

1. Considered 9-11-62, 19 62
2. Name of Applicant Barbara Goodman Cook
3. Post Office Address 1400 E. 1st St.
4. Amount of Water Claimed 2.47
5. Source of water supply Missouri River
6. Water to be used for household use

7. Water to be diverted and used in Alameda County about 10 Miles of Alameda

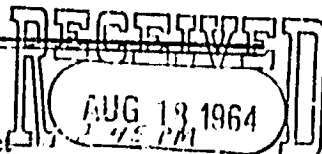
Not Received

Subject to _____

Not Approved

Action deferred

10. Remarks:

No. 1124-3Water Division No. 3Missouri 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

City of Pierre bPostoffice address Box 115, Pierre, County Hughes, State S. Dak.

I. If a corporation

(a) Name of same Pierre Country Club(b) Date and place of incorporation 1921 Pierre, S. Dak.(c) Amount of capital stock \$ 27,525.(d) Amount paid in \$ 27,525.(e) Names and addresses of directors Curtis Cameron, Leo Schmit, WillBrown, Mrs. Elsie Van Camp, L. B. Thorpe, AlbertZarecky, Darrell BakkenBox 115 Pierre, S. Dak.

(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)

Contract(b) Cash on hand, Relocation funds
of Corps of Engineers (c) Treasury stock, \$ —(d) Bonds to be issued, \$ — (e) Other resources, \$ —

2. Name of diversion work

3. Amount of water claimed 2.47 cubic feet per second4. Source of water supply Lake Sharpe (Big Bend Reservoir)5. Location of point of diversion 1845 Feet @ 131° 45' West1/4 Sec. 11, T110N, R79W on North bank Hughes County.6. Annual period or periods during which water is to be used March through October

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Irrigation(a) Number of acres to be irrigated 173 ± acres.(b) Legal subdivisions to be irrigated (as shown on attached map)

(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 757-3

8. Estimated cost of work:

(a) Head Gates, \$ _____

(b) Pumping plant, \$ 5000.

(c) Fluming, \$ _____

(d) Canal-earth, \$ _____

Rock, \$ _____

(e) Other structures _____

Pipelines \$ 25,000.Total, \$ 30,000.

9. Description of diversion works:

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

Pumping plant

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 _____ FEET DEPTH AT OUTLET—ACRES	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 Five years.11. Time required for complete application of water to the proposed beneficial use nine years.

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

Pierre Capital Journal

STATE OF SOUTH DAKOTA

County of Hughes } ss.I, J. Darrell Bakken

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 _____

J. Darrell Bakken Director

Subscribed and sworn to before me this _____

18th

day of _____

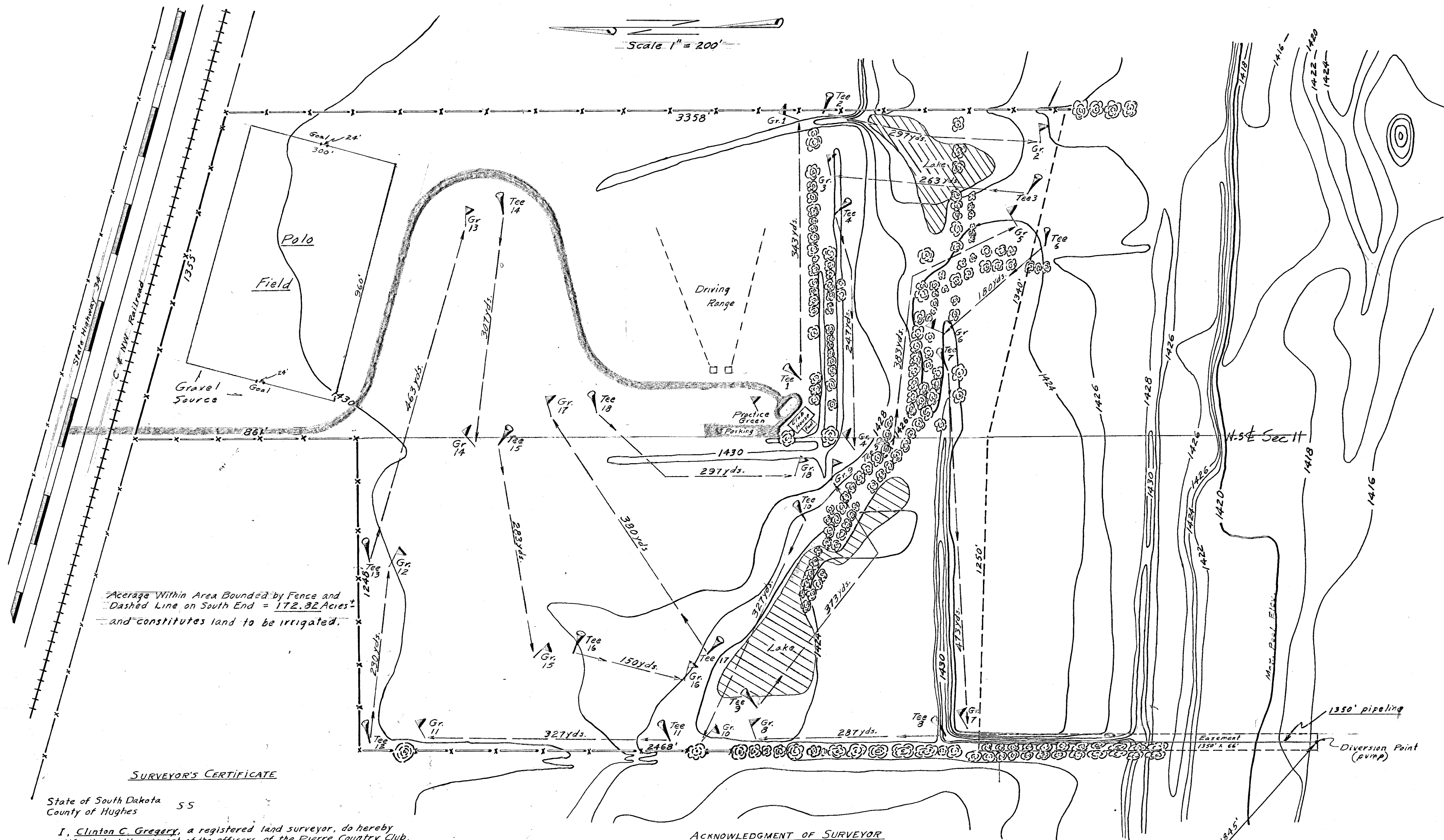
August1964CURTIS L. CAMERON
NOTARY PUBLIC

My Commission Expires December 12, 1974

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or controlling device.

Scale 1" = 200'



Acreage Within Area Bounded by Fence and Dashed Line on South End = 172.82 Acres and constitutes land to be irrigated.

SURVEYOR'S CERTIFICATE

State of South Dakota 55
County of Hughes

I, Clinton C. Gregory, a registered land surveyor, do hereby certify that at the request of the officers of the Pierre Country Club, I did survey the tracts of irrigable land within the ownership boundaries for which application for an appropriative water rights to withdraw waters from Lake Sharp for irrigation purposes and that this map is a true representation thereof.

In Witness Whereof, I have hereunto set my hand and seal this 16th day of August, A.D. 1964.

Clinton C. Gregory
Registered Land Surveyor

ACKNOWLEDGMENT OF SURVEYOR

State of South Dakota 55
County of Hughes

On this 16th day of August, 1964, before me, the undersigned, a notary public within and for the state and county aforesaid, personally appeared Clinton C. Gregory, known to me to be the person who executed the Surveyors Certificate and acknowledged to me that he executed the same.

Witness my hand and seal this day.

Myrtle L. Fullard
Notary Public
My Commission Expires
July 7, 1966

PROPOSED GOLF COURSE

PIERRE COUNTRY CLUB

Drawn by:
Clinton Gregory

January 1964

Map No 157-3 (Appl No 1124-3)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, September 28, 1967.

This is to certify that the foregoing application was received by the Commission at 2:45 o'clock
P.m. upon the 18 day of August, 1967.

State Water Resources Commission

By:

Donald Ormrod
For Chief Engineer, Executive Officer

Number of permit 1124-3

Date of first receipt of application August 18, 1967

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 August 18, 1967

Approved September 16, 1967, R _____ Book 8 Page 259

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 _____

March 16, 1967

2nd. The whole of said work is to be completed on or before September 16, 1967

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

September 14, 1973

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

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 2.47 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 14, 1973; said water to be used during the following described annual period:

March through October

Witness my hand this 28 day of September, 1967.

State Water Resources Commission

By:

Donald Ormrod
Chief Engineer, Executive Officer

Certificate of Construction Issued AUGUST 18, 1973

Water License Issued AUGUST 1, 1973

WATER LICENSE NO. 1124-3

(1) WHEREAS, On the 18th day of August A. D. 19 76
City of Pierre sd
 made Water Right Application No. 1124-3 for a permit to use 2.47 cubic feet per second of the waters
 of the Missouri River
 County of Hughes, State of South Dakota, for irrigation
 purposes and

(2) WHEREAS, On the 28th day of September A. D. 19 64
 Permit No. 1124-3 with a date of priority of August 18, 1964
 was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
 supply system therein described on or before the 16th day of September A. D. 19 69 and for the
 application to beneficial use of said water on or before the 16th day of September A. D. 19 73

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
 relating to completion of the construction of the water supply system and is entitled to divert 2.22 cubic feet
 per second of water for beneficial use and.

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
 relating to the application of water to beneficial use of the following extent.

for irrigating portions of the W $\frac{1}{2}$ E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$, Section 11, T110N, R79W
comprising 173 acres.

(5) 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 Pierre City of Pierre

Pierre, S.D. of

the holder _____ and owner _____ of said permit No. 1124-3 a water right, dating from August 18, 1964

_____ to use of 2.22 cubic feet per second of the waters

of the Missouri River

in the County of Hughes and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at a point South 48° 15' East, 1845 feet from the W½

Corner, Section 11, T110N, R79W

and conduct to and upon portions of the W½ E½ and E½ W½, Section 11, T110N, R79W,

comprising 173 acres

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1124-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 1st day of August A. D.

Nineteen Hundred and Seventy-three

WATER RIGHTS COMMISSION
~~WATER RESOURCES COMMISSION~~

By:

Chief Engineer, Executive Officer DONALD DRISCOLL

Form 15.

Permit No. 1124-3

Water Diversion No. 3 MISSOURI RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the City of Pierre sub

the holder of
Permit No. 1124-3, issued upon Application No. 1124-3, bearing date of priority of August 18,
1964 authorizing the diversion of 2.47 cu. ft. per second of the waters of
the Missouri River County of Hughes, State of South Dakota at
a point South 48° 15' East, 1045 feet from the W½ Corner, Section 11,
T110N, R79W

for irrigation

purposes, has 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 2.2 cu. ft. per second of water.

Date August 1, 1973

~~MISSOURI RIVER WATER RIGHTS COMMISSION~~
WATER RIGHTS COMMISSION

Sy:

DONALD DRISCOLL, Chief Engineer

on or before
(First Publication August 24, 1964)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., August 18, 1964

Notice is hereby given that the Pierre Country Club whose postoffice address is Pierre 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 2.47 cubic feet of water per second of time from the Missouri River through the Pierre Country Club Diversion, the point of diversion of which is to be located on the left bank of said stream in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 11 Twp. 110N Range 79W portions of said water to be used for the purpose of providing irrigation on the following described land:

E $\frac{1}{2}$ W $\frac{1}{2}$, W $\frac{1}{2}$ E $\frac{1}{2}$, Section 11, T110N, R79W

~~xxxxxx~~

~~xxxxxx~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 16th day of September, 1964, 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:

CC: R. B. Hipple, Publisher
Daily Capital Journal
Pierre, S. Dak.

BURTON F. JONES
WaterRight Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County HUGHES } ss.

J. H. HIPPLE being duly sworn, deposes and says the annexed printed copy of Notice of Intention to appropriate Water was taken from the DAILY CAPITAL JOURNAL 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 PIERRE County of HUGHES and State of South Dakota; that the said notice was published in said newspaper on the following dates:

Aug. 20, 27 and Sept. 3, 10-1964

in each and every issue of the full number thereof, the first publication being made on the 20 day of Aug. 1964 and the last publication on the 10 day of Sept. 1964, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was Business Mgr. the printer and publisher of the said newspaper.

John H. Hippel

Subscribed and sworn to before me this 10 day of Sept. A. D. 1964

Notarial Commission of
 Sarah Gordon
 Expires March 28, 1968

Notary Public HUGHES County, S. D.

No. 10763
 Filed daily, Aug. 20-27, Sept. 3-10
 No. 1121-3
 APPROPRIATION OF WATER
 Office of State Water Resources
 Commission, Pierre, S. Dak., Aug-
 ust 15, 1964.
 Notice is hereby given that the
 Pierre Country Club, whose postoff-
 ice address is Pierre, 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
 2.47 cubic feet of water per second
 of time from the Missouri River
 through the Pierre Country Club
 Diversion, the point of diversion of
 which is to be located on the left
 bank of said stream in the SW 1/4 of
 the SW 1/4 of Section 11 Twp. 150N
 Range 79W. Said water to be used
 for the purpose of providing irriga-
 tion on portions of the following
 described land:
 E1/2 W1/2, W1/2 E1/2, Section 11,
 T150N, R79W.
 This application will be taken up
 by the State Water Resources Com-
 mission at their office at Pierre for
 consideration upon the 16th day of
 September, 1964, at 2 P.M. All in-
 terested persons may appear and be
 heard.
 Appropriate action will be taken
 by the Water Resources Commis-
 sion 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

RECEIVED

STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

COPY

for

E. F. Norman

ARTICLES OF INCORPORATION

OF

PIERRE COUNTRY CLUB OF PIERRE, SOUTH DAKOTA

Know All Men By These Presents:

That we, the undersigned H. I. Lawrence, A. E. Beaumont, A. C. Bernau, H. M. Straitz,
H. C. Quackenbush, J. J. Murphy and W. N. Van Camp, all of Pierre, South Dakota,
and residents of the State of South Dakota,

for ourselves, our associates and successors, have associated ourselves together for the purpose of forming a corporation under and by virtue of the statutes and laws of the State of South Dakota, and we do hereby certify and declare as follows, viz:

FIRST

The name of this corporation shall be Pierre Country Club of Pierre, South Dakota

SECOND

The purpose for which this organization is formed are to encourage, foster and promote outdoor activities and forms of recreation, such as the playing of golf, tennis, base ball, shooting, boating, and such other activities and kinds of amusement and entertainment as will contribute to social, physical, mental and moral welfare and well-being of the members of such club and of other residents of the community in which its activities shall be carried on, wholly without purpose or expectation of financial profit or gain to this organization, to any of its members or to anyone else whomsoever; to acquire by purchase or donation and to own, pledge, mortgage, use, enjoy, sell and convey such real or personal property as may be deemed necessary or appropriate in carrying out any of the purposes hereinbefore enumerated; to secure by lease or other permission rights to the use and enjoyment of real or personal property; and to do all things necessary, appropriate or essential in accomplishing the main purposes of the organization, not inconsistent with the powers of private corporations or the laws of this state.

This Club is organized and is to be operated exclusively for pleasure, recreation, and other non-profitable purposes, and no part of the net income shall inure to the benefit of any private stockholder or member.

THIRD

The place where the principal business of this Corporation shall be transacted is.....

Pierre

in the County of Hughes

State of South Dakota, but a business office may be located at.....

.....where meetings of the directors and stockholders may be held for the transaction of business.

FOURTH

The term for which this Corporation shall exist shall be twenty-five (25) years.

FIFTH

The number of directors of this Corporation shall be seven and the names and residences of such who are to serve until the election of their successors are as follows:

NAMES

RESIDENCES

I. Lawrence

Pierre, South Dakota

A. E. Beaumont

Pierre, South Dakota

A. C. Bernau

Pierre, South Dakota

H. N. Straight

Pierre, South Dakota

H. C. Quackenbush

Pierre, South Dakota

J. J. Murphy

Pierre, South Dakota

W. N. Van Camp

Pierre, South Dakota

SIXTH

The amount of Capital Stock of this Corporation shall be and is.....

Five Thousand

DOLLARS

Divided into two hundred shares

of the par value of twenty-five DOLLARS each, fully paid and nonassessable.

SEVENTH

The resident agent of this Corporation upon whom service of process may be made, shall be..... of....., South Dakota, and service upon him shall be taken and held as due and personal service upon this Corporation.

NOTE: (The above article applies only to Corporations of this State not doing or carrying on business within this State.)

No stockholder shall be liable for the debts of the Corporation in any amount greater than his unpaid subscription.

IN TESTIMONY WHEREOF, We have hereunto set our hands this 12th day of April, 1921.

H. I. Lawrence

A. E. Beaumont

A. C. Bernau

H. N. Straight

H. C. Quackenbush

J. J. Murphy

W. N. Van Camp

STATE OF SOUTH DAKOTA }
County of Hughes } ss.

BE IT REMEMBERED, That on this 12th day of April
A. D. 1921, before the undersigned personally appeared the above named
H. I. Lawrence, A. E. Beaumont, A. C. Echnan, H. W. Straight, S. C. Quackenbush,
J. J. Murphy and W. N. Van Camp

well and personally known to me to be the same persons described in and who executed the foregoing instrument and severally acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at said County the day and year last above written.

Notarial Seal.

Evangelina Beacon

Notary Public.

STATE OF SOUTH DAKOTA }
County of Hughes } ss.

BE IT REMEMBERED, That on this _____ day of _____
A. D. 19____, before the undersigned personally appeared the above named _____

well and personally known to me to be the same person described in and who executed the foregoing instrument and severally acknowledged to me that he executed the same,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at said County the day and year last above written.

Notarial Seal.

Notary Public.

STATE OF SOUTH DAKOTA }
County of Hughes } ss.

H. I. Lawrence and J. J. Murphy

BEING DULY SWORN, each for himself deposes and says: That he is one of the persons described in and who signed the foregoing Articles of Incorporation as an incorporator therein; that he has read said Articles and knows the contents thereof; that the incorporators intend in good faith to form a corporation for the purpose of the promotion of a lawful business as set forth in said articles and not for the purpose of enabling any corporation or corporations to avoid the provisions of ^{Sections 4352 to 4364, inclusive, Revised Code of 1919} Chapter 13.18 ^{South Dakota Code of 1939} relating to unlawful trusts and combinations, and laws amendatory thereto.

H. I. Lawrence

J. J. Murphy

Subscribed and sworn to before me this _____

12 day of April, A. D., 1921

Notarial Seal.

Evangelina Beacon

Notary Public.

Receipt No. _____

File No. _____ Box No. _____

ARTICLES OF INCORPORATION

of the

Pierre Country Club of

Pierre, South Dakota

Main Office Pierre, S. D.

Capital Stock, \$ 5,000.00

STATE OF SOUTH DAKOTA ss.

Office of Secretary of State

I hereby certify that the within instrument was filed for record on the

12th day of April

A.D., 1921, at 10 o'clock A. M.,

and recorded in Vol. 107 on Page

175 Record Domestic Corporations of this office.

C. A. WEBBART
Secretary of State.

By Assistant Secretary of State.

Fee Received \$ _____

DEPARTMENT OF THE ARMY
EASEMENT FOR RIGHT OF WAY
IRRIGATION PIPE LINE

1124-3
No. DA-23-056-CIVENS-65-1078

ON BIG BEND DAM AND JAKE CHARPE PROJECT, SOUTH DAKOTA

THE SECRETARY OF THE ARMY, under and by virtue of the authority vested in him by Title 16, United States Code, Section 2559, hereby grants to THE PIERRE COUNTRY CLUB, a corporation organized and existing under and by virtue of the laws of the State of South Dakota with principal office at Pierre, South Dakota, hereinafter designated as the grantee, for a period coextensive with the terms of the water right from the date hereof, an easement for a right of way for an irrigation water pipe line, hereinafter designated as "said line", over, across, in, and upon land under the control of the Secretary of the Army at the location shown in red on Exhibit "A", attached hereto and made a part hereof, and described as follows:

A tract of land situate in Section 11, Township 110 North, Range 79 West of the Fifth Principal Meridian, Hughes County, State of South Dakota, containing 2.05 acres, more or less, more particularly described as follows, to wit: Commencing at a point on the South line of the North 660.00 feet of Lot 2 of said section, said point being 77.00 feet East of the West line of said Lot 2; thence South along a line parallel with and 77.00 feet East of the West line of said Lot 2, and said West line extended, a distance of approximately 1,350 feet to the present left bank line of the Missouri River; thence westerly along said bank line to a point, said point being 143 feet East of said extended West line of said Lot 2; thence North along a line parallel with and 143 feet East of said West line of said Lot 2 and said West line extended, to said South line of the North 660.00 feet of said lot 2; thence West along the aforesaid South line to the point of beginning.

THIS EASEMENT is granted subject to the following conditions:

1. The grantee shall pay to the United States compensation in the amount of One Hundred Fifty and no/100 dollars (\$150.00), payable lump sum in advance. Compensation shall be made payable to the Treasurer of the United States and forwarded by the grantee to the District Engineer, U. S. Army Engineer District, 6912 U. S. Post Office and Court House, Omaha, Nebraska.
2. The installation and/or operation and maintenance of said line shall be accomplished without cost or expense to the United States under the general supervision and subject to the approval of the officer having

immediate jurisdiction over the property, hereinafter designated as "said officer", and in such manner as not to endanger personnel or property of the United States on the said United States land or obstruct travel on any road thereon. The grantee shall have the right of ingress and egress for such purposes.

3. The use and occupation of said land incident to the exercise of the privileges hereby granted shall be subject to such rules and regulations as the said officer may from time to time prescribe.

4. The grantee shall supervise the said line and cause it to be inspected at reasonable intervals, and shall immediately repair any leaks or defects found therein as a result of such inspection, or when requested by said officer to repair any defects. Upon completion of the installation of said line and the making of any repairs thereto, the premises shall be restored immediately by the grantee, at the grantee's own expense, to the same condition as that in which they existed prior to the commencement of such work, to the satisfaction of the said officer.

5. Any property of the United States damaged or destroyed by the grantee incident to the use and occupation of the said premises, shall be promptly repaired or replaced by the grantee to the satisfaction of the said officer or in lieu of such repair or replacement the grantee shall, if so required by the said officer, pay to the United States money in an amount sufficient to compensate for the loss sustained by the United States by reason of damages to or destruction of Government property; provided, however, the grantee shall have the right to use in place an existing but abandoned north-south irrigation dike, including right to alter the same as necessary in connection with exercise of this easement and right of way, without responsibility for repair, replacement or payment in lieu of repair or replacement.

6. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the use and occupation of the said premises, nor for damages to the property of the grantee, nor for damages to the property or injuries to the person of the grantee's officers, agents, servants, or employees, or others who may be on said premises at their invitation or the invitation of any one of them, arising from or incident to governmental activities, and the grantee shall hold the United States harmless from any and all such claims.

7. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the construction, maintenance and use of said line.

8. That the grantee shall furnish through said line such service as may be required from time to time for governmental purposes on said land, provided that payment for such service will be made by the United States

at rates which shall be mutually agreeable but which shall never exceed the most favorable rates granted by the grantee for similar service.

9. That it is understood that this instrument is effective only insofar as the rights of the United States in the said property are concerned; and that the grantee shall obtain such permission as may be necessary on account of any other existing rights.

10. In the event all or any portion of said land occupied by said line shall be needed by the United States, or in the event the existence of said line shall be considered detrimental to governmental activities, the grantee shall, from time to time, upon notice so to do, and as often as so notified, remove said line and related facilities to such other location or locations on said land as may be designated by said officer, or the grantee shall reconstruct said line underground on said land without expense to the United States, as may be directed by said officer, and, in the event said line shall not be removed or relocated within ninety (90) days after any aforesaid notice, the United States may cause the same to be done at the expense of the grantee; provided, however, that if directed to reconstruct its line underground the grantee may, at its option, in lieu of taking such action, wholly remove its line from lands of the United States as described herein, at which time the right granted herein shall cease but the restoration obligation set forth in Condition No. 13 hereof shall remain.

11. This easement may be terminated by the Secretary of the Army upon reasonable notice to the grantee if the Secretary of the Army shall determine that the right of way hereby granted interferes with the use or disposal of the said land or any part thereof by the United States, or it may be terminated by the Secretary of the Army for failure, neglect, or refusal by the grantee fully and promptly to comply with any and all of the conditions of this grant, or for nonuse for a period of two years, or for abandonment.

12. Upon the expiration or termination of this grant, the grantee shall, without expense to the United States, and within such time as the Secretary of the Army may indicate, remove said line from said land and restore the premises hereby authorized to be used and occupied to a condition satisfactory to the said officer. In the event the grantee shall fail, neglect, or refuse to remove the said line and to restore the premises, the United States shall have the option either to take over the said line as the property of the United States without compensation therefor, or to remove the said line and perform the restoration work as aforesaid at the expense of the grantee, and in no event shall the grantee have any claim for damages against the United States or its officers or agents on account of the taking over of said line or on account of its removal.

13. That this easement and right of way for a water pipe line is granted for the exercise of established water rights. It is understood and agreed that no right to use water from the reservoir is created by this grant.

14. The conditions of this instrument shall extend to and be binding upon and shall inure to the benefit of the heirs, representatives, successors, and assigns of the grantee.

15. THE UNITED STATES reserves to itself the right to construct, use, and maintain across, over, and/or under the right of way hereby granted, electric transmission, telephone, water, gas, gasoline, oil and sewer lines, and other facilities, in such manner as not to create any unreasonable interference with the use of the right of way herein granted.

16. That the United States reserves to itself the right to flood the premises when and as required.

This easement is not subject to Title 10, United States Code, Section 2662.

IN WITNESS WHEREOF I have hereunto set my hand this 2nd day of April, 1969.

/s/ Dale Kent

DALE KENT
Chief, Real Estate Division
U. S. Army Engineer District, Omaha

STATEMENT AND CERTIFICATE OF AWARD

No. DA-25-056-CIVENG-65-
1078

Date 2 April 1955

Army

(Department or establishment)

U. S. Army Engineer District

(Division or office)

Omaha, Nebraska

(Location)

METHOD OF OR ABSENCE OF ADVERTISING

METHOD OF ADVERTISING

1. By advertising in newspapers. Yes ☐ No ☐
2. (a) By advertising in circular letters sent to dealers.
(b) And by notices posted in public places. Yes ☐ No ☐

(If notices were not posted in addition to advertising by circular letters sent to dealers, explanation of such omission must be made below.)

ABSENCE OF ADVERTISING

Without advertising in accordance with *See below.

(Cite law pursuant to which contract was negotiated and the applicable section and paragraph thereof. If contract was negotiated under a public exigency which would not admit of the delay incident to advertising, or because of it being impracticable to secure competition, state below or on the reverse hereof, the circumstances requiring negotiation.)

AWARD OF CONTRACT

- | | | |
|--|------------------------------|-----------------------------|
| A. To lowest bidder as to price (Expenditures) | Yes ☐ | No ☐ |
| B. To highest bidder as to price (Receipts) | Yes ☐ | No ☐ |

CERTIFICATE

I CERTIFY that the foregoing statement is true and correct; that the written findings required by law to be submitted with the contract in case of negotiation, upon a determination by the agency head or other authorized official that such method of contracting is necessary, are attached thereto; that the total number of bids received is and that where lower bids (expenditure contracts) or higher bids (receipt contracts) as to price were received, a statement of reasons for their rejection, together with an abstract of bids received, including all lower than that accepted in case of expenditure contracts and all higher in case of receipt contracts, is given below or on the reverse hereof or on a separate sheet attached hereto; that the articles or services covered by the agreement (expenditure) are necessary for the public service; and that the prices charged are just and reasonable.

The Pierre Country Club
Pierre, South Dakota

Big Bend Dam and Lake Sharpe Project,
South Dakota

Easement.

Term: Coextensive with term of water right.

Consideration: \$150.00 for term.

*Competition not required. District Engineer authorized to execute by Unclassified message ENGREG-EC No. 2895, subject: Authorization to the Chief of Engineers to Execute Easements, dated 15 May 1964.

Chief, Real Estate Division
U.S. Army Engineer District, Omaha
(Title)

DALE KENT
DALE KENT (signature of contracting officer)

Note: This statement and certificate will be used to support all agreements, both formal contracts and less formal agreements of whatever character, involving the expenditure or receipt of public funds. It must be executed and signed by the contracting officer (unless the award is made by him) and is subject to approval by an officer other than the contracting officer, when execution and signature may be made by such officer.

DEPARTMENT OF THE ARMY
Omaha District, Corps of Engineers
6012 U. S. Post Office and Court House
Omaha, Nebraska 68102

MROVM
Missouri River Mile 1061.9
(1960 Mileage)

8 March 1966

NOTICE OF PERMIT PENDING

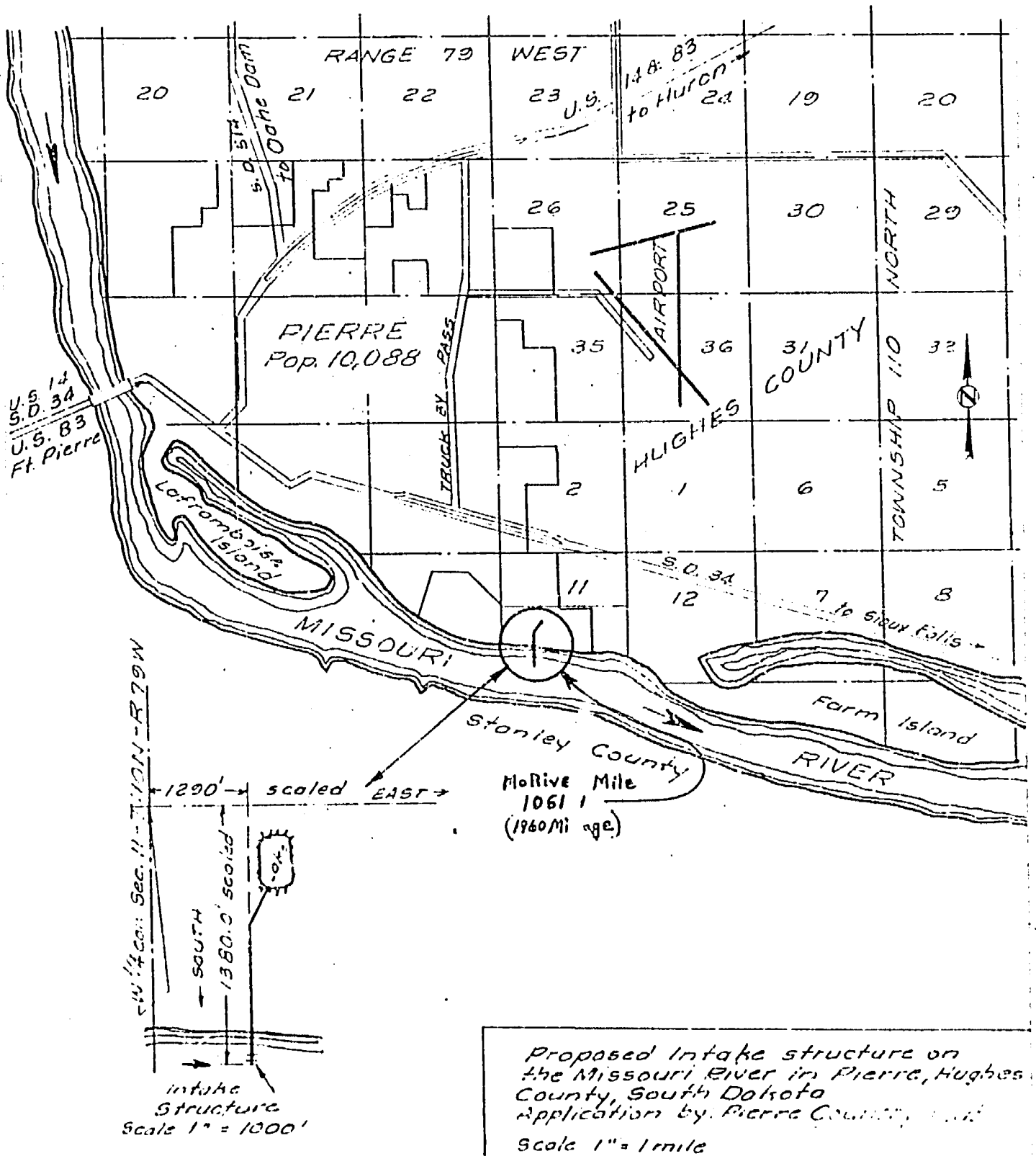
The application of the Pierre Country Club, Pierre, South Dakota for approval of plans and issuance of a permit under authority of the Secretary of the Army is being considered by the District Engineer, U. S. Army Engineer District, Omaha, Corps of Engineers. The applicant requests permission to construct and maintain a water intake structure. The structure is to be on the left bank of the Missouri River at approximate Mile 1061.9 (1960 mileage) above the mouth, at Pierre, South Dakota.

According to the submitted plans, the structure is to consist of a 230 foot long intake pipe. The pipe is to be 24 inch diameter 14 gage corrugated metal, with the intake end supported by four 6" x 20' timber pilings. The invert elevation of the intake is to be 1411.0 feet M.S.L. The elevation of the top of the pilings is to be 1415.3 feet M.S.L. and is to be marked with buoys in accordance with Coast Guard regulations. All elevations refer to Mean Sea Level (U.S.C. & G.S. determination 1929).

Any interested party (particularly navigation interests or the officials of any town, city, county, state or local association whose interests may be affected by the proposed work) is invited to submit to this office written facts, arguments or objections on or before 31 March 1966. These statements should bear upon the suitability of the location and adequacy of the plans as they relate to navigation and flood control; however, information on aspects of the problem other than navigation will be accepted and will be made a part of the record on the application.

Drawings showing the location of the proposed water intake structure have been reproduced and are attached to this Notice. Plans are on file and may be seen in the office of the District Engineer, U. S. Army Engineer District, Omaha, Corps of Engineers, Room 6413, U. S. Post Office and Court House, 215 North 17th Street, Omaha, Nebraska.

Harold J. St. Clair
HAROLD J. ST. CLAIR
Colonel, Corps of Engineers
District Engineer



Permit No. 1124-3
 Water Division 3 MISSOURI RIVER Water District

REPORT OF EXAMINATION OF WORKS
 AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by the Pierre Elks
Country Club of Pierre, South Dakota holder _____
 of Permit No. 1124-3, bearing date of priority of August 18, 1964
 authorizing the diversion of 2.47 cu. ft. per second of the waters of Missouri River
 for golf course irrigation purposes, in Hughes County.

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

The Water Use System consists of,

A. Works used to divert the water:
 River pump - Gorman Rupp, 4" x 6" Mod. 84B2B with Century Electric motor 7½ H.P. Type S.O.
 Lagoon pumps:
 Two centrifugal pumps 2" x 3" each powered by Century Electric motors, 20 H.P.
 Code F.

B. Works used to transport water to place of use,
 Buried underground mains and laterals
 Storage Lagoon, approximate size, 1½ acres by 2 feet deep

C. Works used to apply water to beneficial use.
 Nine 50 g.p.m. sprinklers
 Eighteen 30 g.p.m. sprinklers

The system is in the following condition: very good

The point of diversion is located South 48° 15' East, 1845 ft. from the west ½ Corner of
Section 11, T110N, R79W

The works are capable of diverting and conveying to the place of use 2.2
 cu. ft. per second of water which is to be used for golf course irrigation

Water has been put to beneficial use to the maximum extent as follows: portions of W½ E½ and
E½ W½ of Section 11, T110N, R79W as shown on Water Right Map No. 757-3

comprising a total of 173 acres of land.

Send letter of notification to:

Mr. Larry Bonrud, Secretary, Elks Lodge, Pierre, South Dakota 57501

Date June 15, 1973

Donald Driscoll
 (Signature)

DONALD DRISCOLL, Deputy Chief Engineer, W.R.C.



Edw. H. Clark
1124-3

DEPARTMENT OF THE ARMY
OMAHA DISTRICT, CORPS OF ENGINEERS
6014 U.S. POST OFFICE AND COURT HOUSE
OMAHA, NEBRASKA 68102

31 May 1974

MROOP-N
The City of Pierre
Missouri River Mile 1061.9 (1960 Mileage)
Water Intake Structure

NOTICE OF PERMIT PENDING

The application of the City of Pierre, 222 East Dakota Avenue, Pierre, South Dakota 57501, for approval of plans and issuance of a permit under authority of the Secretary of the Army is being considered by the District Engineer, Omaha District, Corps of Engineers. The applicant requests permission to construct and maintain a Water Intake Structure on the left bank of the Missouri River (Lake Sharpe) approximately river mile 1061.9 (1960 mileage). The work is to consist of constructing a dike 230'x20' wide at the base, 8' wide at the top, and approximately 2' high to provide solid ground through a short stretch of marsh for a pump and pipe. The pipe is to replace the one previously used to irrigate the city golf course and now clogged with dirt. The dike is to be constructed of fresh dirt hauled into place from residential building excavations.

An environmental assessment has been made and it has been determined that no significant adverse impact will occur. Accordingly, an environmental impact statement is not necessary.

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetic, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use classification, navigation, recreation, water supply, water quality and, in general, the needs and welfare of the people. No permit will be granted unless its issuance is found to be in the public interest.

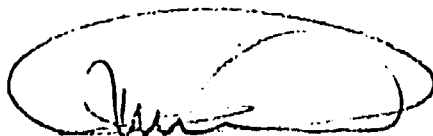
Any interested party (particularly officials of any town, city, county, state, federal agency, or local association whose interests may be affected by the proposed work) is invited to submit to this office written facts, arguments, or objections on or before 1 July 1974. Any agency or individual having an objection to the work should specifically identify it as an objection with clear and specific reasons.

A permit, if granted, will be under Section 10 of the River and Harbor Act of 1899 (33 U.S.C. 403).

A drawing showing the location and extent of the work is attached to this notice.

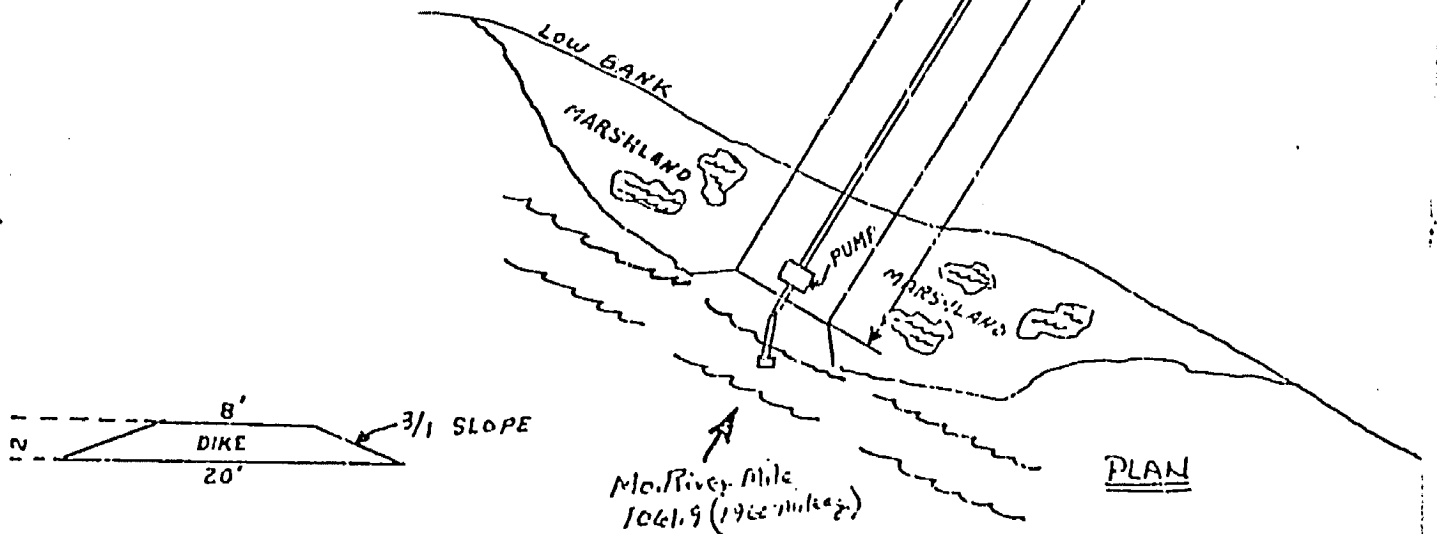
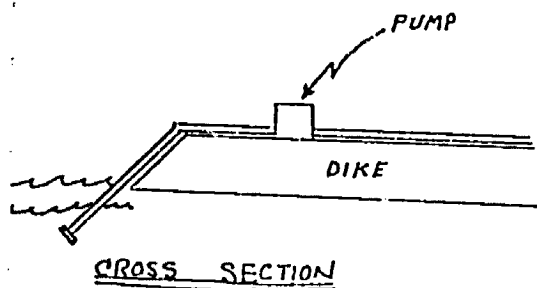
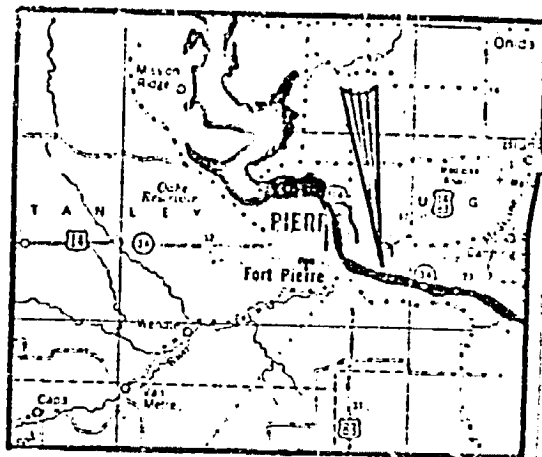
FOR THE DISTRICT ENGINEER:

1 Attachment
As stated

A handwritten signature in dark ink, appearing to read 'Lee W. Tucker', enclosed within a large, hand-drawn oval.

LEE W. TUCKER
LTC, Corps of Engineers
Deputy District Engineer

PROPOSED DIKE & PUMP LINE FOR MUNICIPAL GOLF COURSE. SAME LOCATION AS OLD ELKS CLUB LINE



Proposed Water Intake
Near Pierre, South Dakota
Application by City of Pierre

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
 Foss Building
 Pierre, SD 57501

Date: X August 22, 1978

This is to notify you that title to the lands described as follows:

portions of W $\frac{1}{2}$ E $\frac{1}{2}$ and E $\frac{1}{2}$ W $\frac{1}{2}$, Section 11-T110N-R79W

formerly owned by Pierre Country Club

has been transferred to the City of Pierre, Hillsvew Golf Course, Pierre, SD
 together with any rights to the beneficial use of water thereon as evidenced by
 Water Right Permit No. 1124-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Rights Commission as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
) ss.
 X County of Hughes)

I, Clint Gregory being first duly sworn on my oath despose and say:
 That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Clint Gregory
 (Signed)

Subscribed and sworn to before me this 22nd Day of August 1978.

Carol M. Puffcorn
 (Notary Public)



NOTARIAL COMMISSION OF
 CAROL M. PUFFCORN
 EXPIRES FEBRUARY 11, 1979

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

N2 4 6531

PIERRE, September 19, 1978

RECEIVED OF the City of Pierre

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)	
Fee for Inspecting Construction, and issuing Cert. of Construction No.	
Fee for Inspecting Beneficial Use, and issuing Water License No.	
Fee for issuing Location Certificate-Dry Draw, No.	
Fee for filing <u>transfer of MR # 1124-3</u>	2 50
Fee for certified copy of	
Fee for Print copy of map	
Fee for Certifying	
Fee for	
(any other work as provided by law)	
TOTAL	2 50

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

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