

Water Right Number 4048-3

1. Considered 11-30, 1917
2. Name of Applicant TOWN OF TWIN BROOKS
3. Post Office Address ~~77~~
4. Amount of water claimed .38
5. Source of water supply 3-67' WELLS
6. Water to be used for MUNICIPAL

Acres to be irrigated _____

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

8. Proof of Publication Received 11-22-77
Not received _____

9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

*Wells 60 acres
in the W 2 NW 1/4
Sec 24, T 120 N.
R 50 W.*

No. 404B-3Map No. 3290-3 Water Division No. 3 WHEATSTONE CREEK District
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

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

1. Name of Applicant TOWN OF TWIN BROOKS
 Postoffice address _____, State SOUTH DAKOTA
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) _____
3. Name of diversion work CITY WELLS
4. Amount of water claimed (cubic feet per second) 1.38
5. Source of water supply GROUND WATER
6. Location or point of diversion ALL THREE WELLS IN THE ORIGINAL TOWNSITE OF TWIN BROOKS IN W²NW², SECTION 13, T120N, R24W County GRANT
7. Annual period or periods during which water is to be used CONTINUOUSLY
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.

Attach sheet if more space is needed

10. 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.
11. Choice of newspaper for Notice of Intent to Appropriately Water publication GRANT CO. REVIEW
12. Principal Features of the Proposed Water Supply System.

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

3 WELLS PUMPS & MOTORS

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

PUMPED DIRECTLY TO MAINS

C. Works proposed to apply water to beneficial use.

35 HOOK UPS

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)

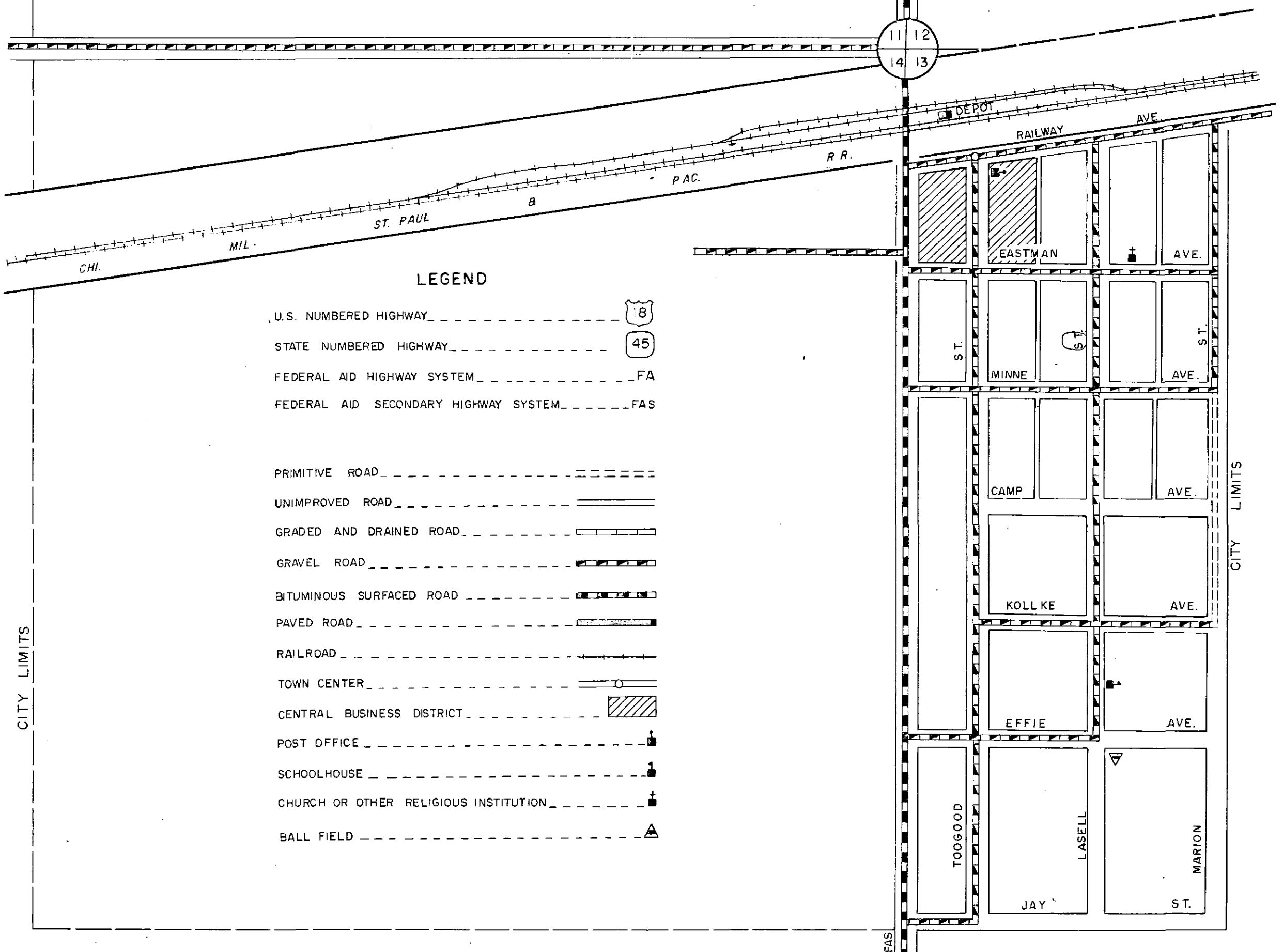
County of Grant) ss.

I, _____ 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 George M. MoeSubscribed and sworn to before me this 19 day of June 19 77
Walter William Hazzard Notary Public
 Notary Public (or other qualified officer)

FAS

UNOFFICIAL EDITION



WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4048-3

TOWN OF TWIN BROOKS

(Applicant)

(Post Office Address)

SOUTH DAKOTA 57269

(State)

With the following modifications:

PARTIAL "VESTED RIGHT" CLAIMED

Date of first receipt of application JULY 1, 19 77

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

Date of receipt of corrected application _____, 19 _____

Approved NOVEMBER 30, 19 77, Recorded in Book 19 Page 187

WATER RIGHT PERMIT NO. 4048-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4048-3 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 22 CFS FROM JULY 1, 1934
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____, 19 _____
3. The whole of said work is to be completed on or before _____, 19 _____
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is COMPLETED, 19 _____
5. The water appropriated shall be used for the purpose of MUNICIPAL

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 355.30 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 purpose said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than an amount of 11/70 of one cubic foot of water per acre of time for each acre of land to which water is BENEFICIALLY USED FOR MUNICIPAL PURPOSES

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 7TH day of DECEMBER, 19 77

WATER RIGHTS COMMISSION

By:

John K. H. H.
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

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 _____, Depth 67'
- (2) Casing, Type STEEL Diameter 6" 12-5" Thickness STANDARD
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type STAINLESS STEEL, 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 SANDS & GRAVEL

Depth to top of water bearing material 20'

Depth to bottom of water bearing material 67'

Thickness of water bearing material 47'

Depth to water (ground surface to water level) WATER AT GROUND LEVEL

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

On same owner's property NONE rds. On property owned by others 1/2 MILE 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.

George M. May
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) TOWN OF TINN BECKS

Post 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 1934

15. Date that water was first applied to beneficial use 1934

16. Name of owner of original water supply system _____

17. Amount of water originally applied to beneficial use .22 c. f. s.

18. Present Use of Water

Amount of water now being used .33 c. f. s.

Date that this amount of water was first used 1969

19. Chronological History of Water Use

**TWO WELLS WERE CONSTRUCTED IN 1934,
AND THE THIRD WELL IN 1969**

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 _____)

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

Signed

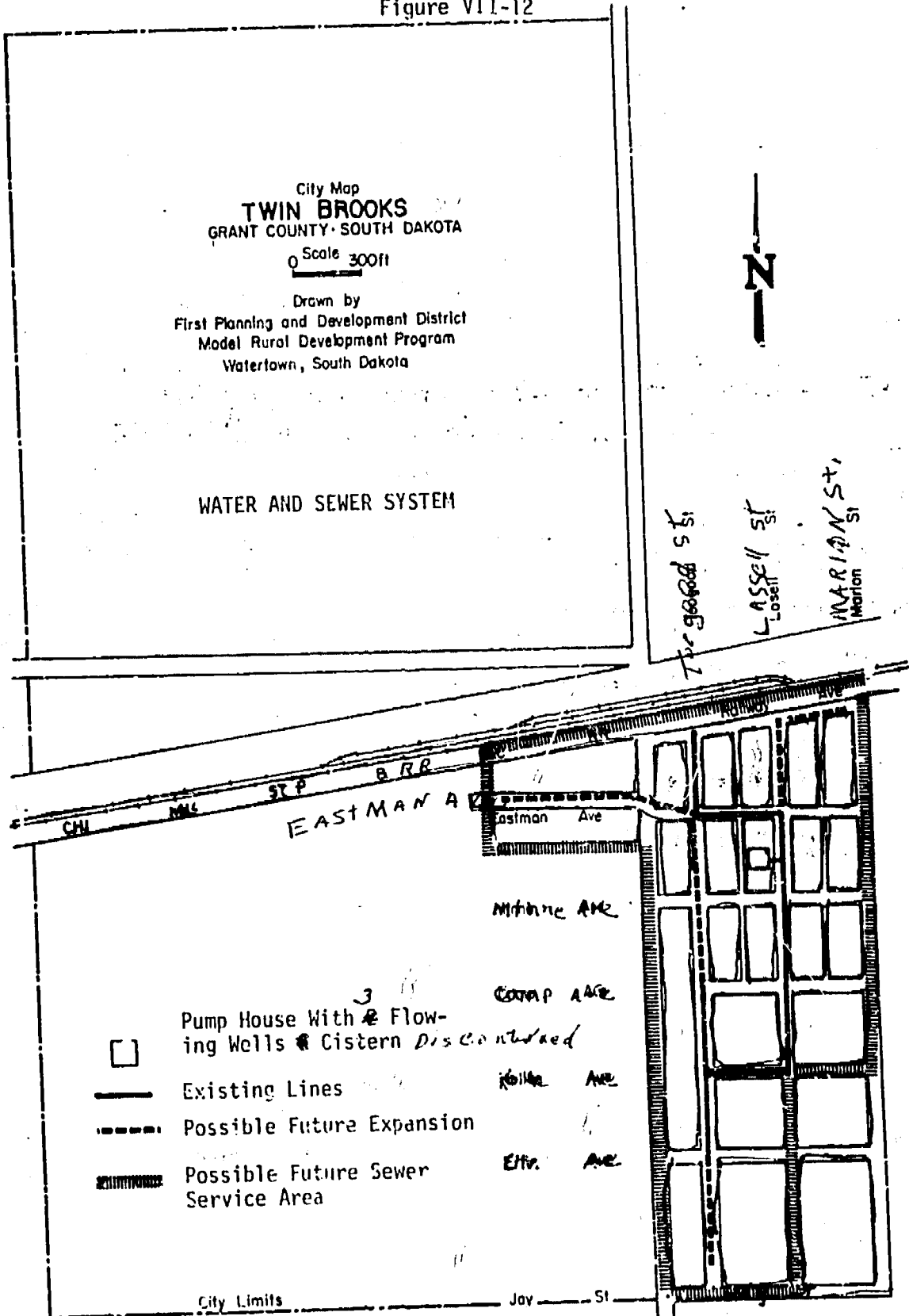
George Tracy

Subscribed and sworn to before me this 29 day of June, 1977

William Harold Tamm
(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.

Figure VII-12



9. Twin Brooks

a. Water System (Figure VII-12)

Twin Brooks has a public water system. The system receives water from three wells: two are 60 feet deep, one 68 feet deep. The estimated capacity is 100 gpm. Storage consists of a 7,800 gallon clear well and a 1,800 gallon pressure tank. The distribution system consists of 4 and 6 inch cast iron pipes. There is no water treatment.

b. Sewer System (Figure VII-12)

The community has no public sewer system. All 34 housing units dispose of their waste by private systems which are primarily septic tanks.

Immediate and Long Range Proposed Water and Sewer Improvements

1. Albee

Water System

a. Immediate Proposal

Because Albee only has nine housing units and a total population of 26, it may not be feasible to construct a public system.

Each individual well should be checked to meet health standards.

2. Long Range Improvements - Construct a public system if an adequate source of water becomes available. A rural water system would be one alternative.

Sewer System

a. Immediate Proposal

1. Construct a sewage collection system and treatment facility, if feasible to do so. If not feasible, upgrade existing private systems to meet health standards.

b. Long Range Improvements

2. No apparent needs

No. 4048-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Grant)

I, Clarence Justice hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Grant County Review

A newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the _____

City of Milbank

County of Grant and State of South Dakota;
that the said notice was published in said newspaper on the following
dates:

July 13 and 20, 1977

Charles Justice
(Signature)

Foreman
(Title)

7-19-77
(Date Signed)

Twin Brooks Seeks Permit for Water Use

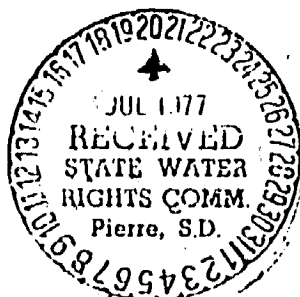
**NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER**
Pierre, South Dakota / 7501
July 6, 1977

Notice is hereby given that the Town of Twin Brooks, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-8 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-4, 46-5-10 thru 46-5-22, 46-5-41, 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules /RSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 0.30 cubic feet of water per second of time from ground water through the City Wells, the points of diversion of which are to be located in the W $\frac{1}{2}$ NW $\frac{1}{4}$, (3 wells) of Section 13, Twp. 130N, Range 49W. Said water to be used for the purpose of providing municipal water for the Town of Twin Brooks.

This Application No. 404-S will be considered by the Water Rights Commission at the Staurollite Inn, Brookings, S.D. upon the 27th day of July, 1977, at 10 a.m. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

**WATER RIGHTS
COMMISSION**
James Winterton
Water Rights Specialist

July 13 July 20



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Grant) ss.

I, Clarence Justice hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Grant County Review

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

City of Milbank

County of Grant and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

Nov. 9, 1977

Nov. 16, 1977

Clarence Justice
(Signature)

foreman
(Title)

11-19-77
(Date Signed)

NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER

Notice is hereby given that
the Town of Twin Brooks whose
post office address is Twin
Brooks, South Dakota, has
made an application in accor-
dance with the provisions of
SDCL 46-1-1 thru 46-1-8; 46-2-9
thru 46-2-11, 46-2-13; 46-5-1 thru
46-5-8, 46-5-10 thru 46-5-22, 46-5-
41, 46-6-3, 46-6-5, 46-6-8.1, 46-6-10,
46-6-14 and Commission Rules
ARSD 52:01:01:01 thru 52:01:01:
13 for a permit to appropriate
for beneficial use 0.30 cubic
feet of water per second of
time from ground water
through the City Well Field, the
point of diversion of which is to
be located in the original town-
site of Twin Brooks in the
W $\frac{1}{4}$ NW $\frac{1}{4}$ (3 wells) of Section
13, Twp. 120N Range 50W. Said
water to be used for the pur-
pose of municipal water sup-
plies for the town of Twin
Brooks.

This Application No. 4048-3
will be considered by the Water
Rights Commission at Pierre,
South Dakota upon the 30 day
of November, 1977 at 10 A.M.
The Commission is authorized
to make a determination on
this application at the hearing.
All interested persons may
appear and be heard. Any per-
son who may be affected by a
Commission decision who de-
sires to present evidence or
cross-examine witnesses
according to SDCL 1-26 may
notify the Commission in-
writing prior to the hearing or
orally at the hearing.

Water Rights Commission
James Winterton
Water Rights Specialist
Nov. 9 Nov. 16

Have you checked the date of
your expiration?



Publish first publication, on or before November 17, 1977

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

November 1, 1977

Notice is hereby given that the Town of Twin Brooks whose post office address is Twin Brooks, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 0.30 cubic feet of water per second of time from ground water through the City Well Field, the point of diversion of which is to be located in the original townsite of Twin Brooks in the W4NW4 (3 wells)

of Section 13, Twp. 120N Range 50W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

municipal water supplies for the town of Twin Brooks.

This Application No. 4048-3 will be considered by the Water Rights Commission at Pierre, South Dakota upon the 30 day of November, 1977 at 10 A.M. The Commission is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Commission decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Commission in writing prior to the hearing or orally at the hearing.

WATER RIGHTS COMMISSION

JAMES WINTERTON
Water Rights Specialist

cc: Town of Twin Brooks, SD

NOTE: Final Proof of Publication must be received by hearing date for the Commission to take action.

Twin Brooks S.D.
Dec. 10. 1975

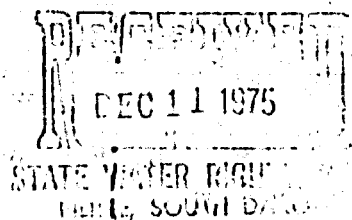
Natural Resource Development
Pierre, So. Dak.

Dear Sirs:

The Town of Twin Brooks is
applying for an application form to
acquire "Water Rights"

We were informed that to be
in compliance with State law and
to protect the towns supply of water. This
would be necessary and should be done
as soon as possible.

Respectfully
Mrs Helen Arnold
Finance Officer
Twin Brooks



Aug 11, 1976

Judith Brooks, L.D.

Department of Natural Resource Development
Dear Sirs:

The application blanks sent to our board does not seem to apply to us, as two of our wells were in use before 1955 and a 3rd well was ordered paid for July 6- 1965 and is a 7.2 foot of 5" drilled well.

Only the three wells are in use the cistern has been discontinued.

We are not asking for permission to drill new wells. But are requesting Water Rights for the three existing wells.

Water from these wells are used for residential purpose, such as household lawns + gardens.

Enclosed is a municipal map and a check for \$8.00 To cover fee.

Please advise
Mrs. Verlin Howell
Finance Officer



LEO P. FLYNN
ATTORNEY AT LAW

P. O. BOX 505

MILBANK, SOUTH DAKOTA 57252

PHONE 432-6611

July 25, 1977

Mr. James Winterton
Water Rights Specialist
Pierre, South Dakota 57501

Re: Application to appropriate water
Twin Brooks, South Dakota

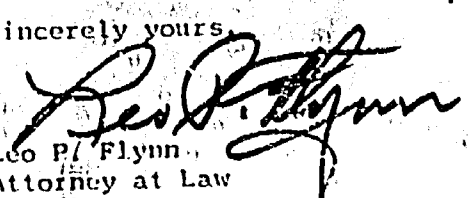
Dear Mr. Winterton:

The notice that ran in the Grant County Review the weeks of July 13th, 1977, and July 20th, 1977, with reference to the above entitled matter has been called to my attention. We are taking this means of calling your attention to the fact that your notice in our opinion contains fatal errors. First, we wish to call your attention to the fact that the W₂ NW₄ of Section 13, Twp. 120N, Range 49W belongs to Ernest H. Adler of Milbank, South Dakota, and the land so described is located less than a mile from the City of Milbank in Grant Center Township.

Secondly, we wish to call your attention to the fact that the Town of Twin Brooks does not own the W₂ NW₄ of Section 12, Twp. 120N, Range 49W which we believe was intended to be an area consisting of 80 acres. In truth the Town of Twin Brooks owns only 60 acres in Section 13 for the reason that Elton Buchele and Irene Buchele own the remaining 100 acres in the NW₄ of Section 13, Twp. 120N, Range 50W. We are of the opinion that the publication by the Town of Twin Brooks with reference to their application to appropriate water published July 13th, 1977, and July 20th, 1977, is in error to an extent that the notice is void and as a result the commissioners should take no action with reference to the application until such time as the notice that is published is correct.

We are writing this letter on behalf of Elton Buchele and Irene Buchele of Twin Brooks, South Dakota.

Sincerely yours,


Leo P. Flynn
Attorney at Law

LPF:lk



No. 4048-3

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

August 9, 1977

Town of Twin Brooks
Twin Brooks, SD 57269

Dear Sirs:

The Water Rights Commission deferred action on your Application

No. 4048-3 at the July 27 - 28, 1977

Commission meeting, pending investigation by the Commission Staff.

If you have any questions, feel free to contact this Office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/bw

Report on
Wilfred Wiese Application No. 3561-3
March 15, 1978

The Water Rights Commission deferred action upon Application No. 3561-3 for Wilfred Wiese in February of 1977 because the application was located inside of Milbank's future use area. This application requests 3.85 cfs from a 275 foot deep well located in the N $\frac{1}{2}$ of Section 10, T120N, R50W. (see map)

Summary of Water Rights

USE	SOURCE	Water Right Diversion	Amount Used
548-3 Municipal (Milbank)	3 springs #1 well-?	2.1 cfs	Assuming an average use of 1 million GPD for the entire year 1.55 cfs - 1120 AF
549-3 Municipal (Milbank) (future use)		2.5 cfs	
1769-3 Municipal (Milbank)	#2 well-147' #3 well-254'	.67 1.49 2.16 cfs	
2266-3 Irrigation	1-well- 80'	5.0 cfs	1.39 cfs - 48. AF
3133-3 "	1-well-108'	2.22 cfs	2.22 cfs - 186. AF
3134-3 "	1-well- 76'	2.22 cfs	2.01 cfs - 184. AF
3241-3 "	1-well- 56'	.8 cfs	no report
4048-3 Municipal (Twin Brooks)	3-wells-67'	.33 cfs	

Note: Well #2 was approved from the future use area thus this leaves Milbank with 1.83 cfs remaining in future use. Milbank's future use permit covers an area of 11 sections. (see map)

Water Level Information

Observation Well GT-76E

6-21-77	31.9
7- 6-77	32.0
8- 3-77	32.4
8-16-77	32.4
9- 8-77	32.1
9-20-77	32.1 -
12- 1-77	30.8

Observation wells GT-77H, I, J, and K were drilled in the fall of 1977 and have not been developed or tested. The addition of these wells enables the Water Rights Commission to monitor the water levels closely. A report by the City Engineer for

Milbank, Henry D. Williams, Banner & Associates, indicates a 10 foot decline in the water levels during the last ten years. He also states that the evidence is not conclusive, but the static water levels indicated some mining. Other than the records Milbank has kept, there are no historical data available.

Test Pumping Data
(from report of City Engineer)

#2 well	2-7-61 12-17-76	Reported a 10' drawdown at 278 gpm Reported a 24' drawdown (looks as if this well is deteriorating)
#3 well	7-18-68	Reported a 26' drawdown at 400 gpm

Discussion:

1. Test drilling and water level information suggest that there is at least 2 separate aquifers because the static water level of the deeper formation is 50 - 60 feet lower than the upper formation.
2. The aquifers are under artesian conditions. This suggests the possibility of well interference.
3. The test drilling the Water Rights Commission Staff has completed thus far indicates that the area has good potential for further development. Extensive testing will be necessary before the aquifer can be fully developed, but at this time the Water Rights Commission Staff does not anticipate any problem.
4. The Water Rights Commission Staff now has the ability to monitor the water levels should this application be approved.
5. The amount of water withdrawn can be determined. The irrigators used approximately 420 AF and the Towns of Milbank and Twin Brooks used approximately 1200 AF. This totals about 1620 AF being withdrawn per year. Milbank has the future use permit to more than double the yearly withdrawal.
6. The Wilfred Wiese application is for a well into the deeper formation which is probably the same as observation well GT-77K and the City wells #2 and #3. The water levels of the Twin Brooks wells and those of the other irrigation permits do not match up with the Wiese application and those of Milbank's wells #2 and #3.
7. The area is complicated hydrologically. There are many flowing wells in the area and further development may affect these flows during the pumping season.
8. The Water Rights Commission needs to address the problem of well spacing and the location of the application inside the future use area. In order to prevent possible disputes between Mr. Wiese and the City of Milbank the location of future diversion points for the City will need to be located so as not to cause excessive interference. This could be a problem if the City decided to develop the area Mr. Wiese intends to irrigate if the application were approved.

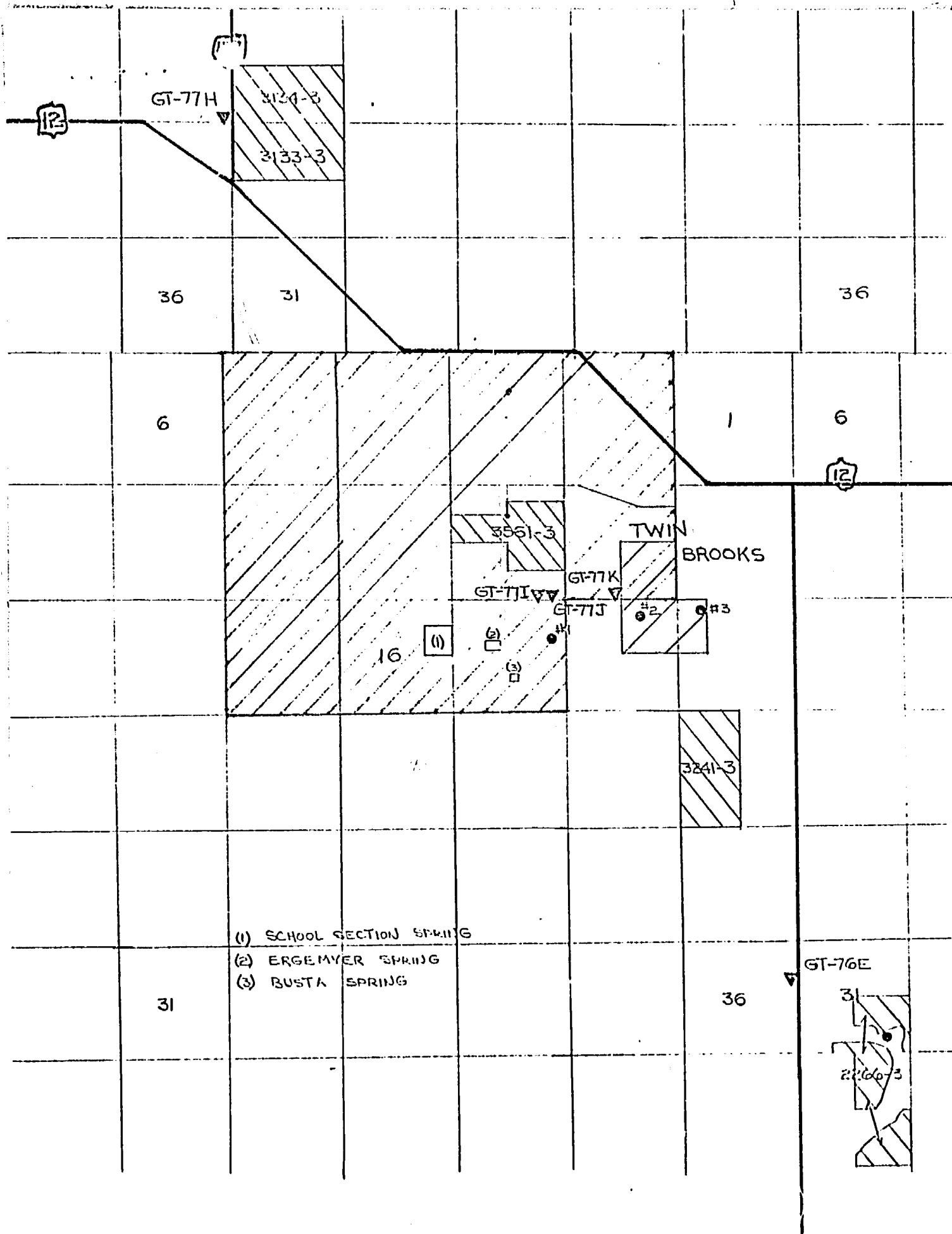
Report on Wilfred Wiese
March 15, 1978
Page 2

Recommendations:

The data collected thus far indicates unappropriated water is available and the Water Rights Commission Staff recommends approval of Application No. 3651-3 for Wilfred Wiese with the following restrictions and subject to SDCL 46-5-40.

1. The Irrigation well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in wells having prior water rights.
2. The City of Milbank has priority rights to this water under a future use withdrawal permit, and this application is approved subject to these prior rights, if or when the City develops the reserved water supply.

JAMES GOODMAN
Hydrologist



4048-3



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

March 21, 1978

TO: Persons concerned with deferred Application No. 3561-3 for Wilfred Wiese

FROM: John Hatch, Chief Engineer, Water Rights Commission

SUBJECT: Reconsideration of deferred Application No. 3561-3

The Water Rights Commission will reconsider Water Right Application No. 3561-3 at 4:00pm, March 28, 1978, at the Guest House, 101 North Broadway, Watertown, South Dakota.

This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 thru 46-1-8; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, 46-5-38 thru 46-5-40; 46-6-3, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13, 52:01:01:21.

Application No. 3561-2 was deferred by the Water Rights Commission during February, 1977, pending Staff investigation.

After reconsideration of Application No. 3561-3 the Commission can approve, defer, or deny all or part of the Application. A copy of the "Report on Wilfred Wiese Application No. 3561-3" is enclosed for your information.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH:plh

Enclosure

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES

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

April 26, 1991

4048-3

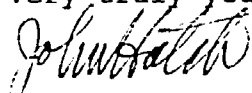
Frances Giessinger, Town President
Town of Twin Brooks
PO Box 38
Twin Brooks SD 57269

Dear President Giessinger:

The Water Management Board has validated the enclosed Vested Water Right No. 4048-3. 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, Chief Engineer
Water Rights Division
605 773-3352

enclosure

SOUTH DAKOTA

VALIDATION OF (PARTIAL) VESTED WATER RIGHT CLAIM NO. 4048-3

Date Claim Accepted For Filing July 1, 1977.

Date of Validation September 27, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim No. 4048-3 for the Town of Twin Brooks, P O Box 38, Twin Brooks, South Dakota 57269 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 4048-3 appropriates 0.22 cubic feet of water per second from two wells each approximately 67 feet deep. The wells are located in the W 1/2 NW 1/4, Section 13, T120N, R50W.

2. The appropriated water is used for supplying water for the Town of Twin Brooks 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, 1934.

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 Hatch
Chief Engineer

APR 26 1991

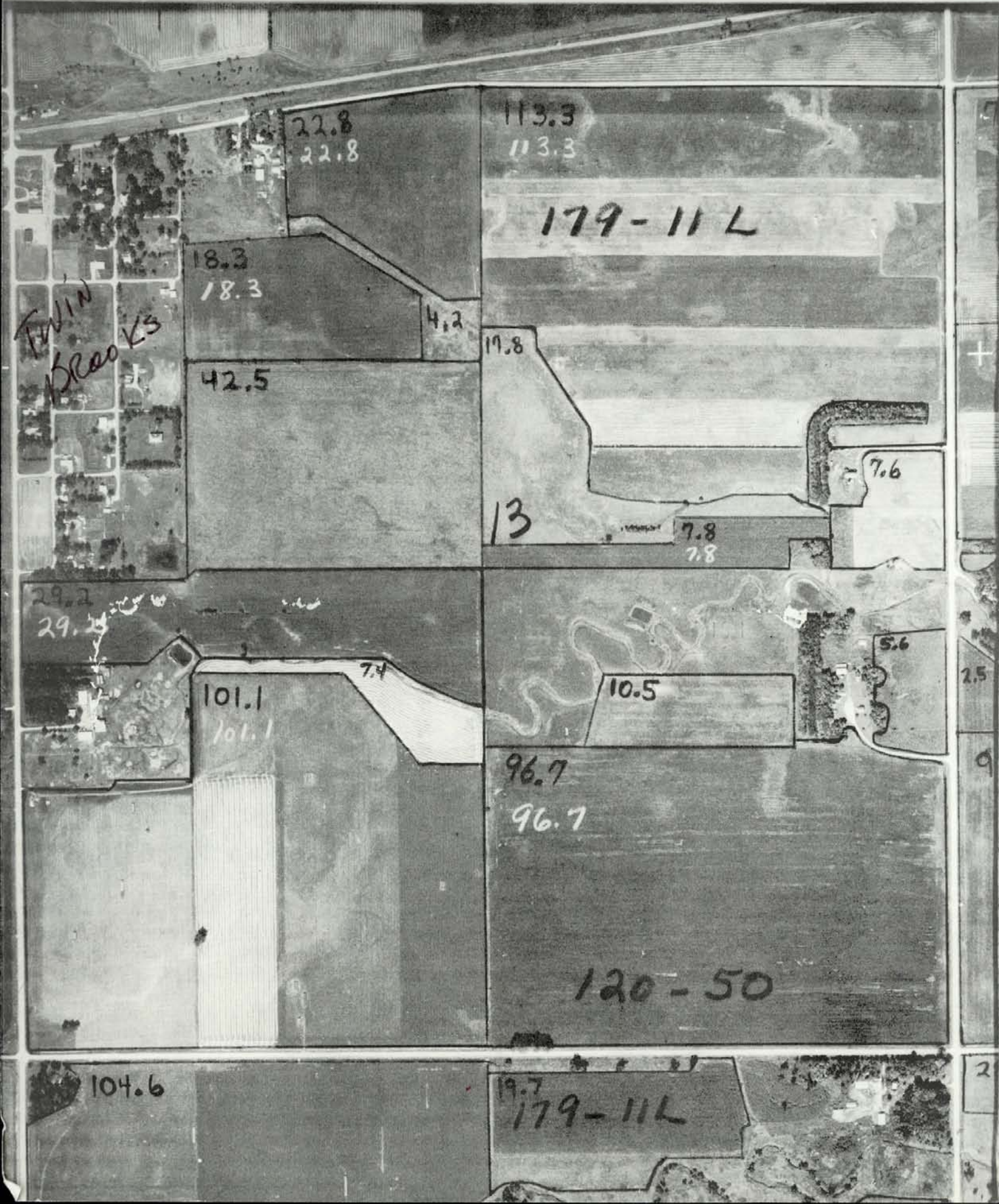
date

Division of Water Rights

Dept. of Environment and Natural Resources

NOT TO SCALE

4048



Permit No. 4048-3
Minnesota-Whetstone - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, August 8, 2005, made a thorough examination of the water use system constructed by Town of Twin Brooks of Twin Brooks, SD 57269 holder of Permit No 4048-3, bearing the priority of November 22, 1977 authorizing the diversion of 0.30 cu. ft. per second of the waters of Pleistocene Unknown for Municipal purposes, in Grant County.

Inspection contact & relationship **Russell Bohn (605) 432-6343 (Mayor)**
to permit holder, if applicable: **310 Too Good St. Twin Brooks, SD 57269**

A. Works used to divert the water:

Well Information:

- 1) Well Drilling Firm: Lee Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 73 feet
- 4) Well log is available Y
- 5) Comment:

Casing:

- 1) Diameter 6 inches
- 2) Length 62 feet
- 3) Type Steel

Screen:

- 1) Type 5 inch Johnson Stainless Steel
- 2) Length 10 feet

Pump:

- 1) Make Sta-Rite
- 2) Model L30P46-11-03
- 3) Size 2 hp
- 4) Capacity 30 GPM

Motor:

- 1) Make Franklin Electric 230Volt Single Phase
- 2) Model No.
- 3) Horsepower rating hp

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

- 1) Type Cast Iron
- 2) Size 4 and 6 inch pipe

C. Compliance with Permit Requirements:

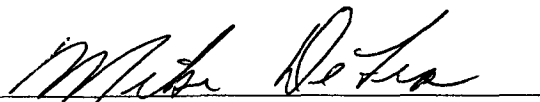
- 1) Permit qualifications being abided by Y
- 2) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period NA
- 3) Exceptions to compliance are: NONE

The system is in excellent condition with the point(s) of diversion located as follows: Approximately 800 ft South and 500 ft East of the NW corner of Section 13-T120N-R50W (N 45.2055166, W -96.780083). The works are capable of diverting and conveying to the place of use 0.07 cu. ft. per second of water of water which is to be used for Municipal use. Water has been put to beneficial use to the maximum extent as follows:

The license should be issued for 0.07 cfs.

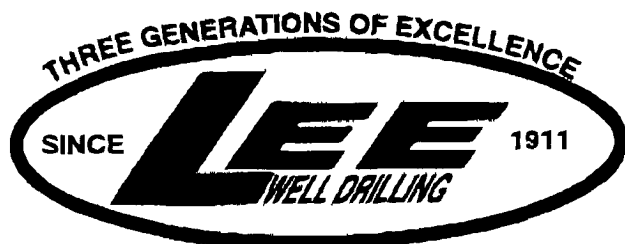
All structures, wells and lands on map Y

Comments or other permit(s) associated with the project: **Water Permit No. 4048-3 was originally permitted for three wells authorized to appropriate 0.30 cfs of water from the Pleistocene Unknown aquifer. Two of the wells were constructed in 1934 and were validated as vested on September 27, 1989 with a priority date of January 1, 1934. A third well was constructed in 1968 approximately 25 ft from the original wells to facilitate the municipal water system. Since that time, the two wells developed in 1934 have been capped or sealed. As these two wells have been abandoned and the municipal water supply has been replaced with the well developed in 1968, this well should retain the priority date of January 1, 1934. Water Permit No. 4048-3 should be licensed for 0.07 cfs.**


Mike DeFea

Natural Resources Engineer
DENR, Water Rights Program

Date report completed: September 26, 2005



Pioneers of PVC Wells & Rotary Drilling

Sales
&
ervice

1-800-533-2848

FAX: (320) 986-2905

- ☐ **HOFFMAN** (320) 986-2356 PO Box 143, 56339
- ☐ **CHOKIO** (320) 324-2562
- ☐ **ALEXANDRIA** (320) 763-9791
- ☐ **PERHAM, MN** (218) 346-2702
- ☐ **MILBANK, SD** (605) 432-5421

RESIDENTIAL

IRRIGATION

FARM

WELLS

PUMPS

WATER TREATMENT

To: Mike De-Sea

Company: Water Rights Program / State of So. Dak.

From: Dave Lee
Lee Well Drilling, Inc.

Date: 9/8/05

Number of pages faxed including this cover sheet: (4)

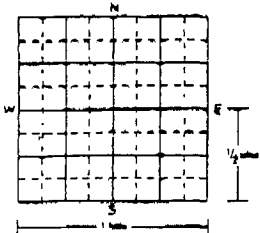
Comments: Mike, Sorry for the delay.
I have sent the most important
info. for your files— all the other
stuff is about pump work in the
wells—

Thanks Dave

If you have any questions, please feel free to call us at 320-986-2356

**MINNESOTA DEPARTMENT OF HEALTH
WELL AND BORING RECORD**
Minnesota Statutes Chapter 103J

MINNESOTA UNIQUE WELL NO.

WELL LOCATION					MINNESOTA UNIQUE WELL NO.																															
County Name _____																																				
Township Name _____	Township No. _____	Range No. _____	Section No. _____	Fraction _____	WELL DEPTH (completed) <u>72</u>	Date Work Completed <u>11/4/68</u>																														
House Number, Street Name, City, and Zip Code of Well Location _____				or Fire Number _____	DRILLING METHOD ☐ Cable Tool ☐ Driven ☐ Dug ☐ Auger ☒ Rotary ☐ Jammed																															
Show exact location of well in section grid with "X". 				Sketch map of well location, showing property lines, roads and buildings.																																
PROPERTY OWNER'S NAME <u>City of Twin Brooks South Dakota</u> Property owner's mailing address if different than well location address indicated above.					DRILLING FLUID <u>Bentonite</u> USE ☐ Domestic ☐ Monitoring ☐ Heating/Cooling ☐ Irrigation ☒ Community PWS ☐ Industry/Commercial ☐ Test Well ☐ Noncommunity PWS ☐ Remedial ☐ Dewatering																															
WELL OWNER'S NAME Well owner's mailing address if different than property owner's address indicated above.					CASING ☒ Steel ☐ Plastic Drive Shaft? ☒ Yes ☐ No ☐ Welded ☐ Threaded																															
CASING DIAMETER <u>6</u> in. to <u>62</u> ft. WEIGHT <u>10</u> in. to <u>73</u> ft.					HOLE DIAM. <u>10</u> in. to <u>73</u> ft.																															
SCREEN <u>YES</u> Make <u>Johnson</u> Type <u>Stainless Steel</u> Slot/Gauze <u>30</u> Set between <u>62</u> ft. and <u>72</u> ft.					OPEN HOLE from _____ ft. to _____ ft. Diam. <u>5 pipe size</u> Length <u>10</u> Set between <u>62</u> ft. and <u>72</u> ft. FITTINGS: <u>6 Packer</u>																															
STATIC WATER LEVEL _____ ft. ☐ below ☐ above land surface Date measured _____					PUMPING LEVEL (below land surface) _____ ft. after _____ hrs. pumping _____ g.p.m.																															
WELL HEAD COMPLETION ☐ Pileless adapter manufacturer _____ Model _____ ☐ Casing Protection _____ at 12 in. above grade ☐ At-grade (Environmental Wells and Borings ONLY)					GROUTING INFORMATION Well grouted? ☒ Yes ☐ No Grout Material ☒ Neat cement ☐ Bentonite ☐ Concrete ☐ High Solids Bentonite from <u>0</u> to <u>60</u> ft. _____ yds. ☐ bags from _____ to _____ ft. _____ yds. ☐ bags from _____ to _____ ft. _____ yds. ☐ bags																															
<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>GEOLOGICAL MATERIALS</th> <th>COLOR</th> <th>HARDNESS OF MATERIAL</th> <th>FROM</th> <th>TO</th> </tr> </thead> <tbody> <tr> <td>topsoil</td> <td>Dark</td> <td>soft</td> <td>0</td> <td>2</td> </tr> <tr> <td>clay</td> <td>yellow</td> <td>soft</td> <td>2</td> <td>24</td> </tr> <tr> <td>clay</td> <td>blue</td> <td>medium</td> <td>24</td> <td>58</td> </tr> <tr> <td>coarse sand</td> <td>dark</td> <td>soft</td> <td>58</td> <td>72</td> </tr> <tr> <td>clay</td> <td>blue</td> <td>medium</td> <td>72</td> <td>73</td> </tr> </tbody> </table>					GEOLOGICAL MATERIALS	COLOR	HARDNESS OF MATERIAL	FROM	TO	topsoil	Dark	soft	0	2	clay	yellow	soft	2	24	clay	blue	medium	24	58	coarse sand	dark	soft	58	72	clay	blue	medium	72	73	NEAREST KNOWN SOURCE OF CONTAMINATION _____ feet _____ direction _____ type Well disinfected upon completion? ☐ Yes ☐ No	
GEOLOGICAL MATERIALS	COLOR	HARDNESS OF MATERIAL	FROM	TO																																
topsoil	Dark	soft	0	2																																
clay	yellow	soft	2	24																																
clay	blue	medium	24	58																																
coarse sand	dark	soft	58	72																																
clay	blue	medium	72	73																																
PUMP ☒ Not installed Date installed _____ Manufacturer's name _____ Model number _____ HP _____ Volts _____ Length of drop pipe _____ ft. Capacity _____ g.p.m. Pressure Tank Capacity _____ Type: ☐ Submersible ☐ U.S. Turbine ☐ Reciprocating ☐ Jet					ABANDONED WELLS Does property have any not in use and not sealed well(s)? ☐ Yes ☐ No																															
VARIANCE Was a variance granted from the MOH for this well? ☐ Yes ☐ No					WELL CONTRACTOR CERTIFICATION This well was drilled under my supervision and in accordance with Minnesota Rules, Chapter 4725. The information contained in this report is true to the best of my knowledge.																															
Use a second sheet, if needed REMARKS, ELEVATION, SOURCE OF DATA, etc.					Licensee Business Name _____ Lic. or Reg. No. _____ Authorized Representative Signature _____ Date _____ Name of Driller _____ Date _____																															

WORK COPY

STATEMENT

Milbank, S. D. November 4 1968

City of Milbank
Milbank, S. D.

LEE WELL DRILLING
"Established in 1911"

COMPLETE WATER SYSTEMS

IN ACCOUNT WITH

71 ft. 6" well - 14" pipe ft. 994.00
10 ft. 5" normal screen 10 ft. 130.00
13000 point on bottom 4" female
thread on top.
cementing 448 ft. by up
letting cement set
6" - 8" spacer within drift
tip of screen
1-6" casing with plate
welded on top
pumping, installing screen,
cleaning area & measuring
Oct. 31 10:36 am to 5:00 pm 6 hrs.
Nov. 1 7:00 " to 5:00 " 4 1/2 hrs.
15 1/2 hrs. at 25.00 an hr.
387.50
2023.50

Milbank Rd for this well
for Tech Brooks S.D.

1% service charge per month after 30 days.

320-986-7356 STATEMENT

10/29, 19 70

City of Twin Brooks S.D.
Twin Brooks S.D. 57269

LEE WELL DRILLING, INC.

IN ACCOUNT WITH

"ESTABLISHED IN 1911"

CHOKIO, MINN.
Box 320, 56221

HOFFMAN, MINN.
Box 143, 56339

FARM & HOME WELLS • PUMP SALES & SERVICE

MILBANK, SD
RR 2, Box 351, 57252

9/28/90	Sealing 5" well outside building Cement - Hole Plug	10/29/90	Extending 6" well up 48" to top flow -	750.00
1-6" pipe	48" 6" plastic well casing	24.00	1-6" pipe	10.00
2-2" pipe	5-2" clamps	8.00	5-2" clamps	5.00
Abolishing city well		15.00		
Amount Due		812.00		
Thank You				

1.75% Service Charge Per Month After 10 Days (21% Annual Rate)

STATEMENT

Milbank, S. D.

5-26

1985

City of Tulsa Breaks

IN ACCOUNT WITH

LEE WELL DRILLING

"Established in 1911"

COMPLETE WATER SYSTEMS

DE LAVAL SERVICE

72 feet 5" well @ 6.50 per ft 468.00
slotted casing

Pa 131965
July 15

1% service charge per month after 30 days.

Town of Twin Brooks
Twin Brooks, SD-Grant County
Water Permit No. 4048



Mike DeFea
Natural Resources Engineer
DENR Water Rights Program
09/26/05



0 0.050.1 0.2 0.3 0.4 0.5 Miles



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

DEC 15 2005

4048-3

Town of Twin Brooks
% Gerry Chaloupka
PO Box 38
Twin Brooks SD 57269

Dear Ms. Chaloupka:

Enclosed is Water License No. 4048-3. This is the final water right document completing your process of obtaining a Water Right.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

STATE OF SOUTH DAKOTA

VESTED WATER LICENSE NO. 4048-3

(1) The Town of Twin Brooks, PO Box 38, Twin Brooks SD 57269 made Application No. 4048-3, July 1, 1977 for a water permit to divert 0.30 cubic feet of water per second from groundwater (three wells), Grant County, South Dakota for municipal purposes. Permit No. 4048-3, with priority dates of January 1, 1934 and July 1, 1977 was approved November 30, 1977 and issued to the applicant for diversion of water with construction of the described water supply system the application to beneficial use of water completed.

On September 27, 1989, the Water Management Board validated the vested right portion of No. 4048-3.

An August 8, 2005 investigation of the water use system found the two wells developed in 1934 have been abandoned. The third well supplies the entire municipal system and retains the January 1, 1934 priority date.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Vested Water Right No. 4048-3 is issued a license, bearing a priority date of January 1, 1934 to appropriate 0.07 cubic feet of water per second from groundwater (one well) for municipal use.

The diversion point is located: 800 feet south and 500 feet east of the northwest corner of Section 13-T120N-R50W (NW ¼ NW ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Vested Water Permit No. 4048-3.

Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

DEC 15 2005

date

