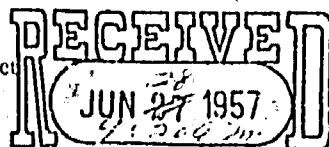


No. 491-3Water Division No. 3 Whetstone Creek District
(Blanks to be Filled by the Engineer for the W. R. C.)
Vested Right

APPLICATION FOR PERMIT

STATE WATER RESOURCES COMM.

PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

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

1. Name of applicant CITY OF VEBLEN
 Postoffice address VEBLEN, County MARSHALL, State S. DAK.

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)

CONTRACT COMPLETED(b) Cash on hand, \$ 3000.00

(c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ NONE

(e) Other resources, \$ _____

2. Name of diversion work VEBLEN CITY WATER SYSTEM3. Amount of water claimed 6" pipe at 65 lbs pressure at meter
1400 gals per min4. Source of water supply (3) GROUPS OF SPRING LOCATED ABOUT 2 1/2 MI. S.W. OF CITY5. Location of point of diversion WATER PIPED TO CITY WATER SYSTEM.

_____ 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.) _____

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. *SURFACE RESERVOIR - 100,000 GALLONS*
TANK TOWN - 50,000 GALLONS - BOTH GRAVITY

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

SED.
SURFACE
RESERVOIR
OVERSLOWS,

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

(d) 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 -----

STATE OF SOUTH DAKOTA
 County of *Marshall* } ss.

GRANT BRADKE, 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 *Grant Bradke* City Auditor

Subscribed and sworn to before me this *26th* day of *June* 19*58*

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

NOTARY PUBLIC, MARSHALL CO., S. DAK.
 My Comm. Expires Nov. 10, 19*60*

Remarks by State Water Resources Commission:

"VESTED RIGHT" CLAIMED

ALTHOUGH THIS PERMIT IS GRANTED FOR 450 G.P.M.,
IT IS RECOGNIZED THAT UP TO 1600 G.P.M. MAY BE
CARRIED IN THE SYSTEM FOR A SHORT PERIOD
OF TIME.

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, APRIL 3, 1963

This is to certify that the foregoing application was received by the Commission at 9:20 o'clock
a.m. upon the 28TH day of JUNE, 1958

State Water Resources Commission

By:

Burton Jones
for Chief Engineer, Executive Officer

Number of permit 491-3

Date of first receipt of application JUNE 28, 1958

Date of return to applicant for correction, amendments or changes required as follows: DECEMBER 24, 1958

Date of receipt of corrected application MARCH 28, 1963

Date from which applicant may claim right .33 FROM 1916; .33 FROM 1935, and .33 FROM 1950, 1963

Approved APRIL 3, 1963, Recorded in Book 8 Page 56

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~~

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

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

COMPLETED

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 1.00 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~~ USED FOR MUNICIPAL PURPOSES on or before JUNE 30, 1955; said water to be used during the following described annual period:

CONTINUOUSLY

Witness my hand this 3RD day of APRIL, 1963

State Water Resources Commission

By:

Joe L. Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued APRIL 3, 1963

Water License issued APRIL 3, 1963

STATE OF SOUTH DAKOTA

WATER LICENSE No. 491-3

WHEREAS, On the 28th day of June A. D. 1958
the City of Veblen

County of Roberts and State of
South Dakota duly made application (No. 491-3) to us for a permit to use 1.0
cubic feet per second of the waters of three groups of springs
County of Roberts, State of South Dakota, for municipal
purposes; and

WHEREAS, On the 3rd day of April A. D. 1963
Vested Right Permit No. 491-3 was issued to said applicant for the diversion of said water, recognizing
completion of the works of diversion therein described ~~as follows~~ ~~XXXXXX~~
and ~~XXXXXX~~ application to beneficial use of said
water ~~as follows~~ ~~XXXXXX~~
and,

WHEREAS, On the 28th day of June A. D. 1958
the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.0
cubic feet per second of said waters, as evidenced by our Certificate No. 491-3
dated April 3, 1963 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 1.0 cubic feet per second of water, with date of
priority of 1916, 1935 and 1950 and,

WHEREAS, On the 28th day of June A. D. 1958
proof was duly made of the application to beneficial use of 1.0 cubic feet per second of said water;
for municipal use by the City of Veblen

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 Veblen
~~96~~ the holder and owner of Vested right 491-3
a water right, dating from 1916, 1935 and 1950 to the use of 1.0
cubic feet per second of the waters of three groups of springs
in the County of Roberts and State of South Dakota, or so much as may be
necessray for the purposes hereinafter mentioned, to be diverted at points in the SE 1/4, SW 1/4 Section 29,
NE 1/4 NE 1/4 and SE 1/4 NW 1/4 Section 32, all in T 128N, R 53W
and conducted to and upon through the city water 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 3rd day of April A. D. Nineteen
Hundred and Sixty-Three

State Water Resources Commission

By:

J.W. GRIMES, 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 _____

Permit No. 491-3Water Division No. 3 SHETSTONE Water District
CREEK**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify That the City of Veblenof South Dakota, County of Roberts, and State of
South Dakota, the holder Vested Right of Permit No. 491-3, issued upon ApplicationNo. 491-3, bearing date of priority of 1916, 1935 and 1950, authorizing the diversion of1.0 cu. ft. per second of the waters of three groups of springsCounty of Roberts, State of South Dakota, at points in the SE 1/4 SW 1/4Section 29, NE 1/4 NE 1/4 and SE 1/4 NW 1/4, Section 32, all in T. 122N, R. 53Wfor municipalpurposes, 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 satisfactory condition for diverting and conveying to the place of intended use 1.0 cu. ft.

per second of water; and that the lands exposed to be irrigated by the use of said water are described as follows,

to-wit: to be distributed through the City of Veblen Water system for municipal use.Witness my hand this 3rd day of April A. D. 1963

State Water Resources Commission

By:

J.W. CRIMES, Chief Engineer, Executive Officer

NO WELLS, WA SPRING SPRINGS - GRAVITY
FED

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation Depth

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

Size of casing Thickness of casing

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

(b) Screens

Type of perforated screen

Size of perforated screen
(diameter) (length)

Thickness of gravel pack length of gravel pack

(c) Water Bearing Materials

Distance to water Character of water bearing materials

Thickness of water bearing material

(d) Pump and Motor

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

Name of pump size

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

Horsepower Name of Motor

(e) Complete well

Capacity at drawdown of Estimated cost

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

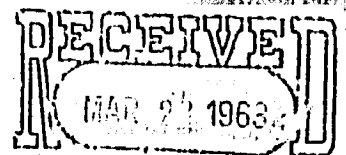
Address

(g) Distance to nearest existing wells

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

December 24, 1958

Mr. Grant Brakke, City Auditor
City of Veblen
Veblen, South Dakota



Dear Mr. Brakke:

I am sorry for this delay in following up on the submission of your "Vested Right" application.

Since receiving your application and the accompanying Proof of Beneficial Use, I have had more time to do detailed checking on the information, quantities, and rates of diversion as shown on your documents.

I do not believe that the 1,600 gallon per minute rate as shown is out of line when the hydrants are first opened but I doubt if this rate could be maintained over the "long haul" or extended periods of flow.

Estimates based on your stated static pressure of 65 pounds per square inch and, as accurately as we could estimate the fall in your 6 inch line from the reservoir to town as a check against this pressure, shows that it is doubtful that your line would carry more than 450 gallons per minute.

This rate would be exceeded for a short period when your hydrants were first opened due to the additional quantity or head (fall) provided by the storage in your standpipe but would equalize itself when this storage was used up and the flows were totally dependent on the capacity of your 6 inch line.

If you wish we can complete your application as a "Vested Right" for 450 gallons per minute since a water right is granted on your ability to divert water at the source and convey it to the place of

Grant Brakke, City Auditor

2

December 24, 1958

use, exclusive of additional capacity from storage which you may have built into your system.

The difference between 450 GPM and 1,600 GPM could be processed as a Withdrawal for Future Use to set aside and provide water for future developments which the City may need at some future date. If this portion of your application is processed as a future use withdrawal, it will be necessary for you to submit a plat map showing the location of your sources along with the area where the water is to be used and you must also publish your Intention to Appropriate Water in some local paper once a week for four consecutive weeks prior to consideration by the Water Resources Commission.

Please let me know which of the above alternatives you wish to follow. If you should choose to complete your application at this time as a "Vested Right" for 450 GPM, we now have all of the necessary documents in your file.

Please send \$2.35 for recording fees and \$1.00 each for issuing your Certificate of Completion of Works and Water License or a total of \$4.35 if you choose to complete your application as a "Vested Right" at this time.

Should you have future questions please feel free to contact this office.

Sincerely,

Ian Wyberry
Water Rights Engineer

LW:ls

491-3

March 20, 1963

Mr. Harris Vig, Mayor
City of Veblen
Veblen, South Dakota

Dear Mayor Vig:

This is to inform you that the State Water Resources Commission is now ready to issue to the City of Veblen, Water License No. 491-3, for a base diversion rate of 450 gallons per minute and recognizing that up to 1600 gallons per minute may be carried in the system for a short time.

Upon payment of \$4.35 this Water License will be issued to the City of Veblen.

As discussed with you, the copy of the 1959 letter that I loaned you, should be returned to be retained as part of the permanent file for this Water License.

Sincerely,

DONALD DRISCOLL
Office and Field Engineer

DD/bw

Location No.

491-3

Water Division No.

Whetstone Creek

Water District

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

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

Ans.

City Grant Frank - City Auditor.
Neplon, Idaho.

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.

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.

TEN SPRINGS AT THREE LOCATIONS.
Targay (8) SE 1/4, 3E 1/4, SW 1/4 SEC 27, T4S, R4E, NE 1/4, NE 1/4, Sec 32
Staley (4) SE 1/4, NW 1/4, SEC 37 all in T4S, R4E, NE 1/4.

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.

100,000 gallon Reservoir, 50,000 Water Tower.

5' black Main, 25' black Main all in town.

1 mile of 4" pipe, 1/2 mile of 6" pipe from springs to reservoir.
25' 6" Main Reservoir to town in town.

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.

WATER USED FOR CITY WATER
SYSTEM in city of Neplon

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.

Capacity of 6" pipe at 65 lbs pressure at outlet

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. Forage (8) irrigation 1916

La Grange (1) " 1935

Stonely (1) " 1950

Maximum total use has been the flow of 6" pipe
at 60 lbs pressure at outlet
Estimated at 1600 gals per min (Sign) Edmund Brackley

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 Tobler, S.D., County of Marshall

State of South Dakota, on this 30 day of July, A. D. 1958

Edmund Brackley
Witnesses. Notary Public, MARSHALL CO., S. D.
Commission expires MAY 10, 1960

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.

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 _____

SOUTH DAKOTA

VESTED WATER RIGHT CLAIM NO. 491-3

Date of Receipt of Claim June 28, 1957.

Date of Validation May 6, 1992.

The Water Management Board validated Vested Water Right Claim No. 491-3 for the City of Veblen, P.O. Box 96, Veblen, South Dakota 57270 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 491-3 appropriates 1.0 cubic feet per second of water from three springs located in the SE1/4 SW1/4 SEC 29, NE1/4 NE1/4 and SE1/4 NW1/4 SEC 32; all in T128N, R53W.
2. The appropriated water is used for supplying water for the City of Veblen 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 dates of the Vested Water Right are:

0.33 cfs	January 1, 1916
0.33 cfs	January 1, 1935
0.33 cfs	January 1, 1950

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 H. Heston
Chief Engineer

JUN 29 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 29 1992

City of Veblen
Bonnie Halverson, Finance Officer
PO Box 96
Veblen SD 57270-0096

Dear Ms. Halverson:

The Water Management Board has validated the enclosed Vested Water Right No. 491-3. 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