

2846-3

1. Considered 9. 29, 1976
2. Name of Applicant GANN VALLEY WATER ASSN
3. Post Office Address _____
4. Amount of water claimed 20
5. Source of water supply 2- 1260' ARTESIAN WELLS
6. Water to be used for MUNICIPAL

Acres to be irrigated _____

7. Water to be diverted and used in BUFFALO County
about IN CITY LIMITS. miles _____ of _____

8. Proof of Publication

Received 1st

Not Received _____

9. Application

Approved _____

Subject to _____

Not Approved _____

Action deferred _____

10. Remarks:

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2846-3
GANN VALLEY WATER ASSOCIATION GANN VALLEY
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57341 With the following modifications:
 (State)

Date of first receipt of application JULY 16, 19 76
 Date of return to applicant for correction, amendments or changes required _____, 19 ____
 Date of receipt of corrected application _____, 19 ____
 Approved SEPTEMBER 29, 19 76, Recorded in Book 16 Page 309

WATER RIGHT PERMIT NO. 2846-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2846-3 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 16, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 29, 19 79
3. The whole of said work is to be completed on or before SEPTEMBER 29, 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 29, 19 85
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 20 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 if for the irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-fifth (1/5) of one cubic foot of water per second of time for each acre of land to which water is USED FOR MUNICIPAL PURPOSES actually and beneficially ~~applied for irrigation~~ applied for irrigation on or before SEPTEMBER 29, 19 85; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 21ST day of MARCH, 19 77

WATER RIGHTS COMMISSION

By:

John H. Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued MAY 9, 19 80

Water License Issued MAY 9, 19 80

12 Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

1260 feet

(1) Drill Hole, Diameter _____, Depth _____

(2) Casing, Type plastic or steel 400' of 4"
(wood, concrete, steel, etc) Diameter Remainder 2" Thickness standard

(3) Perforated Screen.

Type _____, Diameter _____, Length _____

(4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates

(1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Please attach a copy to test well log if available)

Character of Water bearing materials Dakota sandstone

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) 150' - 250'

(2) Distance to nearest existing household or livestock watering wells.

On same owner's property _____ rds. On property owned by others more than 2 miles rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Jayce M. Mager
Signature of Applicant

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) Gann Valley Water AssociationPost Office Address Gann Valley, State S.D.

If a Corporation show date and place of incorporation _____

13. Notice of Appropriation (If available)
no prior posting
Date of Posting _____ Date of Recording _____

Recording Date _____

14. Date of start of construction of water supply system 195615. Date that water was first applied to beneficial use 195616. Name of owner of original water supply system Elvira Independent School District #417. Amount of water originally applied to beneficial use .10 c. f. s.

18. Present Use of Water

Amount of water now being used .10 c. f. s.

Date that this amount of water was first used _____

19. Chronological History of Water Use

Well was drilled in 1956 by Elvira Independent School District - used to furnish water to Gann Valley since construction - New well will be connected to the existing system, and either well will be able to furnish the Town needs and School needs. (Elvira Independent School District No. 4 does not exist anymore, but is a part of the Wessington Springs School District #13, However, the School is still operated under the new District).

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 HUGHES)

I, Joyce Magee, the applicant, certify that I have read the foregoing and that the matters therein stated are true.

Signed Joyce MageeSubscribed and sworn to before me this 16th day of July, 19 76

Betty Westlund
(Notary Public or other qualified Officer)
Betty Westlund, Land/Water Clerk II

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.

Permit No. 2846-3

Water Diversion No. 3 Missouri River Water District

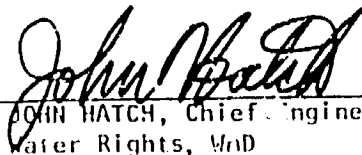
CERTIFICATE OF CONSTRUCTION

This is to Certify, That Gann Valley Water Assoc.

_____ the holder of
Permit No. 2846-3, issued upon Application No. 2846-3, bearing date of priority of _____
July 6, 1976 authorizing the diversion of .20 cu. ft. per second of the waters of _____
groundwater (two wells) County of Buffalo, State of South Dakota at _____
well #1 - 870'S and 1250'E of the N $\frac{1}{4}$ corner Section 33,
well #2 - 650'S and 1250'E of the N $\frac{1}{4}$ corner of Section 33, all in
T107N, R68W for municipal

purposes, have _____ 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 found in satisfactory
condition for diverting and conveying to the place of intended use .2 cu. ft. per second of water

Date May 9, 1980


JOHN HATCH, Chief Engineer
Water Rights, M&D

WATER LICENSE NO. 2846-3.

~~Garr. Valley Water Assoc.~~

County of Buffalo, State of South Dakota, for municipal

was issued to said applicant s for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 29th day of September A. D. 1981 and for the application to beneficial use of said water on or before the 29th day of September A. D. 1985

used for municipal purposes

(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 Gann Valley Water Assoc.

_____ of Gann Valley, SD

the holder S and owner S of said permit No. 2846-3 a water right, dating from July 16, 1976

_____ to use of .2 cubic feet per second of the waters

of ground water (two wells)

in the County of Buffalo and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at Well #1 - 870'S and 1250'E of the N $\frac{1}{4}$ corner

Section 33, Well #2 - 650'S and 1250'E of the N $\frac{1}{4}$ Section 33, all in

T 107 N, R 68 W

and conduct ^{ed} ~~xxxxxx~~ through the town water distribution system

for the purpose of municipal use

Subject to any limitations listed in Water Right Permit No. 2846-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 9th day of May A. D.

Nineteen Hundred and Eighty

Board of Water Management

By:



Chief Engineer

JOHN HATCH

Publish first publication, on or before September 16, 1976

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

~~August 10~~, 1976

Notice is hereby given that the Gann Valley Water Association
whose post office address is Gann Valley, South Dakota, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
1.50 cubic feet of water per second of time from the ground water (artesian)
Gann Valley Water Assoc. Well, the point of diversion of which ^{is} to be located in the _____

NW 1/4 NE 1/4

of Section 33, Twp. 107N, Range 63W. Said water to be used for the purpose
of providing in ~~accordance with the provisions of~~
supplies for members of the water association

This application No. 2846-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 29th day of September, 1976, at 10:00 A. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw
cc:

Joyce Hagen, Gann Valley Water Association,
Gann Valley, S D. 57341

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA
COUNTY OF BRULE

John W. Ryan

Said County being duly sworn, on oath says that he is publisher of the Brule County News, a weekly newspaper printed and published in Kimball, said County of Brule, and has full and personal knowledge of all the facts as herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least 200 copies weekly, and has been published within said county for fifty weeks prior to the publication of the notice herein mentioned and was and is printed wholly or in part in an office maintained at

place of publication; that the Notice to Appropriate

a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper, at least one in each week for 2 successive weeks, on the day of each week in which said newspaper was regularly published, to-wit:

Sept. 9	1976	19
Sept. 16	1976	19
	19	19
	19	19
	19	19

that the full amount of the fees for the publication of the annexed notice is \$ 11.21

Dated this 2 day of February, 1977

(Signed) John W. Ryan (Title)

Subscribed and sworn to before me this 2 day of February, 1977

John W. Ryan
County Public
County of Brule, South Dakota

PUBLIC NOTICE

NOTICE INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501
August 10, 1976

Notice is hereby given that the Gann Valley Water Association whose post office address is Gann Valley, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 20 cubic feet of water per second of time from the ground water (artesian) through the Gann Valley Water Association Well, the points of diversion are to be located in the NW 1/4 NE 1/4 of Section 33, Township 107N, Range 68W. Said water to be used for the purpose of providing supplies for members of the water association.

This application No. 2846-3 will be considered by the Water Rights Commission at their office at Pierre upon the 28th day of September, 1976, at 10:00 A.M. All interested persons may appear and be heard.
WATER RIGHTS COMMISSION
BURTON F. JONES
Water Rights Specialist
(2T S9-16)



May 27, 1976

Mr. Vern Butler
Department of Natural Resources
Pierre, South Dakota 57501

Re: Gann Valley Water Association

Dear Vern:

This is to advise that the above water association has been attempting for approximately two years to gain a water right in the unincorporated town of Gann Valley, South Dakota. It would appear that there have been many phone calls, letters, delays, promises, and I am not sure what all; but in any event, they are still spinning their wheels and not accomplishing their purpose of trying to gain a water right.

They have had some contact with one Jim Bohls in your Department, who should be familiar with the matter.

Would you please advise what the status of this matter is and what still needs to be done as I would like to assist this group not only as a Representative, but also because my partner is States Attorney for Buffalo County.

Thank you.

Very truly yours,

Ronald K. Miller

RRM:mak

cc: Mrs. Leonard Magee

C
O
P
Y

Capitol Building
Pierre, South Dakota 57501
605/224-3596

Kimball, South Dakota 57355
605/778-6316

Representative Ronald K. Miller
STATE OF SOUTH DAKOTA
-C3-

July 12, 1976

RECEIVED

JUL 14 1976

DEPT. OF NATURAL
RESOURCE DEVELOPMENT

Mr. Vern Butler
Department of Natural Resources
Pierre, South Dakota 57501

Re: Gann Valley Water Association

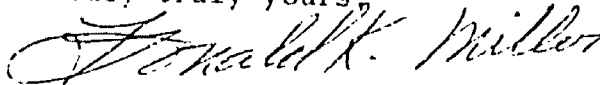
Dear Vern:

Please find enclosed a copy of my May 27, 1976, letter to you concerning the problem that the above association has had in obtaining a water right for the unincorporated town of Gann Valley, South Dakota.

Shortly after the date of the above letter, I received a phone call from someone in your office advising that they would be personally contacting one Joyce Magee at Gann Valley on this matter. This is to advise that Mrs. Magee apparently received a phone call with assurances that something would be done or that they would be down to see her. On July 9, 1976, I contacted Mrs. Magee, who advised that nothing has been done.

Again, would you please advise what the status of this matter is and what still needs to be done and to do so in writing as I would like to see this matter cleared up and completed to everyone's satisfaction.

Very truly yours,



Ronald K. Miller

RKM:mak

July 15, 1976

Ronald K. Miller
Kimball
South Dakota 57355

Dear Representative Miller:

Mr. John Hatch, Chief Engineer of the Water Rights Commission had contacted Mrs. Joyce Magee early last week regarding the Gann Valley water right application. He had planned to stop by Gann Valley while making investigations of Beadle County water complaints, Mitchell area water problems and a deferred water right application near Stickney. Unfortunately, the critical problems at Mitchell and in the Huron area took longer than anticipated, so John ran out of time before reaching Gann Valley.

However, we have sent another of our Staff, Mr. LeRoy Mernaugh, into south centered South Dakota this week to make some investigations. He will be stopping by Gann Valley on Wednesday or Thursday, July 14th or 15th if everything goes on schedule.

I don't believe the problem at Gann Valley is serious and it is just a matter of our staff getting to it. I believe it can be cleared up relatively easily, based on our previous discussions over the telephone.

Very truly yours,

Vern W. Butler
Secretary

VWB:nrf

7-21-76

John Halch.

I contacted Mr. McFee on July 14, 1976. I helped him fill out a pencil copy of a Water-Right application for a well to be located about 150' NW of the present well.

The old school well which belonged to the school district. Now it is administered out of Messington Springs. To whom should the old well be transferred to ?? or does it need to be transferred. I will have to check Jones on this.

W. H. H. H.

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7373

PIERRE, March 11, 1980

RECEIVED OF Gann Valley Associates, Gann Valley SD 57382

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing) 2846-3)		
Fee for inspecting Construction, and issuing Cert. of Construction No. 2846-3)	50	00
Fee for inspecting Beneficial Use, and Issuing Water License No. 2846-3)		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH kw

Permit No. 2846-3Water Division 3 Missouri River Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

TO WATER RIGHTS, WATER MANAGEMENT BOARD / POSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Gann Valley
Water Assoc of Gann Valley, South Dakota 57341 holder
of Permit No. 2846-3, bearing date of priority of July 16, 1976
authorizing the diversion of 1.26 cu. ft. per second of the waters of Two Wells
for Municipal purposes, in Butte County.

I have to report on the condition of the same as follows:

The Water Use System consists of,

A. Works used to divert the water:

Well #1 Submersible Pump
Well #2 1 1/2 HP Frit Walling Submersible Pump
Pumping 30 gpm

B. Works used to transport water to place of use,

City Water Mains

C. Works used to apply water to beneficial use.

City Water SystemThe system is in the following condition: Good

The point of diversion is located Well #1 = 570'S and 1240'E of the N 1/2 Cor Sec 13
Well #2 = 602'S and 1230'E of the N 1/2 Cor Sec 13, all in T107N R65W

The works are capable of diverting and conveying to the place of use 1.26cu. ft. per second of water which is to be used for Municipal Purposes

Water has been put to beneficial use to the maximum extent as follows:

comprising a total of _____ acres of land.

Well depth 1710 ft
Artesian

Date July 17, 1979
Leroy J. Hennings
(Signature)

MAP PREPARED BY
Burtin Jones
WATER RIGHT SPECIALIST
WATER RIGHTS COMMISSION

DIVERSION POINT, WELL #1.
870'S and 1250'E of N $\frac{1}{4}$ Cor
SEC. 33, T107N R68W

WELL #2 = 650' South and
1250'E of the N $\frac{1}{4}$ Cor.
SEC. 33, T107N R68W

N $\frac{1}{4}$ Cor.

107-68

(1-34)

64.9

PROPOSED WELL #2
SCHOOL WELL #1

9.9

33

115.5

107-68

MAP NO 2181.3 APPD NO 2841.3