

Map No. VLR Water Division No. 3 VERMILION RIVER District
(Blank 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)

1. Name of Applicant Town of Canova
Postoffice address Canova State South Dakota 57321
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 Wells #1 & #2
4. Amount of water claimed (cubic feet per second) .66
5. Source of water supply Ground Water
6. Location of point of diversion Lot 36, Original Townsite of Canova
SW $\frac{1}{4}$ Sec. 24, T 105, Range 56 W
County Miner

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 _____

Last 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 Appropriate Water publication Not Applicable
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source

2, Wells, Pumps and Motors

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

12,000 Gallon Tower
Mainline

C. Works proposed to apply water to beneficial use

110 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.)

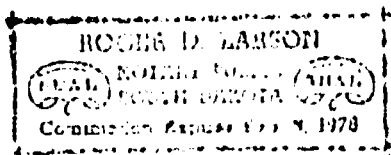
STATE OF SOUTH DAKOTA)

County of Miner)I, L.E. Wick

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.

Subscribed and sworn to before me this 27th

Signed L.E. Wick Chairman
L.E. Wick, Chairman Town Board
day of October 1977
Robert D. Larson
Notary Public (or other qualified officer)



WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4162-3

TOWN OF CANOVA
(Applicant)

(Post Office Address)

SOUTH DAKOTA 57321 With the following modifications
(State)

"VESTED RIGHT" CLAIMED

Date of first receipt of application OCTOBER 31 19 77
Date of return to applicant for correction, amendments or changes required — 19 —
Date of receipt of corrected application — 19 —
Approved DECEMBER 1 19 77, Recorded in Book 19 Page 203

WATER RIGHT PERMIT NO. 4162-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4162.3 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 1915 & 1949
2. The equivalent of at least one-fifth of the work above specified is ~~to be completed~~ completed
3. The whole of said work is ~~to be completed~~ completed
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 .66 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 ~~household~~ used for municipal purposes, and if for the irrigation purposes said appropriation must be limited to not more than ~~2 acre feet per year~~ 1.50 acre feet of water per annum of which ~~1.50~~ 1.50 acre feet of water per annum shall be used for ~~household~~ used for municipal purposes which water ~~was~~ was actually and beneficially applied to ~~the project~~ the project on or before JULY 1 19 55; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 14TH day of DECEMBER 19 77

WATER RIGHTS COMMISSION

by:

John H. Helt
Chief Engineer, Executive Officer

Certificate of Construction Issued DECEMBER 14 19 77

Water License Issued DECEMBER 14 19 77

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

D. Well Information or Estimates

(1) Drill Hole, Diameter _____, Depth Well # 1-400'+
Well # 2-156'
1 - 8"
(2) Casing, Type # 2 - 10" Steel Diameter 8" & 10" Thickness _____
(wood, concrete, steel, etc)
(3) Perforated Screens,
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 Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials Sand and Gravel

	#1	#2

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) 90'

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

On same owner's property _____ rds. On property owned by others 1/2 mile ~~XXX~~

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.

L. E. Wick Chairman
Signature of Applicant
L.E. Wick, Chairman Town Board

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4162-3

(1) WHEREAS, On the 31st day of October A. D. 1977
the Town of Canby

made Water Right Application No. 4162-3 vested right for a permit to use .66 cubic feet per second of the waters of ground water

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

(2) WHEREAS, On the 14th day of December A. D. 1977
 Permit No. 4162-3, with a date of priority of 1915 and 1949
recognizing
 was issued to said applicant for the diversion of said water ~~XXXXXXXXXX~~ for the completion of construction of the water supply system therein described ~~XXXXXXXXXX~~ ~~XXXX~~ ~~XXXXXX~~ and ~~XX~~ the application to beneficial use of said water ~~XXXXXXXXXX~~ ~~XXXX~~ ~~XXXXXX~~

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 .66 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,

Is distributed through the town water distribution system 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 Canova

of the town of Canova
the holder vested right and owner of said permit No. 4162-3 a water right, dating from 1915 and 1949
to use of .66 cubic feet per second of the waters
of ground water
in the County of Blair and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at 2 points in lot 36, original townsite of Canova in
the SW 1/4, Section 24, T105N, R56W.

and conduct ~~xxxxxxx~~ through the town water distribution system

for the purpose of municipal use

Subject to any limitations listed in Water Right Permit No. 4162-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 14th day of December A. D.
Nineteen Hundred and seventy-seven

WATER RIGHTS COMMISSION

By:

John Hatch

Chief Engineer, Executive Officer JOHN HATCH

Form 15.

Permit No. 4162-3

Water Diversion No. 3 Vermillion River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Town of Canova

vested
right

_____ the holder _____ of
Permit No. 4162-3, issued upon Application No. 4162-3, bearing date of priority of 1915 and
1949 authorizing the diversion of .66 cu. ft. per second of the waters of _____
ground water County of Miner, State of South Dakota at _____
two points in Lot 36, Original Townsite of Canova, 1/4 SW 1/4, Section 24
T105N, R56W
_____, for municipal

purposes, has 2 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 ~~shown~~ **recognized as** in satisfactory
~~satisfactory~~ for diverting and conveying to the place of intended use .66 cu. ft. per second of water.

Date December 14, 1977

By:

WATER RIGHTS COMMISSION

John Hatch
JOHN HATCH, Chief Engineer

JH/gy

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 CanovaPost Office Address Canova, State S.D. 57321

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 191515. Date that water was first applied to beneficial use 191516. Name of owner of original water supply system Town of Canova17. Amount of water originally applied to beneficial use .33 c. f. s.

18. Present Use of Water

Amount of water now being used .66 c. f. s.Date that this amount of water was first used 1949

19. Chronological History of Water Use

Original well #1 Drilled in 1915

Second well #2 Drilled in 1949

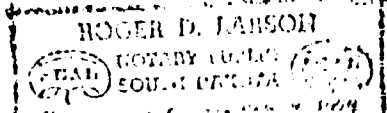
Attach to this Form 28, any copies of notices, postings, filings, publications, affidavits, or other records that apply. You may also attach any written statement by you, or by others, that you deem pertinent.

STATE OF SOUTH DAKOTA)

) ss.

County of Miner)

I, L.E. Wick, the applicant, certify that I have read the foregoing and that the matters therein stated are true.

Signed L.E. Wick ChairmanL.E. Wick, Chairman Town BoardSubscribed and sworn to before me, this 27th day of October, 1977
Roger D. Lanson
(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.

SOUTH DAKOTA

VESTED WATER RIGHT CLAIM NO. 4162-3

Date of Receipt of Claim October 31, 1977.

Date of Validation May 6, 1992.

The Water Management Board validated Vested Water Right Claim No. 4162-3 for the Town of Canova, PO Box 219, Canova SD 57321 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 4162-3 appropriates 0.66 cubic feet of water per second (cfs) from two wells located in the SW 1/4 Section 24-T105N-R56W.
2. The appropriated water is used for supplying the Town of Canova 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 dates of the Vested Water Right are:
0.33 cfs - January 1, 1915
0.33 cfs - January 1, 1949
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

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DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JUN 29 1992

Town of Canova
Beverly Kidd, Finance Officer
PO Box 219
Canova SD 57321-0219

Dear Ms. Kidd:

The Water Management Board has validated the enclosed Vested Water Right No. 4162-3. 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

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