

Water Right Number 4125-3

1. Considered 12-6, 1977
2. Name of Applicant CITY OF VELEN
3. Post Office Address _____
4. Amount of water claimed .22
5. Source of water supply 158' WELL
6. Water to be used for MUNICIPAL
Acres to be irrigated _____
7. Water to be diverted and used in MARSHALL County
about 1 N Miles of VELEN
8. Proof of Publication
Received 9-30-77
Not received _____
9. Application
Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

No. 4125-3Map No. 3358-3 Water Division No. 3 WHETSTONE 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: City of Veblen
 Postoffice address: Veblen, State South Dakota
 If a corporation show date and place of incorporation: about 1900
2. Method of accomplishing work (contract, employment of others, or by direct labor): Contract
3. Name of diversion work: City Wells #1 and 2
4. Amount of water claimed (cubic feet per second): 0.22 cfs
5. Source of water supply: Aquifer
6. Location of point of diversion: N/A BOTH WELLS LOCATED IN NW 1/4 SW 4, SECTION 10, T 128N, R 53W

County Marshall

7. Annual period or periods during which water is to be used: 365 days per year indefinite
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: 1 years. Additional time required to complete application of water to the proposed beneficial use: 0 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication: _____
12. Principal Features of the Proposed Water Supply System.

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

2 wells located 2 miles north of Veblen, South Dakota, County Highway

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

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ 16,000Attachments: 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 Brown) ss.I, DONALD W. CONROY PE 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 Donald W. Conroy PESubscribed and sworn to before me this 31 day of August, 19 77James C. Johnson
Notary Public (or other qualified officer)My Commission Expires
March 15, 1982

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4125-3

CITY OF VEBLEN

(Applicant)

(Post Office Address)

SOUTH DAKOTA 57270

(State)

With the following modifications:

The ~~irrigation~~ well approved under this Permit is located near domestic 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.

Date of first receipt of application SEPTEMBER 2, 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 132

WATER RIGHT PERMIT NO. 4125-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4125-3 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 SEPTEMBER 2, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before APRIL 7, 19 78
3. The whole of said work is to be completed on or before OCTOBER 7, 19 78
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is OCTOBER 7, 19 78
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 .22 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 acre per year and be limited to not more than one-twentieth (1/20) 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 OCTOBER 7, 19 78; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 3RD day of NOVEMBER, 19 77

WATER RIGHTS COMMISSION

By:

John K. Hahn
Chief Engineer, Executive Officer

Certificate of Construction Issued ---, 19 ---

Water License Issued ---, 19 ---

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

D. Well Information or Estimates

(1) Drill Hole, Diameter 12", Depth 158 ft
 (2) Casing, Type Steel (wood, concrete, steel, etc) Diameter 6" Thickness .290
 (3) Perforated Screen.
 Type Johnson, Diameter 1", Length 25 ft
 (4) Gravel Pack, Thickness None, Length of gravel pack 1

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 116' To 124' Fine Sand
124' To 158' Coarse Sand & Silt

Depth to top of water bearing material 116'

Depth to bottom of water bearing material 158'

Thickness of water bearing material 42'

Depth to water (ground surface to water level) Not known at this time. The well is just being dug.

(2) Distance to nearest existing household or livestock watering wells. 1-mile

On same owner's property _____ rds. On property owned by others _____ 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.

This is the New Well, the old well is approximately the same.

Buty of Vebler
 Signature of Applicant
to Alkal Finance Officer

Publish first publication, on or before September 22, 1977

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

September 13, 1977

Notice is hereby given that the City of Veblen whose post office address is Veblen, 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: 0.22 cubic feet of water per second of time from ground water through the City Wells # 1 & 2, the point of diversion of which are to be located in the NW 1/4 SW 1/4 (2 wells)

of Section 10, Twp. 128N Range 53W. Said water to be used for the purpose of providing ~~irrigation on portions of the following described land:~~

municipal water supplies for the City of Veblen.

This Application No. 4125-3 will be considered by the Water Rights Commission at the Holiday Inn, Spearfish, SD upon the 6th day of October, 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: City of Veblen, Veblen, SD

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

No. 4125-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Marshall) ss.

I, C. L. Carl hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Britton Journal

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 Britton

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

September 21, 1977

September 28, 1977

C. L. Carl
(Signature)

publisher
(Title)

9-29-77
(Date Signed)

2T (Sept. 21 1977) No. 4125-3

NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER

Sept. 13, 1977

Notice is hereby given that the City of Veblen, 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 0.22 cubic feet of water per second of time from ground water through the City Wells No. 1 and 2, the point of diversion of which are to be located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 wells) of Section 10, Twp. 128N, Range 53W. Said water to be used for the purpose of providing municipal water supplies for the City of Veblen.

This Application No. 4125-3 will be considered by the Water Rights Commission at the Holiday Inn, Spearfish, S. D. upon the 6th day of October, 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





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 30, 2002

4125-3

City of Veblen
Virgil Henning, Water Superintendent
PO Box 96
Veblen SD 57270-0096

Dear Mr. Henning:

On July 19, 2002 the investigation of the city's water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 4125-3, was completed by Stacy Johnson, a staff engineer with our program. The final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee, we will complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

The licensed water right will be similar to a property right that can not be lost as long as the water use continues and the city abides by the permit requirements.

If you have any questions regarding the water permit, investigation of the water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
(605) 773-3352



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 25 2002

4125-3

City of Veblen
Virgil Henning, Water Superintendent
PO Box 96
Veblen SD 57270-0096

Dear Mr. Henning:

Enclosed is Water License No. 4125-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 000315 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 4125-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Sincerely,

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

enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4125-3

(1) The City of Veblen, PO Box 96, Veblen SD 57270 made Application No. 4125-3, September 2, 1977 for a water permit to divert 0.22 cubic feet of water per second from groundwater (two wells), Marshall County, South Dakota for municipal purposes. Permit No. 4125-3, with a priority date of September 2, 1977 was approved October 7, 1977 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before October 7, 1978 and for the application to beneficial use of water on or before October 7, 1978.

An investigation conducted for licensing purposes found the wells under Water Permit No. 4125-3 were not in the location authorized by the permit. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the change in location of diversion points does not increase the potential for interference with existing water rights.

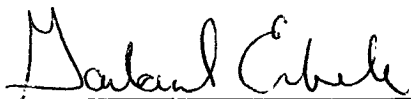
(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 4125-3 is issued a license, bearing a priority date of September 2, 1977, to appropriate 0.22 cubic feet of water per second from groundwater (two wells). The water is diverted for municipal purposes from the following locations:

Well #1 – 2,570 feet south and 63 feet east and Well #2 – 2,570 feet south and 213 feet east; both from the northwest corner **Section 10 – T128N-R53W (SW ¼ NW ¼)**.

The city is supplied water by the Brown Day Marshall Rural Water System. These wells are a back up water source for the city.

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 4125-3 including the following qualification:

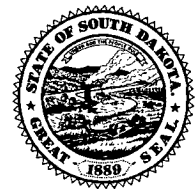
The wells approved under this Permit will be located near domestic wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells.



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

OCT 25 2002

date



Approval of Location Change and/or Additional Diversion Point(s)

NAME: City of Veblen (Virgil Henning)

ADDRESS: PO Box 96, Veblen SD 57270-0096

DATE: October 2, 2002

COUNTY: Marshall

TELEPHONE: (605) 738-2521

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- **Developed water source same as permitted source and no additional water appropriated**

Yes

- **If irrigation, no new land is irrigated**

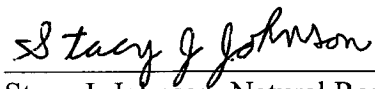
NA

- **Review of Existing Diversions**

The public notice was advertised with having the wells in the NW ¼ SW ¼ of Section 10 T128N-R53W. The wells are actually located in the SW ¼ NW ¼ of Section 10 T128N-R53W.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.



Stacy J. Johnson, Natural Resources Project Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.



Garland Erbele, Chief Engineer
Water Rights Program

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date October 11, 20 02

RECEIVED OF City of Veblen, PO Box 96, Veblen SD 57270-0096

The following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>4125-3</u>		
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50.00

No.

000325

By

Darland Erbe
Chief Engineer gm

Water Permit No. 4125-3



South Dakota



South Dakota Department of
Environment and Natural Resources



Protecting South Dakota's Tomorrow ... Today

Stacy J. Johnson 9-27-02

Stacy J. Johnson
Natural Resources Project Engineer
SD DENR Water Rights Program

0.6 0 0.6 1.2 Miles

Permit No. 4125-3
Whetstone Creek- Water District

Other permit/license(s) associated with project: 491-3

Contact Person & Address: Gene Home, PO Box 96, Veblen SD 57270

Report Of Examination Of Works

On, July 19, 2002, I made a thorough examination of the water use system constructed by City of Veblen of PO Box 96, Veblen SD 57270 holder of Permit No. 4125-3, bearing the priority of September 2, 1977, authorizing the diversion of 0.22 cu. ft. per second of water of from two Veblen Aquifer wells for municipal purposes, in Marshall County.

The system is in the following condition good. The point of diversion is located Well #1: from the NW corner it is 2570 feet south and 63 feet east of Section 10 T128N-R53W with a longitude of -97.290664 and a latitude of 45.8850530. The point of diversion is located Well #2: from the NW corner it is 2570 feet south and 213 feet east of Section 10 T128N-R53W with a longitude of -97.290027 and a latitude of 45.8851250. The works are capable of diverting and conveying to the place of use 0.22 cu. ft. per second of water that is to be used for back up purposes. The license should be issued for 0.22 cfs.

Review of Permit Qualifications And Regulations:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period NA
- 4) Exceptions to compliance are: none

Report On the Specifics of the System

Diversion Point Information: Well #1

- | | |
|---------------------------------------|--------------------------------------|
| 1) Well Drilling Firm: <u>Unknown</u> | 2) No. of Wells <u>2</u> |
| 3) Depth(s) <u>153</u> feet | 4) Well log is available <u>none</u> |

Casing:

- | | |
|-----------------------------------|-------------------------------|
| 1) Diameter <u>unknown</u> inches | 2) Length <u>unknown</u> feet |
| 3) Type <u>plastic</u> | |

Screen:

- | | |
|--------------------------------------|-------------------------------|
| 1) Type <u>unknown</u> | 2) Length <u>unknown</u> feet |
| 3) Static water level <u>10</u> feet | |

Pump\ Motor:

- | | |
|-----------------------------------|-----------------------------------|
| 1) Pump Make <u>submersible</u> | 2) Pump Model <u>unknown</u> |
| 3) Capacity <u>unknown</u> GPM | 4) Motor Make <u>unknown</u> |
| 5) Motor Model No. <u>unknown</u> | 6) Horsepower rating <u>15</u> hp |

Distribution System:

- 1) Type plastic 2) Size 6 inches 3) Length 8976 feet

Diversion Point Information: Well #2

- | | |
|---------------------------------------|--------------------------------------|
| 1) Well Drilling Firm: <u>Unknown</u> | 2) No. of Wells <u>2</u> |
| 3) Depth(s) <u>153</u> feet | 4) Well log is available <u>none</u> |

Casing:

- | | |
|-----------------------------------|-------------------------------|
| 1) Diameter <u>unknown</u> inches | 2) Length <u>unknown</u> feet |
| 3) Type <u>plastic</u> | |

Screen:

- | | |
|--------------------------------------|-------------------------------|
| 1) Type <u>unknown</u> | 2) Length <u>unknown</u> feet |
| 3) Static water level <u>10</u> feet | |

Pump\ Motor:

- | | |
|-----------------------------------|-----------------------------------|
| 1) Pump Make <u>submersible</u> | 2) Pump Model <u>unknown</u> |
| 3) Capacity <u>250*</u> GPM | 4) Motor Make <u>unknown</u> |
| 5) Motor Model No. <u>unknown</u> | 6) Horsepower rating <u>25</u> hp |

Distribution System:

- 1) Type plastic 2) Size 6 inches 3) Length 9153 feet

COMMENTS: City of Veblen is hooked up to BDM RWS. The wells will be used for back up purposes.

*** Well #1 capacity is unknown. Well #2 has a capacity of 250 gpm. Water Permit No. 4125-3 should be licensed for 0.22 cfs (98 gpm).**

Stacy J. Johnson

9-27-02

Stacy J. Johnson

Date

Natural Resources Project Engineer

DENR, Water Rights Program