

Map No. U/R Water Division No. 3 No. 4076-3 JAMES RIVER District \_\_\_\_\_  
(Blanks to be Filled by the Engineer for the W. R. C.)



## APPLICATION FOR PERMIT VESTED RIGHT

### To Appropriate Water within the State of South Dakota

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

- Name of Applicant City of Conde, State South Dakota  
Postoffice address \_\_\_\_\_  
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) .18
- Source of water supply Artesian Ground Water
- Location of point of diversion A POINT IN THE CITY LIMITS OF CONDE  
IN THE SW<sup>4</sup> SECTION 32, T120N, R60W County Spink
- 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 Appropriate Water publication not applicable
- Principal Features of the Proposed Water Supply System.

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

Well with submersible pump

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

# Storage of 55,000 gallons to city mains

C. Works proposed to apply water to beneficial use.

130 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.  
(Instructions concerning preparation.)

STATE OF SOUTH DAKOTA )

County of Spink ) ss.

I, City of Conde 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 Edwin K. Harris Mayor

Subscribed and sworn to before me this 6th day of July 1977

Notary Public (or other qualified officer)

# WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4076-3

CITY OF CONDE

(Applicant)

(Post Office Address)

SOUTH DAKOTA 57434

(State)

With the following modifications:

"VESTED RIGHT" CLAIMED

Date of first receipt of application July 8, 1977  
 Date of return to applicant for correction, amendments or changes required       , 19        
 Date of receipt of corrected application       , 19        
 Approved January 23, 1977, Recorded in Book 19 Page 214

WATER RIGHT PERMIT NO. 4076-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4076-3 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 1923
2. The equivalent of at least one-fifth of the work above specified is not completed before
3. The whole of said work is not completed 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 .18 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 of the appropriation shall be limited to not more than one acre-foot per year and in limited to not more than one acre-foot of water at any one time of one acre-foot of water at any one time which water was USED FOR MUNICIPAL PURPOSES actually and beneficially applied for irrigation on or before JULY 1, 1955; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 23RD day of JANUARY, 1978

WATER RIGHTS COMMISSION

By:

John Hatch  
 Chief Engineer, Executive Officer

Certificate of Construction Issued JANUARY 23, 1978

Water License Issued JANUARY 23, 1978

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 Conde  
 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 192315. Date that water was first applied to beneficial use 192316. Name of owner of original water supply system City of Conde17. Amount of water originally applied to beneficial use .18 c. f. s.

## 18. Present Use of Water

Amount of water now being used .18 c. f. s.Date that this amount of water was first used 1923

## 19. Chronological History of Water Use

Original well drilled in 1923. Replacement well  
 constructed in 1957. 1100' deep well - 6" to 200'-  
 3" remainder of depth.

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 Spink )

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

Signed Edouard Barrie  
 Mayor

Subscribed and sworn to before me this 6th day of June, 1977

J. M. Henshaw  
 (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.

## STATE OF SOUTH DAKOTA

## WATER LICENSE NO. 4076-3

(1) WHEREAS, On the 8th day of July A. D. 1977  
the City of Conde

made Water Right Application No. 4076-3 vested right  
 for a permit to use .18 cubic feet per second of the waters  
 of artesian ground water

County of Spink, State of South Dakota, for municipal

purposes; and

(2) WHEREAS, On the 23rd day of January A. D. 1978  
vested right 4076-3, with a date of priority of 1923  
 Permit No. 4076-3, recognizing

was issued to said applicant recognizing for the diversion of said water ~~and for the~~ completion of construction of the water  
 supply system therein described ~~as follows:~~ and for the ~~and for the~~ and for the and ~~for the~~  
 application to beneficial use of said water ~~on and for the~~ and for the ~~and for the~~ and for the

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 .18 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 City 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 city of Conde

the holder \_\_\_\_\_ and owner vested right of said permit No. 4076-3 a water right, dating from 1923 to use of 18 cubic feet per second of the waters

of artesian ground water in the County of Spink 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 Conde in the SW 1/4, Section 32, T120N, R60W

and conduct ~~xxxxxx~~ through the city water distribution system

for the purpose of municipal use

Subject to any limitations listed in Water Right Permit No. 4076-3 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. 4076-3

Water Diversion No. 3 James River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the City of Conde

~~vested right~~ Permit No. 4076-3, issued upon Application No. 4076-3, bearing date of priority of 1923  
authorizing the diversion of .18 cu. ft. per second of the waters of artesian ground water County of Spink, State of South Dakota at a point in the city limits of Conde in the SW 1/4, Section 32, T120N, R60W  
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 ~~xxx~~ recognized as satisfactory ~~xxx~~  
~~xxx~~ for diverting and conveying to the place of intended use .18 cu. ft. per second of water.

Date January 23, 1978

By: WATER RIGHTS COMMISSION

JOHN HATCH, Chief Engineer

4076-3

SOUTH DAKOTA

VESTED WATER RIGHT NO. 4076-3

Date of Receipt of Claim July 8, 1977.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 4076-3 for the City of Conde, P.O. Box 113, Conde, South Dakota 57434 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 4076-3 appropriates 0.18 cubic feet per second of water from a well located in the SW1/4 Section 32, T120N, R60W.
2. The appropriated water is used for supplying water for the City of Conde 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, 1923
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 may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By:   
Chief Engineer

MAR 17 1993

date

Division of Water Rights  
Dept. of Environment and Natural Resources

4076-3



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3161

MAR 17 1993

City of Conde  
Linda Remily, Auditor  
PO Box 113  
Conde SD 57434-0113

Dear Ms. Remily:

The Water Management Board has validated the enclosed Vested Water Right No. 4076-3. 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