

Water Right Number 4287-1

1. Considered MAY 26, 19 70
2. Name of Applicant CITY OF IROQUOIS
3. Post Office Address IROQUOIS, S.D.
4. Amount of water claimed 2.5
5. Source of water supply 2 WELLS
6. Water to be used for MUNICIPAL USE

Acres to be irrigated —

7. Water to be diverted and used in KINGSBURY County
about IN CITY LIMITS — miles — of —

8. Proof of Publication

Received —

Not received —

9. Application

Approved —

Subject to —

Not approved —

Action deferred —

10. Remarks:

VESTED RIGHT

No. 4287-3Map No. 3500-3 Water Division No. 3 JAMES RIVER District
(Blanks to be Filled by the Engineer for the W. R. 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 Iroquois City
Postoffice address Box 111, Iroquois, S. 57353, State South Dakota
~~Office corporation show date and place of incorporation~~
2. Method of accomplishing work (rent, cost, employment of others, or by direct labor)
3. Name of diversion work
4. Amount of water claimed (cubic feet per second) 2.5 cubic feet per second
5. Source of water supply Two drilled wells.
6. Location of point of diversion North Well -- 700' E. thence 150' N. of NW Corner of NW 1/4 6-110-58; South Well -- 211' E. of NW Corner of SW 1/4 6-110-58
County Kingsbury
7. Annual period or periods during which water is to be used daily
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 years. Additional time required to complete application of water to the proposed beneficial use years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication The De Smet News, De Smet, S. D
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 Kingsbury)I, Iroquois City

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

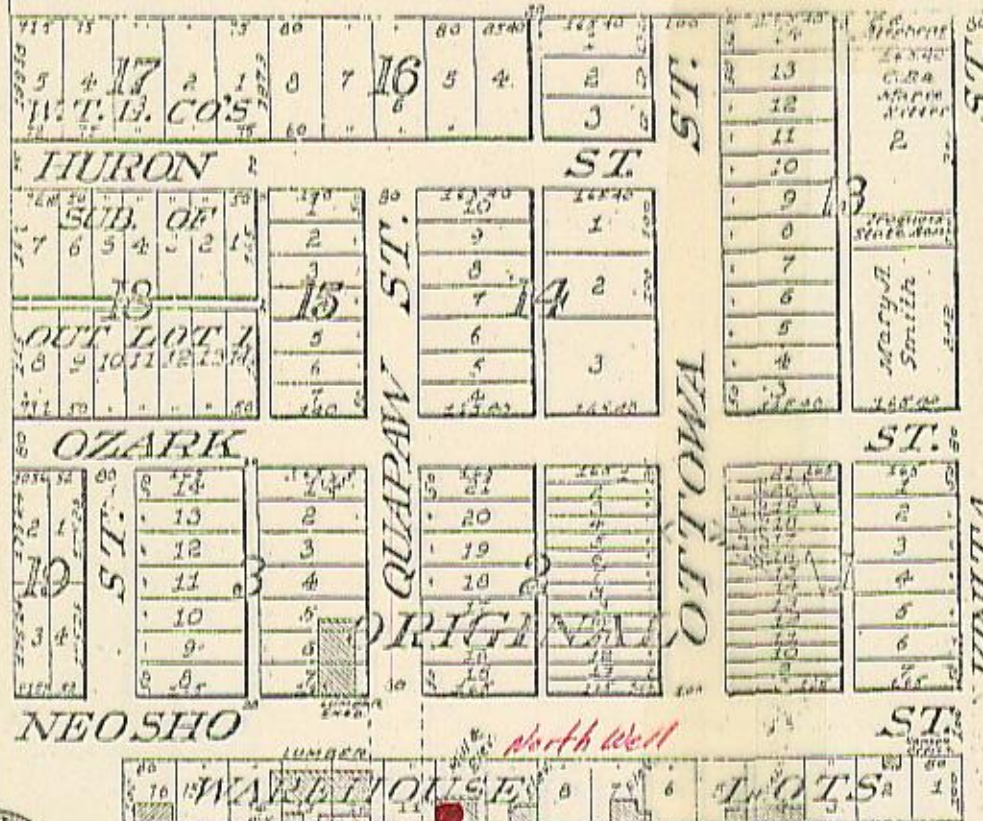
Edwin A. Smith, MayorSubscribed and sworn to before me this 18th day of December, 1976Charles E. Smith
Notary Public (or other qualified officer)
City Finance Officer

IROQUOIS

IROQUOIS TWP.
Scale-300 feet-1 inch

Note: Red dots indicate
approximate location of
well sites.

Charl. Hansen



Out Lot J
Geo. Tyrrell

30.31

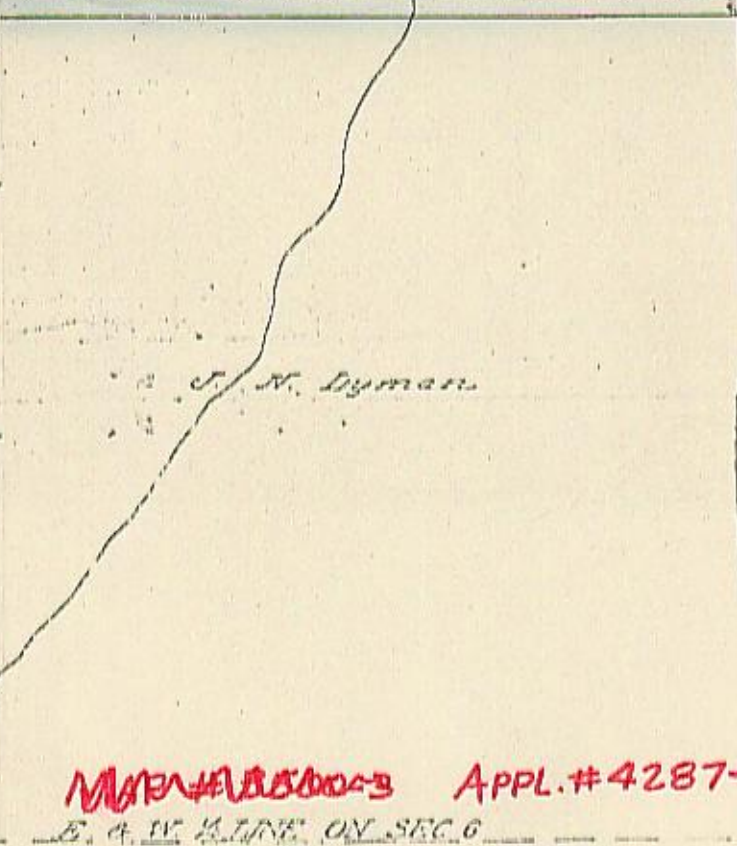
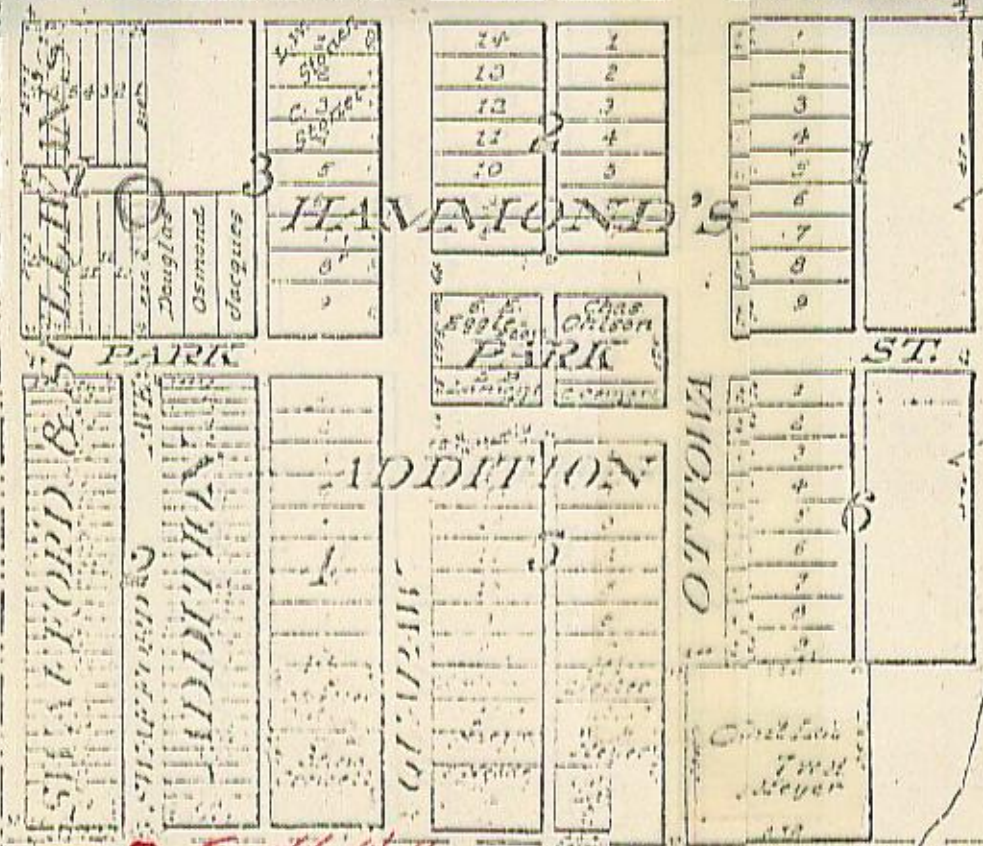
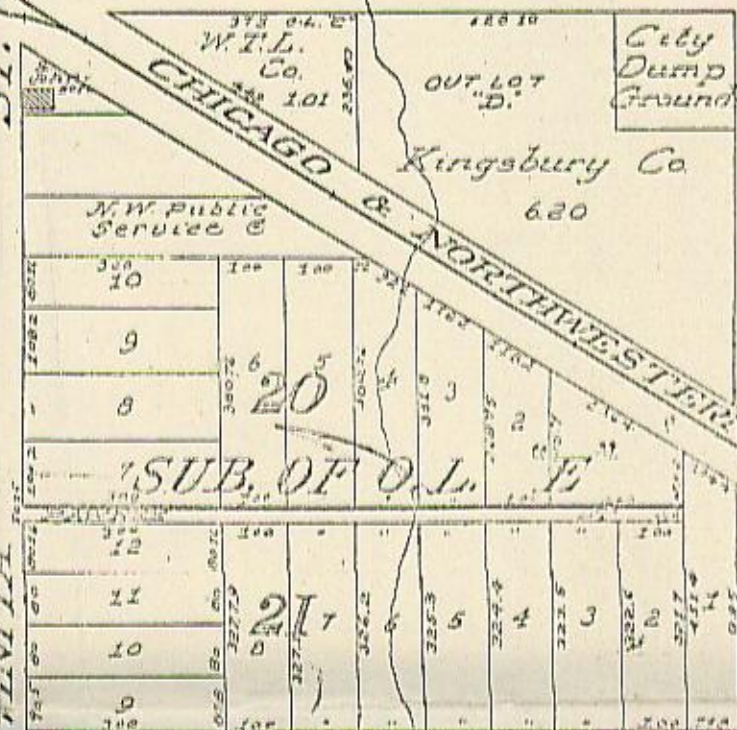
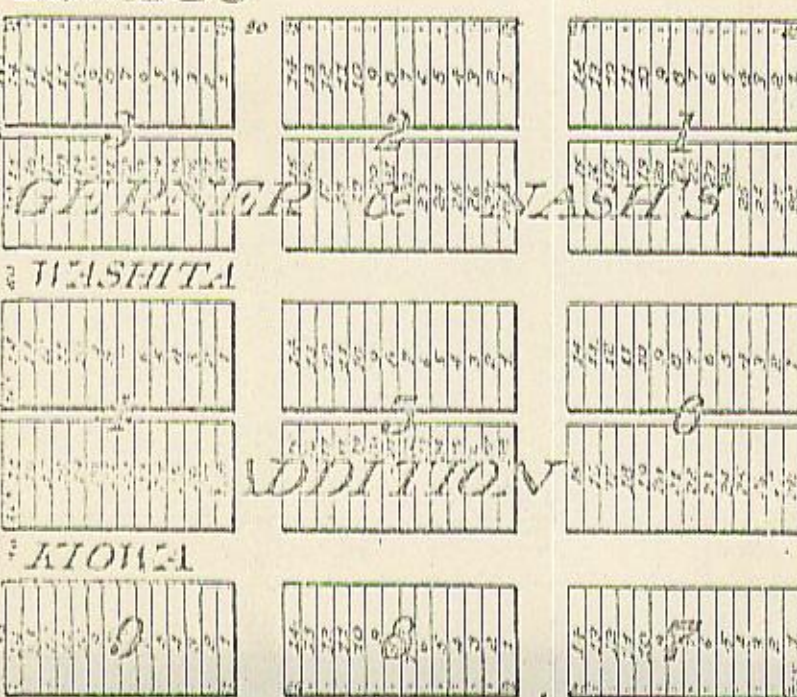
CHICAGO &

&

NORTHWESTERN

R.R.

OSWEGO



Official map of Iroquois,
S.D. Curtis E. Klueh
Finance Officer

APPL. #4287-3

E. & W. LINE ON SEC. 6

at O. Hammond

W. S. Sinkler

10

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4287-3

CITY OF IROQUOIS

(Applicant)

% CHARLES E. KLUDT

(Post Office Address)

FINANCE OFFICER

SOUTH DAKOTA 57353

(State)

With the following modifications:

"VESTED RIGHT" CLAIMED

Date of first receipt of application MAY 22, 19 78

Date of return by 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 34

WATER RIGHT PERMIT NO. 4287-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 4287-3 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 1929 AND 1952
2. The equivalent of at least one-fifth of the work above specified is ~~to be~~ completed ~~on or before~~ _____, 19 _____
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 PURPOSES

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 2.5 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 ~~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-sixteenth (1/16) of one cubic foot of water per second of time~~; each acre of land to which water is

USED FOR MUNICIPAL PURPOSES 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 2ND day of JUNE, 19 78

WATER RIGHTS COMMISSION

By:

John H. K...
Chief Engineer, Executive Officer

Certificate of Construction Issued JUNE 2ND, 19 78

Water License Issued JUNE 2ND, 19 78

No. _____

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) IREQUOIS CITY
 Post Office Address _____, State S.D.
 If a Corporation show date and place of incorporation 1880

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 192915. Date that water was first applied to beneficial use 192916. Name of owner of original water supply system IREQUOIS CITY17. Amount of water originally applied to beneficial use .17 c. f. s.

18. Present Use of Water

Amount of water now being used .34 c. f. s.
 Date that this amount of water was first used 1952

19. Chronological History of Water Use

**SOUTH WELL WAS CONSTRUCTED IN 1929 BY
 THE CITY. R.R. WELL WAS CONSTRUCTED BY
 THE RAILROAD COMPANY, AND WAS LATER
 PURCHASED BY THE CITY. BOTH WELLS HAVE
 BEEN USED SINCE CONSTRUCTION
 RR Well constructed in 1952.**

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 Kingsbury) ss.

I, Curtis E. Kludt, the applicant, certify that I have read the foregoing and that
 the matters therein stated are true.

Signed Curtis E. KludtSubscribed and sworn to before me this 19 day of May, 1978

M. L. R. Fickel
 (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.



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

D. Well Information or Estimates

- (1) Drill Hole, Diameter 9", Depth 1008' ±
- (2) Casing, Type steel, Diameter 6" Thickness 3/8"
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type unknown, Diameter unknown, Length unknown
- (4) Gravel Pack, Thickness unknown, Length of gravel pack unknown

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 _____
unknown

Depth to top of water bearing material unknown

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 42 rds. On property owned by others 40 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.

Curtis E. Kludt

Signature of Applicant

Finance Officer
City of Drogan

Permit No. 4287-3

Water Diversion No. 3 James River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the City of Iroquois

Vested
Right-

_____ the holder _____ of
Permit No. 4287-3, issued upon Application No 4287-3, bearing date of priority of 1929 and
1952 authorizing the diversion of 2.5 cu. ft. per second of the waters of _____
groundwater County of Kingsbury, State of South Dakota at _____
North Well - 700' E. thence 150' N. of NW Corner of NW 1/4 6-110-58;
South Well - 211' E. of NW Corner of SW 1/4 6-110-58
_____, for municipal

_____ 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 are found in satisfactory
condition for diverting and conveying to the place of intended use 2.5 cu. ft. per second of water.

Date June 1, 1978

By: WATER RIGHTS COMMISSION

JOHN HATCH, Chief Engineer

WATER LICENSE NO. 4287-3

(1) WHEREAS, On the 22nd day of May A. D. 19 78
the City of Iroquois

made Water Right Application No. 4287-3 Vested Right for a permit to use 2.5 cubic feet per second of the waters
of groundwater
County of Kingsbury, State of South Dakota, for

_____ purposes; and

(2) WHEREAS, On the 26th day of May A. D. 19 78
ESTED Permit No. 4287-3 with a date of priority of 1929 and 1952
IGHT

was issued to said applicant _____ for the diversion of said water. ~~xxxxxx~~ recognizing the completion of construction of the water
supply system therein described ~~xxxxxx~~ ~~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 2.5 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 to be used for municipal purposes by the City of Iroquois

(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 City of Iroquois

the holder for and owner Vested Right of said permit No. 4287-3 water right, dating from 1929 and 1955 to use of 2.5 cubic feet per second of the waters of ground water

in the County of Kingsbury and State of South Dakota, or so much thereof as may be necessary for the purposes herein below mentioned, to be diverted at North Well - 700' E. thence 150' N. of NW Corner of NW 1/4 6-110-58; South Well - 211' E. of NW Corner of SW 1/4 6-110-58

and conduct to and from conducted through the city's water distribution system

for the purpose of municipal use

Subject to any limitations listed in Water Right Permit No. 4287-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 2nd day of June A. D.
Nineteen Hundred and Seventy-Eight

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

SOUTH DAKOTA
Department of
Water & Natural Resources
Joe Foss Building
Pierre, South Dakota 57501
Water Rights, Water Management Division
(605) 773-3352

March 6, 1980

Don Owens
City Auditor
Iroquois SD 57353

Dear Mr. Owens:

This is in reference to your phone call about the City of Iroquois drilling a replacement well for your south well. You indicated that you are having problems with excess flouride. You indicated that you would like to move the well approximately 900'-1000' north of the present site and closer to your pressure system. While this is closer to your north well, it appears that you would still be 1700'-1800' from this well, and we would not anticipate interference between the wells.

If the well is to be drilled into the same formation, and inasmuch as the proposed relocation of the well is still within the corporate limits of the city, and would not tend to add to interference between wells, we do not think it is necessary to submit an application for this change. We request that you send us a log of the new well when completed. The well that is to be abandoned should be plugged in accordance with state specifications.

Mark Steichen indicated that you were going to contact the State Geological Survey before proceeding further. If it is determined that a different formation should be developed, a new application would be required. We are enclosing copies of the minimum well construction standards as requested.

If you have further questions feel free to contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights, WMD

JH:kw

enclosure

Equal Opportunity Employer

NR-101-9/79

The City of Iroquois

Public Park &
Playground

Sewer System
Waterworks

Iroquois, South Dakota

57353

Or Main
Railroad Line

Central Location
Reorganized School

December 18, 1976

South Dakota Water Rights Commission
Department of Natural Resources
Joe Foss Building
Pierre, SD 57501

Gentlemen:

Re: Water Rights for City
of Iroquois, SD

Enclosed please find applications for water rights as referenced above. The following comments are pertinent to the enclosed forms.

As to the application for future rights to Missouri River waters we are making application in the event that the water may become available in our area at a cost that would be feasible for us to make use of the water. At this time we know of no plan for our immediate area, however, we feel it a wise move on our part to make application at this time. If more information is needed at this time on this matter please let me know.

As to the application regarding the use of wells we have been using the two wells in question for many years. Several audits of our city have recommended this action as no current permit is on file. I have been in contact with your officials for the past 18 months or so trying to resolve the matter. I was getting no results so I enlisted the help of the South Dakota Municipal League to get the ball rolling. With in a few days of my request to the League I had the necessary forms and instructions for application. I do hope the matter can be resolved at a faster pace from this point.

If more information is needed on the matter please advise and I will be happy to respond.

Respectfully submitted,

Curtis E. Kludt
Curtis E. Kludt
Finance Officer

The City of Iroquois

Public Park &
Playground

Sewer System

Waterworks

Iroquois, South Dakota

57353

On Main
Railroad Line

Central Location
Reorganized School

July 10, 1976

Mr. Burton F. Jones
Water Rights Specialist
Department of Natural Resources
Pierre, S D 57501

Re: Water Rights of Iroquois City.

Dear Mr. Jones:

I am writing you at the instruction of the Iroquois City Council regarding water rights for Iroquois. I contacted you by letter, dated May 16, 1975, and received your response dated May 20, 1975, which advised that we would be contacted in the near future on the matter. Also a telephone conversation on May 31, 1975, with your office confirmed that the matter would be handled on a routine trip to our area. As of this date we are not aware of any contact having been attempted on the matter.

We are very much interested in clearing up the matter as soon as possible. We have been advised by the South Dakota Municipal League, the First Planning District Director and the South Dakota Environmental Protection office to have the matter cleared soon. We have also been led to believe that problems along the water rights line for communities may be around the corner if not here yet. As stated we would very much like to expedite the matter with your office.

If a member of your staff wishes to contact someone locally on the matter the following may be helpful. During the week days of Mon. thru Thur. Mr. Duncan Flann of the Farmers & Merchants Bank in Iroquois would be the one to see. I am almost always available Thur. evening and all day Friday. The City Council meets on the first Monday of the month at the City Fire Hall in the evening.

Please advise me of what your office can do to clear the matter for us in the very near future.

Respectfully submitted,

Curtis E. Kludt

Curtis E. Kludt
Finance Officer



about 1927

Rollie Walker

called
1-12-80

Proposed,

Ph. 546-2338 - (7-3 in file)

South City well is to be replaced.

We had close to the old well.

Wanted to know the procedure
for application, etc. - I said if it

was a replacement well they did
not need a new permit.

Wanted well specifications.

Old well dug by what is now
Huron Drilling. Jan 23, 1927.

Get^{ts}. The City of Troy now
is putting in a replacement well.
They want the well construction
succ^s, etc.

Wondered if they needed a
new permit. I said not if it
was close by the old. He said it
was next to it.

Check with me and we
will send him what they need
but I was not sure of a
couple items involved.
I said we needed a log of the
new well

W. H. M. M. M.

The City of Iroquois

Public Park &
Playground

Sewer System

Waterworks

Iroquois, South Dakota

57353

May 19, 1978

On Main
Railroad Line

Central Location
Reorganized School

South Dakota Water Rights Commission
Department of Natural Resources
Joe Foss Building
Pierre, SD 57501

Gentlemen:

Enclosed please find forms 2A and 2B as requested by a visitor from your office a couple of weeks ago. I must apologise for the rather sketchy information on the forms but due to the age of the wells we do not have much data on hand.

Also would someone be kind enough to cash the check we sent with our first application in December of 1976. I sure would like to clear it from our records. Thank you very much.

Respectfully submitted,

Curtis E. Kludt

Curtis E. Kludt
Finance Officer



January 15, 1980

City of Iroquois
% Rollie Walters
Iroquois, SD 57353

Dear Mr. Walters;

This is a follow-up of our telephone conversation of January 15, 1980. You indicated that the south well has casing problems and the City wished to put in a replacement well. If the replacement well is near the old well, 100 feet or so, and additional water is not requested, you need not apply for a new permit for the replacement well.

This office does request that you submit a signed drillers log of the replacement well to be filed with your Permit. If you could obtain an aerial map from the local ASCS office and spot the exact location of the wells for the city, it would be most satisfactory, as this information should be on file with your permit.

Enclosed are Minimum Well Construction Standards for the State of South Dakota.

If you have any questions, please feel free to contact this office.

Sincerely,

LEROY J. MERNAUGH
Water Resources Engineer

LJM/gy

encl

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

April 26, 1991

4287-3

Robert Rounds, Mayor
City of Iroquois
PO Box 186
Iroquois SD 57353

Dear Mayor Rounds:

The Water Management Board has validated the enclosed Vested Water Right No. 4287-3. 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

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

enclosure

SOUTH DAKOTA

VALIDATION OF VESTED WATER RIGHT CLAIM NO. 4287-3

Date Claim Accepted For Filing May 22, 1978.

Date of Validation September 27, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim No. 4287-3 for the City of Iroquois, P O Box 186, Iroquois, South Dakota 57353 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 4287-3 appropriates 0.17 cubic feet of water per second (cfs) from the South Well and 0.17 cfs from the Railroad Well. The South Well is located in the NW 1/4 SW 1/4, Section 6, T11N, R58W and the Railroad Well is located in the SW 1/4 SW 1/4, Section 31, T11N, R58W.
2. The appropriated water is used for supplying water for the City of Iroquois 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: South Well - 0.17 cfs - January 1, 1929. Railroad Well - 0.17 cfs - January 1, 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 Hatfield
Chief Engineer

Division of Water Rights

Dept. of Water and Natural Resources

APR 29 1991

date

File No. 5623-3

4287-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Rollie Walter, City of Iroquois, PO Box 127, Iroquois SD 57353-0127

DATE: June 24, 2019

TELEPHONE: 605 354-2476

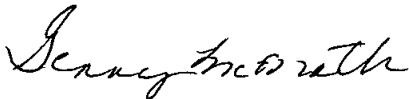
RE: Water Right No. 5623-3 and Vested Water Right No. 4287-3

Back in February 2012, Jim Goodman spoke with a representative from the city who indicated they were hooked to Kingbrook RWS and were no longer using the well described in Water Right No. 5623-3. At that time, they were going to file a well plugging report and a letter requesting cancellation of the water right. The plugging report was filed March 4, 2013 but no letter was received and no follow-up was done.

On June 24, 2019, I spoke with Rollie with the city of Iroquois. He confirmed the 72' well known as the west well was plugged and they no longer needed the water right.

They also hold Vested Water Right No. 4287-3 authorizing two wells known as the south well and the railroad well. He indicated the railroad well has been capped. The south well is still pumped on occasion and is maintained as a backup water supply in the event it is needed.

He agreed Water Right No. 5623-3 could be cancelled. Vested Right No. 4287-3 will be maintained.



Genny McMath
Water Rights Program