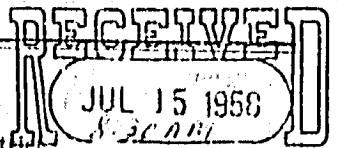


No. 5-40-3Water Division No. 3 Missouri River District 8-30-AB1
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

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

1. Name of applicant City of Tyn dall
 Postoffice address Tyn dall, County Ben Hur, State S. D.

- I. If a 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

(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)

Work completed on Two wells

- (b) Cash on hand, \$
 (c) Treasury stock, \$
 (d) Bonds to be issued, \$
 (e) Other resources, \$

2. Name of diversion work City Wells #1 and #2
 3. Amount of water claimed 460 gal. Per Minute 1.02 cfs
 4. Source of water supply Two wells (ground water) NE 1/4 Sec 2, T14N R29W
 5. Location of point of diversion City of Tyn dall - in to City
Water Main on See attachment bank County.
 6. Annual period or periods during which water is to be used All the time
 7. To be used for:

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

- (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.) City of Tyn dall

Water Supply

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

- (a) Nature of use None
 Name any of the above uses claimed

- (b) Amount of power to be generated None horse power.

Amount claimed for engine cooling None

- (c) Location of plant None

- (d) Method of developing power None

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

LOCATION OF WELLS

Well No. 1 - Williams addition Outlet T, 30 feet south and 30 East of NW corner of lot.

Well No. 2 - Original town of Tyndell, Block 40

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 ----- at back face -----

material used in construction -----

(b) Reservoir: Capacity when filled ----- acre ----- 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: Sanborn ss.

I, Kenneth Forester, 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

Kenneth Forester

Subscribed and sworn to before me this

17th

day of

June1957

Notary Public (or other qualified officer.)

Remarks by State Water Resources Commission:

"Vested Right" claimed

STATE OF SOUTH DAKOTA

County of

Laghes

ss.

Pierre, South Dakota,

July 26

1958

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock

9 a.m. upon the 15 day of July, 1958

State Water Resources Commission

By:

J. W. Brinner

Chief Engineer, Executive Officer

Number of permit 5403

Date of first receipt of application

July 15

1958

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

July 24

1958

Date of receipt of corrected application

August 15

1958

Date from which applicant may claim right

0.89 c.f.s. from 194

0.13 c.f.s. from 1932

1958

Approved August 20 1958, Recorded in Book

5

Page

125

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 1.02 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 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

26 day of September, 1958

State Water Resources Commission

By:

J. W. Brinner

Chief Engineer, Executive Officer

Certificate of Construction Issued

September 26, 1958

Water License Issued

September 26, 1958

Form 2A — Wells (Supplement to Form 2)

D. (Continued)

III. Well Locations

(a) Hole and casing

Size of drill hole or excavation Well 11" - 12", Depth 800'
 Type of casing Steel Pipe
 (wood, concrete, steel, etc.)
 Size of casing 12", Thickness of casing 1/4"
 Length of casing 740' If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen Well - Johnson Screen
 Size of perforated screen 8" (diameter), 60" (length)
 Thickness of gravel pack 3', length of gravel pack 60'

(c) Water Bearing Materials

Distance to water Character of water bearing materials
Artesian well

Thickness of water bearing material

(d) Pump and Motor

Type of pump Centrifugal
 (centrifugal, propeller, mixed flow, etc.)
 Name of pump Fair Bank Morse, size 400 gal. Per Min.
 Kind of motor Electric
 (gasoline, electric, diesel, etc.)
 Horsepower 20, Name of Motor F. M. Co.

(e) Complete well

Capacity 400 gal. Per Min. at drawdown of 16' Estimated cost

(f) Owner of land upon which well is located City of Tyndall
 Name Tyndall S.D.
 Address

(g) Distance to nearest existing wells

On same owner's property 160 feds. On property owned by others

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 8" 11" Depth 800'

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

Size of casing 6" Thickness of casing Steel pipe 3/8"

Length of casing 800' If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen None & Holes Drilled in

Size of perforated screen None & Pipe
(diameter) (length)

Thickness of gravel pack None, length of gravel pack

(c) Water Bearing Materials

Distance to water Character of water bearing materials

Artesian well

Thickness of water bearing material

(d) Pump and Motor

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

Name of pump F. M. Co. size 60 gal Per Min.

Kind of motor F. M. Co. - Electric
(gasoline, electric, diesel, etc.)

Horsepower 3 H.P. Name of Motor F. M. Co.

(e) Complete well

Capacity 60 gal Per Min 3' at drawdown of Estimated cost

(f) Owner of land upon which well is located

City of Tyndall
Tyndall 5,000
Address

(g) Distance to nearest existing wells

On same owner's property 100 rods. On property owned by others rods

STATE OF SOUTH DAKOTA

WATER LICENSE No. 540-3.....

WHEREAS, On the 15th day of July A. D. 1958
the City of Tyndall

of Tyndall County of Bon Homme and State of South Dakota duly made application (No. 540-3) to us for Vested Right permit to use 1.02 cubic feet per second of the waters of ground water County of Bon Homme, State of South Dakota, for municipal purposes; and

WHEREAS, On the 26th day of September, A. D. 1958
 Vested Right _____
 /Permit No. 540-3 was issued to said applicant _____ for the diversion of said water, and _____ recognizing
 completion of the works of diversion therein described on or before the _____
 in 1930 and 1948 _____ and for the application to beneficial use of said
 water _____ in 1930 and 1948 _____
 and.

WHEREAS, On the 15th day of August A. D. 1958
Vested Right
the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.02
cubic feet per second of said waters, as evidenced by our Certificate No. 540-3
dated September 26, 1958 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 1.02 cubic feet per second of water, with date of
priority of 1930 for 0.13 c.f.s.
1948 for 0.89 c.f.s. and 388

WHEREAS, On the 15th day of August A. D. 1958
proof was duly made of the application to beneficial use of 1.02 cubic feet per second of said water;
in the distribution system of the City of Tyndall

Artesian Well Report
Office of State Engineer

RECEIVED

NOV 10 1949

Tyndall So. Dak

N. E. corner lot 11 block 3 Williams

addition

OFFICE OF STATE ENGINEER
PIERRE, S. DAK

Location SW NE $\frac{1}{4}$ Section 6 Twp 94N Range 59W *740*

Owner or Owners City of Tyndall So. Dak

P.O. Address Tyndall So. Dak Bon Homme County

Pumped 400 gals. per min. for 10 hrs. (Clear) (Sandy) (Muddy) (Cloudy)
Pumped 400 gals. per min. for 3 hrs. (Clear) (Sandy) (Muddy) (Cloudy)

Water stands flow rises above feet from top. Is water hard or soft? Hard

Has sample been furnished to the State Engineer? City of Tyndall to furnish sample

Date well was completed Oct 20 - 1949

<u>677'</u>	ft.	<u>12"</u>	pipe extending to depth of	<u>677'</u>	feet
<u>80'-6"</u>	ft.	<u>12"</u>	pipe extending to depth of	<u>702'</u>	feet
<u>71'-3" Screen</u>	ft.	<u>12"</u>	pipe extending to depth of	<u>733'-3"</u>	feet
	ft.		pipe extending to depth of		feet
	ft.		pipe extending to depth of		feet

Cap rock encountered at None feet. Extended to _____ feet.

Water bearing sands encountered at 196 feet. Extended to 231 feet.

Water bearing sands encountered at 677 feet. Extended to 773 feet.

What quality and wt. of pipe was used? 12 inch 5 steel pipe
45 lbs Per foot.

Was upper flows sealed out? yes What type of control valve? Cement

What was the yield in gals. per min. at Curb Elevation 130 Gal Per minute

How high above curb does well flow when open? No check on this

Sea level elevation of well curb if available _____

One quart sample of water from each flow forwarded to State Engineer City of Tyndall to take sample 194

Note: Sample bags will be furnished by this office on request. Samples should be taken at 5 to 10 foot intervals, if requested.

Reported by

For

Robert J. Labrick
Josh. Drilling Co.
Bonded Driller
F. W. Schultz

RECEIVED

NOV 10 1949

TO: OFFICE OF STATE ENGINEER

Pierre, So. Dak.

OFFICE OF STATE ENGINEER

PIERRE, S. DAK.

Ind. Drilling Co
Bonded Well Driller

Robert J. Dobrick
Operator

Abbeville So Dak
Address

Abbeville So Dak
Address

Weekly report of well drilled in the 4¹/₄ of the 4¹/₄ of

N.E. corner lot 11 Block 3 Williams addition Tynard So. Dak
Sec. 4 Twp. 4 Rge. 4
Date Work Started 54-1-1949

Size of hole 4 3/4" Pilot hole

Day	Depth	Formation
1st day	<u>160</u>	<u>yellow and blue sand</u>
2nd day	<u>260</u>	<u>sandy clay and rock</u>
3rd day	<u>360</u>	<u>clay and shale</u>
4th day	<u>460</u>	<u>shale</u>
5th day	<u>570</u>	<u>shale</u>
6th day	<u>680</u>	<u>shale and sand</u>
7th day	<u>773</u>	<u>sand</u>
8th day	<u>779</u>	<u>rock</u>

Water flow was encountered in sands at 677 ft. to 773 ft.

The (rotary) (jetting) process is being used. Rotary

12 In. 45 Lb. Casing was placed from 0 ft. to 677 ft.

Special operations to produce or measure flow: grip

Pumping test made with 450 Gal Per minute
turbine pump

Remarks: Well flow 130 Gal Per minute

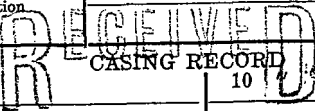
Pump 400 Gal Per minute 30 feet draw down

Samples mailed to State Engineer Nov 9 - 1949
(Date)

Robert J. Dobrick
Signature of Operator

DESCRIPTION

[illegible]

State				Company			
County				Farm Tyndall Well No.			
T.		R.		Contractor			
				Commenced			
				Completed 1949			
				Remarks Samples examined and correlated by B.C.			
Altitude				Petsch, State Geological Survey.			
Production				 RECEIVED CASING RECORD 10 1/2 JAN 23 1950 1/4"			
20 "				6 5/8"			
15 1/2"				OFFICE OF STATE ENGINEERS PIERRE, S. DAK.			
12 1/2"							
Shot				Quarts		Between	

Log—Continued

[illegible]

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 Tyndall

of Tyndall, South Dakota the holder and owner of said Vested Right
a water right, dating from 1948 for 0.89 c.f.s. permit No. 540-3
1930 for 0.13 c.f.s. to the use of 1.02

cubic feet per second of the waters of ground water

In the County of Bon Homme and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted at in Williams Addition,
Block "T" and Original Town of Tyndall, Block 40
and conducted to supply the residents of the City of Tyndall

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 26th day of September 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 _____

Permit No. 540-3Missouri
Water Division No. 3 River Water District

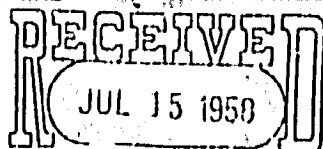
Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That the City of Tyndallof Tyndall, County of Bon Homme, and State of South Dakota
the holder of Vested Right Permit No. 540-3, Issued upon Application
No. 540-3, bearing date of priority of 1948 for 0.89 c.f.s.
1930 for 0.13 c.f.s., authorizing the diversion of1.02 cu. ft. per second of the waters of ground water
County of Bon Homme, State of South Dakota, at in Williams Addition,
Outlot "T" and Original Town of Tyndall, Block 40for 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 1.02 cu. ft.
per second of water; and that ~~the use of said water is described as follows,~~ is
to-wit: to furnish municipal water for the distribution system
of the City of TyndallWitness my hand this 26th day of September A. D. 1958

State Water Resources Commission

By:
J. W. GRIMES, Chief Engineer, Executive Officer

Location No. 540-3Water Division No. 3Missouri
River Water DistrictSTATE 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. City of Tyndall - Tyndall S.D.

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. July 12, 1958

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

Ans. Pac. 60 gal Per Min. at Light Plant
One 400 " " " S. E. 1/4 part of Tyndall

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. ☒

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. City water supply

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

Ans. Same as above

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

Ans. 60 gal Per Min.

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 mentioned permit has been used.

Ans.

City water supply

(Sign)

Samuel Henderson

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 *Bon Homme*

State of South Dakota, on this *12th* day of *July* A. D. 19*05*

Emilio Roush

Witnesses.

Jack Kelly

John A. Anderson

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.

John A. Anderson

John A. Anderson

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 -----

L. J. SCHUETT, City Auditor

M. E. SCHMITT, Mayor

R. JAMES ZIESER, City Attorney

The City of Tyndall

Tyndall, S. D.

August 13, 1958

COUNTY SEAT
of Bon Homme County

-o-

ALTITUDE
1,418 Feet

-o-

POPULATION
(1956 Census) 1500

-o-

ASSESSED VALUATION
\$2,455,000

-o-

ENTIRE BUSINESS
SECTION PAVED

-o-

36 MILES OF HARD
SURFACED ROADS
Including 6 Blocks
Concrete Paving
50 Blocks Black Top

-o-

TWO BEAUTIFUL
IMPROVED PARKS

-o-

MODERN SWIMMING
POOL IN CITY PARK

-o-

FIVE CHURCHES

-o-

NEW FIREPROOF HIGH
AND GRADE SCHOOLS

-o-

WEEKLY
NEWSPAPER

-o-

CARNEGIE LIBRARY

-o-

MUNICIPAL AUDITORIUM
Seating Capacity, 1,000

-o-

MUNICIPAL LIGHT AND
POWER PLANT

-o-

MODERN
DRIVE-IN THEATRE

-o-

ON STATE HIGHWAY
NO. 50

-o-

ON C. M. & ST. P.
RAILROAD

-o-

BUS LINE IN ALL
DIRECTIONS

-o-

LIVE CHAMBER OF
COMMERCE

-o-

COUNTRY CLUB
9 Hole Golf Course

-o-

ROTARY CLUB

-o-

MODERN
20-BED HOSPITAL

Water Resources Commission.

Pierre, So. Dak.

Gentlemen:

Following is the information requested in your letter under date of July 26, 1958.

Location of wells

Well No. 1 - Williams addition Outlot T, 30 feet south and 30 East of N.W. corner of lot.

Well No. 2 - Original town of Tyndall, Block 40

Description of pumps on Wells

Well No. 1 - Make Fairbanks, Morse Co-Model 5554, size 400 G.P.M.

Well No. 2 - Make Fairbanks, Morse Co-Model 5553, size 300 G.P.M.

Well No. 1 constructed in 1948

Well No. 2 constructed in 1930 to 1932

Maximum pumping rate- 460 Gals. Per minute.

Capacity of Standpipe - 75000 Gallons

Approximately 1 mile of 8" main

" 15 miles of 6" main

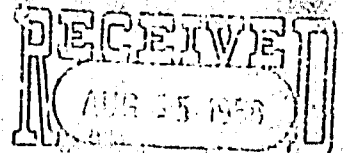
" 3 miles of 4" main.

Very truly yours,

L. J. Schuett

L. J. Schuett.

City Auditor.



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

South Dakota Department of
Water & Natural Resources

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

JUN 13 1989

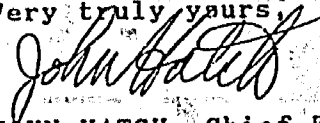
Mayor Joseph Dobesh
City of Tyndall
PO Box 29
Tyndall SD 57066

Dear Mayor Dobesh:

The Water Management Board has validated the enclosed Vested Water Right No. 540-3. 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. 540-3

Date Claim Accepted For Filing July 15, 1958.

Date of Validation May 10, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim No. 540-3 for the City of Tyndall, PO Box 29, Tyndall, South Dakota 57066 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 540-3 appropriates 0.89 cubic feet of water per second (cfs) from Well No. 1 and 0.13 cfs from Well No. 2. Both wells are approximately 800 feet deep and located in the NE 1/4, Section 6, T94N, R59W.
2. The appropriated water is used for supplying water for the City of Tyndall 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: Well No. 1 - 0.89 cfs, January 1, 1948. Well No. 2 - 0.13 cfs, January 1, 1930.
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: John Hatch
Chief Engineer
Division of Water Rights
Dept. of Water and Natural Resources

JUN 13 1989
date