

1. Considered May 15, 1957
2. Name of Applicant City of Leola # 412-3
3. Post Office Address Leola, South Dakota
4. Amount of water claimed 0.22 cfs
5. Source of water supply ground water
6. Water to be used for Municipal use
~~Acres to be irrigated~~ _____
7. Water to be diverted and used in McPherson County about _____
miles ~~_____ of _____~~ in the city
8. Proof of Publication Received _____
Not Received ✓
9. Application Approved ✓
Subject to P.C. of P.C. of Pub.
Not approved _____
Action deferred _____
10. Remarks:

*To change the point of diversion
and replace an old well.*

No. 412-3Map No. 311-3Water Division No. 3 James River District
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT TO CHANGE THE POINT OF DIVERSION

To Appropriato Water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant City of Leola
Postoffice address Leola, County McPherson, State So. Dak.

I. If a corporation

- (a) Name of same _____
(b) Date and place of incorporation Details of Incorporation on file (5-1-1919)
in office of the Secretary of State (See Box 557,
File #60,609)
(c) Amount of capital stock _____
(d) Amount paid in _____
(e) Names and addresses of directors D. L. Thomas- Mayor and Councilmen
M. Hauck, P. Baio, E. Schaffner, A. Stoenker, E. Jeffne,
G. Morrison

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

Contract

- (b) Cash on hand, \$ _____ (c) Treasury stock, \$ _____
Sufficient to accomplish project
(d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work Well #1 (replacement)
3. Amount of water claimed 0.22 cubic feet per second 100 gpm
4. Source of water supply Ground Water
5. Location of point of diversion 90 feet North and 145 feet East of the NW Cor.,
Block 3, Original Town of Leola McPherson County.
6. Annual period or periods during which water is to be used Continuously
7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?

- (a) Number of acres to be irrigated _____ acres.

- (b) Legal subdivisions to be irrigated _____

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

- (c) Statement as to
- Municipal
- use (giving location, etc.) _____

S. 1 Sec 17, N. 1 Sec 20, T. 126N, R. 62W

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

- (a) Nature of use _____
-
- Name any of the above uses claimed

- (b) Amount of power to be generated _____ horse power.

Amount claimed for engine cooling _____

- (c) Location of plant _____

- (d) Method of developing power _____

- (e) Point where water will be returned to stream _____
-
- Name owner of property _____ tons. On property owned by others _____ tons

*Inde. Resident Selling to
Mr. E. W. Schults mgr.*

8. Estimated cost of work:

(a) Head Gates, \$-----

(c) Fluming, \$-----

(e) Other structures -----

(d) Canal-earth, \$-----

Well & Pumping plant, \$10,000

Rock, \$-----

Total, \$-----

9. Description of diversion works:

I. Nature of work: (Reservoir, dam, ditch, flume, pumping plant, etc.)

800 feet of piping to reservoir

II. Dimensions of works:

(a) Dam: Height ----- feet; length at bottom ----- feet; length at top -----

----- feet; thickness at bottom ----- feet; thickness at top -----

feet; slope at front water face ----- slope at back face -----

material used in construction -----

(b) Reservoir: Capacity when filled ----- ac area at highwater

mark ----- acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	ACRE-Feet CAPACITY

(c)* Head gate: Width ----- feet; height ----- feet;

Material -----

(d) Canal: Total length ----- miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ----- 1 ----- years.

11. Time required for complete application of water to the proposed beneficial use ----- 1 ----- years.

12. Choice of newspaper for publication of notice of intention to appropriate -----

McPherson County Herald, Leola, South Dakota

STATE OF SOUTH DAKOTA

County of -----

Hughes

ss.

I, William D. Hauck, Water Commissioner

being first duly sworn on my oath depose and say: That my relation to the above described undertaking is ~~not~~ that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed

William D. Hauck

Subscribed and sworn to before me this

16.11

day of

January

1957

Notary Public (or other qualified officer.)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, February 15, 1957

This is to certify that the foregoing application was received by the Commission at 11:00 o'clock
9 a.m. upon the 15 day of February, 1957

State Water Resources Commission

By: J. Brinner
Chief Engineer, Executive Officer

Number of permit V412-3

Date of first receipt of application February 15, 1957

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right 1948 (see # 320-3), 19____

Approved May 15, 1957, Recorded in Book 4 Page 123

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____

November 15, 1957

2nd. The whole of said work is to be completed on or before May 15, 1958

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

May 15, 1959

4th. The water appropriated shall be used for the purpose of municipal

5th. 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.

6th. The amount of the appropriation herein granted shall not exceed 0.27 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before May 15, 1957; said water to be used during the following described annual period:

Continuously

Witness my hand this 12 day of July, 1957

State Water Resources Commission

By: J. Brinner
Chief Engineer, Executive Officer

Certificate of Construction Issued October 29, 1958

Water License Issued October 29, 1958

9. (L ed)

III. Well Specifications

(a) Hole and casing

8" X 4"

Size of drill hole or excavation 11", Depth 258 ft

Type of casing *Standard 8" Black Steel 25 Lbs*
(wood, concrete, steel, etc.)

Size of casing 8" Thickness of casing 277

Length of casing 258' If collection gallery, length, size and depth of gallery Centered in to top from Bottom

(b) Screens

Type of perforated screen 4" AT 130R Pike from 258 to 1371

Size of perforated screen 4" Perforated (diameter) 159' length 1212 to 1371

Thickness of gravel pack *Natural*, length of gravel pack ... *12.12' to 13.71'*

(c) Water Bearing Materials 70 GPM from water sand

Distance to water 37' Character of water bearing materials *fine*

This well was drilled to replace
a old well that had collapsed since
drilled at 30 years ago and could not be repaired
Thickness of water bearing material 159 ft

Thickness of water bearing material . . . 139 ft

(d) Pump and Motor

Type of pump Submersible pump
(centrifugal, propeller, mixed flow, etc.)

Name of pump Fairbanks Morse & Co., size 6" Juffer 609 PM

Kind of motor Electric submersible
(gasoline, electric, diesel, etc.)

Horsepower 3.25 Name of Motor 3.25

(e) Complete well 6-18-56

Capacity 60 at drawdown of 43.5% Estimated cost 7000 ⁶⁻⁰

(f) Owner of land upon which well is located City of Vancouver
Name

Leola 50 Oak
Address

(g) Distance to nearest existing wells 1000 ft

On same owner's property 2.5 rods. On property owned by others 10.0 rods

Ind. Resident Building Co
14 E. 6th St. N. E. N. E. N. E.

STATE OF SOUTH DAKOTA

WATER LICENSE No. 412-3

WHEREAS, On the 15th day of February A. D. 1957

The City of Leola

of Leola County of McPherson and State of South Dakota duly made application (No. 412-3) to us for a permit to use 0.22

cubic feet per second of the waters of ground water

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

WHEREAS, On the 12th day of July A. D. 1957

Permit No. 412-3 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 15th day of

May A. D. 1958 and for the application to beneficial use of said

water on or before the 15th day of May A. D. 1959

and,

WHEREAS, On the 22nd day of August A. D. 1957

the holder of said permit duly made proof of the completion of adequate works for the diversion of 0.22

cubic feet per second of said waters, as evidenced by our Certificate No. 412-3

dated October 28, 1958 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 0.22 cubic feet per second of water, with date of

expiry of 1948 and, and,

WHEREAS, On the 22nd day of August A. D. 1958

proof was duly made of the application to beneficial use of 0.22 cubic feet per second of said water;

in the distribution system of the City of Leola

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 Leola
of Leola, South Dakota the holder and owner of said permit No. 412-3
a water right, dating from 1948 to the use of 0.22
cubic feet per second of the waters of ground water
in the County of McPherson and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted at 90 feet north and 145 feet
east of the NW Cor., of Block #3, Original Town of Leola
and conducted to ~~known~~ the residents of the City of Leola

for the purpose of _____

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 28th day of October A. D. Nineteen
Hundred and Fifty-eight

State Water Resources Commission

By:

J. W. GRIMES,

Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

in Book _____ of _____ Page _____

Permit No. **412-3****James**Water Division No. **3** **River** Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That **the City of Leola**of **Leola**, County of **McPherson**, and State of **South Dakota**the holder of Permit No. **412-3**, Issued upon Application No. **412-3**, bearing date of priority of **1948**, authorizing the diversion of**0.22** cu. ft. per second of the waters of **ground water**County of **McPherson**, State of South Dakota, **at 90 feet north and 145 feet east of the NW Cor., Block #3, Original Town of Leola**for **municipal**purposes, has fully 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 found in satisfactory condition for diverting and conveying to the place of intended use **0.22** cu. ft.per second of water; and that the ~~work is hereby approved~~ **is** described as follows, to-wit: **to furnish municipal water for the distribution system of the City of Leola**Witness my hand this **28th** day of **October** A. D. 19**58**

State Water Resources Commission

By:

J. W. GRIMES, Chief Engineer, Executive Officer

(First Publication before March 22, 1957

APPROPRIATION OF WATER

Office of State Water Resources Comm
Pierre, S.D. February 15, 1957

Notice is hereby given that the City of Leola whose postoffice is Leola, South Dakota, has made application in accordance with the provisions of the Water Laws of South Dakota for a permit to change the location of municipal Well #1 from a point 90 feet north of the northeast corner of Lot 24 Block 1, Original Plat of Leola, South Dakota to a point 90 feet north and 145 feet east of the northwest corner, Block 3, Original Plat of Leola South Dakota.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of May 1957 at 2:00 PM. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

J. W. Grimes, Chief Engineer

cc - Mr. Walter Bowen, Publisher

The McPherson County Herald
Leola, South Dakota

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County McPherson } ss.

Leola Bowen being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the McPherson County Herald 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 Leola County of McPherson and State of South Dakota; that the said notice was published in said newspaper on the following dates:

February 2, 1957
February 28, 1957
March 7, 1957
March 14, 1957

in each and every issue of the full number thereof, the first publication being made on the 21 day of February 1957 and the last publication on the 14 day of March 1957, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was the the printer and publisher of the said newspaper.

Leola Bowen

Subscribed and sworn to before me this 15 day of March A. D. 1957

D. J. Horan
McPherson County, S. D.

APPROPRIATION OF WATER

Office of State Water Resources Comm., Pierre, S. D., February 13, 1957.

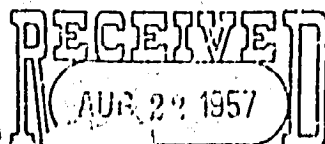
Notice is hereby given that the City of Leola whose postoffice is Leola, South Dakota, has made application in accordance with the provisions of the Water Laws of South Dakota for a permit to change the location of municipal Well No. 1 from a point 90 feet north of the northeast corner of Lot 24 Block 1, Original Plat of Leola, South Dakota, to a point 90 feet north and 145 feet east of the northwest corner, Block 3, Original Plat of Leola, South Dakota.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of May, 1957, at 2:00 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resource Comm.
 By: J. W. Grimes, Chief Eng.
 (Feb. 21--28--Mar. 7--14)

RECEIVED
 JUN 2 1957
 STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

Permit No. 412-3

Water Division No. _____ Water District _____ STAT. _____

SOURCES COMM.
SOUTH DAKOTA

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) Leola, South Dakota(Date) August 22, 1957

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the _____ day of _____
19____, at _____ County of _____ State of South Dakota,
before _____ (Examining Engineer or Officer) proof will be submitted of the application to beneficial use
of .022 cubic feet per second of the waters of ground
_____ in accordance with the terms and conditions of Permit No. 412-3
heretofore issued by the Water Resources Commission of South Dakota.

- The name and postoffice address of the person or corporation holding said permit are _____
City of Leola, South Dakota, a municipal corporation
- The use to which said water has been applied is municipal purposes
- The amount applied to beneficial use is .022
- The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) City's distribution system
- The name of the canal or ditch or other works by which said water is conducted to such place of use is _____
- The right to take the water from such works is based upon permit No. 412-3
- The source of supply from which such water is diverted is ground water
- The date of priority which said user is prepared to establish is 1948

(Sign)

City of Leola
By William D. Flavel
Water Commissioner

Permit No. 412-3

Water Division No. _____

Water District _____

RECEIVED
AUG 22 1957

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) Leola, South Dakota(Date) August 22, 1957

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of .022

_____ cu. ft. per second of the waters of the state from Leola
through the Well No. 1 replacement

for municipal purposes purposes

through the City's distribution system In accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is City of Leola,
South Dakota

2. The postoffice address of such person or the place of business of such corporation is Leola
County of McPherson State of South Dakota

3. The number of such permit is 412-3 and the date set for the completion of such work is
May 15, 1958

4. Said water to be used for municipal purposes purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is .025 cubic feet per second.

6. The amount of land for which said water is available is _____ acres,
particularly described as follows: _____

I hereby certify that the facts set forth in the above notice are true.

City of Leola, South Dakota

(Signature of Owners) By William D. Hauch,

Water Commissioner

Permit No. 412-3James
Water Division No. 3 River Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated on July 29, 1958~~TOXXX~~ I have ~~thus~~ made a thorough examination of the diversion works constructed by the City of Leola, of LeolaMcPherson County, South Dakota, holder of Permit No. 412-3, issued upon Application No. 412-3, bearing date of priority of 1948, ~~1912~~, authorizing the diversion of 0.22 cu. ft. per second of the waters of ground water for municipal purposes. I have to report on the condition of the same as follows:The diversion works comprise: 1367 foot well: 750 feet of 2 inch plastic pipe; 85,000 gallon reservoir; 55,000 gallon standpipe; 14 blocks 6 inch main, 30 blocks of 4 inch and 6 blocks of 1 inch; Crane pump with a Layne Base #36457; U.S. 5 Hp motor #592827; Gould 3 piston pump; F-M 10 Hp electric motor #117107 and pressure gauges.and the system is in the following condition: New or very goodThe point of diversion is located 50 feet north and 145 feet east of the NW Cor. of Block #3, Original Town of LeolaThe works are capable of diverting and conveying to the place of use 0.22 cu. ft. per second of water, which is to be used for _____The legal sub-divisions to be irrigated are: City of Leola_____ comprising a total of _____ acres of land.
The domestic use intended comprises _____

The utilization for power, mining, or other beneficial uses comprises: _____

Witness my hand, this 28th day of October, A. D. 1958

—SEAL—

Les Wyborny,

Examining Engineer.

South Dakota



GREAT FACES. GREAT PLACES.

MAY 10 1991

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

412-3

Tom Mahlke, Mayor
City of Leola
PO Box 108
Leola SD 57456

Dear Mayor Mahlke:

The Water Management Board has validated the enclosed Vested Water Right Nos. 320-3 and (412-3). These validations give legal status to the claims and are the final document for your vested rights.

As long as you use the water beneficially, as stated in the validations, 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 VESTED WATER RIGHT CLAIM NO. 412-3

Date Claim Accepted For Filing February 15, 1957.

Date of Validation September 27, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim No. 412-3 for the City of Leola, P O Box 108, Leola, South Dakota 57456 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 412-3 appropriates 0.22 cubic feet of water per second from one well approximately 258 feet deep and located in the NE 1/4 SE 1/4, Section 17, T126N, R67W.
2. The appropriated water is used for supplying water for the City of Leola 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, 1948.
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. Hatcher
Chief Engineer

Division of Water Rights

Dept. of Environment and Natural Resources

MAY 10 1991

date

412-3

SOUTH DAKOTA

VALIDATION OF VESTED WATER RIGHT CLAIM NO. 320-3

Date Claim Accepted For Filing October 15, 1956.

Date of Validation September 27, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim No. 320-3 for the City of Leola, P O Box 108, Leola, South Dakota 57456 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 320-3 appropriates 0.22 cubic feet of water per second from one well approximately 1390 feet deep and located in the SE 1/4, Section 20, T126N, R67W.
2. The appropriated water is used for supplying water for the City of Leola 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, 1948.
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

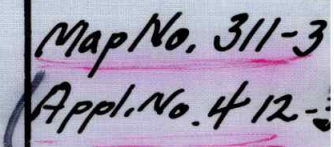
Division of Water Rights

Dept. of Environment and Natural Resources

MAY 10 1991

date

Scale 100 feet to the inch



STATE OF ARIZONA
COUNTY OF COCHISE