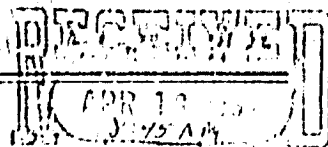


STATE WATER RESOURCES COMM
PIERRE, SOUTH DAKOTA

Water Division No. 3 Tamias River District 1

(Blanks to be filled by the Engineer for the W. R. C.)



STATE WATER RESOURCES COMM
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To appropriate water within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant Town of Lesterville
Postoffice address Lesterville, County Yankton Co, State So. Dakota

I. If a corporation Municipality

(a) Name of same

(b) Date and place of incorporation

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work None Town Well #1

3. Amount of water claimed necessary for fire & Municipal use 0.084 cfs
20 gal per minute

4. Source of water supply one 10" well Ground Water

5. Location of point of diversion water mains lot 1, Block 6 Orig. town of Lesterville

NE 4. Sec 21 T 25 N R 10 W on bank County.

6. Annual period or periods during which water is to be used continuously

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?

(a) Number of acres to be irrigated acres.

(b) Legal subdivisions to be irrigated

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.)

Municipal use

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use
Name any of the above uses claimed

(b) Amount of power to be generated horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

8. Estimated cost of work:

(a) Head Gates, \$-----

(c) Fluming, \$-----

(e) Other structures -----

(d) Canal-earth, \$-----

(b) Pumping plant, \$-----

Rock, \$-----

Total, \$-----

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

Well, pump and elevated storage tank

II. Dimensions of works:

(a) Dam: Height ----- feet; length at bottom ----- feet; length at top ----- feet; thickness at bottom ----- feet; thickness at top ----- feet; slope at front water face -----; slope at back face -----

material used in construction -----

(b) ~~Reservoir~~ water tank: Capacity when filled 50M gals ~~XXXXXX~~ Surface area at highwater mark ----- acres.

DEPTH AT OUTLET-FEET	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-FEET CAPACITY

(c) Head gate: Width ----- feet; height ----- feet;
Material -----

(d) Canal: Total length ----- miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ----- completed years.11. Time required for complete application of water to the proposed beneficial use ----- completed years.12. Choice of newspaper for publication of notice of intention to appropriate -----
Yankton Public Opinion or Daily Press & Dakotan--Yankton, SD

STATE OF SOUTH DAKOTA

County of Yankton } ss.I, J.A. Pekas, as town trustee

, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed -----

Subscribed and sworn to before me this 15th day of April 1957.

Notary Public (or other qualified officer.)

Remarks by State Water Resources Commission:

"Vested Right" Claimed

STATE OF SOUTH DAKOTA

County of

Hughes

ss.

Pierre, South Dakota,

June 26

1957

This is to certify that the foregoing application was received by the Commission at 8:45 o'clock

9 m. upon the 16 day of April, 1957

State Water Resources Commission

By:

J. D. Brinner

Chief Engineer, Executive Officer

Number of permit 468-3

Date of first receipt of application

April 16

1957

Date of return to applicant for correction, amendments or changes required as follows:

May 6

1957

Date of receipt of corrected application

May 13

1957

Date from which applicant may claim right

1900

1957

Approved

June 26

1957

Recorded in Book

4

Page

117

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before

Completed, 1957

2nd. The whole of said work is to be completed on or before

Completed

1957

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

Completed

1957

4th. The water appropriated shall be used for the purpose of

municipal use

5th. 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.

6th. The amount of the appropriation herein granted shall not exceed 0.089 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry, and further, said appropriation must 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 for irrigation on or before Completed, 1957; said water to be used during the following described annual period:

Continuously

Witness my hand this

26

day of

June

1957

State Water Resources Commission

By:

J. D. Brinner

Chief Engineer, Executive Officer

Certificate of Construction Issued

June 26

1957

Water License Issued

June 26

1957

Change on Application
pursuant to telephone
Conversation w/
J.A. Pakas on
6/26/57

Lee

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 10", Depth 92 ft

Type of casing ordinary steel
(wood, concrete, steel, etc.)

Size of casing 10", Thickness of casing

Length of casing 92 ft If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen Brass

Size of perforated screen 8 inch (diameter), 12 ft (length)

Thickness of gravel pack 2 1/2 ft, length of gravel pack

(c) Water Bearing Materials

Distance to water 38 ft Character of water bearing materials 34 Hard

Thickness of water bearing material 7 ft

(d) Pump and Motor

Type of pump Jet
(centrifugal, propeller, mixed flow, etc.)

Name of pump Advance Jet, size 44 Gal per minute

Kind of motor Electric
(gasoline, electric, diesel, etc.)

Horsepower 2 HP, Name of Motor General Electric

(e) Complete well

Capacity 20 gal minute drawdown of 90 ft, Estimated cost 1200.00

(f) Owner of land upon which well is located Town of Lesterville
Name

Lesterville, S.D
Address

(g) Distance to nearest existing wells

On same owner's property none rods. On property owned by others 100 yds

Permit No. 458-3

Water Division No. 3 James Bayner District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That the Town of Lesterville

of Lesterville, County of Yankton, and State of South Dakota, the holder Vested Right of Permit No. 458-3 issued upon Application

No. 458-3 bearing date of priority of 1900, authorizing the diversion of

0.029 cu. ft. per second of the waters of Ground water

County of Yankton, State of South Dakota, at in Lot 1,

Block 6, Original Town of Lesterville

for Municipal

purposes, has fully 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 work Vested Right recognized as sound in satisfactory

condition for diverting and conveying to the place of intended use 0.029 cu. ft.

per second of water; and that the ~~works~~ proposed to ~~be~~ ~~irrigated~~ by the use of said water are described as follows,

to-wit: to furnish municipal water in the distribution system of the

Town of Lesterville.

Witness my hand this 26 day of June A. D. 1957.

State Water Resources Commission

By:

J. W. Grimes, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No. 444-3.....

WHEREAS, On the 16 day of April A. D. 1957
 the Town of Iesterville

of Iesterville County of Yankton and State of
South Dakota duly made application (No. 444-3) to us for a permit to use Vested Right
0.039
 cubic feet per second of the waters of ground water
 County of Yankton, State of South Dakota, for Municipal
 purposes; and

WHEREAS, On the 26 day of June A. D. 1957
Vested Right
 Permit No. 444-3 was issued to said applicant for the diversion of said water, and recognizing
providing for the
 completion of the works of diversion therein described on or before the
in 1900 XXXXXX and for the application to beneficial use of said
 water on or before the XXXXXX in 1900 XXXXXX
 and,

WHEREAS, On the 13 day of May A. D. 1957
Vested Right
 the holder of said permit duly made proof of the completion of adequate works for the diversion of 0.039
0.039 cubic feet per second of said waters, as evidenced by our Certificate No. 444-3
 dated June 26, 1957 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 0.039 cubic feet per second of water, with date of
 priority of 1900 XXXX and,

WHEREAS, On the 13 day of May A. D. 1957
 proof was duly made of the application to beneficial use of 0.039 cubic feet per second of said water;
in the distribution system of the Town of Iesterville.

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 Town of Lesterville
of Lesterville, South Dakota the holder and owner Vested Right 469-3
a water right, dating from 1900 to the use of 0.082
cubic feet per second of the waters of ground water
in the County of Yankton and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinbelow mentioned, to be diverted at in lot 1, Block 6, Original
Town of Lesterville
and conducted to ~~any~~ for the residents of the Town of Lesterville through the
municipal distribution system

for the purpose of municipal use.

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 26 day of June A. D. Nineteen
Hundred and fifty-seven.

State Water Resources Commission

By:

J. W. GRAYES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Amt. _____ c. f. s.

Point of Diversion _____

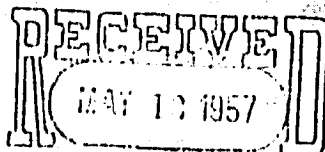
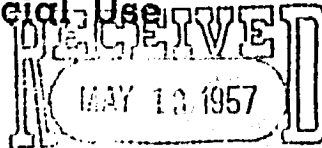
Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Location No. 468-3Water Division No. 3 James River Water DistrictSTATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA**Proof of Application of Water to Beneficial Use****PETITION OF HOLDER**STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Town of Lesterville,Lesterville, S.D.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans. Municipality

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans. _____

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Well Lot 1 Block 6, Original town of Lesterville

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. Water is pumped from wells into elevated water tank
and is piped through water mains about the town.9" mains & stand pipe

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. Municipal use

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans. _____

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. to supply water for municipality and its water users,
about 250,000 to 500,000 high peak, low as 50,000

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

Ques. 10. State when, how, in what amount and to what extent, the water diverted under above mentioned permit has been used.

Ans. Since 1900, maximum rate depends on season, from flow of 50M
to 500,000 gals, prior to July 1, 1955

(Sign)

J. P. Peters

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Lesterville, County of Yankton,

State of South Dakota, on this 15th day of April A. D. 1957.

J. P. Peters

Witnesses.

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

J. P. Peters

Location No. _____

PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE

PETITION OF HOLDER

Amount of Water _____ c. f. s.

Source _____

County _____

Purpose _____

Place of Use _____

Date of recording _____

Received and filed _____

468-3

SOUTH DAKOTA

VESTED WATER RIGHT NO. 468-3

Date of Receipt of Claim April 16, 1957.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 468-3 for the Town of Lesterville, P.O. Box 36, Lesterville, South Dakota 57040 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 468-3 appropriates 0.089 cubic feet per second of water from a well located in the NE1/4 Section 21, T95N, R57W.
2. The appropriated water is used for supplying water for the Town of Lesterville 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, 1900
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 17 1993

date

Division of Water Rights
Dept. of Environment and Natural Resources

468-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAR 17 1993

Peggy Munkvold, Finance Officer
Town of Lesterville
PO Box 36
Lesterville SD 57040-0036

Dear Ms. Munkvold:

The Water Management Board has validated the enclosed Vested Water Right No. 468-3. 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,

A handwritten signature in dark ink, appearing to read "John Hatch", is written over a faint, larger signature that also appears to be "John Hatch".

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

enclosure