

4256-3

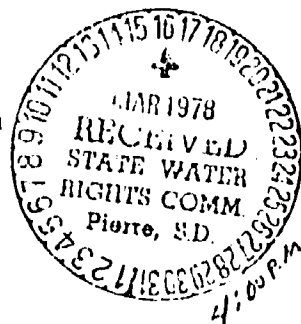
1. Considered MARCH 28 1978
2. Name of Applicant TOWN OF VIRGIL
3. Post Office Address "VESTED RIGHT"
4. Amount of Water claimed .17
5. Source of Water supply 1123' DEEP WELL
6. Water to be used for MUNICIPAL USE
Acres to be irrigated —
7. Water to be diverted and used in BEADLE County
about _____ miles _____ of _____
8. Proof of Publication
Received _____
Not Received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks:
VESTED RIGHT

Map No. _____

Water Division No. 3No. 4256-3JAMES RIVER

District _____

(Blanks to be Filled by the Engineer for the W. H. 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 Town of Virgil
 Postoffice address P.O. Box 104, State S. Dak.
 If a corporation show date and place of incorporation Jan 4, 1917, S.D.
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct labor
 3. Name of diversion work Town of Virgil
 4. Amount of water claimed (cubic feet per second) 0.17 MAX. ALLOWABLE
 5. Source of water supply Municipal
 6. Location of point of diversion S.E. 4-32-110-63

7. Annual period or periods during which water is to be used daily County Bendle
 8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) _____
 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 _____ years.
 11. Choice of newspaper for Notice of Intent to Appropriately Water publication _____
 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

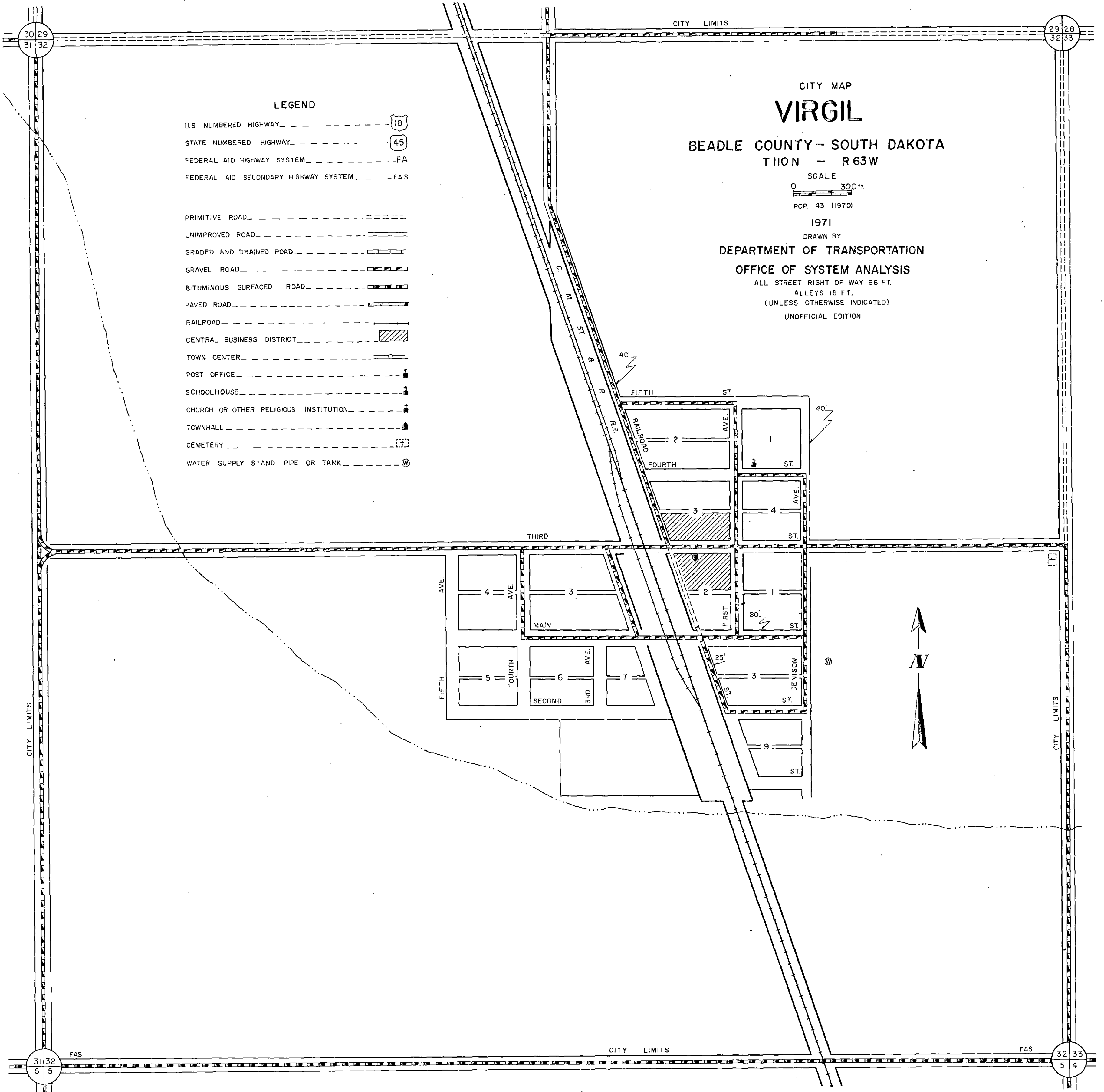
County of HughesI, Walter H. Chapman

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

Town Clerk
 Signed _____
 Subscribed and sworn to before me this 16th day of March 1978

Debra Chapman
 Signed _____
 day of March 1978

Debra Chapman
 Notary Public (or other qualified officer)
Water Rights Specialist I



WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4256-3

TOWN OF VIRGIL
(Applicant)

P.O. BOX 104 - VIRGIL
(Post Office Address)

SOUTH DAKOTA 57379
(State)

With the following modifications:

"VESTED RIGHT"

Date of first receipt of application MARCH 16, 19 78

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

Date of receipt of corrected application _____, 19 _____

Approved MARCH 29, 19 78, Recorded in Book 12 Page 332

WATER RIGHT PERMIT NO. 4256-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4256-3 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 1952
2. The equivalent of at least one-fifth of the work above specified is ~~to be~~ completed on or before _____
3. The whole of said work is ~~to be~~ completed on or before _____
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 .17 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 THIS DATE; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 7th day of APRIL, 19 78

WATER RIGHTS COMMISSION

By:

John Koelch
Chief Engineer, Executive Officer

Certificate of Construction _____, 19 _____

Water License Issued _____, 19 _____

HURON DRILLING CO.
Huron, S. Dak.

#217

WELL REPORT

Hole logged by Bruno Petsch

Huron, S. Dak. s. d. October 17 1952

Completed well for Town of Virgil

P. o. Virgil, S. Dak. Depth 1123 ft. 75 Gallons per minute

Pumped 35 lbs pressure gals. per min. for hrs. { Clear
Sandy
Muddy
Cloudy } Pumped gals. per min. for hrs. { Clear
Sandy
Muddy
Cloudy }

Water stands feet from top. Is the water hard or soft? Hard Well located on

SE quarter Sec. 32 T. 110 N. 63 Moved to this place on Oct. 13 1952

Started work on well Oct. 13 1952 Well completed on October 16, 1952

Left this place October 18 1952

141 ft. 4" steel pipe extending to a total depth of 141 feet

88 ft. 3" L Copper pipe extending to a total depth of 88 feet

1035 ft. 2" K copper pipe extending to a total depth of 1123 feet

ft. pipe extending to a total depth of feet

ft. pipe extending to a total depth of feet

perforated 100 ft. at bottom. Also from to and from to

For whom was the last well completed by this machine? Clarence Baum

What was the date of its completion? October 11, 1952 Explain loss of time, if any, between

completion of last well and commencement of this one none

What extra charges are there against this well for pipe, fittings and supplies (please itemize)?

There is a brass connection on the bottom of the 2" copper with a 1" left hand connection inside. The 3" and 2" copper are fastened together with a brass sweat bushing. There is a piece of 4" brass 30 inches long bushed down and sweat on the 3" copper. The 4" pipe is cemented in.

At whose request and by whose authority was this furnished?

Please state what casing and gasoline you have on hand after completion of this well

How much gasoline did you have on hand at commencement of this well?

How much gasoline have you received while on this well (give date and number of gallons)?

Date Amount gals. Date Amount gals.

Date Amount gals. Date Amount gals.

How much gasoline had you on hand at the completion of this well? How much

gasoline did you use on this job? How many days did engine

run on this job? 4 days

Harry Moilan

Fireman Rig No. 1500 Rotary

*Form 2B supplement to
Form 2 for wells which may
qualify for a "vested right"*

WATER RIGHT APPLICATION FOR ESTABLISHMENT OF ~~CONSTRUCTED~~
"VESTED RIGHTS" ~~FOR WELLS~~ ~~COMPLETED~~
PRIOR TO JULY, 1955

1. Complete two copies of Form 2, Application for Permit to Appropriate Water, and if water use is from a well or a storage dam, complete two copies of Form 2A - Wells (Supplement to Form 2). A map is not required; however, if you have one or can supply a sketch showing the location of the well and the lands irrigated, receipt of a map with your application form will be helpful, and a better record of your "vested right" will result. Send both copies of Form 2 and Form 2A.
2. Complete one copy of Form 2B, Affidavit of Water Use (Supplement to Form 2).
3. Send items (1) and (2) to Water Rights Commission Joe Foss Building, Pierre, South Dakota 57501 with \$8.00 to cover examining fee. This fee covers all actions required to establish, record and issue the Permit to Appropriate water.
4. Upon satisfactory completion of the actions under items (1), (2) and (3) a Certificate of Completion of Works and a Water License will be issued. A \$2.50 fee for issuance of each of these documents is required, which will be requested later. Issuance of a Water License is the final action required to establish a "Vested Right" record.

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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) _____

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 on or about 25 of Aug 5215. Date that water was first applied to beneficial use Nov 5216. Name of owner of original water supply system Town of Virgil

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

18. Present Use of Water

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

Date that this amount of water was first used _____

19. Chronological History of Water Use

#1 Well abandoned about Aug 52

#2 New well went into use about Nov 52

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 Hughes) ss.

I, Delores Chapman, the applicant, certify that I have read the foregoing and that the matters therein stated are true

Town Clerk

Signed

Delores Chapman

Subscribed and sworn to before me this 16th day of March, 19 52

Jerry Westwood
(Notary Public or other qualified Officer)

Water Rights Proceeding

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.

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) _____

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 on or about 25 of Aug 5215. Date that water was first applied to beneficial use Nov 5216. Name of owner of original water supply system Town of Vigil

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

18. Present Use of Water

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

Date that this amount of water was first used _____

19. Chronological History of Water Use

1. well abundant

2. well went into use Nov. 52

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 Hughes) ss.I, Delores Chapman, the applicant, certify that I have read the foregoing and that the matters therein stated are true.Town Clerk

Signed

Delores ChapmanSubscribed and sworn to before me this 16th day of March, 1978Dee Westlund
(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 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 4 1/2", Depth 1123
- (2) Casing, Type Copper (wood, concrete, steel, etc) Diameter 2" Thickness _____
- (3) Perforated Screen.
- Type perf., Diameter 2", Length 100'
- (4) Gravel Pack, Thickness none, Length of gravel pack none

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 sandstone

Depth to top of water bearing material 1023

Depth to bottom of water bearing material 1123

Thickness of water bearing material 100'

Depth to water (ground surface to water level) flow

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

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.

Loren of Uigil
Signature of Applicant

Delores Chapman
Town Clerk

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4250-3

(1) WHEREAS, On the 10th day of March A. D. 19 78
~~the Town of Virgil~~
 made Water Right Application No. 4250-3 ~~Vespedi Right~~ .17 cubic feet per second of the waters
 of groundwater
 County of Beadle, State of South Dakota, for municipal use
 purposes; and

(2) WHEREAS, On the 20th day of March A. D. 19 78
~~Vespedi Right~~ 4250-3, with a date of priority of 1952
 was issued to said applicant for the diversion of said water, and ~~recognizing~~ recognizing the completion of construction of the water
 supply system therein described ~~and the~~ and the application to beneficial use of said water ~~and the~~ and the

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 .17 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 used for municipal purposes by the Town of Virgil~~

(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 Town of Virgil

_____ of _____
the holder _____ and owner Vested Right of said permit No. 4256-3 a water right, dating from 1952
_____ to use of .17 cubic feet per second of the waters
of groundwater

in the County of Beadle and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point in the SE 1/4, Section 32, T110N, R63W

and conduct to and upon conducted through the town water distribution system

for the purpose of municipal use

Subject to any limitations listed in Water Right Permit No. 4256-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 7th day of April A. D.
Nineteen Hundred and Seventy-eight

WATER RIGHTS COMMISSION

By:

Chief Engineer, Executive Officer JOHN HATCH

Form 15.

Permit No. 4256-3

Water Diversion No. 3 James River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Town of Virgil

Vested Right the holder of
Permit No. 4256-3, issued upon Application No. 4256-3, bearing date of priority of 1952

authorizing the diversion of .17 cu. ft. per second of the waters of

County of Beadle, State of South Dakota at

a point in the SE 1/4, Section 32-T110N-R63W

for municipal

purposes, has s complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use .17 cu. ft. per second of water.

Date April 7, 1978

By: WATER RIGHTS COMMISSION

JOHN HATCH, Chief Engineer

JH:plh

SOUTH DAKOTA

VESTED WATER RIGHT CLAIM NO. 4256-3

Date of Receipt of Claim March 16, 1978.

Date of Validation March 4, 1992.

The Water Management Board validated Vested Water Right Claim No. 4256-3 for the Town of Virgil, Box 122, Virgil, South Dakota 57379 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 4256-3 appropriates 0.17 cubic feet per second of water from one well located in the SE1/4, Section 32, T110N, R63W.
2. The appropriated water is used for supplying water for the Town of Virgil and may not exceed the amount of water needed for beneficial use for municipal purposes.

The water is to be used during the following annual period:
January 1 - December 31
3. The priority date of the Vested Water Right is: August 25, 1952.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water Rights obtained in compliance with the laws of the State of South Dakota must not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: _____

John H. Hattis
Chief Engineer

MAY 12 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources



MAY 12 1992

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Town of Virgil
Diana Westphal, Finance Officer
Box 122
Virgil SD 57379

Dear Ms. Westphal:

The Water Management Board has validated the enclosed Vested Water Right No. 4256-3. 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

L

HURON DRILLING INC.
WELL LOCATION MAP

NAME Patricia Ronning & Jeanette Hurrell

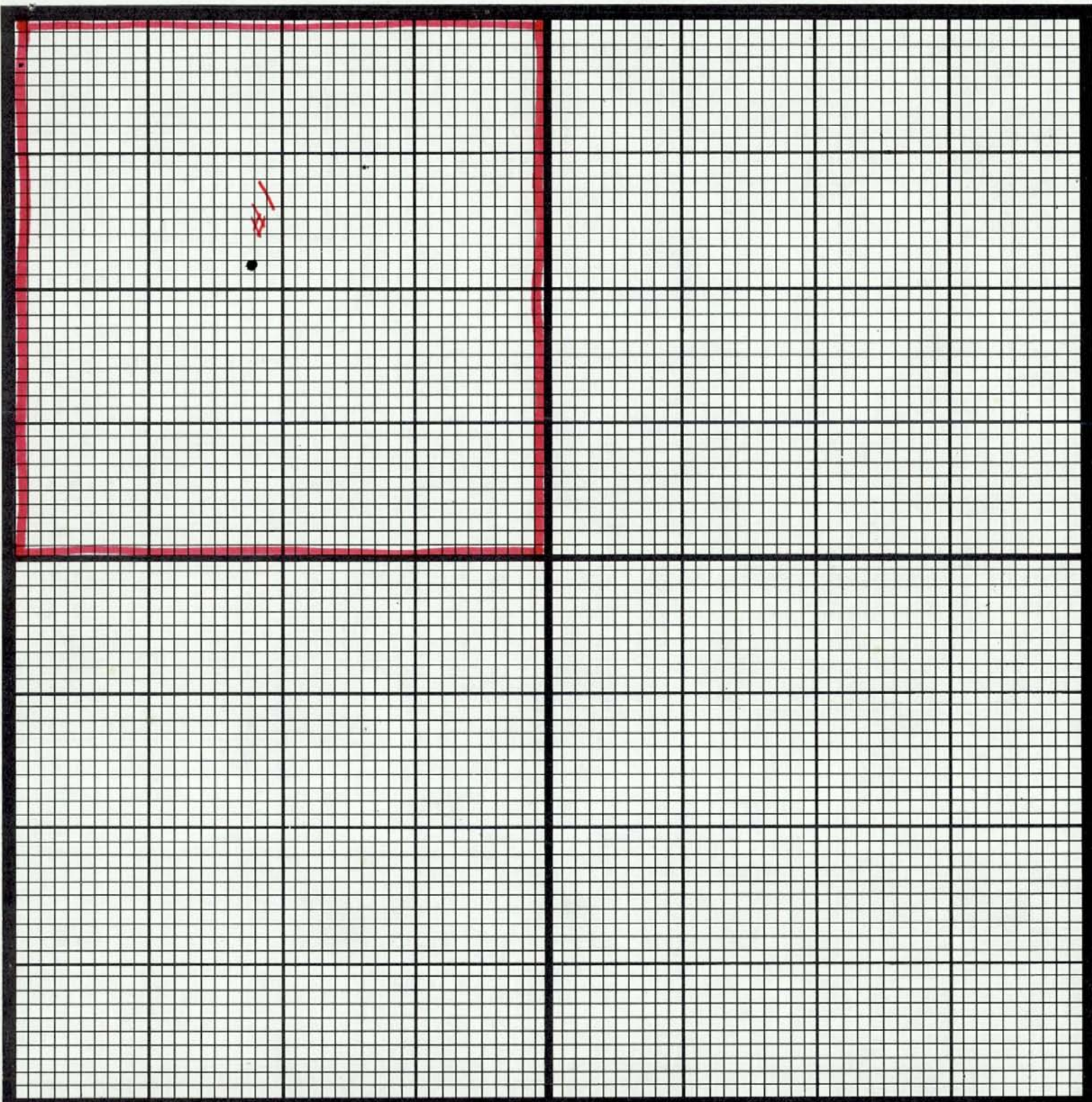
DATE February 3 19 78

WELL NO. #1

NW

QUARTER, SECTION 22

TWP. 126 RANGE 63 IN Brown COUNTY



~~MAP # 24143~~ APPL. # 4257-3

Prepared By

Dick Fadgen

Dick Fadgen

X — PROPOSED LOCATION

Beadle County Extension Agent