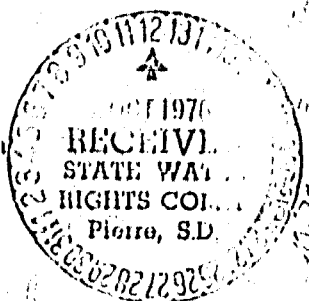


Water Right Number 3073-3

1. Considered 11-17, 19 76
2. Name of Applicant TOWN OF BADGER
3. Post Office Address _____
4. Amount of water claimed .50
5. Source of water supply 290' DEEP WELL
6. Water to be used for MUNICIPAL
Acres to be irrigated _____
7. Water to be diverted and used in KINGSBURY 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:

No. 3073-3
 Map No. 2397 Water Division No. 3 BIG SIOUX RIVER District
 (Blank to be Filled by the Engineer for the W. H. C.)


APPLICATION FOR PERMIT

To Appropriative Water within the State of South Dakota

(NOTE-Draw a line through items not applicable)

1. Name of Applicant Town of Badger
 Postoffice address Badger State South Dakota 5714
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract completed in 1969
3. Name of diversion work Badger Municipal Well
4. Amount of water claimed (cubic feet per second) 1 Cubic Foot per second
5. Source of water supply Well
6. Location of point of diversion 1033 feet east of southwest corner of Section 21, Badger Townehip #112, Range 53. Lot # 11 in Block 4, Original Town of Badger. County Kingsbury
7. Annual period or periods during which water is to be used 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.
	11		
	11		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 years. Additional time required to complete application of water to the proposed beneficial use 1 years.
11. Choice of newspaper for Notice of Intent to Appropriative Water publication Arlington Sun, Arlington, S. Dak.
12. Principal Features of the Proposed Water Supply System.

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

Submersible pump. 3800 gal. hydro-pneumatic tank.

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

Closed conduit pipe distribution system

C. Works proposed to apply water to beneficial use.

Individual homes and businesses.

Estimated Total Cost, \$ 38,000.00
 Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

 County of Kingsbury
 I, Myron Andersen, Mayor

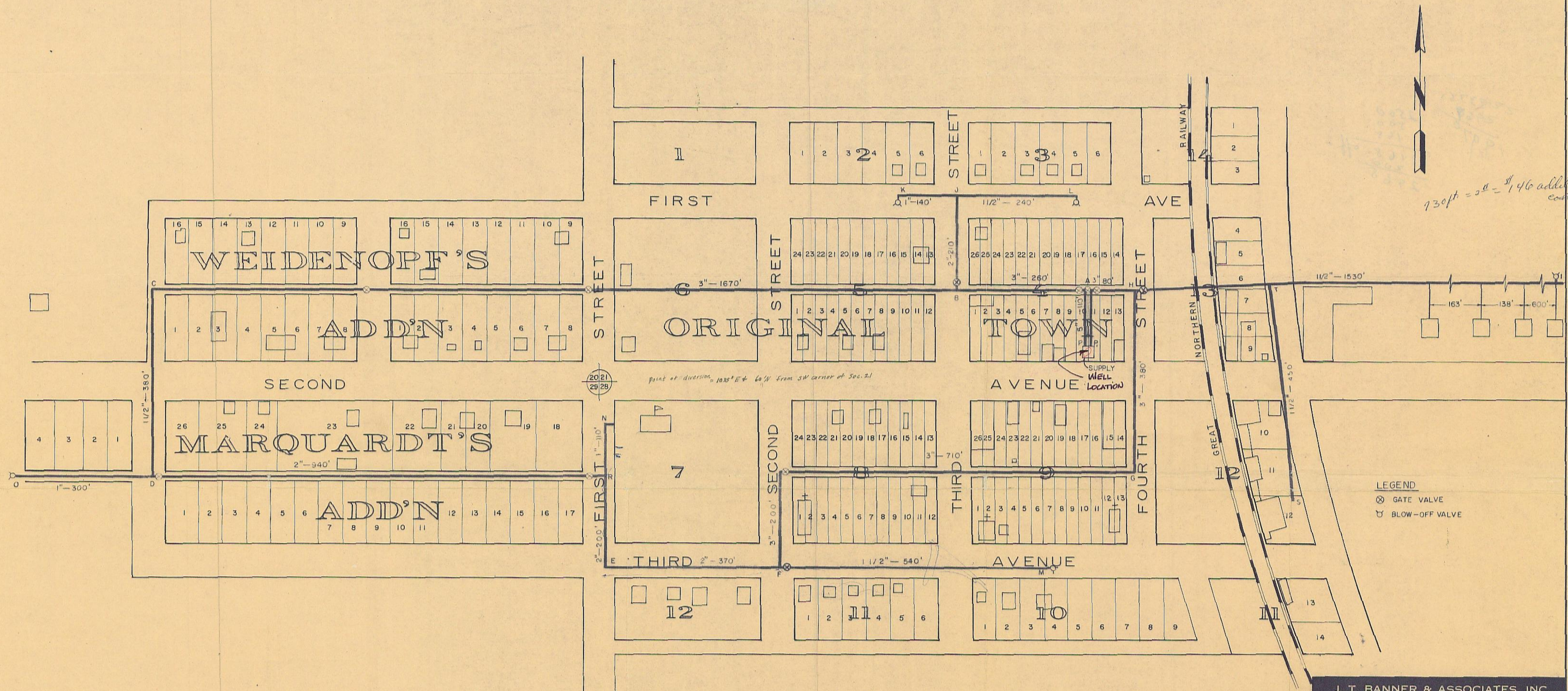
the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

*Town Board, Badger, S. Dak.

Subscribed and sworn to before me this

Signed Myron Andersen 6th day of October 1976

Notary Public (or other qualified officer)



J. T. BANNER & ASSOCIATES, INC.
CONSULTING ENGINEERS
BROOKINGS, SOUTH DAKOTA

WATER SUPPLY FACILITIES
BADGER, SOUTH DAKOTA

PRELIMINARY LAYOUT

DRAWN: C.C.C.	APPROVED:	
DESIGNED: L.J.B.	DATE	
CHECKED: L.J.B.	APPROVED:	
DATE:	DATE	FOR J. T. BANNER & ASSOC. INC.
JAN. 1969	SCALE: 1" = 100'	DRAWING NUMBER 6157
	SHEET OF	

Map No 2397-3 (Appx No 3073-3)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3073-3

TOWN OF BADGER

(Applicant)

(Post Office Address)

SOUTH DAKOTA 57214

(State)

With the following modifications:

Date of first receipt of application OCTOBER 12, 1976

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

Date of receipt of corrected application 19

Approved NOVEMBER 17, 1976, Recorded in Book 16 Page 302

WATER RIGHT PERMIT NO. 3073-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3073-3 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 OCTOBER 12, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 17, 1977
3. The whole of said work is to be completed on or before NOVEMBER 17, 1977
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 17, 1978
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 150 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~~ used for municipal purposes and if for the irrigation purposes said appropriation must be limited to not more than 2 cubic feet per acre per year and be limited to not more than one-twentieth (1/20) 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 on or before NOVEMBER 17, 1978 said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 21ST day of MARCH 1977

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued APRIL 4, 1979

Water License Issued APRIL 4, 1979

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 10", Depth 260'
- (2) Casing, Type Steel Diameter 8" Thickness 1/8"
(wood, concrete, steel, etc)
- (3) Perforated Screen
Type St. Steel 1 1/2" Slot, Diameter 7", Length 30'
Concrete
- (4) Gravel Pack, Thickness 1 1/2", Length of gravel pack 60'

E. Dugout Information or Estimates

- (1) Surface dimensions _____, Depth 15'

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

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

Character of Water bearing materials All sand

Depth to top of water bearing material 260'

Depth to bottom of water bearing material 290'

Thickness of water bearing material 30'

Depth to water (ground surface to water level) 30'

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

On same owner's property 0 fts. On property owned by others 60 fts.

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.


Signature of Applicant

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 3073-3

(1) WHEREAS, On the 12th day of October A. D. 1976
the Town of Badger

made Water Right Application No. 3073-3 for a permit to use .50 cubic feet per second of the waters
of ground water

County of Kingsbury, State of South Dakota, for municipal

purposes; and
(2) WHEREAS, On the 21st day of March A. D. 1977

Permit No. 3073-3, with a date of priority of October 12, 1976

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 17th day of November A. D. 1977 and for the
application to beneficial use of said water on or before the 17th day of November A. D. 1977

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 .067 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,

**for diversion through the Town water distribution system for the purpose
of municipal use**

(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 Badger

the holder XXX and owner XXX of said permit No. 3073-3 a water right, dating from October 12, 1976 to use of .067 cubic feet per second of the waters of ground water

in the County of Kingsbury and State of South Dakota, or so much thereof as may be necessary for the purposes hereinafter mentioned, to be diverted at a point 1035'E and 60'N of the SW corner Section 21, T112N, R53W

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. 3073-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 4th day of April A. D.
Nineteen Hundred and seventy-nine

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 3073-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Town of Badger

_____ the holder of
Permit No. 3073-3, issued upon Application No. 3073-3, bearing date of priority of October 12, 1976, authorizing the diversion of .50 cu. ft. per second of the waters of ground water in County of Kingsbury, State of South Dakota at a point 1035'E and 60'N of the SW corner, Section 21, T112N, R53W
_____, for municipal

purposes, has s 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 .067 cu. ft. per second of water.

Date April 4, 1979

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Commission

Affidavit of Publication

STATE OF SOUTH DAKOTA

SS.

COUNTY OF KINGSBURY

G. L. Sturges, of said county and state, being first duly sworn on oath says that he is publisher of THE ARLINGTON SUN, a weekly newspaper printed and published in Arlington, in said County of Kingsbury, and has full and personal knowledge of all facts herein stated; that said ARLINGTON SUN is a legal newspaper and has a bona fide circulation of at least two hundred copies weekly, and has been put to use in said county for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that the advertisement headed—

Notice of Intent to Appropriate
Water

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 once each week for 2 successive weeks, on the day of each week on which said newspaper was regularly published to-wit:

Oct. 27, 1976

....., 19

Nov. 4, 1976

....., 19

....., 19

....., 19

....., 19

....., 19

that \$ 10⁴⁸, being the full amount of the fee charged for the publication of said notice inures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division thereof has been made with any other person, and that no part thereof has been agreed to be paid to any other person whomsoever.

G. L. Sturges

Subscribed and sworn to before me this 4 day of Nov, 1976

G. L. Sturges

Notary Public

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501
October 20, 1976

Notice is hereby given that The Town of Badger, 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 50 cubic feet of water per second of time from ground water through the Badger Municipal Well, the point of diversion of which is to be located in the SW-1/4 SW-1/4 of Section 21, Twp. 112N, Range 53W. Said water to be used for the purpose of providing municipal supplies for the Town of Badger.

This application No. 3073-2 will be considered by the Water Rights Commission at the Marvin Hughitt Hotel in Huron, South Dakota upon the 17th day of November, 1976 at 10:00 A.M. All interested persons may appear and be heard.

By: WATER RIGHTS COMMISSION
BURTON F. JONES, Water Rights Specialist

11/4/2



Form 6. - Notice Intent to Appropriate Water

No. 3073-3

Publish first publication, on or before
November 4, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 20, 1976

Notice is hereby given that The Town of Badger

Those post office address Box 100, South Dakota, 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 .50 cubic feet of water per second of time from the ground water through the Badger Municipal Well, the point of diversion of which is to be located in the SW 1/4 SW 1/4

of Section 21, Twp. 11.2N, Range 53W. Said water to be used for the purpose of providing irrigation on the following described land:

municipal supplies for the Town of Badger:

This application No. 3073-2 will be considered by the Water Rights Commission at The Marvin Huggitt Hotel in Huron, South Dakota upon the 17th day of November, 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: The Town of Badger, Badger, SD 57214

Form 10.

No. 3073-3

NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE



Post Office Badger, S. D.

Date April 14, 1977

TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amount as specified in Water Right Permit No. 3073-3.

Water Right Permit No. 3073-3 states that the diversion system is ~~to be~~ constructed by , 19 62 and that the water is ~~to be~~ put to beneficial use by , 19 70.

The diversion system was completed on , 19 62.
Applying the water to beneficial use was completed on May, 19 70.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Harold C. Anderson
(Signature) Clark

TOWN OF BADGER
BADGER, S. D. 57214

3073-3 Town of Boulder

5-17-75 Well depth 290' 5' Len

Submersible pump

Franklin 10 H.P. Electric

Pump from 250 to 300 gpm

Permit No. 3073-3Water Division 3 Big Sioux River Water District

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

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by Town of
Badger of Badger, South Dakota 57214 holder
of Permit No. 3073-3, hearing date of priority of October 12, 1976
authorizing the diversion of 1.50 cu. ft. per second of the waters of One Well
for Municipal purposes, in Kingsbury 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:

Franklin 10 H.P. Submersible Pump

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

C. Works used to apply water to beneficial use.

Water system for the Town of BadgerThe system is in the following condition: GoodThe point of diversion is located 1035' E and 60' N from the SW corner of
Section 21, T112N R53WThe works are capable of diverting and conveying to the place of use .067
cu. 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 290 ft

pumping 300 gpm

Point of Diversion 0.5 cfs

Flow rate 0.5 cfs

Date January 22 1978

Leopold J. McLaughlin

(Signature)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

Nº 4 6764

PIERRE, February 7, 1979

RECEIVED OF Town of Badger, SD 57214
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) _____		
Fee for inspecting Construction, and issuing Cert of Construction No. 3073-3	50	10
Fee for inspecting Beneficial Use, and issuing Water License No. 3073-3		
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 9Y