

JAN 21 1959

No. 5-67-3Water Division No. 7

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

District 10

JAN 14 1959

SOUTH DAKOTA WATER RESOURCES DIVISION
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 Webster
 Postoffice address Webster, County DeWitt, State South Dakota

I. If a corporation

(a) Name of same City of Webster(b) Date and place of incorporation 1895

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors Municipal

(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)

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work City Wells #1 #2 #33. Amount of water claimed Well #1 - 175 GPM - 0.38 cfs
Well #2 - 275 GPM - 0.61 cfs
Well #3 - 400 GPM - 0.89 cfs
Total of 850 GPM or 1.88 cfs4. Source of water supply Ground Water5. Location of point of diversion Well #1-2 Lot s. 8-9-10 Block 15, Leetehs Add'n
Well #3 Lot E. NENW. 35-122-56 all Wells on City Property 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? None(a) Number of acres to be irrigated None acres.(b) Legal subdivisions to be irrigated None

(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.) None

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 None 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	ACRE-Feet CAPACITY

(c)* Head gate: Width ----- feet; height ----- feet;
 Material -----
 (d) Canal: Total length ----- miles.

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

(Give dimensions where reductions in size are made.)

- ✓ 10. Time required for completion of work Completed years.
 ✓ 11. Time required for complete application of water to the proposed beneficial use Completed years.
 ✓ 12. Choice of newspaper for publication of notice of intention to appropriate -----
DIA

STATE OF SOUTH DAKOTA } ss.
 County of Day

I, -----, 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 W. E. Walton
 Subscribed and sworn to before me this 27 day of Jan 1925
W. E. Walton City auditor
 Notary Public (or other qualified officer.)

Remarks by State Water Resources Commission:

"Vested Right" Claim

STATE OF SOUTH DAKOTA
County of Hughes ss.

Pierre, South Dakota,

January 14, 1959

This is to certify that the foregoing application was received by the Commission at 10:00 a.m. upon the 14 day of January, 1959

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Number of permit 567-3

Date of first receipt of application January 14, 1959

Date of return to applicant for correction, amendments or changes required as follows: January 21, 1959

Date of receipt of corrected application January 28, 1959

Date from which applicant may claim right 0.38 c.f.s. from 1918, 1.061 c.f.s. from 1939 and 0.89 c.f.s. from 1953

Approved January 28, 1959, Recorded in Book 5 Page 94

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, 1959
- 2nd. The whole of said work is to be completed on or before Completed, 1959
- 3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is Completed, 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 1.88 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, 1959; said water to be used during the following described annual period:

Continuous

Witness my hand this 16 day of February, 1959

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Certificate of Construction Issued February 16, 1959

Water License Issued February 16, 1959

Form 2A Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation Well # 1 8 in. Depth 238
 Well # 2 8 in. 250
 Type of casing Steel Well # 3 16 in. 83
 Well #3 Concrete (wood, concrete, steel, etc.)
 Size of casing Same Thickness of casing 3 1/2
 Length of casing As per Well if collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen Johnson #1
 Size of perforated screen 8 in. Well #2 20 ft.
 Well # 1 8 in (diameter) 18 ft (length)
 Well # 3 x20 16 in 20 ft
 Thickness of gravel pack length of gravel pack 14 ft

(c) Water Bearing Materials

Distance to water Character of water bearing materials
 Thickness of water bearing material

(d) Pump and Motor

Type of pump centrifugal
 (centrifugal, propeller, mixed flow, etc.)
 Name of pump #1 Pomona, #2 F & M. #3 size Layne
 Kind of motor Electric
 (gasoline, electric, diesel, etc.)
 Horsepower #1, 20 HP
 #2, 15
 #3, 25 Name of Motor

(e) Complete well

1, 150 to 175 Gal
 Capacity #2, 150, 275 drawdown of Estimated cost
 # 3, 400

(f) Owner of land upon which well is located

City of Webster
 Name
 Webster, South Dakota
 Address

(g) Distance to nearest existing wells

all in City Limits
 On same owner's property rods. On property owned by others rods

Permit No. 567-3Big SiouxWater 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 Websterof Webster, County of Day, and State of South Dakotathe holder of Permit No. 567-3 issued upon Application No. 567-3, bearing date of priority of 1918 for 0.38 c.f.s.; 1939 for 0.61 c.f.s. and 1953 for 0.89 c.f.s., authorizing the diversion of1.88 cu. ft. per second of the waters of ground waterCounty of Day, State of South Dakota, in Lots 8, 9 and 10 Block 15, Leatch's Addition and Lot E of the NE 1/4, Sec. 35, T 122 N, R56Wfor 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 1.88 cu. ft.per second of water; and that the works of diversion for the use of said water are described as follows, to-wit: to furnish water for the municipal distribution system of the City of Webster.Witness my hand this 16th day of February A. D. 1959

State Water Resource Commissioner

By:

J. W. GRIMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No. 567-3

WHEREAS, On the 14th day of January A. D. 1959
the City of Webster

of Webster County of Day and State of South Dakota
 duly made application (No. 567-3) to us for a permit to use 1.88
 cubic feet per second of the waters of ground water
 County of Day, State of South Dakota, for municipal
 purposes; and

WHEREAS, On the 16th day of February A. D. 1959
Vested Right Permit No. 567-3 was issued to said applicant for the diversion of said water, and recognizing
 completion of the works of diversion therein described XXXXXX XXXXXX
in 1918, 1939 & 1953 XXXXXX and for the application to beneficial use of said
 water XXXXXX XXXXXX XXXXXX XXXXXX
 and,

WHEREAS, On the 14th day of January A. D. 1959
Vested Right
 the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.88
 cubic feet per second of said waters, as evidenced by our Certificate No. 567-3
 dated February 16, 1959 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 1.88 cubic feet per second of water, with date of
 priority of 1918, 1939 & 1953 and, XXXXXX

WHEREAS, On the 14th day of January A. D. 1959
 proof was duly made of the application to beneficial use of 1.88 cubic feet per second of said water;
in the municipal distribution system of the City of Webster.

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 Webster

of Webster, South Dakota Vested Right
1918 for 0.38 c.f.s.; the holder and owner of said permit No. 567-3
and 1953 for 0.89 c.f.s. to the use of 1.88

a water right, dating from ground water

in the County of Day and State of South Dakota, or so much thereof as may be
necessary for purposes hereinafter mentioned, to be diverted at in Lots 8, 9 and 10

Block 15, Leatch's Addition and Lot E of the NE 1/4 NW 1/4, Sec. 35, T122 N, R56W

and conducted to XXXXXX

the residents of the City of Webster

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 16th day of February A. D. Nineteen
Hundred and Fifty-nine

State Water Resources Commission

By:

J. W. GRIMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Amount _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE

COMMISSION

A. B. Munk, Pierre,
Chairman
Kenneth G. Keller, Lead,
Secretary
James Biggar, Brookings
Carl Cronin, Gutzburg
Lauren A. Davis, Belle Fourche
Stephen B. Ferris, Vermillion
Walt Taylor, Rapid City

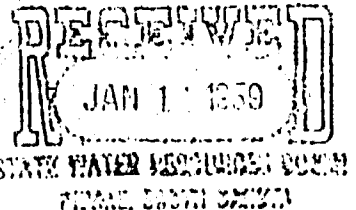


SOUTH DAKOTA
State Water Resources Commission

J. W. GRIMES, CHIEF ENGINEER AND EXECUTIVE OFFICER
STATE OFFICE BUILDING

PIERRE, SOUTH DAKOTA

November 21, 1958



Mr. W. E. Walton, City Auditor
City of Webster
Webster, South Dakota

Dear Mr. Walton:

Reference is made to your letter of November 6, 1958 in which you requested that we issue to the City of Webster, South Dakota a Water Right Permit.

In order to obtain a Water Right you must first make application for a permit as explained in paragraphs 1, 2 or 3, whichever applies, of the enclosed information sheet.

From the information I have at hand, I can find no evidence that a water right has been granted to the City of Webster and that you have four wells, or possibly more, in use at this time. It was also noted that these wells were constructed in approximately 1918, 1939, 1950 and 1953. If this is true, you may qualify for a "Vested Right" for the four existing wells.

Should you wish to apply for a permit for a new well or for a withdrawal for future use, I believe you will have very little trouble if you will read the information sheet carefully.

The enclosed supply of application blanks and instructions should be adequate for whichever way you wish to submit your application.

Attached
W. E. Walton

Sincerely,

Les W. Wyborny
Les Wyborny
Water Rights Engineer

Enc: Form 2 (6)
Form 2A (6)
Form 24 (2)
Check Sheet (2)

Location No.

267-3

Water Division No.

3

Big Sioux
River

Water District

Proof of Application of Water to Beneficial Use

JAN 28 1939

PETITION OF HOLDER

JAN 1 1939

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

Ans. City of Webster, Webster, 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. City Auditor, for City of Webster

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

Ans.

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

✓ Ans. All in City Limits, Ground Water, Location Well #1 & 2
 Lots 8-9-10 Block 15, Leetchs Add'n, Well# 3 Lot E- 35-122-56

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. Well #1 Pomona 20 H.P. Well #2 F & M 1 H.P. Well #3 Jayne 25 H.P.
 Well #1 Capacity 175, GPM Well # 2 - 275 GPM Well # 3 - 400 GPM

Stand Pipe Tank Capacity 70,000 Gal. Reservoir 23,000 Gal.

Length of Mains, 133 Blocks, Avg 6 in.

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 use only

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

Ans. None

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

Ans. City use. average 175000 gal. Daily

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. Well #1 constructed, 1918 pumped at a maximum 175 GPM
Well #2 constructed, 1939 pumped at a maximum 275 GPM
Well #3 constructed, 1953 pumped at a maximum 400 GPM

(Sign) David M. Hinton
M.A.P.

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 Webster, County of Day

State of South Dakota, on this 13 day of January, A. D. 19 59

James D. Hinton
David M. Hinton } Witnesses. W. E. Walton
City Auditor

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.

W. E. Walton
City Auditor

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 _____

567-3

November 21, 1958

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City of Webster
Webster, South Dakota

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Should you wish to apply for a permit for a new well or for a withdrawal for future use, I believe you will have very little trouble if you will read the information sheet carefully.

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Sincerely,

Les Wyborny
Water Rights Engineer

Enc: Form 2 (6)
Form 2A (6)
Form 24 (2)
Check Sheet (2)



DEPARTMENT OF WATER & NATURAL RESOURCES

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

April 25, 1991

567-3

Mike Grosek, Mayor
City of Webster
PO Box 539
Webster SD 57274

Dear Mayor Grosek:

The Water Management Board has validated the enclosed Vested Water Right No. 567-3. 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. 567-3

Date Claim Accepted For Filing January 14, 1959.

Date of Validation September 27, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim No. 567-3 for the City of Webster, P O Box 539, Webster, South Dakota 57274 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 567-3 appropriates 0.38 cubic feet of water per second (cfs) from well No. 1 approximately 238 feet deep, 0.61 cfs from well No. 2 approximately 250 feet deep and 0.89 cfs from well No. 3 approximately 83 feet deep. The wells are located in the SW 1/4 NE 1/4 and NE 1/4 NW 1/4, Section 35, T122N, R56W.
2. The appropriated water is used for supplying water for the City of Webster 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 dates of the Vested Water Right are: Well No. 1 - 0.38 cfs - January 1, 1918, Well No. 2 - 0.61 cfs - January 1, 1939 and Well No. 3 - 0.89 cfs - January 1, 1953.
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 Environment and Natural Resources

APR 25 1991

date

567-3

1865-3

WATER RIGHTS PROGRAM FILE DOCUMENTATION

NAME OF PERSON OR FILE: Adrian Rumpsa w/City of Webster

ADDRESS: P.O. Box 539, Webster, SD 57274-0539

COUNTY: Day

DATE: July 27, 1997

TELEPHONE: 605 345-3241

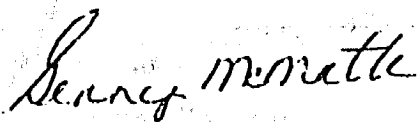
RE: status of wells described in Water Right No. 1865-3 & Vested Right No. 567-2

COMMENTS:

The city submitted a map showing the two wells still being utilized by the city. I had visited with Adrian Rumpsa earlier about this matter. He called with questions on how they abandon wells. I requested that they submit a map showing the wells still being used to assist us in updating their water rights. Gale Selken then visited with him concerning procedures for abandoning (plugging) two of their wells.

They submitted the map on July 27th. The map shows that the two wells currently in service are wells 5 & 6. In reviewing their water rights, I found that Well #6 in Lot 1 of C-4, is described and authorized under Water Right No. 1865-3. Well #5 is most likely covered under their Vested Right No. 567-3. The vested right covers 3 wells, however they do not appear to be described in the same manner as well #5 on the map.

Prior to reissuing Vested Right No. 567-3, someone will have to visit with the city to obtain more information on the well (location of the existing well as it relates to those described in vested right; and diversion rate used) Once this information is used, the vested right can be reissued to adjust the location, cfs and priority date.



Genny McMath
Environmental Scientist

Water Rights Division - DENR

Conversation or File Documentation

Name of Person: Vested Water Right No. 567-3

File Nos. 567-3, 1865-3

Address: County: Day

Date: March 27, 2002 **Telephone:**

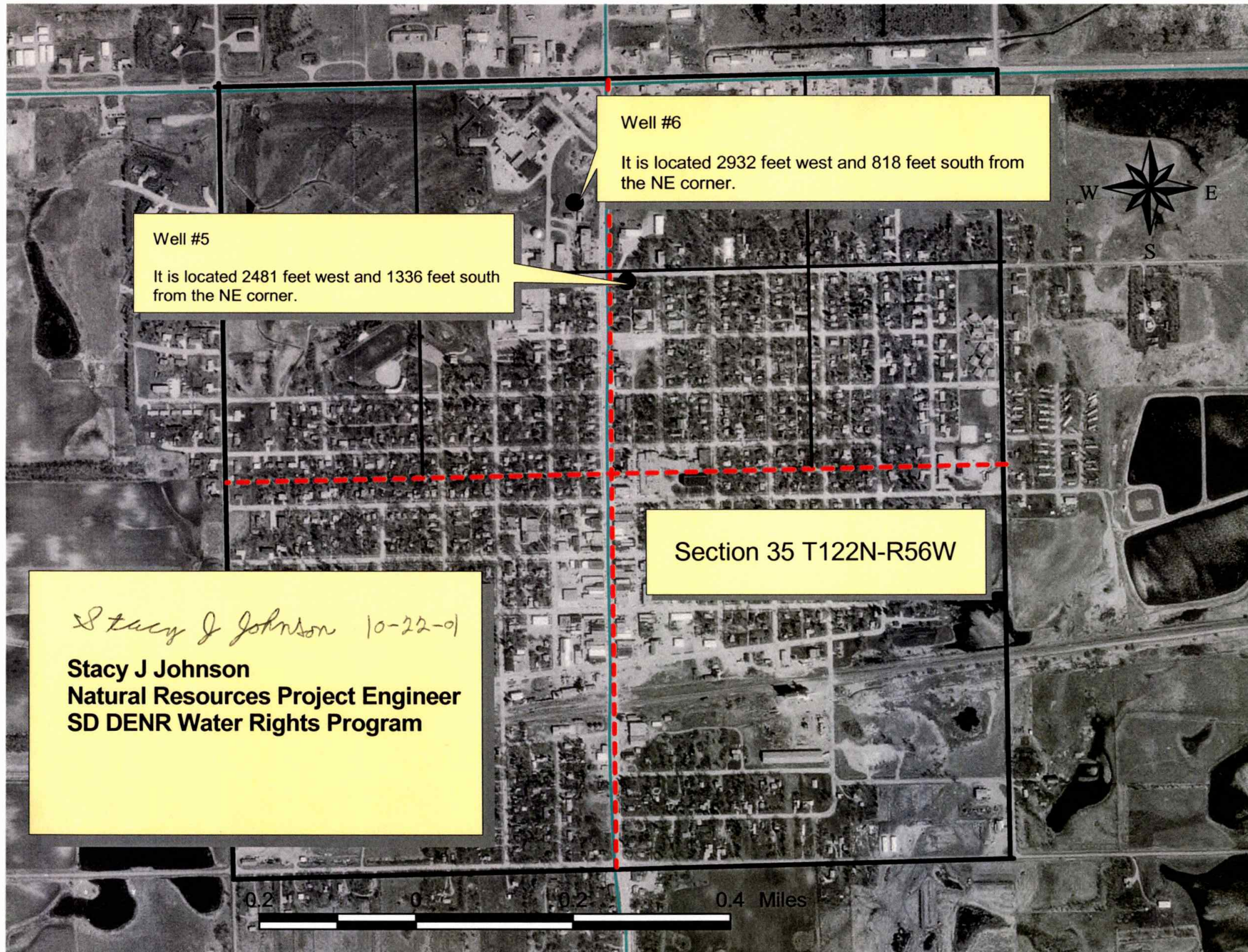
RE: Vested Water Right No. 567-3

Comments: Vested Water Right No. 567-3 held by the City of Webster authorizes a diversion of 1.34 cubic feet of water per second (cfs). A portion of this diversion (0.67 cfs) is being assigned to Water Right No. 1865-3 since the water source is the same, the total combined diversion does not exceed the amount authorized by Water Right No. 567-3, and no forfeiture due to nonuse has occurred. Following is the amount of water and priority date assigned to Water Right No. 567-3 and 1865-3:

	Priority Date
Vested Water Right No. 567-3 (Well #5) 0.38 cfs (171 gpm)	January 1, 1918
0.29 cfs (129 gpm)	January 1, 1939
Total = 0.67 cfs (300 gpm)	
Water Right No. 1865-3 (Well #6) 0.32 cfs (144 gpm)	January 1, 1939
0.35 cfs 156 gpm)	January 1, 1956
Total = 0.67 cfs (300 gpm)	

Stacy J. Johnson

Stacy J. Johnson
Natural Resources Project Engineer



Well #6

It is located 2932 feet west and 818 feet south from the NE corner.

Well #5

It is located 2481 feet west and 1336 feet south from the NE corner.

Section 35 T122N-R56W

Stacy J Johnson 10-22-01

**Stacy J Johnson
Natural Resources Project Engineer
SD DENR Water Rights Program**

0.2 0 0.2 0.4 Miles