

4294-3

Water Right Number

1. Considered July 26, 1978, 19
2. Name of Applicant City of Doland
3. Post Office Address Doland, S.D. PRIORITY 1936
4. Amount of water claimed .25 Sec. 31-117-60
5. Source of water supply Two wells - 1000' feet (Dakota)
6. Water to be used for Municipal
Acres to be irrigated --
7. Water to be diverted and used in Spink County
about Miles of
8. Proof of Publication
Received
Not received
9. Application
Approved
Subject to
Not approved
Action deferred
10. Remarks: VESTED RIGHT

BOTH WELL CONSTRUCTED IN 1936

No. 4294-3Map No. 3506-3 Water Division No. 3 JAMES RIVER

(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 City of Weland
 Postoffice address _____, State South Dakota 57436
 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 well
4. Amount of water claimed (cubic feet per second) .25
5. Source of water supply ground water (1000' Dakota)
6. Location of point of diversion One well in Block A and one well in Block 5, Original
townsite, SW 3, section 31, T 117 N, R 60 W
 _____ County Spink
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 not applicable
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.
2 wells, pumps and motors

B. Works proposed to transport water to place of use.
City mains
50,000 elevated steel storage
2 cisterns 16,000 and 18,000 gallons

C. Works proposed to apply water to beneficial use.

Approx. 199 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 Spink) ss.City of Weland

_____ 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 Wanda 20.7604 MayorSubscribed and sworn to before me this 5

day of June

1978

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 4294-3CITY OF DOLAND

(Applicant)

(Post Office Address)

SOUTH DAKOTA 57436

(State)

with the following modifications:

"VESTED RIGHT" CLAIMEDDate of first receipt of application JUNE 14, 19 78

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

Date of receipt of corrected application _____, 19 _____

Approved JULY 27, 19 78, Recorded in Book 20 Page 56WATER RIGHT PERMIT NO. 4294-3The Water Rights Commission hereby grants and issues this Water Right Permit No. 4294-3 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 1936
2. The equivalent of at least one-fifth of the work specified is ~~to be~~ completed
3. The whole of said work is ~~to be~~ 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 25 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 year and be limited to not more than one-seventh (1/70) of one cubic foot of water per second of time for each acre of land to which water isUSED 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: CONTINUOUSLYWitness my hand this 1ST day of AUGUST, 19 78

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive OfficerCertificate of Construction Issued AUGUST 1, 19 78Water License Issued AUGUST 1, 19 78

Form 2B - Affidavit of Water Use (Supplement to Form 2)

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) City of Doland

Post Office Address _____, State South Dakota 57426

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 Data _____

14. Date of start of construction of water supply system Wells drilled prior to 1936

15. Date that water was first applied to beneficial use 1936

16. Name of owner of original water supply system City of Doland

17. Amount of water originally applied to beneficial use .25 c. f. s.

18. Present Use of Water

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

Date that this amount of water was first used _____

19. Chronological History of Water Use

Wells were constructed prior to 1936, and have been used for municipal use since construction

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 Dakota) ss.

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

Signed Walter W. Hefner Mayor

Subscribed and sworn to before me this 5 day of June, 1978

Charles C. DePue
(Notary Public - or other qualified Officer)

I, the undersigned, do hereby certify that I know about the water use system described above that I have read the foregoing and that the matters therein stated are true.

Form 15.

Permit No. 4294-3

Water Diversion No. 3 James River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the City of Doland

**Vested
Right**

_____ the holder _____ of
Permit No. 4294-3, issued upon Application No. 4294-3, bearing date of priority of 1936

_____ authorizing the diversion of .25 cu. ft. per second of the waters of _____

groundwater County of Spink, State of South Dakota

from one well in Block 4 and one well in Block 5, Original townsite,
SW1, Section 31-T117N-R60W

_____, 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 .25 cu. ft. per second of water.

Date August 1, 1978

By

WATER RIGHTS COMMISSION

John Hatch
JOHN HATCH, Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4294-3

(1) WHEREAS, On the 14th day of June A. D. 1978
the City of Doland

made Water Right Application No. 4294-3 Vested Right for a permit to use .25 cubic feet per second of the waters
of groundwater

County of Spink, State of South Dakota, for municipal
purposes; and

(2) WHEREAS, On the 27th day of July A. D. 1978
Vested Right Permit No. 4294-3, with a date of priority of 1936

was issued to said applicant S for the diversion of said water, recognizing the completion of construction of the water
supply system therein described on or before the xxxxxx day of xxxxx xxxxx and for the
application to beneficial use of said water xxxxxx xxxx xxxxx

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 .25 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 Doland

(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 Doland

xx South Dakota
the holder xx and owner xx of said Vested Right permit No. 4294-3 a water right, dating from 1936
to use of .25 cubic feet per second of the waters

of groundwater
in the County of Spink and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted x from one well in Block 4 and one well in
Block 5, Original townsite, SW 1/4, Section 31-T117N-R60W

and ~~conducted~~ conducted thru the City water distribution system

for the purpose of municipal use

This Water License No. 4294-3 is based on a Vested Right Claim
recorded and filed by the Water Rights Commission.

Subject to any limitations listed in Water Right Permit No. 4294-3 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 August A. D.

Nineteen Hundred and seventy-eight

WATER RIGHTS COMMISSION
WATER RESOURCES COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer **JOHN HATCH**

4294-3

SOUTH DAKOTA

VESTED WATER RIGHT NO. 4294-3

Date of Receipt of Claim June 14, 1978.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 4294-3 for the City of Doland, P.O. Box 326, Doland, South Dakota 57436 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 4294-3 appropriates 0.25 cubic feet per second of water from two wells located in the SW1/4 Section 31, T117N, R60W.

2. The appropriated water is used for supplying water for the City of Doland and may not exceed the amount of water needed for beneficial use for municipal purposes.

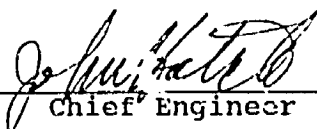
The water is to be used during the following annual period:
January 1 - December 31

3. The priority date of the Vested Water Right is: January 1, 1936

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 may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: 
Chief Engineer

MAR 16 1993

date

Division of Water Rights
Dept. of Environment and Natural Resources

4294-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAR 16 1993

City of Doland
Shelly Wipf, Finance Officer
PO Box 326
Doland SD 57436-0326

Dear Ms. Wipf:

The Water Management Board has validated the enclosed Vested Water Right No. 4294-3. 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