

4274-3

1. Considered MAY 25, 19 78
2. Name of Applicant TOWN OF VALE
3. Post Office Address _____
4. Amount of Water claimed .05
5. Source of Water supply 900' 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 IN CITY LIMITS ~~acres~~ of _____
8. Proof of Publication
Received _____
Not Received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

VESTED RIGHT-1955

No. 4274-3Map No. 4/RWater Division No. 3JAMES RIVERDist. 1

(Blanks to be Filled by the Engineer for the W. R. C.)

NESTED 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 YALEPostoffice address _____, State S.D.

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 WELL4. Amount of water claimed (cubic feet per second) .055. Source of water supply GROUND WATER (ARTESIAN)6. Location of point of diversion NW⁴SW⁴, SECTION 13, T11N, R6WCounty BEADLE7. Annual period or periods during which water is to be used CONTINUOUSLY8. 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 Appropriately Water publication NOT APPLICABLE

12. Principal Features of the Proposed Water Supply System.

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

WELL, PUMP & MOTOR

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

9000 GALLON STORAGE
CITY MAINS

C. Works proposed to apply water to beneficial use.

APPROX 60 HOOR-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 BeadleI, Richard Ziegler for Yale Town, 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 Richard Ziegler for Yale TownSubscribed and sworn to before me this 23 day of April, 1978Ernest M. Madsen
Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4274-3

TOWN OF YALE
(Applicant)

(Post Office Address)

SOUTH DAKOTA 57386 With the following modifications:
(State)

"VESTED RIGHT" CLAIMED

Date of first receipt of application APRIL 25, 19 78

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

Date of receipt of corrected application _____, 19 _____

Approved MAY 26, 19 78, Recorded in Book 20 Page 23

WATER RIGHT PERMIT NO. 4274-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4274-3 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 1955
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 .05 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 purposes 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~~ used for municipal purposes on or before THIS DATE; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 1ST day of JUNE, 19 78

WATER RIGHTS COMMISSION

By:

John K. Hahn
Chief Engineer, Executive Officer

Certificate of Construction Issued JUNE 1ST, 19 78

Water License Issued JUNE 1ST, 19 78

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

D. Well Information or Estimates

- (1) Drill Hole, Diameter _____, Depth 900'
 (2) Casing, Type STEEL Diameter 6" TOP 4" Thickness STANDARD
 (wood, concrete, steel, etc.)
 (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 Material. (Please attach a copy to test well log if available.)

Character of Water bearing materials DAKOTA SANDSTONE

Depth to top of water bearing material APPROX 850'

Depth to bottom of water bearing material ?

Thickness of water bearing material AT LEAST 50'

Depth to water (ground surface to water level) WILL FLOW *

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

On same owner's property 0 rds. On property owned by others 1 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.

* HAVE PUMP ON WELL TO PROVIDE PRESSURE

Richard Ziegler for Gale Town
 Signature of Applicant

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 YALEPost 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 195515. Date that water was first applied to beneficial use 195616. Name of owner of original water supply system TOWN OF YALE17. Amount of water originally applied to beneficial use .05 c. f. s.

18. Present Use of Water

Amount of water now being used .05 c. f. s.Date that this amount of water was first used 1956

19. Chronological History of Water Use

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 Beadle) ss.

I, Richard Ziegeldorf for Yale Town, the applicant, certify that I have read the foregoing and that the matters therein stated are true.

Signed

Richard ZiegeldorfSubscribed and sworn to before me this 22 day of April, 1978Emil Massa
(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.

Richard Ziegeldorf

WATER LICENSE NO. 4274-3

(1) WHEREAS, On the 25th day of April, A. D. 19 78
the Town of Yale

made Water Right Application No. 4274-3 for Vested Right permit to use .05 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 26th day of May, A. D. 19 78
Vested Right Permit No. 4274-3, with a date of priority of 1955

was issued to said applicant _____ for the diversion of said water, recognizing ~~and providing for~~ the completion of construction of the water supply system therein described ~~xxxxxx~~ xxxxxx and for the application to beneficial use of said water ~~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 .05 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 Yale

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to the Town of Yale

_____ of _____
the holder _____ and owner _____ of said ^{Vested Right} permit No. 4274-3 water right, dating from 1955

_____ to use of .05 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 NW 1/4 SW 1/4, Section 12-T111N-R60W

and conduct to and upon ~~XXXXXXXXXXXX~~ conducted through the towns water distribution system

for the purpose of municipal use

Subject to any limitations listed in Water Right Permit No. 4274-3 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 June A. D.
Nineteen Hundred and seventy-eight

WATER RIGHTS COMMISSION
By: John Patch
Chief Engineer, Executive Officer JOHN PATCH

Form 15.

Permit No. 4274-3

Water Diversion No. 3 James River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Town of Yale

vested Right _____ the holder _____ of
Permit No. 4274-3, issued upon Application No. 4274-3, bearing date of priority of 1955
_____ authorizing the diversion of .05 cu. ft. per second of the waters of _____
groundwater County of Beadle, State of South Dakota at _____
NW 1/4, SW 1/4, Section 12-T11N-R10W
_____, for municipal use

purposes, has _____ 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 **recognized as** ~~are found to be~~ satisfactory
~~works~~ for diverting and conveying to the place of intended use .05 cu. ft. per second of water.

Date June 1, 1978

By: **WATER RIGHTS COMMISSION**

JOHN HATCH, Chief Engineer

SOUTH DAKOTA

VESTED WATER RIGHT CLAIM NO. 4274-3

Date of Receipt of Claim April 25, 1978.

Date of Validation March 4, 1992.

The Water Management Board validated Vested Water Right Claim No. 4274-3 for the Town of Yale, Box 146, Yale, South Dakota 57386 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 4274-3 appropriates 0.05 cubic feet per second of water from one well located in the NW1/4 SW1/4 Section 12, T11N, R60W.
2. The appropriated water is used for supplying water for the Town of Yale 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, 1955.
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

MAY 12 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAY 12 1992

Town of Yale
Bernice Mullett, Finance Officer
Box 146
Yale SD 57386

Dear Ms. Mullett:

The Water Management Board has validated the enclosed Vested Water Right No. 4274-3. 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,

A handwritten signature in dark ink, appearing to read "John Hatch", is written over the typed name.

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

enclosure