

Considered: _____

WATER PERMIT NO. 5118-3 10

MAP No. same

Name of Applicant Town of Gayville

Post Office Address Box 186, Gayville SD 57031

Amount of Water Claimed .33 cfs Total Acres NA

Source of Water Supply ground water

Water to be used for municipal purposes County Yankton

About _____ miles _____ of Gayville

PROOF OF PUBLICATION: Received ☒ Not Received _____

APPLICATION: Approved 3/4/87 Subject to _____

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

PRIORITY _____ Date Received Oct 9, 1986 Fee \$225.00 Remarks _____
1/28/87 received
1-7-87

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

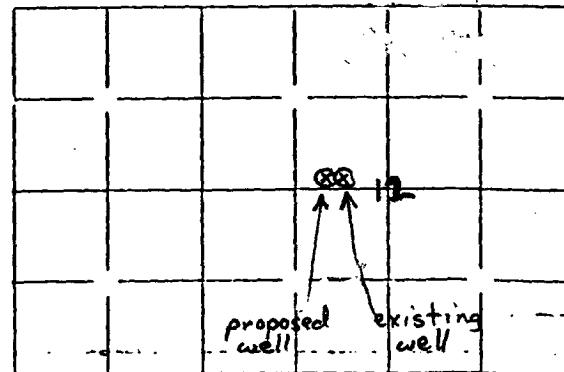
WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

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

Diversion Point well: SE 1/4 NW 1/4 section 12 -

T93N-R54W

Land to be Irrigated NA



Well Log: Driller _____ Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map Topo PREPARED BY Charles Donovan Reviewed and the Number

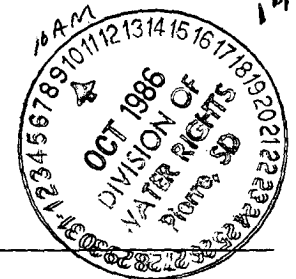
assigned on January 20, 1987 By Ron Duwall

No. 5118-3 Hydrologic Unit 10170102
 Map No. same Basin Vermillion River
 Newspaper Missouri Valley Observer, Box 207, Gayville
 (Encl.)

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 Town of Gayville Phone No. 267-4526Post Office Address Box 186, Gayville State SD 57031
(Street, RR or Box) Zip Code2. Amount of water claimed (cfs) .33 cfs 150 Gallons per Minute3. Source of water supply underground well4. Location of point of diversion located within 100 yds of existing well
SE 1/4 NW 1/4 Section 12-T93N-R54WYankton County5. Counties where water will be used Yankton6. Annual period during which water is to be used entire year 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)

Addition to existing water supply for Town of Gayville to be within
 100 yds. of existing well as auxiliary water supply.

Refer to: Thorpe Well Co. of Sioux City, Iowa.

*Now: (Thorpe Water Supply Service Inc.)
 Ankeny, Iowa*

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 Yankton ss

I, Sandra L. Heier 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 Sandra L. Heier
 By: Sandra L. Heier

Subscribed and sworn to before me this 8th day of October, 1986

James E. Doyle
 Notary Public (or other qualified officer)
 James E. Doyle

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 5118-3
Town of Gayville (Applicant) Box 186, Gayville (Post Office Address)
SD (State) 57031 (Zip Code) With the following qualifications.

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The casing of the well to be constructed under Permit No. 5118-3 shall be pressure grouted with cement (bottom to top) from the producing aquifer to the surface and constructed in compliance with Water Management Board Well Construction Rules, Chapter 74:02:04.

Date of first receipt of application October 9, 19 86.
 Date of return to applicant for correction, amendments or changes required November 26, 19 86.
 Date of receipt of corrected application Jan. 28, 19 87. Approved March 4, 19 87.

The Water Management Board hereby approves this Water Permit No. 5118-3 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 January 28, 19 87.
2. The equivalent of at least one-fifth of the specified work is to be completed on or before August 4, 19 89.
3. The whole of said work is to be completed on or before March 4, 19 92.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is March 4, 19 96.
5. The water appropriated shall be used for the purpose of municipal use by the
Town of Gayville
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 0.33 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 municipal use on or before March 4, 19 96; said water to be used during the following described annual period: January 1 - December 31

WATER MANAGEMENT BOARD

By: John H. Hated

Chief Engineer

Division of Water Rights

Dept. of Water and Natural Resources

APR 30 1987

, 19

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter 12 ³/₄ Depth 90'
- b) Casing Type 8" steel Diameter 8 5/8" od Thickness .322 wall Min
- c) Screen Type stainless steel Diameter 8 5/8" od Thickness 5/16" Min
- d) Gravel Pack Thickness 2" ± Length of Gravel Pack 20'
- e) Depth to Top of Water Bearing Material 60'
- f) Depth of Water (ground surface to water level) 12'
- g) Distance to nearest existing domestic well:
- On applicants property 100' On property owned by others 2 miles

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Outlet Dimensions:

Pipe diameter _____

Spillway width _____

f) X & Y Slope

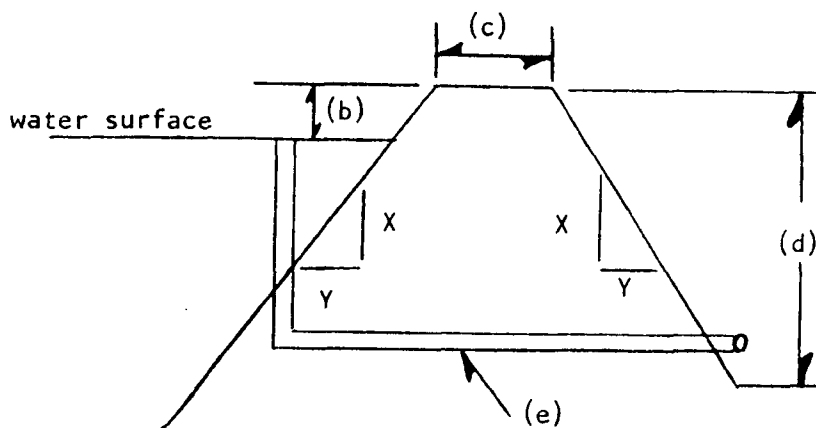
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____

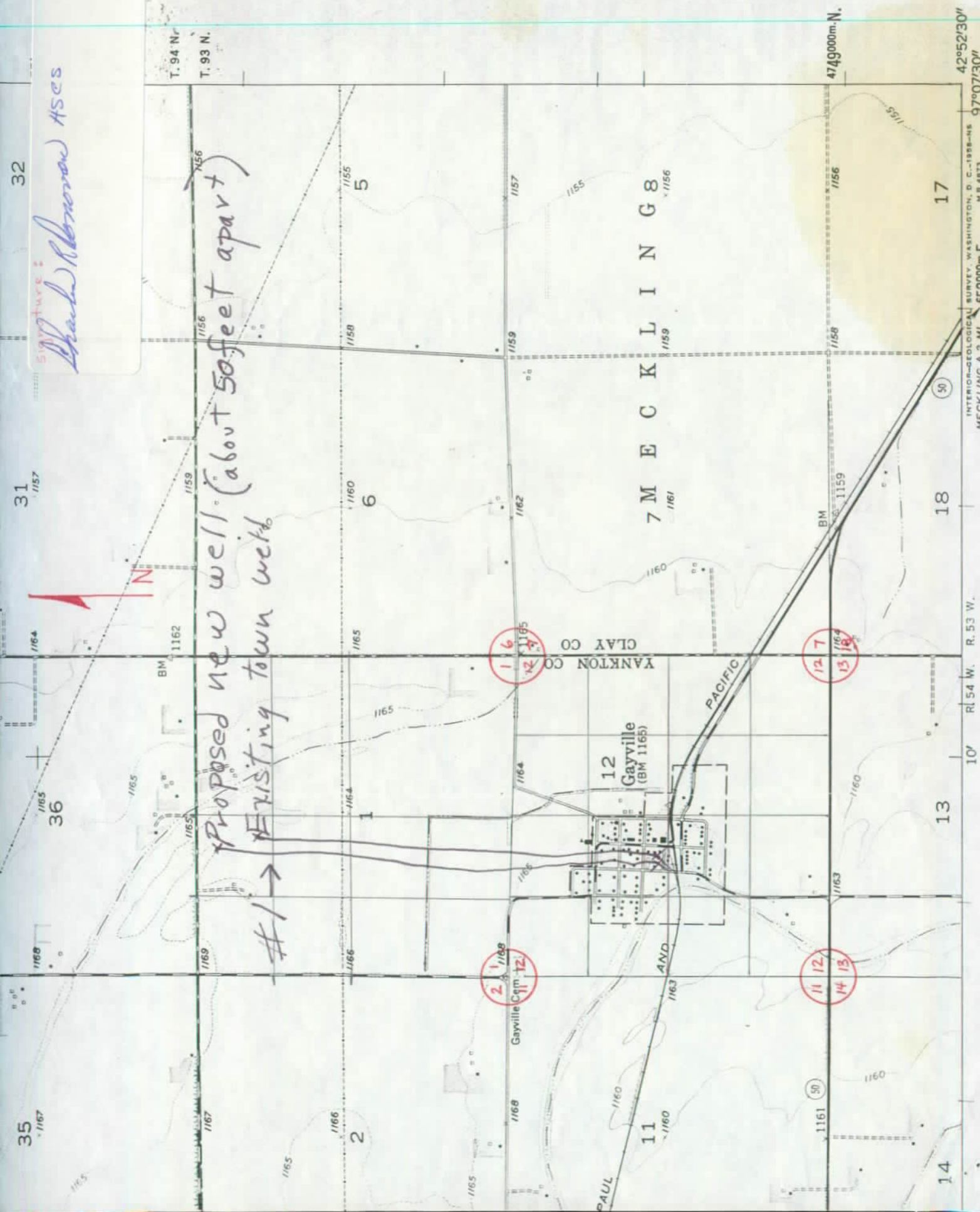


TOWN OF GAYVILLE

By: Sandra L. Heier
Signature of Applicant Sandra L. Heier

Signature: *Charles Robinson* HSES

Proposed new well (about 50 feet apart)
#1 → Existing town well



SCALE 1:24000

INTERIOR-GEOLOGICAL SURVEY, WASHINGTON, D. C. 20585-MS
MECKLING 4 2 MI. 65°20'00"E.
VERMILLION 12 MI.
42°52'30"
97°07'30"

ROAD CLASSIFICATION
Appl. No. 5118-3

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, January 7, 19 86

410692

RECEIVED OF Town of Gayville, Box 186, Gayville, SD 57031

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

Fee for Application for Permit No. <u>5118-3</u> to Appropriate Water, to construct works and to put water to beneficial use	225	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	225 00

By

John Hatch

Chief Engineer

JOHN HATCH

MS

WATER RIGHTS DIVISION
(605) 773-3352

September 25, 1986

LaVonne Olson, Town Clerk
Gayville, South Dakota 57031

Dear Ms. Olson:

This letter is in response to a telephone conversation with Jim Doyle regarding the water rights for the town of Gayville.

Enclosed are water permit application forms which need to be completed if the town intends to construct a new supply well in addition to the existing well.

Please contact us if you have any problems completing the forms.

Sincerely,

Ron Duvall
Natural Resources Engineer

RD:ms
Enc.

DOYLE AND KENNEDY
LAWYERS

322 WALNUT STREET
YANKTON, SOUTH DAKOTA 57078

JAMES E. DOYLE
CRAIG A. KENNEDY

October 8, 1986



(605) 665-3000

MAILING ADDRESS
P.O. BOX 37

Mr. Ron Duvall
Division of Water Rights
523 East Capitol
Pierre, South Dakota 57501

Re: New well for Town of Gayville

Dear Ron:

I am enclosing a signed Application for Permit concerning the request by the Town of Gayville to locate a new well for the water supply and continue, if necessary, to rely on the existing well which apparently is giving the Town Board some thoughts that there should be another well available because of apparent difficulties in the recent past concerning this well.

The supplemental information sheet which you also enclosed has been forwarded to Thorpe Well Company of Sioux City, Iowa. We are requesting that they fill this out and forward the information directly to you so that you will have it as soon as possible.

If there are any questions please do not hesitate to call me or Sandra Heier at Gayville.

Very truly yours,

DOYLE & KENNEDY

A handwritten signature in dark ink, appearing to be "JED", written over a horizontal line.

James E. Doyle

JED:dg
Enc.

CC: Sandra Heier

COPY

November 26, 1986

Sandra L. Heier
Town of Gayville
Box 186
Gayville, South Dakota 57031

Dear Ms. Heier:

This letter is in response to the water permit application for the Town of Gayville received on October 9, 1986. The following information is needed before the permit application can be processed.

- 1) The amount of water claimed (gallons per minute) needs to be specified in Question No. 2 on the enclosed Form 2.
- 2) A map also needs to be submitted. Enclosed is a map showing the Town of Gayville and the surrounding area. Mark the proposed well location as well as the location of any existing wells and number the wells. Please give a short explanation as to which well is proposed and which is in existence. The map also needs to be signed in the manner specified on the enclosed instruction sheet.
- 3) An application fee also needs to be submitted with the permit application. The fee structure is outlined on the enclosed instruction sheet.
- 4) A well log or test hole log also needs to be submitted. If a log is not available, then a short description of the anticipated well construction and formations encountered needs to be completed.

Please complete and return the enclosed forms and map with the application fee. The application cannot be processed until the application is complete. Contact us if you have any questions.

Sincerely,

Ron Duvall
Natural Resources Engineer

RD:ms
Enc.



Department of Water & Natural Resources

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

January 8, 1987

Sandra L. Heier
Town of Gayville
Box 186
Gayville SD 57031

Dear Ms. Heier:

This letter is in response to the fee, application form and map received on January 7, 1987.

The permit application is complete except for a test hole log. No information has been received from Thorpe Water Supply Service regarding the proposed well construction. The permit application can not be processed until all needed information has been received. Enclosed is a copy of the permit application instruction sheet. Please contact us if you have any questions.

Sincerely,

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

RON DUVAL
Natural Resources Engineer

RD:ks

enclosure



THORPE WATER SUPPLY SERVICE, INC.

P.O. Box 157 / Ankeny, Iowa 50021 / 964-1111 / Area Code 515

January 20, 1987



Department of Water and Natural Resources
Joe Foss Building
Pierre, South Dakota 57501

Re: Gayville, South Dakota
Attn: Mr. Ron Duvall

Dear Ron:

Enclosed, please find a sketch of proposed well construction and the anticipated log of formations encountered for Gayville, South Dakota.

They are planning to start construction as soon as the weather moderates this spring.

Trusting that this information complies with state requirements.

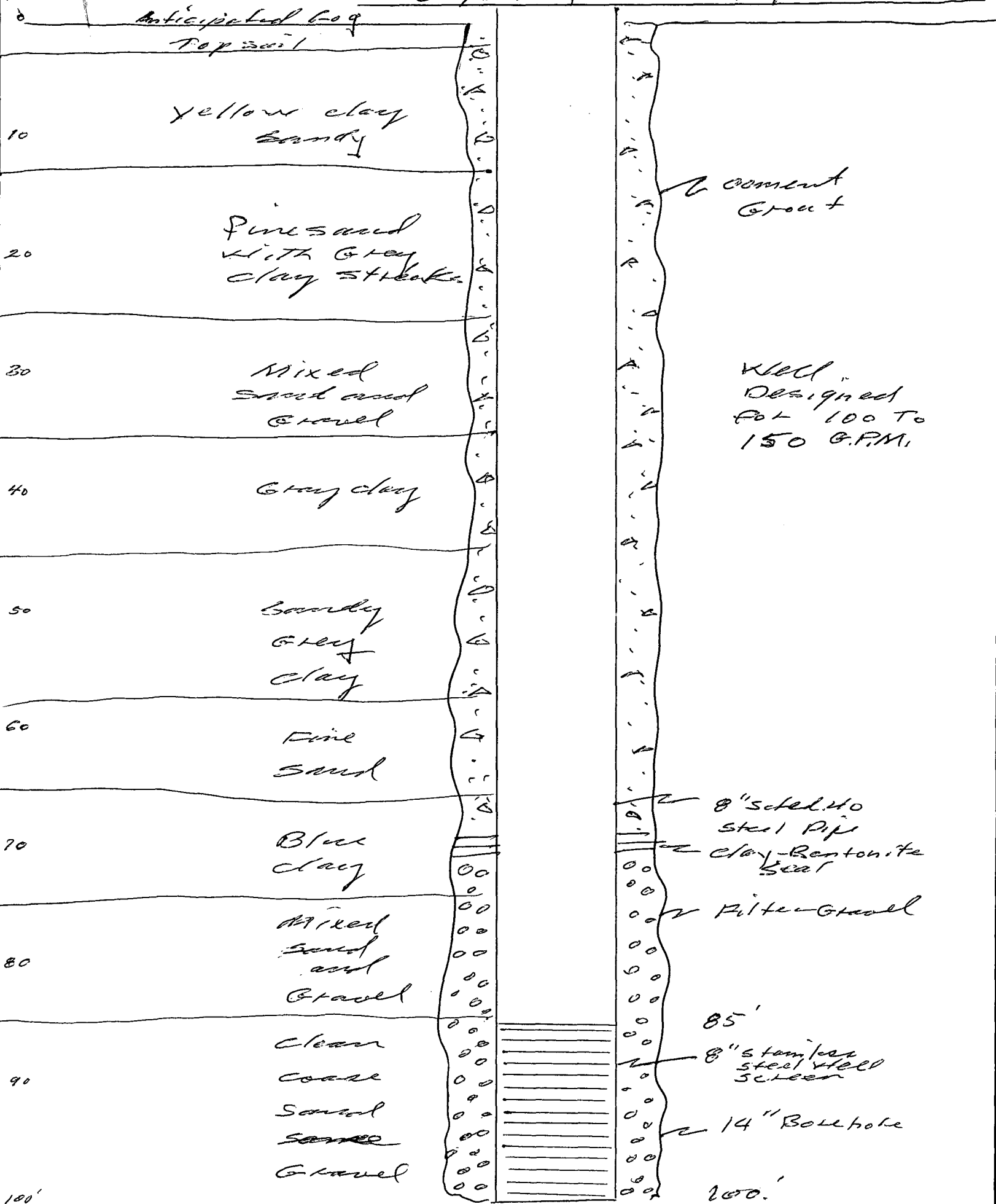
Sincerely,

Thorpe Water Supply Service, Inc.

Wes Thorpe, President

WT/tjt

Enclosure



Report on Application No. 5118-3
Town of Gayville
January 23, 1987

This application proposes to appropriate 0.33 cfs from one well 130 feet deep to be located in the SE 1/4 NW 14 Section 12, T93N, R54W. The water is to be used for municipal purposes by the Town of Gayville.

Aquifer - Missouri-Elk Point (M-EP)

The Missouri-Elk Point (M-EP) is a glacial aquifer mantled by alluvium and can be either under water table or artesian conditions. The M-EP underlies 45,000 acres in Yankton County and contains an estimated 675,000 acre-feet of recoverable water (Hedges, et al., 1982). The M-EP is hydraulically connected to the James and Missouri Rivers and the Lower James Missouri-Jamesville (LJM-J) aquifer. The M-EP may yield 1,000 gpm from properly constructed wells virtually in any area (Bugliosi, 1983). Bugliosi included the very large LJM-J with the M-EP and called this one aquifer, the LJM-J.

The Division of Water Rights monitors 3 observation wells (YA-78J, YA-80KA and YA-57E) in the Gayville area. Water levels in these wells respond to climatic conditions by fluctuating a few feet. Aquifer pumping is not obviously reflected in hydrographs (Water Rights, 1987). Even though the aquifer appears to be under artesian conditions in some areas the water level responses due to pumping behave more like water table conditions. The aquifer can contain over 100 feet of saturated thickness in the Gayville area.

Review of Existing Water Permits

There are two irrigation Permit Nos. 4678-3 and 4700-3 within 2 miles of Gayville. These permits can divert 1.80 and 1.94 cfs respectively. Gayville has an existing well, Permit No. 1965-3 for a 92 feet deep well and for 0.37 cfs. The new well will be 50 feet away from the old well. Apparently, Gayville wants to continue to use the old well as a standby.

Conclusions

1. Water is available from the Missouri-Elk Point Aquifer.
2. Interference should not be a problem. The only probable interference problem is with the existing town well. Since, this well will be used as a backup only, well spacing should not be necessary.
3. Water levels in the observation wells do not fluctuate significantly due to irrigation pumping. Interference between the town wells and the irrigation wells should not be significant.
4. The new city well must be constructed to meet the South Dakota Well Construction Standards, specifically, 74:02:04:30.


JAMES A GOODMAN
Hydrologist

Bibliography

Bugliosi, E.F., 1983, Major Aquifers in Yankton County South Dakota, Information Pamphlet NO. 28, SDGS, Vermillion SD 57069.

Hedges, L.S., S.L. Burch, D.L. Iles, R.A. Barari, R.A. Schoon, 1982, Evaluation of Groundwater Resources Eastern South Dakota and Upper Big Sioux River, South Dakota and Iowa, for US Army Corps of Engineers, DWNR, SDGS, Vermillion SD 57069.

Water Rights, 1987, Observation Wells in Yankton County, DWNR, Division of Water Rights, Joe Foss Building, Pierre SD 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 5118-3

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 Water Permit Application No. 5118-3, Town of Gayville, Box 186, Gayville SD.

The Chief Engineer is recommending APPROVAL of Application No. 5018-3 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

1. The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.
2. The casing of the well to be constructed under Permit No. 5118-3 shall be pressure grouted with cement (bottom to top) from the producing aquifer to the surface and constructed in compliance with Water Management Board Well Construction Rules, Chapter 74:02:04.

See the attached report for additional information.


JOHN HATCH, Chief Engineer
January 27, 1987



Department of Water & Natural Resources

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

Water Rights Division
(605) 773-3352

January 28, 1987

NOTE:

TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT THE
NEWSPAPER RIGHT AWAY.

Town of Gayville
Box 186
Gayville, South Dakota 57031

Dear Sir:

Your Application No. 5118-3 for a permit to appropriate water for
municipal use, has been examined and found to
comply with the South Dakota Water Laws and applicable rules. A notice of
your intent to appropriate water has been send to the Publisher of the

Yankton Press & Dakotan

printed at Yankton

South Dakota. For your information, a copy of this notice, the recommendation
of the Chief Engineer and a report on the application are enclosed. Please
review this notice prior to publication and notify this office, if you have
any corrections or questions.

BE SURE TO CONTACT THE ABOVE NEWSPAPER IMMEDIATELY TO AUTHORIZE PUBLICATION
OF YOUR NOTICE OF INTENT TO APPROPRIATE WATER AND TO ARRANGE FOR PAYMENT.
Early contact with the paper can eliminate delays. The publisher has been
instructed to publish your notice once each week for two consecutive weeks
with the last publication to occur at least thirty days before the board
meeting. We must receive Proof of Publication before the application can be
considered by the Water Management Board.

Sincerely,

RON DUVALL
Natural Resources Engineer

enclosures

No. 5118-3

Instruction to Newspaper - Publish first publication of the following Notice on or before February 4, 1987 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 5118-3 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that the Town of Gayville whose mailing address is Box 186, Gayville,, South Dakota has made an application for a permit

to appropriate 0.33 cubic feet of water per second from one well (Missouri-Elk Point Aquifer) 130 feet deep to be located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12-T93N-R54W. Water is to be used for municipal purposes by the Town of Gayville.



Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5118-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, 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, 2) approve with qualifications, 3) defer, or 4) deny this 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 it must include a statement describing the petitioners 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; 46-5-1 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; ~~(ground) 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; (future use) 46-5-38 thru 46-5-40; (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35; (10,000 AFA) 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15 (future use) 74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

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 the 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, DWNR, 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 any 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. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Yankton) ss.

2-4&11

NOTICE OF HEARING
ON APPLICATION NO. 5018-3
TO APPROPRIATE WATER

I, Noel Hamiel hereby

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

Water was taken from the Press & Dakotan

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the Yankton

Printing Co. of Yankton, S.D.

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

February 4, 1987

February 11, 1987

Noel Hamiel
(Signature)

Publisher
(Title)

2-11-87
(Date Signed)



Cost of Printing: _____

2 publishing dates x 7" = 14" @ 3.05
= \$42.70 total printing cost

Notice is hereby given that the Town of Gayville whose mailing address is Box 186, Gayville, South Dakota has made an application for a permit to appropriate 0.33 cubic feet of water per second from one well (Missouri Elk Point Aquifer) 130 feet deep to be located in the SE 1/4 NW 1/4 Section 12-T93N-R54W. Water is to be used for municipal purposes by the Town of Gayville.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 5018-3 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Room 216, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, March 4, 1987 at 10:00 a.m. The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this 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 it must include a statement describing the petitioners 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; 46-5-1 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; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

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. Decision of the Board may be appealed to the Circuit Court and the 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, DWRN, 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 any 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.





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

APR 30 1987

Town of Gayville
Box 186
Gayville, South Dakota 57031

Dear Sir:

Enclosed herewith is your Water Permit No. 5118-3 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 5118-3.

Also enclosed is Form 10; Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

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



Post Office Gayville, Iowa
Date Sept 11th 1987

TO: Water Rights
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No. 5118-3.

Water Right Permit No. 5118-3 states that the diversion system is to be constructed by Drilling a well and that the water is put to beneficial use by Pumping

The diversion system was completed on Sept. 3rd 1987 Applying the water to beneficial use was completed on Sept 11th 1987

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

A. B. Thompson
(Signature)

FIELD INVESTIGATION REPORT FOR PERMIT NO. 5118-3

DATE OF INVESTIGATION	September 16, 1998
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Kevin Sage, water works employee
NAME & ADDRESS OF PERMIT HOLDER	Town of Gayville PO Box 162 Gayville SD 57031
DIVERSION POINT LEGAL LOCATION	Well: 1,900 feet E and 2,750 feet N from the SW corner sec 12-93N-54W (SE $\frac{1}{4}$ NW $\frac{1}{4}$)

Other permit(s) associated with the project: Vested Right No. 1965-3

WELL INFORMATION:

- 1) Well Drilling Firm: unknown
- 2) No. of Wells 1
- 3) Depth(s) 93 feet
- 4) Well log is available Y/N
- 5) Comment: Thorpe provided proposed construction, not licensed to drill in SD

Screen:

- 1) Type stainless steel
- 2) Static water level 12 feet

Pump/Motor:

- 1) Make Franklin electric
- 2) Model 2366019020
- 3) Size 71/2 hp
- 4) Capacity ≈150 GPM

Casing:

- 1) Diameter 8 inches
- 2) Type steel

DISTRIBUTION LINES OR CANALS:

Water is diverted from the well to a 10,000 gallon clear well which is used for fire protection. Gayville has hooked up to the Clay Rural Water System and the well and well authorized by Vested Right No. 1965-3 are maintained for standby and fire protection use.

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by Y/N
- 2) All structures, wells and lands on map Y/N

Permit No. 5118-3
James River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, September 16, 1998, made a thorough examination of the water use system constructed by Town Gayville of PO Box 162, Gayville SD 57031 holder of Permit No. 5118-3, bearing the priority of January 28, 1987 authorizing the diversion of 0.33 cu. ft. per second of the waters of ground water (Missouri:Elk Point aquifer) for municipal purposes, in Yankton County.

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

A. Works used to divert the water:

- 1) Make Franklin electric
- 2) Model 2366019020
- 3) Size 7 1/2 hp
- 4) Capacity ≈150 GPM

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

Water is diverted from the well to a 10,000 gallon clear well which is used for fire protection. Gayville has hooked up to the Clay Rural Water System and the well and well authorized by Vested Right No. 1965-3 are maintained for standby and fire protection use. Both wells are maintained in operating condition and are ready for use upon demand.

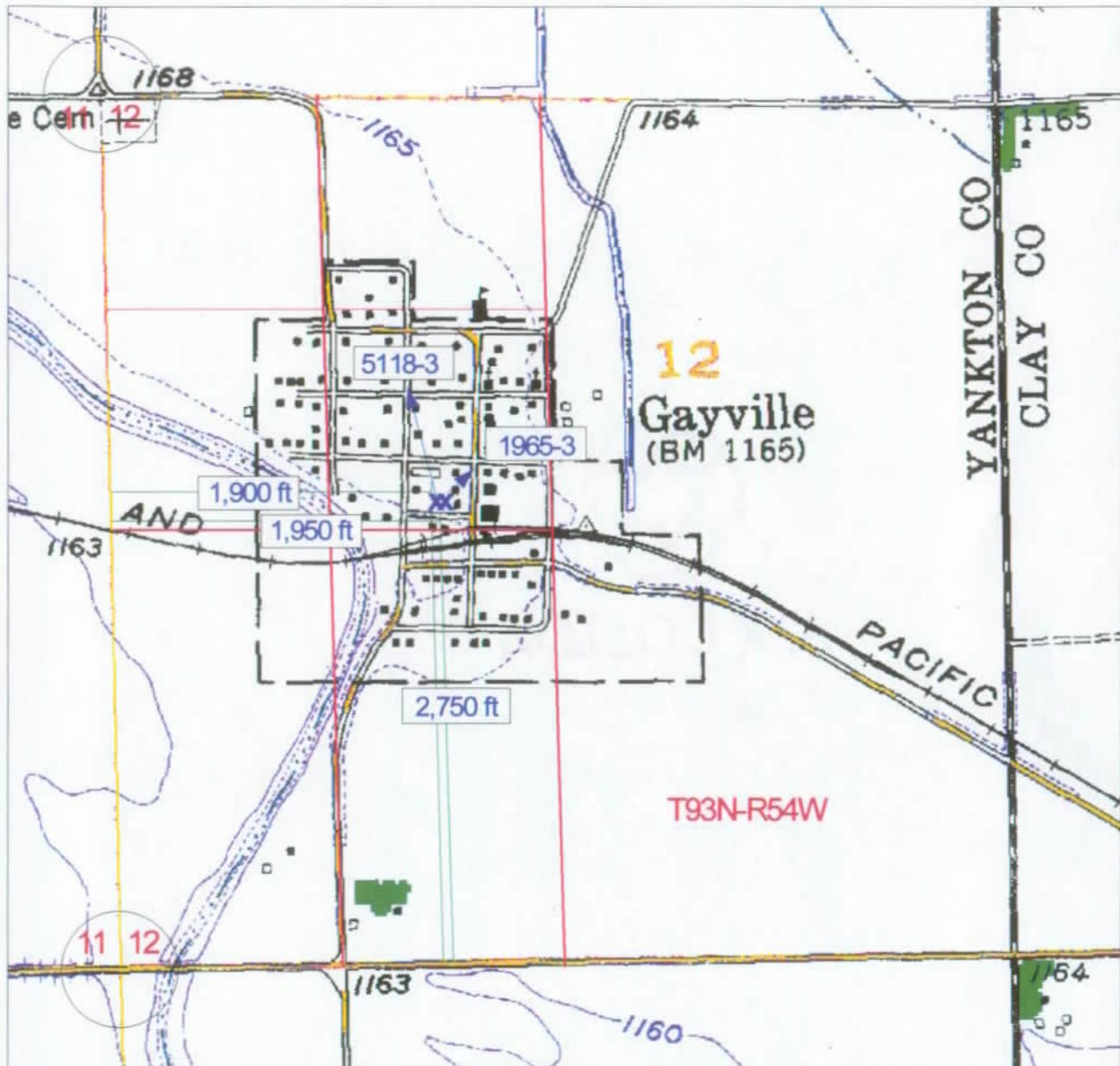
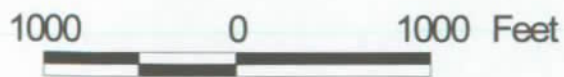
The system is in the following condition good. The point of diversion is located Well: 1,900 feet E and 2,750 feet N from the SW corner sec 12-93N-54W (SE¼NW¼). The works are capable of diverting and conveying to the place of use 0.33 cu. ft. per second of water which is to be used for municipal. Water has been put to beneficial use to the maximum extent and the license should be issued for 0.33 cfs.

Applicable permit qualifications have been complied with: Yes X No

Exceptions to compliance are: none Date report completed: October 21, 1998



Ron Duvall
Natural Resources Engineer
DENR, Water Rights Program



Don Swall

Ron Duvall, Nat Res Engineer

10/21/98

Date _____

Water Right No. 5118-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

November 10, 1998

5118-3

Town of Gayville
%Betty Putnam, Clerk
P.O. Box 162
Gayville, SD 57031

Dear Ms. Putnam:

The investigation of your water use system was conducted on September 16, 1998, by Ron Duvall, staff engineer. The investigation included the extent of application of water to beneficial use, as developed under Water Permit No. 5118-3. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the investigation and issuance of the Water License. Upon receipt of the \$50.00 fee from you, we will begin processing your Water License.

**Please remit fee to:
Department of Environment & Natural Resources
Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181**

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

NOTE: On check or money order, please specify your permit number. This will insure proper handling of the fee.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NO 415967

Pierre, _____ December 9, 19 98

RECEIVED OF Town of Gayville, P.O. Box 162, Gayville, SD 57031
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
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. 5118-3

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

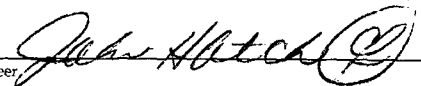
Total

50 00

50 00

By

Chief Engineer,





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

JAN 19 1999

5118-3

Town of Gayville
%Betty Putnam, Clerk
P.O. Box 162
Gayville, SD 57031

Dear Ms. Putnam:

Enclosed is Water License No. 5118-3. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 415967 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 5118-3, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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. If you have any questions, please contact our office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

ks
enclosures

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 5118-3

(1) Town of Gayville, PO Box 162, Gayville SD 57031 made Application No. 5118-3, October 9, 1986 for a water permit to divert 0.33 cubic feet of water per second from groundwater (one well), Yankton County, South Dakota for municipal purposes. Permit No. 5118-3, with a priority date of January 28, 1987 was approved March 4, 1987 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before March 4, 1992 and for the application to beneficial use of said water on or before March 4, 1996.

(2) It is certified that the permit holder 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 0.33 cubic feet of water per second for beneficial use. The location of the diversion point is 1,900 feet east and 2,750 feet north from the southwest corner of Section 12-T93N-R54W (SE ¼ NW ¼).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use. The Town of Gayville is supplied water by the Clay Rural Water System. The two wells authorized by Vested Right No. 1965-3 and this permit are maintained for standby and fire protection use.

(4) Pursuant to South Dakota Water Law 46-5-30.1 the Town of Gayville, PO Box 162, Gayville SD 57031 the holder and/or owner of Water Right No. 5118-3 is issued a license to appropriate water, the right to use 0.33 cubic feet of water per second from groundwater (one well) with a priority date of January 28, 1987 from the location specified in (2) of this license for the purpose of municipal use. This license is subject to any limitations or qualifications listed in Water Right No. 5118-3 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JAN 19 1999

date

