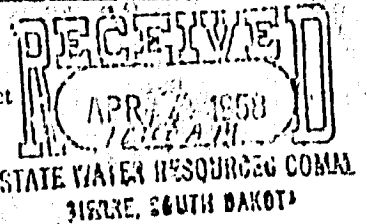


Water Division No. 3 District Wynetstone Creek
(Blanks to be filled by the Engineer for the W. H. C.)



APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

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

1. Name of applicant Town of Peever
Postoffice address Peever S.D. County Roberts State S. D.

I. If a corporation Incorporated

(a) Name of same City of Peaver S.D.

Roberts County Auditors Office

(b) Date and place of incorporation

Siasseton S.D.

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors Winford Schrader Chairman Dale Noaksen Trustees

Francis Karst Trustee Clayton VanTassel Clerk J. N. Peterson Treasurer

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

Well & Supply Tank 1950 Contract

(b) Cash on hand, \$ 27.50

(c) Treasury stock, \$ U. S. Bonds \$6500. 00

(d) Bonds to be issued, \$ None

(e) Other resources, \$ Same

2. Name of diversion work Peever Well No. 1
27 Ft. Of water

3. Amount of water claimed 50 Gal Per Minute
cubic feet per second

4. Source of water supply Under ground Water

Original town site Block 10th I Range 6

5. Location of point of diversion Directly across from Farmers Elevator East.

on Continually bank Continually County.

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

7. To be used for: Residential & Fire

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?

(a) Number of acres to be irrigated _____ acres.

(b) Legal subdivisions to be irrigated

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) Public water supply for
Town of Peever S.D.

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use _____
Name any of the above in which claimed

(b) Amount of power to be generated _____ horse power.

Amount claimed for engine cooling _____

(c) Location of plant _____

(d) Method of developing power _____

(e) Point where water will be returned to stream _____

8. Estimated cost of work:

(a) Head Gates, \$ Wall (b) Pumping plant, \$ _____
 (c) Fluming, \$ _____ (d) Canal-earth, \$ _____ Rock, \$ _____
 (e) Other structures Supply Tank \$ _____ Total, \$ _____

9. Description of diversion works:

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

Well, Pumping Plant & Supply tank.

II. Dimensions of works:

- (a) Dam: Height _____ feet; length at bottom _____ feet; length at top _____ feet; thickness at bottom _____ feet; thickness at top _____ feet; slope at front water face _____; slope at back face _____ material used in construction _____
- (b) Reservoir: Capacity when filled _____ acre feet. Surface area at highwater mark _____ acres.

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

(c) * Head gate: Width _____ feet; height _____ feet;
 Material _____

(d) Canal: Total length _____ miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work Completed years. 1951

11. Time required for complete application of water to the proposed beneficial use _____ years.

12. Choice of newspaper for publication of notice of intention to appropriate _____

STATE OF SOUTH DAKOTA

County of Roberts ss.

I, Clayton VanTassel, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed

Clayton VanTasselSubscribed and sworn to before me this 8th day of April, 1951

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

8/17-58

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 12 In., Depth 110ft
 Type of casing Steel (wood, concrete, steel, etc.)
 Size of casing 8In., Thickness of casing Standard pipe
 Length of casing 110ft less for san length If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen Steel Maker unknown
 Size of perforated screen 8 Inch. 6ft.
 (diameter) (length)
 Thickness of gravel pack Not Known, length of gravel pack

(c) Water Bearing Materials

Distance to water 83ft Character of water bearing materials Sand

Thickness of water bearing material Dont Know

(d) Pump and Motor

Type of pump Electric Fairbanks Morse
Pomone Turbine Pump
 (centrifugal, propeller, mixed flow, etc.)
 Name of pump Fairbanks Morse, size 25H.P.
 Kind of motor Electric
 (gasoline, electric, diesel, etc.)
 Horsepower 25, Name of Motor as above

(e) Complete well

Capacity Cant pump dry at drawdown of Estimated cost \$5000/00

(f) Owner of land upon which well is located

Town of Paever
 Name
Paever S.D.
 Address

(g) Distance to nearest existing wells

None
 On same owner's property Yes rods. On property owned by others rods

Remarks by State Water Resources Commission:

"Vested Right" Claimed

STATE OF SOUTH DAKOTA

County of

Flagges

ss.

Pierre, South Dakota,

April 16, 1958

This is to certify that the foregoing application was received by the Commission at 10:00 o'clock

9 a.m. upon the 11 day of April, 1958

State Water Resources Commission

By:

J. Williams

Chief Engineer, Executive Officer

Number of permit

530-3

Date of first receipt of application

April 11, 1958

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

Date of receipt of corrected application

Date from which applicant may claim right

1950

Approved

April 16, 1958, Recorded in Book 4, Page 230

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before

Completed, 19

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

Completed, 19

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

Completed, 19

4th. The water appropriated shall be used for the purpose of Municipal Use

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 0.11 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops ~~exercise of the best husbandry, and further, said appropriation must be limited to not more than one-fourth (1/4) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before~~ Completed, 19; said water to be used during the following described annual period:

Continuously

Witness my hand this

7 day of May, 1958

State Water Resources Commission

By:

J. Williams

Chief Engineer, Executive Officer

Certificate of Construction Issued

May 7, 1958

Water License Issued

May 7, 1958

STATE OF SOUTH DAKOTA

WATER LICENSE No. 530-3

WHEREAS, On the 11th day of April A. D. 1958
Town of Peever

of Peever County of Roberta and State of
South Dakota duly made application (No. 530-3) to us for a Vested Right 0.11
 cubic feet per second of the waters of ground water
 County of Roberta, State of South Dakota, for municipal
 purposes; and

WHEREAS, On the 7th day of May A. D. 1958
Vested Right / Permit No. 530-3 was issued to said applicant recognizing
 for the diversion of said water, and ~~XXXXXX~~
 completion of the works of diversion therein described ~~XXXXXX~~ in 1950 ~~XXXXXX~~
~~XXXXXX~~ and ~~XXXXXX~~ application to beneficial use of said
 water ~~XXXXXX~~ the ~~XXXXXX~~ in 1950 ~~XXXXXX~~
 and,

WHEREAS, On the 11th day of April A. D. 1958
Vested Right the holder of said permit duly made proof of the completion of adequate works for the diversion of 0.11
 cubic feet per second of said waters, as evidenced by our Certificate No. 530-3
 dated May 7, 1958 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 0.11 cubic feet per second of water, with date of
 priority of 1950 ~~XXXX~~ and,

WHEREAS, On the 11th day of April A. D. 1958
 proof was duly made of the application to beneficial use of 0.11 cubic feet per second of said water;
in the distribution system of the Town of Peever

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to The Town of Peever
of Peever, South Dakota the holder and owner of said Vested Right permit No. 530-3
a water right, dating from 1950 to the use of 0.11
cubic feet per second of the waters of ground water
In the County of Roberts and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinabelow mentioned, to be diverted in the Original Townsite,
Block 3, Lot 1, Range 6
and conducted to ~~and upon~~ The residents of the Town of Peever

for the purpose of municipal use

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 7th day of May A. D. Nineteen
Hundred and Fifty-eight

State Water Resources Commission

By:

J. W. GRIMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Ac't _____ c. f. s. _____

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. **530-3**Whetstone
Water Division No. **3** **Creek** Water District**Certificate of Completion of Works**

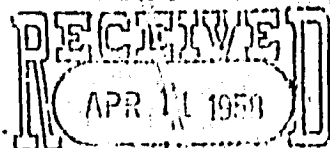
TO ALL WHOM IT MAY CONCERN:

This is to Certify **the Town of Peever**of **Peever**, County of **Roberts**, and State of **South Dakota**, the holder of Permit No. **530-3**, Issued upon ApplicationNo. **530-3**, bearing date of priority of **1950**, authorizing the diversion of**0.11** cu. ft. per second of the waters of **ground water**County of **Roberts**, State of South Dakota, **xx** in the Original
Townsite, Block 3, Lot 1, Range 6for **municipal**
purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use **0.11** cu. ft. per second of water; and that the **is** ~~use of said water~~ described as follows,to-wit: **to furnish municipal water for the distribution system of the Town of Peever.**Witness my hand this **7th** day of **May** A. D. 19**58**

State Water Resources Commission

By:

J. W. GRIMES, Chief Engineer, Executive Officer

Location No. 531-3Water Division No. 3Water District Peever**Proof of Application of Water to Beneficial Use****PETITION OF HOLDER**STATE WATER RESOURCES COMMISSION
SIOUX FALLS, SOUTH DAKOTA

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

Ans. Chairman Peever Town Board

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans. Chairman Winford Schrader Peever S.D.

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans. 1950

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Underground water through a well Tested 110 Ft Deep of The town of PeeverOriginal town site Block 3 Lots 1. Range 6

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. A well from which water is pumped to a supply tank. Distribution is made from the supply tank to the residence of the town.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. Town water supply in Peever S.D.

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans. Water is delivered to users through the Towns water system.

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 50 Gal. Per Minute. This is hard to say as they use more one day than in the next. Would estimate 500 Gal per day.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. It is owned by the town of Peever. I am the town Clerk. *Clayton H. H. H.*

Ans. Started use prior of 1960. Water is used through the towns water supply system. Estimate use of 500 600 gal a day. Water is used through the year by Residents of Plover

Winston Saunders
Charmass.

State of South Dakota, on this 7th day of April A. D. 191958

Witnesses.

Monday, Dec 11, 1900

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

REGISTRATION HOLDER

Amount of Water ----- c. f. s.

Source

County

Purpose

Place of Use

Date of recording

Received and filed

530-3

SOUTH DAKOTA

VESTED WATER RIGHT NO. 530-3

Date of Receipt of Claim April 11, 1958.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 530-3 for the Town of Peever, P.O. Box 23, Peever, South Dakota 57257 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 530-3 appropriates 0.11 cubic feet per second of water from one well located in the NW1/4 Section 8, T124N, R50W.

2. The appropriated water is used for supplying water for the Town of Peever and may not exceed the amount of water needed for beneficial use for municipal purposes.

The water is to be used during the following annual period: January 1 - December 31

3. The priority date of the Vested Water Right is: January 1, 1950

4. The water use system has been constructed and water has been applied to beneficial use.

5. Water Rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: _____

John H. Heston
Chief Engineer

MAR 17 1993

date

Division of Water Rights
Dept. of Environment and Natural Resources



530-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 17 1993

Winfield Robbins, Town President
Town of Peever
PO Box 23
Peever SD 57257-9812

Dear Mr. Robbins:

The Water Management Board has validated the enclosed Vested Water Right No. 530-3. This validation gives legal status to the claim and is the final document for your vested right.

As long as you use the water beneficially, as stated in the validation, State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John Hatch", is written over a faint, circular official stamp.

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

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 16, 1999

Harold Fryer, Clerk
Town of Peever
PO Box 23
Peever, SD 57257-0023

Dear Mr. Fryer:

I am contacting you in regard to the town's water use and the need for updating the vested water right held by the Town of Peever.

The town currently holds Vested Water Right No. 530-3 which authorizes diversion of 0.11 cubic feet of water per second (approximately 50 gallons per minute) from one well. Enclosed is a copy of the water right.

Records with the Drinking Water Program within our Department show that the town uses two wells to supply their municipal water needs. In order to update the town's water rights to include the additional well, I need to ask you a few questions.

- ♦ Is the original well (1950 well described in No. 530-3) still used or has it be replaced?
- ♦ Where is the second well located? If you have a plat map of the town showing the location of both wells, that would be helpful too.
- ♦ Do you have copies of the well logs or information concerning construction of the two wells?
- ♦ How much is the combined pump capacity of the two wells?

Once the above items are clarified, we will be able to determine if we can simply amend your current water right to include the additional well or if a new water permit will be needed.

Ensuring that the current water right accurately reflects your water use benefits the Town of Peever by protecting it's right to the use of the water. Please get in touch with me by June 30th concerning the town's water use. Thank you in advance for your help.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME/ADDRESS: Harold Fryer, Clerk, Town of Peever, PO Box 23, Peever, SD 57257-0023

DATE: June 18, 1999

TELEPHONE: 605 932-3641

RE: water use by the town

COMMENTS:

On June 16th, I mailed a letter to Mr. Fryer requesting information on the town's wells. They currently hold Vested Water Right No. 530-3 authorizing diversion of 0.11 cfs from one well. The office of Drinking Water had information in their files that the town had two wells.

Mr. Fryer called after receiving my letter and indicated the old 1950 well had been plugged several years ago. The BIA had two wells drilled for the town - he thought around 1969. Both wells go to one entry point (I am not sure what this means). He said the wells were both 87 feet deep and located one-half mile east of town.

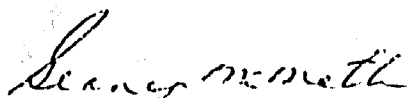
I asked what the pump capacity was for the two wells and he didn't know. He thought they used about 15,000 gallons per day. He said he didn't know much about the wells other than the depth.

I told him I would visit with Eric and get back to him on what could be done to update the town's water rights. I explained that if the wells were in the same aquifer as the original well and the pump capacity of the wells was within the current authorized diversion rate, we would possibly amend the vested right. If the above criteria were not met, they would need to submit a new water permit application.

He was willing to do whatever he needed to do to get the issue straightened out. He was concerned why this had not been taken care of before because the wells were drilled in the sixties.

RECOMMENDED ACTION:

Send Mr. Fryer a water permit application form. Once the application is received and reviewed, a determination can be made as to whether an amendment can be done or new permit would be needed.


Genny McMath
Environmental Scientist



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 22, 1999

Harold Fryer, Clerk
Town of Peever
PO Box 23
Peever, SD 57257-0023

Dear Mr. Fryer:

Thank you for calling to discuss the town's water use. During our conversation, you indicated that the well authorized by Vested Water Right No. 530-3 was plugged several years ago. The town now uses two 87 feet deep wells drilled in the late sixties by the BIA.

It is possible that the original vested water right could be amended to include the two wells. Under South Dakota Water law, the location of a point of diversion may be changed or additional points of diversion may be approved if the following criteria are met:

- the new or additional point of diversion is from the same water source (same aquifer in this case) and,
- if no additional water is appropriated.

The change may be allowed if the chief engineer is contacted and makes a finding that the change does not increase the potential for interference with existing diversions.

Enclosed is an application for a water permit. Please review the application and complete it as thoroughly as possible. A map (city plat map or aerial photo) should be submitted with the application to show the exact location of the two wells. An application fee is not required at this time.

Once we have received your water permit application, the chief engineer can review the information and make a determination on whether a new water permit is required or whether an amendment could be done. If a decision is made to go with the new application, a fee will be requested and we will begin processing the application. If the original vested right can be amended, we will reissue the existing license with the updated information.

If you have any questions, please call and visit with Karen Schlaak, Eric Gronlund or myself at (605) 773-3352. Thank you in advance for your help.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

FORM 2: Application for uses other than Irrigation
(type or print)



Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	(office use only)	
	No. _____	Hydrologic Unit _____
	Basin _____	
	Newspaper _____	

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

Check use(s) of water:

☒ Municipal _____ Suburban Housing _____ Recreational _____ Institutional
☐ Rural Water System _____ Commercial _____ Fish & Wildlife _____ Geothermal Heat
☐ Domestic (over 18 gpm) _____ Industrial _____ Other _____

Type of Application: (check one)
 _____ New _____ ☒ Vested Right (Use predates Mar 2, 1955) _____ Future Use Reservation
 _____ Place to Beneficial Use Water Reserved by Future Use Permit No. _____
 _____ Amendment/Correction to Permit No. _____

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) _____

- Name of Applicant** Town of Peever Phone 605-932-3641 or 3744
 (check one) ☒ Owner _____ Tenant/lessee _____
Mailing Address P.O. Box 23 Peever, State S.D. 57257
 (Street, RR. or Box) (Zip Code)
- Amount of water claimed** _____ *CFS or 50 **GPM _____ ***AF
 (*Cubic Feet per Second) (**Gallons per Minute) (**Acre Feet - storage capacity of dam/dugout or annual use if applicable)
- Source of water supply** 2 wells 87' Deep
- Location of point of diversion** (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
2 wells - 1/2 mile East of Peever - Lawrence Township Township 124 N'
Range 50 NE1/4 of NW section - section 8 County Roberts
- County or counties where water will be used** Roberts
- Annual period during which water is to be used** Year round
- Give a description of the 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)
Wells were put into use in approx 1969

STATE OF SOUTH DAKOTA) SS
County of Roberts

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, Harold Feyer, Clerk, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Signed Harold Feyer Clerk

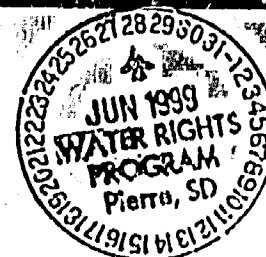
Subscribed and sworn to before me this 25th day of JUNE 19 99

Christie Schmauss

Notary Public
My Commission Expires 1-10-2005

Supplemental Information

(type or print in ink)



1. Well Information - Proposed Construction

- a) Drill Hole Diameter 8" Depth 87'
- b) Casing Type PVC Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) Flowing
- g) Distance to nearest existing domestic well:
On applicants property NONE On property owned by others 1 mile

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of Peever Sanitary System _____

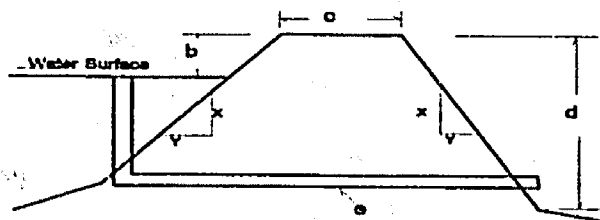
3. Dugout Information

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

4. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to 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) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

July 23, 1999

Harold Fryer
Town of Peever
P.O. Box 23
Peever SD 57257

Dear Mr. Fryer:

I am writing in regard to the town of Peever's request for a change of diversion point and additional well under Vested Water Right No. 530-3. Vested Water Right No. 530-3 appropriates 0.11 cubic feet of water per second (50 gallons per minute) from a well that is 110 feet deep.

The Town of Peever has requested a change of diversion point and an additional well. The two wells are located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8, T124N, R50W and constructed into the same Veblen Aquifer. No additional water will be appropriated.

Upon review of the request and pursuant to SDCL 46-5-13.1, Peever is authorized the change of diversion point and the additional well without application or publication of a notice of hearing pursuant to SDCL 46-2A-4. However, a new water right permit will be necessary if more than 50 gallons per minute will be pumped.

Enclosed is a copy of Reissued Vested Water Right No. 530-3.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Program
(605) 773-3352

enclosure

STATE OF SOUTH DAKOTA

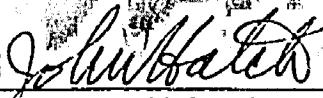
REISSUED VESTED RIGHT WATER LICENSE NO. 530-3

(1) Town of Peever, PO Box 23, Peever SD was issued Vested Water Right License No. 530-3, for a right to appropriate 0.11 cubic feet of water per second from groundwater (one well), Roberts County, South Dakota, for municipal purposes. Vested Water Right No. 530-3 was validated September 30, 1992 with a priority date of January 1, 1950. Construction of the described water supply system and application of water to beneficial use has been completed and complies with applicable provisions of South Dakota State Law.

On June 28, 1999, the Town of Peever submitted an application requesting authorization for a change of diversion point and additional diversion point for Vested Water Right No. 530-3. Pursuant to SDCL 46-5-13.1, the Chief Engineer makes a finding that the change in location of diversion point and the additional diversion point does not increase the potential for interference with existing water rights.

(2) It is certified that the vested right owner is entitled to divert 0.11 cubic feet of water per second for beneficial use. The location of the diversion points are NE ¼ NW ¼ Section 8-T124N-R50W.

(3) Pursuant to Section 46-5-30.1 the Town of Peever, PO Box 23, Peever SD 57257 the holder and/or owner of Vested Water Right No. 530-3 is reissued a license to appropriate 0.11 cubic feet of water per second from groundwater (two wells) with a priority date of January 1, 1950 from the location specified in (2) of this license. The water is for municipal purposes. This license is subject to any limitations, conditions or qualifications listed in Vested Water Right No. 530-3 and subject to South Dakota State Law.



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

JUL 23 1999

date



DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
WATER RIGHTS PROGRAM

July 9, 1999

RE: Request for a change of diversion point and additional point of diversion for Vested Water Right No. 530-3, Town of Peever

The town of Peever has submitted an application requesting authorization for a change of diversion point and additional point of diversion for Vested Water Right No. 530-3. SDCL 46-5-13.1 provides that a point of diversion may be changed or additional points of diversion may be approved without application or publication of a notice of hearing if the additional point of diversion is from the same source of water, no additional water is appropriated and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

Vested Water Right No. 530-3 appropriates 0.11 cubic feet of water per second (50 gallons per minute) from one well (Veblen) 110 feet deep located in the NW¼ Section 8, T124N, R50W. Water is used to supply water to the town of Peever for municipal purposes with a priority date of January 1, 1950.

This water right was originally filed in 1958 and recorded as a recognized vested water right. In accordance with SDCL 46-2A-16 and 46-2A-17, the vested water right was validated in 1993. As a result of a routine review of the vested water right it was discovered that the town uses two wells. It was learned through follow-up discussions with the town that the original well authorized by Vested Water Right No. 530-3 was plugged. The town now uses two wells the Bureau of Indian Affairs had drilled in 1969. The estimated depth of the wells is 87 feet.

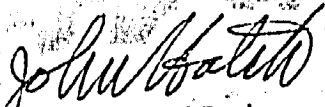
The town requests a change in the point of diversion and an additional diversion point located all located in the NE¼ NW¼ Section 8, T124N, R50W. The wells are constructed into the same Veblen Aquifer.

As part of the review of this request for this change of diversion point and additional diversion point, a review of well construction reports on file with the Water Rights Program and existing water rights within one mile was conducted. There are no other existing water rights or domestic well logs on file within a mile radius of the Peever wells.

No additional appropriation of water is authorized.


Eric Gronlund
Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding that the change of diversion point and additional diversion point does not increase the potential for interference with existing diversions. In making the finding, "does not increase the potential for interference" is interpreted to mean potential for adverse interference. The change of diversion point and additional point of diversion for Vested Water Right No. 530-3 is authorized without requiring application or publication of a notice of hearing pursuant to SDCL 46-2A-4. Vested Water Right No. 530-3 is being reissued to reflect both wells. A new water right permit is necessary for any diversions greater than 0.11 cfs by the town of Peever from these two wells.


John Hatch, Chief Engineer
Water Rights Program

7-23-99

This topographic map depicts the Peeverson area, featuring the Peeverson River and Creeks. Key landmarks include the Water Tank, Sewage Disposal Ponds, and the Peeverson Cemetery. The map shows a grid of roads, including Highway 1185 and Highway 11, and a railroad line labeled 'PACIFIC'. Contour lines indicate elevations of 1200, 1202, 1206, 1216, 1219, and 1220. The map is labeled with 'Peeverson' and 'Peeverson River'. A red handwritten number '530-3' is visible in the top left corner.