

Considered: _____

WATER PERMIT NO. VR 5510-3

Phone: 605 778-6277

Name of Applicant: City of Kimball

Post Office Address: PO Box 16, Kimball SD 57355

Amount of Water Claimed: 0.45 Total Acres: _____

Source of Water Supply: groundwater

Water to be used for: municipal County: Brule

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F.& C/.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY Date Received: 2-20-91 Fee: \$15.00 Remarks standby well

to supplement Aurora-Brule Rural Water System - 1912 priority date

Corrected Application Received _____ Period of Annual Use _____

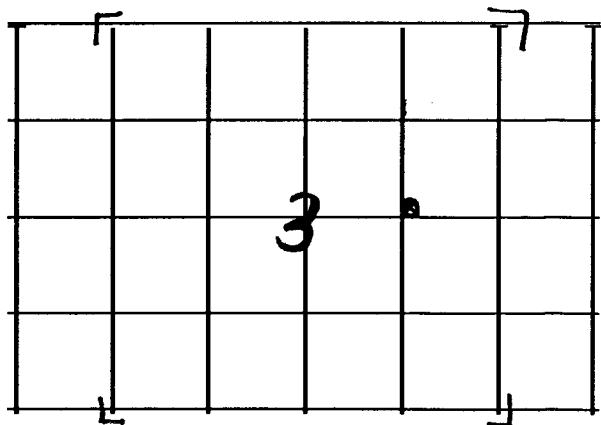
WATER QUALITY APPROVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point: SE 1/4 NE 1/4 Sec 3-T103N-R68W

(west well)

Land to be Irrigated: _____



Well Log: Driller: not available Licensed YES _____ NO _____

Depth of Well: ^{1100'}1200' REMARKS _____

Type of Map: plat PREPARED BY: Kevin Ring Reviewed and the Number

Assigned on 3-4-91 By Karen Schlaak

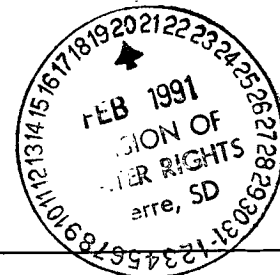
No. 5510-3	Hydrologic Unit	10140101
Map No.	Basin	Missouri River
Newspaper Brule Co News, Box 46, Kimball, SD		

(Thurs)

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

Check use of water: Industrial ☐ Commercial ☐ Municipal ☒ Other Common Distribution System ☐
 Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
 Domestic ☐ (above 18gpm) Other ☐

Type of Application: Check one or more of the following

New ☐ Vested Right ☒ Future Use ☐ Change Use ☐☐ Amend Permit No. _____ with old priority date retainedChange diversion point(s) ☐ Add diversion point(s) ☐ Other ☐ _____☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____☐ Construction to use water reserved by Future Use Permit No. _____1. Name of Applicant City of Kimball Phone No. (605) 778-6277Post Office Address PO Box 16 Kimball State SD 57355
(Street, RR or Box) (City) Zip Code2. Amount of water claimed (c.f.s.) Standby well to supplement Aurora-Brule Rural Water System
approximately or equal to .45 cfs3. Source of water supply Well4. Location of point of diversion West well, 1 acre in unplatted part of NE 1/4, Section 3,
Township 103 North, Range 68 West of the 5th P.M., Brule County, South Dakota
(SE 1/4 NE 1/4) County Brule5. Counties where water will be used Brule6. Annual period during which water is to be used As supplement or emergency standby for Aurora-Brule
Rural Water System

7. Give a brief description of proposed 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)

The City of Kimball was advised to apply for a permit. South Dakota Public Water System Data indicates that the well was drilled in 1912. The well is used only as an emergency standby. Kimball is currently connected to the Aurora-Brule Rural Water System. This well is commonly known as the west well. Driller's logs are not available for this well.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA)
County of Brule)^{ss}

I, Robert L. Miller, Mayor of the City of Kimball, 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 Robert L. MillerSubscribed and sworn to before me this 19 day of February 1991

Notary Public
My Commission
Expires March 2, 1998

Steve Natus
Notary Public

SOUTH DAKOTA

VESTED WATER RIGHT NO. 5510-3

Date of Receipt of Claim February 20, 1991.

Date of Validation May 23, 1991.

The Chief Engineer, on behalf of the Water Management Board validated Vested Water Right Claim No. 5510-3 for the City of Kimball, PO Box 16, Kimball SD 57355 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 5510-3 appropriates 0.45 cubic feet of water per second from one well (Dakota Formation) 1100 feet deep located in the SE 1/4 NE 1/4 Section 3-T103N-R68W.
2. The appropriated water is used as a standby water supply for the City of Kimball and may not exceed the amount of water needed for beneficial use for municipal purposes.
3. The water is to be used during the following annual period: January 1 - December 31.
4. The priority date of the Vested Water Right is: January 1, 1912.
5. The water use system has been constructed and water has been applied to beneficial use.
6. 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 H. Hatcher
Chief Engineer, Water Right Division
Department of Environment and Natural Resources

JUL 23 1991

date

STATE OF SOUTH DAKOTA

VESTED RIGHT WATER LICENSE NO. 5510-3

(1) The City of Kimball of PO Box 16, Kimball, SD 57355 made Application No. 5510-3, February 20, 1991 for validation of a vested right claim to appropriate 0.45 cubic feet of water per second from groundwater (one well), Brule County, South Dakota for municipal purposes. Vested Water Right No. 5510-3 was validated May 23, 1991 with a priority date of January 1, 1912. 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.

(2) The applicant is entitled to divert 0.45 cubic feet of water per second for beneficial use. The location of the diversion point is in the SE 1/4 NE 1/4 Section 3, T103N, R68W.

(3) Pursuant to Section 46-5-30.1 the City of Kimball of PO Box 16, Kimball, SD 57355 the holder(s) and/or owner(s) of Vested Water Right No. 5510-3 is issued a license to appropriate 0.45 cubic feet of water per second from groundwater (one well) with a priority date of January 1, 1912 from the location specified in (2) of this license. The water is to be used for the purpose of municipal use. This license is subject to any limitations, conditions or qualifications listed in Vested Water Right No. 5510-3 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources
JUL 23 1991

Affidavit of Water Use

No. _____

(Type or Print in Ink)

Note: This Form is supplemental to Form 2 and is to be used when an affidavit pertaining to construction and water use already constructed is needed, primarily with vested right claims.



**Affidavit Of Construction Of Water Use System
And Application Of Water To Beneficial Use**

Name of Applicant (Same as Form 2) City of Kimball

Post Office Address PO Box 16 SD 57355
(Street, RR or Box) (State) (Zip Code)

A. Notice of Appropriation _____ Date of Posting _____

Date of recording _____ Recording date _____
Where Book Page

B. Date of start of construction of water supply system _____

C. Date that water was first applied to beneficial use 1912 est.D. Name of owner of original water supply system City of KimballE. Amount of water originally applied to beneficial use approximately 200 gal/min or .45 cfsF. Present Use of Water - Amount of water now being used standby and emergency useDate that this water was first used 1912 est.

G. Chronological History of Water Use

Well served the City of Kimball until the City was connected to the
Aurora-Brule Rural Water System in the fall of 1980.

Attach to this Form 2B any copies of notices, postings, filings, publications, affidavits, or other records that apply. You may also attach any written statement by you, or by others, that you deem pertinent.

State of South Dakota)

ss

County of Brule)

I, Robert L. Miller, Mayor of the City of Kimball, the applicant, certify that I have read the foregoing
(print or type)
 and that the matters therein stated are true.

Signed Robert L. MillerSubscribed and sworn to before me 19, 1991

Notary Public

My Commission

March 2, 1998

Notary Public or other qualified officer

I, the undersigned do hereby certify that I know about the water use system described above, that I have read the foregoing, and that the matters therein stated are true.

(Print name) _____ 19____

(Print name) _____ 19____

CITY OF KIMBALL

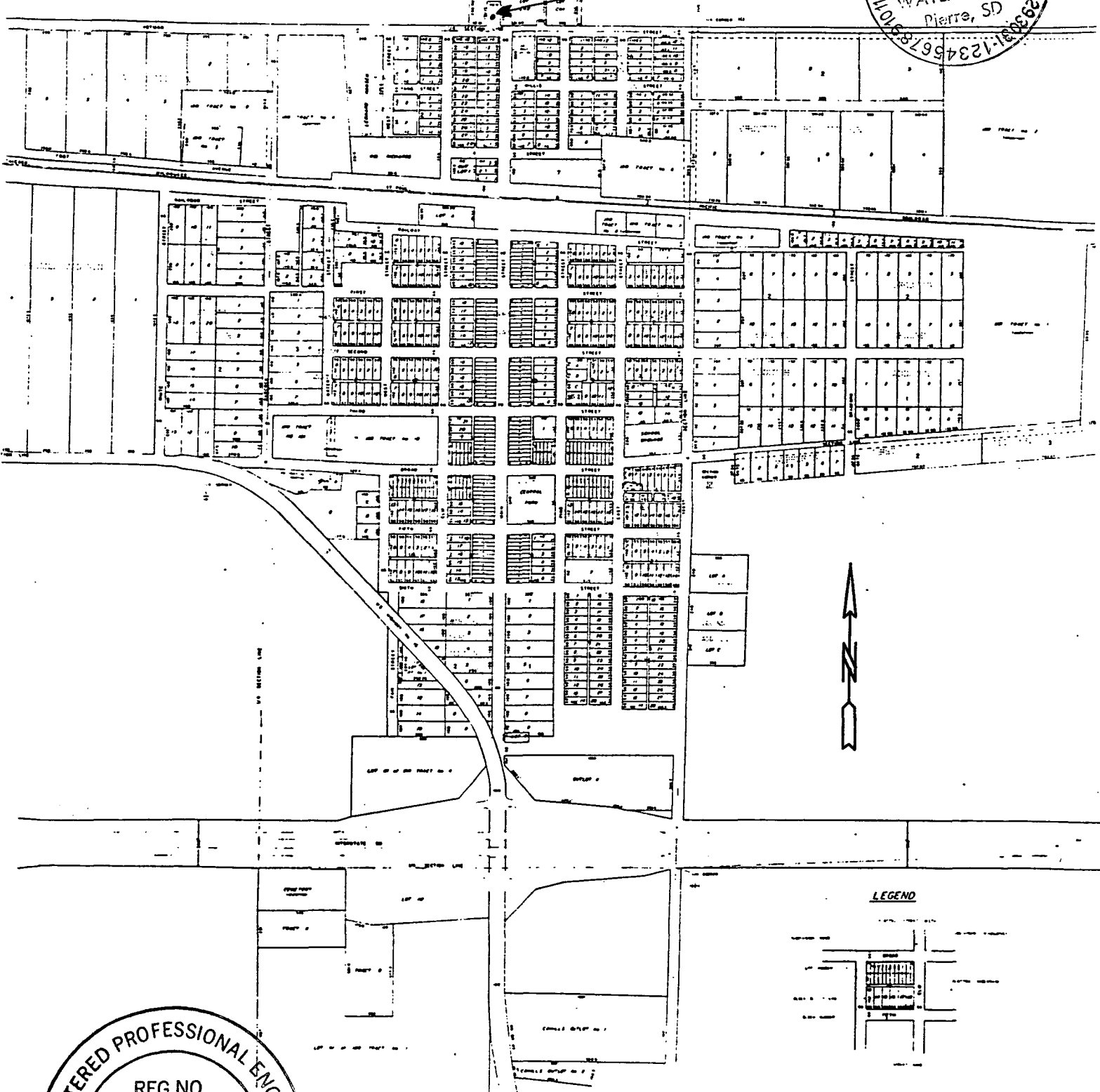
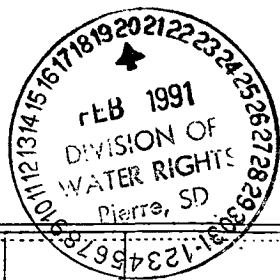
BRULE COUNTY, SOUTH DAKOTA

71030-6000

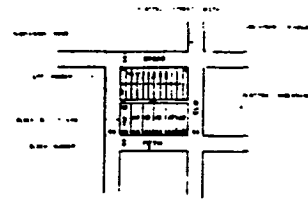
2000 COMPILED BY
BRULE COUNTY DEPARTMENT OF ENGINEERING

THIS MAP IS FOR GENERAL PURPOSES ONLY
AND IS NOT TO BE USED FOR ANY OTHER
PURPOSE WITHOUT THE WRITTEN CONSENT
OF THE CITY OF KIMBALL

WEST WELL



LEGEND



LOCATION MAP
WEST WELL
CITY OF KIMBALL



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412547

Pierre, February 21, 19 91

RECEIVED OF City of Kimball, PO Box 16, Kimball, SD 57355

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. <u>5510-3</u> to Appropriate Water, to construct works and to put water to beneficial use _____	15	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	15 00

By John Hatley
Chief Engineer

REPORT ON APPLICATION NOS. 5509-3 AND 5510-3
for the City of Kimball
April 3, 1991

Application Nos. 5509-3 and 5510-3 each claim a vested right for 0.45 cfs from wells 1200 feet and 1100 feet deep respectively. Both wells are located in the SE 1/4 NE 1/4 of section 3, T103N R68W in Brule County. Vested Right Claim No. 5509-3 claims a priority date of January 1, 1950 and Vested Right No. 5510-3 claims a priority date of January 1, 1912. These wells are used for emergency standby purposes by the City. The City of Kimball is serviced by the Aurora-Brule Rural Water System.

AQUIFER - DAKOTA FORMATION (DKDT)

The Dakota Formation consists of sandstones and shales and is approximately 250 feet thick in this area (Schoon, 1971). The Dakota Formation is under artesian conditions but will not flow at the land surface. The USGS reports that one well drilled in 1912 was completed to a depth of 1250+ feet and had a static water level of 165 feet on August 29, 1956 and a second well drilled in 1951 was completed to a depth of 1050 feet and had a static water level of 165 feet on August 29, 1991 (Davis, 1961). The Dakota Formation underlies 837 square miles and contains an estimated 7.36 million acre feet of recoverable water in Brule County (Hedges, 1982).

The Division of Water Rights monitors an observation well BL-83A located near Chamberlain about 18 miles west of Kimball. Water levels for this well have declined 7 to 8 feet since the well was completed in 1983 (Water Rights, 1991). Many reports indicate that water levels have been declining in the Dakota Formation since the first wells were drilled. The primary reason for the decline is the large number of wells allowed to flow to waste.

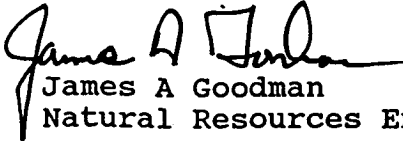
REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other water right/permits from the Dakota Formation in this area. Interference will not be a problem.

CONCLUSIONS

1. Water is available from the Dakota Formation.
2. Interference is not expected to be a problem. There are no other users other than domestic use in this area.
3. Information in the application indicates these wells were completed in 1912 and 1950. Affidavits supplied with both of these applications indicate they qualify for vested rights and can be validated.
4. SDCL 46-6-3.1 allows water to be used by a water distribution system from an aquifer stratigraphically lower than the Greenhorn Formation even if the quantity of water withdrawn from the source

exceeds the average annual recharge to the source. The Dakota Formation is lower than the Greenhorn Formation. Also, even though the water levels have been declining in the Dakota Formation, this decline has been attributed to the large number of wells allowed to flow to waste.


James A Goodman
Natural Resources Engineer

Davis, R.W., 1961, Progress Report on Wells Penetrating Artesian Aquifers in South Dakota, USGS Water Supply Paper 1534, USGS, Washington, DC.

Hedges, L.S., 1982, Evaluation of Ground-Water Resources Eastern SD and Upper Big Sioux River, SD and Iowa, for US Army Corps of Engineers, SD DWNR, SDGS, Vermillion, SD, 57069.

Schoon, R.A., 1971, Geology of Hydrology of the Dakota Formation in South Dakota, RI #104, SD DWNR, SDGS, Vermillion, SD, 57069.

Water Rights, 1991, Dakota Formation Observation Well Data, SD DWNR, Div. of Water Rights, Pierre, SD, 57501.

RECOMMENDATION OF CHIEF ENGINEER FOR VALIDATION OF VESTED WATER
RIGHT APPLICATION NO. 5510-3, City of Kimball

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Validation of Vested Water Right Application No. 5510-3, City of Kimball, PO Box 16, Kimball, SD.

The Chief Engineer is recommending VALIDATION of Application No. 5510-3 for 0.45 cfs because 1) water has been appropriated as described for municipal use with a priority date of January 1, 1912, 2) the use has been developed without unlawful impairment of existing rights, 3) the use is a beneficial use and 4) it is in the public interest.

See report on application for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", with a stylized, cursive script.

JOHN HATCH, Chief Engineer
April 9, 1991



DEPARTMENT OF WATER & NATURAL RESOURCES

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

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT THE
NEWSPAPER RIGHT AWAY.

April 17, 1991

Robert L. Miller, Mayor
City of Kimball
PO Box 16
Kimball, SD 57355

Dear Mr. Miller:

Your Application Nos. 5509-3 and 5510-3 for vested water right claims have been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of your claims has been sent to the Publisher of the Brule County News printed at Kimball, SD. For your information, a copy of the notice, the recommendations of the Chief Engineer and a report on the applications are enclosed. Please review the notice and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your notice of hearing to validate a vested right and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. We must receive Proof of Publication before the applications can be considered.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

cc: Ronald Mashek, Utility Manager



DEPARTMENT OF WATER & NATURAL RESOURCES

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

April 17, 1991

Brule County News
Box 46
Kimball, SD 57355

ATTN: Legal Publications:

Enclosed is a Notice of Hearing to Validate Vested Right Application Nos. 5509-3 and 5510-3 to be published twice. Please publish the notice on or before April 25, 1991, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is the City of Kimball, PO Box 16, Kimball, SD 57355.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit applications cannot be considered until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: ATTN: Eric Gronlund
Water Rights Division
523 E Capitol
Pierre SD 57501-3181

Date _____
We are in receipt of your letter of _____ enclosing Notice of Hearing to Validate A Vested Right Application which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on April 25, 1991, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING To Validate
Vested Water Right Application Nos. 5509-3 and 5510-3 to Appropriate Water

Notice is given that the City of Kimball, PO Box 16, Kimball, SD 57355 has filed applications to validate vested water right claims.

Vested Right Claim No. 5509-3 is to appropriate 0.45 cfs from one well (Dakota Formation) 1200 feet deep located in the SE 1/4 NE 1/4 Section 3-T103N-R68W. The water use has a claimed priority date of January 1, 1950, and is used as a standby well for municipal use by the city. The City of Kimball is currently connected to the Aurora-Brule Rural Water System.

Vested Right Claim No. 5510-3 is to appropriate 0.45 cfs from one well (Dakota Formation) 1100 feet deep located in the SE 1/4 NE 1/4 Section 3-T103N-R68W. The water use has a claimed priority date of January 1, 1912 and is used as a standby well for municipal use by the city.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends VALIDATION of Vested Water Right Application Nos. 5509-3 for 0.45 cfs and 5510-3 for 0.45 cfs because 1) water has been appropriated as described for municipal use with a priority date of January 1, 1950 (No. 5509-3) and with a priority date of January 1, 1912 (No. 5510-3), 2) the use has been developed without unlawful impairment of existing rights, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the applications or the applicant files a petition contesting the chief engineer's recommendations, the Water Management Board will NOT CONDUCT a HEARING to consider these applications and the chief engineer will issue the vested water right applications as recommended. Petitions filed in support of the applications will NOT require the Board to hear the applications.

Any person interested in opposing or supporting these applications must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendations. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by May 13, 1991. The petition may be informal, but must include a statement describing the petitioner's interest in the applications, the petitioner's reasons for opposing or supporting the applications, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application Nos. 5509-3 and 5510-3 and 2) the chief engineer's recommendations, a special Board meeting is scheduled for May 23, 1991, at 9:00 a.m. in Room 413, Joe Foss Building, 523 E Capitol, Pierre, SD. If these applications are opposed or the recommendations contested, the May 23, 1991 hearing date may be rescheduled for another Board meeting. If the hearing is rescheduled, notice of the time and place will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The May 23, 1991 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the applications. The request for an automatic delay must be filed by May 13, 1991.

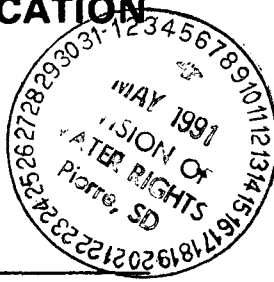
If a hearing is held, the Chief Engineer's recommendations are not final or binding upon the Board. The Board is authorized to 1) approve the validation, 2) approve the validation with qualifications, 3) defer, or 4) deny validation of the applications based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised.

Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to these applications or to assure access to the hearing by the handicapped.

These applications are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-18; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, 46-5-49; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:19 thru 74:02:01:22, and 74:02:01:37.02.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Brule) ss.



I, Holly K. Korman
 certify that the attached printed Notice was taken
 from the Brule County News

A newspaper which during the whole time of publication of
 said notice herein after stated, has been and is printed and
 published in the Brule County News
 of Kimball

County of Brule and State of South Dakota;
 that the said notice was published in said newspaper on the
 following two dates:

April 25, 1991

May 2, 1991

Holly K. Korman
 (Signature)

Publisher
 (Title)

May 2, 1991
 (Date Signed)

Cost of Printing: \$54.00

NOTICE OF HEARING
 To Validate Vested Water
 Right Application
 Nos. 5509-3 and 5510-3
 to Appropriate Water

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 Kimball is currently connected to the Au-
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 Formation) 1100 feet deep located in the SE
 1/4 NE 1/4 Section 3-T103N-R68W. The
 water use has a claimed priority date of Jan-
 uary 1, 1912 and is used as a standby well
 for municipal use by the city.

Pursuant to SDCL 46-2A-2, the Chief
 Engineer recommends VALIDATION of
 Vested Water Right Application Nos. 5509-
 3 for 0.45 cfs and 5510-3 for 0.45 cfs be-
 cause 1) water has been appropriated as de-
 scribed for municipal use with a priority
 date of January 1, 1950 (No. 5509-3) and
 with a priority date of January 1, 1912 (No.
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 ter Management Board will NOT CONDUCT
 a HEARING to consider these applications
 and the chief engineer will issue the vested
 water right applications as recommended.
 Petitions filed in support of the applica-
 tions will NOT require the Board to hear the
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Any person interested in opposing or
 supporting these applications must file a
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 file a petition if opposed to the Chief En-
 gineer's recommendations. The Chief En-
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 Foss Building, 523 E Capitol, Pierre SD
 57501 (605-773-3352)" and the applicant's
 mailing address is given above. A petition
 filed by either an interested person or the
 applicant must be filed by May 13, 1991.
 The petition may be informal, but must in-
 clude a statement describing the petitioner's
 interest in the applications, the petitioner's
 reasons for opposing or supporting the ap-
 plications, and the signature and mailing
 address of the petitioner or the petitioner's
 legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice
 of hearing on Application Nos. 5509-3 and
 5510-3 and 2) the chief engineer's recom-
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time and place will be given by first Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The May 23, 1991 hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the applications. The request for an automatic delay must be filed by May 13, 1991.

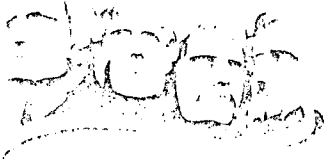
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These applications are made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14; 46-2A-15, 46-2A-18; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, 46-5-49; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; 74:02:01:19 thru 74:02:01:22, and 74:02:01:37.02.

(April 25, May 2)

South Dakota



GREAT FACES. GREAT PLACES.

JUL 23 1991

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

5509-3

5510-3

Robert L Miller, Mayor
City of Kimball
PO Box 16
Kimball, SD 57355

Dear Mr. Miller:

Enclosed are your Validated Vested Water Right and Water License Nos. 5509-3 and 5510-3. As long as you use the water beneficially, as stated in the Water License, the 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

enclosures