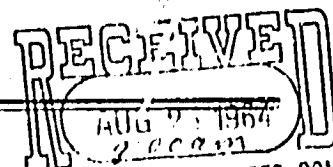


1126-3

1. Considered 11-4, 1964
2. Name of Applicant TEKAWILLA TUDIAL MISSION, INC.
3. Post Office Address SISSETON
4. Amount of Water Claimed 186 ACRE FEET, (TYPICAL FILL)
APPROX 75 AC.FT ANNUALLY
5. Source of water supply DRI/ DRAIN
6. Water to be used for RECREATION
Acres to be irrigated
7. Water to be diverted and used in ROBERTS County about
1/2 Miles 5 of SISSETON
8. Proof of Publication Received ✓
Not Received
9. Application Approved
Subject to
Not Approved
Action deferred
10. Remarks:

No. 1126-3Water Division No. 3 WHEATSTONE CREEK 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 TEKAKWITHA INDIAN MISSION, INC.
 Postoffice address SISSETON, County ROBERTS, State SOUTH DAKOTA
 YES

1. If a corporation

(a) Name of same TEKAKWITHA INDIAN MISSION, INC.(b) Date and place of Incorporation MAY 1, 1939 No. A 7008 PIERRE, S.D.(c) Amount of capital stock CHARITABLE ORGANIZATION

(d) Amount paid in

(e) Names and addresses of directors W. COOVERT OMI ST. PAUL, MINNESOTAREV. HENRY ENGELHARDT, SISSETON, SOUTH DAKOTAREV. JOHN J. POHLEN SEC.-TREAS. SISSETON, SOUTH DAKOTA

(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, \$ 10,000.00

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work RECREATION DAM3. Amount of water claimed DAM CAPACITY cubic feet per second4. Source of water supply SURFACE RUNOFF (2500 ACRES)5. Location of point of diversion SW 1/4 SECTION 33, TOWNSHIP 126 NORTH, RANGE51 WEST OF 5TH P.M. on bank ROBERTS County.6. Annual period or periods during which water is to be used RECREATION - 12 MONTH BASIS

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? NONE(a) Number of acres to be irrigated NONE acres.(b) List subdivisions to be irrigated NONE

(NOTE—A list of land 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.)

RECREATION AS SHOWN BELOW

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

(a) Nature of use FISH, WATERFOWL AND RECREATION FOR ORPHANAGE CHILDREN
Name any of the above uses claimed(b) Amount of power to be generated NONE horse power.Amount claimed for engine cooling NONE(c) Location of plant DOES NOT APPLY(d) Method of developing power DOES NOT APPLY(e) Point where water will be returned to stream BELOW DAM

MAP NO 758-3

8. Estimated cost of work: 12,000.00 (ESTIMATED)

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

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

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

Rock, \$-----

(e) Other structures ----- \$-----

Total, \$-----

9. Description of diversion works:

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

DAM, COMPLETE WITH LAWDOWN STRUCTURE

II. Dimensions of works.

(a) Dam: Height 20 feet; length at bottom 290 feet; length at top 570 feet; thickness at bottom 110 feet; thickness at top 12 feet; slope at front water face 3:1; slope at back face 2:1; material used in construction COMPACTED EARTH FILL

(b) Reservoir: Capacity when filled 186 acre feet. Surface area at highwater mark 24.2 acres.

DEPTH AT OUTLET-FEET	SURFACE AREA AT EACH DEPTH AT OUTLET-ACRES	ACRE-FEET CAPACITY
0	0	
5	2.5	6.25
10	6.5	29.75
15	15.7	86.00
20	24.2	186.00

SPILLWAY

(c)* Head gate: Width 75 feet; height 17 feet; Material COMPACTED EARTH FILL SPILLWAY

(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 30 DAYS years

11. Time required for complete application of water to the proposed beneficial use UNKNOWN years

12. Choice of newspaper for publication of notice of intention to appropriate NO PREFERENCE

STATE OF SOUTH DAKOTA

County of Roberts } ss.

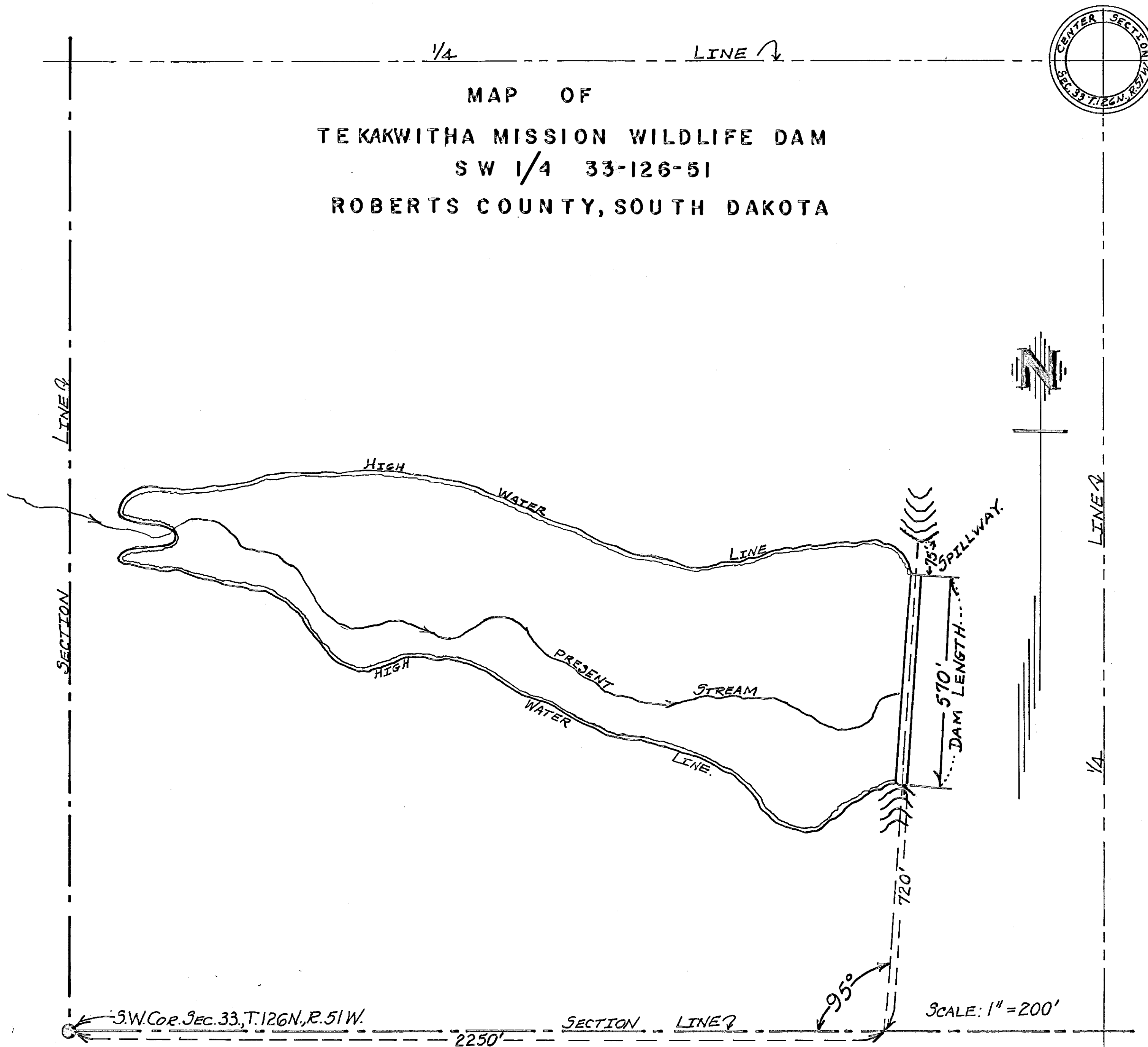
I, Rev. John J. Pohlen, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed Rev. John J. Pohlen, Day Thayer

Subscribed and sworn to before me this 22 day of August 1904

Notary Public (or other qualified officer.)

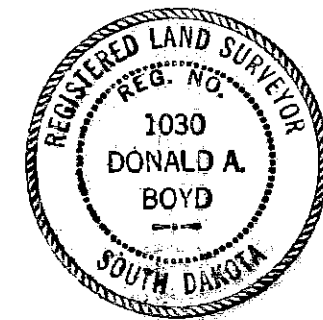
*Each diversion must have a headgate or measuring device.



SURVEYOR'S CERTIFICATE

I, DON A. BOYD, REGISTERED LAND SURVEYOR IN THE STATE OF SOUTH DAKOTA, HEREBY CERTIFY THAT I HAVE PREPARED THIS MAP OF THE "TEKAKWITHA WILDLIFE DAM" AT THE REQUEST OF THE OWNER, AND SAID MAP IS TRUE AND ACCURATE IN ALL RESPECTS.

DATE 18 AUG 1964 Don A. Boyd
S.D. REG. NO. 1030



ACKNOWLEDGEMENT

STATE OF SOUTH DAKOTA } ss
COUNTY OF BROWN }

ON THIS THE 18 DAY OF August, 1964, BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED DON A. BOYD, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THIS INSTRUMENT, AND WHO ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

MY COMMISSION EXPIRES:
October 4, 1965

Rm Ruana
NOTARY PUBLIC

MAP NO 758-3
(APPL NO 1126-3)

Remarks by State Water Resources Commission:

THIS PERMIT AUTHORIZES ~~THE~~ DIVERSION OF
186 ACRE FEET OF STORAGE FOR INITIAL FILL OF
THE RESERVOIR, AND UP TO 75 ACRE FEET ANNUALLY
TO MAINTAIN THE LEVEL OF THE RESERVOIR

STATE OF SOUTH DAKOTA
County of HUGHES ss.

Pierre, South Dakota, NOVEMBER 5, 1964

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
a.m. upon the 25TH day of AUGUST, 1964

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Number of permit 1126-3

Date of first receipt of application AUGUST 25, 1964

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 a right AUGUST 25, 1964

Approved NOVEMBER, 1964, Recorded in Book 8 Page 269

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 _____

NOVEMBER 19, 1964

2nd. The whole of said work is to be completed on or before DECEMBER 1, 1964

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

November 4, 1965

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

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 75 ACRE FEET ANNUALLY cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually

USED FOR RECREATION,

and beneficially applied for irrigation on or before NOVEMBER 4, 1965; said water to be used during the following described annual period:

continuously
Witness my hand this 5TH day of NOVEMBER, 1964

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued AUGUST 13, 1965

Water License Issued AUGUST 13, 1965

STATE OF SOUTH DAKOTA

WATER LICENSE No. 1126-3

WHEREAS, On the 25th day of August 64
the Telakwitha Indian Mission, Inc.

of Fisseton County of Roberts and State of
South Dakota duly made application (No. 1126-3) to us for a permit to use 75 acre feet
annually
~~conveyance~~ of the waters of a dry draw
County of Roberts, State of South Dakota, for recreation
purposes; and

WHEREAS, On the 5th day of November 64
Permit No. 1126-3 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 4th day of
December 64 and for the application to beneficial use of said
water on or before the 4th day of November 65
and,

WHEREAS, On the 5th day of August 65
the holder of said permit duly made proof of the completion of adequate works for the diversion of 75 acre feet
annually
~~conveyance~~ of said waters, as evidenced by our Certificate No. 1126-3
dated August 13, 1965 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 75 acre feet annually
~~conveyance~~ of water, with date of
priority of August 25, 1964 and,

WHEREAS, On the 5th day of August 65
proof was duly made of the application to beneficial use of 75 acre feet annually
~~conveyance~~ of said water;
to be used for recreation purposes

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 Tekakwitha Indian Mission, Inc.

of Siasseton the holder and owner of said permit No 1126.3

a water right, dating from August 25, 1965 to the use of 75 acre feet
annually

~~xxxxxx~~ of the waters of a dry draw

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

necessary for the purposes hereinbelow mentioned, to be diverted at a point E 2250' from the SW
corner, Section 33, T126N, R51W, thence N5°E 720'

and ~~xxxxxx~~ stored in place

for the purpose of recreation

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 13th day of August A. D. Nineteen
Hundred and Sixty-Five

State Water Resources Commission
By: J. W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. -----

To -----

Source of Supply -----

County -----

Am't ----- c. f. s.

Point of Diversion -----

Place of Use -----

Purpose -----

Date of Priority -----

Recorded -----

in Book ----- of ----- Page -----

Permit No. 1126-3Water Division No. 3 Whetstone Creek Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That the Tekakwitha Indian Mission, Inc.

of Sisnaton, County of Roberts, and State of South Dakota, the holder of Permit No. 1126-3, issued upon Application No. 1126-3, bearing date of priority of August 25, 1964, authorizing the ~~XXXXXX~~ storage of 75 acre feet annually ~~XXXXXX~~ of the waters of a dry draw County of Roberts, State of South Dakota, at a pt. at E 2250' from the SW corner, Section 33, T126N, R51W, thence N 5° E 720'

for recreation purposes, has S 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 75 acre feet annually ~~XXXXXX~~ ~~XXXXXX~~ of water; and that the ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ use of said water are described as follows, to-wit: to be used for recreation purposes.

Witness my hand this 13th day of August A. D. 1965

State Water Resources Commission

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

on or before
(First Publication) October 8, 1964

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., September 16, 1964

Notice is hereby given that the Tekakwitha Indian Mission, Inc., whose postoffice address is Sisseton 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 19 acre feet of water from the dry draw through the Tekakwitha Recreation Dam, the point of diversion of which is to be located on the both bank of said stream in the SE 1/4 of the SW 1/4 of Section 33 Twp. 136N Range 51W stored. Said water to be used for the purpose of providing irrigation on the land for recreation and fish and wildlife benefits.

and for purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 4th day of November, 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.

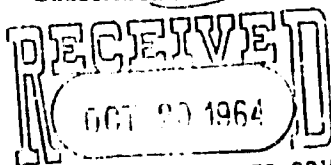
State Water Resources Commission

By:

BURTON F. JONES
Water Right Specialist

CC: Mr. John A. Adams, Publisher,
Sisseton Courier
Sisseton, S. Dak.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Roberts } ss.Jack Adams being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____Sisseton Courier 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 Sisseton County of Roberts and State of South Dakota; that the said notice was published in said newspaper on the following dates:September 24, 1964October 1, 1964October 8, 1964October 15, 1964in each and every issue of the full number thereof, the first publication being made on the 24 day of Sept1964 and the last publication on the 15 day ofOctober 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 editor the printer and publisher of the said newspaper.Subscribed and sworn to before me this 15 day of October A. D. 1964STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTAGrace M. AdamsNotary Public Roberts County, S. D.APPROPRIATION OF WATER
Office of State Water
Resources Commission,
Pierre, South Dakota,
September 16, 1964.

Notice is hereby given that the Tekakwitha Indian Mission, Inc., whose postoffice address is Sisseton, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 186 acre feet of water from a dry draw through the Tekakwitha Dam, the point of diversion of which is to be located both banks of said stream in the SE 1/4 of the SW 1/4 of Section 33, Twp. 128N, Range 51W. Said water to be stored for the purpose of providing fish and wildlife benefits.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 4th day of November, 1964, at 2 p. m. All interested persons may appear and be heard.

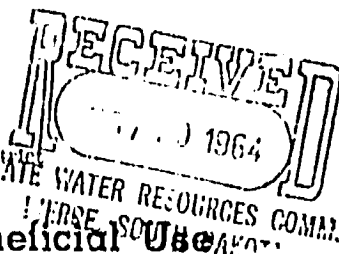
Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission,
By: Burton F. Jones,
Water Right Specialist.
(Sept. 24-Oct. 15-4w)

Permit No. 1126-3

Water Division No. _____

Water District _____



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.) Sisseton, S. Dak.(Date) Nov. 16, 1964

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 186 acre feet ~~cubic feet~~ of the waters of _____
 _____ in accordance with the terms and conditions of Permit No. 1126-3
 heretofore issued by the Water Resources Commission of South Dakota.

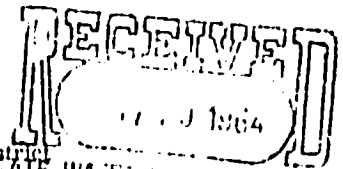
- The name and postoffice address of the person or corporation holding said permit are _____
Tekakwitha Mission Sisseton, S. Dak.
- The use to which said water has been applied is _____
fish and wildlife
- The amount applied to beneficial use is entire amount for fish and wildlife
- The place where said water is used is (If for irrigation, give full and accurate description of the lands irrigated) no irrigation
- The name of the canal or ditch or other works by which said water is conducted to such place of use is surface runoff
- The right to take the water from such works is based upon permit No. _____
- The source of supply from which such water is diverted is _____
- The date of priority which said user is prepared to establish is _____

(Sign) R. J. Miller
 Secy. Treas.

Permit No. 1126-3

Water Division No. _____

Water District _____

STATE WATER RESOURCES COM.
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 work.

(P. O.) Sisseton, S. Dak.(Date) Nov. 16, 1964

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 186 acre feet ~~from the waters of the state~~ of the waters of the state from surface runoff (2500 acres) through the surface runoff (2500 acres) for fish and wildlife 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 Tekakwitha Indian Mission Inc.
2. The postoffice address of such person or the place of business of such corporation is Sisseton County of Roberts State of South Dakota
3. The number of such permit is 1126-3 and the date set for the completion of such work is December 4, 1964
4. Said water to be used for wildlife 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 186 acre feet ~~from the waters of the state~~.
6. The amount of land for which said water is available is _____ acres, particularly described as follows: S 24 SW 4 Section 33, Township 126 North Range 51 West of 5th P. M.

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

(Signature of Owners)

Rev. John J. Pihlen, Secy. Treas.

Permit No. 1126-3Water Division No. 3WhetstoneCreek, 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~~ 1965, I have ~~this day~~ made a thorough examination of the diversion works constructed by Takakwithe Indian Mission, Inc. of Sisseton Robert County, South Dakota, holder of Permit No. 1126-3, issued upon Application No. 11-423 bearing date of priority of August 26, 1965, authorizing the ~~diversion of~~ storage of 186 ~~cu. ft. per~~ sec. of the waters of surface runoff for recreation purposes. I have to report on the condition of the same as follows:

The diversion works comprise: Earth dam 270' long and maximum height
at 20' corrugated metal drop inlet and rubble type
flip rap with earth secondary spillway

and the system is in the following condition: In exact accordance with the
design plans.

The point of diversion is located in the S&P swiff section 33, T126N,
R 51 W. 57th P.M.

The works are capable of ~~diverting and conveying to the place of use~~ storage 186 sec.-ft. of water, which is to be used for recreation purposes

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 August, A. D. 1965.

--SEAL--

Donald D. Russell
Donald D. Russell Examining Engineer.
Deputy Chief Engineer
Water Resources Commission