

STATE OF SOUTH DAKOTA
REISSUED VESTED RIGHT WATER LICENSE NO. 704B-3
DIVISION OF NO. 704-3 INTO NO. 704A-3 AND 704B-3

(1) The City of Bowdle, 8001 W 5th St, Bowdle SD 57428 was issued Water License No. 704-3, July 15, 1969 for a vested right to appropriate 0.16 cubic feet of water per second (cfs) from groundwater, Edmunds County, South Dakota, for municipal purposes. Vested Water Right No. 704-3 authorizes priority dates of 1944, 1947 and 1951. 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.

On September 27, 1989, the Water Management Board validated the vested right portion of No. 704-3. On June 6, 2001, an investigation of the water use system was conducted to evaluate the extent of use. Water Right License No. 704-3 is being divided and reissued and will separate the vested right portion and the future use portion from the water right as follows (the reissued water rights include investigation findings):

Future Use Permit No. 704A-3 – reserves 96 acre-feet of groundwater (Bowdle-Edmunds Aquifer) located in the SE $\frac{1}{4}$ Section 21-T123N-R73W to provide future municipal supplies to the City of Bowdle with a priority date of March 19, 1960.

Vested Water Right No. 704B-3 – authorizing diversion of 0.16 cfs from three wells located in the S $\frac{1}{2}$ Section 21 and N $\frac{1}{2}$ Section 28; all in T123N-R73W with priority date of January 1, 1944, January 1, 1947 and January 1, 1951.

(2) It is certified that the vested right owner is entitled to divert 0.16 cubic feet of water per second for beneficial use. The location of the diversion points are:

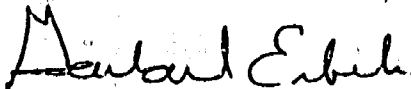
Well #1 – 1,421 feet west and 1,740 feet north of the SE corner of Section 21 (NW $\frac{1}{4}$ SE $\frac{1}{4}$);

Well #5 – 3,260 feet west and 360 feet south of the NE corner of Section 28 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) and

Well #6 – 2,646 feet south and 75 feet west of the NE corner Section 28 (NE $\frac{1}{4}$ SE $\frac{1}{4}$); all in T123N-R73W

The City of Bowdle is served water by WEB. Well #1 and #6 are maintained as a back-up water supply. Well #5 is maintained for lawn watering.

(3) Pursuant to Section 46-5-30.1 the City of Bowdle, 8001 W 5th St, Bowdle SD 57428 the holder and owner of Vested Water Right No. 704B-3 is issued a license to appropriate 0.16 cubic feet of water per second from groundwater (three wells) with priority dates of January 1, 1944 (0.05 cfs), January 1, 1947 (0.04 cfs) and January 1, 1951 (0.07 cfs) from the locations 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. 704-3 and subject to South Dakota State Law.


GARLAND ERBELE, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

AUG 16 2001
date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

Harlan Kopecky, Water Superintendent
City of Bowdle
8001 W 5th St
Bowdle SD 57428-0558

Dear Mr. Kopecky:

Enclosed are Future Use Water Permit No. 704A-3, Reissued Water License Nos. 704B-3 and 770-3 for the City of Bowdle and receipt for payment of license fee for No. 5317-3. The water licenses are being reissued based on an investigation of the water use system.

Future Use Permit No. 704A-3 – reserves 96 acre-feet of groundwater (Bowdle-Edmunds Aquifer) located in the SE ¼ Section 21-T123N-R73W to provide future municipal supplies to the City of Bowdle with a priority date of March 19, 1960.

Vested Water Right No. 704B-3 – authorizing diversion of 0.16 cfs from three wells located in the S ½ Section 21 and NE ¼ NW ¼ & NE ¼ SE ¼ Section 28; all in T123N-R73W with priority date of January 1, 1944, January 1, 1947 and January 1, 1951.

Water Right No. 770-3 – authorizing diversion of 0.23 cfs from two wells located in the NE ¼ SW ¼ Section 21-T123N-R73W with priority date of March 13, 1961.

The applicable portions of Permit No. 5317-3 have been incorporated into Water License No. 770-3.

As long as the City of Bowdle uses the water beneficially as stated in the licenses, the City has a continuing right to use of the water. If you have any questions, please contact this office.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
605 773-3352

enclosures

SOUTH DAKOTA

VALIDATION OF (PARTIAL) VESTED WATER RIGHT CLAIM NO. 704-3

Date Claim Accepted For Filing March 19, 1960.

Date of Validation September 27, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim No. 704-3 for the City of Bowdle, P O Box 553, Bowdle, South Dakota 57420 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 704-3 appropriates 0.055 cubic feet of water per second (cfs) from well No. 1 approximately 102 feet deep, 0.055 cfs from well No. 2 approximately 96 feet deep and 0.055 cfs from well No. 3 approximately 85 feet deep. The wells are located in the S 1/2, Section 21 and N 1/2, Section 28; all in T123N. R73W.

2. The appropriated water is used for supplying water for the City of Bowdle 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 - 0.055 cfs - January 1, 1944; Well No. 2 - 0.055cfs - January 1, 1947 and Well No. 3 - 0.055 cfs - January 1, 1951.

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 H. Hatt
Chief Engineer

Division of Water Rights

Dept. of Environment and Natural Resources

APR 25 1991

date

Water Rights Program - DENR

Conversation or File Documentation

Name of Person: CITY OF BOWDLE File No. 704-3, 704A-3 & 704B-3

Address: BOWDLE, SD County: EDMUNDS

Date: 10/11/1995 Telephone:

RE: Splitting Water Right No. 704-3 into an Future Use Permit (No. 704A-3) portion and a Validated Vested Water Right (No. 704B-3) portion.

Comments: A review of the water permits and water rights for the City of Bowdle was made because of a July 19, 1995 water permit inspection of the City of Bowdle's municipal water system for Permit Nos. 770-3 and 5317-3 and Water Right No. 704-3. At that time it was found that Water Right No. 704-3 contained both a future use portion and a validated vested water right portion. In order to keep with the accepted practice used in the Water Rights Program, Water Right No. 704-3 should be split into two separate permits. The future use portion for 96 ac-ft annually with a priority date of June 8, 1960 should become Future Use Permit No. 704A-3. The validated vested water right portion of No. 704-3 the appropriation of 0.16 cfs should become Validated Vested Water Right No. 704B-3.



Mark D Rath
Natural Resources Engineer

Permit No. 704B-3
MISSOURI River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, 7/19/1995, made a thorough examination of the water use system constructed by CITY OF BOWDLE of BOWDLE SD holder of Vested Water Right No. 704B-3, bearing the priorities of 1/1/1944 authorizing the diversion of 0.055 cu. ft. per second and of 1/1/1947 authorizing the diversion of 0.055 cu. ft. per second and of 1/1/1951 authorizing the diversion of 0.055 cu. ft. per second of the waters of GROUNDWATER for EMERGENCY STANDBY MUNICIPAL USE purposes, in EDMUNDS County.

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

A. Works used to divert the water:

THREE WELLS

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

MUNICIPAL WATER DISTRIBUTION SYSTEM

C. Works used to apply water to beneficial use:

MUNICIPAL WATER DISTRIBUTION SYSTEM

The system is in the following condition GOOD. The point of diversion is located FROM THE SE CORNER OF SECTION 21 T123N-R73W: WELL NO. 1 - 1650 FEET NORTH AND 1815 FEET WEST. WELL NO. 4 - 210 FEET SOUTH AND 2230 FEET WEST. WELL NO. 5 - 360 FEET SOUTH AND 3260 FEET WEST. The works are capable of diverting and conveying to the place of use 0.16 cu. ft. per second of water which is to be used for EMERGENCY STANDBY MUNICIPAL USE. Water has been put to beneficial use and the license should be issued for 0.16 cfs.

Applicable permit qualifications have been complied with: YES

Exceptions to compliance are: NONE



Mark D. Rath
Natural Resources Engineer
DENR, Water Rights Program

10/10/95
Date

REPORT ON INSPECTION OF PERMIT NO. 704B-3

DATE OF INSPECTION: 7/19/95

Other permit(s) associated with the project: 704-3

**DIVERSION POINT LEGAL LOCATION: FROM THE SE CORNER OF SECTION 21 T123N-R73W:
WELL NO. 1 - 1650 FEET NORTH AND 1815 FEET WEST. WELL NO. 4 - 210 FEET SOUTH AND
2230 FEET WEST. WELL NO. 6 - 360 FEET SOUTH AND 3260 FEET WEST**

WELL INFORMATION:

- 1) Well Drilling Firm: **UNKNOWN**
- 2) No. of Wells **3**
- 3) Depth(s) **102, 90, 30** feet
- 4) Well log is available **NO**

Casing: WELL NO. 1

- 1) Diameter **12** inches
- 2) Length **90** feet
- 3) Type **STEEL**

Screen:

- 1) Type **BRASS**
- 2) Length **12** feet
- 3) Static water level **90** feet

Pump:

- 1) Make **JACUZZI**
- 2) Model **SUBMERSIBLE**
- 4) Capacity **25** GPM

Motor:

- 1) Make **JACUZZI**
- 2) Model No. **SUBMERSIBLE**

Casing: WELL NO. 4

- 1) Diameter **12** inches
- 2) Length **80** feet

3) Type **STEEL**

Screen:

1) Type **EVERDUR METAL**

2) Length **10** feet

3) Static water level **40** feet

Pump:

1) Make **FAIRBANKS MORSE**

4) Capacity **25** GPM

Motor:

1) Make **INDUCTION**

2) Model No. **K2KV**

3) Horsepower rating **5** hp

Casing: WELL NO. 5

1) Diameter **12** inches

2) Length **20** feet

3) Type **STEEL**

Screen:

1) Type **EVERDUR METAL**

2) Length **10** feet

3) Static water level **20** feet

Pump:

1) Make **JACUZZI**

2) Model **SUBMERSIBLE**

4) Capacity **20** GPM

Motor:

1) Make **JACUZZI**

DISTRIBUTION LINES OR CANALS:

1) Type **MUNICIPAL DISTRIBUTION SYSTEM**

Permit Nos. 704B-3, 770-3, & 5317-3

Missouri River - Water District

Other permit/license(s) associated with project: 704A-3

Contact Person & Address: Harlan Kopecky, City of Bowdle, 8001 W 5th Street, Bowdle, SD 57428-0553

Report Of Examination Of Works

On, June 6, 2001, I made a thorough examination of the water use system constructed by the City of Bowdle of 8001 W 5th Street, Bowdle, SD 57428-0553 holder of Permit No. 704B-3, bearing the priority of January 1, 1944, January 1, 1947 and January 1, 1951 authorizing the diversion of 0.16 cubic feet of water per second (cfs) and Permit No. 770-3, bearing the priority of March 13, 1961, authorizing the diversion of 0.25 cfs and Permit No. 5317-3, bearing the priority of March 16, 1989, authorizing the diversion of 0.52 cfs for Emergency Standby Municipal Use purposes in Edmunds County.

The system is in the following condition good. The points of diversion are located as follows:

Well #1: from the SE corner of Section 21 T123N-R73W it is 1421 feet west and 1740 feet north with a longitude of -99.652583 and a latitude of 45.4532080

Well #5: from the NE corner of Section 28 T123N-R73W it is 3260 feet west and 360 feet south with a longitude of -99.659627 and a latitude of 45.447641

Well #6: from the NE corner of Section 28 T123N-R73W it is 2646 feet south and 75 feet west with a longitude of -99.647301 and a latitude of 45.4412960

Well #9: from the NE corner of Section 21 T123N-R73W it is 3600 feet south and 2800 feet west with a longitude of -99.658123 and a latitude of 45.453135

Well #10: from the NE corner of Section 21 T123N-R73W it is 3470 feet south and 2800 feet west with a longitude of -99.657932 and a latitude of 45.453585

The works are capable of diverting and conveying to the place of use 0.39 cfs to be used for Emergency Standby Municipal Use purposes.

Review of Permit Qualifications And Regulations:

- 1) Special qualifications to permit being abided by yes
- 2) All structures, wells and lands on map yes
- 3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period n/a
- 4) Exceptions to compliance are: none

Report On the Specifics of the System

Diversion Point Information: Well #1

- | | |
|---------------------------------------|------------------------------------|
| 1) Well Drilling Firm: <u>Unknown</u> | 2) No. of Wells <u>1</u> |
| 3) Depth(s) <u>102</u> feet | 4) Well log is available <u>no</u> |

Casing:

- 1) Diameter 12 inches
- 2) Length 90 feet
- 3) Type Steel

Screen:

- 1) Type Brass
- 2) Length 12 feet
- 3) Static water level 90 feet

Pump\ Motor:

- 1) Pump Make Pamona-Fairbanks Morse
- 2) Pump Model Submersible
- 3) Capacity 25 GPM
- 4) Motor Make Jacuzzi
- 5) Motor Model No. Submersible
- 6) Horsepower rating 5 hp

Distribution System:

- 1) Type Steel
- 2) Size 4 to 6 inches
- 3) Length unkown feet

Diversion Point Information: Well #3

- 1) Well Drilling Firm: unknown
- 2) No. of Wells 1
- 3) Depth(s) 30 feet
- 4) Well log is available no

Casing:

- 1) Diameter 12 inches
- 2) Length 20 feet
- 3) Type Steel

Screen:

- 1) Type Everdur Metal
- 2) Length 10 feet
- 3) Static water level 20 feet

Pump\ Motor:

- 1) Pump Make Jacuzzi
- 2) Pump Model Submersible
- 3) Capacity 20 GPM
- 4) Motor Make Jacuzzi
- 5) Motor Model No. unknown
- 6) Horsepower rating unkown hp

Distribution System:

- 1) Type unknown
- 2) Size unknown inches
- 3) Length unknown feet

Diversion Point Information: Well #6

- 1) Well Drilling Firm: Independent Drilling
- 2) No. of Wells 1
- 3) Depth(s) 105 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 12 inches
- 2) Length 94 feet
- 3) Type Stainless Steel

Screen:

- 1) Type Stainless Steel
- 2) Length 14 feet
- 3) Static water level 45 feet

Pump\ Motor:

- 1) Pump Make Jacuzzi
- 2) Pump Model Submersible
- 3) Capacity 35 GPM
- 4) Motor Make Jacuzzi
- 5) Motor Model No. Submersible
- 6) Horsepower rating unkown hp

Distribution System:

- 1) Type Plastic
- 2) Size 4 inches
- 3) Length 3533 feet

Diversion Point Information: Well #9

- 1) Well Drilling Firm: Dakota Boring Company
- 2) No. of Wells: 1
- 3) Depth(s) 36 feet
- 4) Well log is available yes

Casing:

- 1) Diameter 16 inches
- 2) Length 36 feet
- 3) Type PVC

Screen:

- 1) Type Slot PVC
- 2) Length unknown feet
- 3) Static water level unknown feet

Pump\ Motor:

- 1) Pump Make Jacuzzi
- 2) Pump Model Submersible
- 3) Capacity 70 GPM
- 4) Motor Make Jacuzzi
- 5) Motor Model No. Submersible
- 6) Horsepower rating unkown hp

Distribution System:

- 1) Type unknown
- 2) Size unknown inches
- 3) Length unknown feet

Diversion Point Information: Well #10

- 1) Well Drilling Firm: Dakota Boring Company 2) No. of Wells 1
3) Depth(s) 31 feet 4) Well log is available yes

Casing:

- 1) Diameter 16 inches 2) Length 31 feet
3) Type PVC

Screen:

- 1) Type Slotted PVC 2) Length unknown feet
3) Static water level 13 feet

Pump\ Motor:

- 1) Pump Make Jacuzzi 2) Pump Model Submersible
3) Capacity 30 GPM 4) Motor Make Jacuzzi
5) Motor Model No. Submersible 6) Horsepower rating unknown hp

Distribution System:

- 1) Type unknown 2) Size unknown inches 3) Length unknown feet

COMMENTS: The City of Bowdle is hooked up to WEB water. Wells #1 and #6 will be used for emergency and back up purposes only. Well #5 is used by the hospital to water its lawn. Wells #9 & 10 are used by the city to water park lawns. Wells #2, and #3 have been plugged. Wells #4, 7 & 8 will be plugged.

Vested Right No. 704B-3 should be reissued for 0.16 cfs from Well #1, 5 and 6 with priority dates of January 1, 1944 (0.05 cfs), January 1, 1947 (0.04 cfs) and January 1, 1951 (0.07 cfs).

Water Right No. 770-3 should be reissued for 0.23 cfs from Well # 9 and 10 with a priority date of March 13, 1961. The water appropriation authorized by Water Permit No. 5317-3 is no longer utilized by the City. The applicable portions of Water Permit No. 5317-3 should be incorporated into Water License No. 770-3.

Stacy J. Johnson
Stacy J. Johnson

Natural Resources Project Engineer
DENR, Water Rights Program

7-31-01

Date

110.1
T10485

67.8
T531

165 R
H-2

CRP-88-47 060
CP-1

3470'

3200'

3600'

2700'

1815'

1650'

2800'

123 73

360'

210'

2230'

3260'

2640'

Mark D Rath

Mark D Rath
Natural Resources Engineer
Division of Water Rights
Date 10/10/95

FW

1211

704B-3