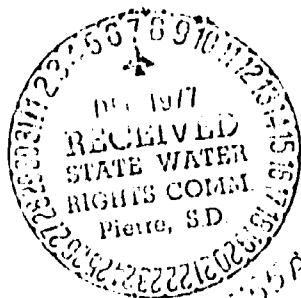


4204.3

1. Considered 1-25 1977
2. Name of Applicant CITY OF CENTERVILLE
3. Post Office Address _____
4. Amount of Water claimed 1.0 Early 1900's
5. Source of Water supply 3-135' DEEP WELLS 3 wells - 1958
1965
1975
6. Water to be used for MUNICIPAL
Acres to be irrigated _____
7. Water to be diverted and used in TURNER County
about IN CITY LIMITS miles _____ of _____
8. Proof of Publication Received ISF 2-1-78
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks:

No. 4204-3Map No. 3428-3 Water Division No. 3 VERMILION RIVER 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 Centerville
Postoffice address Box 66, 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 (3)
4. Amount of water claimed (cubic feet per second) 1.0
5. Source of water supply Ground Water
6. Location of point of diversion Lot #5, Block 21, Lot 8, Block 15, Lot 10, Block 14, Original Townsite SW¹, Section 23, T96N, R 52W
County Turner
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 Centerville, Journal
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source

Wells pumps & Motors

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

City Mains 10", 6", 8", & 4"

C. Works proposed to apply water to beneficial use.

Approximately 450 hook-ups

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 Turner) ss.I, CLAYTON MILLER 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 Clayton Miller - MayorSubscribed and sworn to before me this 8 day of November 19 77Charles A. Bess City Assessor
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4204-3

CITY OF CENTERVILLE
(Applicant)

SOUTH DAKOTA 57014
(State)

(Post Office Address)

With the following modifications:

"PARTIAL VESTED RIGHT"

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

Date of first receipt of application DECEMBER 7, 19 77

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

Date of receipt of corrected application FEBRUARY 1, 19 78

Approved MARCH 29, 19 78, Recorded in Book 19 Page 307

WATER RIGHT PERMIT NO. 4204-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4204-3 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 .78 DECEMBER 7, 19 77 & .22 EARLY MAY
2. The equivalent of at least one-fifth of the work above specified is ~~to be completed on or before~~ COMPLETED
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 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 1.0 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 USE ~~and if for the irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventh (1/7) of one cubic foot of water per second of time for each acre of land~~ THIS DATE which water is actually and beneficially CONTINUOUSLY applied for irrigation on or before 19; said water to be used during the following described annual period:

Witness my hand this 6th day of APRIL 19 78

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued 19

Water License Issued 19

ALL THREE WELLS

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 20", Depth 135
- (2) Casing, Type Steel Diameter 10" Thickness Standard
(wood, concrete, steel, etc.)
- (3) Perforated Screen.
Type Johnson, 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 _____
Coarse sands & Gravel

Depth to top of water bearing material 50'

Depth to bottom of water bearing material 135'

Thickness of water bearing material 85'

Depth to water (ground surface to water level) 50'

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

On same owner's property 20 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.

CITY OF CENTREVILLE

Signature of Applicant

Mayor.

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 CENTERVILLE

Post Office Address _____, State _____

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 EARLY 1900'S

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

16. Name of owner of original water supply system CITY OF CENTERVILLE

17. Amount of water originally applied to beneficial use .22 c. f. s.

18. Present Use of Water

Amount of water now being used 1.0 c. f. s.

Date that this amount of water was first used 1975

19. Chronological History of Water Use

CITY HAS HAD WELLS SINCE THE EARLY 1900'S.
PRESENT WELLS WERE INSTALLED IN 1958, 1965
& 1975

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)

County of TURNER) ss.

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

Signed Clayton Mullen Mayor

Subscribed and sworn to before me this 8th day of November, 1977

Charles A. P. [Signature]
(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.

Form 6 - Notice of Intent to Appropriate Water
GROUND WATER

No. 4204-3

Publish first publication, on or before January 12, 1978

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

January 6, 1978

Notice is hereby given that the City of Centerville whose post office address is Centerville, 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 1.0 cubic feet of water per second of time from ground water (3 wells) through the City wells, the point of diversion of which is to be located in the SW 1/4

of Section 23, Twp. 96N Range 52W. Said water to be used for the purpose of providing ~~XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX~~

Municipal Use for the City of Centerville.

This Application No. 4204-3 will be considered by the Water Rights Commission at Pierre, South Dakota upon the 25 day of January, 1978 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.

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

WATER RIGHTS COMMISSION

BETTY WESTLUND
Water Rights Specialist I

cc: City of Centerville, SD 57014

DEPARTMENT OF THE ARMY
OMAHA DISTRICT ENGINEER
6514 U.S. POST OFFICE AND COURTHOUSE
OMAHA, NEBRASKA 68102

13 April 1970

PROCP-N
SD 2SB OXT 2 601869
City of Centerville
Fill
Vermillion River Mile 54.850

NOTICE OF PERMIT PENDING

The application of the City of Centerville, Centerville, South Dakota 57014, for approval of plans and issuance of a permit under authority of the Secretary of the Army is being considered by the District Engineer, U.S. Army Engineer District, Omaha, Nebraska.

The applicant requests permission to place permanent fill material into the Vermillion River at mile 54.850 in conjunction with the upgrading of an existing dam in Section 23, Township 96 North, Range 52 West, Turner County, South Dakota.

The work will consist of removing the upper six inches of the existing wooden dam structure and building a concrete backup wall and downstream apron in conjunction with the existing structure. The construction would be accomplished by removing the top six inches of the existing wooden dam and disposing of the material at an approved disposal site. Stream flow during construction will be diverted around the area to allow construction to be done in the dry by the existing head-gate structure. Once the existing wooden dam is lowered, an eight inch concrete support wall with eight foot concrete apron and supports will be poured in place (see attached sheet 3 of 3 sheets).

Approximately 40 cubic yards of stream bed material will be excavated for the construction of the concrete apron and disposed of at an approved site. The concrete support wall and apron will be an estimated 70 feet long. The wall support will be supported at eight foot intervals (see sheet 3 of 3 sheets). Approximately 100 cubic yards of concrete will be utilized to construct the project.

Upon completion of the project, all disturbed areas will be graded to drain and seeded. The purpose of the proposed project is to reinforce the existing dam structure to provide an impoundment for recreation.

The State of South Dakota has waived its right to certify compliance with applicable water quality standards required under the provisions of Section 401 of the Federal Water Pollution Control Act Amendments of 1972. Accordingly, certification that the proposed project will not violate applicable water quality standards has been requested from the Regional Administrator, Environmental Protection Agency, Region VIII, Denver, Colorado.

A preliminary assessment of the proposed action indicates that it is minor in nature and will not result in a significant impact on the quality of the human environment. Accordingly, a preliminary determination has been made that this project does not warrant the preparation of an environmental impact statement at this time.

In compliance with the National Environmental Policy Act of 1969 and Section 106 of the National Historic Preservation Act of 1966, the National Register of Historic Places and monthly supplements thereto have been consulted and no properties included therein will be affected by this activity. This review constitutes the extent of cultural resource investigations by the District Engineer and he is otherwise unaware of the presence of such resources.

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among these are conservation, economics, aesthetics, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, energy needs, safety, food production, navigation, recreation, water supply, water quality, and in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b) of the Federal Water Pollution Control Act (40 C.F.R., Part 230).

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reason for holding a public

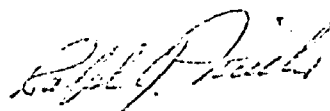
hearing. The request must be submitted to the District Engineer, Omaha District, Corps of Engineers, P.O. Box 5, Omaha, Nebraska 68101.

Any interested party (particularly officials of any town, city, county, state, Federal agency, or local association whose interests may be affected by the proposed work) is invited to submit to this office written facts, arguments, or objections on or before 28 April 1979. Any agency or individual having an objection to the work should specifically identify it as an objection with clear and specific reasons. Comments, both favorable and unfavorable, will be accepted, made a part of the record and will receive full consideration in subsequent actions on this permit application.

A permit, if granted, will be under the provisions of Section 404 of the Federal Water Pollution Control Act, as amended.

Drawings showing the location and extent of the work are attached to this notice.

FOR THE DISTRICT ENGINEER:



RALPH J. MILLER
Chief, Regulatory Functions Branch
Operations Division

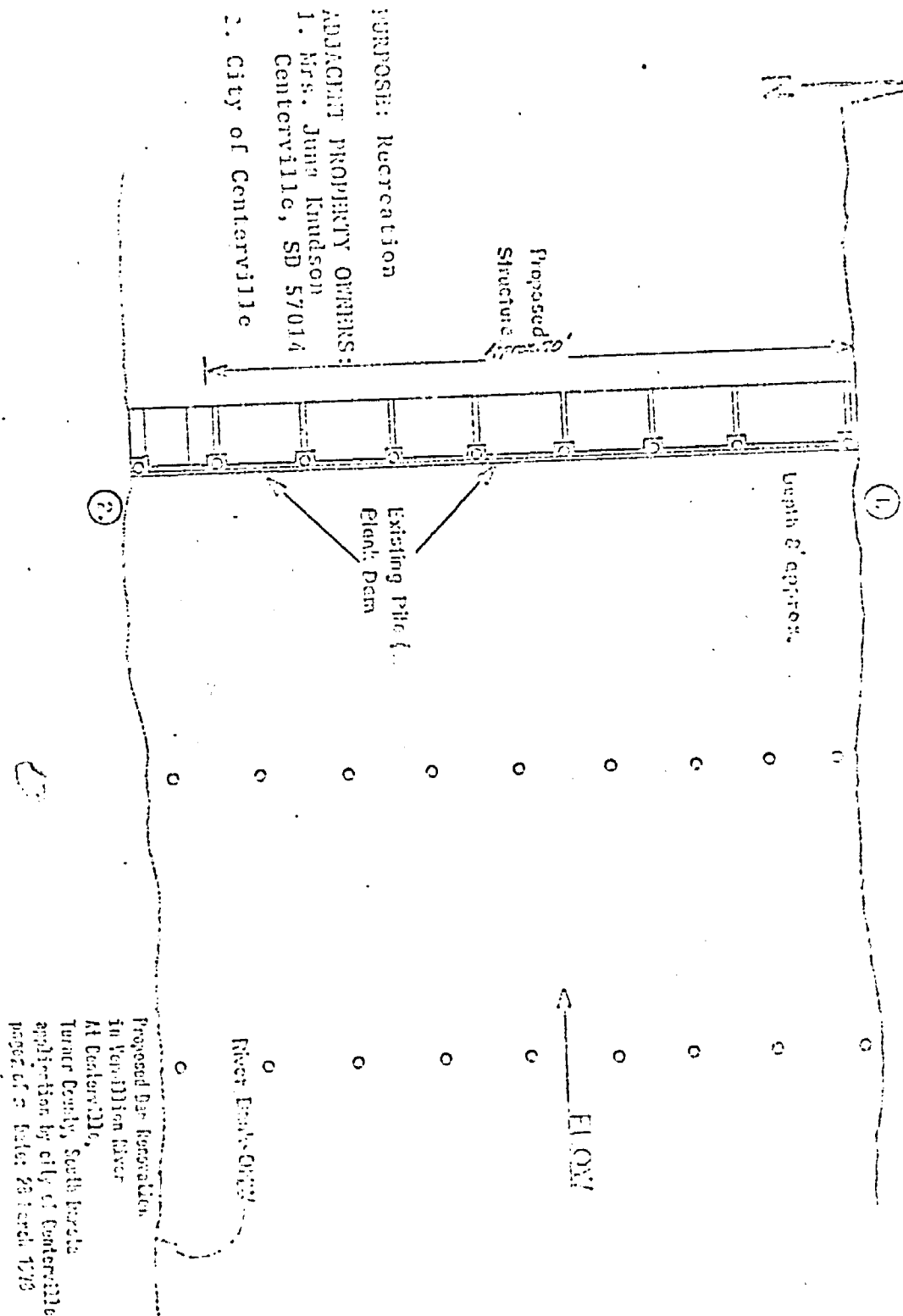
Attachments
As stated

02011155
712005

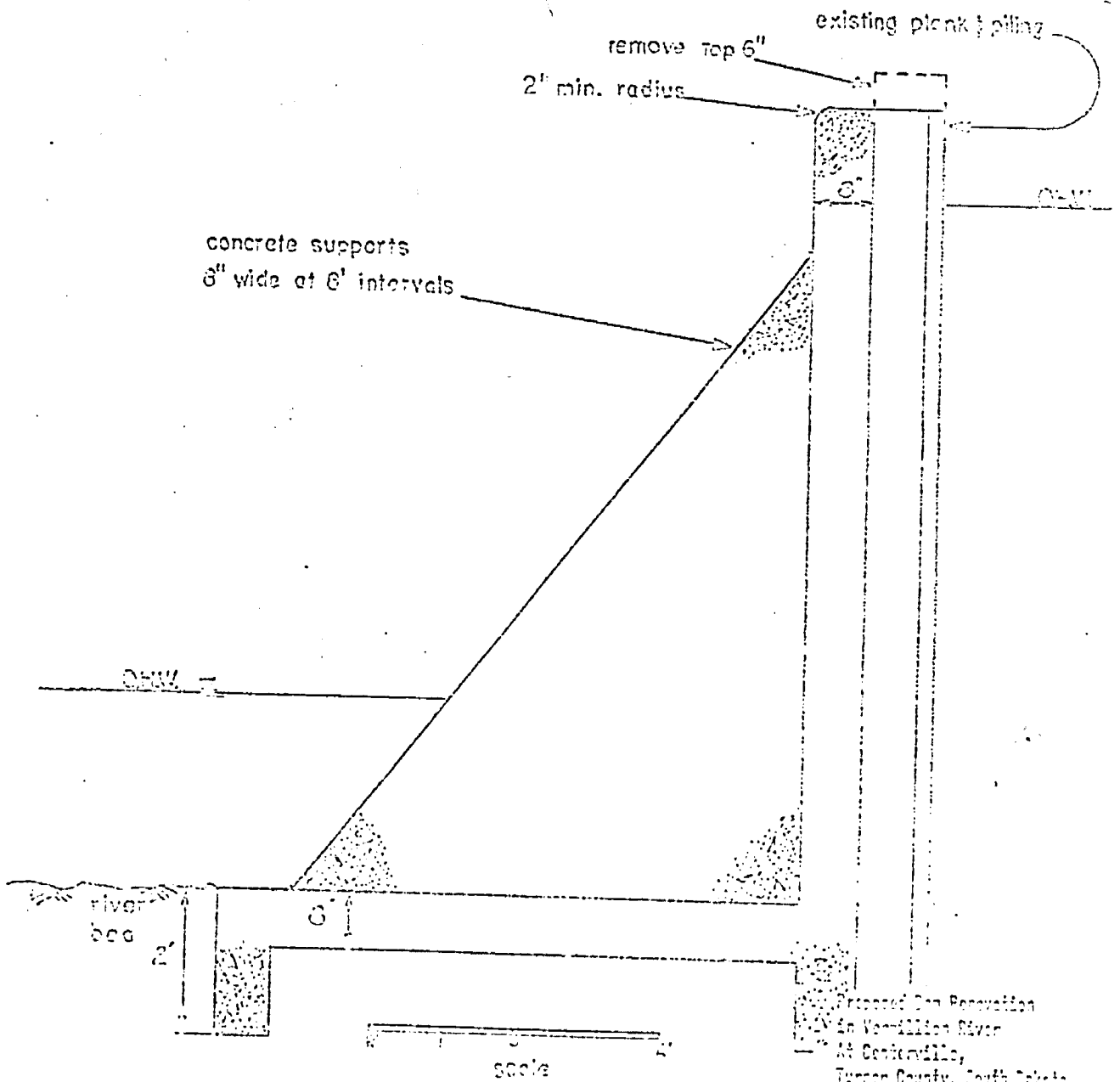


Prepared For: Barren River
in Vermillion River
at Cantonville,
Turner County, South Dakota
and located by city of Cantonville
March 15, 1902. Date: 22 March 1902

PLAIN VIEW



SECTION



Proposed Dam Renovation
in Vermillion River
At Centerville,
Turner County, South Dakota
Application by City of Centerville
Approved Date: 28 March 1971

Centerville, South Dakota
April 25, 1979

RE: INCOOP-N
SD 2 SB CMT 2 001389
City of Centerville
Fill
Vermillion River Mile 54.850

To:
Mr. Ralph J. Miller
Chief, Regulatory Functions Branch
Operations Division
Department of the Army
Omaha District Corps of Engineers
6014 U. S. Post Office and Courthouse
Omaha, Nebraska 68102

Dear Mr. Miller:

We wish to file an objection to the proposed rebuilding of the Centerville Dam for the following reasons:

I. There are no records on specifications of the original Dam available, therefore the height cannot be established. The height was illegally raised the last two times the Dam has been worked on and rebuilt.

II. The Three Individuals filing this objection own and operate 425 acres adjacent to the Dam.

A. Flooding

1. This has been the second straight year we have had excessive spring flooding damages - Just like it was in the fifties.
2. Predictions are that we are entering a wet cycle and this could be an annual event.

B. Ice Jams causing new channels

C. Dike Damages

D. Silt, Trash and Residue

E. Fences Destroyed

F. Loss of Crops

1. Inability to plant at proper time.
2. In June flood it causes loss of crops because water does not go off fast enough and it is too late to replant.

G. Loss of good top soil and fertilizer

H. Expenses go on for us regardless

1. With high cost of energy fuel today the cost is prohibitive, if we cannot get any income from land.

III. There is no agreement as to the monitoring of the Dam

A. There has been no one of the city employees or City Dad's that run the city that would take any responsibility in opening the flood gates and seeing that they remain open and are operated properly.

B. There needs to be a contract of agreement and the responsibilities determined as to the manipulation of the gates with the city.

C. The city should be held so that there is someone who takes the responsibility of manipulating the gates. It is not right that the farmers upstream sit with their hands tied while the city people who have nothing invested don't care because they have no investment.

D. If the City is thinking of building a new Dam they ought to be thinking of paying damages to everyone upstream where they have backed the water since raising the height illegally the last two times.

IV. There are four bridges upstream that are new or reconditioned and that brings the water down faster.

A. Due to the past few years there has been no big June flood so we don't know how damaging the June flood can be with these structural changes.

B. The flooding this spring and last spring 1997 was excessive due to these structural changes.

V. Several floods were lessened or prevented a few years ago when the Dam was deteriorated.

VI. If the City and the Farmers upstream could work together and cooperate to alleviate severe flooding damages there could be considerable more income to the community. If the City would cooperate with us there could be harmony and that makes for a better town and community. After our severe flooding in the fifties it was the end of Implement Dealers and other businesses in Centerville, which added to the betterment of the community and made more crops, fruit.

Page 3 - Continued - Mr. Miller - Centerville Dam Rebuilding;

The comments of the many others who we have had time to contact that are affected by this flooding situation seem to be in complete agreement with us. We are wondering why only one person received this 4 (four) page "Notice of Permit Pending" letter dated April 13, 1979 from your office? Or why there was no public notice in any paper when so many people are involved?

We are therefore filing our objection to the proposed rebuilding of the Centerville Dam.

Respectfully submitted,

Lloyd E. Overgaard

Betty M. Svansted

Evelyn N. Monson

Lloyd E. Overgaard

Betty M. Svansted

Evelyn N. Monson

Enc. Attached copy of additional endorsers

CC: South Dakota Wildlife Commission
Pierre, South Dakota

or tenants

The following landowners/Upstream above the Dam have no objection to rebuilding the Centerville Dam:

Due to short notice of information and busy time trying to put in crops the following contacted wish to endorse this letter. Many above the Dam have not been contacted and if necessary we will make the contact with these people.

Jenna Frutkin	- Land owner
Roger Kuntz	- Land owner - tenant
Larry M. Oregan	- tenant
Richard Landman	- Land owner & tenant
Ralph J. Landman	- Land owner
Bayl Landman	- Land owner & tenant
Alice Anderson	- Land owner
Margaret E. E. E.	- Landowner - tenant
Cyril C. Neiles	- Landowner & tenant

April 20, 1979

Ralph J. Miller
Chief, Regulatory Functions Branch
Operations Division
US Corps of Engineers
6014 US Post Office and Courthouse
Omaha, NE 68102

Dear Mr. Miller:

This letter is in reference to your Notice of Permit Pending MR00P-N, SD'2 SB OXT 2 001889, City of Centerville, Fill, Vermillion River Mile 54.850. It has been reported to the Water Rights Commission that during a local construction project, the Centerville Dam was raised several inches during the past one or two years.

Raising the dam several inches has resulted in complaints to the Water Rights Commission of additional flooding of upstream farm lands. We have no record of any water right for the Centerville Dam. Since the original dam was constructed several years ago, and prior to 1955 a vested water right for a dam with a crest at the same elevation as the original dam can probably be established. A vested right would not include any increased crest height of the dam and construction to increase the crest height of the dam was illegal.

We have no objection to approval of a 404 Permit as long as the crest elevation of the dam does not exceed the crest elevation of the original dam.

We are requesting that a 404 Permit not be granted until the vested water right and authorized crest elevation for the Centerville Dam are established.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

RM:ph

cc: City of Centerville

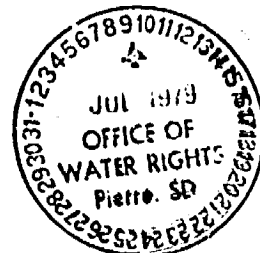
CITY OF CENTERVILLE

CENTERVILLE, S. D. 57014

6 July 1979

Mr John Hatch, Chief Engineer
Water Rights Commission
Joe Foss Building
Pierre, SD 57501

Re: Notice of Permit Pending MROOP-N
SD 2 SB OXT 2 001889
City of Centerville



Dear Mr Hatch,

Unfortunately, your letter to the U S Corps of Engineers, dated April 20, 1979, has just now come to my attention. Otherwise this response would have been made long ago. I apologize for this unfortunate delay.

It is our opinion that a vested water right does exist as the Centerville Dam was constructed in the latter 1800's and has been in continuous operation ever since.

The City has no intention of increasing the crest level now or at any time in the future. The crest elevation was raised about 6" approximately 10 years ago by the SD Army National Guard engineering unit. This was done without authorization from the City. However, this did not affect the river level for more than 750 to 1000 yards upstream and no adjacent farm land was affected as the dikes along the stream are much higher than the normal river level.

The City did file, on June 4, 1979, an answer to the complainants objecting to the repair of the Dam. The original complainants have now stated they have no objection to the Dam being repaired as long as the crest level is not raised. As stated earlier, the City is not going to raise the crest level.

The time frame to make these urgent and necessary repairs is limited. I therefore respectfully request your cooperation, along with the Dept of Wildlife, Parks and Forestry who have already approved the project, that this work may be commenced as soon as possible before any more environmental damage occurs.

Yours very truly,

Clayton Mullen
Clayton Mullen
Mayor

cc: Corps of Engineers

4204-3

 **Department of
Water & Natural Resources**
Joe Foss Building
Pierre, South Dakota 57501

August 2, 1979

Ralph Miller, Chief
Regulatory Functions Branch
Operations Division
US Army Corp of Engineers
6014 US Post Office and Court House
Omaha, NE 68102

Dear Mr. Miller:

This letter is in reference to Notice of Permit Pending MROOP-N, SD 2 SB OXT 2 001889 City of Centerville and our letter concerning reconstruction and repair of the Centerville dam. We have no objection to the 404 Permit being issued to complete the construction as long as the crest level of the dam is not raised above the crest of the dam as it existed prior to 1955 and provided that the City proceed to file for a Vested Right for the Centerville dam as it existed prior to 1955 (year existing water laws became effective).

By copy of this letter, we are sending forms to the City of Centerville for them to complete in order that a Vested Right can be filed for the dam.

Hopefully this letter will then allow the City to proceed with construction and repair, and allow them simultaneously to complete the paper work needed to file a Vested Right establishing the crest elevation as it existed prior to 1955.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Commission

JH/gy

cc: City of Centerville

Equal Opportunity Employer

4204-3

STATE OF SOUTH DAKOTA

VESTED RIGHT WATER LICENSE NO. 4204-3

(1) The City of Centerville, PO Box C, Centerville SD 57014-0902 made Application No. 4204-3, December 7, 1977 for a right to appropriate 1.0 cubic feet of water per second (cfs) from groundwater (three wells), Turner County, South Dakota, for municipal purposes. Water Permit No. 4204-3 was approved March 29, 1978 with priority dates of January 1, 1900 and December 7, 1977. Construction of the described water supply system and application of water to beneficial use has been completed and complies with applicable provisions of South Dakota State Law.

On September 30, 1992, the Water Management Board validated the vested right portion of No. 4204-3. Water Right License No. 4204-3 is being issued for the vested right portion only (0.22 cfs). The nonvested portion (0.78 cfs) is being incorporated into Water License No. 5898-3.

(2) The vested right owner is entitled to divert 0.22 cubic feet of water per second for beneficial use. The location of the diversion point is: Well #2 - 1,000 feet north and 250 feet east from the southwest corner of Section 23-T96N-R52W (W 1/2 SW 1/4).

(3) Pursuant to Section 46-5-30.1 the City of Centerville, PO Box C, Centerville SD 57014-0902 the holder and/or owner of Vested Water Right No. 4204-3 is issued a license to appropriate 0.22 cubic feet of water per second from groundwater (one well) with a priority date of January 1, 1900 from the location specified in (2) of this license. The water is to be used for the purpose of municipal use. This license is subject to any limitations, conditions or qualifications listed in Vested Water Right No. 4204-3 and subject to South Dakota State Law.



John Hatch

JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL. 2 1996

date

4204-3

4972-3

**WATER RIGHTS PROGRAM
FILE DOCUMENTATION**

NAME OF PERSON OR FILE: Ben Bjordal, Mayor, City of Centerville

ADDRESS: PO Box C, Centerville, SD 57014-0902 COUNTY: Turner

DATE: August 9, 1995

TELEPHONE: (605) 563-2302

RE: Status of Vested Right Nos. 4204-3 and 4972-3

COMMENTS:

Vested Right No. 4204-3 was validated for 0.22 cfs from wells located in the SW 1/4 Section 23, T96N, R52W, with a priority date of January 1, 1900. The validation did not specify the location of the wells or which wells the 1900 date pertained too. A portion of No. 4204-3 is not vested and is for 0.78 cfs from wells located in the SW 1/4 Section 23, T96N, R52W.

Prior to sending out the validation, I wanted to check with the city to find out which well or wells dated back to 1900. The vested right needs to be divided and reissued as "A" and "B" numbers to reflect "vested" vs "nonvested". The current permit is too vague to determine which portion is which. An inspection needs to be done on the nonvested portion for licensing purposes.

I called and spoke with the mayor of Centerville regarding the status of their vested water rights. Mr. Bjordal stated he did not really know, but thought they had always operated the same.

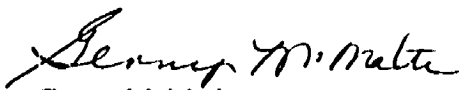
Vested Right No. 4972-3 was validated for storage of 40 acre feet annually from the Vermillion River to be stored in the Centerville Mill Dam, with a priority date of January 1, 1886.

Mr. Bjordal stated the dam has never changed and it is still in use.

CONCLUSIONS:

No. 4972-3 can be processed and mailed to the City

No. 4204-3 should be inspected for the purpose of determining which portion is vested and which is nonvested and for licensing the nonvested portion.


Genny McMath
Environmental Scientist

Permit No. 5898-3
Vermillion River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, September 27, 1995, made a thorough examination of the water use system constructed by the City of Centerville of PO Box C, Centerville SD 57014-0902 holder of Permit No. 4204-3 and 5898-3, bearing the priority of January 1, 1900 and December 7, 1977 (4204-3); January 9, 1996 (5898-3) authorizing the diversion of 1.11 cu. ft. per second of the waters of ground water (Upper Vermillion Missouri Aquifer) for municipal purposes, in Turner County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

Three wells equipped with submersible pumps, Wells are metered, diversion rates are:
make and size unknown

Well #1: 140 gpm

Well #2: 170 gpm

Well #3: 190 gpm

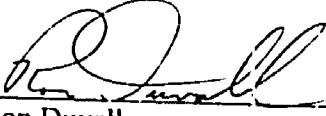
B. Works used to transport/apply water to place of use:

City Distribution System

The system is in the following condition good. The point of diversion is located Well #1: 1,110 feet N and 350 feet E; Well #2: 1,000 feet N and 250 feet E; Well #3: 550 feet N and 250 feet E; all from the SW corner of section 23-T96N-R52W (W1/2 SW1/4). The works are capable of diverting and conveying to the place of use 1.11* cu. ft. per second of water which is to be used for municipal purposes.

Applicable permit qualifications have been complied with: Yes ☒ No

Exceptions to compliance are: none Date report completed: February 23, 1996


Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program

*Diversion Rate	Priority Date
0.22 cfs	January 1, 1900
0.78 cfs	December 7, 1977
0.11 cfs	January 9, 1996

FIELD INVESTIGATION REPORT FOR PERMIT NO. 5898-3

DATE OF INVESTIGATION:	September 27, 1995
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Jens Paulsen, Water Superintendent
NAME & ADDRESS OF PERMIT HOLDER	City of Centerville
DIVERSION POINT LEGAL LOCATION	Well #1: 1,110 feet N and 350 feet E; Well #2: 1,000 feet N and 250 feet E; Well #3: 550 feet N and 250 feet E; all from the SW corner of section 23-T96N-R52W

Other permit(s) associated with the project: 4204-3

WELL INFORMATION:

- 1) Well Drilling Firm: unknown
- 2) No. of Wells 3
- 3) Depth(s) all approx. 135 feet
- 4) Well log is available N
- 5) Comment: Wells constructed in 1958, 1965,
and 1975

Casing:

- 1) Diameter 10 inches
- 2) Length 115 feet
- 3) Type steel

Screen:

- 1) Type Johnson
- 2) Length 20 feet
- 3) Static water level 50 feet

Motor/Pump:

- 1) Make all submersibles
- 2) Model unknown
- 3) Capacity Well #1 = 140; Well #2 = 170; Well #3
= 190 GPM

DISTRIBUTION LINES OR CANALS:

- 1) Type City distribution system

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by Y
- 2) All structures, wells and lands on map Y

Water Rights Program -- File Documentation

File No. 4204-3

NAME: City of Centerville

ADDRESS: PO Box C Centerville SD 57014-0902

DATE: December 23, 1995

COUNTY: Turner

TELEPHONE: 563-2302

RE: Investigation of Vested Portions of Water Permit No. 4204-3

COMMENTS:

On September 27, 1995, an investigation was completed of Water Permit No. 4204-3 to determine the status of water use prior to separating vested and nonvested portions. According to a file documentation prepared by Genny McMath dated August 9, 1995, it was not clear which of the city wells qualified for vested status.

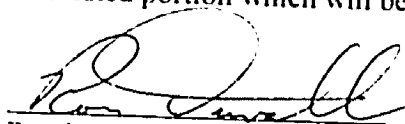
INVESTIGATION RESULTS:

The investigation found three wells being used by the city as described on No. 4204-3. The location of the wells corresponded with the area described on the water permit application and the published notice of hearing. Jens Paulsen, Water Superintendent, indicated that each well has a submersible unit and that each well is metered. Information on the type and size of each submersible could not be located. Mr. Paulsen started each well individually for purposes of determining the diversion rate. Well No. 1 (second oldest well) diverted 140 gpm, well No. 2 (oldest well) diverted 170 gpm, and well No. 3 (newest well) diverted 190 gpm. The combined diversion rate is 500 gpm which exceeds the permitted diversion rate of 450 gpm.

RECOMMENDED ACTION:

According the water permit, water use at a rate of 100 gpm dates back to the early 1900's with no specific diversion site identified. This vested portion could be assigned to any of the three wells since the all the wells are in the same aquifer. For purposes of licensing, the vested portion (100 gpm) can be assigned to well No. 2 which is the oldest of the existing wells. The remaining 70 gpm from well No. 2 can retain the December 7, 1977, priority date assigned to 350 gpm under No. 4204-3.

A new permit is needed to increase the authorized diversion rate from 450 gpm to the current 500 gpm. Provided the new application is approved, the vested portion can be separated from the nonvested portion which will be incorporated into the new permit.



Ron Duvall, Natural Resources Engineer
Water Rights Program



JUL 2 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Nancy Kludt, Finance Officer
City of Centerville
PO Box C
Centerville SD 57014-0902

Dear Ms. Kludt:

Enclosed are several documents which complete the process of obtaining water rights for the city.

On September 27, 1995, an investigation was completed to determine the status of water use by the City of Centerville. Based on that investigation, Water Permit No. 5898-3 was approved which increased the total diversion rate authorized by Water Permit 4204-3 from 1.0 cfs to 1.11 cfs. Water Right License No. 4204-3 is being issued for the vested right portion only (0.22 cubic feet of water per second). The nonvested portion (0.78 cfs) is incorporated into Water License No. 5898-3. The validations of Vested Water Right Nos. 4204- and 4972-3 are also enclosed.

As long as the City of Centerville uses the water beneficially, as stated in the Water Licenses, the State Water Laws provide that you have a continuing right to use the water.

Water License No. 5082-3 will be issued upon completion of the concrete slab around the well casing. Please advise when the concrete slab is completed. If you have any questions, please let us know.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Program
605 773-3352

enclosures

ks

SOUTH DAKOTA

VESTED WATER RIGHT NO. 4204-3

Date of Receipt of Claim December 7, 1977.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 4204-3 for irrigation purposes for the City of Centerville, PO Box C, Centerville SD 57014 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 4204-3 appropriates 0.22 cubic feet of water per second from wells located in the SW 1/4 Section 23-T96N-R52W.
2. The appropriation is used for supplying water for the City of Centerville may not exceed the amount of water needed for beneficial use for municipal use 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, 1900.
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 Hatch
John Hatch, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUL 2 1996

date



RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

4204-3
414757

Pierre, _____ January 11, 19 96

RECEIVED OF City of Centerville, 10 Box C, Centerville, SD 57014-0902

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

Fee for Application for Permit No. <u>5000</u> to Appropriate Water, to construct and to put water to beneficial use _____		
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>4204-3</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By *John H. H. H.*
Chief Engineer

3994-3, 4204-3, 5319-3, 117-3A, 2268-3, 2372-3, 2941-3
5352-3, 5425-3, 5886-3, 2950-3, 3328-3, 3409-3, 3507-3
5898-3, 6810-3, 6922-3, 3646-3, 3737-3, 3918-3, 3948-3
7002-3, 7191-3, 7384-3, 6754-3, 7128-3

Page 1 of 4

Water Rights Program File Documentation

Date: June 16, 2025

Counties: Clay and Turner

Re: Aquifer management unit redesignation for selected water rights/permits on Clay and Turner Counties

COMMENTS:

Review of a request to change diversion point for Water Permit No. 8790-3, authorized to withdraw water from the Upper Vermillion Missouri: South aquifer (UVM:S), determined the well they wished to use is authorized under authorized by Water Right No. 7384-3 Water Right No. 7384-3 does not currently have a management unit designated for withdrawal from the Upper Vermillion Missouri aquifer (Water Rights, 2025). In reviewing the best information currently available for aquifer and management unit naming conventions, the best aquifer and management unit designation for Water Right No. 7384-3 is the Southern management unit of the Upper Vermillion Missouri aquifer (UVM:S) as shown in Figure 1. Furthermore, there are an additional 25 other water rights/permits, see Table 1, which should have the UVM:S management unit assigned (Water Rights, 2025).

This addition of the management unit designation, to the Southern management unit of the Upper Vermillion Missouri aquifer, does not represent a physical change in the water source. It is an update to the naming convention to reflect the currently best available information for aquifer and management unit extents. This update to the aquifer management unit name does not authorize any increase in the amount of water appropriated by any of these water rights/permits, change in diversion rate, relocation of existing wells, completion of additional wells into the aquifer, or change of acres permitted for irrigation. Going forward, issuance of any pertinent documents will reflect the updated aquifer and management unit designation.

Table 1- Water rights/permits requiring an aquifer management unit designation to the Upper Vermillion Missouri: South (Water Rights, 2025)

Water Rights							
PERMIT NO	NAME	COUNTY	PRIORITY DATE	STATUS	USE	CFS	ACRES
117-3A	GLYNDON KNUTSON	CL	04/14/1955	LC	IRR	0.95	66
2268-3	WILLIAM KNUTSON	CL	08/07/1975	LC	IRR	2	206
2372-3	LARRY ERICKSON	CL	10/07/1975	LC	IRR	1.76	123
2941-3	RUSSELL D AUSTIN	TU	08/16/1976	LC	IRR	1.11	140
2950-3	TERRY & ALBERTA SURPRENANT	CL	08/13/1976	LC	IRR	1.57	110
3328-3	TOM AUSTIN	CL	11/12/1976	LC	IRR	1.33	121
3409-3	STEVEN R NULL	TU	12/07/1976	LC	IRR	1.88	136
3507-3	W JERALD HANSEN	TU	12/28/1976	LC	IRR	0.99	69
3646-3	STEVEN R NULL	TU	02/04/1977	LC	IRR	2	144
3737-3	WILLIAM M JENTER	TU	09/16/1976	LC	IRR	4.57	320
3918-3	JBS HANSEN FARMS	TU	04/18/1977	LC	IRR	2.66	295.3
3948-3	JASON KNUTSON	CL	04/19/1977	LC	IRR	1.88	135
3994-3	GLYNDON KNUTSON	CL	07/07/1956	LC	IRR	4.94	332
4204-3	CITY OF CENTERVILLE	TU	01/01/1900	LC	MUN	0.22	n/a
5319-3	LARRY ERICKSON	CL	04/13/1989	LC	IRR	1.89	132
5352-3	BILL & SCOTT HANSEN	TU	09/13/1989	LC	IRR	2.15	151
5425-3	JOHNKE LAND TRUST	TU	03/23/1990	LC	IRR	1.88	132
5886-3	TIM OSTREM	CL	09/28/1995	LC	IRR	1.78	134
5898-3	CITY OF CENTERVILLE	TU	01/09/1996	LC	MUN	0.89	n/a
6810-3	JESSE & TANYA VANDESTROET	CL	02/20/2007	LC	IRR	1.56	65
6922-3	JOHN SHUBECK	CL	12/13/2007	LC	IRR	1.78	122
7002-3	JESSE & TANYA VANDESTROET	CL	03/14/2008	LC	IRR	1.39	123
7191-3	ROGER BLAKE	CL	02/01/2008	LC	IRR	1.56	255
7384-3	NICHOLAS & COURTNEY BLAKE	CL	07/20/2012	LC	IRR	1.67	67
Water Permits							
PERMIT NO	NAME	COUNTY	PRIORITY DATE	STATUS	USE	CFS	ACRES
6754-3	JBS HANSEN FARMS	TU	09/05/2006	PE	IRR	0	35
7128-3	JOHN SHUBECK	TU	04/13/2009	PE	IRR	1.78	207

CL= Clay; TU= Turner; LC= Water Right, PE= Water Permit; IRR= Irrigation; MUN= Municipal

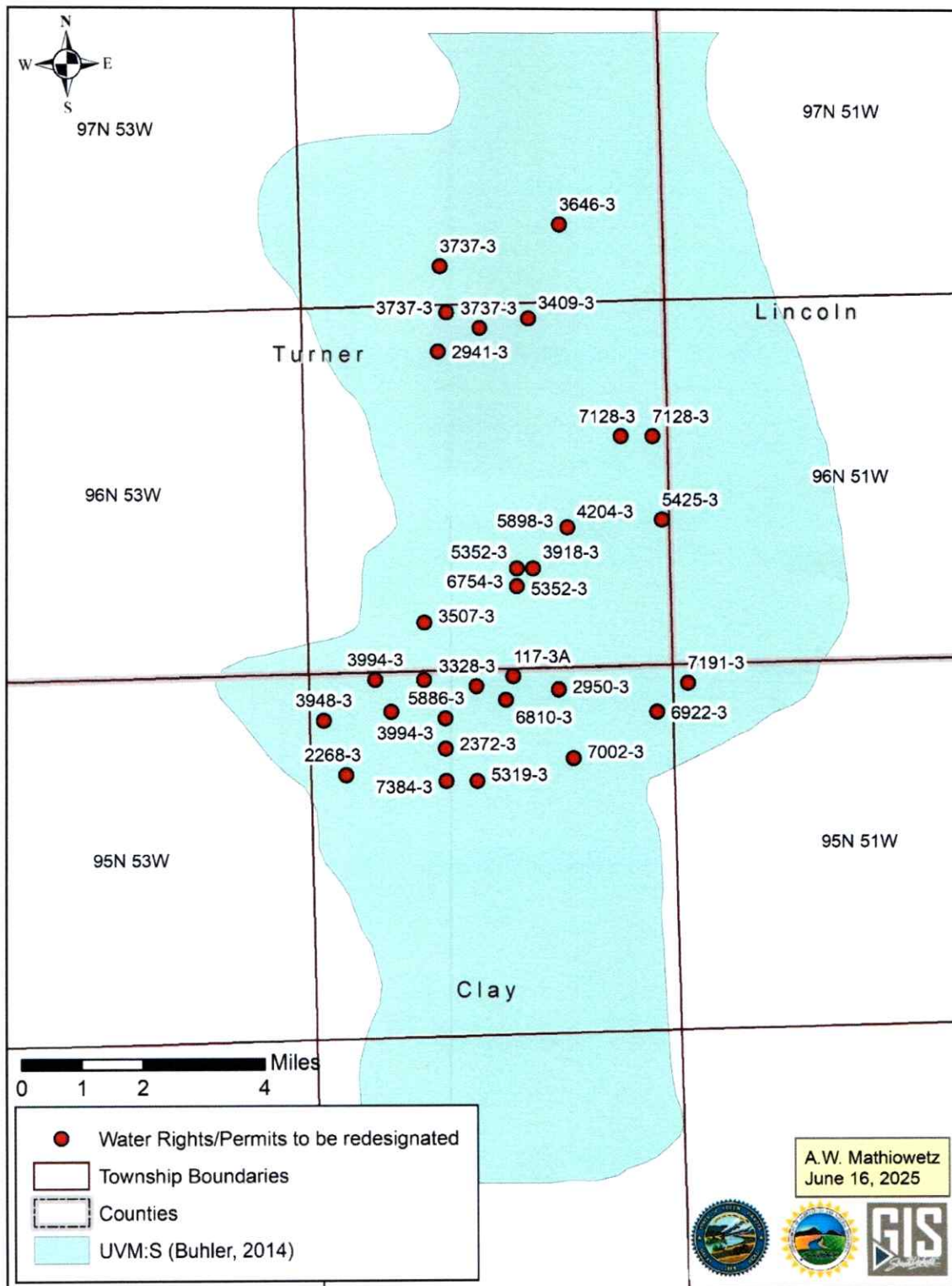


Figure 1- Map of approximate areal extent of the Upper Vermillion Missouri: South aquifer (Buhler, 2014) and water right/permits to be redesignated to include the South management unit designation (Water Rights, 2025)



Adam Mathiowetz
Natural Resources Engineer IV



Mark Mayer
Director of Office of Water

REFERENCES

Buhler, K. A. 2014. Report to the Chief Engineer on 21 Water Permit Applications from the Upper Vermillion Missouri Aquifer. SD DANR – Water Rights Program, Joe Foss Bldg. Pierre, SD.

Water Rights. 2025 Water Right/Permits Database. SD DANR-Water Rights Program. Pierre, South Dakota