

Water Right Number 4095-3

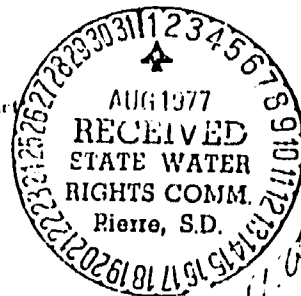
VIR

1. Considered 10-6, 1977
2. Name of Applicant TOWN OF LAKE CITY
3. Post Office Address _____
4. Amount of Water claimed .11
5. Source of Water supply 70' DEEP WELL DRILLED IN 1910 - FURNISHED
6. Water to be used for MUNICIPAL WATER FOR TOWN -
WELL LATER TURNED
Acres to be irrigated _____ OVER TO TOWN
7. Water to be diverted and used in MARSHALL County
about in City Limits miles _____ of _____
8. Proof of Publication Received _____
Not Received _____
9. Application Approved _____
Qualifies for
VIR. Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 4096-3Map No. VIR Water Division No. 3 JAMES RIVER District

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

VESTED RIGHT
APPLICATION FOR PERMIT**To Appropriately Water within the State of South Dakota**

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

1. Name of Applicant TOWN OF LAKE CITY
 Postoffice address _____, State SD
 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 WELL
4. Amount of water claimed (cubic feet per second) .11
5. Source of water supply GROUND WATER
6. Location of point of diversion ORIGINAL TOWNSITE OF LAKE CITY
IN THE SE⁴ NW⁴, SECTION 4, T126N, R24W
 _____ County MARSHALL
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 BRITTON JOURNAL BRITTON, S.D.
57430
12. Principal Features of the Proposed Water Supply System.

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

WELL & PUMP

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

CITY MAINS

C. Works proposed to apply water to beneficial use.

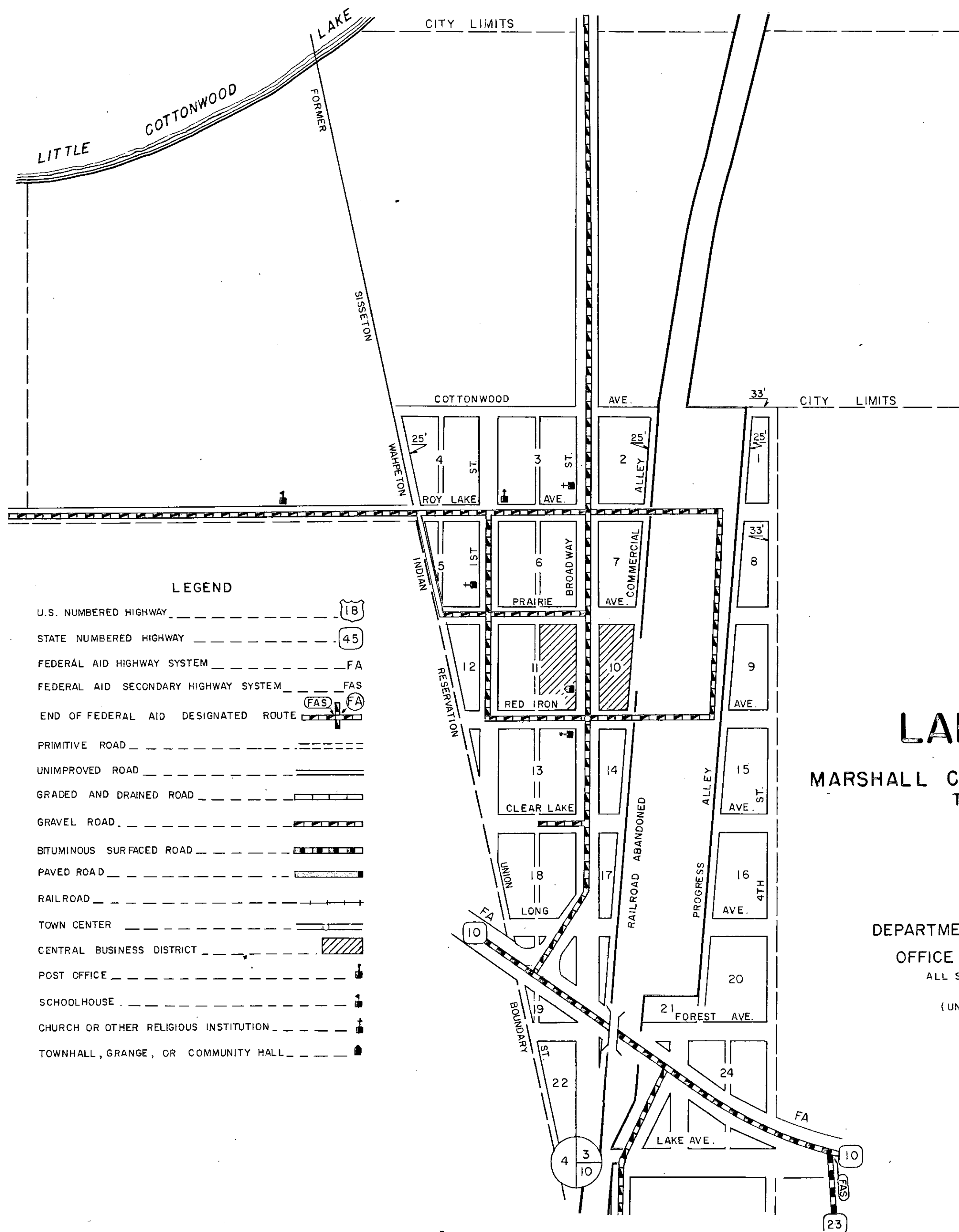
35 HOOD-UBS

Estimated Total Cost \$ _____

Attachment: 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 MARSHALL) ss.I, Town of Lake City 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 LEONARD M. BENSONSubscribed and sworn to before me this July day of 1977Shirley M. Benson
Notary Public (or other qualified officer)



CITY MAP
LAKE CITY
 MARSHALL COUNTY · SOUTH DAKOTA
 T 126 N—R 54 55 W

SCALE
 0 300 ft.
 POP. 44 (1970)

1971
 DRAWN BY
 DEPARTMENT OF TRANSPORTATION
 OFFICE OF SYSTEM ANALYSIS
 ALL STREET RIGHT OF WAY 66 FT.
 ALLEYS 17 FT.
 (UNLESS OTHERWISE INDICATED)
 UNOFFICIAL EDITION

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4095-3
TOWN OF LAKE CITY (Applicant)
SOUTH DAKOTA 57247 (State) With the following modifications:

"VESTED RIGHT" CLAIMED

Date of first receipt of application AUGUST 1, 19 77
 Date of return to applicant for correction, amendments or changes required —, 19 —
 Date of receipt of corrected application —, 19 —
 Approved OCTOBER 7, 19 77, Recorded in Book 19 Page 211

WATER RIGHT PERMIT NO. 4095-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4095-3 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 1910
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 .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 purposes, said appropriation must be ~~limited to not more than 170 of the cubic feet of water per second of time for each acre of land to which water~~ 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 20TH day of JANUARY, 19 78

WATER RIGHTS COMMISSION

By:

John K. Ketch
 Chief Engineer, Executive Officer

Certificate of Construction Issued JANUARY 20, 19 78
 Water License Issued JANUARY 20, 19 78

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 70'
- (2) Casing, Type Steel Diameter 10" Thickness _____
(wood, concrete, steel, etc)
- (3) Perforated Screen.
- Type Stainless Steel, Diameter 10", 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 Sands & Gravel

Depth to top of water bearing material 50'

Depth to bottom of water bearing material 70'

Thickness of water bearing material 20'

Depth to water (ground surface to water level) 20'

- (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.

CHARLES A. DENSON
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 LAKE CITY

Post Office Address _____, State S.D.

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 1910

15. Date that water was first applied to beneficial use 1910

16. Name of owner of original water supply system SOO LINE RAILROAD

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 1910

19. Chronological History of Water Use

**WELL ORIGINALLY CONSTRUCTED BY SOO LINE
R.R. & LATER TURNED OVER TO THE TOWN**

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 Marshall) ss.

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

Signed G. M. M. M. DENSON

Subscribed and sworn to before me this 8 day of July, 19 22

Orlando Brown
(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. . . . 4095-3

(1) WHEREAS, On the 1st day of August A. D. 19 77

the Town of Lake City
made Water Right Application No. 4095-3 vested right
for a permit to use .11 cubic feet per second of the waters
of ground water

County of Marshall, State of South Dakota, for municipal
purposes; and

vested right (2) WHEREAS, On the 20th day of January A. D. 19 78
/Permit No. 4095-3, with a date of priority of 1910

was issued to said applicant recognizing
for the diversion of said water ~~xxxxxxx~~ the completion of construction of the water
supply system therein described ~~xxxxxxx~~ ~~xxxxx~~ ~~xxxxxxx~~ and ~~for~~ the
application to beneficial use of said water ~~xxxxxxx~~ ~~xxx~~ ~~xxxxx~~

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 used by the residents of the Town of Lake City for municipal
purposes

(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 Lake City

~~xxx~~
the holder _____ and owner _____ of said permit No. 4095-3 a water right, dating from 1910
to use of .11 cubic feet per second of the waters
of ground water

in the County of Marshall 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 original townsite of Lake
City in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 4, T126N, R54W

and conduct ~~xxxxxx~~ through the town water distribution systems

for the purpose of municipal use

Subject to any limitations listed in Water Right Permit No. 4095-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 20th day of January A. D.
Nineteen Hundred and seventy-eight

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Permit No. 4095-3

Water Diversion No. 3 James River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Town of Lake City

vested right Permit No. 4095-3, issued upon Application No. 4095-3, bearing date of priority of 1910
authorizing the diversion of .11 cu. ft. per second of the waters of
ground water County of Marshall, State of South Dakota at
a point in the original townsite of Lake City in the SE 1/4 NW 1/4,
Section 4, T126N, R54W
for municipal

purposes, has ^Bcomplied 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~~ in satisfactory
condition for diverting and conveying to the place of intended use .11 cu. ft. per second of water.

Date January 11, 1970

By: WATER RIGHTS COMMISSION

JOHN HATCH, Chief Engineer

SOUTH DAKOTA

VESTED WATER RIGHT CLAIM NO. 4095-3

Date of Receipt of Claim August 1, 1977.

Date of Validation May 6, 1982.

The Water Management Board validated Vested Water Right Claim No. 4095-3 for the Town of Lake City, P.O. Box 95, Lake City, South Dakota 57247 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 4095-3 appropriates 0.11 cubic feet per second of water from a well located in the SE1/4 NW1/4 Section 4, T126N, R54W.

2. The appropriated water is used for supplying water for the Town of Lake City 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, 1910.

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: 
Chief Engineer

JUN 29 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources



JUN 29 1992

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Town of Lake City
Jane Johnson, Finance Officer
PO Box 95
Lake City SD 57247-0095

Dear Ms. Johnson:

The Water Management Board has validated the enclosed Vested Water Right No. 1095-3. 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