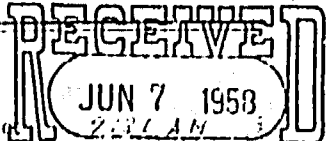


1. Considered July 9, 1958 Appl. No. 5318-3
2. Name of Applicant Town of Balthie
3. Post Office Address Balthie, South Dakota
4. Amount of water claimed Well #1 for 0.077 cfs & 0.0243 cfs
Well #2 for 0.166 cfs total
5. Source of water supply ground water
6. Water to be used for municipal use
Acres to be irrigated
7. Water to be diverted and used in at the west edge of Town County about
 miles of and used in the Town of
8. Proof of Publication Received ✓
Not Received
9. Application Approved ✓
Subject to
Not approved
Action deferred

10. Remarks: 0.077 cfs is a "Vested Right" from 1948 and 0.166 cfs only is a New Application



Water Division No. 3 B. River
(Blanks to be filled by the Engineer for the W. R. C.)

District

STATE WATER RESOURCES COMM.
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 Town of Baltic
Postoffice address Baltic, County Minnehaha, State South Dakota

I. If a corporation Municipal corporation

- (a) Name of same _____
(b) Date and place of incorporation _____
(c) Amount of capital stock _____
(d) Amount paid in _____
(e) Names and addresses of directors Lawrence Fossum, Chairman, Board of Trustees;
Olaf S. Berg, Trustee; Ben Romsdahl, Trustee - all of Baltic, South Dakota

(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)
Contract
(b) Cash on hand, \$ 4,000 (c) Treasury stock, \$ _____
(d) Bonds to be issued, \$ _____ (e) Other resources, \$ Warrants to be issued
for excess, if any.

2. Name of diversion work Town well #1 in operation; town well #2 to be drilled.
3. Amount of water claimed Well #1, 35 gallons per minute; Well #2, 75 gal. per minute
4. Source of water supply Ground water
5. Location of point of diversion Well #1 located within 100 feet of west boundary of town;
11, Original Plat of Town of Baltic.
Well #2 to be located on Lot 13 in Block 11, bank County.
6. Annual period or periods during which water is to be used Continuously
7. To be used for:

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.) Domestic use by residents of town.

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

- (a) Nature of use Domestic use by residents of town

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 Individual septic tanks
On same owner's property _____ rods. On property owned by others _____ rods

Map No. 411-3

8. Estimated cost of work:

(a) Head Gates, \$ Well \$ 3,000.00

(b) Pumping plant, \$

(c) Fluming, \$ (d) Canal-earth, \$

Rock, \$

(e) Other structures Pump & pipe line \$ 1,000.00

Total, \$

9. Description of diversion works:
(Majority of above supplies already owned by City)

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

Pump well.

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 re 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 two months xxxxx

11. Time required for complete application of water to the proposed beneficial use 2 mos. xxxxx

12. Choice of newspaper for publication of notice of Intention to appropriate Dell Rapids Tribune.

Dell Rapids, South Dakota

STATE OF SOUTH DAKOTA

County of Minnehaha

ss.

Chairman of the Board of Trustees, Town of Baltic

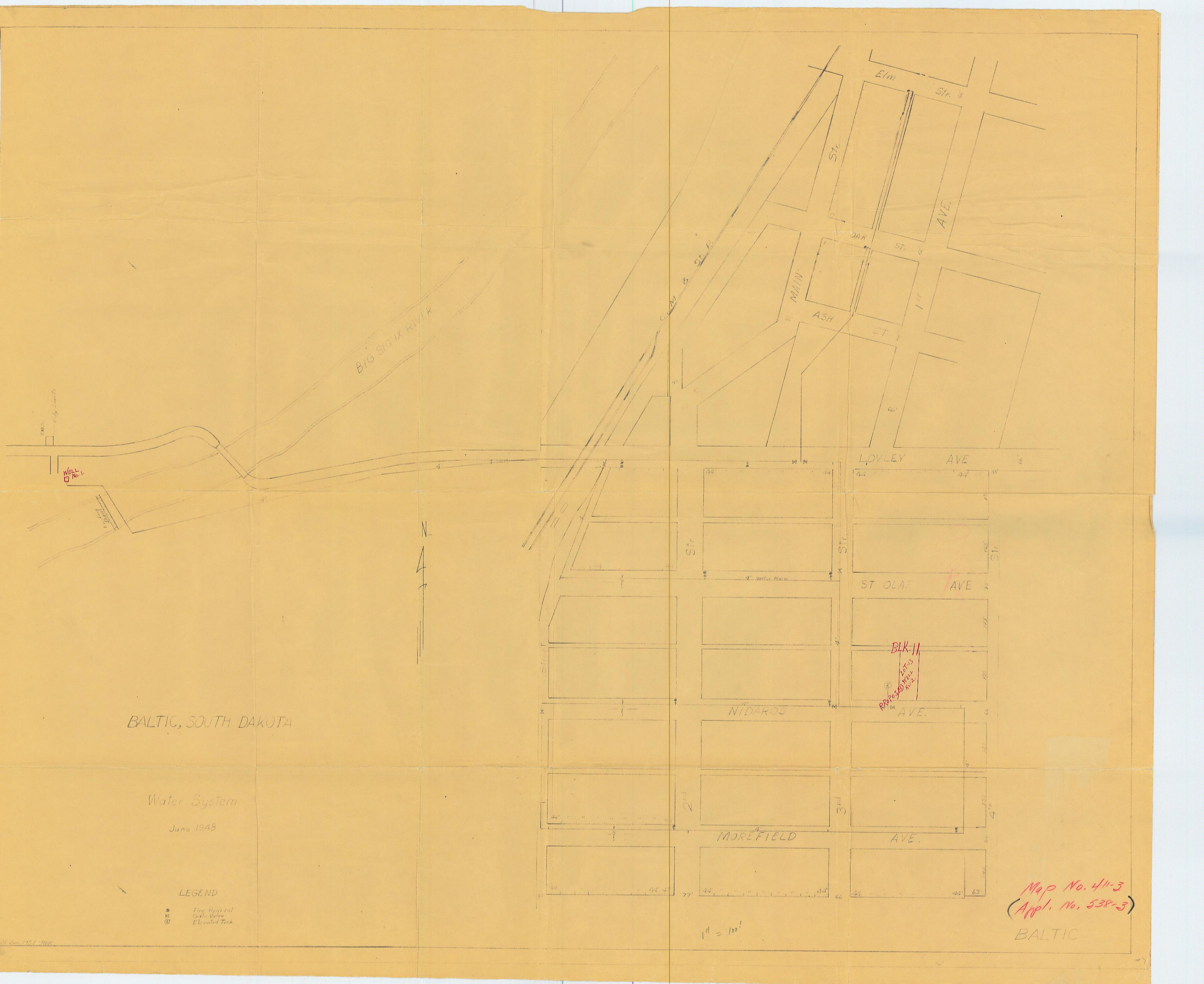
I, Lawrence Fossum, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner; that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated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

Signed

Subscribed and sworn to before me this 26th day of May 1958.

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



BIG SIOUX RIVER

WELL No. 1

BALTIC, SOUTH DAKOTA

Water System

June 1948

LEGEND

- Fire Hydrant
- x Gate Valve
- ⊙ Elevated Tank

1" = 100'

Map No. 411-3
(Appl. No. 538-3)
BALTIC

BLK. 11
PROPOSED WATER MAIN

Remarks by State Water Resources Commission:

A "Tested Right" is claimed for 0.077 cubic feet of water per second from well No. 1

STATE OF SOUTH DAKOTA

County of

Sioux

ss.

Pierre, South Dakota,

June 7, 1958

1958

This is to certify that the foregoing application was received by the Commission at 9:30 o'clock

9 m. upon the 7 day of June, 1958

State Water Resources Commission

By:

Jeff Brinner

Chief Engineer, Executive Officer

Number of permit 5-38-3

Date of first receipt of application

June 7, 1958

1958

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

1958

Date of receipt of corrected application

1958

Date from which applicant may claim right

0.077 cfs from 1948
0.166 cfs from June 7, 1958

Approved

July 9, 1958

Recorded in Book

4

Page 246

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

January 9, 1959

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

July 9, 1959

1959

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

July 9, 1959

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 0.243 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-seventh (1/7) 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 July 9, 1959; said water to be used during the following described annual period:

continuously

Witness my hand this

26

day of

July, 1958

1958

State Water Resources Commission

By:

Jeff Brinner

Chief Engineer, Executive Officer

Certificate of Construction issued

JANUARY 7, 1971

Water License issued

JANUARY 7, 1971

WELL NO. 1

B. (continued)

Well Specifications

(a) Hole and casing

Size of drill hole or excavation 6", Depth 160'Type of casing Steel
(wood, concrete, steel, etc.)Size of casing 6", Thickness of casing 1/4"Length of casing 160' If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen Perforated casing at end thereofSize of perforated screen 6" (diameter), ? (length)

Thickness of gravel pack, length of gravel pack

(c) Water Bearing Materials

Distance to water 25' Character of water bearing materials RockThickness of water bearing material Unknown

(d) Pump and Motor

Type of pump Propeller
(centrifugal, propeller, mixed flow, etc.)Name of pump Peerless, size 35 gal. per minute capacityKind of motor Electric
(gasoline, electric, diesel, etc.)Horsepower 5, Name of Motor General Electric

(e) Complete well

Capacity 35 gal. per minute at drawdown of 75' Estimated cost(f) Owner of land upon which well is located Town of Baltic, NameBaltic, South Dakota Address

(g) Distance to nearest existing wells

Approximately 1/2 mi. between well #1 and proposed well #2.

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

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

WELL #2. (Proposed)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 8 " , Depth approx. 175'

Type of casing Steel (wood, concrete, steel, etc.)

Size of casing 8" , Thickness of casing 1/4"

Length of casing 165' If collection gallery, length, size and depth of gallery

(b) Screens Information as to screens unavailable; will be determined when well is fully drilled.

Type of perforated screen

Size of perforated screen (diameter) (length)

Thickness of gravel pack , length of gravel pack

(c) Water Bearing Materials

Distance to water est. 50' , Character of water bearing materials rock

Thickness of water bearing material Unknown

(d) Pump and Motor

Type of pump Propeller (centrifugal, propeller, mixed flow, etc.)

Name of pump Peerless , size 1 gal. per minute

Kind of motor Electric (gasoline, electric, diesel, etc.)

Horsepower 5 , Name of Motor probably General Electric

(e) Complete well

Capacity 50 gal. per min. drawdown of 100' , Estimated cost \$4,000

(f) Owner of land upon which well is located Town of Bullis, South Dakota

Name

Address

(g) Distance to nearest existing wells

Distance between proposed Well 2 and existing Well 1 - one-half mile
On same owner's property rods. On property owned by others rods

Form 15.

Permit No. 538-3

Water Diversion No. 3 BIG SIOUX RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Town of Baltic

_____ the holder _____ of
Permit No. 538-3, issued upon Application No. 538-3, bearing date of priority of 1948 and
June 7, 1958 authorizing the diversion of .24 cu. ft. per second of the waters of _____
ground water County of Minnehaha, State of South Dakota at _____
from NW Corner, Section 5, T103N, R49W; Well #1, 1200 ft. South and 175 ft.
East; Well #2, 2700 ft. South and 2650 ft. East.

_____, for _____ municipal _____

purposes, has _____ 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 .18 cu. ft. per second of water.

Date January 7, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 538-3

(1) WHEREAS, On the 7th day of June A. D. 19 58
The Town of Baltic

made Water Right Application No. 538-3 for a permit to use .24 cubic feet per second of the waters
of ground water

County of Minnchaha State of South Dakota, for municipal

purposes; and
(2) WHEREAS, On the 26th day of July A. D. 19 58
Permit No. 538-3 with a date of priority of 1948 and June 7, 1958

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 9th day of July A. D. 19 59 and for the
application to beneficial use of said water on or before the 9th day of July A. D. 19 59

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert .18 cubic feet
per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to the application of water to beneficial use of the following extent,

water is used for municipal purposes by the Town of Baltic

(5) 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 Baltic

~~xxxx~~

the holder _____ and owner _____ of said permit No. 538-3 a water right, dating from 1948 and June 7, 1958 to use of .18 cubic feet per second of the waters of ground water

in the County of Minnehaha and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted from the NW corner, Section 5, T105N, R49W, Well #1, 1200 ft. South and 175 ft. East; Well #2, 2700 ft. South and 2650 ft. East.

and ~~xxxxxxxxxxxx~~ conducted through the Town water distribution system

))

for the purpose of municipal use

Subject to any limitations listed in Water Right Permit No. 538-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 7th day of January A. D.
Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

(First Publication before June 13, 1958)

APPROPRIATION OF WATER

Office of State Water Resources Commission
Pierre, S. Dak. June 7, 1958

Notice is hereby given that the Town of Baltic whose postoffice address is Baltic, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 0.243 cubic feet of water per second of time from ground water through Well No. 1 and Well No. 2. 0.077 cubic feet per second from Well No. 1 being claimed under an existing Vested Right and 0.166 from Well No. 2 being claimed under a new application.

The point of diversion for Well No. 1 is located at the western edge of the town and the proposed Well No. 2 is to be located in Lot 13, Block 11, Original Plat of the Town of Baltic.

Said well to be used for the purpose of providing municipal water in the Town of Baltic.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 9th day of July 1958 at 2:00 pm. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

J. W. GRIMES, Chief Engineer
Executive Officer

cc Mr. E. P. Shiveley, Publisher
The Dell Rapids Tribune
Dell Rapids, South Dakota

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Minnehaha } ss.

Wm M Smith being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Dell Rapids Tribune a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the city of Dell Rapids County of Minnehaha and State of South Dakota; that the said notice was published in said newspaper on the following dates:

June 12, 1958
June 19, 1958
June 26, 1958
July 3, 1958

in each and every issue of the full number thereof, the first publication being made on the 12 day of June 1958 and the last publication on the 3rd day of July 1958, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was Wm M Smith the printer and publisher of the said newspaper.

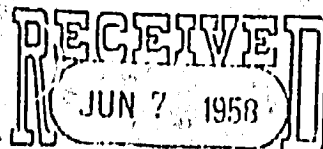
Subscribed and sworn to before me this 7th day of July A. D. 1958

Notary Public Minnehaha County, S. D.

APPROPRIATION OF WATER
Office of State Water Resources
Commission, Pierre, S. D. June
7, 1958.
Notice is hereby given that the
Town of Baltic whose postoffice
address is Baltic, South Dakota,
has made an application in accordance
with the provisions of the
water laws of South Dakota for a
permit to appropriate for beneficial
use 0.243 cubic feet of water
per second of time from ground
water through Well No. 1 and Well
No. 2 0.077 cubic feet per second
from Well No. 1 being claimed under
an existing vested right and
0.166 from Well No. 2 being claimed
under a new application.
The point of diversion for Well
No. 1 is located at the western edge
of the town and the proposed Well
No. 2 is to be located in Lot 14,
Block 11, Original Plat for the
Town of Baltic.
Said water to be used for the
purpose of providing municipal
water in the Town of Baltic.
This application will be taken up
by the State Water Resources
Commission at their office at Pierre
for consideration upon the 8th day
of July, 1958 at 2:00 p. m. All interested
persons may appear and
be heard.
Appropriate action will be taken
by the Water Resources Commission
after suitable time has elapsed
for the consideration of any or all
information presented.
State Water Resources Commission
By: J. W. GRIMES,
Chief Engineer
Executive Officer
(June 12, 19, 26, July 3)

RECEIVED
JUL 8 - 1958

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Location No. 538-3Water Division No. 3Water District Big Sioux River STATE WATER RESOURCES COMM.
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. Lawrence Fossum, Chairman Board of Trustees, Town of Baltic,
Baltic, 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. Town of Baltic, a municipal corporation. I am Chairman of the Board of
Trustees of the municipality.

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

Ans. Well No. 1 built in 1927.

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

Water supply is from underground water. It is located on unplatte
Ans. municipal land within the Town of Baltic. It is located within 100 feet of the
west boundary of the Town of Baltic.

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. Water is obtained from well by means of a pump and therefrom transmitted to
water tower and thereafter distributed to town residents.

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. Water is used for domestic purposes by the residents of the Town of Baltic,
South Dakota.

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

Ans. Water only used for domestic purposes by the residents of Town of Baltic.

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

Ans. Top capacity in summer time. 35 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. Well was purchased by Town of Baltic from Martin Anderson, who had previously
acquired land upon which it was located from the Farmers Cooperative Creamery of
of Baltic, original builder of the well.

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

Ans. Since 1948 the year the well was purchased by the Town of Baltic the water has been continuously used by the residents of the town for domestic purposes only.

(Sign) L. J. Jansen
Chairman, Board of Trustees

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 Sioux Falls, County of Minnehaha

State of South Dakota, on this 26th day of May A. D. 1958

Witnesses.

M. B. B. B.
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.

X Gordon Giestad
X Julius Enckel

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 _____

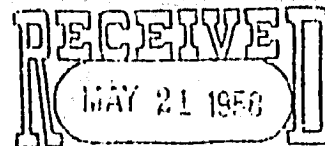
Received and filed _____

D. D. STORDAHL
R. G. MAY
NILES A. BOE
J. B. GALLOWAY

STORDAHL, MAY & BOE

LAWYERS
SECURITY BANK BUILDING
SIOUX FALLS, SOUTH DAKOTA

May 20, 1958



STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

AIRMAIL

Mr. J. W. Grimes, Chief Engineer
State Water Resources Commission
Pierre, South Dakota

Dear Mr. Grimes:

I wish to thank you for your kind letter of May 16 with respect to the application for water rights by the Town of Baltic. I shall go over this matter with the Town Board and endeavor to have the properly completed applications in your hands in sufficient time for action prior to your next Board meeting.

I have been requested, however, by the Town Board of Trustees to request an emergency permit for the drilling of the new and additional well.

It appears that the old well does not now pump in excess of thirty-five gallons per minute. The pump presently installed is as large as can be used, and it is necessary that said pump, in order to produce the aforestated volume of water, be in operation both day and night. If any emergency condition arose, such as a fire, the Town would be without sufficient water. Water has been restricted by order of the Town Board for some number of weeks.

The Board is now in a position to secure the services of a well driller from Jasper, Minnesota, who, it appears, is the only driller who is qualified to drill a well of this character and type in this territory. Unless his services are immediately procured he will accept other jobs and it will probably be impossible for him to drill this well in Baltic until fall.

In view of the foregoing, it is requested that an emergency permit be forthwith granted to the Town of Baltic to commence

Mr. J. W. Grimes

-2-

May 20, 1958

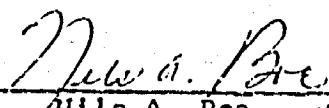
immediate drilling of its second additional well. Applications for water rights with respect to the old well, in addition to the new well will be processed in due course and submitted to your Board for approval.

We might state that the location of the new well is approximately one-half mile from the location of the old well.

We should be pleased to have your immediate reply to the foregoing.

Yours very truly,

STORDAHL, MAY & BOE



Nils A. Boe

k

538-3
May 21, 1958

Mr. Nils A. Roe
Security Bank Building
Sioux Falls, South Dakota

Dear Mr. Roe:

Your letter of May 20 requests an emergency permit for immediate construction of a new well for the Town of Baltic.

The water laws do not vest authority in the Water Resources Commission to grant water rights to an applicant except upon compliance with the procedures set forth in the statutes. However, when emergencies arise, such as that at Baltic, the Water Resources Commission does not object to the drilling of a well in advance of acquisition of a water right permit providing that the applicant understands that investments made are entirely at his own risk without any advance promise by the Commission that a water right application will be approved.

Also, the Commission has instructed me to check the physical characteristics of the proposed advance construction in order that investments may be reasonably secure from an engineering point of view. Along the bottom lands of the Big Sioux River in the vicinity of Baltic with well spacings of one-half mile, I believe that no interference with existing wells will develop. One additional precautionary measure should be established. The new well should not be closer than 1000 feet from any domestic well. If it is, there may be interference with the domestic well, in which case the owner of the domestic well should be satisfied to take the risk or should be adequately compensated.

If construction of the new well is initiated prior to obtaining the water right permit, please send the application as soon as possible.

Nils A. Boe

2

May 21, 1958

I hope this information will be reasonably satisfactory.

Sincerely,

J. W. GRIMES
Chief Engineer

JWG:ls

PS: The well driller employed by the Town of Baltic should obtain a drillers license as required by South Dakota law before drilling the well.

Permit No. 538-3

Water Division 3 BIG SIOUX RIVER Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by Town of Baltic
of Baltic, S.D. holder

of Permit No. 538-3, bearing date of priority of Well No. 1, 1948
Well No. 2, June 7, 1958
authorizing the diversion of Well #1, .077
#2, .166 cu. ft. per second of the waters of ground water

for Municipal purposes, in Minnehaha County.

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

The Water Use System consists of.

A. Works used to divert the water:

Well No. 1, 160 feet deep, 6 inch steel casing, 5 H.P. electric submersible pump

Well No. 2, 243 feet deep, 8 inch steel casing, 5 H.P. electric submersible pump

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

Town water distribution system
50,000 gallon elevated storage

C. Works used to apply water to beneficial use.

130 service connections

The system is in the following condition: good

The point of diversion is located from NW Corner of Sec. 5, T103N, R49W, Well #1,200 ft. South
and 175 east. Well #2,700 ft. south and 2650 ft. east

The works are capable of diverting and conveying to the place of use Well #1. .09
Well #2. .09

cu. ft. per second of water which is to be used for municipal purposes

Water has been put to beneficial use to the maximum extent as follows: the wells were drilled in 1948
and 1958 and have been used as indicated since.

send letter of notification to Mr. Rodney Docken, City Auditor

Date December 2, 1970

Date _____
Donald Driscoll
 (Signature)
 DONALD DRISCOLL, Deputy Chief Engineer, W.R.C.

Received 10/4/83

538-3

Memo

TO: Betty Westlund, DWR
FROM: Rob Pittay, DOW
RE: Wells w/o Water Rights
DATE: 10/4/83

During my recent survey trip the following info was found that should be of interest to DWR.

GARETSON - Wells #3 (1936) is now abandoned because of high nitrates. This well was permitted under #1289-3. This well is at Railroad St. and Essex St.

BALTIC - Baltic is now hooked up to Minnehaha Rys. Only the Creamery Well (1928) is used as a standby. This well is on #538-3. This well is on the west bank of the Big Sioux River.

Wells no longer used are:

WELL	DATE	PERMIT	LOCATION
#1	1978	4140-3	1 mile W of Baltic
no name	1968	2029-3	1/2 " " " "
no name	1958	538-3	Nidaros + 3rd Ave

CANTON - Well #2 is no longer used. The well is located near 9th and Broadway.

538-3

STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 538-3

(1) The City of Baltic, PO Box 327, Baltic SD 57003-0327 was issued Water License No. 538-3, January 7, 1971 for a right to appropriate 0.18 cubic feet of water per second from groundwater (two wells), Minnehaha County, South Dakota for municipal use purposes. Water Right No. 538-3 with priority dates of 1948 and June 7, 1958 was issued to the city for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

Based on a September 28, 1995 inspection of the system, the well with the 1948 priority has been abandoned. Water License No. 538-3 is being reissued to reflect this change and to correct an error in the legal description of the existing well location. The City of Baltic is connected to rural water. The existing well is used to water the high school football field.

(2) It is certified that the applicant 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 0.09 cubic feet of water per second for beneficial use. The location of the diversion point is 3,750 feet east and 700 feet south from the NW corner of Section 5-T103N-R49W (NW 1/4 NE 1/4).

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

(4) Pursuant to South Dakota Water Law 46-5-30.1 the City of Baltic, PO Box 327, Baltic SD 57003-0327 the holder and/or owner of Water Right No. 538-3 is issued a license to appropriate water, the right to use 0.09 cubic feet of water per second from groundwater (one well) with a priority date of June 7, 1958 from the location specified in (2) of this license. The water to be used for the purpose of municipal use. This license is subject to any limitations or qualifications listed in Water Permit No. 538-3 and subject to South Dakota State Law.



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

JUL 2 1996
date



Water Rights Program -- File Documentation

NAME: City of Baltic

ADDRESS: PO Box 327, Baltic SD 57003-0327

DATE: December 21, 1995

COUNTY: Minnehaha

TELEPHONE: 529-5497

RE: Investigation of Vested Portions of Water Right No. 538-3

COMMENTS:

On September 28, 1995, I completed an investigation of Water Right No. 538-3. 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.

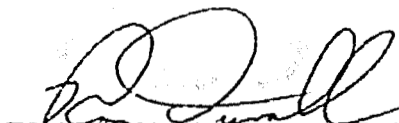
INVESTIGATION RESULTS:

During the investigation, I spoke with Randy Murphy, Utilities Manager. Mr. Murphy indicated that the city had been hooked to rural water since about 1981. I located well No. 1 (Creamery well) and found the wellhouse to be abandoned and in disrepair. According to Mr. Murphy, the well is equipped with a pump and motor (power not hooked up) and was last used about eight years ago for road construction. Mr. Murphy indicated the well has a high nitrate level and could be removed from the license. In addition, Mr. Murphy planned to discuss plugging the well with the city council. The legal description of well No. 1 is incorrect on both the water license and on the original report of examination of works.

Well No. 2 also has an incorrect legal description on the original report of examination of works and on the water license. The water license also misprinted the incorrect legal description from the report for both wells. According to Mr. Murphy, well No. 2 is used only to water the high school football field and the water is high in nitrates. The well still produces about 40 gpm as licensed.

RECOMMENDED ACTION:

Water License No. 538-3 needs to be reissued for only well No. 2 with the vested portion (well No. 1) dropped from the license. Well No. 1 has been abandoned and needs to be plugged. In addition, the reissued license needs to identify the correct legal description of well No. 2. The correct location of well No. 2 was advertised in the original newspaper publication and the well location is correct on the application map.



Ron Duvall, Natural Resources Engineer
Water Rights Program



JUL 2 1996

538-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Cathie Kruthoff, Finance Officer
City of Baltic
PO Box 327
Baltic SD 57003-0327

Dear Ms. Kruthoff:

Enclosed is Reissued Water License No. 538-3. Based on a September 28, 1995 inspection of the system, the well with the 1948 priority has been abandoned. Water License No. 538-3 is being reissued to reflect this change and to correct an error in the legal description of the existing well location. It is our understanding that the City of Baltic is connected to rural water. The existing well is used to water the high school football field.

As long as the city uses the water beneficially, as stated in the license, State Water Laws provide that the city has a continuing right to use the water.

SDCL 46-6-27 requires that the abandoned well (Creamery well) be plugged. If you have any questions concerning the reissued license or need information regarding the procedures for plugging the abandoned well, please contact Ron Duvall, with this office.

Very truly yours,

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

enclosures

x -- according to inspection report (does not match original map)
(legal on license is probably a miscopy from inspection report)

⊗ Actual location of well - visual inspection 9/2/95

Baltic
538-3

NOT TO SCALE



Ron Juvall No. 538-3
Natural Resources Engineer
12/21/95