

1. Considered February 19, 1954 Appl. No. 517-3
2. Name of Applicant City of Hurley
3. Post Office Address Hurley, South Dakota
4. Amount of water claimed 0.933 cfs
5. Source of water supply ground water
6. Water to be used for municipal use
Acres to be irrigated
7. Water to be diverted and used in Turner County about miles of near east edge of Hurley
8. Proof of Publication Received
 Not Received
9. Application Approved
 Subject to
 Not approved
 Action deferred

10. Remarks: I " T98 N, R53 W but most water right applications are north of here. Combination "vested right" for 0.40 cfs and a new application for 0.533 cfs

No. 577-3

Water Division No. 3 Vermillion River District
(Blanks to be filled by the Engineer for the W. R. C.)

RECEIVED
JAN 20 1939
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 Hurley
Postoffice address Hurley, County Turner, State S. Dak

- 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 limited, \$
- (e) Other resources, \$

2. Name of diversion work HURLEY Water Supply - Wells # 1, 2, 3, 4
 3. Amount of water claimed 130 GPM cubic feet per second
 4. Source of water supply Ground water
 5. Location of point of diversion Wells # 1, 2 - NW 1/4 Sec 26 - Township 83 - Range 53
Wells 3 & 4 - NW 1/4 Sec 26 - Township 83 - Range 53
 6. Annual period or periods during which water is to be used All year around
 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.)

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. 391-3

8. Estimated cost of work:

(16,000)

(a) Head Gates, \$-----

(c) Plumbing, \$-----

(e) Other structures -----

(d) Canal-earth, \$-----

\$-----

(b) Pumping plant, \$-----

Rock, \$-----

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 ----- acres. Surface area ----- water 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 Completed years.

12. Choice of newspaper for publication of notice of intention to appropriate -----

Hurley Leader

STATE OF SOUTH DAKOTA

County of Turner } ss.

I, Clarence Sherard - City Mayor, 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.

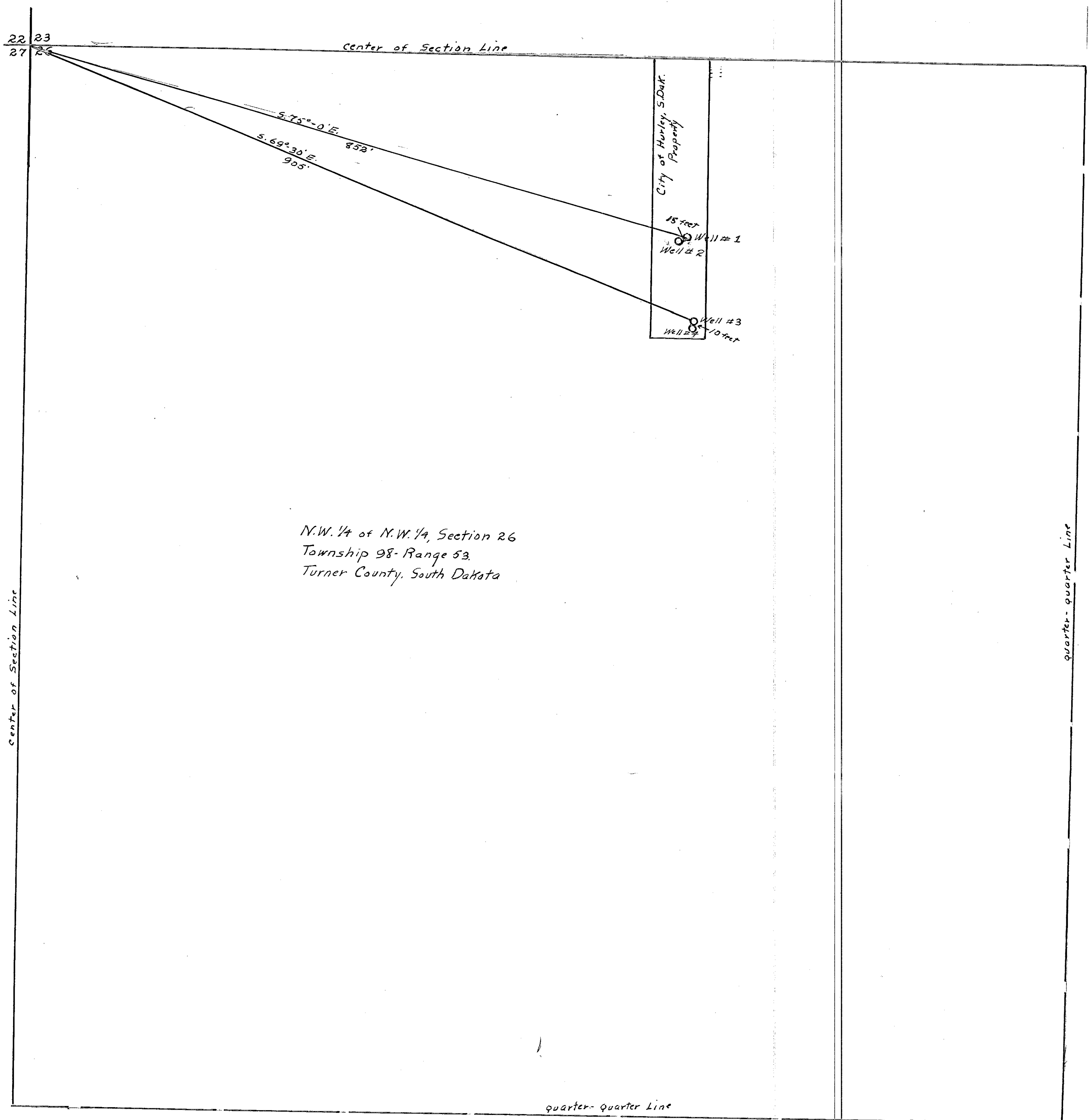
Signed Clarence Sherard

Subscribed and sworn to before me this 18 day of January 1928

J. A. Brown
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Map No. 396-3
 (App'l's. No. 576-A
 # 577-A)



N.W. 1/4 of N.W. 1/4, Section 26
 Township 98-Range 53
 Turner County, South Dakota

Survey of Hurley, S. Dakota city wells in the N.W. 1/4 of
 N.W. 1/4, Section 26, Township 98-Range 53, Turner
 County, S. Dakota.

I, Ellis V. Nelson, a licensed engineer, do hereby
 certify that I have a survey of the N.W. 1/4 of the
 N.W. 1/4 of Section 26, Township 98-Range 53
 Turner County, South Dakota and located the
 Hurley City Wells, # 1, 2, 3 & 4 as indicated on
 the above plat
 Dated at Sioux Falls, South Dakota, January 17, 1958.

Ellis V. Nelson
 Licensed Engineer.

State of South Dakota } ss.
 County of Minnehaha }

On this 17th day of January, 1958 before me the
 undersigned officer, personally appeared Ellis V. Nelson
 known to me, or satisfactorily proven to be the person
 whose name is subscribed to the within certificate, and
 acknowledged that he executed the same for the purpose
 therein contained.

In witness whereof I hereunto set my hand and official
 seal.

Arthur M. Leland
 Notary Public

Notary Public
 State of South Dakota
 Expires June 8, 1958

Ellis V. Nelson, Civil Engineer
 Sioux Falls, S. Dak. January, 1958.

Well # 1

D. (Continued)

III. Well Specifications

(a) Hole and casing

Size of diameter or excavation 8", Depth 36'

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

Size of casing 8", Thickness of casing 3/8"

Length of casing 28' If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen BRASS - Johnson screen

Size of perforated screen 6" (diameter), 8' (length)

Thickness of gravel pack, length of gravel pack

(c) Water Bearing Materials

Distance to water 12' Character of water bearing materials SAND & GRAVEL

Thickness of water bearing material

(d) Pump and Motor

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

Name of pump Layne, size 4 inch

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

Horsepower 7 1/2, Name of Motor GE

(e) Complete well

Capacity 100 GPM at drawdown of 3' Estimated cost

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

Hurley 50 DAK Address

(g) Distance to nearest existing wells

On same owner's property 8 ft rods. On property owned by others rods

well #2

0. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 6" , Depth 36'

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

Size of casing 6" , Thickness of casing 3/8"

Length of casing 28' If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen Brass - Johnson Screen

Size of perforated screen 4" (diameter) , 8 (length)

Thickness of gravel pack , length of gravel pack

(c) Water Bearing Materials

Distance to water 12' Character of water bearing materials Sand & GRAVEL

Thickness of water bearing material

(d) Pump and Motor

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

Name of pump Roth , size 1 1/2

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

Horsepower 5 , Name of Motor C E

(e) Complete well

Capacity 80 GPM at drawdown of 3' Estimated cost

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

Hurley So Dak Address

(g) Distance to nearest existing wells

On same owner's property 8 ft rods. On property owned by others rods

Well # 3

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 30" , Depth 31'6"

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

Size of casing 18" , Thickness of casing 3/8"

Length of casing 31'-6" If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen

Size of perforated screen (diameter) (length)

Thickness of gravel pack , length of gravel pack

(c) Water Bearing Materials

Distance to water 12' Character of water bearing materials GRAVEL & SAND

Thickness of water bearing material

(d) Pump and Motor

Type of pump Layne-Bowler-Turbine (centrifugal, propeller, mixed flow, etc.)

Name of pump Layne-Bowler , size 6"

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

Horsepower 10 , Name of Motor FAIRBANKS MORS

(e) Complete well

Capacity 110 GPM at drawdown of 3' Estimated cost

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

Hurley S. D. R Address

(g) Distance to nearest existing wells

On same owner's property 10 ft rods. On property owned by others rods

Well # 3

D. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 30" Depth 31' 6"

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

Size of casing 18" Thickness of casing 3/8"

Length of casing 31' 6" If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen

Size of perforated screen (diameter) (length)

Thickness of gravel pack length of gravel pack

(c) Water Bearing Materials

Distance to water 12' Character of water bearing materials Gravel & sand

Thickness of water bearing material

(d) Pump and Motor

Type of pump Layne-Bowler-Turbine (centrifugal, propeller, mixed flow, etc.)

Name of pump Layne-Bowler size 6"

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

Horsepower 10 Name of Motor FAIRBANKS MORS

(e) Complete well

Capacity 110 GPM at drawdown of 3' Estimated cost

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

Hurley 500 DAK Address

(g) Distance to nearest existing wells

On same owner's property 10 ft rods. On property owned by others rods

Well #4

9. (Continued)

III. Well Specifications

(a) Size and casing

Size of drill hole or excavation 30", Depth 30' 8"

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

Size of casing 18", Thickness of casing 3/8"

Length of casing 30' 8" If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen

Size of perforated screen (diameter) (length)

Thickness of gravel pack, length of gravel pack

(c) Water Bearing Materials

Distance to water 12' Character of water bearing materials GRAVEL & SAND

Thickness of water bearing material

(d) Pump and Motor

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

Name of pump Hayne-Bowler, size 6"

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

Horsepower 7 1/2, Name of Motor GE

(e) Complete well

Capacity 130 GPM at drawdown of 3, Estimated cost

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

Hurley S.D. DAK Address

(g) Distance to nearest existing wells

On same owner's property 10 ft rods. On property owned by others rods

STATE OF SOUTH DAKOTA

WATER LICENSE No. 517-3.....

WHEREAS, On the 20th day of January A. D. 1958 the City of Hurley

XX County of Turner and State of South Dakota duly made application (No. 517-3) to us for a permit to use .93 cubic feet per second of the waters of ground water County of Turner State of South Dakota, for municipal purposes; and

WHEREAS, On the 8th day of March A. D. 1958 Permit No. 517-3 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 19th day of February A. D. 1959 and for the application to beneficial use of said water on or before the 19th day of February A. D. 1959 and,

WHEREAS, On the 5th day of January A. D. 1966 the holder of said permit duly made proof of the completion of adequate works for the diversion of .93 cubic feet per second of said waters, as evidenced by our Certificate No. 517-3 dated January 17, 1966 concerning the completion of works of sufficient capacity for diverting and conveying to the place of intended use .93 cubic feet per second of water, with date of priority of April 1913, July 1913 and January 20, 1958 and,

WHEREAS, On the 5th day of January A. D. 1966 proof was duly made of the application to beneficial use of .93 cubic feet per second of said water: to be used for municipal purposes by the City of Hurley

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 Hurley

~~xx~~ the holder and owner of said permit No. 517-3
a water right, dating from April, 1913, July 1913 and January 20, 1958 to the use of .93

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
necessary for the purposes hereinafter mentioned, to be diverted at four points in the NW¹/₄ NW¹/₄
Section 26, T98N, R53W

and conducted ~~to and upon~~ 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 17th day of January A. D. Nineteen
Hundred and Sixty-Six

State Water Resources Commission

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. 517-3

Water Division No. 3 Vermillion River Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That the City of Hurley

~~is~~ County of Turner, and State of South Dakota

the holder of Permit No. 517-3, issued upon Application No. 517-3, bearing date of priority of April, 1913, July 1913 and January 20, 1958, authorizing the diversion of

.93 cu. ft. per second of the waters of ground water

County of Turner, State of South Dakota, at four points in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, T98N, R53W

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 .93 cu. ft.

per second of water; and that the ~~municipal purposes~~ use of said water are described as follows, to-wit: to be used for municipal purposes by the City of Hurley

Witness my hand this 17th day of January A. D. 1966

State Water Resources Commission

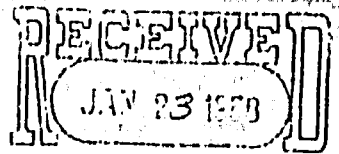
By: J. W. GRIMES
Chief Engineer, Executive Officer

Location No. 517-3

Water Division No. 3 Veinther River Water District

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER



STATE WATER RESOURCES COMM
SOUTH DAKOTA

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

Ans. City of Hurley

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. South Dakota Municipal Corporation, Hurley S. Dak
My position is Mayor, This application is by "Action of City Council"

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

Ans. Well #1 was built 1912, Well #2 was built 1913, Well #3 & 4 in 1957

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

Ans. Ground water, Well locations are shown on Map Submitted with
The Citys Application for water rights for future use

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. Diversion is made by Four wells, which are connected to the
Citys water distribution system

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 supplies

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

Ans. As Answered in Question 5

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

Ans. Well #1 - 100 GPM, Well #2 - 80 GPM, Well #3 140 GPM, Well #4 130 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. Vested Right Record

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

Ans. Water from Well #1 was first used April, 1913, from well #2, July, 1913, well #3 & #4 in March, 1957. Wells #1, #2 were rebuilt in July, 1957, because old wells failed. Wells are used as required to supply Hurley Residents with water.

(Sign) Alvin H. Steward

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 Hurley, County of Turner

State of South Dakota, on this 22 day of January A. D. 1958

William A. Cushing } Witnesses. H. A. Green
James P. Anderson } Walter Pullie

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.

H. A. Green

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 -----

(First Publication before January 24, 1958)

APPROPRIATION OF WATER

Office of State Water Resources Comm.
Pierre, S. Dak. January 20, 1958.

Notice is hereby given that The City of Hurley whose postoffice address is Hurley, 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 0.933 cubic feet of water per second of time from ground water through the city wells No. 1, 2, 3, and 4 of which 0.40 c.f.s. from wells 1 and 2 is to be a "Vested Right" and 0.533 c.f.s. from wells 3 and 4 is to be a new application, the points of diversion of which are to be located in part of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 26 Twp. 98N Range 53W. Said water to be used for the purpose of providing municipal water for the City of Hurley.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 19 day of February, 1958 at 2:00 pm. All interested persons may appear and be heard.

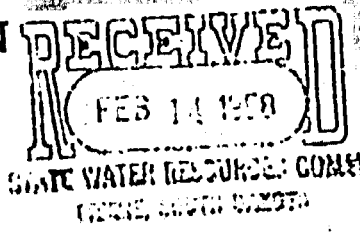
Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented

State Water Resources Commission

By:

Les Wyborny
Water Rights Engineer

PROOF OF PUBLICATION



STATE OF SOUTH DAKOTA }
County Turner } ss.

L. D. Hofmeister being duly sworn, deposes and says the annexed printed copy of Notice

of Intent to appropriate water was taken from the

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

Hurley Leader of ~~Turner~~ Turner County of Turner and State of South Dakota;

that the said notice was published in said newspaper on the following dates:

- Thurs. Jan. 23, 1958
- Thurs. Jan. 30, 1958
- Thurs. Feb. 6, 1958
- Thurs. Feb. 13, 1958

in each and every issue of the full number thereof, the first publication being made on the 23 day of Jan

1958 and the last publication on the 13 day of Feb. 1958, upon which days or times

of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was owner ~~the printer and publisher~~ of the said newspaper.

L. D. Hofmeister

Subscribed and sworn to before me this 13th day of February A. D. 1958

Ernest G. Brown

Notary Public Turner County, S. D.

Form 8 No. 517.3
APPROPRIATION OF WATER
Office of State Water Resources
Commission, Pierre, S. Dak.,
January 20, 1958.

Notice is hereby given that the City of Hurley whose postoffice address is Hurley, 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 0.933 cubic feet of water per second of time from ground water through the city wells No. 1, 2, 3, and 4 of which 0.40 c.f.s. from wells 1 and 2 is to be a "Vested Right" and 0.533 c.f.s. from wells 3 and 4 is to be a new application, the points of diversion of which are to be located in part of the NW1-4 of the NW1-4 of Section 26, Twp. 98N, Range 53W. Said water to be used for the purpose of providing municipal water for the City of Hurley.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 19 day of February, 1958 at 2:00 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: Les Wyborny
Water Rights Engineer
(Jan. 23-30 Feb. 6-13)

RECEIVED
JUL 14 1960

Permit No. _____

Water Division No. _____ Water District _____

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) Hurley, S. Dak
(Date) 7-13-1960

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the _____ day of _____

19____, at _____ County of _____ State of South Dakota,

before _____ proof will be submitted of the application to beneficial use

(Examining Engineer or Officer)

of _____ cubic feet per second of the waters of _____

_____ in accordance with the terms and conditions of Permit No. _____

heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are _____

City of Hurley, S. Dak

2. The use to which said water has been applied is _____

Domestic, Municipal use

3. The amount applied to beneficial use is _____

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) _____

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is _____

6. The right to take the water from such works is based upon permit No. F17-3

7. The source of supply from which such water is diverted is Ground water

8. The date of priority which said user is prepared to establish is _____

(Sign) City of Hurley, S. D.

West Rader, Auditor

RECEIVED
JUL 14 1960

Permit No. _____

Water Division No. _____

Water District _____

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) Hurley, S. Dak
(Date) 7-13-60

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of _____

_____ cu. ft. per second of the waters of the state from _____

through the _____

for _____ purposes

_____ in accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is City of Hurley, S. Dak

2. The postoffice address of such person or the place of business of such corporation is Hurley
County of Jurmes State of South Dakota

3. The number of such permit is 517-3 and the date set for the completion of such work is now completed

4. Said water to be used for Municipal use purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is _____ cubic feet per second.

6. The amount of land for which said water is available is _____ acres, particularly described as follows: _____

I hereby certify that the facts set forth in the above notice are true.

City of Hurley, S. D.
W. J. Brundage, Auditor

(Signature of Owners) _____

Permit No. 517-3
VERMILLION
Water Division No. 3 RIVER 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 _____
THE CITY OF HURLEY _____, of _____
TURNER _____ County, South Dakota, holder... of Permit No. 517-3 _____, Issued
upon Application No. 517-3 _____, bearing date of priority of JANUARY 20 1958, authorizing the
diversion of .93 cu. ft. per second of the waters of GROUND WATER for MUNICIPAL
purposes. I have to report on the condition of the same as follows:

The diversion works comprise: WELL #1 - 36' 8" WELL W/ LAYNE-BOWLER 4" PUMP W/ 1.5HP G.E. MOTOR; WELL #2 - 36' 6" WELL W/ BATH 1 1/2" CENTRIFUGAL PUMP W/ G.E. 5HP MOTOR; WELL #3 - 32' 18" WELL W/ LAYNE BOWLER PUMP - 4" - # 33448, POWERED BY 1.5HP G.E. MOTOR TYPE 'K'; WELL #4 - 31' 18" WELL W/ 6" *
and the system is in the following condition: EXCELLENT

The point of diversion is located AS SHOWN ON THE APPLICATION

The works are capable of diverting and conveying to the place of use .97 cu. ft. per second of water,
which is to be used for MUNICIPAL USE

The legal sub-divisions to be irrigated are: _____

_____ comprising a total of _____ acres of land.
The domestic use intended comprises _____

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

Witness my hand, this 5TH day of JANUARY _____ A. D. 1966

—SEAL—

Burton J. Jones
Examining Engineer
OFFICER

* LAYNE BOWLER PUMP #34062, W/ U.S. HOLLOW SHAFT MOTOR ASSEMBLY 20 H.P. ELECTRIC MOTOR.

Turner

NOTICE OF WELL CONSTRUCTION

(1) WELL CONSTRUCTION

Location of well: NW 1/4 NW 1/4 Section 26 Township 98N Range 53W
 Well owner: City of Hurley 238-5212 So. Dakota
(Name) (Address)
 Date well drilling completed: 6-13-77 Purpose of well: Municipal
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer	ft.
2 ft	top soil	13	
41 ft	sand gravel	20	
		Name of producing aquifer (if known)	1st
		Total depth of drill hole	43
		Depth to bottom of casing	23
		Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.	
		Steel 1.2 1/4 44.2 lbs per ft.	
		1.2" casing	
		Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.	
		20 ft 12" 304 Heavy Construction	
		Stainless Steel Johnson Screen 60	
		5000	
		If a flowing well, flow of completed well <u>600</u> G.P.M.	

Attach sheet if more space is needed

Schimmelfrey Well Drilling
Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump: Lane Bowler HP 50
 Type of pump: Turpene Capacity of installed pump: 600 G.P.M.
 Depth of pump placement: 21 ft, Date of pump installation: _____

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft, tube diameter _____, tube material _____

Robert Reiner's Sennoy SD.
Name of Pump Installation Contractor

11-17-81

I CHECKED WITH BILL LEBER, WATER SUPT.
FOR CITY OF HURLÉY. THE CITY NOW USES
2 WELLS. A REPLACEMENT WELL FOR OLD
WELLS #1 & #2 WAS DRILLED IN 1977, AND IS ^{IN THE APPROX LOCATION OF WELL #1}
THE MAIN SOURCE OF WATER FOR THE CITY.
MR. LEBER WAS NOT SURE WHICH DESIGNATED
WELL (3 OR 4) IS BEING USED, BUT ONLY ONE
WELL EXISTS AT THIS LOCATION.

THE REPLACEMENT WELL (NORTH WELL) HAS A
PUMPING CAPACITY OF 600 GPM, BUT IS
SELDOM PUMPED MORE THAN 12 HOURS PER
DAY. THE SOUTH WELL IS USED AS BACK-UP WELL,
AND IS GENERALLY THE CITY SOURCE DURING
WINTER MONTHS WHEN DEMAND IS DOWN. IT IS
EQUIPPED WITH A 150 GPM PUMP.

Stanley J. [Signature]

SOUTH DAKOTA

VESTED WATER RIGHT NO. 517-3

Date of Receipt of Claim January 20, 1958.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 517-3 for the City of Hurley, PO Box 336, Hurley SD 57036-0336 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 517-3 appropriates 0.40 cubic feet of water per second from two wells located in the NW 1/4 NW 1/4 Section 26-T98N-R53W.
2. The appropriated water is used for supplying the City of Hurley and may not exceed the amount of water needed for beneficial use for municipal use 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:

April 1, 1913 - 0.22 cfs
 July 1, 1913 - 0.18 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 must not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: John Hatch
 John Hatch, Chief Engineer
 Water Rights Program
 Department of Environment and Natural Resources

JUL 18 1996

date



SOUTH DAKOTA
Dakota Department of
Water & Natural Resources

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

June 12, 1990

Roy Eckoff
PO Box 122
Hurley, SD 57036

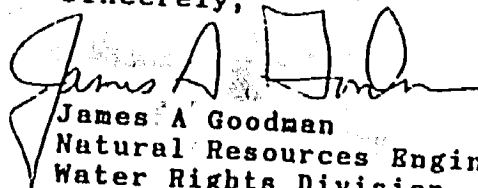
Dear Mr. Eckoff:

Enclosed are application forms for a Water Permit and copies of records of existing permits and rights for the City of Hurley for you to review.

The City of Hurley holds Water Right No. 517-3 which authorized 4 wells and .93 cfs of diversion. Hurley also holds Water Permit No. 516-3 which is a future use reservation of 1.55 cfs. This permit would allow Hurley to develop 1.55 cfs in the NW 1/4 NW 1/4 of section 26, T98N R53W. In order to exercise the future use permit it is necessary to file an application for a new Water Permit and have that application approved by the Water Management Board.

Apparently the City of Hurley is not using the 4 wells authorized by Right No. 517-3 and has replaced two of those wells with the 1977 well. Also apparently more water is capable of being diverted than is authorized by Right No. 517-3. If this is the situation file for the additional water when you apply for the new well. This would update your water rights to reflect what is actually being used. If I can be of any assistance, please let me know.

Sincerely,



James A. Goodman
Natural Resources Engineer
Water Rights Division
605 773-3352

enclosures

Water Rights Program -- File Documentation

File No. 517-3

NAME: City of Hurley

ADDRESS: PO Box 336, Hurley SD 57036-0336

DATE: December 26, 1995

COUNTY: Turner

TELEPHONE: 238-5212

RE: Investigation of Vested Portions of Water Right No. 517-3

COMMENTS:

On September 26, 1995, I completed an investigation of Water Right No. 517-3. The purpose of the investigation was to determine whether the vested portion of the water right was still in use prior to separating vested and nonvested portions of the water license.

INVESTIGATION RESULTS:

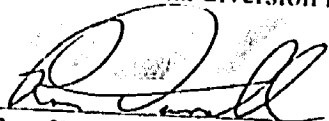
Water Right No. 517-3 authorizes use of four wells with a combined diversion rate of 0.93 cfs. The investigation found two wells in use with a combined diversion rate of 0.78 cfs. Well Nos. 1 and 2 were replaced with a well drilled in 1977 and either well No. 3 or 4 was abandoned. None of the abandoned wells were visible at the well site. The replacement well for well Nos. 1 and 2 (completion report on file) pumps at a rate of 250 gpm (0.56 cfs) and the other well (No. 3 or 4) pumps about 100 gpm according to Joe Garry, Utility Manager. The location of the wells is consistent with the water license and publication notices.

RECOMMENDED ACTION:

Water License No. 517-3 needs to be separated into vested and nonvested portions and the validation document issued with the water licenses. Diversions associated with the 1977 replacement well need to be assigned the following priority dates:

Diversion Rate	Priority Date
0.22 cfs	April 1, 1913
0.18 cfs	July 1, 1913
0.16 cfs	January 20, 1958
0.56 cfs -- Total diversion rate	

The other well (No. 3 or 4) should retain a priority date of January 20, 1958 for 0.22 cfs (100 gpm.) The total diversion rate for both wells (0.78 cfs) is less than the licensed 0.93 cfs.


Ron Duvall, Natural Resources Engineer
Water Rights Program



517-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUL 18 1996

SusAnn Woodward, Auditor
City of Hurley
PO Box 336
Hurley SD 57036-0336

Dear Ms. Woodward:

The Water Management Board has validated the enclosed Vested Water Right No. 517-3. This validation gives legal status to the claim and is the final document for the City's vested water rights.

Also, enclosed are Reissued Vested Water Right License No. 517A-3 and Reissued Water License No. 517B-3. The original water license was divided and reissued to separate the vested right portion from the water right.

As long as the city uses the water beneficially, as stated in the licenses, State Water Laws provided that you have a continuing right to use the water.

Very truly yours,

A handwritten signature in cursive script that reads "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Program
605 773-3352

enclosures

NOT TO SCALE

98-53

H-15



76

T-1185

F-280

Ron Durall
 Natural Resources Engineer
 12/27/95

NHCL 1 144.3

98-53

NOT TO SCALE

