

Water Right Number 3947-3

1. Considered 5-25, 1977
2. Name of Applicant CITY OF FAULKTON
3. Post Office Address _____
4. Amount of water claimed 1.0
5. Source of water: supply 3-280' DEEP WELLS
6. Water to be used for IRRIG MUNICIPAL

Acres to be irrigated _____

7. Water to be diverted and used in FAULK County
about 1/4 CITY LIMITS Miles _____ of _____

8. Proof of Publication Received 15 11-23-77

Not received _____

9. Application Approved _____

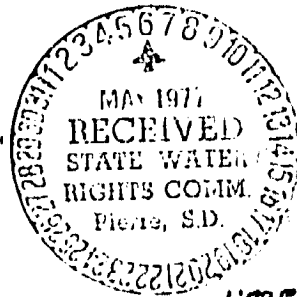
Subject to _____

Not approved _____

Action deferred _____

10. Remarks:

Map No. 319B-3 Water Division No. 3 JAMES RIVER District _____
 (Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriately Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

- Name of Applicant City of Faulkton
 Postoffice address _____, State _____
 If a corporation show date and place of incorporation _____
- Method of accomplishing work (contract, employment of others, or by direct labor) _____
- Name of diversion work City Wells #1 #2 and #3
- Amount of water claimed (cubic feet per second) 1.0
- Source of water supply Ground water
- Location of point of diversion 2 wells - RR Cutlot #1, NW 1/4 of Sec. 14, Township 118N, Range 69W
1 well - Intersection of Elm & 8th St. in original Plat of the City of Faulkton County Faulk
- Annual period or periods during which water is to be used continuously
- Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.) municipal
- 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

- Time required to complete construction of water supply system completed years. Additional time required to complete application of water to the proposed beneficial use completed years.
- Choice of newspaper for Notice of Intent to Appropriately Water publication Faulk County Record
- Principal Features of the Proposed Water Supply System.

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

3 wells, pumps and motors

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

City mains

C. Works proposed to apply water to beneficial use.

450 hookups

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)
) ss.
 County of FAULK)

I, Jarvis W. Brown, Auditor, 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 Jarvis W. Brown
 Subscribed and sworn to before me this 5th day of May, 1971
Anita Selting
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 3947-3
CITY OF FAULKTON (Applicant)
SOUTH DAKOTA 57438 (State) With the following modifications:

PARTIAL 'VESTED RIGHT' CLAIMED

The ~~existing~~ well approved under this Permit ~~is~~ located near domestic wells which may obtain water from the same aquifer. The ~~existing~~ well owner, under this Permit, shall control his ~~existing~~ withdrawals so there is not a reduction of needed water supplies in adequate domestic wells.

Date of first receipt of application MAY 6 19 77
 Date of return to applicant for correction, amendments or changes required — 19 —
 Date of receipt of corrected application — 19 —
 Approved MAY 25 19 77 Recorded in Book 19 Page 210

WATER RIGHT PERMIT NO. 3947-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 3947-3 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 73. DEC 22 - NOVEMBER 22, 1977
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 1.0 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~~ USE FOR MUNICIPAL PURPOSES ~~and the appropriation must be limited in such a way that it does not preclude the use of water which water is actually and beneficially applied for irrigation on or before~~ THIS DATE ~~19~~ —; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 20TH day of JANUARY 19 78

WATER RIGHTS COMMISSION

By:

John K. Kelt
 Chief Engineer, Executive Officer

Certificate of Construction Issued — 19 —

Water License Issued — 19 —

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 6", Depth 280'
- (2) Casing, Type (wood, concrete, steel, etc), Diameter 6", Thickness Standard
- (3) Perforated Screen.
- Type Wire Wrap, Diameter 6", Length 20'
- (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 Coarse sands and gravel

Depth to top of water bearing material 220'

Depth to bottom of water bearing material 280'

Thickness of water bearing material 40' to 60'

Depth to water (ground surface to water level) 130'

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

On same owner's property 20 rds. On property owned by others 80 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.

Pumps set at 230'


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) City of FaulktonPost Office Address _____, State South Dakota

If a Corporation show date and place of incorporation _____

13. Notice of Appropriation (If available)

Date of Posting No prior posting Date of Recording _____

Recording Date _____

14. Date of start of construction of water supply system 194215. Date that water was first applied to beneficial use 1943

16. Name of owner of original water supply system _____

17. Amount of water originally applied to beneficial use 125 c. f. s.

18. Present Use of Water

Amount of water now being used .66 c. f. s.Date that this amount of water was first used 1976

19. Chronological History of Water Use

Well was drilled in 1942-1943 and water use started upon completion of system. Additional wells were drilled in 1964 and 1976. All three wells are now in operation.

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 FAULK) ss.Jarvis W. Brown, Auditor of
I, City of Faulkton

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

Signed Jarvis W. BrownSubscribed and sworn to before me this 5th day of May, 19 77

ANITA SELTING, Notary Public
Faulk County, South Dakota

My Commission Expires February 6, 1984

(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.

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA, County of Faulk ss.

G. W. Stevenson

..... of said County and State being first duly sworn, on his oath says: That the FAULKTON RECORD is a weekly newspaper of general circulation, printed and published in Faulkton in said County and State, by G.W. Stevenson and/or Villa J. Stevenson, and has been such newspaper during the time hereinafter mentioned, and that I, **G. W. Stevenson**

the undersigned am **owner** of said newspaper, in charge of the advertising department thereof, and have personal knowledge of all the facts stated in this affidavit

and that the advertisement headed **Notice of Intent to Appropriate Water**

..... a printed copy of which is hereto attached, was printed and published in the regular and entire issue of said newspaper and not in supplement, once each week for **two**

successive weeks, the first publication being made on the **12** day of

May 19 **77** and the last publication on the **19** day of **May** 19 **77**

The first publication being made on the **12** day of **May** 19 **77**

The second publication being made on the **12** day of **May** 19 **77**

The third publication being made on the day of 19.....

The fourth publication being made on the day of 19.....

The fifth publication being made on the day of 19.....

The sixth publication being made on the day of 19.....

The seventh publication being made on the day of 19.....

The eighth publication being made on the day of 19.....

That said newspaper is a legal newspaper, and has a bona fide circulation of more than two hundred copies weekly, and has been published within the County of FAULK for more than fifty-two successive weeks next prior to the first publication of said notice, and is printed in English in an office maintained in Faulkton, South Dakota, the place of publication of said newspaper. That the full amount of the fees for the publication of the annexed notice is \$ **2.03** and inures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any person whomsoever.

[Signature]

Subscribed and sworn to before me this day of 19.....

Notary Public, S. D.

NO141-May 12, 19
NOTICE INTENT TO
APPROPRIATE WATER
May 6, 1977
Notice is hereby given that
City of Faulkton whose post of-
fice address is Faulkton, South
Dakota, has made an application
in accordance with the provisions
of the water laws of South Da-
kota for a permit to appropriate
for beneficial use 1.0 cubic feet
of water per second of time from
ground water through the City
Wells #1, #2, & #3, the points
of diversion of which are to be
located in the NW 1/4 (3 wells)
of Section 14, Twp, 118N, Range
69W. Said water to be used
for municipal purposes.
This application No. 3947-3
will be considered by the Water
Rights Commission at their office
at Pierre upon the 25th day of
May, 1977, at 10:00 A.M. All
interested persons may appear
and be heard.
WATER RIGHTS COMMISSION
JAMES WINTERTON
Water Rights Specialist



Form 6 - Notice of Intent to Appropriate Water

No. 2917-3

Publish first publication, on or before May 12, 19 77

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

May 6, 19 77

Notice is hereby given that City of FAULKTON
whose post office address is Faulkton, 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
1.0 cubic feet of water per second of time from the ground water through the
City Wells # 1, #2, & #3, the point of diversion of which is to be located in the

NW 1/4 (3 wells)
of Section XI 14, Twp. 113N, Range 65W. Said water to be used for the purpose:
portions of
of providing irrigation on the following described lands:

municipal purposes:

This application No. 2917-3 will be considered by the Water Rights Commission at their office at
Pierre upon the 25th day of May, 19 77, at 10:00 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

JAMES WINTERSTON
Water Rights Specialist

BFJ/bw

cc: City of Faulkton, SD 57438

Form 10.

No. 3947-3



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

Post Office Faulkton, South Dakota

Date March 14th, 1973

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 amounts as specified in Water Right Permit No. 3947-3.

Water Right Permit No. 3947-3 states that the diversion system is to be constructed by _____, 19____ and that the water is to be put to beneficial use by November 22nd, 19 77.

The diversion system was completed on November 22, 19 77.
Applying the water to beneficial use was completed on November 22, 19 77.

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.

City of Faulkton
by [Signature]
(Signature) Auditor

South Dakota

GREAT FACES. GREAT PLACES

DEPARTMENT OF WATER & NATURAL RESOURCES

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

April 25, 1991

3947-3

James E Wagner, Mayor
City of Faulkton
PO Box 37
Faulkton SD 57438

Dear Mayor Wagner:

The Water Management Board has validated the enclosed Vested Water Right No. 3947-3. 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

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosure

L

SOUTH DAKOTA

VALIDATION OF (PARTIAL) VESTED WATER RIGHT CLAIM NO. 3947-3

Date Claim Accepted For Filing May 6, 1977.

Date of Validation September 27, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim No. 3947-3 for the City of Faulkton, P O Box 37, Faulkton, South Dakota 57438 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 3947-3 appropriates 0.27 cubic feet of water per second from Well No. 1 approximately 280 feet deep and located in the NW 1/4, Section 14, T118N, R69W.
2. The appropriated water is used for supplying water for the City of Faulkton 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, 1942.
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 must not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: _____

John H. H. H.
Chief Engineer
Division of Water Rights
Dept. of Water and Natural Resources

APR 25 1991

date

3947-3

Permit No. 3947-3
Water District: James River

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

I have this day made a thorough examination of the water use system constructed by the City of Faulkton holder of Permit No. 3947-3, bearing the priority of January 1, 1942 authorizing the diversion of 0.27 cfs and November 22, 1977 authorizing the diversion of 0.73 cfs of groundwater for municipal purposes, in Faulk County.

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

A. Works used to divert the water:

Three wells each 225' deep with submersible pumps rated at 150 GPM each.

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

One 60,000 gal water tower and one 70,000 cistern provide water to the city water distribution system.

C. Works used to apply water to beneficial use:

The city water distribution system.

The system is in the following condition good. The points of diversion are located 740' north and 280' east of the W1/4 corner of Sec 14, T118N, R69W (three wells 150' apart).

The works are capable of diverting and conveying to the place of use 1.0 cu. ft. per second of water which is to be used for municipal purposes.

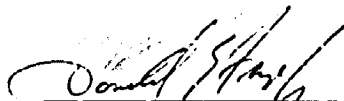
Water has been put to beneficial use to the maximum extent as follows:

The well provides water to the families and businesses of Faulkton as a backup and supplement to the WEB rural water system and should be issued for 1.0 cfs.

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: None

Date Inspected: 11/12/91



DONALD E. FRYE, JR.
Natural Resources Analyst
DENR, Water Rights Division

LICENSE FOR PERMIT NUMBER 3947-3

1. Legal location of wells: 740' north and 280' east of SW corner of SW1/4, Sec 14,
T118N, R69W (three wells 150' apart)

dams & structures: _____

2. Well Information: Well Drilling Firm Unknown
Well information applies to each of three wells

Completion Report Yes No X No. of Wells 3 Depth 225' each

Casing a) diameter 6" Screen a) type wire wrapped 6"

b) length _____ b) length 20'

c) type _____ Static Water Level 220'

Pump a) make unknown Motor a) make _____

b) model submersible b) model No. _____

c) size _____ c) horsepower rating _____

d) capacity 150 gpm

e) turbine pump - no. of stages _____

f) operating PSI _____

3. Distribution lines or canals

a) size _____

b) type _____

c) length _____

4. Dam Information:

a) height to crest _____ m) Outlet tubes:

b) height to primary spillway _____ 1) diameter _____

c) height to secondary spillway _____ 2) type _____

d) crest width _____ 3) valved (Y/N) _____

e) crest length _____ 4) valve type _____

f) spillway length _____ 5) location on structure _____

g) spillway width _____

h) approx. storage _____ n) Category of Dam _____

i) approx. storage to crest _____

j) date constructed _____

k) inspection sheet completed (Y/N) _____

l) Name of Contractor _____

5. System Type a) sideroll:

- 1) length _____ feet
- 2) diameter of pipe _____
- 3) make, model & number of
sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length _____ feet
- 2) make, model & number of
sprinklers _____
- 3) spacing of sprinklers _____
- 4) nozzle size _____

d) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) end gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) capacity (GPM) _____

g) siphons

- 1) size _____
- 2) number _____

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project _____

Yes	No	Check Items
---	---	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
<u>x</u>	---	2. Special qualifications to permit being abided by?
<u>x</u>	---	3. All structures, wells and lands on map?
---	---	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
---	---	5. Is chemigation used?
---	---	6. If yes, does equipment comply with chemigation rules?

REMARKS:



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 23, 1992

3947-3

Deb Clement, Finance Officer
City of Faulkton
P.O. Box 21
Faulkton, SD 57438-0021

Dear Ms. Clement:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 317-3, has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413292

Pierre, July 10, 1902

RECEIVED OF City of Faulkton, PO Box 21, Faulkton, SD 57453

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. 3947-3

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for Certified Copy of _____

Fee for Print Copy of Map _____

Fee for Certifying _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

By

Chief Engineer

3947-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 20 1993

Deb Clement, Finance Officer
City of Faulkton
PO Box 21
Faulkton, SD 57438-0021

Dear Ms. Clement:

Enclosed are Water License Nos. 3947A-3 and 3947B-3 for the City of Faulkton.

No. 3947-3 was originally issued as a "partial vested right claim". On September 27, 1989, the Water Management Board validated the vested right portion. On November 12, 1991, an inspection was conducted of the water use system in order to proceed with licensing of the "non-vested" portion. No. 3947-3 has been divided and licensed as follows:

Vested Water Right No. 3947A-3 - authorizing diversion of 0.27 cfs from one well with a priority date of January 1, 1942;

Water Right No. 3947B-3 - authorizing 0.73 cfs from two wells with a priority date of November 22, 1977.

It is our understanding that the wells provide water to the City on a backup basis and are used to supplement water use for the WEB rural water system. As long as you use the water beneficially as stated in the licenses, you have a continuing right to the use of the water.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352