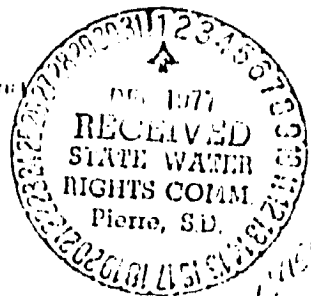


Map No. VIR Water Division No. 3 VERMILLION RIVER District 1
(Plans to be filled by the Engineer for the W. R. C.)

VESTED RIGHT **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 Canistota
 Postoffice address Canistota, State South Dakota
 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
4. Amount of water claimed (cubic feet per second) .30
5. Source of water supply Ground Water
6. Location of point of diversion Two Wells: 1948 Well located at 3rd & Oak
1976 Well located at 3rd & Elm
NE⁴, SECTION 34, T102N, R54W County McCook
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 Appropriate Water publication NOT APPLICABLE
12. Principal Features of the Proposed Water Supply System.
 - A. Works proposed to divert water from its natural source.
 - B. Works proposed to transport water to place of use.
 - C. Works proposed to apply water to beneficial use.

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 McCook) ss.

I, City of Canistota 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 Tom Orman
Tom Orman, Mayor
 Subscribed and sworn to before me this 30 day of December 1977

Patricia A. Watson
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4188-3
CITY OF CANISTOTA
 (Applicant)
SOUTH DAKOTA 57012
 (State) With the following modifications.

"VESTED RIGHT" CLAIMED

Date of first receipt of application DECEMBER 1 19 77
 Date of return to applicant for correction, amendments or changes required _____ 19 ____
 Date of receipt of corrected application _____ 19 ____
 Approved JANUARY 25 19 78 Recorded in Book 19 Page 267
 WATER RIGHT PERMIT NO. 4188-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4188-3 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 1930 & 1948 19 ____
2. The equivalent of at least one-fifth of the work above specified is ~~not~~ completed ~~on or before~~ _____
3. The whole of said work is ~~not~~ completed ~~on or before~~ _____
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is COMPLETED 19 ____
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 .30 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 ~~the irrigation purposes~~ USED FOR MUNICIPAL PURPOSES ~~and if for the irrigation purposes said appropriation must be limited to not more than 1 acre foot per acre of land to which water is actually and beneficially applied for irrigation on or before~~ JULY 1 19 55; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 1ST day of FEBRUARY 19 78

WATER RIGHTS COMMISSION

By:

John Welch
 Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 1 19 78

Water License Issued FEBRUARY 1 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 12" , Depth 220' - 1948 Well
600' - 1976 Well
- (2) Casing, Type Steel , Diameter 8" , Thickness Standard
(wood, concrete, steel, etc)
- (3) Perforated Screen.
- Type _____ , Diameter 8" , 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 _____
1948 Well - Coarse Sand
1976 Well - Dakota

Depth to top of water bearing material 188'

Depth to bottom of water bearing material 218'

Thickness of water bearing material 30'

Depth to water (ground surface to water level) _____

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

On same owner's property 20 rds. On property owned by others 50 rds.

ii. 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.

Tom Ortman
Signature of Applicant

Tom Ortman, Mayor
City of Canistota

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 Canistota
 Post Office Address Canistota, 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 193015. Date that water was first applied to beneficial use 193016. Name of owner of original water supply system City of Canistota17. Amount of water originally applied to beneficial use .20 c. f. s.

18. Present Use of Water

Amount of water now being used X .30 c. f. s.Date that this amount of water was first used 1948

19. Chronological History of Water Use

Well Drilled in 1930, replaced by well drilled in
 1974-1976. Second Well Drilled in 1948.

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 McCook) ss.I, Tom Ortman, Mayor

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

Signed Tom Ortman

Tom Ortman, Mayor

Subscribed and sworn to before me this 30 day of November, 19 77

Patricia A. Watson
 (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.

Clarence Lindbloom

Clarence Lindbloom, Water Supt.
 City of Canistota

Form 15.

Permit No. 4188-3

Water Diversion No. 3 Vermillion River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, that the City of Canistota

vested right / Permit No. 4188-3, issued upon Application No. 4188-3, bearing date of priority of 1930
and 1948 authorizing the diversion of .30 cu. ft. per second of the waters of
ground water County of McCook, State of South Dakota at
two points within the city limits of Canistota in the NE 1/4
Section 34, T102N, R54W
for municipal

purposes, has recognized as 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 recognized as satisfactory
condition for diverting and conveying to the place of intended use .30 cu. ft. per second of water.

Date February 1, 1970

WATER RIGHTS COMMISSION

John Hatch

JOHN HATCH, Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. . . 4168-3

(1) WHEREAS, On the 1st day of December A. D. 19 77
the City of Carleton

made Water Right Application No. 4188-3 vested right
 for a permit to use .30 cubic feet per second of the waters
 of ground water
 County of McCook State of South Dakota, for municipal
purposes; and

(2) WHEREAS, On the 1st day of February A. D. 19 78
vested right Permit No. 4188-3, with a date of priority of 1930 and 1948
 was issued to said applicant recognizing the completion of construction of the water
 supply system therein described ~~xxxxxx~~ ~~xxxxxx~~ ~~xxxxxx~~ and for the
 application to beneficial use of said water ~~xxxxxx~~ ~~xxxxxx~~ ~~xxxxxx~~ ~~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 .30 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 Canistota

and

the holder _____ and owner _____ of said permit No. 4188-3 a water right, dating from 1930 and 1948
_____ to use of .30 cubic feet per second of the waters
of ground water

in the County of McCook and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at two points within the city limits in the
NE 1/4, Section 34, T102N, R54W

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

for the purpose of municipal use

Subject to any limitations listed in Water Right Permit No. 4188-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 1st day of February A. D.
Nineteen Hundred and seventy-eight

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

4183-3

September 27, 1971

Mr. Duane Bormann, Auditor
City of Canistota
Canistota, S.D. 57012

Dear Mr. Bormann:

On September 22, 1971, Mr. Donald Driscoll of this office checked on the request of the City of Canistota to obtain water rights.

South Dakota Water Laws specify that use of water originating before July 1, 1955 can qualify as a "vested right" and where the water is from an underground source, such "vested right" can be validated by filing a declaration of such use in a form and manner as prescribed by the Water Resources Commission.

The Commission Staff has prepared the required "Vested Right" declaration for the City of Canistota. It consists of the two enclosed forms. These forms have been prepared in duplicate.

All four copies of the enclosed forms should be signed by an official of the City of Canistota, before a Notary Public, where indicated. The signed copies should then be returned to this office with the required fee of ten dollars.

These forms will then be considered by the Water Resources Commission at their next meeting on November 10, 1971. Unless there is some unforeseen development, a "Vested Right" Water License will be sent to the City of Canistota, soon after that date. This "Vested Right" will also be recorded and filed in the office of the Water Resources Commission.

Sincerely,

BURTON F. JONES
Water Rights Specialist

BFJ/bw
Encl: As stated

Form 2 - Application for Permit to Appropriate Water-Original (Includes Approval and Permit)

No. _____

Map No. _____ Water Division No. _____ 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 Canistota
Postoffice address Canistota, State South Dakota

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Completed

3. Name of diversion work Canistota Water Supply System

4. Amount of water claimed (cubic feet per second) 0.46

5. Source of water supply Two wells

6. Location of point of diversion from NE corner of Section 29, T102N, R59W. Well No 1 and 2. Tower is approximately 1000 feet south and 1200 feet west. Well No 2 is approximately 1420 feet south and 1250 feet west. County McCook

7. Annual period or periods during which water is to be used Continuous

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 Appropriate Water publication N/A

12. Principal Features of the Proposed Water Supply System.

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

Well No 1 270 feet deep 8 inch casing with electric submersible pump
Well No 2 400 feet deep 8 inch casing with 7 1/2 inch electric motor
and Fairbanks Morse Porters turbine pump

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

50000 galon elevated storage tank
city water distribution system

C. Works proposed to apply water to beneficial use.

250 Service connections

Estimated Total Cost \$ N/A

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water is proposed. Attach map.
(See instructions concerning city raton.)

STATE OF SOUTH DAKOTA)

County of McCook)

I, SS 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 _____

Subscribed and sworn to before me this _____ day of _____ 19____

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. _____

(Applicant)

(Post Office Address)

(State)

With the following modifications:

Date of first receipt of application _____, 19____

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

Date of receipt of corrected application _____, 19____

Approved _____, 19____, Recorded in Book _____ Page _____

WATER RIGHT PERMIT NO. _____

The Water Resources Commission hereby grants and issues this Water Right Permit No. _____ 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 _____, 19____
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____, 19____
3. The whole of said work is to be completed on or before _____, 19____
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is _____, 19____
5. The water appropriated shall be used for the purpose of _____
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 _____ 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 uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and 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 _____, 19____; said water to be used during the following described annual period: _____

Witness my hand this _____ day of _____, 19____

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

Form 2B - Affidavit of Water Use (Supplement to Form 2)

No. _____

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 Cornistota

Post Office Address Cornistota, State South Dakota

If a Corporation show date and place of incorporation _____

13. Notice of Appropriation (If available)

Date of Posting _____ Date of Recording _____

Recording Data _____

14. Date of start of construction of water supply system Well No. 1 1946
Well No. 2 1930

15. Date that water was first applied to beneficial use Well No. 1 1946
Well No. 2 1930

16. Name of owner of original water supply system City of Cornistota

17. Amount of water originally applied to beneficial use Well No. 1 0.67
Well No. 2 0.24 c.f.s.

18. Present Use of Water #2 1946 priority 0.24

Amount of water now being used 1930 11 0.22 c.f.s.

Date that this amount of water was first used Well No. 2 1930

19. Chronological History of Water Use

*The wells were constructed in 1930 and 1965 and are 6
as indicated since they date.*

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 _____)

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

Signed _____

Subscribed and sworn to before me this _____ day of _____, 19____

(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

GREAT FACES. GREAT PLACES.

MAY 10 1991

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

4188-3

Wayne Arends, Mayor
City of Canistota
Box 67
Canistota SD 57012

Dear Mayor Arends:

The Water Management Board has validated the enclosed Vested Water Right No. 4188-3. 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

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosure

SOUTH DAKOTA

VALIDATION OF VESTED WATER RIGHT CLAIM NO. 4188-3

Date Claim Accepted For Filing December 1, 1977.

Date of Validation September 27, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim No. 4188-3 for the City of Canistota, Box 67, Canistota, South Dakota 57012 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 4188-3 appropriates 0.20 cubic feet of water per second (cfs) from well No. 1, approximately 600 feet deep, and 0.10 cfs from well No. 2, approximately 220 feet deep. Both wells are located in the NE 1/4, Section 34, T102N, R54W.

2. The appropriated water is used for supplying water for the City of Canistota 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: Well No. 1 - 0.20 cfs - January 1, 1930 and Well No. 2 - 0.10 cfs - 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 Hated
Chief Engineer
Division of Water Rights
Dept. of Environment and Natural Resources

MAY 10 1991

date