 5334-3 for the Big Sioux River pump facility.
 - Brief description of the operation of the facility at peak operating capacity.

An application (forms enclosed) needs to be approved to increase the permitted pumping rate to 46.4 cfs and to increase the annual volume of water if you plan to exceed the current 10,000 acre-feet. If approved, No. 5334-3 and the new permit would be issued one water license.

(continued)

February 7, 1991
 Lyle D Johnson
 Page 2 of 3

The following changes are needed to correct errors on the current licenses:

- 1) The following licenses need to have R50W deleted and be reissued for R49W:

254-3, 255-3, 256-3, 257-3, ^{cancel NO 5/13/91} 258-3, 259-3, 260-3, 261-3, 262-3, 264-3, 266-3, 267-3, 269-3, 270-3, 272-3, 273-3, 275-3, 276-3, and 274-3 needs the same range correction plus should be T102N instead of T103N.

License No. 300-3 needs to have section 32 deleted and be reissued for section 33. The original notice of hearing and application are correct.

License No. 4101-3 needs to have T101N deleted and be reissued for T102N and 2,030 feet east rather than 2,030 feet west. The original notice of hearing is correct.

License Nos. 4098-3, 4099-3, 4100-3, and 4812-3 also need to be reissued to identify the correct location of the wells. The original notices of hearing are correct for each license.

- 2) The notice of hearing for 1306-3 needs to be readvertised to correct a diversion point error (should be NW1/4 NW1/4 instead of NE1/4 NE1/4).

The notice of hearing for 4811-3 needs to be readvertised to correct a diversion point error (should be T102N instead of T101N).

Each of these changes (Nos. 1 & 2) will be initiated by the Division of Water Rights. Item No. 2 will require publication of a notice of hearing. The city will be notified of the completion of the corrections.

Well Nos. 30, 31, 32, and 33 have been rehabilitated in the last two years. Revisions may also be needed to some of the water rights held by the city to reflect changes in the pumping capacity of the wells. If the sustained pump rate of these wells under optimal operating conditions is less than the permitted pump rate, then the licenses should be reissued for the reduced pump rate. If the sustained pump rate exceeds the permitted amount, then a new permit is needed for the increase in the pump rate. Please indicate what the sustained pump rates are for well Nos. 30, 31, 32, 33, and other wells as rehabilitation efforts and aquifer conditions allow.

^{258-3 NO 5/13/91}
 Water Right Nos. 254-3, 255-3, 258-3, 265-3, 268-3, 271-3, and 1579-3 will be scheduled for a hearing to allow the Water Management Board to consider cancellation of the water rights due to abandonment and/or forfeiture. Notice will be given of the time and place of hearing. If the Parks and Recreation Department is using of the well authorized by No. 1579-3, please inform me.

275-3

February 7, 1991
Lyle D Johnson
Page 3 of 3

In response to your questions during our meeting on January 17, 1991, the city can plug abandoned wells if the work is completed according to the Well Construction Standards. A copy of the standards and some plugging report forms are enclosed for the city's use.

Water Permit No. 1790-3 held by the Lincoln County Rural Water System is for supplying the rural water system from the city's well field. Enclosed is a copy of Permit No. 1790-3, including the affected city permits and a resolution signed by the mayor of Sioux Falls.

Thank you and your staff for the assistance we received concerning these inspections. I appreciate Mr. Holden taking the time to show us around. If you have any questions regarding any of this information, please contact me.

Sincerely,



Ron Duvall
Natural Resources Engineer
605 773-3352

enc.

cc: Glenn Dostal, HDR Engineering, Inc.

SOUTH DAKOTA

VESTED WATER RIGHT NO. 275-3

Date of Receipt of Claim August 10, 1956.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 275-3 for the City of Sioux Falls Water Department, 224 W. 9th Street, Sioux Falls, South Dakota 57102 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 275-3 appropriates 1.78 cubic feet per second of water from a well located in the SE1/4 NE1/4 Section 29, T102N, R49W.
2. The appropriated water is used for supplying water for the City of Sioux Falls 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, 1952
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 15 1993

date

Division of Water Rights
Dept. of Environment and Natural Resources

STATE OF SOUTH DAKOTA

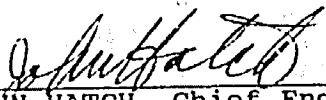
VESTED RIGHT WATER LICENSE NO. 275-3

(1) The City of Sioux Falls, Water Department, 224 W 9th Street, Sioux Falls, South Dakota 57102 made Application No. 275-3, August 10, 1956, for validation of a vested right claim to appropriate 1.78 cubic feet of water per second from groundwater (one well), Minnehaha County, South Dakota for municipal purposes. Vested Water Right No. 275-3 was validated September 30, 1992, with a priority date of January 1, 1952. Construction of the described water supply system and application of water to beneficial use has been completed and complies with applicable provisions of South Dakota State Law.

The original water license, issued in December, 1956, contained an error in the legal description of the diversion point. The township and range were described as being "T103N, R50W" and should have been described as being in "T102N, R49W". Based upon a January 16, 1991 inspection of the water use system and subsequent validation of the vested right claim, this license is being reissued to correct the error.

(2) The vested right holder is entitled to divert 1.78 cubic feet of water per second for beneficial use. The location of the diversion point is: SE 1/4 NE 1/4 Section 29, T102N, R49W.

(3) Pursuant to Section 46-5-30.1, the City of Sioux Falls, Water Department, 224 W 9th Street, Sioux Falls, SD 57102, the holder and owner of Vested Water Right No. 275-3, is issued a license to appropriate 1.78 cubic feet of water per second from groundwater (one well) with a priority date of January 1, 1952 from the location specified in (2) of this license. The water is to be used for the purpose of municipal use. This license is subject to any limitations, conditions or qualifications listed in Vested Water Right No. 275-3 and subject to South Dakota State Law.

 MAR 15 1993
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources

275-3



MAR 15 1993

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

Lyle Johnson, Water/Wastewater Manager
City of Sioux Falls
224 W 9th St
Sioux Falls SD 57102

Dear Mr. Johnson:

The Water Management Board on September 30, 1992, validated the enclosed Vested Water Right Claims. These validations give legal status to the claims and are the final document for the City's vested rights. Several of the water licenses were reissued to reflect the correct location of the diversion point as validated by the Board.

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

enclosures