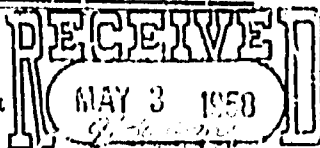


720 72 1072

No. 5343Water Division No. 3

(Blanks to be filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

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

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

1. Name of applicant City of Clear Lake
Postoffice address Clear Lake, County Deuel, State South Dakota

I. If a corporation Municipal Corporation(a) Name of same City of Clear Lake(b) Date and place of incorporation -----(c) Amount of capital stock -----(d) Amount paid in -----(e) Names and addresses of directors -----

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

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

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

Two City owned Wells completely installed in 1948(b) Cash on hand, \$ -----(c) Treasury stock, \$ -----(d) Bonds to be issued, \$ -----(e) Other resources, \$ -----

2. Name of diversion work
- City owned wells completed in 1948

3. Amount of water claimed
-
- cubic feet per second

4. Source of water supply
- Two wells

5. Location of point of diversion
- One-half mile east of City of Clear Lake, South Dakota
-
- SE 1/4 of Sec. 10, T. 10 N., R. 10 E., Deuel County, South Dakota

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

7. To be used for
- Public consumption by residents of City of Clear Lake

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

(a) Number of acres to be irrigated ----- acres.(b) List subdivisions to be irrigated -----

(NOTE—If of land 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 Consumption by residents of City of Clear Lake, South Dakota

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

(a) Nature of use -----

Name any of the above uses claimed

(b) Amount of power to be generated ----- horse power.Amount claimed for engine cooling -----(c) Location of plant -----(d) Method of developing power -----(e) Point where water will be returned to stream -----

8. Estimated cost of work:

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

9. Description of diversion works:

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

II. Dimensions of works:

(a) Dam: Height feet; length at bottom feet; length at top feet; thickness at bottom feet; thickness at top feet; slope at front water face; slope at back face
 material used in construction

(b) Reservoir: Capacity when filled acre feet. Surface area at highwater mark acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	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 years.

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 Deuel

} ss.

South Dakota

I, Alvin T. Halse, Mayor of the City of Clear Lake, 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

Alvin T. Halse

Subscribed and sworn to before me this 1st

day of

May

1958

Harvey J. Gunderman
 Notary Public (or other qualified officer.)
 Notary Public, South Dakota

Form 2A -- Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Inner Casing
Size of drill hole or excavation 20 inches diameter/Outer Casing 46 inches Diameter/Depth
Type of casing Steel
(wood, concrete, steel, etc.)
Size of casing ~~#18~~ 46 inches, Thickness of casing #6 Gauge Steel
33 ft inner casing
Length of casing 20 ft outer. If collection gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen .105" Everdur Shutter Screen
Size of perforated screen 20 inches 5 feet
(diameter) (length)
Thickness of gravel pack, length of gravel pack

(c) Water Bearing Materials

Distance to water 23 ft. Character of water bearing materials
Sand and Gravel

Thickness of water bearing material

(d) Pump and Motor

Type of pump Centrifugal
(centrifugal, propeller, mixed flow, etc.)
Name of pump U.S. Motors-Johnson, size 200 gal per minute
Kind of motor Electric
(gasoline, electric, diesel, etc.)
Horsepower 15, Name of Motor U.S. Motors-Johnson

(e) Complete well

7.50 gal / per minute
Capacity 150 gal / at drawdown of 23 ft. Estimated cost

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

Address

(g) Distance to nearest existing wells

On same owner's property 70 rods. On property owned by others rods

Remarks by State Water Resources Commission:

"Tested Right" Claimed

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, May 5, 1958

This is to certify that the foregoing application was received by the Commission at 9:30 o'clock
4 m. upon the 3 day of May, 1958

State Water Resources Commission

By:

Jeff Brimer
Chief Engineer, Executive Officer

Tested Right
Number of permit 534-3

Date of first receipt of application May 3, 1958

Date of return to applicant for correction, amendments or changes required as follows: May 5, 1958

Date of receipt of corrected application May 17, 1958

Date from which applicant may claim right 1948

Approved May 22, 1958, Recorded in Book Tested Right Page 237

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, 1958

2nd. The whole of said work is to be completed on or before Completed, 1958

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

Completed, 1958

4th. The water appropriated shall be used for the purpose of municipal use

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

6th. The amount of the appropriation herein granted shall not exceed 1.10 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually municipal use, used and beneficially applied for irrigation on or before Completed, 1958; said water to be used during the following described annual period:

continuously

Witness my hand this 4 day of June, 1958

State Water Resources Commission

By:

Jeff Brimer
Chief Engineer, Executive Officer

Certificate of Construction Issued June 4, 1958

Water License Issued June 4, 1958

Permit No. **534-3**
Big Sioux
 Water Division No. **3** **River** Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That **The City of Clear Lake**

of **Clear Lake**, County of **Deuel**, ~~vested Right~~ **Right**, and State of **South Dakota**, the holder of Permit No. **534-3**, Issued upon Application No. **534-3**, bearing date of priority of **1948**, authorizing the diversion of **1.10** cu. ft. per second of the waters of **ground water** County of **Deuel**, State of South Dakota, at **X in Outlots F and G** formerly part of the **SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$** of Sec. 23, T 115 N, R 49 W for **municipal**

purposes, has ^B 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 **1.10** cu. ft. per second of water; and that the ~~lands~~ ^{XXX} proposed to be irrigated by the use of said water ~~are~~ ^{is} described as follows, to-wit: **to furnish municipal water in the distribution system of the City of Clear Lake.**

Witness my hand this **4th** day of **June** **58** A. D. 19

State Water Resources Commission

By:
J. W. GRIMES,

Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No. 534-3 . . .

WHEREAS, On the 3rd day of May A. D. 1958

The City of Clear Lake

of Clear Lake County of Deuel and State of

South Dakota duly made application (No. 534-3) to us for Vested Right permit to use 1.10

cubic feet per second of the waters of ground water

County of Deuel, State of South Dakota, for municipal purposes; and

WHEREAS, On the 4th day of June A. D. 1958

Vested Right Permit No. 534-3 was issued to said applicant for the diversion of said water, and recognizing ~~permitting~~ the completion of the works of diversion therein described XXXXXX in 1948 ~~XXXXXX~~

~~XXXXXX~~ and ~~XXXXXX~~ application to beneficial use of said water ~~XXXXXX~~ in 1948 ~~XXXXXX~~ and,

WHEREAS, On the 17th day of May A. D. 1958

Vested Right the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.10

cubic feet per second of said waters, as evidenced by our Certificate No. 534-3

dated June 4, 1958 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1.10 cubic feet per second of water, with date of priority of 1948 and, and,

WHEREAS, On the 17th day of May A. D. 1958

proof was duly made of the application to beneficial use of 1.10 cubic feet per second of said water; in the distribution system of the City of Clear Lake

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to the City of Clear Lake
of Clear Lake, South Dakota the holder.... and owner.... of sale/^{Vested Right} permit No. 554-3
a water right, dating from 1948 to the use of 1.10
cubic feet per second of the waters of ground water
In the County of Deuel and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinbelow mentioned, to be diverted ~~xx~~ in Outlots F and G formerly
part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 23, T 115 N, R 49 W
and conducted to ~~xxxxxx~~ the residents of the City of Clear Lake

for the purpose.... of municipal use

subject, however, to the laws of the State of South Dakota applicabie 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 4th day of June 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 -----

Am't ----- c. f. s.

Point of Diversion -----

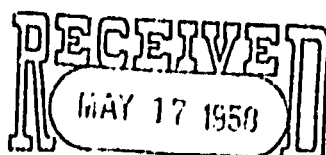
Place of Use -----

Purpose -----

Date of Priority -----

Recorded -----

in Book ----- of ----- Page -----

Location No. 534-3Water Division No. 3 Big Sioux
River Water DistrictSTATE WATER RESOURCES COM. ~~COM~~
PIERRE, SOUTH DAKOTA

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

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

Ans. Alvin T. Halse. Mayor of the City of Clear Lake, Clear Lake,South Dakota

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

Ans. _____

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

Ans. ~~XXXXXXXXXX~~

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

Ans. Ground Water from Outlots F & G formerly part of SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$
and SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, Township 115 N, Range 49W, Deuel County, S. Dak.

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. Vertical turbine pumps-U.S. Motors-15 H.P. 8 inch mains from wells
 $\frac{1}{2}$ mile into city--capacity of standpipe 50,000 gallons.

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. Municipal use in the city of Clear Lake

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

Ans. Capacity of each of two wells is 250 gallons per minute.

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

Ans. Capacity of each of two wells is 250 gallons per minute

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

Ans. _____

Ques. 10. State when, how, in what amount and to what extent, the water diverted under above mentioned permit has been used.

Ans. Each of two wells completed in 1948. Maximum pumping capacity for each well 250 gallons per minute. Since that time water was used for municipal use in the City of Clear Lake.

(Sign) Alvin J. Hauer
Mayor of City of Clear Lake

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in City of Clear Lake, County of Deuel

State of South Dakota, on this 14th day of May A. D. 1958

Witnesses.

Harvey A. Gunderson
Notary Public, South Dakota.

I the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

Location No.-----

**PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE**

PETITION OF HOLDER

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

Source -----

County -----

Purpose -----

Place of Use -----

Date of recording -----

Received and filed -----

**South Dakota Department of
Water & Natural Resources**

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



January 17, 1985

MEMO TO: Merlin J. Tipton, State Geologist
Mark Steichen, Administrator, Office of Drinking Water
✓ John Hatch, Director, Division of Water Rights
Bill Markley, 208 Section Chief

FROM: Terry L. Aaker, Natural Resource Engineer (TLA)
Office of Water Quality

SUBJECT: CDBG Clear Lake, New Water Supply

The Office of Water Quality is requesting your comments on a proposed water supply well for Clear Lake, South Dakota. The project involves the development of a new well to replace a well, which has become contaminated with sodium. The new well would improve water quality and increase the supply available for industrial growth.

1. Water Use: Drinking Water.
2. Attached illustration shows general site location.

Your prompt attention would be appreciated.

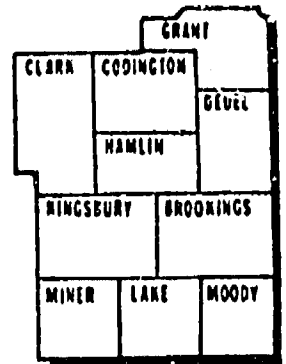
Attachment

B11416TA.wq

SOUTH
DAKOTA

FIRST DISTRICT
ASSOCIATION OF LOCAL GOVERNMENTS

124 FIRST AVENUE NW, PO BOX 1207 - WATERTOWN, SOUTH DAKOTA 57201
PHONE (605) 806-7224



January 10, 1985

South Dakota Department of Water & Natural Resources
Office of Water Quality
Joe Foss Building
Pierre, South Dakota 57501

RECEIVED

JAN 11 1985

RE: Water Quality - Environmental Review

SOUTH DAKOTA DEPARTMENT OF
WATER AND NATURAL RESOURCES
OFFICE OF WATER QUALITY

Dear Sir:

The City of Clear Lake has been awarded State CDBG funds from the South Dakota Department of Water and Natural Resources to undertake the following project:

Clear Lake--New Water Supply -- Clear Lake's existing water supply (three wells) has become contaminated with sodium. One well had to be put out of service, and the sodium content in the second well (300 ppm) is well over recommended levels (20 ppm). The City proposes to develop a new well to replace this well, which would both improve water quality and increase the supply available for industrial growth.

The project site will be in the general area of the test holes noted on the attached illustration. In order to complete the Environmental Review Record, we are requesting your review of the project with respect to water quality. Your earliest response will be greatly appreciated.

Thank you for your assistance.

Respectfully,

Roger L. Mack

Roger L. Mack
Assistant Director

Enclosure

Figure 2: Location of test holes, observation wells and water samples of Clear Lake, S. D.

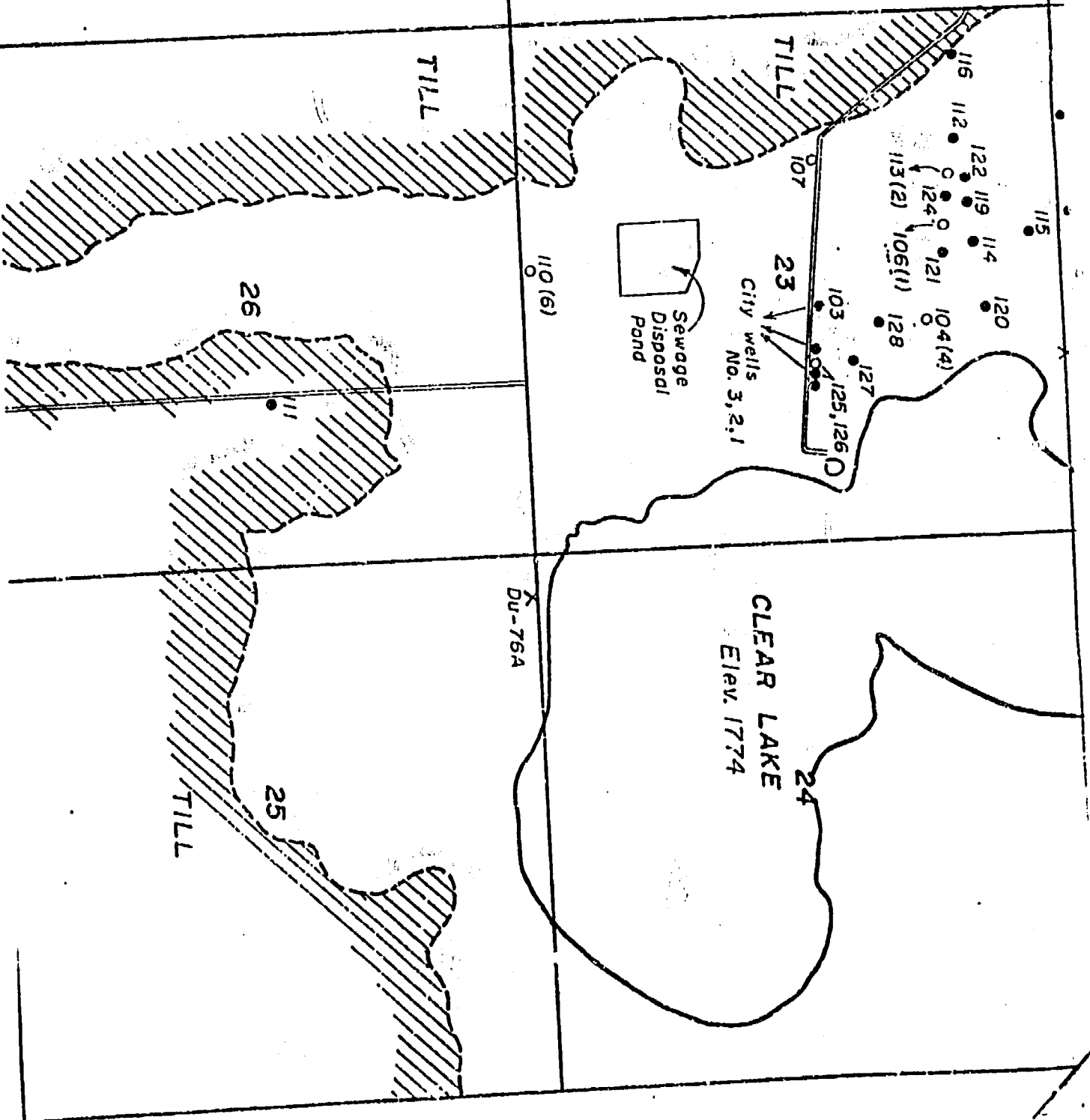
EXPLANATION

118
○ Test hole. Number refers to well log in Appendix A.

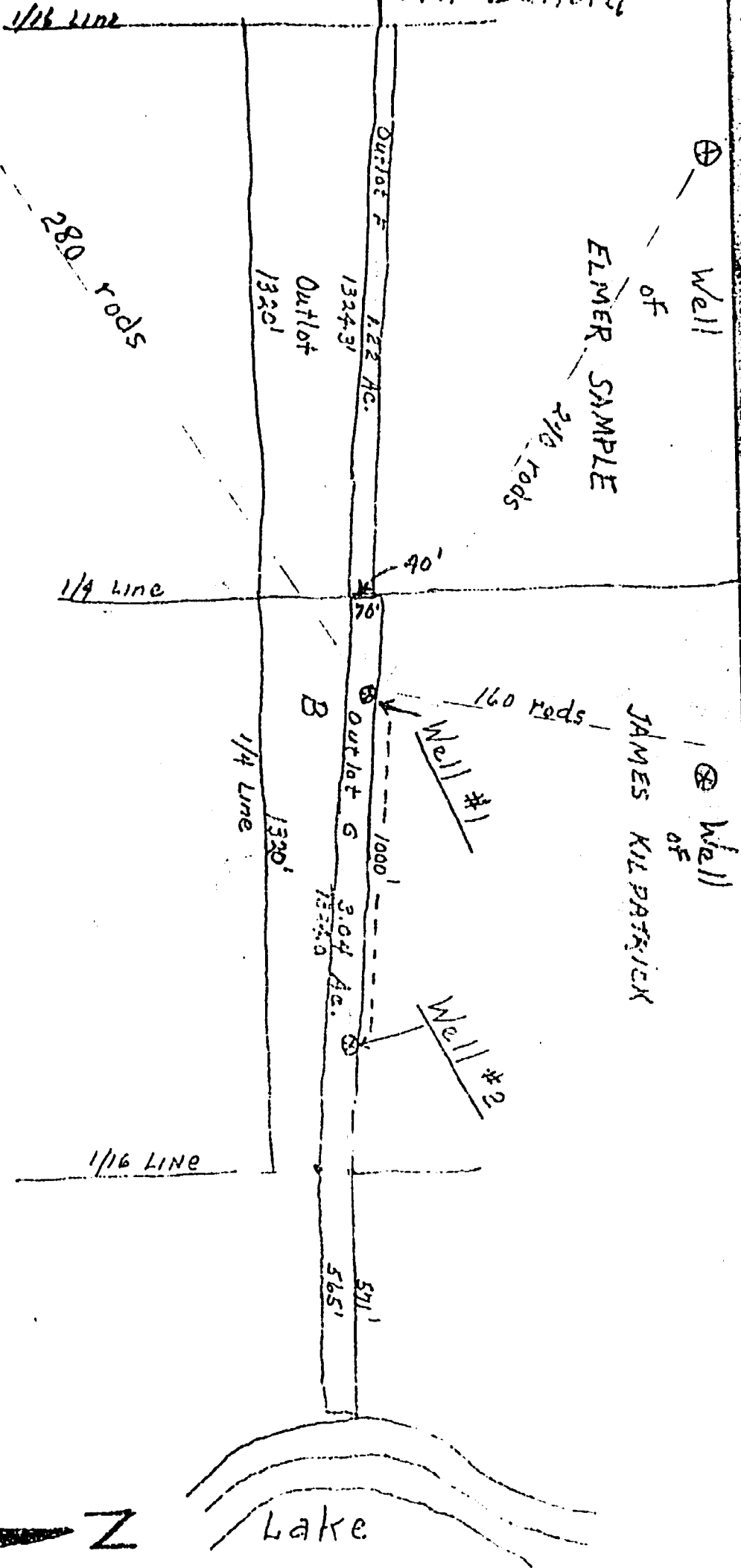
123(7)
○ Test hole with observation well installed and water sample taken. First number refers to well log in Appendix A. Number in parentheses refers to water sample number in Table 2. see NOTE below.

60-72A(7)
X Observation well. Monitored by Division of Water Rights. Du-72A is well identification number assigned by Division of Water Rights. Number in parentheses refers to water sample number in Table 2.

NOTE: If no number in parentheses is given for an observation well site, no water sample was taken.



City Dwellings Clear Lake South Dakota



City of Clear Lake Wells #1 & #2
Clear Lake S.Dak.

Plot of Outlots F & G
formerly part of SE 1/4 of NW 1/4,
SW 1/4 of NE 1/4 and SE 1/4 of NE 1/4
of Section 23, T115N R49W
in Deuel County, S. Dak.

(Amended)

MEMO TO: Terry L. Aaker
Natural Resources Eng., Office of Water Quality

FROM: Kevin C Larson
Natural Resources Eng., Division of Water Rights

SUBJECT: CDBG Clear Lake

DATE: January 22, 1985

The City of Clear Lake currently holds a vested right to divert 1.10 cfs from two wells (53 feet deep). If the new wells are into a different formation or are more than 660 feet from the original wells a new permit application will be required.

KCL:ks



Department of Water & Natural Resources

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

JUN 13 1989

David Koenecke, Mayor
City of Clear Lake
PO Box 27
Clear Lake SD 57226

Dear Mayor Koeneche:

The Water Management Board has validated the enclosed Vested Water Right No. 534-3. This validation gives legal status to the claim and is the final document for your vested right.

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

Very truly yours,

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

enclosure



SOUTH DAKOTA

VALIDATION OF VESTED WATER RIGHT CLAIM NO. 534-3

Date Claim Accepted For Filing May 3, 1958.

Date of Validation May 10, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim No. 534-3 for the City of Clear Lake, PO Box 27, Clear Lake, South Dakota 57226 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 534-3 appropriates 1.1 cubic feet of water per second from two wells (0.55 cfs from each well) approximately 53 feet deep located in the SW 1/4 NE 1/4, Section 23, T115N, R49W.

2. The appropriated water is used for supplying water for the City of Clear Lake 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, 1948.

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

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

WATER MANAGEMENT BOARD

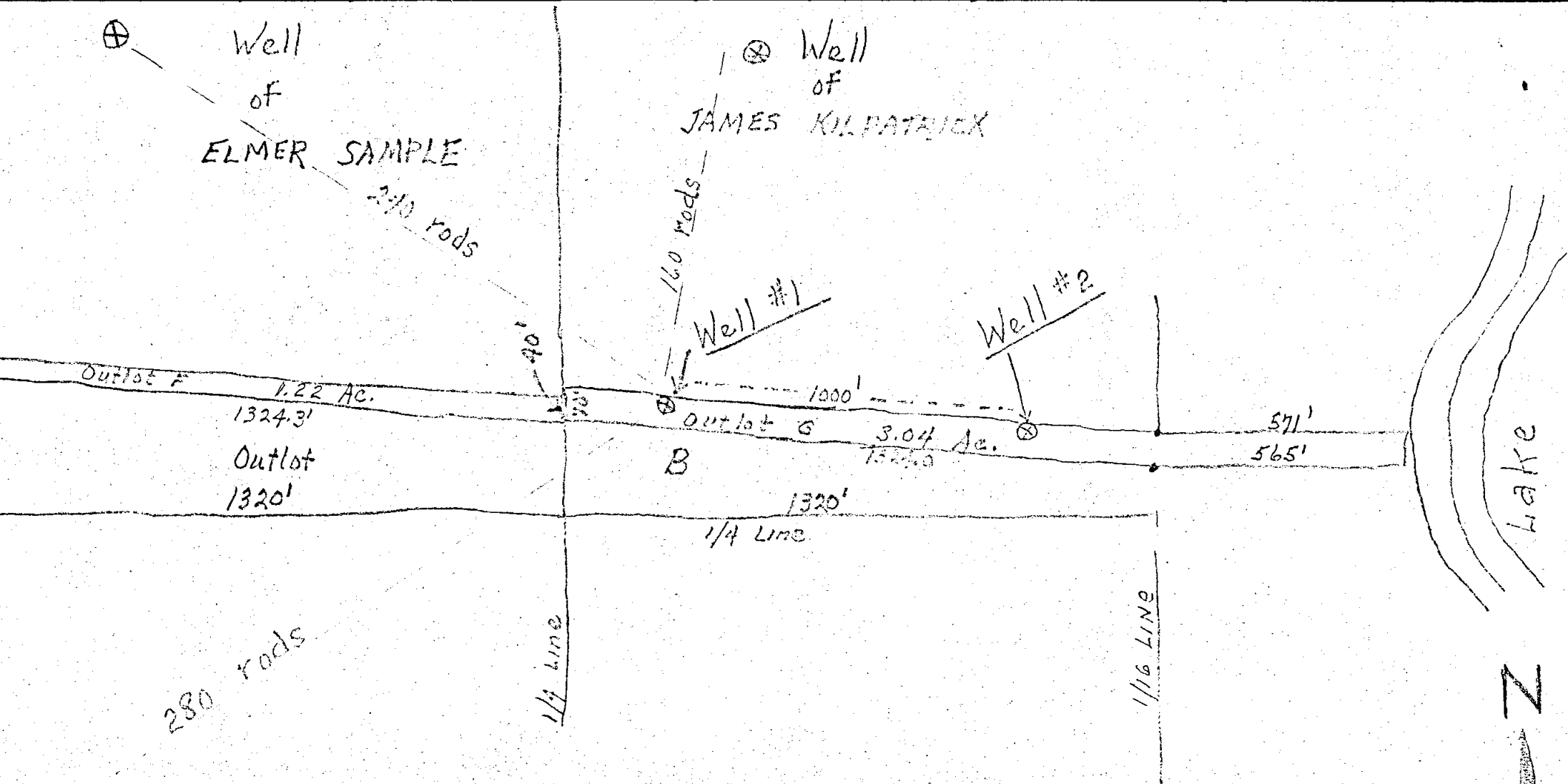
By: _____

Chief Engineer
Division of Water Rights
Dept. of Water and Natural Resources

JUN 13 1989

date

City Dwellings
Clear Lake South Dakota



⊕ Ernest Johnson Well

City of Clear Lake Wells #1 & #2
Clear Lake S. Dak.

Plat of Outlots F & G
formerly part of SE 1/4 of NW 1/4,
SW 1/4 of NE 1/4 and SE 1/4 of NE 1/4
of Section 23, T115N R49W
in Deuel County, S. Dak.

(Appl #534-3)