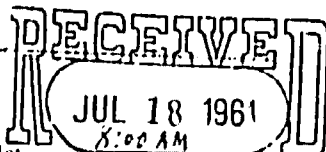


785-3

1. Considered 9-13-1961
2. Name of Applicant St. Lawrence Town
3. Post Office Address _____
4. Amount of water claimed 30
5. Source of water supply Ground water
6. Water to be used for Municipal
Acres to be irrigated _____
7. Water to be diverted and used in Frank County about
1.5 miles City limit of _____
8. Proof of Publication Received 13
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred POP
10. Remarks:



No. 785-3
 Water Division No. 3 JAMES RIVER District
 (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 ST. LAWRENCE TOWN

Postoffice address St. Lawrence, County Hand, State S.D.

1. If a corporation Public 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 Point Water Wells (2)

3. Amount of water claimed 300 cfs cubic feet per second 140 gal. per min.

4. Source of water supply Wells

5. Location of point of diversion St. Lawrence Town in lot 29 original location of title St. Lawrence Town Hand County.

6. Annual period or periods during which water is to be used 12 months

7. To be used for:

1. 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.)

Water supply for
St. Lawrence town

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

(a) Nature of use public use - Fire protection, Domestic, Irrigation etc.

(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, \$-----

Roll, \$-----

(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 reduced or in size are 1 in.)

10. Time required for completion of work ----- 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 -----
Miller Press, Miller, South Dakota

STATE OF SOUTH DAKOTA

County of ----- ss.

Chairman
St. Lawrence
Town Board

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 -----

Subscribed and sworn to before me this ----- day of ----- 1967

Notary Public (or other qualified officer.)

Remarks by State Water Resources Commission:

"PARTIAL Vested Right"

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, MARCH 5, 1962

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
a.m. upon the 18th day of July, 1961.

State Water Resources Commission

By:

Burton Jones
for Chief Engineer, Executive Officer

Number of permit 785-3

Date of first receipt of application July 18, 1961

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 .088 from 1945, 1961

Approved September 13, 1961, Recorded in Book 7 Page 44

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 _____

April 13, 1962

2nd. The whole of said work is to be completed on or before September 13, 1962

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

September 13, 1962

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 308 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 September 13, 1962; said water to be used during the following described annual period:

Continuously

Witness my hand this 5th day of March, 1962

State Water Resources Commission

By:

John A. ...
Chief Engineer, Executive Officer

Certificate of Construction issued _____, 19____

Water License issued _____, 19____

HAND COUNTY SOIL CONSERVATION DISTRICT

MILLER, SOUTH DAKOTA

SUPERVISORS:

R. R. BAWDON, CHAIRMAN
WILFORD HERMANN, TREAS.
ALBERT ANDERSON
HERLEY MCCARL
FRANK MCGINNIS
LEO FORESTER
M. A. NELSON

TECHNICIANS:

DAN E. CASS
JOHN H. SEEMAN

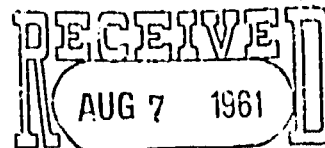
August 4, 1961

To whom it may concern:

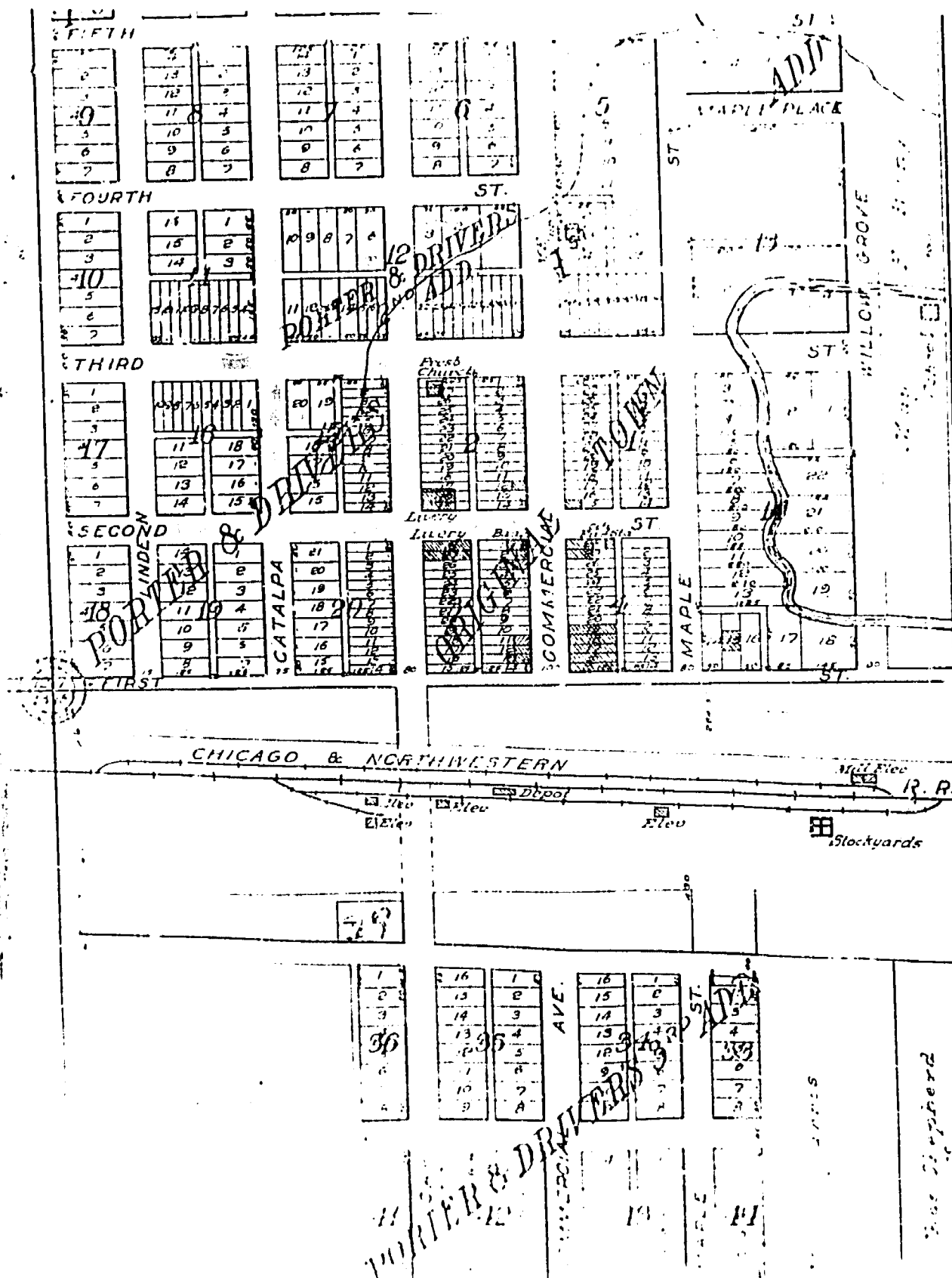
This is to certify that I, Dan E. Cass have examined the location of the Well that serves the town of St. Lawrence and checked the location and found it is located approximately 400 feet West and 265 feet South of a point in the center of the South track of the C. N. W. R. R. and the center of the main street of St Lawrence of in lot 29 unplotted.

Dan E. Cass WUC

SCS Miller, S. Dak.



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA



W. Campbell
Certificate of
Completion 7-21-68

9. (Continued)

III. Well Specifications

- (a) Hole and casing Well #1 - 10" ----- 148'
Well #2 - 6" ----- 138'
Size of drill hole or excavation -----, Depth -----
Type of casing ----- (wood, concrete, steel, etc.)
Size of casing #1 - 10" #2 - 6" -----, Thickness of casing -----
Length of casing ----- If collection gallery, length, size and depth of gallery -----
- (b) Screens
Type of perforated screen #1 Everdur Screen - 9 1/2" od
#2 No screen, no gravel pack
Size of perforated screen .030 -----, 25' -----
(diameter) (length)
Thickness of gravel pack -----, length of gravel pack -----
- (c) Water Bearing Materials
Distance to water 50' ----- Character of water bearing materials -----

Thickness of water bearing material -----
- (d) Pump and Motor
Type of pump Both wells centrifugal -----
(centrifugal, propeller, mixed flow, etc.)
Name of pump Both FairBank Morse -----, size #1 5HP #2 3HP
Kind of motor Both Electric -----
(gasoline, electric, diesel, etc.)
Horsepower Above -----, Name of Motor -----
- (e) Complete well
Both together
Capacity 140 gal min at drawdown of ----- Estimated cost -----
- (f) Owner of land upon which well is located St. Lawrence Town -----
Name -----
St. Lawrence, South Dakota
Address -----
- (g) Distance to nearest existing wells
On same owner's property 75' ----- rods. On property owned by others ----- rods

Permit No. 785-3Water Division No. 3 JAMES RIVER Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That St. Lawrence Town

~~xxx~~ _____, County of Hand, and State of South Dakota, the holder of Permit No. 785-3, issued upon Application No. 785-3, bearing date of priority of 1915 and July 18, 1961, authorizing the diversion of .30 cu. ft. per second of the waters of ground water, County of Hand, State of South Dakota, at two points in Lot 9, original town site of St. Lawrence, in the NW 1/4, Section 18, T 112N, R 67W, 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 found in satisfactory condition for diverting and conveying to the place of intended use .30 cu. ft. per second of water; and that the ~~works now existing in accordance with the~~ use of said water are described as follows, to-wit: to be used for municipal purposes by residents of the Town of St. Lawrence.

Witness my hand this 9th day of April A. D. 19 62

State Water Resources Commission

By:

J. W. CROMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No. 785-3

WHEREAS, On the 18th day of July A. D. 1961
 the Town of St. Lawrence
 of _____ County of Hand and State of
South Dakota duly made application (No. 785-3) to us for a permit to use .30
 cubic feet per second of the waters of ground water
 County of Hand, State of South Dakota, for municipal
 purposes; and

WHEREAS, On the 5th day of March A. D. 1962
 Permit No. 785-3 was issued to said applicant for the diversion of said water, and providing for the
 completion of the works of diversion therein described on or before the 13th day of
Sept. 1962 A. D. 1962 and for the application to beneficial use of said
 water on or before the 13th day of September A. D. 1962
 and,

WHEREAS, On the 13th day of June A. D. 1962
 the holder of said permit duly made proof of the completion of adequate works for the diversion of .30
 cubic feet per second of said waters, as evidenced by our Certificate No. 785-3
 dated April 9, 1963 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use .30 cubic feet per second of water, with date of
 priority of 1945 and July 18, 1961 and,

WHEREAS, On the 13th day of June A. D. 1962
 proof was duly made of the application to beneficial use of .30 cubic feet per second of said water;
for municipal use by Town of St. Lawrence

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 St. Lawrence Town

☒ the holder and owner of said permit No. 785-3

a water right, dating from 1945 and July 18, 1961 to the use of .30

cubic feet per second of the waters of ground water

In the County of Head and State of South Dakota, or so much thereof as may be

necessray for the purposes hereinbelow mentioned, to be diverted at two points on Lot 29, Original
townsite of St. Lawrence in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 18, T 112N, R 67W,

and conducted ~~by means of~~ through the town 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 9th day of April A. D. Nineteen
Hundred and Sixty-Two

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 _____

on or before August 17, 1961
 (First Publication _____)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., August 11, 1961

Notice is hereby given that the Town of St. Lawrence ~~XXXXXXXXXX~~

~~XXXXXX~~ S. Dak., has made an application in accordance with

the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use .30

cubic feet of water per second of time from ~~an~~ ground water through ~~the~~
two wells

the point of diversion of which is to be located on the

bank of said stream in the NW $\frac{1}{4}$ of the N. $\frac{1}{4}$ of Section 18

Twp. 112N Range 67E. Said water to be used for the purpose of providing ~~XXXXXXXXXXXX~~

~~XXXXXXXXXXXX~~

municipal supplies for the Town of St. Lawrence

~~XXXX~~ purposes.

This application will be taken up by the State Water Resources Commission at their office in Pierre for consideration upon the 13th day of September, 1961, at 2 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

CC: R. H. McFarlane, Publisher
 Miller Press
 Miller, S. Dak.

State Water Resources Commission

By:

~~XXXXXXXXXXXX~~ Executive Officer
 BURTON F. JONES
 Water Right Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Hand } ss.

Robert H. McFarlane being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____

Miller Press a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the _____

City of Miller County of Hand and State of South Dakota; that the said notice was published in said newspaper on the following dates:

August 17, 1961

August 24, 1961

August 31, 1961

September 7, 1961

in each and every issue of the full number thereof, the first publication being made on the 17th day of August 1961 and the last publication on the 7th day of September 1961, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was _____ the printer and publisher^X of the said newspaper.

Robert H. McFarlane

Subscribed and sworn to before me this 23th day of February A. D. 19 62

Robert H. McFarlane
 Notary Public _____ County, S. D.

RECEIVED
 MAR 2 1962

STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

NO. 1783-3
 APPROPRIATION OF WATER
 Office of State Water Resources
 Commission
 Pierre, S. Dak., August 11, 1961
 Notice is hereby given that the Town of St. Lawrence, S. Dak. has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 30 cubic feet of water per second for time from the ground water through two wells, the points of diversion of which are to be located on the bank of said stream in the NW 1/4 of the NW 1/4 of Section 18, Twp. 112N, Range 67W. Said water to be used for the purpose of providing municipal supplies for the Town of St. Lawrence.
 This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of September, 1961, at 2 P.M. All interested persons may appear and be heard.
 Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.
 State Water Resources Commission
 By: Burton F. Jones
 Water Right Specialist
 FT NO. 43 LP NO. 43

Location No. 785-3

Water Division No. 3 James River Water District

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

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

Ans. St. Lawrence Town

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. Floyd Oman, Chairman of Town Board

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

Ans. July 18, 1961

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

Ans. Shallow ground water Two wells in Lot 29, original townsite
 of St. Lawrence in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section XX¹⁸8, T112N, R67W

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.

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 use

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. 100 gpm

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 was drilled in 1945, and is pumped at 40 gpm. Well # 2 was drilled in 1959, and produces 100 gpm. Both wells have been in use since their construction.

(Sign)

Floyd D. Brown

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

Millera

County of

SLAND

State of South Dakota, on this

2nd

day of

August

A. D. 1961

Witnesses.

Fred K. K. K.

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.

Location No.

PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE

PETITION OF FOLDER

Amount of Water c. f. s.

Source

County

Purpose

Place of Use

Date of recording

Received and filed

Permit No. 785-3Water Division No. 3 Town of St. Lawrence Water District**Certificate of Examination of Works****Report of Examining Engineer**

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated _____ 19____, I have this day made a thorough examination of the diversion works constructed by Town of St. Lawrence of Hand County, South Dakota, holder of Permit No. 785-3, issued upon Application No. 785-3, bearing date of priority of 122 ^{10th} Sept. ¹⁹⁴⁵ 1945, authorizing the diversion of 308 cu. ft. per second of the waters of Groundwater for Municipal purposes. I have to report on the condition of the same as follows:

The diversion works comprise: Two Wells. Well #1 6" dia., 114' deep, w/2 Fairbanks Morse pump Mod. #5B11-4D20, 3H.P. Ser. # AH5881, and a Fairbanks Morse Motor (Electric) Mod. #5K14D20, 3H.P. and 60 cycles.
Well #2 10" dia. & 148' deep. Pump Fairbanks Morse Submersible
Fairbanks Morse electric motor 5H.P.

and the system is in the following condition: Good

The point of diversion is located Lot 29, original townsite of St. Lawrence, NW 1/4, Sec. 18, T12N, R67W

The works are capable of diverting and conveying to the place of use 10 G.P.M. ^{together} cu. ft. per second of water, which is to be used for Municipal & Fire protection.

The legal sub-divisions to be irrigated are: _____

_____ comprising a total of _____ acres of land.
 The domestic use intended comprises Municipal & Fire protection

The utilization for power, mining, or other beneficial uses comprises: _____

Witness my hand, this 13th day of June, A. D. 1947

—SEAL—

Examining Engineer.



DEPARTMENT OF WATER & NATURAL RESOURCES

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

GREAT FACES. GREAT PLACES.

April 26, 1991

785-3

Bob Waldrop, Town President
Town of St. Lawrence
Box 5
St. Lawrence SD 57373

Dear President Waldrop:

The Water Management Board has validated the enclosed Vested Water Right No. 785-3. 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 (PARTIAL) VESTED WATER RIGHT CLAIM NO. 785-3

Date Claim Accepted For Filing July 18, 1961.

Date of Validation September 27, 1989.

Pursuant to SECL 46-2A-17 the Water Management Board validated Vested Water Right Claim No. 785-3 for the Town of St Lawrence, Box 5, St Lawrence, South Dakota 57373 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 785-3 appropriates 0.088 cubic feet of water per second from Well No. 1 approximately 116 feet deep. The well is located in the NW 1/4 NW 1/4, Section 18, T112N, R67W.
2. The appropriated water is used for supplying water for the Town of St Lawrence 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, 1945.
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:  APR 26 1991
Chief Engineer date
Division of Water Rights
Dept. of Environment and Natural Resources