

4264-3

1. Considered MAY 25 1978
2. Name of Applicant CITY OF MT. VERNON
3. Post Office Address _____
4. Amount of Water claimed .24
5. Source of Water supply 3 WELLS 2-PARTIAL V/R-1904
1-1958
6. Water to be used for MUNICIPAL USE
Acres to be irrigated —
7. Water to be diverted and used in DAVISON County
about IN CITY LIMITS — of —
8. Proof of Publication
Received 5-15-78
Not Received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks:

Map No. YR Water Division No. 3 No. 4264-3 JAMES RIVER Dist. _____
(Books to be Filed 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 Mt. Vernon
Postoffice address Mt. Vernon 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 #1, #2 & #3
4. Amount of water claimed (cubic feet per second) .24 approximately 3.5 gals. per minute
5. Source of water supply 2 - Billed wells 1958 1 - Hand dug well 1904
6. Location of point of diversion #1 LOCATED IN LOT 1, BLOCK 6, #2 & #3 IN LOT 2, BLOCK 6, ORIGINAL TOWNSITE OF MT. VERNON, SW 1/4 NW 1/4 SEC 22, T103N, R62W, Co. 10, Minn.
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 DAILY REPUBLIC, MITCHELL
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

C. Works proposed to apply water to beneficial use.

APPROX 160 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.)

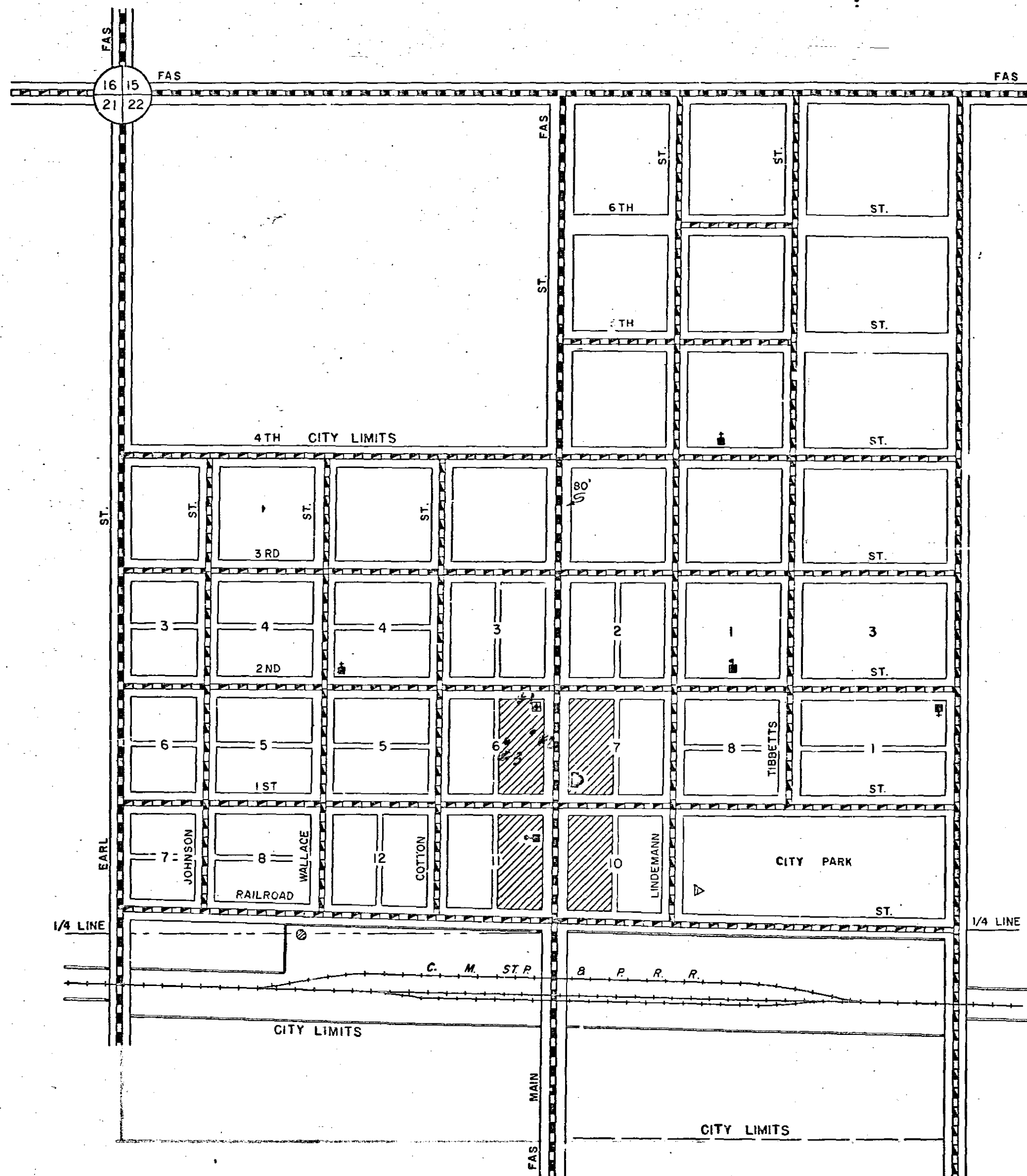
STATE OF SOUTH DAKOTA

County of Minnehaha

I, City of Mt. Vernon, 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 Lewis Kirk-MeyerSubscribed and sworn to before me this 18th day of April 1928

Notary Public (or other qualified officer)



CITY MAP
MOUNT VERNON
 DAVISON COUNTY • SOUTH DAKOTA
 T 103 N—R 62 W

SCALE
 0 300 ft.
 POR 398 (1970)

1969

DRAWN BY

DEPARTMENT OF TRANSPORTATION

OFFICE OF SYSTEM ANALYSIS

ALL STREET RIGHT OF WAY 66 FT.
 ALLEYS 16 FT.

(UNLESS OTHERWISE INDICATED)

UNOFFICIAL EDITION



D. O. T. MAP

LEGEND

- U.S. NUMBERED HIGHWAY
- STATE NUMBERED HIGHWAY
- FEDERAL AID HIGHWAY SYSTEM
- FEDERAL AID SECONDARY HIGHWAY SYSTEM
- PRIMITIVE ROAD
- UNIMPROVED ROAD
- GRADED AND DRAINED ROAD
- GRAVEL ROAD
- BITUMINOUS SURFACED ROAD
- PAVED ROAD
- RAILROAD
- TOWN CENTER
- CENTRAL BUSINESS DISTRICT
- POST OFFICE
- SCHOOL HOUSE
- CHURCH OR OTHER RELIGIOUS INSTITUTION
- FIRE ENGINE HOUSE
- BALL FIELD
- BULK PLANT
- LIBRARY

MOUNT VERNON, S. DAK.

MAP 3483-3 APR 1964

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4264-3
CITY OF MT. VERNON
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57363
 (State) With the following modifications:

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

"PARTIAL VESTED RIGHT"

Date of first receipt of application JUNE 22 19 76
 Date of return to applicant for correction, amendments or changes required _____ 19 ____
 Date of receipt of corrected application _____ 19 ____
 Approved MAY 25 19 78, Recorded in Book 20 Page 14

WATER RIGHT PERMIT NO. 4264-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4264-3 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 1-WELL-1904; 2 WELLS -- JUNE 22, 1976
2. The equivalent of at least one-fifth of the work above specified is ~~not~~ completed COMPLETED
3. The whole of said work is ~~not~~ 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 .24 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~~ USE FOR MUNICIPAL PURPOSES and appropriation must be limited to not more than 2 acre feet per acre per year and in ~~limited to not more than one-tenth (1/10) 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 31st day of MAY 19 78

WATER RIGHTS COMMISSION

by:

John Halch
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 ____

Water License Issued _____ 19 ____

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 MT VERNON

Post Office Address _____, State S.D

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 1904

15. Date that water was first applied to beneficial use 1904

16. Name of owner of original water supply system _____

17. Amount of water originally applied to beneficial use .28 c. f. s.

18. Present Use of Water:

Amount of water now being used .24 c. f. s.

Date that this amount of water was first used 1958

19. Chronological History of Water Use

**ORIGINAL WELL DUG IN 1904, WITH TWO
ADDITIONAL WELLS CONSTRUCTED IN 1958**

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 Lawrence) ss.

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

Signed James F. Kish - Mayor

Subscribed and sworn to before me this 11th day of April, 1958

James F. Kish
(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.

James F. Kish
Mayor

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 180
- (2) Casing, Type Steel (wood, concrete, steel, etc.) Diameter 12" Thickness _____
- (3) Perforated Screen.
- 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 _____

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) _____

- (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.

Lot #1 Black & Mt. Vernon Original - 1 hand dug
8" casing 110 ft deep
Lot 2 Black & Mt. Vernon Original - 2 drilled wells
12" steel casing 180' deep

City of Mt. Vernon
By Dennis J. Taylor
Signature of Applicant

Publish first publication, on or before May 5, 1978

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 24, 1978

Notice is hereby given that the City of Mt. Vernon XXXXXXXXXXXXXXXXXXXX

XXXXXXXXXXXX, 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 24 cubic feet of water per second of time from groundwater (3 wells)

through the City Wells #1, #2, #3, the point of diversion of which is to be located in the SW 1/4 NW 1/4

of Section 22, Twp. 10N Range 62W. Said water to be used for the purpose of providing XX

municipal water supplies for the city of Mt. Vernon

This Application No. 4264-3 will be considered by the Water Rights Commission at

Pierre, South Dakota upon the 25th day of May, 1978, at 10 AM. 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: The final proof of publication must be received before the hearing date for the Commission to take action.

WATER RIGHTS COMMISSION

Betty Westlund
Water Rights Specialist

cc: City of Mt. Vernon, SD 57363

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 4264-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Davison) ss.

I, Gerald H. Putjeter hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the DAILY REPUBLIC

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

City of Mitchell

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

May 4, 1978

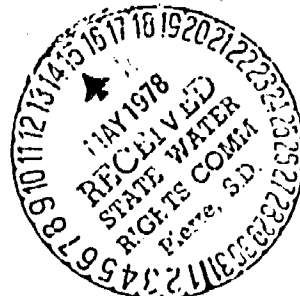
May 11, 1978

Gerald H. Putjeter
(Signature)

Publisher
(Title)

May 12, 1978
(Date Signed)

NOTICE OF HEARING ON
APPLICATION TO
APPROPRIATE WATER
Pierre, South Dakota 57501
April 24, 1978
Notice is hereby given that the
City of Mt. Vernon, 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 .24 cubic feet of
water per second of time from
groundwater (3 wells) through
the City Wells No. 1, No. 2, No. 3,
the points of diversion of which
are to be located in the SW 1/4
NW 1/4 of Section 22, Twp. 103N
Range 67W. Said water to be used
for the purpose of providing
municipal water supplies for the
city of Mt. Vernon.
This Application No. 4264-3 will
be considered by the Water
Rights Commission at Pierre,
South Dakota upon the 25th day of
May, 1978, at 10 AM. The Com-
mission 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
witness according to SDCL 1-26
may notify the Commission in
writing prior to the hearing or
orally at the hearing.
WATER RIGHTS COMMISSION
Betty Westlund
Water Rights Specialist



 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

JUN 13 1989

Jan Bormann, Finance Officer
City of Mt. Vernon
PO Box 52
Mt. Vernon SD 57363

Dear Ms. Bormann:

The Water Management Board has validated the enclosed Vested Water Right No. 4264-3. 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

SOUTH DAKOTA

VALIDATION OF VESTED WATER RIGHT CLAIM NO. 4264-3 (Partial)

Date Claim Accepted For Filing June 22, 1976.

Date of Validation May 10, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim No. 4264-3 for the City of Mt. Vernon, PO Box 52, Mt. Vernon, South Dakota 57363 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 4264-3 appropriates 0.08 cubic feet of water per second from one well approximately 110 feet deep located in the SW 1/4 NW 1/4, Section 22, T103N, R62W.
2. The appropriated water is used for supplying water for the City of Mt. Vernon 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: January 1, 1904.
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

Division of Water Rights

Dept. of Water and Natural Resources

JUN 13 1989

date



4264-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

JUL 18 1996

Tammy Steffen, Finance Officer
City of Mt. Vernon
PO Box 52
Mt. Vernon SD 57363-0052

Dear Ms. Steffen:

Enclosed are Water License Nos. 4264A-3 and 4264B-3 for the City of Mt. Vernon. Also, enclosed is the receipt for the license fee.

Water Permit No. 4264-3 was originally issued as a "partial vested right claim". On May 10, 1989, the Water Management Board validated the vested right portion of the permit. On June 15, 1995, an inspection was conducted of the water use system in order to proceed with licensing of the permit. No. 4264-3 has been divided and licensed as follows:

Vested Water Right No. 4264A-3 - authorizing diversion of 0.07 cfs from one well (Well #1) located in the SW 1/4 NW 1/4 Section 22-T103N-R62W - Priority date of January 1, 1904.

Water Right No. 4264B-3 - authorizing diversion of 0.14 cfs from two wells (Wells # 2 & 3) located in the SW 1/4 NW 1/4 Section 22-T103N-R62W - Priority date of June 22, 1976.

As long as the City uses the water beneficially as stated in the licenses, the City of Mt. Vernon has a continuing right to use of the water

Very truly yours,

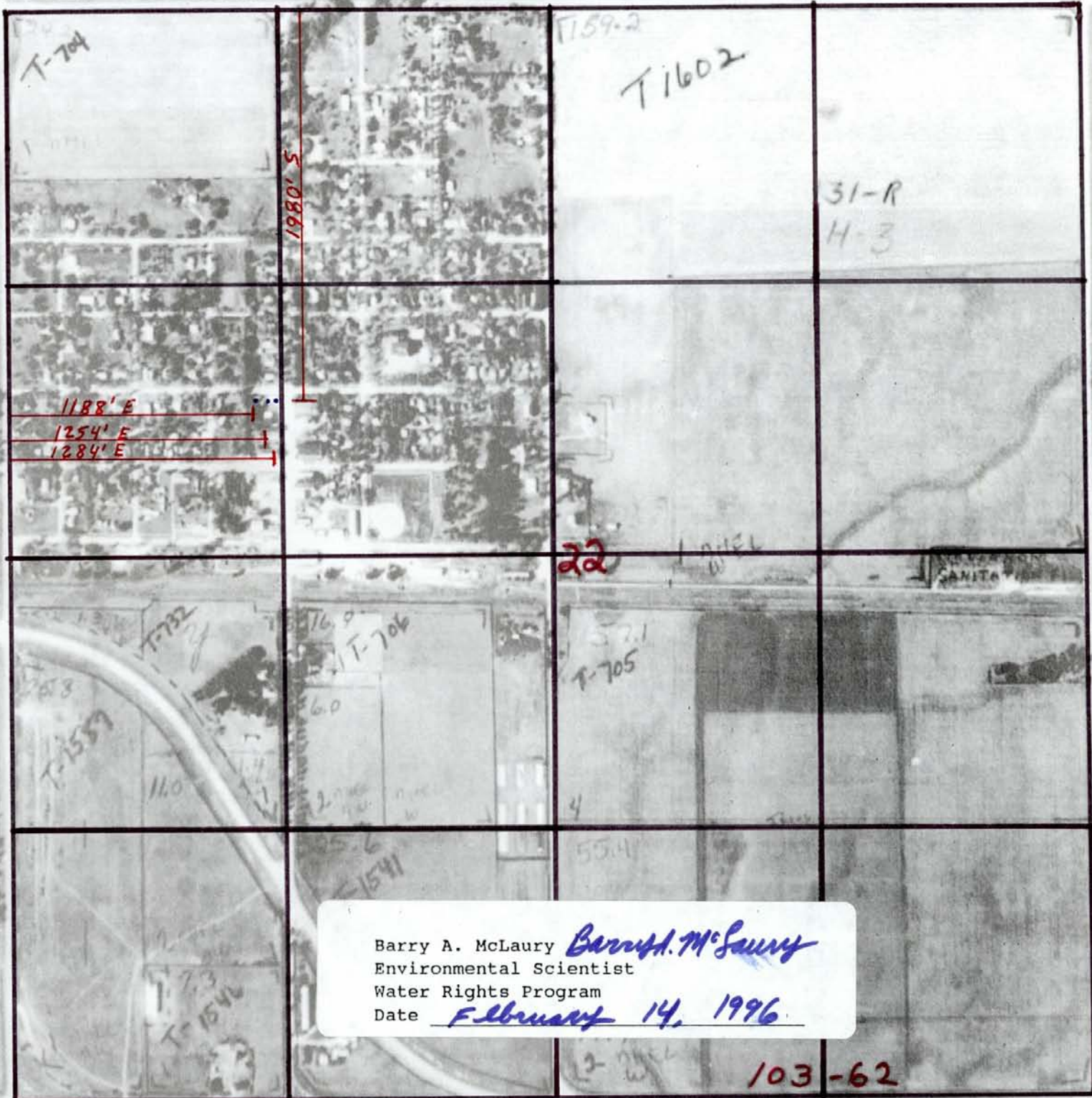
JOHN HATT, Chief Engineer
Water Right Program
605 773-3352

ks
enclosures

4264-3



NOT TO SCALE



Barry A. McLaury *Barry A. McLaury*
 Environmental Scientist
 Water Rights Program
 Date *February 14, 1996*

103-62

A+B

4264-3