

**STATE OF SOUTH DAKOTA**  
**REISSUED VESTED WATER RIGHT LICENSE NO. 517A-3**  
**DIVISION OF NO. 517-3 INTO NOS. 517A-3 AND 517B-3**

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(1) The City of Hurley, PO Box 336, Hurley SD 57036-0336 was issued Water License No. 517-3, January 17, 1966 for a right to appropriate 0.93 cubic feet of water per second (cfs) from groundwater (four wells), Turner County, South Dakota for municipal use purposes. Water Right No. 517-3 with priority dates of April 1913, July 1913 and January 20, 1958 was issued to the City for diversion of water with construction of the supply system completed and the application of water to beneficial use completed.

On September 30, 1992, the Water Management Board validated the vested right portion of No. 517-3. Based on a September 26, 1995 inspection of the system, Water License No. 517-3 is being divided and reissued to separate the vested portion from the water right as follows:

Vested Water Right No. 517A-3 - authorizing the diversion of 0.40 cfs of water from one well. The 1977 replacement well for Well Nos. 1 & 2 is located in the NW 1/4 NW 1/4 Section 26-T98N-R53W with priority dates of April 1, 1913 (0.22 cfs) and July 1, 1913 (0.18 cfs).

Water Right No. 517B-3 - authorizing the diversion of 0.38 cfs from two wells. Both wells are located in the NW 1/4 NW 1/4 Section 26-T98N-R53W. The 1977 replacement well for Wells Nos. 1 & 2 has an additional priority date of January 20, 1958 (0.16 cfs). The remaining well has a priority date of January 20, 1958 (0.22 cfs).

Vested Water Right No. 517A-3 and Water Right No. 517B-3, combined, authorize a total diversion rate of 0.78 cfs from the two wells.

(2) The vested right owner is entitled to divert 0.40 cubic feet of water per second for beneficial use. The location of the diversion point is: 1,000 feet east and 100 feet south of the northwest corner of Section 26-T98N-R53W (NW 1/4 NW 1/4).

(3) Pursuant to Section 46-5-30.1 the City of Hurley, PO Box 336, Hurley SD 57036-0336 the holder and/or owner of Vested Water Right No. 517A-3 is issued a license to appropriate 0.40 cubic feet of water per second from groundwater (one well) with priority dates of April 1, 1913 (0.22 cfs) and July 1, 1913 (0.18 cfs) from the location specified in (2) of this license. The water is to be used for the purpose of municipal use. This license is subject to any limitations, conditions or qualifications listed in Vested Water Right No. 517A-3 and subject to South Dakota State Law.



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

JUL 18 1996

date



## FIELD INVESTIGATION REPORT FOR WATER RIGHT NO. **517-3**

|                                                                                          |                                                                                                                                                      |
|------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|
| DATE OF INVESTIGATION:                                                                   | <b>September 27, 1995</b>                                                                                                                            |
| NAME & ADDRESS OF INVESTIGATION CONTACT/<br>RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE | <b>Joe Garry, Utility Manager</b>                                                                                                                    |
| NAME & ADDRESS OF PERMIT HOLDER                                                          | <b>City of Hurley, PO Box 336, Hurley SD</b>                                                                                                         |
| DIVERSION POINT LEGAL LOCATION                                                           | <b>1977 well: 1,000 feet E and 100 feet S;<br/>Well No. 3 or 4: 1,000 ft E and 330 ft S;<br/>both from the NW corner of<br/>section 26-T98N-R53W</b> |

Other permit(s) associated with the project: **none**

### WELL INFORMATION:

#### 1977 Replacement Well

- 1) Well Drilling Firm: **Schimelfeny Well Drilling**
- 2) No. of Wells **1**
- 3) Depth(s) **43** feet
- 4) Well log is available **Y**

Comment: **Both wells already licensed**

#### Casing:

- 1) Diameter **12** inches
- 2) Length **23** feet
- 3) Type **steel**

#### Screen:

- 1) Type **stainless steel**
- 2) Length **20** feet
- 3) Static water level **30** feet

#### Pump:

- 1) Make **Aurora--Vertiline**
- 2) Model **unknown**
- 3) Capacity **250** GPM

#### Well No. 3 or 4

- 1) Well Drilling Firm: **unknown**
- 2) No. of Wells **1**
- 3) Depth(s) **approx 30** feet
- 4) Well log is available **N**

#### Casing:

- 1) Diameter **18** inches
- 2) Length **unknown** feet
- 3) Type **steel**

#### Screen:

- 1) Type **unknown**
- 2) Length **unknown** feet
- 3) Static water level **12** feet

#### Pump:

- 1) Make **Layne**
- 2) Model **34062**
- 3) Capacity **100** GPM

**Motor:**

- 1) Make **General Electric**
- 2) Model No. **5K6238XM501C**
- 3) Horsepower rating **50** hp

**Motor:**

- 1) Make **US Electrical Motors**
- 2) Serial No. **3211537**
- 3) Horsepower rating **20** hp

**DISTRIBUTION LINES OR CANALS:**

- 1) Type **City Distribution System**

**The city will eventually be hooking up to TM Rural Water**

**PERMIT QUALIFICATIONS:**

- 1) Special qualifications to Permit No. **517-3** being abided by **no qualifications**
- 2) All structures, wells and lands on map **Y**

## **Water Rights Program -- File Documentation**

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**NAME:** City of Hurley

**ADDRESS:** PO Box 336, Hurley SD 57036-0336

**DATE:** December 26, 1995

**COUNTY:** Turner

**TELEPHONE:** 238-5212

**RE:** Investigation of Vested Portions of Water Right No. 517-3

### **COMMENTS:**

On September 26, 1995, I completed an investigation of Water Right No. 517-3. The purpose of the investigation was to determine whether the vested portion of the water right was still in use prior to separating vested and nonvested portions of the water license.

### **INVESTIGATION RESULTS:**

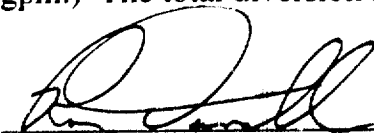
Water Right No. 517-3 authorizes use of four wells with a combined diversion rate of 0.93 cfs. The investigation found two wells in use with a combined diversion rate of 0.78 cfs. Well Nos. 1 and 2 were replaced with a well drilled in 1977 and either well No. 3 or 4 was abandoned. None of the abandoned wells were visible at the well site. The replacement well for well Nos. 1 and 2 (completion report on file) pumps at a rate of 250 gpm (0.56 cfs) and the other well (No. 3 or 4) pumps about 100 gpm according to Joe Garry, Utility Manager. The location of the wells is consistent with the water license and publication notices.

### **RECOMMENDED ACTION:**

Water License No. 517-3 needs to be separated into vested and nonvested portions and the validation document issued with the water licenses. Diversions associated with the 1977 replacement well need to be assigned the following priority dates:

| <b>Diversion Rate</b>            | <b>Priority Date</b> |
|----------------------------------|----------------------|
| 0.22 cfs                         | April 1, 1913        |
| 0.18 cfs                         | July 1, 1913         |
| 0.16 cfs                         | January 20, 1958     |
| 0.56 cfs -- Total diversion rate |                      |

The other well (No. 3 or 4) should retain a priority date of January 20, 1958 for 0.22 cfs (100 gpm.) The total diversion rate for both wells (0.78 cfs) is less than the licensed 0.93 cfs.



Ron Duvall, Natural Resources Engineer  
Water Rights Program

**Water Right No. 517-3****Vermillion** - 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 27, 1995**, made a thorough examination of the water use system constructed by **the City of Hurley** of **PO Box 336, Hurley SD 57036-0336** holder of Water Right No. **517-3**, bearing the priority of **April 1, 1913; July 1, 1913; and January 20, 1958** authorizing the diversion of **0.22** cu. ft. per second (cfs); **0.18** cfs; and **0.53** cfs, respectively, of the waters of **ground water** for **municipal** purposes, in **Turner** County.

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

## A. Works used to divert the water:

**1977 Replacement Well:****Motor**Type: **General Electric**Model: **5K6238XM501C**HP: **50****Pump**Type: **Aurora--Vertiline**GPM: **250****Well No. 3 or 4 (one well on site)****Motor**Type: **US Electrical Motors**Serial: **3211537**HP: **20****Pump**Type: **Layne**GPM: **100**

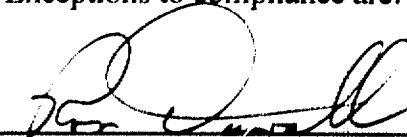
## B. Works used to transport water to place of use:

**City Distribution System**

## C. Works used to apply water to beneficial use:

**City Distribution System**

The system is in the following condition **good**. The point of diversion is located **1977 Replacement Well: 1,000 feet E and 100 feet S (NW1/4 NW1/4); Well No. 3 or 4: 1,000 feet E and 330 feet S (NW1/4 NW1/4); both from the NW corner section 26-T98N-R53W**. The works are capable of diverting and conveying to the place of use **0.78\*** cu. ft. per second of water which is to be used for **municipal purposes**.

Applicable permit qualifications have been complied with: Yes **X**Exceptions to compliance are: **none** Date report completed: **December 27, 1995**


Ron Duvall  
Natural Resources Engineer  
DENR. Water Rights Program

| *Well            | Diversion Rate (cfs) | Priority Date    |
|------------------|----------------------|------------------|
| 1977 Replacement | 0.22                 | April 1, 1913    |
|                  | 0.18                 | July 1, 1913     |
|                  | 0.16                 | January 20, 1958 |
| No. 3 or 4       | 0.22                 | January 20, 1958 |
| <b>Total</b>     | <b>0.78</b>          |                  |

# NOTICE OF WELL CONSTRUCTION

## (1) WELL CONSTRUCTION

Location of well: ~~NE 1/4~~ NW 1/4, Section 26, Township 98N, Range 53W  
 Well owner: City of Hurley (Name) 238-5212 (Address) So. Dakota  
 Date well drilling completed: 6-13-77 Purpose of well: Municipal  
(domestic, irrigation, municipal, industrial, other)

### WELL LOG

| Layers, top to top in feet | Description of layer | Depth to top of water producing aquifer         |
|----------------------------|----------------------|-------------------------------------------------|
| <u>2 ft</u>                | <u>Top soil</u>      | <u>13</u> ft.                                   |
| <u>4 1/2 ft</u>            | <u>Sand Gravel</u>   | Depth to static water level <u>30</u> ft.       |
|                            |                      | Name of producing aquifer (if known) <u>1st</u> |
|                            |                      | Total depth of drill hole <u>43</u> ft.         |
|                            |                      | Depth to bottom of casing <u>23</u> ft.         |

Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.

Steel 12 3/4 44.2 lbs per ft.  
12" casing

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

20 ft 12" 304 Heavy Construction  
Stainless Steel Johnson Screen 60  
Slot.

If flowing well, flow of completed well 600 G.P.M.

Attach sheet if more space is needed

Schmelfeng Well Drilling  
Name of Drilling Contractor

## (2) PUMP INSTALLATION

Company name and size of pump Lane Bowler HP 50  
 Type of pump Turpine Capacity of installed pump 600 G.P.M.  
 Depth of pump placement 21 ft., Date of pump installation \_\_\_\_\_

## (3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed \_\_\_\_\_, tube diameter \_\_\_\_\_, tube material \_\_\_\_\_

Robert Reimers Tenney SD.  
Name of Pump Installation Contractor



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

JUL 18 1996

SusAnn Woodward, Auditor  
City of Hurley  
PO Box 336  
Hurley SD 57036-0336

Dear Ms. Woodward:

The Water Management Board has validated the enclosed Vested Water Right No. 517-3. This validation gives legal status to the claim and is the final document for the City's vested water rights.

Also, enclosed are Reissued Vested Water Right License No. 517A-3 and Reissued Water License No. 517B-3. The original water license was divided and reissued to separate the vested right portion from the water right.

As long as the city uses the water beneficially, as stated in the licenses, State Water Laws provided that you have a continuing right to use the water.

Very truly yours,

A handwritten signature in black ink, appearing to read "John Hatch", is written over a horizontal line.

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

enclosures