

Water Division No. 3 Per million River District 1
(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 Howard, South Dakota
Postoffice address Howard, County Miner, State South Dakota

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)

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

2. Name of diversion work Existing Municipal Well No. 2

3. Amount of water claimed 0.222 cubic feet per second

4. Source of water supply Underground Aquifer

5. Location of point of diversion lot 17 Block 1 Boathis Addition
to the City of Howard Sec 2 T106N R56W
on _____ bank _____ County.

6. Annual period or periods during which water is to be used throughout entire year

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.) In City of Howard municipal water distribution system.

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

(a) Nature of use _____
Name any of the above uses claimed

(b) Amount of power to be generated _____ horse power.

Amount claimed for engine cooling _____

(c) Location of plant _____

(d) Method of developing power _____

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

Map No. 439-3

9. (Continued)

III. Well Specifications Existing Well No. 2

(a) Hole and casing

Size of drill hole or excavation 10" , Depth 380'
8" 435'

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

Size of casing 10" & 8" , Thickness of casing do not know
10"-380'

Length of casing 8"- 20' If collection gallery, length, size and depth of
gallery 8" open hole in Sioux Quartzite - 35' deep

(b) Screens

Type of perforated screen None

Size of perforated screen (diameter) (length)

Thickness of gravel pack , length of gravel pack

(c) Water Bearing Materials

Distance to water 150' . Character of water bearing materials
sandstone - 380' to 400' below surface

Thickness of water bearing material 20'

(d) Pump and Motor

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

Name of pump Layne , size

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

Horsepower 20 , Name of Motor U.S.

(e) Complete well

Capacity do not know at drawdown of . Estimated cost

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

Howard, South Dakota
Address

(g) Distance to nearest existing wells

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

8. Estimated cost of work:

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

9. Description of diversion works:

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

II. Dimensions of works:

(a) Dam: Height-----feet; length at bottom ----- feet; length at top -----feet; thickness at bottom -----feet; thickness at top -----feet; slope at front water face -----; slope at back face -----
 material used in construction -----
 (b) Reservoir: Capacity when filled -----acre feet. Surface area at highwater mark-----acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-Feet CAPACITY

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

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ----- completed -----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 -----

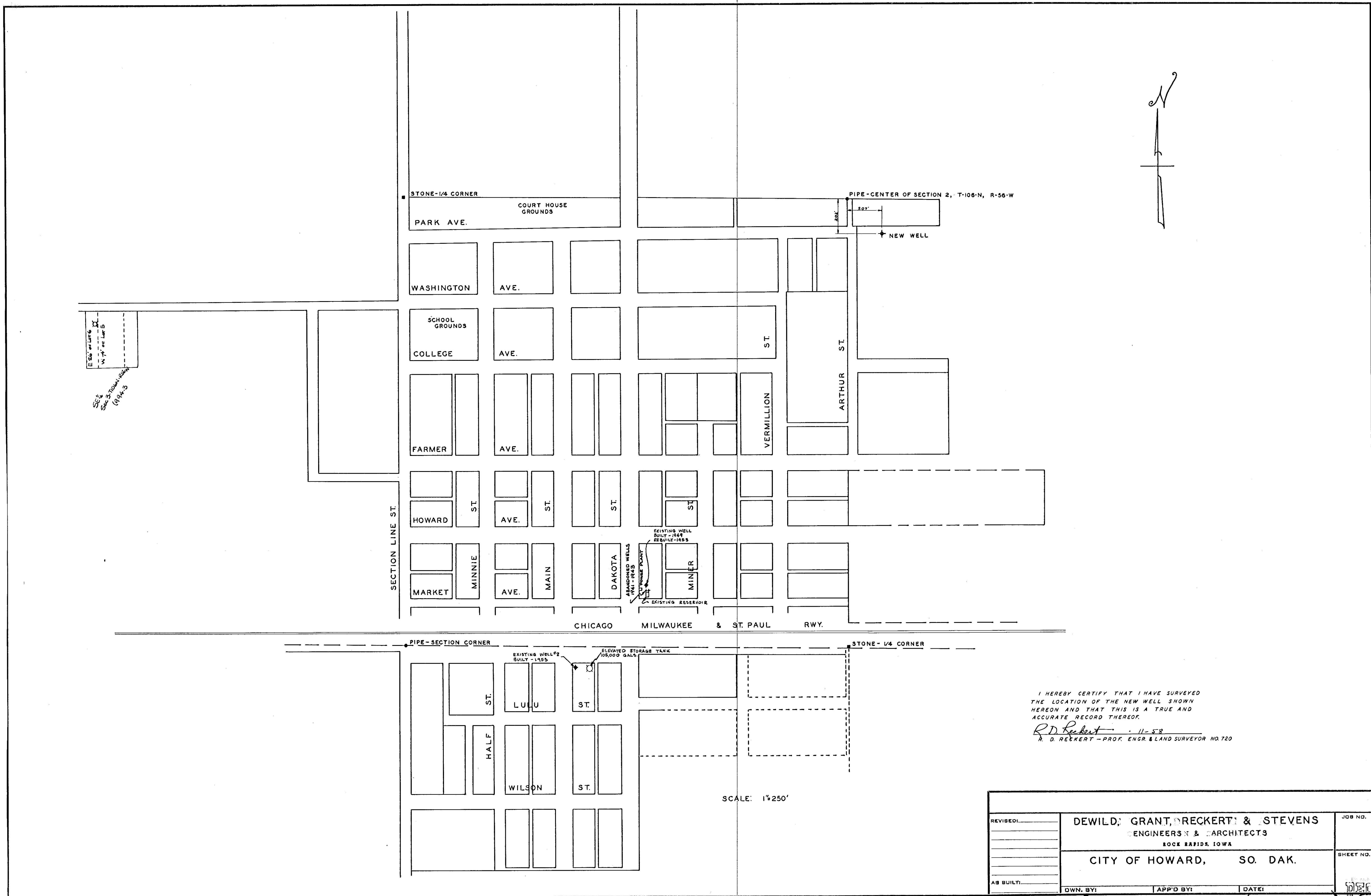
STATE OF SOUTH DAKOTA
 County of Miner } ss.

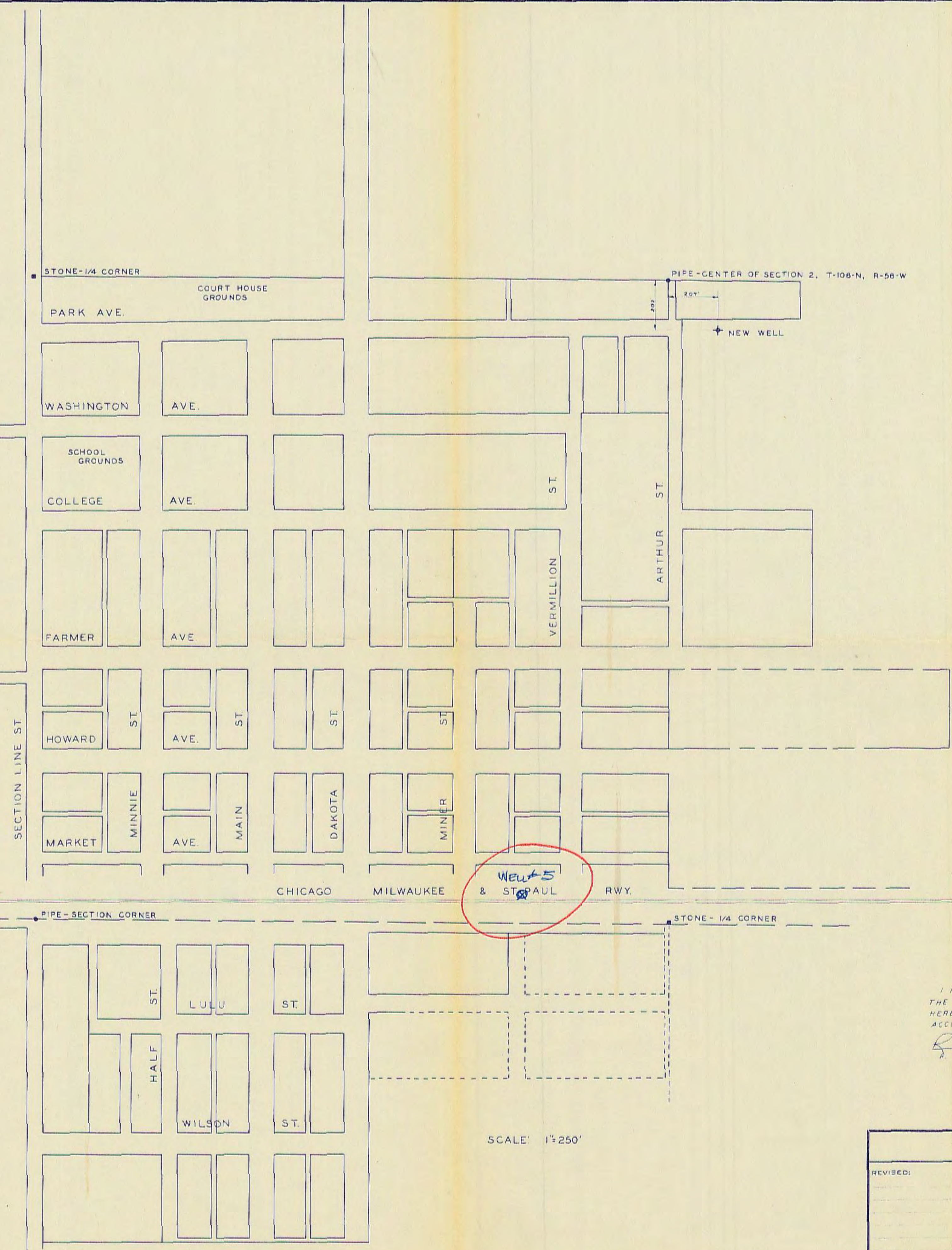
I, Eber Tripp, Mayor of City of Howard, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the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

Signed Eber Tripp

Subscribed and sworn to before me this 27 day of July 1929
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.





I HEREBY CERTIFY THAT I HAVE SURVEYED
THE LOCATION OF THE NEW WELL SHOWN
HEREON AND THAT THIS IS A TRUE AND
ACCURATE RECORD THEREOF.
R.D. Reckert 11-58
R. D. RECKERT - PROF. ENGR & LAND SURVEYOR NO 720

RECEIVED
-B 29 1959
STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

REVISED:	DEWILD, GRANT, RECKERT & STEVENS ENGINEERS & ARCHITECTS ROCK RAPIDS, IOWA	JOB NO.
AS BUILT:	CITY OF HOWARD, SO. DAK.	SHEET NO.
OWN. BY:	APP'D BY:	DATE:

Map No. 439-3 (Appl's Nos 576-3, 577-3, & 578-3)

Remarks by State Water Resources Commission:

Vasquez Right Claimed

STATE OF SOUTH DAKOTA

County of Hughes } ss.

Pierre, South Dakota, April 20, 1960

This is to certify that the foregoing application was received by the Commission at 9:15 o'clock
a.m. upon the 26th day of February, 1959

State Water Resources Commission

By: William J. Brown
Chief Engineer, Executive Officer

Number of permit 577-3

Date of first receipt of application February 26, 1959

Date of return to applicant for correction, amendments or changes required as follows: March 5, 1959

Date of receipt of corrected application April 14, 1959

Date from which applicant may claim right 1953, 1953

Approved April 20, 1960, Recorded in Book 6 Page 27

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~~

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

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

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

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 266 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) 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 June 30, 1955; said water to be used during the following described annual period:

Continuously

Witness my hand this 20th day of April, 1960

State Water Resources Commission

By: William J. Brown
Chief Engineer, Executive Officer

Certificate of Construction Issued April 20, 1960

Water License Issued April 20, 1960

STATE OF SOUTH DAKOTA

WATER LICENSE No... 577-3....

WHEREAS, On the 26th day of February A. D. 1959

the City of Howard

~~xxxxxxSanctus~~ County of Miner and State of
South Dakota duly made application (No. 577-3) to us for a vested right
cubic feet per second of the waters of ground water
County of Miner, State of South Dakota, for municipal
purposes; and

WHEREAS, On the 20th day of April A. D. 1959
Vested right
Permit No. 577-3 was issued to said applicant for the diversion of said water, and recognizing
completion of the works of diversion therein described on ~~xxxxxx~~
A. D. 19 and for the application to beneficial use of said
water ~~xxxxxx~~ and,

WHEREAS, On the 11th day of April A. D. 1959
vested right
the holder of said permit duly made proof of the completion of adequate works for the diversion of 266
cubic feet per second of said waters, as evidenced by our Certificate No. 577-3
dated April 20, 1960 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 266 cubic feet per second of water, with date of
priority of 1953 and,

WHEREAS, On the 11th day of April A. D. 1959
proof was duly made of the application to beneficial use of 266 cubic feet per second of said water;
for supplying the municipal needs for the City of Howard

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 Howard-----vested right
~~xxx~~-----the holder-----and owner-----of said Permit No. 577-3--
a water right, dating from -----1953-----to the use of -----256-----
cubic feet per second of the waters of -----ground water-----
In the County of -----Miner-----and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted at --a point in Lot 17, Block 1, Boonhs
-----Addition to the City of Howard-----
and conducted to and upon ~~xxxxxxx~~ through the City water distribution system-----

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 -----20th----- day of -----April----- A. D. Nineteen
Hundred and -----sixty-----.

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. 577-3

Water Division No. 3 Vermillion Water District
River

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That the City of Howard

~~xxx~~ _____, County of Miner, and State of South Dakota

the holder of vested right Permit No. 577-3, issued upon Application No. 577-3, bearing date of priority of 1953, authorizing the diversion of .266 cu. ft. per second of the waters of ground water

County of Miner, State of South Dakota, at a point in Lot 17, Block 1,

Rockhs Addition to the City of Howard

for 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 recognized as ~~satisfactory~~

~~condition~~ for diverting and conveying to the place of intended use .266 cu. ft.

per second of water; and that the ~~use of said water are described as follows,~~

to-wit: to be used for the municipal needs of the City of Howard

Witness my hand this 20th day of April A. D. 1960

State Water Resources Commission

By:

J.W. GRIMES, Chief Engineer, Executive Officer

Location No. 577-5Water Division No. 3Water District Vermillion

Proof of Application of Water to Beneficial Use

PETITION OF HOWARD

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

Ans. Walter Eggert, City Auditor

Howard, 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 of Howard

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

Ans. Believe not applicable to ground water

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

Ans. Ground water thru well No. 2, located in Lot 17, Block 1, Booth's
Addition, to the City of Howard, South Dakota.

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. Lane pump, type CFU, capacity 120 gal. per min. Capacity of
Reservoir 80,000 gal., capacity of standpipe 100,000 gal.
2750 ft. of 6-inch main, 35,3' ft. of 4-inch main.

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. For municipal use in the City of Howard.

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

Ans. 120 gal. per minute.

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

Ans. 120 gal per minute

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

Ans. _____

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

Ans. Well No. 2 was constructed in 1953 and has been pumped at a maximum of 120 gal per minute. Water from this well has been used continually for municipal use.

(Sign) *Walter E. Smith, City Engineer*

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 Howard, County of Miner, State of South Dakota, on this 13th day of April, A. D. 1959.

Walter E. Smith
Notary Public, S. Dak.
} Witnesses.

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.

Walter E. Smith

Location No. -----

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

PETITION OF HOLDER

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

Source -----

County -----

Purpose -----

Place of Use -----

Date of recording -----

Received and filed -----

SOUTH DAKOTA

VESTED WATER RIGHT CLAIM NO. 577-3

Date of Receipt of Claim February 26, 1959.

Date of Validation May 6, 1992.

The Water Management Board validated Vested Water Right Claim No. 577-3 for the City of Howard, PO Box 705, Howard SD 57349 with the following limitations, conditions and qualifications:

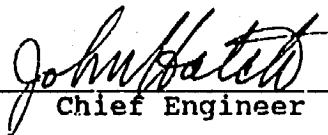
1. Vested Water Right No. 577-3 appropriates 0.266 cubic feet of water per second from one well located in the Section 2-T106N-R56W.
2. The appropriated water is used for supplying water to the City of Howard and may not exceed the amount of water needed for beneficial use for municipal purposes.

The water is to be used during the following annual period:
January 1 - december 31

3. The priority date of the Vested Water Right is January 1, 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: _____


Chief Engineer

JUN 29 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

City of Howard
Kristi Dornbusch, Finance Officer
PO Box 705
Howard SD 57349-0705

Dear Ms. Dornbusch:

The Water Management Board has validated the enclosed Vested Water Right Nos. 576-3 and 577-3. These validations give legal status to the claims and are the final document for your vested rights.

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