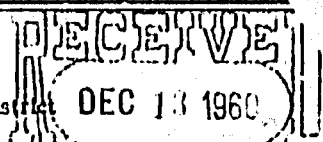


No. 750-3
 Water Division No. 3 Big Sioux River District
 (Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

STATE WATER RESOURCES COM.
 PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

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

1. Name of applicant Incorporated City of Viborg, South Dakota
 Postoffice address _____, County Turner, State S.D.

I. If a corporation Municipal

- (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 wells

3. Amount of water claimed 39-0-50 cubic feet per second

4. Source of water supply wells Niobrara chalk; Dakota sandstone

5. Location of point of diversion as shown on attached map

IN THE NE 1/4 Sec 35 T91N R 58W1 on bank TURNER County.

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

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.) municipal water system

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

(a) Nature of use fire protection

Name any of the above uses claimed

(b) Amount of power to be generated ~~in horsepower~~

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 558-3

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 filledacre 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; heightfeet;
 Material

(d) Canal: Total lengthmiles.

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 workcompleted.....years.

11. Time required for complete application of water to the proposed beneficial useyears.

12. Choice of newspaper for publication of notice of Intention to appropriate
 Viborg Enterprise Viborg SD

STATE OF SOUTH DAKOTA

County of } ss.

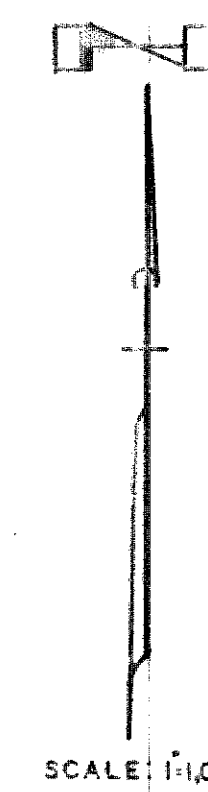
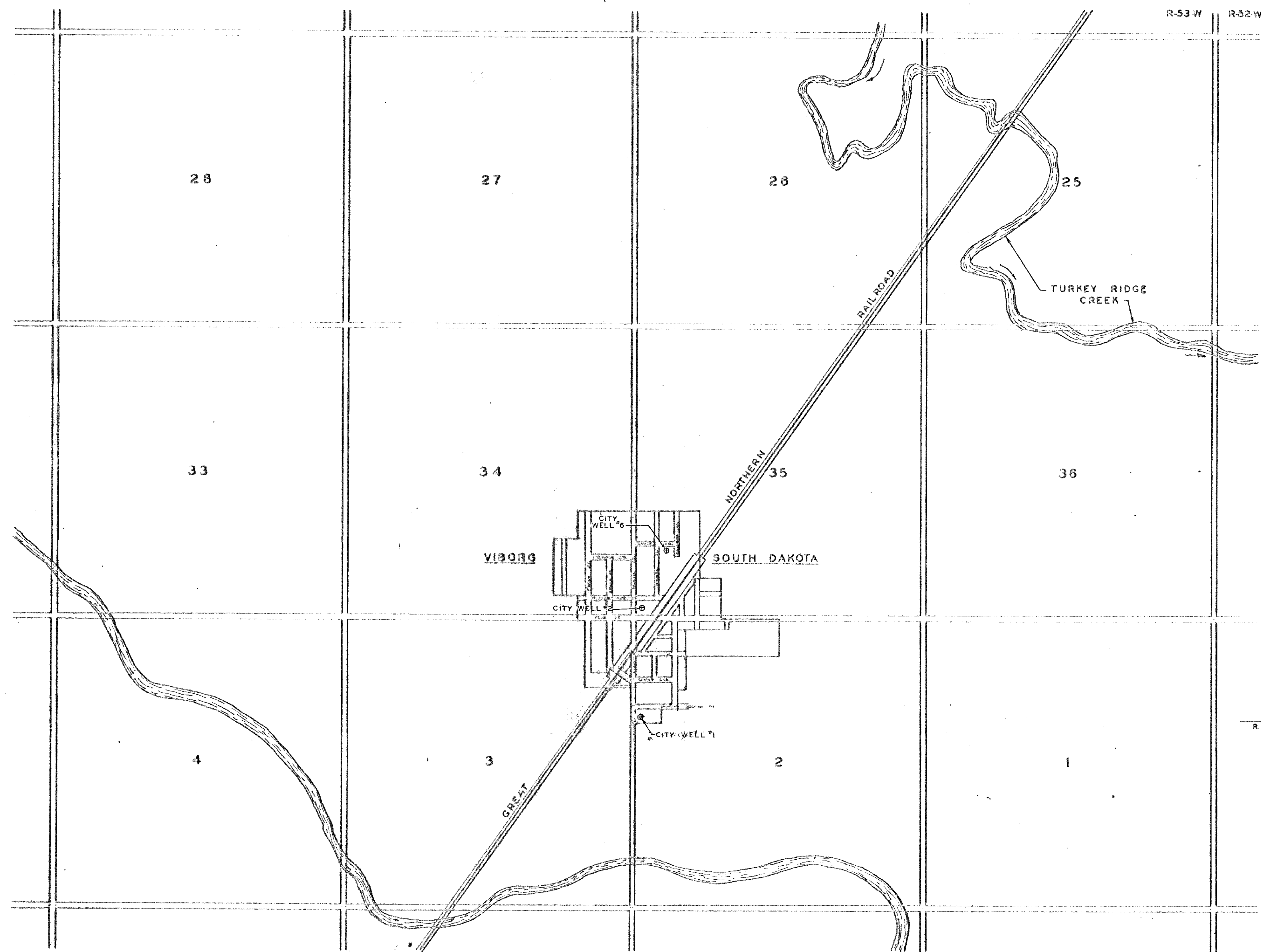
I, Willard A. Sorenson Mayor Fred H. Knudsen, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that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

Signed Willard A. Sorenson, Mayor
 Fred H. Knudsen, City Auditor

Subscribed and sworn to before me this 5 day of December 1910

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



T-97-N
T-96-N

I HEREBY CERTIFY THAT THE MEASUREMENTS
AND DISTANCES SHOWN HEREON WHICH PERTAIN
TO CITY WELL INFORMATION ARE A TRUE AND
ACCURATE RECORD THEREOF.
R.D. Reckert 11/21/60
R.D. RECKERT / PROF. ENGR. & LAND SURVEYOR NO. 720

SUBSCRIBED AND SWORN TO BEFORE ME
THIS 24 DAY OF October, 1960.
John O. Johnson
NOTARY PUBLIC
(SEAL)

VESTED WATER RIGHTS MAP		
REVISION	DEWILD, GRANT, RECKERT & STEVENS ENGINEERS & ARCHITECTS 8008 RAPIDA 1078	JOB NO. 971
AS BUILT	CITY OF VIBORG SOUTH, DAKOTA	SHEET NO. 1 OF 2
OWN. BY: D.C.V.	APP'D BY: R.D.R.	DATE: 11-22-60

MAP N° 558-3 (APPL N° 150-3)

Remarks by State Water Resources Commission:

"VESTED RIGHT CLAIMED"

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, MARCH 8, 1961

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
a.m. upon the 13TH day of DECEMBER, 1960.

State Water Resources Commission

By:

Benton Z Jones
for Chief Engineer, Executive Officer

Number of permit 750-3

Date of first receipt of application DECEMBER 13, 1960

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right all from well #1, 1937 all from well #6, 1953
all from well #2, 1937, 19____

Approved February 16, 1961, Recorded in Book 6 Page 182

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~~ _____, 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 PURPOSES

5h. 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 39 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

used for municipal purposes

and beneficially ~~applied for irrigation~~ on or before June 30, 1955; said water to be used during the following described annual period:

Witness my hand this 16TH day of February, 1961
Continuously

State Water Resources Commission

By:

Jeffrey Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued MARCH 8, 1961

Water License Issued MARCH 8, 1961

Remarks by the Applicant: This application is for establishment of vested water rights for the City of Viborg, South Dakota.

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications — Existing City Well #1

(a) Hole and casing

Size of drill hole or excavation 8 ft. dia. (dug)....., Depth 50 ft.....

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

Size of casing 8 ft....., Thickness of casing ----

Length of casing 50 ft..... If collection gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen none

Size of perforated screen
(diameter) (length)

Thickness of gravel pack none....., length of gravel pack

(c) Water Bearing Materials

Distance to water not known..... Character of water bearing materials Niobrara Chalk

Thickness of water bearing material not known.....

(d) Pump and Motor

Type of pump not known
(centrifugal, propeller, mixed flow, etc.)

Name of pump not known....., size

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

Horsepower 15 HP....., Name of Motor

(e) Complete well
(estimated)

Capacity 50 G.P.M. at drawdown of not known..... Estimated cost

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

Address

(g) Distance to nearest existing wells

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

9. (Continued)

III. Well Specifications - Existing City Well #2, Constructed 1937.

(a) Hole & Casing

Size of drill hole not known Depth 718 ft.

Type of casing steel

Size of casing 8 in. I.D., Thickness of casing not known

Length of casing not known

(b) Screens

Type of screen not known

Size of Screen not known

Thickness of gravel pack not known

(c) Water Bearing Materials

Distance to water 350 ft. (estimated). Character of water bearing materials assumed sandstone.

Thickness of water bearing material estimated 35 ft.

(d) Pump & Motor

Type of pump vertical centrifugal

Name of pump Layne-Bowler #34911, Type DRAC Size 6"

Kind of motor electric

Horsepower 15 HP. Name of motor ----

(e) Complete Well

Capacity (when built)-50 G.P.M. @ 60 p.s.i. discharge pressure
(now)-33 G.P.M. @ 50 p.s.i. discharge pressure.

Drawdown not known

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

(g) Distance to nearest existing wells

On same owner's property 1,200 ft.

9. (continued)

III. Well Specifications - Existing City Well #6, Constructed 1953

(a) Hole & Casing

Size of drill hole not known Depth 720 ft.

Type of casing steel

Size of casing 10" I.D., Thickness of casing not known

Length of casing 660 ft. plus 70 ft. of stainless steel overlap pipe

(b) Screens

Type of screen Layne shutter screen (probably stainless)

Size of screen 4" diameter Length of screen 50 ft.

Thickness of gravel pack not known Length of gravel pack 120'

(c) Water Bearing Materials

Distance to water 265 ft. when built. Character of water bearing materials sandstone

Thickness of water bearing materials 37 ft.

(d) Pump & Motor

Type of pump vertical centrifugal

Name of pump Layne #26475 Size 8"

Kind of motor electric

Horsepower 20 HP Name of motor U.S.

(e) Complete Well

Capacity (when built)-75 GPM at drawdown of 243 ft. (508' below surface)
(now) 16 GPM at 50 psi discharge pressure (drawdown not known but very large)

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

(g) Distance to nearest existing wells

One same owner's property 1,200 ft.

STATE OF SOUTH DAKOTA

WATER LICENSE No....750-3...

WHEREAS, On the 13th day of December A. D. 1960The City of Viborg

~~xx~~ County of Turner and State of South Dakota duly made application (No. 750-3) to us for Vested Right permit to use .39 cubic feet per second of the waters of ground water County of Turner, State of South Dakota, for Municipal purposes; and

WHEREAS, On the 18th day of February A. D. 1961 Vested Right Permit No. 750-3 was issued to said applicant... for the diversion of said water, and recognizing the completion of the works of diversion therein described ~~on or before~~ xxxxxx and ~~for~~ xxxxxx the application to beneficial use of said water ~~on or before~~ xxxxxx and,

WHEREAS, On the 13th day of December A. D. 1960 the holder... of said Vested Right made proof of the completion of adequate works for the diversion of .39 cubic feet per second of said waters, as evidenced by our Certificate No. 750-3 dated March 8, 1961 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use .39 cubic feet per second of water, with date of priority of 1937 and, 1953 and,

WHEREAS, On the 13th day of December A. D. 1960 proof was duly made of the application to beneficial use of .39 cubic feet per second of said water; To be conducted through the City water system for municipal use.

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 Viborg

~~xxx~~ the holder and owner Vested Right of said permit No. 750-3

a water right, dating from 1937 and 1953 to the use of .39

cubic feet per second of the waters of ground water

In the County of Turner and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinbelow mentioned, to be diverted at a point in the SW 1/4 NW 1/4, Sec. 2,
T 96N, R 53W, and two points in the SE 1/4 SE 1/4 Sec. 35, T 97N, R 53W.

and conducted ~~conducted~~ through the City water 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 8th day of March A. D. Nineteen
Hundred and Sixty-one

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. 750-3Water 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 Viborgof South Dakota, County of Turner, and State of Vested Right, the holder of Permit No. 750-3, Issued upon ApplicationNo. 750-3, bearing date of priority of 1937 and 1953, authorizing the diversion of.39 cu. ft. per second of the waters of ground waterCounty of Turner, State of South Dakota, at a point in the SW 1/4 NW 1/4Sec. 2, T 96N, R 53W, and two points in the SE 1/4 SE 1/4 Sec. 35, T 97N, R 53Wfor municipalpurposes, 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 ~~known~~ ^{recognized as} satisfactoryfor diverting and conveying to the place of intended use .39 cu. ft.per second of water; and that the ~~intended use~~ ^{use of said water} are described as follows,to wit: to supply the municipal needs of the City of ViborgWitness my hand this 8th day of March A. D. 1961

State Water Resources Commission

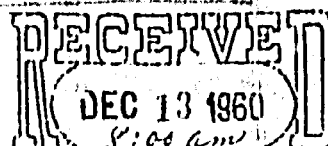
By.

J.W. GRIMES, Chief Engineer, Executive Officer

Location No.

Water Division No.

Water District

STATE WATER RESOURCES COMMISSION
SIOUX FALLS, SOUTH DAKOTA

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

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

Ans. R.D. Reckert, DeWild, Grant, Reckert & Stevens, Consulting
Engineers, Rock Rapids, Iowa

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. Incorporated City of Viborg, South Dakota. Consulting engineer
for City. Petition filed upon request of City.

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. City Well #1 - Niobrara chalk; City Well #2 - Dakota sandstone;
City Well #6 - Dakota sandstone.

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. None

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. Municipal water system, including fire protection.

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

Ans. See question 6 above.

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

Ans. 0.50 C.F.S.

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. municipal water system continuously throughout year.

(Sign) L. H. Peck

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 PICKER, County of Turner

State of South Dakota, on this 5th day of December A. D. 1914

Witnesses. Rogers Johnson
Notary Public Turner Co. S. D.

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.

Burton B. Nelson
Adolph Morck

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 _____
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SOUTH DAKOTA

VESTED WATER RIGHT NO. 750-3

Date of Receipt of Claim December 13, 1960.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 750-3 for the City of Viborg, P.O. Box 56, Viborg, South Dakota 57076 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 750-3 appropriates 0.39 cubic feet per second of water from 3 wells located in the SW1/4 NW1/4 Section 2, T96N, R53W and in the SE1/4 SE1/4 Section 35, T97N, R53W.

2. The appropriated water is used for supplying water for the City of Viborg 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:
January 1, 1937 - 0.22 cfs
January 1, 1953 - 0.17 cfs

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 may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: _____

Chief Engineer

MAR 15 1993

date

Division of Water Rights
Dept. of Environment and Natural Resources



750-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3191

MAR 15 1993

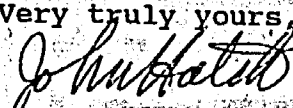
Mariann LeU, Finance Officer
City of Viborg
PO Box 56
Viborg SD 57070-0056

Dear Ms. Lee:

The Water Management Board has validated the enclosed Vested Water Right No. 750-3. 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

January 17, 2001

2000 South Dakota Water Use Questionnaire

To:

CITY OF VIBORG
MAYOR, PO BOX 56
VIBORG SD 57070

Address correction requested:

One questionnaire is being provided for each permitted water source. The following information is based on Water Permit/Right No. 750-3. If you have other permits/rights in the same water source, also include water use under those permits/rights on this questionnaire.

Water Source: GROUNDWATER
Aquifer: DAKOTA FORMATION
Management Unit: NOT APPLICABLE

County: TURNER
Pumping Pt. Legal: SEC 02-T096N-R53W
Type of Water Use: MUNICIPAL

- 1) Please estimate your year 2000 water use from the above water source: _____ gallons
2) If no water use in 2000, please list the reason(s) why in the comments section.

Comments: NO HAD WAS USED FROM THESE TWO WELLS, WE NO LONGER TREAT HAD. WE DID CONSUME
26,616,000 gal. FROM TM RWS. IF THESE TWO WELLS WOULD BE USED THEY WOULD
BE USED FOR STANDBY IF USE OF FIRE L. M. Rathschad
02-12-01

Contact Person:

LAIS M. RATHSCHAD

Telephone No:

326-5103

Questions? Please call Mark Rath or Ron Duvall at 605 773-3352 for assistance.

Thank you for completing the 2000 water use questionnaire.

Water Rights on the Web: www.state.sd.us/denr/wr

