

Considered: _____

WATER PERMIT NO. 4279A-3

MAP No. 4279-3

Name of Applicant City of Delmont

Post Office Address POB 97 Delmont 57330

Amount of Water Claimed no additional Total Acres _____

Source of Water Supply Ccdell Aquifer

Water to be used for MUN County DC

About _____ miles of _____ City Limits _____

PROOF OF PUBLICATION: Received 1st 2-4-85 Not Received _____

APPLICATION: Approved 3-6-85 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received 11/26/84 Fee 50.00 Remarks _____

1930

Corrected Application Received _____ Period of Annual Use 1/1 to 12/31

WATER QUALITY APP OVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

W-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point _____

Block 22, NE $\frac{1}{4}$, Section 34-T96N-R62W

Land to be Irrigated _____

Well Log: Driller _____ Licensed YES _____ NO _____

Depth of Well _____ REMARKS PE Gerald Flannery sent in log

of City of Delmonts last well-no log for this well

Type of Map City plat PREPARED BY P.E. G Flannery Reviewed and the Number _____

assigned on 11/28/84 By Betty Westlund

Betty Westlund, NRA III

STATE OF SOUTH DAKOTA

VESTED WATER LICENSE NO. 4279A-3

(1) The City of Delmont, PO Box 202, Delmont, SD 57330 made Application No. 4279A-3, November 26, 1984, for a right to appropriate 0.11 additional cubic feet of water per second from groundwater (one well), Douglas County, South Dakota for municipal purposes. Vested Water Right Claim No. 4279A-3, with a priority date of 1930 was approved March 6, 1985 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 6, 1990 and for the application to beneficial use of said water on or before March 6, 1994.

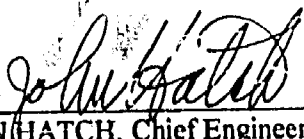
Vested Water Right Claim No. 4279A-3 was obtained to change the point of diversion from a well described under Vested Water Right Claim No. 4279-3. No. 4279A-3 did not authorize an additional appropriation of water. Vested Water Right Claim Nos. 4279-3 and 4279A-3 were validated by the Water Management Board on May 10, 1989.

The applicable portions of Vested Right No. 4279-3 are incorporated into this Vested Water Right License No. 4279A-3. A priority date of January 1, 1930 is retained.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.11 cubic feet of water per second for beneficial use. The location of the diversion point is 2310'N and 132'E of the center of Section 34, T98N, R62W (NW 1/4 NE 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

(4) Pursuant to South Dakota Water Law 46-5-30.1 the City of Delmont, PO Box 202, Delmont, SD 57330-0202 the holders and/or owners of Incorporated Vested Water Right No. 4279A-3 is issued a license to appropriate water, the right to use 0.11 cubic feet of water per second from groundwater (one well) with a priority date of January 1, 1930 from the location specified in (2) of this license. The water is put to beneficial use for of municipal purposes. This license is subject to any limitations or qualifications listed in Incorporated Vested Water Right No. 4279A-3 and subject to South Dakota State Law.


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

SEP 6 1995

date

MAP # 4279-3 OCT

Thurs

No. 4279A-3 Hydrologic Unit 10170101
 Map No. 4279A-3 Basin MX
 Newspaper CHRONICLE Box 128 ARMOUR 57313

Mail to: Water Rights Div.
 DWNR, Foss Bldg.
 Pierre, SD 57501
 (605) 773-3352

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use of water: Industrial ☐ Commercial ☒ Municipal ☒ Other Common Distribution System ☐
 Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
 Domestic ☐ (above 18gpm) Other ☐

Type of Application: Check one or more of the following

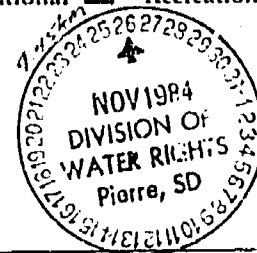
New ☒ Vested Right ☐ Future Use ☐ Change Use ☐

☐ Amend Permit No. _____ with old priority date retained

Change diversion point(s) ☐ Add diversion point(s) ☐ Other ☐

☒ Application to: Change diversion point(s) ☒ Add diversion point(s) ☒ on Permit No. 4279-3

☐ Construction to use water reserved by Future Use Permit No. _____



1. Name of Applicant City of Delmont Phone No. 779-2571

Post Office Address P. O. Box 97 State SD Zip Code 57336
(Street, RR or Box)

2. Amount of water claimed (c.f.s.) .30 cubic feet per second (See APP'LE)

3. Source of water supply Codell Aquifer

4. Location of point of diversion Block 22, Original Town of Delmont

in the NE 1/4, Section 34, T98N, R62W

County Douglas

5. Counties where water will be used Douglas

6. Annual period during which water is to be used Year-round

7. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

The City of Delmont proposes to add a new diversion point to its existing permit with no new appropriation of water. Please refer to the attached "Engineering Study and Report of the Delmont, SD Water System" for complete project information.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA)
 County of Douglas)^{ss}

I, Gilbert Kerner, Mayor City of Delmont the applicant, certify that I have read the foregoing application, 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 Gilbert Kerner

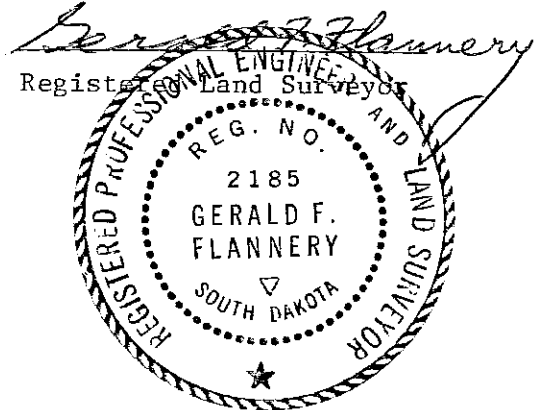
Subscribed and sworn to before me this 21 day of November 1984

[Signature]
 Notary Public (or other qualified officer)

CITY OF DELMONT

SCALE: 1"=300'

I, Gerald F. Flannery, Registered Land Surveyor under the laws of the State of South Dakota, do hereby certify that this map was prepared by me.



NW CORNER OF SECTION 34, T98N, R62W, 5PM

PROPOSED WELL SITE 1984

DEPOT

ST.

SEAMAN

ST.

ST.

MAIN

ST.

ST.

ST.

ST.

ST.

ST.

ST.

SECOND

THIRD

ST.

FOURTH

GIFFORD

WILSON

BROAD

RAYMOND

WILLIAMS

ADAIR

ST.

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 4279A-3
City of Delmont P.O. Box 97 Delmont
 (Applicant) (Post Office Address)
South Dakota 57330
 (State) (Zip Code)

With the following qualifications.

1. The construction of the proposed well shall include pressure grouting with cement of the casing from the top of the producing formation to the surface and compliance with Board construction rules.
2. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
3. Any abandoned city wells shall be plugged with cement pursuant to SDCL 46-6-17.

Date of first receipt of application November 26, 1984
 Date of return to applicant for correction, amendments or changes required —, 19—
 Date of receipt of corrected application —, 19— Approved March 6, 1985

The Water Management Board hereby approves this Water Permit No. 4279A-3 authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is 1930, 19—
2. The equivalent of at least one-fifth of the specified work is to be completed on or before September 6, 1987
3. The whole of said work is to be completed on or before March 6, 1990
4. The limit of time from point of beneficial use of water appropriated in accordance herewith is March 6, 1994
5. The water appropriated shall be used for the purpose of Municipal water supply
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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed No add'l 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 to which water is actually and beneficially applied for Municipal Use on or before March 6, 1994; said water to be used during the following described annual period: continuous

WATER MANAGEMENT BOARD

By: John H. [Signature]
 Chief Engineer
 Division of Water Rights
 Dept. of Water and Natural Resources
APR 23 1985, 19—

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 24" Depth 320'
- b) Casing Type PVC Diameter 10" Thickness 0.511"
- c) Screen Type Stainless Steel Diameter 10" Thickness .200"
- d) Gravel Pack Thickness 7" Length of Gravel Pack 30-40'
- e) Depth to Top of Water Bearing Material 280'
- f) Depth of Water (ground surface to water level) 150-175' (ground surface to static water level)
- g) Distance to nearest existing domestic well: 800' - 1,000'
- On applicants property X On property owned by others _____

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Outlet Dimensions:

Pipe diameter _____

Spillway width _____

f) X & Y Slope

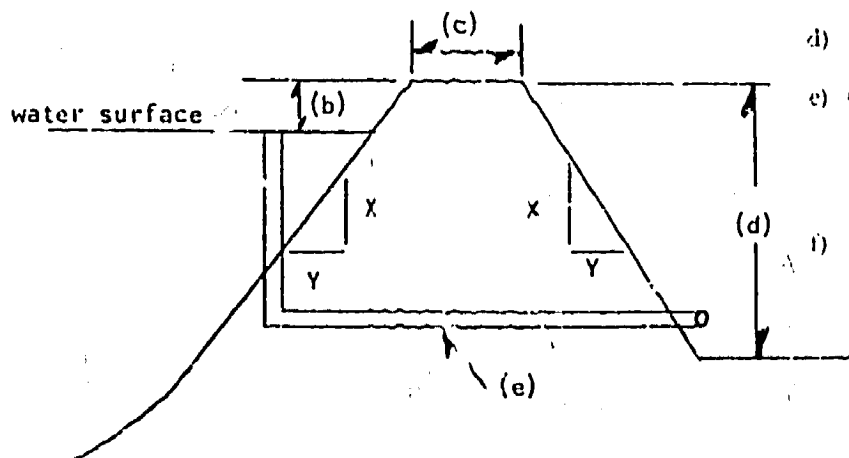
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

REPORT ON APPLICATION NO. 4279A-3

CITY OF DELMONT

January 2, 1985

Application No. 4279A-3 proposes to add one additional diversion point with no additional water on Permit No. 4279-3. Permit No. 4279-3 is a vested right for two wells producing water from the Codeil Formation for municipal use.

According to the Engineering Study and Report submitted by Flannery Engineering, the additional point of diversion is a replacement well for one of the original wells under 4279-3. Because the additional well is more than 660 feet from the abandoned well a new permit must be obtained (ARSD 74:02:01:01:01).

With the new well replacing an existing well and no additional water being appropriated there will be no adverse affect on the Codeil Aquifer from a water availability aspect.

Conclusions

1. No additional water is being appropriated.
2. No existing rights will be impaired.

Gale N. Selken

GALE N SELKEN, PE
Hydrologist

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION NO. 4279A-3, City of Delmont

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 4279A-3, City of Delmont, PO Box 97, Delmont SD.

The Chief Engineer is recommending APPROVAL of Application No. 4279A-3 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) in the public interest with the following qualifications:

1. The construction of the proposed well shall include pressure grouting with cement casing from the top of the producing formation to the surface and compliance with board well construction rules.
2. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner, under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
3. Any abandoned city wells shall be plugged with cement pursuant to SDCL 46-6-27.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
January 15, 1985

Instruction to Newspaper - Publish first publication of the following Notice on or before January 24, 1985 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 4279A-3 to Appropriate Water
and/or to Amend Water Permit or Water Rights No. _____

Notice is hereby given that City of Delmont whose mailing address is
Box 97, Delmont, South Dakota has made an application for a permit

to add one well to the city water supply system. The additional well will be
320 feet deep into the Codell Sandstone. This permit is to drill a replacement
well and does not authorize additional diversion of water.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends

APPROVAL of Application No. 4279A-3 because 1) unappropriated water is available,
2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and
4) is in the public interest.

This application will be considered by the Water Management Board at 523 E. Capitol,
Joe Foss Bldg., Room 216, Pierre, South Dakota, March 6 19 85 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the
Board is authorized to make a determination on this application after it reaches a con-
clusion based upon facts presented at the public hearing. Any interested person who may
be affected by a Board decision and who intends to participate in the hearing before the
Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a
written petition with BOTH the Applicant and the Chief Engineer by February 22, 1985.
The petition may be informal, but it must include a statement describing the petitioners
interest in the application, the reason for the petitioner's opposition to or support of
the application, and the signature and mailing address of the petitioner or his legal
counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12
thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24,
46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; (ground) 46-6-3, 46-6-3.1,
46-6-6.1, 46-6-10, 46-6-13, 46-6-14; (future use) ~~46-5-38 thru 46-5-40; (transfer lands)~~
~~46-5-30.4, 46-5-33 thru 46-5-35; (10,000 AFA); 46-5-20.1, 46-5-8.1; and Board Rules ARSD~~
~~74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25; (10,000 AFA)~~
~~74:02:01:15:02 thru 74:02:01:15:05.~~

This hearing is an adversary proceeding. The applicant or any person, after filing a
petition, has the right to be present or to be represented by a lawyer. These and other
due process rights will be forfeited if they are not exercised. Decisions of the Board
may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on
this application or to assure access to the hearing by the handicapped can contact the
Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance
prior to the hearing date. The time of the hearing will be automatically extended for
at least twenty days upon written request of the applicant or any person who has filed
a petition to oppose or support the application. The request for extension must be filed
with the Chief Engineer by February 22, 1985.

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

Notice of Hearing on
Application No. 4279A-3 to
Appropriate Water

No. 4279A
Notice is hereby given that City of
Delmont whose mailing address is Box
97, Delmont, South Dakota has made
an application for a permit to add one
well to the city water supply system.
The additional well will be 320 feet
deep into the Codell Sandstone. This
permit is to drill a replacement well
and does not authorize additional
diversion of water.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Douglas) ss.

I, Maynard H. Goehring hereby

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

Water was taken from the Delmont Record

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 Delmont

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

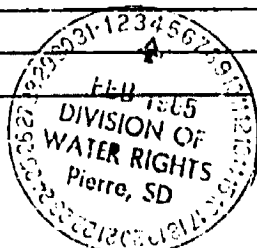
January 24, 1985

January 31, 1985

Maynard H. Goehring
(Signature)
Publisher
(Title)
January 31, 1985
(Date Signed)

Cost of Printing: \$37.07

WNR-808-7/79
Proof of Publication



Pursuant to SDCL 46-2A-2 the Chief
Engineer of the Water Rights Division
recommends APPROVAL of
Application No. 4279A-3 because 1)
unappropriated water is available, 2)
will be no unlawful impairment of
existing rights, 3) is beneficial use of
water and 4) is in the public interest.
This application will be considered
by the Water Management Board at
523 E. Capitol, Joe Foss Building,
Room 218, Pierre, South Dakota,
March 6, 1985 at 10:00 a.m.

The recommendation of the Chief
Engineer is not final or binding upon
the Board and the Board is authorized
to make a determination on this
application after it reaches a
conclusion based upon facts presented
at the public hearing. Any interested
person who may be affected by a
Board decision and who intends to
participate in the hearing before the
Board and present evidence or cross-
examine witnesses according to SDCL
1-26, must file a written petition with
BOTH the Applicant and the Chief
Engineer by February 22, 1985. The
petition may be informal, but it must
include a statement describing the
petitioner's interest in the application,
the reason for the petitioner's
opposition to or support of the
application, and the signature and
mailing address of the petitioner or his
legal counsel. If legal counsel is
obtained, the applicant need not file a
petition.

This application is made pursuant to
the provisions of SDCL 46-1-1 thru 46-
1-9, 46-1-12 thru 46-1-15, 46-2-1, 46-2-
9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru
46-5-16, 46-5-24, 46-5-25, 46-5-20.2, 46-
5-31, 46-2A-10, 46-2A-12, 46-6-3, 46-6-
3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14,
and Board Rules ARSD 74:02.01:01
thru 74:02.01:15.

This hearing is an adversary
proceeding. The applicant or any
person, after filing a petition, has the
right to be present or to be
represented by a lawyer. These and
other due process rights will be
forfeited if they are not exercised.
Decisions of the Board may be
appealed to the Circuit Court and the
State Supreme Court as provided by
law.

Any person wishing a copy of the
Chief Engineer's recommendation,
further information on this application
or to assure access to the hearing by
the handicapped can contact the
Water Rights Division, DWNF, Joe
Foss Bldg, Pierre, SD (605 773-2562)
for assistance prior to the hearing
date. The time of the hearing will be
automatically extended for at least
twenty days upon written request of
the applicant or any person who has
filed a petition to oppose or support
the application. The request for
extension must be filed with the Chief
Engineer by February 22, 1985.



NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office Delmont, S. D.

Date October 16, 1985

TO: Water Rights
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to maximum extent

It is going to be used, not exceeding the amounts as specified in Water Right No.

4279A-3
4279-3

Water Right Permit No. _____ states that the diversion system is to be constructed by _____, and that the water is put to beneficial use by _____.

The diversion system was completed on July 12, 1985. Applying the water to beneficial use was completed on October 4, 1985.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

City of Delmont

City of Delmont
Gilbert Kaeuder - Mayor
 (Signature)

Permit No. 4279A-3
Missouri River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

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

I have this day made a thorough examination of the water use system constructed by the City of Delmont of Box 97, Delmont, SD 57330 holder of Permit No. 4279A-3, bearing the priority of 1930 (from Vested Right on Water License No. 4279-3) authorizing the diversion of 0.30 cu. ft. of water per second from groundwater for Municipal purposes, in Douglas County.

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

A. Works used to divert the water:

WELL INFORMATION:

- 1) Well Drilling Firm: Grosz Drilling Company
- 2) No. of Wells 1
- 3) Depth(s) 320 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 8 inches
- 2) Length 272 feet
- 3) Type PVC

Screen:

- 1) Type PVC
- 2) Length 48 feet
- 3) Static water level 137 feet

Pump: (submersible)

- 1) Make Gould
- 2) Capacity 50 GPM

Motor: (submersible)

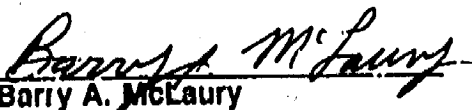
- 1) Make Franklin
- 2) Horsepower rating 10 hp

The system is in Excellent condition. The point(s) of diversion is/are located 2310 feet N and 132 feet E from the center of Section 34 T98N-R62W (NW¼ NE¼).

The works are capable of diverting and conveying to the place of use 0.11 cu. ft. of water per second which is to be used for Municipal purposes and the license should be issued for 0.11 CFS.

NOTE: This well is a replacement for the well authorized by Water License No. 4279-3, which is no longer used (unhooked from the system). The replacement well (4279A-3) was approved with no new appropriation of water. Water License 4279-3 was approved for 0.30 CFS with priority dating back to 1930.

Applicable permit qualifications have been complied with: Yes X No
Exceptions to compliance are: None Date: August 4, 1993


Barry A. McLaury
Environmental Scientist
DENR, Water Rights Division

REPORT ON INSPECTION OF PERMIT NO. 4279A-3

DATE: August 4, 1993

Other permit(s) associated with the project: 4279-3

DIVERSION POINT LEGAL LOCATION: 2310 feet N and 132 feet E from the center of Section 34 T98N-R62W (NW¼, NE¼).

WELL INFORMATION:

- 1) Well Drilling Firm: Grosz Drilling Company
- 2) No. of Wells 1
- 3) Depth(s) 320 feet
- 4) Well log is available Y

Casing:

- 1) Diameter 8 inches
- 2) Length 272 feet
- 3) Type PVC

Screen:

- 1) Type PVC
- 2) Length 48 feet
- 3) Static water level 137 feet

Pump: (submersible)

- 1) Make Gould
- 2) Capacity 50 GPM

Motor: (submersible)

- 1) Make Franklin
- 2) Horsepower rating 10 hp

NOTE: This well was drilled for the City of Delmont for Municipal use at a rate of 50 GPM (0.11 CFS). This well is also a replacement for the well authorized by Water License No. 4279-3, which is no longer used. The replacement well (4279A-3) was approved with no new appropriation of water. Water License 4279-3 was approved for 0.30 CFS.

Water Rights Division
605 773-3352

December 27, 1984

Gerald F Flannery
Rt 2, Box 6A
Elk Point SD 57025

Gerry:

After I spoke with you on December 21, 1984 concerning the City of Delmont's new well, I discussed this with the Chief Engineer and we decided to go ahead with the application. The reason for this is ARSD 74:02:01:01.01, which allows the Chief Engineer to waive the permit process if the new diversion point is less than 660 feet from the abandoned diversion point. Being the new well will be more than 660 feet from the old well we felt the proper procedure was to complete the application for a change in diversion point. I realize this is somewhat confusing so if you have any questions, please contact me.

Thank you,

KEVIN C LARSON
Water Resources Engineer

KCL:ks

cc: Loraine Hanton, City Treasurer, Delmont



Department of Water & Natural Resources

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

APR 23 1985

City of Delmont
PO Box 97
Delmont SD 57330

Dear Mayor Kornder:

Enclosed herewith is your Water Permit No. 4279A-3 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 4279A-3

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:lls

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

WNR-809-5/83

South Dakota
Department of
Water & Natural Resources

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

JUN 13 1989

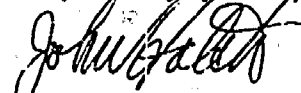
Rugene Beehler, Mayor
City of Delmont
PO Box 164
Delmont SD 57330

Dear Mayor Beehler:

The Water Management Board has validated the enclosed Vested Water Right Nos. 4279-3 and 4279A-3. These validations gives legal status to the claims and are the final documents for your vested rights.

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



SOUTH DAKOTA

VALIDATION OF VESTED WATER RIGHT CLAIM NOS. 4279-3 & 4279A-3

Date Claim Accepted For Filing November 8, 1976 and November 26, 1984.

Date of Validation May 10, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim Nos. 4279-3 and 4279A-3 for the City of Delmont, PO Box 164, Delmont, South Dakota 57330 with the following limitations, conditions and qualifications:

1. Vested Water Right Nos. 4297-3 and 4279A-3 appropriate 0.15 cubic feet of water per second (cfs) from Well No. 1 approximately 320 feet deep and 0.15 cfs from Well No. 2 approximately 340 feet deep. Well No. 1 is located in the NE 1/4 and Well No. 2 in the NW 1/4 of Section 34, T98N, R62W.
2. The appropriated water is used for supplying water for the City of Delmont and may not exceed the amount of water needed for beneficial use for municipal purposes.

The water is to be used during the following annual period:
January 1 - December 31.
3. The priority dates of the Vested Water Right are: Well No. 1 - 0.15 cfs, January 1, 1930. Well No. 2 - 0.15 cfs, 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

Division of Water Rights

Dept. of Water and Natural Resources

JUN 13 1989

date



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 11, 1994

4279A-3

Lorraine Hanten
Finance Officer
City of Delmont
P.O. Box 202
Delmont, SD 57330-0202

Dear Ms. Hanten:

The inspection of your water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 4279A-3, has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

Please remit fee to:
Department of Environment & Natural Resources
Water Rights Division
523 E. Capitol
Pierre, SD 57501-3181

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

414193

Division of Water Rights

South Dakota Department of Environment and Natural Resources

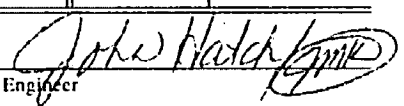
Pierre, June 8, 1994

RECEIVED OF The City of Delmont, Box 202, Delmont, SD 57530

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

Fee for Application for Permit No. _____ 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. 4279A-5	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By 
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 6 1995

4279A-3

Lorraine Hanten, Finance Officer
City of Delmont
P.O. Box 202
Delmont, SD 57330-0202

Dear Ms. Hanten:

Enclosed is Vested Water License No. 4279A-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 414193 in the amount of \$50.00 which you paid for the inspection and issuance of the Vested Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Vested Water Right No. 4279A-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

As long as you use the water beneficially, as stated in the Vested Water License, the State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact our office.

Very truly yours,

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

gm
enclosures

NOTE: The applicable portions of Vested Right No. 4279-3 are incorporated into this Vested Water License No. 4279A-3.

RECEIPT

Division of Water Rights

No 4 9841

South Dakota Department of Water and Natural Resources

Pierre, November 27, 19

RECEIVED OF City of Delmont, PO Box 97, Delmont, SD 57330

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

Fee for Application for Permit No. 42794-3 to Appropriate Water, to construct works and to put water to beneficial use	50	00
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.		
Fee for Filing Transfer Form		
Fee for Filing Extension Request		
Fee for Certified Copy of		
Fee for Print Copy of Map		
Fee for Certifying		
Fee for (Any Other Work Provided by Law)		
Total	50	00

By John Hatch
Chief Engineer JOHN HATCH (MS)

gerald f. flannery

professional engineer - land surveyor

Route 2 • Box 6A • Elk Point, South Dakota 57025

Telephone (605) 356-2308

October 5, 1984

Mr. Warren Michaels
Planning and Development, District III
P.O. Box 687
Yankton, SD 57078

Dear Warren,

I visited with Mr. Terry Grosz, well driller in Delmont, recently. He reviewed his drilling log of Delmont's last well. Here is the information he had in his log:

Well drilled in 1970.
Hit a water bearing sand vein @ 72'
First black chalk rock vein @ 145'
Second chalk rock vein @ 185'
Third chalk rock vein @ 212'
White chalk rock from about 230' down to 283'
Codel sand starts @ 183' ~~283~~
Well is 285' of P & R galvanized casing.
43' of 10" 6 slot stainless steel screen.
5' of 10" P & R between screen and sealer.
Sealer is 3' up inside casing.
Well casing was grouted full length of casing
In 1970 \$2347.88 worth of grout was used to grout the casing.

Hope this information will be of help, Warren. If you need anything else, give us a call.

Sincerely yours,

Gerald F. Flannery
Gerald F. Flannery

GFF:mrh

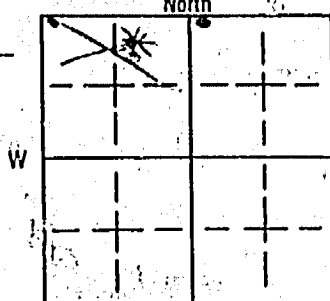
SOUTH DAKOTA WATER WELL COMPLETION REPORT

4279A-3

10-85

Location N 1/4 Sec 34 Twp 94N Rg 62WCounty Douglas

Please mark well location with an "X"

Well Completion Date 8-17-85

PROPOSED USE:

☒ Domestic ☒ Municipal ☐ Test Holes
☐ Irrigation ☐ Industrial ☐ Stock

Method of Drilling:

Rotary

CASING DATA:

☒ Steel ☒ Plastic ☐ Other

If other describe _____

PIPEWEIGHT	DIAMETER	FROM	TO	HOLE DIAMETER
20 LB/FT	8" IN	0 FT	286 FT	18" IN
250# LB/FT	6 1/2" IN	286 FT	330 FT	8" IN
LB/FT	IN	FT	FT	IN
LB/FT	IN	FT	FT	IN

GROUT:

Was the well grouted? ☒ YES ☐ NOTo what depth? 0-286 FEETWhat is grouting material? CementIf cement, number of sacks? ARD mixDescribe grouting procedure put 2" drill rodsinside casing sealed top of casingwith adapter pumped grout aroundthe bottom up around 10' inside casingWhat was grout weight? LB/GALDid not weigh.SCREEN: ☐ Perforated pipe ☒ ManufacturedDiameter 6 1/2 IN Length 118 FEETMaterial plasticSlot Size 1206 Set From 286 Feet To 330 Feet

Slot Size _____ Set From _____ Feet To _____ feet

Slot Size _____ Set From _____ Feet To _____ feet

Other information Several ftScreen about 1/2 in to casingWas a packer or seal used? ☒ YES ☐ NOIf so, what material? Steel RubberDescribe packer(s) and location? John son packeron top of screen about 4 ftup from bottom of casingWas well disinfected upon completion? ☒ YES ☐ NOExplain ChlorineBacteriological analysis ☒ YES ☐ NOLaboratory sent to State Lab

Well Owner:

Name City of DelmontAddress Delmont SD 57330

Well Log: _____ Depth _____

Formation	From	To
Yellow clay	0	29
Blue clay with sand streak	29	135
small rocks		
Loose Black Chalk	135	230
Took water at 145-230		
put in 23000# Bentonite		
To plug		
white chalk	230	282
clean fine sand	282	330

STATIC WATER LEVEL 137 Feet

If flowing: closed in pressure _____ PSI

GPM flow _____ through _____ inch pipe

Controlled by ☐ Valve ☐ Reducers ☐ Other

If other, specify _____

Can well be completely shut in? _____

WELL TEST DATA:

☒ Pumped☐ Bailed☐ OtherTested with 10Describe: HP 54B

Pumping Level Below Land Surface

290 ft. After 3 Hrs. pumped 5 in GPM1 ft. After _____ Hrs. pumped _____ GPM

_____ ft. After _____ Hrs. pumped _____ GPM

REMARKS: well is located on the northeast corner of west 90 ft of the north 1/4 3rd block 22 C&LS addition Delmont S.D.

57330.This well was drilled under license # 412

And this report is true and accurate.

Drilling firm GROSZ DRILLING CO

Signature of License Representative:

Terry H. Hays

Signature of Well Owner:

City of DelmontDate August 10, 1985

Barry McLaury *Barry A. McLaury*
Natural Resources Analyst
Division of Water Rights
Date *January 28, 1994*

4279A-3