

Considered: _____

Vested Right
WATER PERMIT NO. 5100-3

MAP No. Same

Name of Applicant City of Pickstown

Post Office Address P.O. Box 568, Pickstown SD 57367

Amount of Water Claimed 2 cfs Total Acres NA

Source of Water Supply Missouri River

Water to be used for municipal use County Charles Mix

About _____ miles _____ of Pickstown.

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received April 28, 1986 Fee \$8.00 Remarks need
\$2.50 before license can be issued

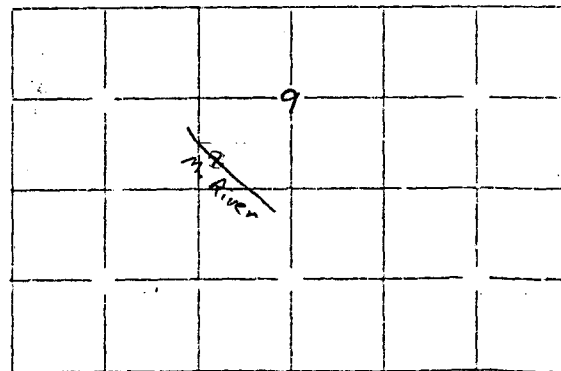
Corrected Application Received _____ Period of Annual Use Jan 1 - Dec 31

WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point Missouri River : SE 1/4 SW 1/4,
sec 9 - T95N - R65W

Land to be Irrigated NA



Well Log: Driller NA Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

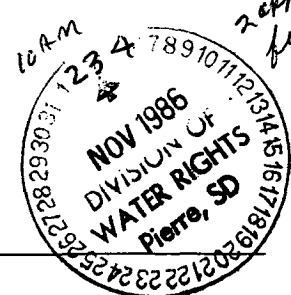
Type of Map plat PREPARED BY Veenstra Kimm Inc Reviewed and the Number
assigned on July 11, 1986 By Ron Jewell

No. 5100-3 Hydrologic Unit 10170101
 Map No. same Basin Missouri River
 Newspaper Lake Andes Wave, Box 216 (Wed)

Application For Permit To Appropriate Water Within The State Of South Dakota

Check use of water: Industrial ☐ Commercial ☐ Municipal ☒ Other Common Distribution System ☐
 Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
 Domestic ☐ (above 18gpm) Other ☐

Type of Application: Check one or more of the following

New ☐ Vested Right ☒ Future Use ☐ Change Use ☐☐ Amend Permit No. _____ with old priority date retainedChange diversion point(s) ☐ Add diversion point(s) ☐ Other ☐☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____☐ Construction to use water reserved by Future Use Permit No. _____

1. Name of Applicant City of Pickstown Phone No. 487-7844
 Post Office Address P O Box 568 State SD Zip Code 57367
(Street, RR or Box)

2. Amount of water claimed (c.f.s) 1.33 cfs3. Source of water supply Missouri River4. Location of point of diversion SE 1/4 SW 1/4 9-95-65 See attached mapCounty Charles Mix5. Counties where water will be used Charles Mix6. Annual period during which water is to be used yearly January 1 - December 31

7. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)
 See attached sheet taken from Report, "Evaluation of Existing Potable Water Treatment Plant and Sewage Lagoons", dated November 1985, prepared by Veenstra & Kimm, Inc., for Corps of Engineers. Citizens of Pickstown are in process of taking over the townsite from the Corp of Engineers.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map
 (see instruction)

STATE OF SOUTH DAKOTA)
 County of _____)

I, Bruce Specketer, President of the Board of Trustees the applicant, certify that I have read the foregoing application, have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Bruce SpecketerSubscribed and sworn to before me this 28 day of October 19 86

Patricia K. Choynover
 Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 5100-3

City of Pickstown PO Box 568 Pickstown
(Applicant) (Post Office Address)
South Dakota 57367 With the following qualifications.
(State) (Zip Code)

see VR-2

Date of first receipt of application _____, 19____.

Date of return to applicant for correction, amendments or changes required _____, 19____.

Date of receipt of corrected application _____, 19____. Approved _____, 19____.

The Water Management Board hereby approves this Water Permit No. _____ authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is _____, 19____.
2. The equivalent of at least one-fifth of the specified work 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 _____, 19____.
5. The water appropriated shall be used for the purpose of _____

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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed _____ 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 to which water is actually and beneficially applied for _____ on or before _____, 19____; said water to be used during the following described annual period: _____

WATER MANAGEMENT BOARD

By: _____

Chief Engineer

Division of Water Rights

Dept. of Water and Natural Resources

_____, 19____

VESTED WATER RIGHT

The Water Management Board hereby validates Vested Water Right Claim No. 5100-3.

City of Pickstown

(applicant)

P.O. Box 568

Pickstown

(post office address)

South Dakota

(state)

57367

(zip code)

Date of receipt of Application November 3, 19 86.

Validated March 4, 19 87.

The Water Management Board hereby validates the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Vested Water Right, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is January 1, 19 47.
2. The whole of said work has been completed and water has been applied to beneficial use as described on Form 2B of this application.
3. The water appropriated is used for the purpose of municipal use.
4. The prior rights 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 unlawfully impaired by this appropriation.
5. The amount of appropriation hereby validated shall not exceed 1.33 cubic feet per second of time; 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 to which water has been actually and beneficially applied for municipal use. The water to be used during the following described period January 1 - December 31.

WATER MANAGEMENT BOARD

By: John Hatch

(Chief Engineer) JOHN HATCH

Division of Water Rights
Dept. of Water and Natural Resources

APR 30 1987

, 19 87

Affidavit of Water Use

No. _____

(Type or Print in Ink)

Note: This Form is supplemental to Form 2 and is to be used when an affidavit pertaining to construction and water use already constructed is needed, primarily with vested right claims.



**Affidavit Of Construction Of Water Use System
And Application Of Water To Beneficial Use**

Name of Applicant (Same as Form 2) _____ City of Pickstown _____

 Post Office Address P. O. Box 568 SD 57367
(Street, RR or Box) (State) (Zip Code)
A. Notice of Appropriation NA Date of Posting NA
 Date of recording NA Recording date NA
Where Book Page
B. Date of start of construction of water supply system 1947 or 1948C. Date that water was first applied to beneficial use 1949 or 1950D. Name of owner of original water supply system U.S. Corp of EngineersE. Amount of water originally applied to beneficial use 1.33 cfs (600 gpm)F. Present Use of Water - Amount of water now being used 1.33 cfs (600 gpm)Date that this water was first used At official transfer date of Pickstown from C.O.E.

G. Chronological History of Water Use

See attached sheet page 1-3

Attach to this Form 2B 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, Bruce Specketer, President of the Trustees the applicant, certify that I have read the foregoing
(print or type)
 and that the matters therein stated are true.

Signed Bruce SpecketerSubscribed and sworn to before me October 28, 19 86
Patricia J. Shoonover
(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.

(Print name) 19_________
(Print name) 19____

WE, THE UNDERSIGNED, qualified voters of Charles Mix County, State of South Dakota, petition the Board of County Commissioners of Charles Mix County, that they grant a charter incorporating as a municipal corporation the area known as Pickstown and described to-wit:

Metes and Bounds Description for Pickstown townsite, located in SW $\frac{1}{4}$ of Section 3 and in S $\frac{1}{2}$ of Section 4 and in Section 9 and NW $\frac{1}{4}$ of Section 10 all in T95N, R65W, 5th P.M., Charles Mix County, South Dakota, a parcel of land described as follows: Commencing at the South $\frac{1}{4}$ Corner of said Section 3, a T-Bar with cap marked AL23, said South $\frac{1}{4}$ Corner is coincident with the Point of Beginning; thence S 2° 32'03"E a distance of 250.14' to Corner P1; thence S 87° 28'58"W a distance of 923.30' to Corner P2; thence S 87° 27'07"W a distance of 1,681.16' to Corner P3; thence S 35° 21'15"W a distance of 433.30' to Corner P4; thence S 64° 37'29"W a distance of 556.20' to Corner P5; thence S 18° 06'51"W a distance of 616.45' to Corner P6; thence S 58° 53'19"W a distance of 941.68' to Corner P7; thence S 1° 07'15"W a distance of 1,124.44' to Corner P8; thence S 26° 27'32"W a distance of 322.89' to Corner P9; thence N 88° 58'56"W a distance of 772.62' to Corner P10; thence N 66° 05'53"W a distance of 456.95' to Corner P11; thence N 25° 06'37"W a distance of 1,352.15' to Corner P12; thence N 28° 24'53"E a distance of 585.58' to Corner P13; thence N 55° 28'38"E a distance of 916.73' to Corner P14; thence N 25° 38'59"W a distance of 464.78' to Corner P15; thence N 7° 49'40"W a distance of 455.96' to Corner P16; thence S 89° 15'34"W a distance of 500.47' to Corner P17; thence N 2° 12'55"E a distance of 959.28' to Corner P18; thence N 81° 09'31"E a distance of 670.66' to Corner P19; thence N 49° 26'31"E a distance of 1,337.61' to Corner P20; thence N 87° 39'42"E a distance of 1,608.58' to Corner P21; thence N 87° 43'29"E a distance of 650.52' to Corner AL19; thence N 87° 43'59"E a distance of 649.69' to Corner AL20; thence S 2° 19'01"E a distance of 659.82' to Corner AL21; thence N 87° 43'07"E a distance of 1,300.82' to Corner AL22; thence S 2° 17'25"E a distance of 1,321.43' to Corner AL23, and the point of beginning. Said parcel of land contains 393.12245 acres, more or less.

*Bearings, distances and dimensions in this metes and bounds description are South Dakota South Zone State Plane.

Said resident population of the territory included within the described area of the territory numbers at 152.

This Petition shall be submitted to the Charles Mix Board of County Commissioners on the 22 day of August, 1985, or as soon thereafter as may be heard.

SDCL 9-3 requires that a survey and map and census of the territory be taken and left at a convenient place for inspection. That census, survey and map can be found at Town Management Office, Pickstown, SD.

*** DECLARATION ***

We, Thomas A. Eimers and Elaine M. Sellers, under oath, state and declare that we reside in Charles Mix County, South Dakota, and that we are making application to the Board of County Commissioners for Charles Mix County that the townsite known as Pickstown be incorporated as a municipal corporation within said county.

Thomas A. Eimers
Elaine M. Sellers

On this, the 21st day of August, 1985, appeared Thomas A Eimers and Elaine M Sellers, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

Doreen Larson
NOTARY PUBLIC * SOUTH DAKOTA
My Commission Expires: 6/89

*** INSTRUCTIONS TO SIGNERS ***

1. Signers of this Petition for Application for Incorporation must individually sign their names in the form in which they are registered to vote or as they usually sign their names.
2. Each signer or circulator must add the mailing address of the signer's residence and the date of signing.
3. Abbreviations, including DITTO MARKS, may be used.

STATE OF SOUTH DAKOTA) ss.
COUNTY OF CHARLES MIX)

We, Albert Soukup, Bruce Bakken, Jack Soulek, being duly appointed the Board of Canvassers in Charles Mix County for the Pickstown Townsite Incorporation Special Election held in Pickstown, South Dakota, Charles Mix County on the second day of October, 1985 hereby certify that the foregoing is a true and correct abstract of the votes cast in Pickstown, Charles Mix County, South Dakota at said election, as shown by the returns certified to the County Auditor of Charles Mix County.

Subscribed and sworn to before me this 3rd
day of October, 1985.

Norman E. Cihak
County Auditor

Albert F. Soukup
Bruce Bakken
Jack D. Soulek

We, the Commissioners of Charles Mix County are hereby satisfied with the legality of the Pickstown Townsite Incorporation Election, Therefore we issue an order declaring that said municipality has been incorporated by the name of Pickstown.

Dated, this 3rd day of October, 1985.

Albert F. Soukup
Albert F. Soukup

Bruce Bakken
Bruce Bakken

Jack D. Soulek
Jack Soulek

ATTEST: Norman E. Cihak
Norman E. Cihak, Auditor
Charles Mix County

State of South Dakota, } ss.
Charles Mix County

I hereby certify that the foregoing instrument is a true and correct copy of the original as the same appears on record in my office.

OCT 7, 1985 Norman E. Cihak
County Auditor

1. Marius Crestle 442 Camp Pickstown S.D. 8/14/85
2. John Dave Box 662 Pickstown, SD 8/14/85
3. James L. Symater Box 744 Pickstown, SD 8/14/85
4. James Symater Box 744 Pickstown, SD 8/14/85
5. Miss E. Jordan Box 714 Pickstown 8/14/85
6. Amy R. Hoben Box 687 Pickstown, SD 8/14/85
7. Wendie Hailin Box 687 Pickstown, S.D. 8-14-85
8. Joan L. Petham Box 754 Pickstown, S.D. 8/14/85
9. Bill W. Schuman Box 254 Pickstown, S.D. 8/14/85
10. W. H. Proffitt Box 575 Pickstown SD 8/14/85
11. Daniel Buchholz Box 145 Lake Park S.D. 8/14/85
12. Stephen R. Blackthorn Box 746 Pickstown SD 8/14/85
13. Cheryl Kwan Box 766 Pickstown SD 8-14-85
14. Neal Anderson Box 737 Pickstown SD 8-14-85
15. Ellen L. Baker Box 762 Pickstown, SD 8-14-85
16. Gary Kutyman Box 421 Lake Garden 8-14-85
17. Larry A. Dwyer 523 Missouri Dr. Pickstown, SD 8-15-85
18. Annis R. Jackson Box 663 Pickstown SD 8-19-85
19. Bonnie J. Nielsen Box 663 Pickstown SD 8-19-85
20. W. M. Carter Box 718 Pickstown SD 8-19-85
21. W. M. Carter Box 718 Pickstown SD 8/20/85
22. Sheryl R. Grammer Box 706 Pickstown SD 8/21/85
23. Mary Jane Hale Box 777 Pickstown, S.D. 8/20/85
24. Mary Chmielewicz Box 797 Pickstown SD 8/21/85
25. Mary W. York Box 508 Pickstown S.D. 8/21/85
26. _____
27. _____
28. _____
29. _____
30. _____

*** VERIFICATION BY PERSON CIRCULATING APPLICATION FOR INCORPORATION ***

STATE OF SOUTH DAKOTA)

:SS

COUNTY OF CHARLES MIX)

I, under oath, state that I circulated the above Petition, that each signer personally signed this Petition in my presence, and that either the signer or I inserted the residence mailing address of the signer and date of signing.

(Signed) Thomas A. Ewing (Address) 537 Mission Drive

Subscribed and sworn to before me
this 21st day of August, 1985.

Pickstown, S.D.

Robert Larson
NOTARY PUBLIC * SOUTH DAKOTA
My Commission Expires: 6/89

STATE OF SOUTH DAKOTA

VESTED RIGHT WATER LICENSE NO. 5100-3

(1) the City of Pickstown
of PO Box 568, Pickstown, South Dakota 57367
made Application No. 5100-3, November 3, 1986
for validation of a vested right claim to appropriate 1.33
cubic feet per second of water from the Missouri River,
Charles Mix County, South Dakota for municipal
purposes. Vested Water Right No. 5100-3, with a priority
date of January 1, 1947 was validated March 4, 1987 and
issued to applicant for diversion of water with construction of
the described water supply system completed and the application
to beneficial use of said water completed.

and

(2) It is certified that the application 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 1.33 cubic feet per second of water for
beneficial use. The location of the diversion point(s) is

SE 1/4 SW 1/4 Section 9, T95N-R65W

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent,

water is diverted through the City's distribution system for municipal use.

(4) Pursuant to Section 46-5-30.1 the City of Pickstown of P.O. Box 568, Pickstown, South Dakota 57367 the holder(s) and/or owners(s) of Vested Water Right No. 5100-3 is issued a license to appropriate water, the right to use 1.33 cubic feet per second of water from the Missouri River with a priority date of January 1, 1947 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of municipal use. This license is subject to any limitations or qualifications listed in Vested Water Right No. 5100-3 and subject to South Dakota State Law.


JOHN HATCH, Chief Engineer

Water Rights Division

Department of Water and Natural

Resources

APR 30 1987

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410453

Pierre, May 23, 1986

RECEIVED OF City of Pickstown, PO Box 568, Pickstown, SD 57367

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____	8	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	8 00

By John Hatch
Chief Engineer

JOHN HATCH/ms

March 19, 1986

Box 764
Pickstown, S.D. 57367

South Dakota Department of Water & Natural Resources
Division of Water Rights
Joe Foss Building, 523 East Capitol
Pierre, South Dakota 57501



Dear Sirs:

In accordance with Public Law 99-88, the residents of Pickstown will in the very near future be assuming ownership of the incorporated boundaries as described in Enclosure #1. Proof of incorporation is also enclosed as Enclosure #2.

We have been informed that the previous owner, the U.S. Army Corps of Engineers, does not have a water permit for the above described property as required by state law; therefore, we respectfully request that your department forward to the above address the necessary forms and, if possible, a copy of any existing state laws that will have to be adhered to while we are in the process of applying for a permit.

Sincerely,

Laurence J. Delvaux Jr.
Pickstown Townsite Committee Chairman

Enclosures

Permit No. 5100-3Missouri River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by the City of
Pickstown of P.O. Box 568, Pickstown SD holder of
 Permit No. 5100-3, bearing the priority of January 1 19 47 authorizing
 the diversion of 1.33 cu. ft. per second of the waters of the Missouri River
 for municipal purposes, in Charles Mix County.

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

(north) motor: General Electric pump: Layne
 75hp, M.N. 12FS645 No. 17795
 No. NEJ6700754

(south) A. Works used to divert the water:
 motor: General Electric pump: Layne
 75hp, M.N. 12FS645 No. 17794
 No. NEJ6700757

river pumps:

motor: U.S. Motor pump: Vertiline, 200 gpm
 2hp, 1800rpm M.N. 280BC1
 S.N. 3041199 S.N. 26946

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

motor: U.S. Motor pump: Verti-line, 460 gpm
 5hp, 1800rpm M.N. 5808F2
 S.N. 3040324 S.N. 26947

C. Works used to apply water to beneficial use: city distribution system

river → stilling basin → filter plant → sweet well → 537,000 gallon storage tank → city

The system is in the following condition goodThe point of diversion is located SE 1/4 SW 1/4 section 9-T95N-R65WThe works are capable of diverting and conveying to the place of use 1.33cu. ft. per second of water which is to be used for municipal purposes

Water has been put to beneficial use to the maximum extent as follows:

comprising a total of acres of land and the license should be issued for 1.33 cfsApplicable permit qualifications have been complied with Yes NoExceptions to compliance are: Date August 19, 1986

Ron Duwall
 (signature)

LICENSE FOR PERMIT NUMBER 5100-3

1. Legal location of wells: _____

dams & structures: _____

2. Well Information: Well Drilling Firm _____

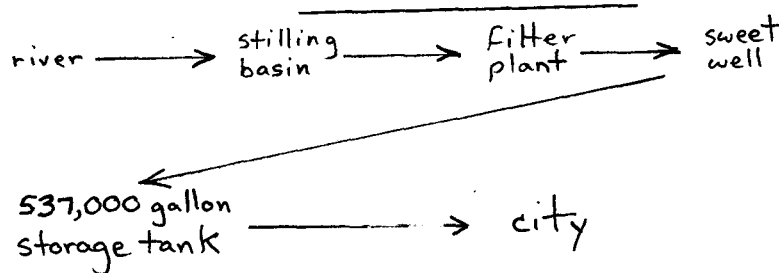
No. of wells _____ Depth _____

Casing a) diameter _____ Screen a) type _____
b) length _____ b) length _____
c) type _____ Static Water Level _____

Pump a) make _____ Motor a) make _____
b) model _____ b) model no. _____
c) size _____ c) horsepower rating _____
d) capacity _____ GPM d) motor efficiency rating _____
e) turbine pump
no. of stages _____

3. Distribution lines:

a) size of lines _____
b) type _____
c) length _____



4. Dam information:

a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____

i) Outlet tubes:

1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

h) Distribution lines or canals:

1) size _____
2) type _____
3) length _____

5. System Type: a) sideroll:

1) length _____ feet
2) diameter of pipe _____
3) make, model & number of sprinklers _____
4) spacing of sprinklers _____
5) nozzle size _____

b) towline:

1) length _____ feet
2) make, model & number of sprinklers _____
3) spacing of sprinklers _____
4) nozzle size _____

5. System Type: c) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running _____
- 9) GPM _____

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES NO Check Items

- | | | |
|-------|-------|---|
| _____ | _____ | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit. |
| _____ | _____ | 2. Special Qualifications to permit being abided by. |
| _____ | _____ | 3. All Structures, wells and lands on map. |

REMARKS:

river pumps :

motor: U.S. Motor pump: Verti-line, 200gpm
 2hp., 1800rpm M.N. 280BC1
 S.N. 3041199 S.N. 26946

motor: U.S. Motor pump: Verti-line, 400gpm
 5hp., 1800rpm M.N. 5808F2
 S.N. 3040324 S.N. 26947

distribution pumps :

motor: General Electric pump: Layne
 75hp., M.N. 12F5645 No. 17794
 No. NEJ6700757

motor: General Electric pump: Layne
 75hp., M.N. 12F5645 No. 17795
 No. NEJ6700754



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

September 5, 1986

Bruce W Specketer
City of Pickstown
PO Box 568
Pickstown SD 57367

Dear Mr. Specketer:

This letter is in response to my on-site inspection of the city water supply system on August 19, 1986.

Enclosed is a revised Affidavit of Water Use and the Permit Application for a Vested Right for a water appropriation of 600 gpm (1.33 cfs). An additional fee of \$2.50 is also needed to issue a license upon approval of the Vested Right.

The Future Use Permit Application has also been revised from reserving 1 cfs to 2 cfs and is enclosed. The larger amount of water reserved also increases the application fee. A fee of \$15.00 is needed in addition to the \$32.50 which has been received.

All of the enclosed forms need to be notarized. Check the forms for accuracy and make any needed corrections. Please contact us if you have any questions. Thank you for your time and consideration.

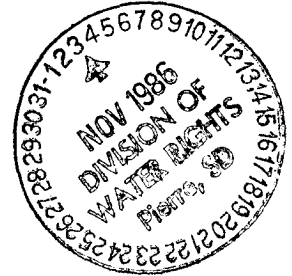
Sincerely,

A handwritten signature in cursive script that reads "Ron Duvall".

RON DUVAL
Natural Resources Engineer

RD:ks

enclosure



TOWN OF PICKSTOWN



October 28, 1986

Ron Duvall
Natural Resource Engineer
SD Dept of Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

Dear Mr. Duvall,

Enclosed are the signed and notarized affidavit of Water Use forms,
the Permit Application for a water appropriation of 600 G.P.M. (1.33 cfs),
and the requested fees.

If these forms are not properly executed, please contact us for
corrections.

Thank you.

Sincerely yours,

A handwritten signature in cursive script, reading "Bruce W. Specketer".

Bruce W. Specketer
President, Board of Trustees

BS:sg

Encl.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410614

Pierre, November 5, 19 86

RECEIVED OF City of Pickstown, Box 568, Pickstown, SD 57367-0568

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	2	50
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By

John Hatch

Chief Engineer

JOHN HATCH

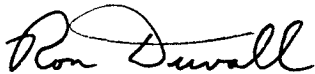
ms

REPORT ON VESTED RIGHT APPLICATION NO. 5100-3
CITY OF PICKSTOWN
December 9, 1986

Vested Water Right Application No. 5100-3 proposes to validate a vested right claim for the appropriation of 1.33 cubic feet of water per second from the Missouri River. The point of diversion is located in the SE 1/4 SW 1/4 Section 9, T95N, R65W. A priority date of January 1, 1947 has been claimed for the water use. Water is used as a municipal water supply for the City of Pickstown.

Conclusions:

1. According to the affidavit of water use, the works were constructed during 1947 and water has been put to beneficial use.
2. A priority date of January 1, 1947 should be assigned since the exact date for start of construction during 1947 is unknown.
3. The amount of water appropriated seems reasonable for the claimed use.
4. It is recommended that the vested right claim be validated.



Ron Duvall
Natural Resources Engineer

RECOMMENDATION OF CHIEF ENGINEER FOR VALIDATION OF VESTED WATER
RIGHT APPLICATION NO. 5100-3

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Validation of Vested Water Right Application No. 5100-3, City of Pickstown, PO Box 568, Pickstown SD

The Chief Engineer is recommending VALIDATION of Application No. 5100-3 because 1) water has been appropriated as described for municipal use with a January 1, 1947 priority date, 2) the use has been developed without unlawful impairment of existing rights, 3) the use is a beneficial use and 4) it is in the public interest.

See the attached report for additional information.

A handwritten signature in cursive script, appearing to read "John Hatch", written in dark ink.

JOHN HATCH, Chief Engineer
December 9, 1986

Instruction to Newspaper - Publish first publication of the following Notice on or before January 7, 1987 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING To Validate
Vested Right Application No. 5100-3 to Appropriate Water

Notice is hereby given that the City of Pickstown whose mailing address is PO Box 568, Pickstown, South Dakota has filed an application to validate a vested right claim to appropriate 1.33 cubic feet of water per second from the Missouri River. The point of diversion is located in the SE 1/4 SW 1/4 Section 9, T95N, R65W. The water use has a claimed priority date of January 1, 1947 and is used as a municipal water supply for Pickstown.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends VALIDATION of Vested Water Right Application No. 5100-3 because 1) water has been appropriated as described for municipal use with a claimed priority date of January 1, 1947, 2) the use has been developed without unlawful impairment of existing rights, 3) it is a beneficial use of water and 4) it is in the public interest.

Validation of this application will be considered by the Water Management Board in Room 216, Joe Foss Bldg, Pierre SD, March 4, 1987 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve validation, 2) approve the validation with qualifications, 3) defer, or 4) deny validation of the application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by February 20, 1987. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-18; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, 46-5-49; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15 and 74:02:01:19 thru 74:02:01:22.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 20, 1987.

No. 5100-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Charles Mix) ss.

I, Pam Wells hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Lake Andes W'ave

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 Lake Andes

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

Dec. 31, 1986

Jan 7, 1987

Pam Wells
(Signature)

Publisher
(Title)

1-5-86
(Date Signed)

Cost of Printing: \$43.93

**NOTICE OF HEARING
To Validate Vested Right
Application No. 5100-3 to
Appropriate Water**

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Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends VALIDATION of Vested Water Right Application No. 5100-3 because 1) water has been appropriated as described for municipal use with a claimed priority date of January 1, 1947, 2) the use has been developed without unlawful impairment of existing rights, 3) it is a beneficial use of water and 4) it is in the public interest.

Validation of this application will be considered by the Water Management Board in Room 216, Joe Foss Bldg., Pierre, SD, March 4, 1987 at 10:00 a.m.

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This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, Joe Foss Bldg., Pierre, S.D. (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 20, 1987.

D-31-J-7-103L



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol

Pierre, South Dakota 57501-3181

WATER RIGHTS DIVISION
(605) 773-3352

APR 30 1987

City of Pickstown
PO Box 568
Pickstown, South Dakota 57367

Dear Sir:

Enclosed are your Validated Vested Water Right and Water License No. 5100-3.
As long as you use the water beneficially, as stated in the Water License,
the State Water Laws provide that you have a continuing right to use the
water.

Very truly yours,

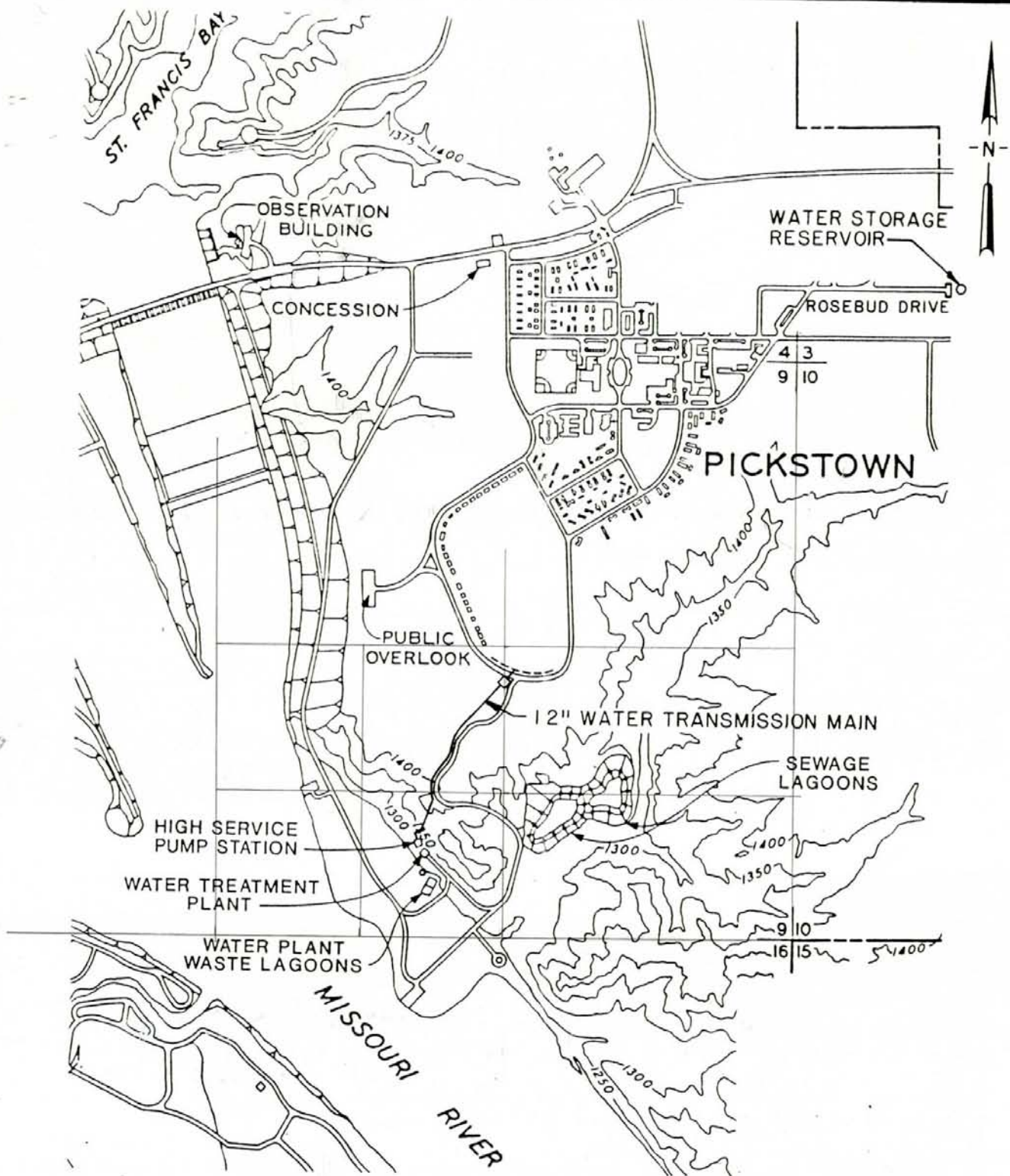
A handwritten signature in cursive script that reads "John Hatch".

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

JH:ms

enclosures

Equal Opportunity Employer



SCALE NONE
 DRAWN SLP
 CHECKED Pte
 APPROVED BW
 DATE 12-12-85

V&K
 VEENSTRA & KIMM, INC.
 ENGINEERS & PLANNERS
 1001 WEST HANNA BLVD. S.W. 1601 22ND STREET
 WEST DES MOINES, IOWA 50319 515-225-8000

REVISION		
NO.	APP.	DATE

PICKSTOWN, SOUTH DAKOTA

VICINITY MAP

FIG. NO.
1

PROJ. 2441

Appl. No. 5100-3

BACKGROUND

The facilities consist of a potable water supply and treatment system and a wastewater treatment system. The facilities are located in the vicinity of Fort Randall Dam, on the left bank of the Missouri River downstream from the dam, and generally south of the Pickstown townsite. The facilities are shown on Figure 1 in relation to Pickstown.

When the Fort Randall Dam project entered the construction phase, the townsite of Pickstown was established to house the construction and operations personnel involved in the project. Subsequently, operations personnel have been housed there.

During the early days of construction, it is reported that a population of 4,500 people or more were housed at Pickstown. The facilities for supplying potable water and the handling of the wastes from that area were designed and installed. This included a water intake with chlorination to provide the necessary potable water, and a single-cell sewage lagoon to handle the wastewater from the townsite. Present population is reported to be approximately 125 people.

A pumping station was constructed to take suction directly from the river and lift the water, chlorinate it and pump it directly to the distribution system with a high-level ground storage reservoir to provide equalization storage for the original population. The pumping station is now known as the High Service Pumping Station housed in Building 14, and originally included two vertical turbine pumps with each of their suctions directly connected to a suction line from the river. Provision for high service backflushing of the intake line was made to clear any potential obstructions from the suction line. These pumps were mounted in a pit 37 feet deep with a single ladder complete with safety cage to the bottom of the pit. This condition no longer meets the requirements of OSHA or other standards of safety practice.

Disinfection of this river water was by gas chlorination. The original equipment has been removed and replaced with more modern equipment. At the time of its installation, it was acceptable practice to install a chlorinator on the operating floor of a pump house. This practice is no longer acceptable as it is hazardous to operations personnel. The sign on the wall of the pumping station to "Hold your breath and exit the building in the event chlorine gas is encountered." is no longer acceptable from a safety standpoint.

The original intake and pumping station and a single-cell sewage lagoon were built in 1947 or 1948 when the dam was constructed.

During 1959 and 1960, the water treatment plant was constructed and the pumping station was converted to a high service pumping station. This original pumping station was modified to take pump suction from the treatment plant clearwell and pump to the distribution system and high level ground storage reservoir.