

1. Considered NOVEMBER 27 19 79
2. Name of Applicant TOWN OF ALPENA
3. Post Office Address Box 75
4. Amount of Water Claimed 2.0
5. Source of Water Supply 975' DEEP WELL
6. Water to be used for MUNICIPAL USE
7. Acres to be irrigated — maximum
acre feet —
8. Water to be diverted and used in JERAULD County
about IN CITY LIMITS miles — of —
9. Proof of Publication RE Received 11-6-79
Not received —
10. Application Approved 11-27-79
Subject to Domes (1) & O/R well
Not approved —
Action deferred —

Priority — Date Received SEPT 18, 1979 Application Complete yes — no ✓
Date ORG. REC. AUG 30, 1977
Returned or additional information or fee requested at the time needed fee
& map - no letter written. Phone call from alpenna July 25,
Remarks 1979, stating planning Dist. wanted to know if
they had a W.R. - told what was needed, rec. appl. Sept 18, 1979

Date information and/or
fee or corrected Application received Sept 18, 1979

FEE Amount N/A

Diversion Location —

1					
2	11				
3					
4					
5					
6					
7					
8					
9					
10					

NW⁴ NW⁴ Sec 11-108N-63W

~~Lands to be
Irrigated~~

Period of annual use Continuously

MAP Type of Map Survey plot map. Prepared by —

Map No. 3673-3 Map located in W/R X Map file —

WELL LOG Received yes ☒ no _____ Date of request _____

#10

Remarks _____

Date _____

Returned _____

Driller Huron Rel. Licensed in SD yes ☒ no _____

Depth and Formation 975' deep well - Drilled Feb. 6, 1961

WATER
QUALITY

Date _____

Received N/A Approved/Conditional (circle one)

Date _____

Disapproved _____ Reason _____

Date Disapproved _____

Application returned _____

WI-I Land _____

Description - same as Application yes _____ no _____ Remarks _____

+++++

REVIEWED

This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on Nov. 27, 1979.

B. Westlund

(Signed)

This Application was unable to be completed - Reason _____

PROTESTS

Letters/Petitions in File - yes _____ no _____ Remarks _____

STAFF
RECOMMEN-
DATIONS

BOARD
ACTION

Date Approved _____ Qualifications _____

Deferred - Date _____ Reason _____

Denied - Date _____ Reason _____

REMARKS
F.F & C.
OF LAW,
FINAL
DECISIONS,
ETC.

Date _____

Final Decision, including F.F. & C of Law was adopted _____

Date _____

Final Decision mailed to parties and/or parties notified that Final Decision

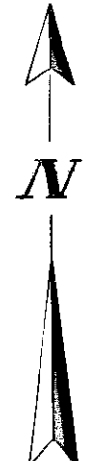
was adopted _____

Remarks _____

Map # 3623-3
Appl # 4444-3

Map # 3623-3
Appl # 4444-3

CITY MAP
ALPENA
JERAULD COUNTY · SOUTH DAKOTA
T 108 N - R 63 W
SCALE
0 300 ft.
POR 307 (1970)
1969
DRAWN BY
DEPARTMENT OF TRANSPORTATION
OFFICE OF SYSTEM ANALYSIS
ALL STREET RIGHT OF WAY 66 FT.
ALLEYS 16 FT.
(UNLESS OTHERWISE INDICATED)
UNOFFICIAL EDITION



LEGEND

- | | |
|---------------------------------------|-----|
| U.S. NUMBERED HIGHWAY | 18 |
| STATE NUMBERED HIGHWAY | 45 |
| FEDERAL AID HIGHWAY SYSTEM | FA |
| FEDERAL AID SECONDARY HIGHWAY SYSTEM | FAS |
| PRIMITIVE ROAD | --- |
| UNIMPROVED ROAD | --- |
| GRADED AND DRAINED ROAD | --- |
| GRAVEL ROAD | --- |
| BITUMINOUS SURFACED ROAD | --- |
| PAVED ROAD | --- |
| RAILROAD | --- |
| CENTRAL BUSINESS DISTRICT | --- |
| TOWN CENTER | --- |
| POST OFFICE | --- |
| SCHOOL HOUSE | --- |
| CHURCH OR OTHER RELIGIOUS INSTITUTION | --- |
| FIRE ENGINE HOUSE | --- |
| CEMETERY | --- |
| WATER SUPPLY STAND PIPE OR TANK | --- |
| SWIMMING POOL | --- |
| BALL FIELD | --- |

CITY LIMITS

WATER RIGHT APPLICATION APPROVAL.

The Board of Water Management hereby approves Water Right Application No. 4444-3

TOWN OF ALPENA
(Applicant)

Box 75 - ALPENA
(Post Office Address)

SOUTH DAKOTA 57312
(State)

With the following qualifications.

"PARTIAL VESTED RIGHT" CLAIMED

The ~~well~~ well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The ~~well owner~~ well owner, under this Permit, shall control his ~~drawals~~ withdrawals so there is not a reduction of needed water supplies in adequate domestic wells.

Date of first receipt of application SEPTEMBER 18, 1979

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

Date of receipt of corrected application --, 19--

Approved NOVEMBER 27, 1979, Recorded in Book 21 Page 121

WATER RIGHT PERMIT NO. 4444-3

The Board of Water Management hereby grants and issues this Water Right Permit No. 4444-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is 1948 & SEPTEMBER 18, 1979
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, 19--
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 2.0 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 if for irrigation purposes said appropriation must be limited to not more than 2-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 USED FOR MUNICIPAL PURPOSES

for irrigation on or before 19--; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 6TH day of FEBRUARY, 1980

THE BOARD OF WATER MANAGEMENT

By: John H. H. H.
Chief Engineer, Water Rights

Certificate of Construction Issued ---, 19---

Water License Issued ---, 19---

WELL REPORT

HURON
DRILLING CO.
Huron, S. D.

Town of Alpena, S. D.
OWNER

Feb. 6, 1961
DATE

DESCRIPTION

CASING LOG

Depth	975	ft.	113	ft. 6" Steel	pipe to	113	ft.
Flows	300	gpm	4	ft. 4" Brass	pipe to	4	ft.
Pumps		gpm	971	ft. 4" X Copper	pipe to	975	ft.
Head		ft.			pipe to		ft.
250 ft. Bottom							
Perforations							
42 PSI							
Pressure							
60 Min.							
Drilling Time							

REMARKS

Rig No.

Lloyd Peterson
Foreman

Form 2A Wells, Dugouts or Water Storage Dams (Supplement to Form 2)

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

D. Well Information

- (1) Drill Hole, Diameter 6 inch, Depth 275 feet
 (2) Casing, Type steel, Diameter 6", Thickness _____
 (wood, concrete, steel, etc.)
 (3) 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 Materials. (Attach a copy of test well log)

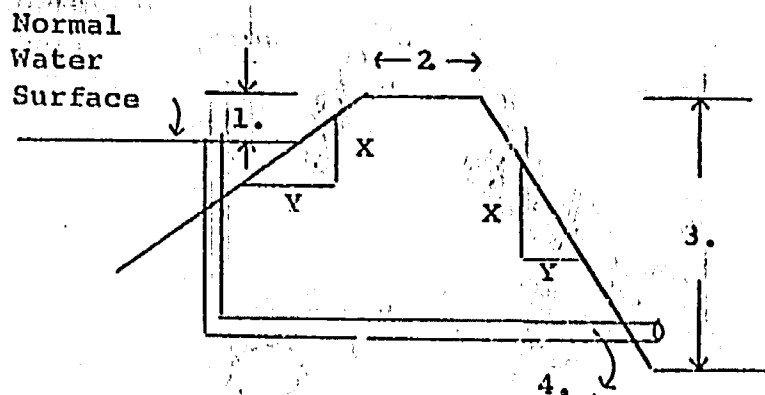
- Depth to top of water bearing material _____
 Depth to bottom of water bearing material _____
 Depth to water (ground surface to water level) _____

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

- On same owner's property none rds.
 On property owned by others 80 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, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



1. Freeboard _____
 2. Crest width _____
 3. Height of Dam _____
 4. Outlet dimensions:
 Pipe diameter _____
 Spillway width _____
 X & Y slope:
 Upstream _____
 Downstream _____
 Surface area of impoundment _____
 Drainage area above dam _____

Bandy Peterson mayor
 Signature Applicant

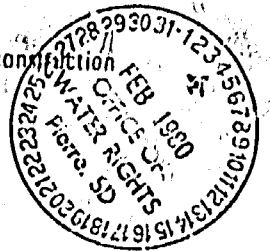


No. _____

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) TOWN OF ALPENA

Post Office Address _____, State _____

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 1948

15. Date that water was first applied to beneficial use 1948

16. Name of owner of original water supply system TOWN OF ALPENA

17. Amount of water originally applied to beneficial use 50 gal./min. c.f.s.

18. Present Use of Water

Amount of water now being used 50 gal./min c.f.s.

Date that this amount of water was first used 1961

19. Chronological History of Water Use

WELL # E2 WAS DRILLED IN 1948 AND HAS BEEN USED FOR MUNICIPAL USES SINCE IT WAS DRILLED. WELL #1 WAS DRILLED IN 1961. WELL #1 IS MAIN SOURCE OF WATER WITH WELL # E2 USED FOR STANDBY PURPOSES

Attach to this Form 28, 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)
) ss.

County of _____

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

Signed Randy Peterson

Subscribed and sworn to before me this 1st day of February, 1980

Cindy Peterson
(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.

No. 4444-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Sioux) ss.

I, Arthur L. Webb hereby

certify that the annexed printed copy of Notice of Intent to Appropriate Water was taken from the Sioux Falls Press

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 Sioux Falls

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

24 October '79

31 October '79

(Signature)

(Title)

(Date Signed)

NOTICE OF HEARING ON APPLICATION TO APPROPRIATE WATER

Pierre, S. Dak. 57601

October 7, 1979

Notice is hereby given that the Town of Alpena, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 through 46-1-9, 46-1-11, 46-2-9, 46-2-11, 46-2-13, 46-5-1 through 46-5-8, 46-5-10 through 46-5-22, 46-5-41, 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-11, 46-6-13 and Board Rules PARSD 52-01-01-01 through 52-01-01-13 for a permit to appropriate for beneficial use 2.0 cubic feet of water per second of time from groundwater (or a well) through the Alpena Well #1 the point of diversion of which is to be located in the NW 1/4 NW 1/4 of Section 11, Twp. 108 N, Range 63W. Said water to be used for the purpose of providing water supplies for municipal use.

This Application No. 4444-3 will be considered by the Water Management Board in Meeting Room #1 of Kneip Building, Church & Illinois Street, Pierre, SD, upon the 27th day of November, 1979 at 10:00 a.m. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine wit-

nesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing. This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law. -Water Management Board, Betty Westlund, Water Rights Specialist.



c-5-6

No 4444-3

Publish first publication, on or before November 7, 1979

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 17, 1979

Notice is hereby given that Town of Alpena ~~XXXXXX post office~~

~~XXXXXX~~ of South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22, 46-5-41; 46-6-3, 46-6-3.1, 46-6-5, 46-6-6.1, 46-6-10, 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 2.0 cubic feet of water per second of time from groundwater

(one well) through the Alpena Well #1, the point(s) of diversion of which is ~~(are)~~ to be located in the NW 1/4 NW 1/4

of Section 11, Twp. 108 N, Range 63 W. Said water to be used for the purpose of providing ~~irrigation on sections of the following described land:~~

water supplies for municipal use

This Application No. 4444-3 will be considered by the Water Management Board at in Meeting Room #1, Kneip Building,
Church & Illinois Street, Pierre, SD upon the 27th day of November 1979

at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

WATER MANAGEMENT BOARD

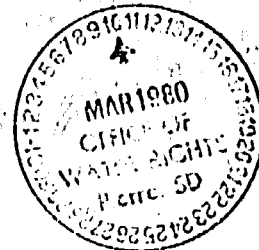
BETTY WESTLUND
Water Rights Specialist

cc: Town of Alpena
Alpena, SD 57312

FOR 16 - Notice of Intent to Appropriate Water
GROUNDWATER

Form 10.

No. 4444-3



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

Post Office Alpena, So. Dak

Date _____

TO: Water Rights [REDACTED]
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 the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 4444-3

Water Right Permit No. 4444-3 states that the diversion system is to be constructed by complete, 19____ and that the water is to be put to beneficial use by _____, 19 48 or 61

The diversion system was completed on _____, 19 48 or 61
Applying the water to beneficial use was completed on Feb,
19 61.

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.

Randy Peterson
(signature)

February 8, 1980

Town of Alpena Mich
Box 75
Alpena SD 57312

Dear Sir:

Enclosed herewith is your Water Right Permit No. 4444-3 as approved by the Water Management Board, authorizing you to construct your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said Water Right Permit No. 4444-3.

The Board will schedule an inspection so that your Certificate of Construction and/or Water License may be issued to you, thus completing your acquisition of a Water Rights.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights, WMD

JH:kw

enclosure

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

4444-3

Richard Small, Town President
Town of Alpena
Box 75
Alpena SD 57312

Dear President Small:

The Water Management Board has validated the enclosed Vested Water Right No. 4444-3. 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 (PARTIAL) VESTED WATER RIGHT CLAIM NO. 4444-3

Date Claim Accepted For Filing September 18, 1979.

Date of Validation September 27, 1989.

Pursuant to SDCI 46-2A-07 the Water Management Board validated Vested Water Right Claim No. 4444-3 for the Town of Alpena, Box 75, Alpena, South Dakota 57312 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 4444-3 appropriates 0.11 cubic feet of water per second from one well approximately 975 feet deep and located in the NW 1/4 NW 1/4, Section 11, T108N, R63W.
2. The appropriated water is used for supplying water for the Town of Alpena 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, 1948.
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 Environment and Natural Resources

APR 29 1991

date



4444-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

OCT 6 1997

Leanne Wagner, Finance Officer
Town of Alpena
PO Box 75
Alpena SD 57312-0075

Dear Ms. Wagner:

Enclosed are Water Right Nos. 4444A-3 and 4444B-3. The permit is being divided to separate the vested right portion from the water right as follows:

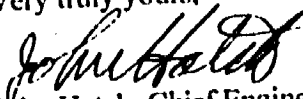
Vested Water Right No. 4444A-3 - authorizes diversion of 0.11 cfs from one well located in the NW 1/4 NW 1/4 Section 11-T108N-R63W with a priority date of January 1, 1948.

Water Right No. 4444B-3 - authorizes diversion of 0.5 cfs from one well located in the NW 1/4 NW 1/4 Section 11-T108N-R63W with a priority date of September 18, 1979.

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

If you have any questions, please contact me.

Very truly yours,


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

enclosures

ks