

4307A-3

STATE OF SOUTH DAKOTA
VESTED WATER LICENSE NO. 4307A-3
DIVISION OF NO. 4307-3 INTO NOS. 4307A-3 & 4307B-3

(1) The Town of Frederick made Application No. 4307-3, May 3, 1977 for a water permit to divert 1.10 cubic feet of water per second (cfs) from ground water (two wells), Brown County, South Dakota for municipal purposes. Permit No. 4307-3, with priority dates of 1934 and May 3, 1977 was approved September 13, 1978 and issued to the applicant for diversion of water with construction of the described water supply system and the application to beneficial use of said water completed.

On March 4, 1992, the Water Management Board validated the vested right portion of No. 4307-3. On November 7, 1995, an investigation of the water use system was conducted for licensing purposes. The investigation found one well existed, instead of the two originally permitted. Based on the validation and subsequent investigation, Partial Vested Right No. 4307-3 is being divided and reissued to separate the vested portion of the water right as follows:

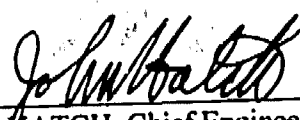
- Vested Water Right No. 4307A-3 - authorizing diversion of 0.40 cfs; Priority date - January 1, 1934
- Water Right No. 4307B-3 - authorizing diversion of 0.10 cfs; Priority date - May 3, 1977

(2) It is certified that the town 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 0.40 cubic feet of water per second for beneficial use. The location of the diversion point is 990'S and 1980'E of the NW corner of Section 11, T127N, R64W (NE 1/4 NW 1/4 - Lot 27). **

** On August 15 and 22, 1996, Water Permit No. 4307-3 was readvertised to correct an error in the legal description of the existing well. The correct location of the well is described above.

(3) The town has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use. The town is not hooked up to the WEB Rural Water System. The well described in (2) of this license is used as a backup water supply.

(4) Pursuant to South Dakota Water Law 46-5-30.1 the Town of Frederick, PO Box 546, Frederick, SD 57441-0546 the holder and/or owner of Vested Water Right No. 4307A-3 is issued a license to appropriate water, the right to use 0.40 cubic feet of water per second from ground water (one well) with a priority date of January 1, 1934 from the location specified in (2) of this license, for municipal purposes. This license is subject to any limitations or qualifications listed in Partial Vested Water Permit No. 4307-3 and subject to South Dakota State Law.


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

OCT 15 1996

date



Permit No. 4307-3
James River - Water District

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

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

I have this day, November 7, 1995, made a thorough examination of the water use system constructed by Town of Frederick of PO Box 546, Frederick SD 57441 holder of Permit No. 4307-3, bearing the priority of 1934 & May 7, 1977 authorizing the diversion of 1.10 cu. ft. per second of the waters of ground water for Municipal purposes, in Brown County.

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

A. Works used to divert the water:

Franklin 4 inch submersible pump, Model No. 2361046, 220 volt electric, Capacity 225 gpm

B. Works used to transport water to place of use:

6 inch PVC to 50,000 gal. water tower

C. Works used to apply water to beneficial use:

existing water distribution system

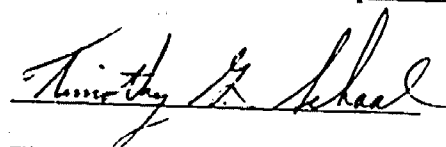
The system is in the following condition Good. The point of diversion is located 990 feet south & 1980 feet east of the NW corner of Section 11-T127N-R64W (NE 1/4 NW 1/4). The works are capable of diverting and conveying to the place of use 0.5 (225 gpm) cu. ft. per sec nd of water which is to be used for Municipal. Water has been put to beneficial use to the maximum extent as follows:

existing water distribution system

and the license should be issued for No. 4307A-3 0.40 cfs (1934) & No. 4307B-3 0.10 cfs (1977).
Applicable permit qualifications have been complied with: Yes X

Comments: Frederick is hooked up to the WEB Rural Water System. this well is used as back up to WEB. Permit No. 4307-3 needs to be split into No. 4307A-3 (1934, 0.40 cfs) and No. 4307B-3 (1977, 0.10 cfs) to handle the partial Vested Right.

Date Report Completed: April 3, 1996



Timothy G. Schaal, P.E.
Natural Resources Engineer
DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 4307-3

Other permit(s) associated with the project: XXXX

DATE OF INSPECTION: November 7, 1995

NAME & ADDRESS OF INSPECTION CONTACT/ Gary Schlosser

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: utility manager

NAME & ADDRESS OF PERMIT HOLDER: Town of Frederick, PO Box 546, Frederick SD 57441

DIVERSION POINT LEGAL LOCATION: 990 feet south & 1980 feet east of the NW corner of Section 11-T127N-R64W (NE 1/4 NW 1/4)

WELL INFORMATION:

- 1) Well Drilling Firm: Traut Well Drilling
- 2) No. of Wells 1
- 3) Depth(s) 31 feet
- 4) Well log is available yes
- 5) Comment: 1985 replacement well

Casing:

- 1) Diameter 8 inches
- 2) Length 21 feet
- 3) Type steel

Screen:

- 1) Type stainless steel
- 2) Length 10 feet
- 3) Static water level 14 feet

Pump:

- 1) Make Franklin submersible
- 2) Model 2361046
- 3) Size 4 inch
- 4) Capacity 225 GPM

Motor:

- 1) Make Franklin 220 volt electric

DISTRIBUTION LINES OR CANALS:

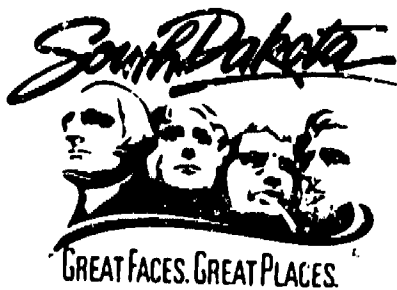
- 1) Type PVC 2) Size 6 to 50,000 gal. water tower then existing water distribution system

PERMIT QUALIFICATIONS AND REGULATIONS:

- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit N/A
- 2) Special qualifications to permit being abided by yes
- 3) All structures, wells and lands on map yes
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period N/A

COMMENTS:

Frederick is hooked up to the WEB Rural Water System. this well is used as back up to WEB.



4307A-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

OCT 15 1996

4307A-3
4307B-3
5322-3

Janet Mauna, Finance Officer
Town of Frederick
PO Box 546
Frederick, SD 57441-0546

Dear Ms. Mauna:

This letter is in regard to water rights held by the City of Frederick. Enclosed are the following validation and licenses for the town's water supply system:

- Vested Water Right No. 4307-3, as validated by the Water Management Board on March 4, 1992;
- Vested Water Right License No. 4307A-3 and Water License No. 4307B-3, Partial Vested Right No. 4307-3 was divided and reissued to separate the vested portion (pre - 1955) from the nonvested portion (after 1955) of the water right;
- Water License No. 5322-3.

As long as you use the water beneficially, as stated in the Water Licenses, South Dakota Water Laws provide that the town has a continuing right to the use of the water.

If you have any questions, please contact Genny McMath at (605) 773-3352.

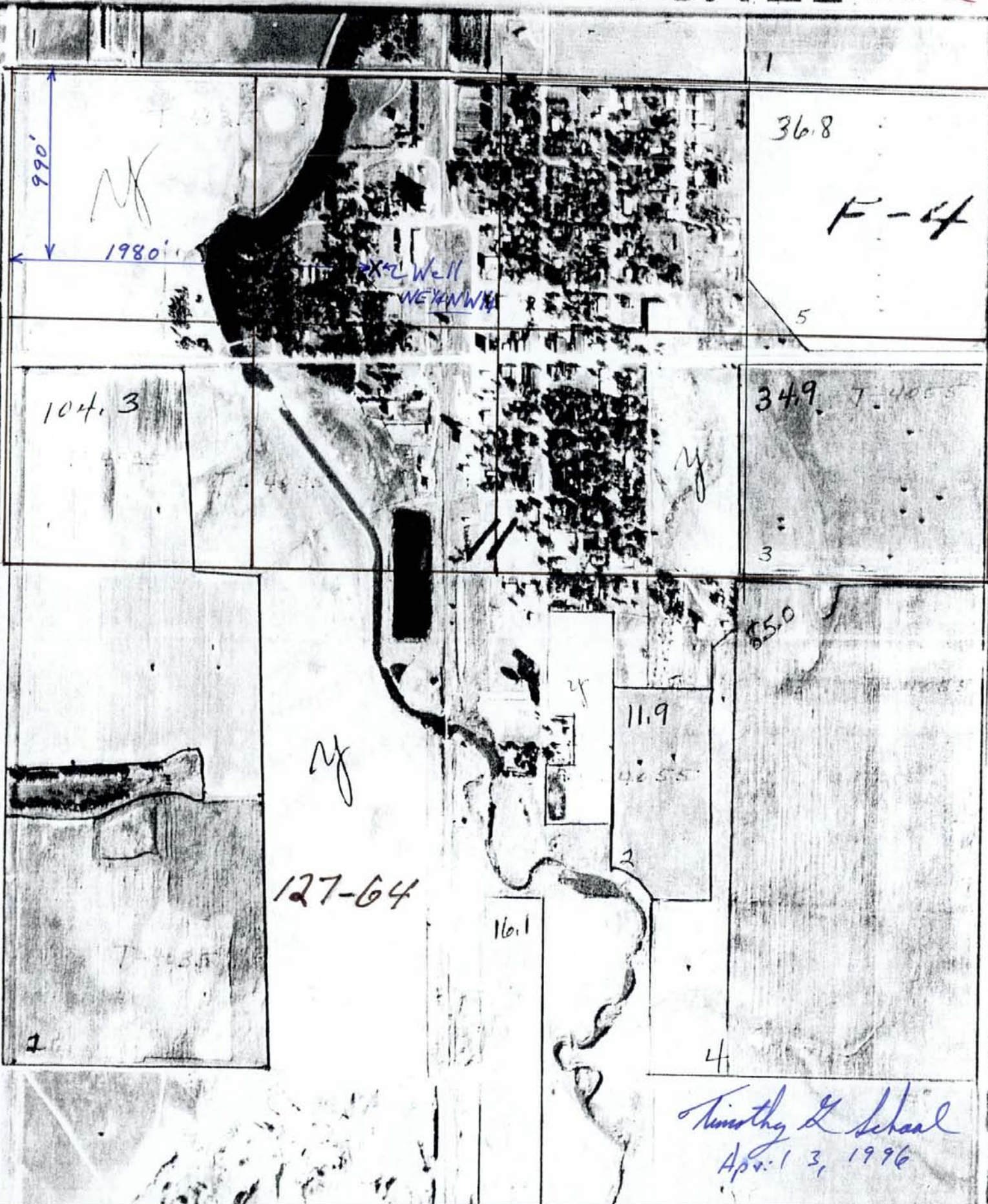
Very truly yours,

John Hatch, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

NOT TO SCALE

4307A-3
~~4307B-3~~



Timothy L. School
April 3, 1996