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JUN 18 1957

Form 2—Application for Permit to appropriate Water Original

No. 488-3

Water Division No. 3

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

STATE WATER RESOURCES
PIERRE, SOUTH DAKOTA

MAY 1 1957

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

Postoffice address

County

State

I. If a corporation

(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

3. Amount of water claimed 200 gpm 14.7 cfs cubic feet per second

4. Source of water supply

5. Location of point of diversion 1540 feet east and 700 feet north of the SW cor. Sec 5, T 123N R 58W

on bank County.

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

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 in the City of Pierpont

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, \$ _____

(b) Pumping plant, \$ _____

(c) Fluming, \$ _____

(d) Canal-earth, \$ _____

Rock, \$ _____

(e) Other structures _____ \$ _____

Total, \$ _____

9. Description of diversion works:

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

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: Capacity when filled _____ acre feet. 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 or publication of notice of intention to appropriate _____

Reporter and Farmer, Webster, S.D.

STATE OF SOUTH DAKOTA

County of _____

I, James W. Webster, 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 James W. WebsterSubscribed and sworn to before me this 30 day of April 1950

Notary Public (or other qualified officer.)

Remarks by State Water Resources Commission:

"Vested Right Claimed"

STATE OF SOUTH DAKOTA

County of

Hughes

Pierre, South Dakota,

March 31

1960

This is to certify that the foregoing application was received by the Commission at 4:00 o'clock

P

m. upon the

1st

day of

May

1957

State Water Resources Commission

By:

J. W. Blum

Chief Engineer, Executive Officer

Number of permit

488-3

Date of first receipt of application

May 1

1957

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

July 6

1957

Date of receipt of corrected application

March 26

1960

Date from which applicant may claim right

1913

19

Approved

March 31

1960

Recorded in Book

55

Page

328

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

19

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

19

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

Completed

19

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 44 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 eventful 11.50 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 June 30, 1955; said water to be used during the following described annual period:

Continuously

Witness my hand this

31st

day of

March

1960

State Water Resources Commission

By:

J. W. Blum

Chief Engineer, Executive Officer

Certificate of Construction Issued

March 31

1960

Water License Issued

March 31

1960

9. (Continued)

III. Specifications

1. Hole and casing

Size of drill hole or excavation 300 ft 6 in, 88 ft 4 in

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

Size of casing 300 ft 5 in 88 ft 4 in Thickness of casing Standard pipe

Length of casing 1165 ft If collection gallery, length, size and depth of gallery _____

(b) Screens

Type of perforated screen perforated pipe

Size of perforated screen 4 1/2 in (diameter) 70 ft (length)

Thickness of gravel pack _____, length of gravel pack _____

(c) Water Bearing Materials

Distance to water 50 ft Character of water bearing materials _____

Bahata sandstone

Thickness of water bearing material 30 ft

(d) Pump and Motor

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

Name of pump Domona, size 10 H.P.

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

Horsepower 10 H.P. Name of Motor A.O. Smith

(e) Complete well

Capacity _____ at drawdown of _____ Estimate _____

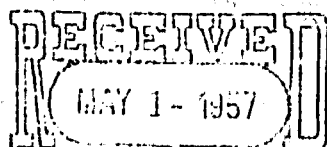
(f) Owner of land upon which well is located Town of Orizaba

Sanjour, D.D.
Address

(g) Distance to nearest existing wells

On same owner's property 2 rods. On property owned by others _____ rods

Hand water well



STATE WATER RESOURCES COMM
DEPT. OF AGRICULTURE

Permit No. 488-3

Water Division No. 3 James River Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That The Town of Pierpontof _____, County of Day, and State of South Dakotathe holder of vested right Permit No. 488-3, issued upon Application No. 488-3, bearing date of priority of 1913, authorizing the diversion of.44 cu. ft. per second of the waters of ground water (Dakota)County of Day, State of South Dakota, at a point 15101 E and7001 N of the SW corner Sec 5, T-123N R-58Wfor 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 works are recognized as satisfactory condition for diverting and conveying to the place of intended use .44 cu. ft.

per second of water; and that ~~the works of diversion~~ the use of said water are described as follows,

to-wit: for the municipal needs of the Town of Pierpont

Witness my hand this 31st day of March A. D. 1960

State Water Resources Commission

By:

J.W. GRIMES

Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No. 488-3

WHEREAS, On the 1st day of May A. D. 1957

The Town of Pierpont

of _____ County of Day and State of South Dakota duly made application (No. 488-3) to us for ~~vested right~~ vested right permit to use 44 cubic feet per second of the waters of ground water (Dakota) County of Day, State of South Dakota, for municipal purposes; and

WHEREAS, On the 31st day of March A. D. 1960, vested right Permit No. 488-3 was issued to said applicant for the diversion of said water, and recognizing the completion of the works of diversion therein described on or before the 1st day of April and for the application to beneficial use of said water on or before the 1st day of April and,

WHEREAS, On the 8th day of July A. D. 1957 the holder of said vested right permit duly made proof of the completion of adequate works for the diversion of 44 cubic feet per second of said waters, as evidenced by our Certificate No. 488-3 dated March 31, 1960 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 44 cubic feet per second of water, with date of priority of 1913 and,

WHEREAS, On the 8th day of July A. D. 1960 proof was duly made of the application to beneficial use of 44 cubic feet per second of said water; for municipal needs for the Town of Pierpont

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 Pierpont
of _____ the holder _____ and owner _____ of ^{vested right} sale/permit No. 688-3
a water right, dating from 1913 to the use of 44
cubic feet per second of the waters of ground water (Dakota)
In the County of Day and State of South Dakota, or so much thereof as may be
necesary for the purposes hereinbelow mentioned, to be diverted at a point 151.0' E and 700' N of the
SE corner Section 5-T-123N-R-58W
and conducted to and upon ~~through the town of~~ Water 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 31st day of March A. D. Nineteen
Hundred and sixty

State Water Resources Commission
By:
J.W. CRIMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA	
Water License No. -----	
To -----	-----
-----	-----
Source of Supply -----	-----
-----	County -----
Am't ----- c. f. s.	-----
Point of Diversion -----	-----
-----	-----
Place of Use -----	-----
-----	-----
Purpose -----	-----
-----	-----
Date of Priority -----	-----
Recorded -----	-----
In Book ----- of -----	Page -----

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

Ans. used since well was
drilled several years ago.
Drilled about 1915. Drilled in 1913. Pumping rate
since then has varied between 15000 gal per day to 200 gal per minute
water distributed through town water system.
(Sign) Harry L. Smith

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 Sioux Falls, County of Deuel

State of South Dakota, on this 30 day of April A. D. 1937

Samuel Benson
Julius Nygaard } Witnesses. W. M. Smoot
Thomas Clark

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.

W. B. Peterson

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

April 25, 1991

488-3

Joe Stolsmark, Town President
Town of Pierpont
PO Box 172
Pierpont SD 57468

Dear President Stolsmark:

The Water Management Board has validated the enclosed Vested Water Right No. 488-3. 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

SOUTH DAKOTA

VALIDATION OF VESTED WATER RIGHT CLAIM NO. 488-3

Date Claim Accepted For Filing May 1, 1957.

Date of Validation September 27, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim No. 488-3 for the Town of Pierpont, P O Box 172, Pierpont, South Dakota 57468 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 488-3 appropriates 0.44 cubic feet of water per second from one well approximately 1180 feet deep and located in the SE 1/4 SW 1/4, Section 5, T123N., R58W.

2. The appropriated water is used for supplying water for the Town of Pierpont 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, 1913.

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 Hatcher
Chief Engineer

APR 25 1991

date

Div ion of Water Rights

Dept. of Environment and Natural Resources