

No.

4058-3

Map No.

VLR

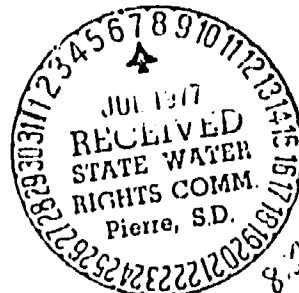
Water Division No.

3

JAMES RIVER

District

(Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR A PERMIT VESTED RIGHT

To Appropriate Water within the State of South Dakota

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

- Name of Applicant Town of Stratford
Postoffice address Stratford, State South Dakota
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 Well
- Amount of water claimed (cubic feet per second) .11
- Source of water supply Artesian Ground Water
- Location of point of diversion Well is Located West Edge of Town of Stratford
IN THE SW 1/4 SW 1/4 SECTION 4, T12N, R62W
County BROWN
- Annual period or periods during which water is to be used Continuously
Municipal
- Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) _____
- 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 Appropriate Water publication Not Applicable
- Principal Features of the Proposed Water Supply System.

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

Well

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

Flow to Town Mains

C. Works proposed to apply water to beneficial use.

Approximately 50 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

Brown

County of

I, A. E. Joachin, Chairman, 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

W. J. Graham

By of

July 1917

Subscribed and sworn to before me this

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4058-3

TOWN OF STRATFORD
(Applicant)

(Post Office Address)

SOUTH DAKOTA 57474 With the following modifications:
(State)

"VESTED RIGHT" CLAIMED

Date of first receipt of application July 7, 19 77
Date of return to applicant for correction, amendments or changes required _____, 19 ____
Date of receipt of corrected application _____, 19 ____
Approved July 28, 19 77, Recorded in Book 19 Page 213
WATER RIGHT PERMIT NO. 4058-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4058-3 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 1911
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
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 .11 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 purpose said appropriation must be limited to not more than 2 cubic feet per second, and be limited to not more than one-fifth (1/5) of one cubic foot of water per second, of time for each season during which water is~~ actually and beneficially applied for irrigation on or before JULY 1, 19 65; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 23RD day of JANUARY, 19 78

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued JANUARY 23, 19 78

Water License Issued JANUARY 23, 19 78

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter _____, Depth 1200 ft.
Steel-
(2) Casing, Type copper lined Diameter 3" Thickness _____
(wood, concrete, steel, etc)
(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 Material: (Please attach a copy to test well log if available.)

Character of Water bearing materials Dakota Formation

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) Flowing

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

On same owner's property none rds. On property owned by others 1 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.

E. J. Jackson, Chm
Signature of Applicant
Town Board

NOTE: This Form is supplemental to Form 2, and is to be used when an affidavit pertaining to construction of 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 Stratford
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 1911
15. Date that water was first applied to beneficial use 1911
16. Name of owner of original water supply system Town of Stratford
17. Amount of water originally applied to beneficial use .11 c. f. s.
18. Present Use of Water
Amount of water now being used .11 c. f. s.
Date that this amount of water was first used 1911
19. Chronological History of Water Use

Attach to this Form 28, 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 Brown)

I, A.E. Joachim, Chairman, Town Bd. the applicant, certify that I have read the foregoing and that the matters therein stated are true.

Signed A.E. Joachim
Subscribed and sworn to before me this 5th day of July, 1977
Quinn Downing Cook
(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.

WATER LICENSE NO. 4058-3

(1) WHEREAS, On the 7th day of July A. D. 19 77

the Town of Stratford

made Water Right Application No. 4058-3 vested right for a permit to use .11 cubic feet per second of the waters of artesian ground water

County of Brown, State of South Dakota, for municipal

purposes; and

(2) WHEREAS, On the 23rd day of January A. D. 19 78

vested right

Permit No. 4058-3, with a date of priority of 1911

recognizing

was issued to said applicant for the diversion of said water ~~xxx~~ for the completion of construction of the water

supply system therein described ~~xxxxxx~~ ~~xxxx~~ ~~xxxx~~ and ~~for~~ the

application to beneficial use of said water ~~xxxxxx~~ ~~xxxx~~ ~~xxxx~~

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 .11 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,

water is diverted through the town water distribution system for
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 Stratford

the holder _____ and owner _____ of said ^{of} vested right 4058-3 water right, dating from 1911
to use of .11 cubic feet per second of the waters
of artesian ground water
in the County of Brown and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point in the city limits of Stratford
in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, T121N, R62W

and conduct ~~xxxxxx~~ through the town owater distribution system

for the purpose of municipal use

Subject to any limitations listed in Water Right Permit No. 4058-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 23rd day of January A. D.
Nineteen Hundred and seventy-eight

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Permit No. 4058-3

Water Diversion No. 3 James River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Town of Stratford

vested right Permit No. 4058-3, issued upon Application No. 4058-3, bearing date of priority of 1911
authorizing the diversion of .11 cu. ft. per second of the waters of artesian ground water County of Brown, State of South Dakota at in city limits of Stratford in the SW 1/4 SW 1/4 Section 4, T121N, R62W
for municipal

purposes, has 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 recognized as ~~found to~~ satisfactory condition for diverting and conveying to the place of intended use .11 cu. ft. per second of water.

Date January 23, 1970

WATER RIGHTS COMMISSION
By: JOHN HATCH, Chief Engineer
WATER RIGHTS COMMISSION



Department of Water & Natural Resources

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

February 3, 1988

Constance Hoeft, Town President
Box. C-8
Stratford SD 57474

Dear Ms. Hoeft:

I am writing in regard to information we have received that the town of Stratford will obtain its water supply from the WEB Rural Water system. The town of Stratford has Vested Water Right Claim No. 4058-3 which allows the diversion of 0.11 cubic feet of water per second from one flowing artesian well.

The purpose of this letter is to inquire about your town's plans for the flowing well after connection to WEB. If the well is to be maintained for stand-by water supply, it will have to be either controlled to a minimum flow or shut off. If the well is to be abandoned, the well will need to be plugged pursuant to South Dakota Law SDCL 46-6-27 and Water Management Board Rules for plugging wells.

Please advise or contact us, if you have any questions.

Very truly yours,

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

4058-3

SOUTH DAKOTA

VESTED WATER RIGHT NO. 4058-3

Date of Receipt of Claim July 7, 1977.

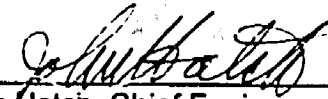
Date of Validation October 4, 1995.

The Water Management Board validated Vested Water Right Claim No. 4058-3 for the Town of Stratford, PO Box 388, Stratford SD 57474 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 4058-3 appropriates 0.11 cubic feet of water per second from one well located in the SW 1/4 SW 1/4 Section 4-T121N-R62W.
2. The appropriated water is used for municipal use and may not exceed the amount of water needed for beneficial use for municipal use purposes.
3. The water is to be used during the following annual period: January 1 - December 31.
4. The priority date of the Vested Water Right is January 1, 1911.
5. The water use system has been constructed and water has been applied to beneficial use.
6. 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
Water Rights Division
Department of Environment and Natural Resources

DEC 18 1995

date

Water Rights Division -- File Documentation

NAME: Duane Jark, Mayor of Stratford

ADDRESS: PO Box 388, Stratford SD 57474

DATE: May 16, 1995 COUNTY: Brown TELEPHONE: 395-6495

RE: Validation of Vested Water Right No. 4058-3

COMMENTS:

On May 10, 1995, an inspection was completed of Vested Water Right No. 4058-3 to assess the present status of water use authorized by the vested water right. Validation of the vested water right, in accordance with SD CL 46-2A-16, was delayed pending completion of an inspection.

Since the vested water right was not contested by the chief engineer or any other interested party, the Water Management Board must validate the vested right as published pursuant to SDCL 46-2A-16, provided the first publication was accurate. Any changes that are needed based on the inspection can be addressed by reissuing the water license or by readvertising the validation if the first published notice contained errors.

INSPECTION RESULTS:

The inspection found that Stratford is being supplied water from WEB rural water and the well authorized by Vested Water Right No. 4058-3 is maintained for standby use. Flow from the well has been reduced to a minimum and service can be restored to the city by turning a valve. The well is located in the SW1/4 SW1/4 section 4-T121N-R62W inside a small shack.

RECOMMENDED ACTION:

The present well location, diversion rate, water source, and use is consistent with Vested Water Right No. 4058-3 and the published notice of intent to validate. Therefore, No. 4058-3 needs to be scheduled for validation by the Water Management Board. No changes are needed to the water license.



Ron Duvall, Natural Resources Engineer
Water Rights Division



4058-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 18 1995

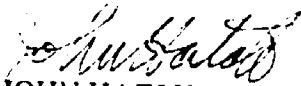
Bonnie Reiss, Finance Officer
Town of Stratford
PO Box 388
Stratford SD 57474

Dear Ms. Reiss:

The Water Management Board has validated the enclosed Vested Water Right No. 4058-3. This validation gives legal status to the claim and is the final document for the Town's vested right.

As long as the Town uses the water beneficially, as stated in the validation, State Water Laws provide that the Town has a continuing right to use the water.

Very truly yours,


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

enclosure



NOT TO SCALE

