

1954-3

1. Considered Jan 10, 1968
2. Name of Applicant Droper Helder
3. Post Office Address Canton
4. Amount of water claimed 3.4
5. Source of water supply Sioux River
6. Water to be used for Irrigation
Acres to be irrigated 240
7. Water to be diverted and used in Lincoln County
about 2N miles 2E of Canton.
8. Proof of Publication Received Dec 29
Not Received _____
9. Application Approved ✓
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 1454-3

Water Division No. 3 Big Sioux River District
(Blanks to be filled by the Engineer for the W. R. C.)RECEIVED
NOV 6 1967
8:30 AMSTATE WATER RESOURCES CO.
PIERRE, SOUTH DAKOTAAPPLICATION FOR PERMIT
To Appropriate Water within the State of South Dakota

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

1. Name of applicant Draper Helder
Postoffice address R R CANTON, County Lincoln, State S. D. K.

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)

Contract

(b) Cash on hand, \$ _____

(c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____

(e) Other resources, \$ _____

2. Name of diversion work HELDER RIVER DIVERSION3. Amount of water claimed 1543 CFS cubic feet per second 244. Source of water supply Sioux River5. Location of point of diversion NE⁴NW⁴ Sec 8 T. 98N R. 48WNW⁴SE⁴ Sec 5 T. 98N R. 48W on west bank Sioux River Lincoln county.6. Annual period or periods during which water is to be used April till October

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Overhead sprinkler(a) Number of acres to be irrigated 240 acres.(b) Legal subdivisions to be irrigated NE⁴NW⁴ Sec 8 T. 98N R. 48W NW⁴SE⁴ Sec 5 T. 98N R. 48W

(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 _____

SEE MAP NO 1049-3

8. Estimated cost of work:

(a) Head Gates, \$..... (b) Pumping plant, \$.....
 (c) Fluming, \$..... (d) Canal-earth, \$..... Rock, \$.....
 (e) Other structures \$..... Total \$.....

9. Description of diversion works:

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

II. Dimensions of works.

(a) Dam: Height.....feet; length at bottom feet; length at topfeet; thickness at bottomfeet; thickness at topfeet; slope at front water face; slope at back facematerial used in construction
 (b) Reservoir: Capacity when filledacre feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET—ACRES	FEET	ACRE-Feet CAPACITY

(c)* Head gate: Width.....feet; heightfeet;
 Material
 (d) Canal: Total lengthmiles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet
At Mile	 feet	 feet	 feet	 feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work5.....years.
 11. Time required for complete application of water to the proposed beneficial use5.....years.
 12. Choice of newspaper for publication of notice of intention to appropriate Sully Valley News
Centerville, S. Dak.

STATE OF SOUTH DAKOTA

County of Lincoln

I, E. O. Anderson Proprietor, 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.

Subscribed and sworn to before me this

3rd

day of

March

1867

E. O. Anderson
 Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Remarks by State Water Resources Commission:

LANDS COVERED UNDER THIS PERMIT ARE ALSO COVERED UNDER PERMIT 1443-3. THE DIVERSION RATE UNDER THE TWO PERMITS SHALL NOT EXCEED THE STATUTORY LIMIT OF ONE CFS FOR EACH 70 ACRES IRRIGATED.

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, JANUARY 24, 1968

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock
a.m. upon the 6TH day of NOVEMBER, 1967,

State Water Resources Commission
By: Austin Jones
for Chief Engineer, Executive Officer

Number of permit 1454-3

Date of first receipt of application NOVEMBER 6, 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 NOVEMBER 6, 1967

App JANUARY 10, 1968 Recorded in Book 10 Page 58

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 JULY 10, 1970
- 2nd. The whole of said work is to be completed on or before JANUARY 10, 1973
- 3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is JANUARY 10, 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 3.4 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 JANUARY 10, 1973 said water to be used during the following described annual period:

APRIL THRU OCTOBER
24TH day of JANUARY, 1968

Witness my hand this

State Water Resources Commission

By: William J. Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued DECEMBER 15, 1970

Water License Issued DECEMBER 15, 1970

Form 15.

Permit No. 1454-3

Water Diversion No. 3 BIG SIOUX RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Dreper Helder

_____ the holder _____ of
Permit No. 1454-3, issued upon Application No. 1454-3, bearing date of priority of November 6,
1967 authorizing the diversion of 3.4 cu. ft. per second of the waters of _____
the Big Sioux River County of Lincoln, State of South Dakota at _____
a point 420 feet South and 920 Feet West of the NE Corner, Section 8,
T96N, R48W

_____, for irrigation

purposes, has 8 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 2.03 cu. ft. per second of water.

Date December 15, 1970

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1454-3

(1) WHEREAS, On the 6th day of November A. D. 19 67
Draper Helder

made Water Right Application No. 1454-3 for a permit to use 3.4 cubic feet per second of the waters
of the Big Sioux River

County of Lincoln State of South Dakota, for irrigation
purpose and

(2) WHEREAS, On the 24th day of January A. D. 19 68
Permit No. 1454-3 with a date of priority of November 6, 1967

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 10th day of January A. D. 19 73 and for the
application to beneficial use of said water on or before the 10th day of January 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 2.03 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 the following land in T98N, R48W

Section 5	SE $\frac{1}{4}$ SW $\frac{1}{4}$	36 acres
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	36 acres
Section 8	NE $\frac{1}{4}$ NW $\frac{1}{4}$	36 acres
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	36 acres
Total		144 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 Draper Hilder

_____ of Canton, S.D.

the holder _____ and owner _____ of said permit No. 1454-3 a water right, dating from November 6, 1967

_____ to use of 2.03 cubic feet per second of the waters

of the Big Sioux River

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

purposes hereinbelow mentioned, to be diverted at a point 420 feet South and 920 feet West of the NE

Corner, Section 8, T98N, R48W

and conduct to and upon portions of Sections 5 and 8, T98N, R48W, described on the face

of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1454-3 and subject to the laws of the State of South Dakota.

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

this 15th day of December A. D.

Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMM

on or before
(First Publication December 14 ... 19..67)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., December 1 .., 19..67

Notice is hereby given that Draper Helder whose postoffice address is Canton 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 3.4 cubic feet of water per second of time from the Big Sioux River through the Helder River Diversion, the point of diversion of which is to be located on the right bank of said stream between points in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6, and in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 5 portions of Twp. 28N Range 46W. Said water to be used for the purpose of providing irrigation on the following described land:

NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 6; SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$, Section 5, T9 $\frac{1}{2}$ N, R46W

and for 222 purposes

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 10th day of January, 19..68, 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.

cc: Draper Helder, Canton, S.D.

State Water Resources Commission

By:

~~Chief Engineer~~
BURTON F. JONES
Water Rights Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County of Lincoln }John Vickerman being duly
sworn, deposes and says the annexed printed copy of Notice
of Intention to Appropriate Water was taken from theSioux Valley News 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 Canton County of
Lincoln and State of South Dakota;
that the said notice was published in said newspaper on the
following dates:

December 7th, 1967

December 14th, 1967

December 21st, 1967

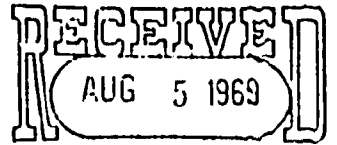
December 28th, 1967

In each and every issue of the full number thereof, the first
publication being made on the 7th day of December
1967 and the last publication on the 28th day ofDecember, 1967, upon which days or times
of publication aforesaid the newspaper was regularly pub-
lished, and that during the whole time of said publication hewas the printer and publisher of
the said newspaper.

Subscribed and sworn to before me this 23th day of December A. D. 1967.

CRAIG L. BROWN
Notary Public, Lincoln County, South Dakota
Notary Public's commission expires December County, S. D.

APPROPRIATION OF WATER
Office of State Water Resources Com-
mission, Pierre, S. Dak., December 1,
1967.
Notice is hereby given that Draper
Helder, whose postoffice address is
Canton, S. Dak., has made an ap-
plication in accordance with the pro-
visions of the water law of South
Dakota for a permit to appropriate
for beneficial use 3.4 cubic feet of
water per second of time from the
Big Sioux River through the Helder
River Diversion at the point of diver-
sion of which it is to be located on the
right bank of said stream between
points in the NE 1/4 NW 1/4 Section 8,
and in the NW 1/4 of the SE 1/4 of Section
3-Twp. 48N-Range 48W. Said water
to be used for the purpose of pro-
viding irrigation on portions of the
following described land: 7A-1-1
NE 1/4 NW 1/4, NE 1/4 Section 8,
SE 1/4 SW 1/4 and SE 1/4 Section 6, T88N,
R14W, 24-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-1209-1210-1211-1212-1213-1214-1215-1216-1217-1218-1219-1220-1221-1222-1223-1224-1225-1226-1227-1228-1229-1230-1231-1232-1233-1234-1235-1236-1237-1238-1239-1240-1241-1242-1243-1244-1245-1246-1247-1248-1249-1250-1251-1252-1253-1254-1255-1256-1257-1258-1259-1260-1261-1262-1263-1264-1265-1266-1267-1268-1269-1270-1271-1272-1273-1274-1275-1276-1277-1278-1279-1280-1281-1282-1283-1284-1285-1286-1287-1288-1289-1290-1291-1292-1293-1294-1295-1296-1297-1298-1299-1300-1301-1302-1303-1304-1305-1306-1307-1308-1309-1310-1311-1312-1313-1314-1315-1316-1317-1318-1319-1320-1321-1322-1323-1324-1325-1326-1327-1328-1329-1330-1331-1332-1333-1334-1335-1336-1337-1338-1339-1340-1341-1342-1343-1344-1345-1346-1347-1348-1349-1350-1351-1352-1353-1354-1355-1356-1357-1358-1359-1360-1361-1362-1363-1364-1365-1366-1367-1368-1369-1370-1371-1372-1373-1374-1375-1376-1377-1378-1379-1380-1381-1382-1383-1384-1385-1386-1387-1388-1389-1390-1391-1392-1393-1394-1395-1396-1397-1398-1399-1400-1401-1402-1403-1404-1405-1406-1407-1408-1409-1410-1411-1412-1413-1414-1415-1416-1417-1418-1419-1420-1421-1422-1423-1424-1425-1426-1427-1428-1429-1430-1431-1432-1433-1434-1435-1436-1437-1438-1439-1440-1441-1442-1443-1444-1445-1446-1447-1448-1449-1450-1451-1452-1453-1454-1455-1456-1457-1458-1459-1460-1461-1462-1463-1464-1465-1466-1467-1468-1469-1470-1471-1472-1473-1474-1475-1476-1477-1478-1479-1480-1481-1482-1483-1484-1485-1486-1487-1488-1489-1490-1491-1492-1493-1494-1495-1496-1497-1498-1499-1500-1501-1502-1503-1504-1505-1506-1507-1508-1509-1510-1511-1512-1513-1514-1515-1516-1517-1518-1519-1520-1521-1522-1523-1524-1525-1526-1527-1528-1529-1530-1531-1532-1533-1534-1535-1536-1537-1538-1539-1540-1541-1542-1543-1544-1545-1546-1547-1548-1549-1550-1551-1552-1553-1554-1555-1556-1557-1558-1559-1560-1561-1562-1563-1564-1565-1566-1567-1568-1569-1570-1571-1572-1573-1574-1575-1576-1577-1578-1579-1580-1581-1582-1583-1584-1585-1586-1587-1588-1589-1590-1591-1592-1593-1594-1595-1596-1597-1598-1599-1600-1601-1602-1603-1604-1605-1606-1607-1608-1609-1610-1611-1612-1613-1614-1615-1616-1617-1618-1619-1620-1621-1622-1623-1624-1625-1626-1627-1628-1629-1630-1631-1632-1633-1634-1635-1636-1637-1638-1639-1640-1641-1642-1643-1644-1645-1646-1647-1648-1649-1650-1651-1652-1653-1654-1655-1656-1657-1658-1659-1660-1661-1662-1663-1664-1665-1666-1667-1668-1669-1670-1671-1672-1673-1674-1675-1676-1677-1678-1679-1680-1681-1682-1683-1684-1685-1686-1687-1688-1689-1690-1691-1692-1693-1694-1695-1696-1697-1698-1699-1700-1701-1702-1703-1704-1705-1706-1707-1708-1709-1710-1711-1712-1713-1714-1715-1716-1717-1718-1719-1720-1721-1722-1723-1724-1725-1726-1727-1728-1729-1730-1731-1732-1733-1734-1735-1736-1737-1738-1739-1740-1741-1742-1743-1744-1745-1746-1747-1748-1749-1750-1751-1752-1753-1754-1755-1756-1757-1758-1759-1760-1761-1762-1763-1764-1765-1766-1767-1768-1769-1770-1771-1772-1773-1774-1775-1776-1777-1778-1779-1780-1781-1782-1783-1784-1785-1786-1787-1788-1789-1790-1791-1792-1793-1794-1795-1796-1797-1798-1799-1800-1801-1802-1803-1804-1805-1806-1807-1808-1809-1810-1811-1812-1813-1814-1815-1816-1817-1818-1819-1820-1821-1822-1823-1824-1825-1826-1827-1828-1829-1830-1831-1832-1833-1834-1835-1836-1837-1838-1839-1840-1841-1842-1843-1844-1845-1846-1847-1848-1849-1850-1851-1852-1853-1854-1855-1856-1857-1858-1859-1860-1861-1862-1863-1864-1865-1866-1867-1868-1869-1870-1871-1872-1873-1874-1875-1876-1877-1878-1879-1880-1881-1882-1883-1884-1885-1886-1887-1888-1889-1890-1891-1892-1893-1894-1895-1896-1897-1898-1899-1900-1901-1902-1903-1904-1905-1906-1907-1908-1909-1910-1911-1912-1913-1914-1915-1916-1917-1918-1919-1920-1921-1922-1923-1924-1925-1926-1927-1928-1929-1930-1931-1932-1933-1934-1935-1936-1937-1938-1939-1940-1941-1942-1943-1944-1945-1946-1947-1948-1949-1950-1951-1952-1953-1954-1955-1956-1957-1958-1959-1960-1961-1962-1963-1964-1965-1966-1967-1968-1969-1970-1971-1972-1973-1974-1975-1976-1977-1978-1979-1980-1981-1982-1983-1984-1985-1986-1987-1988-1989-1990-1991-1992-1993-1994-1995-1996-1997-1998-1999-2000-2001-2002-2003-2004-2005-2006-2007-2008-2009-2010-2011-2012-2013-2014-2015-2016-2017-2018-2019-2020-2021-2022-2023-2024-2025-2026-2027-2028-2029-2030-2031-2032-2033-2034-2035-2036-2037-2038-2039-2040-2041-2042-2043-2044-2045-2046-2047-2048-2049-2050-2051-2052-2053-2054-2055-2056-2057-2058-2059-2060-2061-2062-2063-2064-2065-2066-2067-2068-2069-2070-2071-2072-2073-2074-2075-2076-2077-2078-2079-2080-2081-2082-2083-2084-2085-2086-2087-2088-2089-2090-2091-2092-2093-2094-2095-2096-2097-2098-2099-2100-2101-2102-2103-2104-2105-2106-2107-2108-2109-2110-2111-2112-2113-2114-2115-2116-2117-2118-2119-2120-2121-2122-2123-2124-2125-2126-2127-2128-2129-2130-2131-2132-2133-2134-2135-2136-2137-2138-2139-2140-2141-2142-2143-2144-2145-2146-2147-2148-2149-2150-2151-2152-2153-2154-2155-2156-2157-2158-2159-2160-2161-2162-2163-2164-2165-2166-2167-2168-2169-2170-2171-2172-2173-2174-2175-2176-2177-2178-2179-2180-2181-2182-2183-2184-2185-2186-2187-2188-2189-2190-2191-2192-2193-2194-2195-2196-2197-2198-2199-2200-2201-2202-2203-2204-2205-2206-2207-2208-2209-2210-2211-2212-2213-2214-2215-2216-2217-2218-2219-2220-2221-2222-2223-2224-2225-2226-2227-2228-2229-2230-2231-2232-2233-2234-2235-2236-2237-2238-2239-2240-2241-2242-2243-2244-2245-2246-2247-2248-2249-2250-2251-2252-2253-2254-2255-2256-2257-2258-2259-2260-2261-2262-2263-2264-2265-2266-2267-2268-2269-2270-2271-2272-2273-2274-2275-2276-2277-2278-2279-2280-2281-2282-2283-2284-2285-2286-2287-2288-2289-2290-2291-2292-2293-2294-2295-2296-2297-2298-2299-2300-2301-2302-2303-2304-2305-2306-2307-2308-2309-2310-2311-2312-2313-2314-2315-2316-2317-2318-2319-2320-2321-2322-2323-2324-2325-2326-2327-2328-2329-2330-2331-2332-2333-2334-2335-2336-2337-2338-2339-2340-2341-2342-2343-2344-2345-2346-2347-2348-2349-2350-2351-2352-2353-2354-2355-2356-2357-2358-2359-2360-2361-2362-2363-2364-2365-2366-2367-2368-2369-2370-2371-2372-2373-2374-2375-2376-2377-2378-2379-2380-2381-2382-2383-2384-2385-2386-2387-2388-2389-2390-2391-2392-2393-2394-2395-2396-2397-2398-2399-2400-2401-2402-2403-2404-2405-2406-2407-2408-2409-2410-2411-2412-2413-2414-2415-2416-2417-2418-2419-2420-2421-2422-2423-2424-2425-2426-2427-2428-2429-2430-2431-2432-2433-2434-2435-2436-2437-2438-2439-2440-2441-2442-2443-2444-2445-2446-2447-2448-2449-2450-2451-2452-2453-2454-2455-2456-2457-2458-2459-2460-2461-2462-2463-2464-2465-2466-2467-2468-2469-2470-2471-2472-2473-2474-2475-2476-2477-2478-2479-2480-2481-2482-2483-2484-2485-2486-2487-2488-2489-2490-2491-2492-

Permit No. 1454-3Water Division No. 3 Big Sioux River 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.) Canton So Dak(Date) Aug 7, 1969

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 3.4
cu. ft. per second of the waters of the state from April
through the September
for Irrigation 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 Prayer L. Helmer
2. The postoffice address of such person or the place of business of such corporation is Canton
County of Lincoln State of South Dakota
3. The number of such permit is 1454-3 and the date set for the completion of such work is Jan 10, 1973
4. Said water to be used for Irrigation 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 3.4 cubic feet per second.
6. The amount of land for which said water is available is 240 acres,
particularly described as follows: NE 1/4 NW 1/8; SE 1/4 SW 1/8; N 2 NE 1/8;
NW 1/4 SE 1/8; S 2 SE 1/8 - 98N 48W

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

(Signature of Owners)

Prayer L. Helmer

Permit No. 1454-3
 Water Division 3 BIG SIOUX 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 Draper L. Helder
 of Canton, S.D. holder
 of Permit No. 1454-3, bearing date of priority of November 6, 19 67
 authorizing the diversion of 3.4 cu. ft. per second of the waters of the Big Sioux River
 for irrigation purposes, in Lincoln 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:

Gorman Rupp centrifugal pump, 9" x 9" with 16 inch diameter impeller cut down to 15 inches.

U.S. Electrical motor, 75 HP, Type R.

B. Works used to transport water to place of use,

1800 feet of 9 inch aluminum main line

C. Works used to apply water to beneficial use.

"Valley" circular self-propelled system, 13 towers, with 6 inch water line

The system is in the following condition: excellent

The point of diversion is located 420 feet south and 920 feet west of the NE Corner of
Section 8, T98N, R48W

The works are capable of diverting and conveying to the place of use 2.03
irrigation
 cu. ft. per second of water which is to be used for

Water has been put to beneficial use to the maximum extent as follows:

SE $\frac{1}{4}$ ⁹ 1 , Section 5, T98N, R48W	36 acres
SW $\frac{1}{4}$ ⁹ 2 , Section 5, T98N, R48W	36 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, T98N, R48W	36 acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 3, T98N, R48W	36 acres

comprising a total of 144 acres of land.

Date November 16, 1970

Donald Driscoll
 (Signature)
 DONALD DRISCOLL, Deputy Chief Engineer
 E.R.C.

Water Rights Division
605 773-3352

June 15, 1984

1454-3

Mrs. Draper Helder
RR
Canton SD 57013

Dear Mrs. Helder:

Regarding your telephone conversation with Betty Westlund, of this office, enclosed is a partially completed notice of Transfer. A transfer is needed to change Water Right No. 1454-3 from Draper Helder to your name.

Please check over the transfer form, date, sign, before a notary and return it to our office with a \$2.50 filing fee. The water right will then be transferred to your name. As you requested, Steve Beck of Worthing is listed as the operator, and will be receiving the yearly irrigation questionnaire.

South Dakota Water Law 46-5-30.3 requires Notice of sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water be filed with this office within ninety days.

If you have any questions, please contact us.

Sincerely,

GERRY MCNATH
Natural Resources Analyst

GH:ks

encl.

Second Notice

September 7, 1984

Water Right No. 1454-3

Mrs. Draper Helder
RR
Canton, South Dakota 57013

Dear Mrs. Helder:

On June 25, 1984, notice was sent to you concerning the transfer of Water Right No. 1454-3 in the name of Draper Helder which covers irrigation of 144 acres in the SE¹ 9¹, S¹ SE⁴ Section 5 and the NE¹ 17¹, N¹ NE¹ Section 8, T92N, R48W. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed please find an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The permit can then be transferred to your name. If you are not the present owner of the land covered under this Permit, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact us.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

SS09:MR

L

NO. 1454-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Sept. 2, 1984

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

144 acres - SE 1/4 SW 1/4, SW 1/4 SE 1/4, Section 5; NE 1/4 NW 1/4, NW 1/4 NE 1/4

Section 8; all in T98N, R48W

formerly owned by Draper Helder, Canton

has been transferred to (Zona) 110 N Kimball
Mrs. Draper Helder, RR, Canton SD 57013

(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1454-3 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 Div. of Water Rights, Water Management Board 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)
County of Lincoln) ss.

I, Zona Helder 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, and I know of my own personal knowledge that the information herein stated is true.

Mrs. Draper Helder
Zona Helder
(Signed)

Subscribed and sworn to before me this 12th Day of September, 1984.

Margaret Mulvey
(Notary Public)



1454-3

WATER RIGHTS DIVISION
(605) 773-3352

September 13, 1984

Zona Helder
RR
Canton, South Dakota 57013

Dear Mrs. Helder:

This will acknowledge receipt of the notice of transfer you submitted for transferring Water Right No. 1454-3 from Draper Helder to your name. However, as stated on the transfer form, a \$2.50 filing fee is required before the transfer can be filed.

Please remit the \$2.50 fee at your earliest convenience. The water right will be transferred upon receipt of the filing fee.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms

RECEIPT

Division of Water Rights

No 4 9749

South Dakota Department of Water and Natural Resources

Pierre, September 17, 1934

RECEIVED OF Zona Helder, 110 N. Kimball, Canton, SD 57013

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>1454-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)		
Total	2	50

By John Hatch
Chief Engineer JOHN HATCH (ms)

No. 1454-3

SOUTH DAKOTA
Department of
Water & Natural Resources
Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 Phone (605) 773-3352

September 18, 1984

Zona Helder
110 N Kimball
Canton SD 57013

Dear Mrs. Helder:

Enclosed is receipt No. 4 9749 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 1454-3.

Our records now show you as the owner of this Water Right.

Sincerely,

KAREN SCHLAAK
Administrative Aide

WNR-821-7/79
Receipt & Notice of filing of Transfer of Water Right

Water Rights Division
605 773-3359

April 10, 1986

1454-3

Richard Hill
Hill Farms
Canton SD 57013

Dear Mr. Hill:

I am writing in regard to Water Right No. 1454-3 listed in the name of Zona Helder. Steve Beck, Worthing SD has notified our office that he is no longer operator for Mrs. Helder.

Mr. Beck stated you are now the operator and the yearly irrigation questionnaire should be sent to you. If acceptable to you, I will place your name on the water right as the operator. Ownership of the water right will still be listed under Zona Helder.

Enclosed for your information is a copy of Water Right No. 1454-3 and a blank irrigation questionnaire for your files. The information on the questionnaire is requested each year in November.

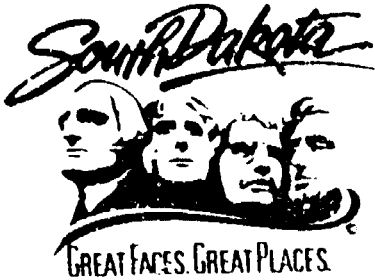
If you have any questions, or if the above is not acceptable to you, please contact our office.

Sincerely,

GENNY MCMAHON
Natural Resource Analyst

GM:ks

enclosures



1454-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 10, 1993

Joann Oberlander
1916 Cardinal Drive
Sioux Falls, SD 57105

Dear Ms. Oberlander:

Enclosed are three "Notice of Transfer of Ownership" forms. You indicated during your telephone conversation with Jaci Kenop, with our Division, that ownership of land described in Water Right No. 1454-3 (Zona Helder) has been divided three ways.

Please complete the transfer forms with the appropriate legal description and new owner(s) name. The forms need to be signed in the presence of a notary public by the new owner(s). Upon completion, return the forms to our office with a filing fee of \$2.50 each.

Water Right No. 1454-3 will be divided and reissued into three new numbers (1454A-3, 1454B-3, & 1454C-3) upon receipt of the completed forms and filing fees. If you would rather leave the water right as it currently is, include the names of all three owners on one form (the transfer form must then be signed by all three owners).

I am enclosing a copy of Water Right No. 1454-3 for your records. If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352

enclosures



1454-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3191

July 29, 1993

SECOND NOTICE
Permit No. 1454-3

Joann Oberlander
1916 Cardinal Drive
Sioux Falls, SD 57105

Dear Ms. Oberlander:

On May 10, 1993, notice was sent to you concerning the transfer of Water Right No. 1454-3 in the name of Zona Helder. To date, we have not heard from you on this matter.

Three transfer forms were previously sent to you, enclosed are additional forms. Please sign, have notarized and return the forms to this office with the required filing fee of \$2.50 per transfer, a total of \$7.50. The Water Right can then be transferred to your name. If you are not the present owner of the land covered under this Water Right, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact Genny McMath, (605) 773-3352.

Very truly yours,

RON DUVAL
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

enclosure

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

Joann Oberlander
1916 Cardinal Drive
Sioux Falls, SD 57105

5. Signature (Addressee)

Joann Oberlander

6. Signature (Agent)

1454-3

4a. Article Number

P 318 052 538

4b. Service Type

☐ Registered ☐ Insured

☒ Certified ☐ COD

☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

7-31-93

8. Addressee's Address (Only if requested and fee is paid)

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee

Thank you for using Return Receipt Service.

NOTICE OF TRANSFER OF OWNERSHIP

No. 1454-3

TO: Chief Engineer
Water Rights Division, DWR
523 East Capitol
Pierre, SD 57501-3181

Date: Aug. 3, 1993I, We request that water Permit/Right No. 1454-3formerly owned by: Zona Helder

be transferred to: (name & address) Donald St. Helder 3208 S. Jefferson
Verlyn R. Helder 14767 County Rd 5 N. St. (Phone 335-3088)
Brandon, Minn. 56315 Home 612-816-2116 (Area Code) S.D. 57105
(telephone No.) 332-5936

Joann L. Oberlander 1916 Banderas Dr. Sioux Falls, S.D.

Title to the following described land(s)/property has been transferred as described above:

144 acres - S.E. 1/4 S.W. 1/4, S.W. 1/4 S.E. 1/4, Section 5, T. 6 N.N.W. 1/4, N.W. 1/4 N.E. 1/4 Section 8, all in T. 9 N., R. 4 E.

I, We understand that the validity of Water Permit/Right No. _____ has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)

County of Lincoln)

I, (he) 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 foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Joann L. Oberlander
Verlyn R. Helder
(Signed)
Verlyn R. Helder

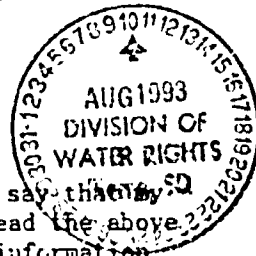
Subscribed and sworn to before me this 3rd day of August, 19 93.

Karen Hauke
(Notary Public)

My Comm. Expires: 7-29-01

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.





1454-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 11, 1993

Verlyn Helder
14767 County Road 5, NW
Brandon, MN 56315

Dear Mr. Helder:

Enclosed is your check in the amount of \$7.50 which you paid for the transfer of Water Right No. 1454-3.

During our telephone conversation, you indicated the water right should be transferred to all three names, but that it was not necessary to split the water right into three separate rights. The fee for filing a transfer of ownership is \$2.50. If three separate transfers had taken place, then the fee would have been \$7.50.

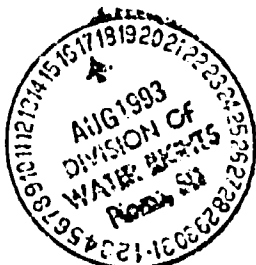
Please remit a total of \$2.50 for filing the transfer of ownership. Thank you for your assistance in this matter. If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resource Analyst
Water Rights Division
(605) 773-3352

enclosure

1454-3



August 14th, 1993

Department of Environment and Natural Resources
Joe Foss Building
5233 East Capitol
Pierre, SD. 57501-3181

Dear Genny McMath,

Enclosed find check for \$2.50 for the transfer of Water Right
No. 1454-3 per your letter of August 11, 1993.

Yours truly,

Verlyn Helder
Verlyn Helder

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

1454-3
413857

Pierre, _____ August 17, 19 93

RECEIVED OF Verlyn Helder, 14767 County Rd 5 NW, Brandon, MN 56315

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right No. 1454-3</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By

John H. Hatcher
Chief Engineer



1454-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 19, 1993

No. 1454-3

Verlyn R. Helder
14767 County Rd. 5 NW
Brandon, MN 56315

Dear Ms. Helder:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 1454-3.

Our records now show Donald W. and Verlyn R. Helder and Joann I. Oberlander as the owner of Water Right No. 1454-3.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

enclosure

1454-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 23, 1996

1454-3

John T Schutte
RR 1 Box 105
Sioux Falls, SD 57106-9737

Dear Mr. Schutte:

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change with Water Right No. 1454-3. Our office was notified by Harry Anderson that you are in the process of buying the land.

When the sale is finalized, you may complete the transfer form where indicated and then sign it in the presence of a notary public. Upon completion, please return the form to our office with a required filing fee of \$2.50.

I am enclosing a copy of Water Right No. 1454-3 for your records. If you have any questions concerning the water right or completion of the transfer form, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures



Sioux Falls SD
March 5, 1996

Water Resources Comm.
Pierre SD

Sirs:

We are selling the Draper Helder
farm at Canton S.D.. Are there any
requirements for transferring Irrigation
permit # 1454-3 dated Jan 24, 1968
to the new owner?

Donald W Helder
3208 S Jefferson
Sioux Falls SD
57105

1454-3

**WATER RIGHTS PROGRAM
FILE DOCUMENTATION**

NAME OF PERSON OR FILE: Donald Helder

ADDRESS: 3208 S Jefferson, Sioux Falls, SD 57105

DATE: March 11, 1996

TELEPHONE: 605 335-3088

RE: status of transfer

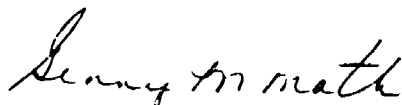
COMMENTS:

Mr. Helder contacted us by letter dated March 5, 1996, requesting information on transferring Water Right No. 1454-3.

I called him to let him know that the Realtor had contacted us January 23, 1996 concerning this matter and had requested a transfer form be sent to John T Schutte. To date, we have not heard back from Mr. Schutte.

Mr. Helder stated that was all he needed then. He just wanted to make sure that someone had contacted us about the land sale and the necessity for getting the water right transferred.

He said they have been flooded out the past couple of years and have not irrigated. I explained legal excuse to him and told him the water right would not be jeopardized for not irrigating during years with excessive moisture.



Genny McMath
Environmental Scientist

1454-3

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181



No. 1454-3

Date: 5/3/96

I We request that Water Right No. 1454-3

formerly owned by: Donald W Helder, Verlyn R Helder and Joann L Oberlander

be transferred to: (name & address) John T. & Melissa R. Schutte
48288 281st St Canton, SD 57013 Telephone No. (605) 987-3001

Title to the following described land(s) property has been transferred as described above:

SE 1/4 SW 1/4, SW 1/4 SE 1/4 Section 5 and NE 1/4 NW 1/4, NW 1/4 NE 1/4 Section 6, T98N, R48W

I We understand that the validity of Water Right No. 1454-3 has not been determined by this transfer action. If I We have any questions on validity, I We understand that only the Water Management Board has the authority to determine if a water permit right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)

County of Lincoln)

I We John T. Schutte 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, and that I know of my own personal knowledge that the information herein stated is true.

John T. Schutte
(Signed)

Subscribed and sworn to before me this 3rd day of May, 1996.

Kathy Sehr
(Notary Public)

KATHY SEHR
Notary Public, State of South Dakota
My Commission Expires June 19, 2003

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit right.

RECEIPT

414944

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ May 6, 19 96

RECEIVED OF John or Melissa Schutte, 48336 - 261st St., Canton, SD 57013

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. _____

Fee for Filing Transfer Form Water Right No. 1454-3

Fee for Filing Extension Request _____

Fee for _____

2 50

(Any Other Work Provided by Law)

Total

2 50

John Schutte (Signature)



1454-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

June 11, 1996

No. 1454-3

John T. and Melissa R. Schutte
48388 281st St.
Canton, SD 57013

Dear Mr. and Ms. Schutte:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 1454-3.

Our records now show you as the owner of Water Right No. 1454-3.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Program
(605) 773-3352

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

October 25, 2000

1454-3

John T & Melissa R Schutte
1910 E Lynn Ave
Canton, SD 57013-1113

Dear Mr. & Mrs. Schutte:

Enclosed is a "Notice" dated October 20, 2000 concerning the 2000 irrigation questionnaire. The notice was originally mailed to 48388 281" St, Canton. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

October 30, 2006

1454-3

John T & Melissa R Schutte
47973 W 5th St
Canton SD 57013-5802

Dear Mr. & Mrs. Schutte:

Enclosed is a "Notice" dated October 20, 2006 concerning the 2006 irrigation questionnaire. The notice was originally mailed to 1010 E Lynn Ave, Canton SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures



1454-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

August 6, 2012

Dear Water Right Holder;

Due to low flows I am advising water right holders on the Big Sioux River of the possibility of shutoff orders in 2012 for the river reach from Watertown through Sioux Falls. This is **not a shutoff order**.

As a result of the continuing lack of precipitation, tributary flows throughout the Big Sioux River basin remain well below the historical average. The forecast for improved conditions for the near future is not favorable.

This letter is only intended to give you advanced warning that your ability to divert water may be cut short this year. If shut-off orders are issued, you will receive another letter from the department. In the meantime, water right holders can help by closely monitoring water usage and trying to avoid wasting water.

South Dakota water law gives the highest priority to domestic use, which includes livestock watering. There is generally adequate water available to meet both domestic use and other needs. However, once water availability reaches critical low levels, other uses, including irrigation, will begin to interfere with domestic use. If levels become critically low, the department must issue shut-off orders to protect domestic water uses. Once these orders are issued, the department will continue to monitor water availability and should conditions improve, the shutoff orders would be rescinded.

If you are interested, the US Geological Survey has an Internet site showing real-time river flows at 159 stream gauging stations across the state including three gages sites on the Big Sioux River. To access this information go to <http://waterdata.usgs.gov/sd/nwis/rt> and click on the link "Statewide Streamflow Current Conditions Table".

Thank you for your cooperation. If you have any questions, please contact Lynn Beck or Mark Rath at (605) 773-3352.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program

CERTIFICATION

I hereby certify that on August 6, 2012, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated August 6, 2012 regarding shut off warnings on Big Sioux River addressed as stated below:

permitno	fname	lname	addrss2	city	state	zip
1696-3	DONALD G	AHLERS	22920 SD HWY 13	FLANDREAU	SD	57028
5530-3	TERRY & DENISE	ANDERSON	47558 237TH ST 26534 N SHORE	TRENT	SD	57065
6192-3	BERNE B	BAHNSON	PLACE	HARTFORD	SD	57033
3806-3	BERNARD	BERGDALE	PO BOX 366	ALCESTER	SD	57001
1175-3	HAROLD	BOEVER	47948 232ND ST	FLANDREAU	SD	57028
4895-3	BILL B	BOYER	4162 BIRCH AVE	HAWARDEN	IA	51023
284-3	LUKE	BOYER, MGR	403 16TH ST	HAWARDEN	IA	51023
7110-3	BRIAN	BURKHART	24482 482ND AVE	DELL RAPIDS	SD	57022
5760-3	BRIAN	CHICOINE	32650 480TH AVE	ELK POINT	SD	57025
2255-3	JAMES H	COLE	29509 488TH AVE 47364 GOLF VIEW	HUDSON	SD	57034
6124-3		DELLS ROCKY RUN GOLF COURSE	DR	DELL RAPIDS	SD	57022
4969-3	JOHN GILMAN	FRAZIER FARMS	BOX 423	PARKSTON	SD	57366
4969-3	JOHN TROY D & SANDY F	GILMAN	4162 BIRCH	HAWARDEN	IA	51023
249-3	DARREN & ALLISON	HAHN	6762 SMITH DR	WENTWORTH	SD	57075
2065-3		HAMILTON	22615 480TH AVE	FLANDREAU	SD	57028
2952-3, 956-3	WAYNE	HEADRICK	47926 SD HWY 32	FLANDREAU	SD	57028
279-3	ROBERT	JAGER, MGR	48495 299th ST	HAWARDEN	IA	51023
1350-3, 6042-3	RAYMOND D	JENSEN	24348 478TH AVE	DELL RAPIDS	SD	57022
1302-3	LARRY J	JORGENSEN	24048 477TH AVE	TRENT	SD	57065
1500-3, 213-3	TED	LACEY	24064 478TH AVE	TRENT	SD	57065
	EUGENE	MOLLET	48011 332ND ST	JEFFERSON	SD	57038
3433-3	VIRGIL L	MOLLET JR	47991 334TH ST	JEFFERSON	SD	57038
1801-3	GAIL	MUNK	803 DAKOTA	DELL RAPIDS	SD	57022
113-3	PATTI	NASH	21660 469TH AVE	BROOKINGS	SD	57006
3914-3	OMAR F	PETTERSON	48378 276TH ST	CANTON	SD	57013
2350-3		RIVER VALLEY FARMS	PO BOX 486	ALCESTER	SD	57001
1801-3	HARVEY JOHN T & MELISSA R	SCHMIDT, OPERATOR	47528 244TH ST	DELL RAPIDS	SD	57022
1454-3		SCHUTTE	47973 W 5TH ST 47844 COUNTY RD	CANTON	SD	57013
5814-3	PATRICK V	WALSH, OPERATOR	1B 11726 NORWAY ST	ELK POINT COON RAPIDS	SD MN	57025 55448
597-3	DAN & JUDY	WHIPPLE WILLOW RUN MANAGEMENT COMPANY	8000 E HWY 42	SIOUX FALLS	SD	57110
5055-3		XCEL ENERGY	7100 E RICE ST	SIOUX FALLS	SD	57110
519-3A		NORTHERN STATES POWER COMPANY	414 NICOLLET MALL	MINNEAPOLIS	MN	55401
43-3, 519-3 5698-3, 6210-3	GREG ANDERSON	CITY SIOUX FALLS	224 W 9TH ST	SIOUX FALLS	SD	57102

Gail Jacobson

Gail Jacobson

Secretary/Water Rights

STATE OF SOUTH DAKOTA)

) SS

COUNTY OF HUGHES)

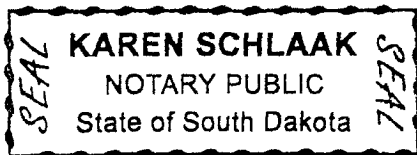
Sworn to, before me, this 6th day of August, 2012.

Karen Schlaak

Karen Schlaak

Notary Public

My Commission expires April 1, 2013





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

October 23, 2013

1454-3

John & Melissa Schutte
48388 281st St
Canton SD 57013 5828

Dear Mr. & Mrs. Schutte:

Enclosed is a "Notice" dated October 18, 2013 concerning the 2013 irrigation questionnaire.

The notice was originally mailed to 47973 W 5th St, Canton SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures



RECEIVED

NOV 12 2013

WATER RIGHTS
PROGRAM

1454-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING

PMB 2020

523 EAST CAPITOL

PIERRE SOUTH DAKOTA 57501-3182

<http://denr.sd.gov>

October 23, 2013

1454-3

John & Melissa Schutte
48388 281st St
Canton SD 57013 5828

Dear Mr. & Mrs. Schutte:

Enclosed is a "Notice" dated October 18, 2013 concerning the 2013 irrigation questionnaire.

The notice was originally mailed to 47973 W 5th St, Canton SD. The post office notified us that your address has changed and I will update our records accordingly.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures

→ We are building a
New home at this location
and our address next
year will be

~~48388~~ 48390

~~281st St~~ 281st St

Canton, SD 57013

That will be happening just
after the 1st of the year.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

January 31, 2018

1454-3

JOHN T/MELISSA R SCHUTTE
48390 281st ST
CANTON SD 57013

Subject: Bypass Qualifications on Big Sioux River Water Rights

Dear MR & MRS SCHUTTE,

I am writing to inform you of an effort the SD Dept. of Environment and Natural Resources Water Rights Program is undertaking to review and update a number of water right permits authorized to pump water from the Big Sioux River. Since your water right does not have a bypass qualification, we **are not** proposing to amend your permit by adding a bypass qualification. However, I do want to make you aware of what we are proposing for several other junior priority Big Sioux River permits.

When a number of these Big Sioux River permits were issued, they contained a qualification requiring a minimum flow bypass before the user is able to pump water from the river. The bypass qualification was placed on these permits to protect the use of water by downstream senior priority water right holders and domestic water users, which includes livestock watering. The review found, with the passage of time, a number of senior water right permits have been cancelled due to abandonment or forfeiture. Consequently, it may be possible to lower the flow bypass limitation on the remaining permits. In other words, the amount of flow in the river can be lower and pumping will still be allowed. The review also found an inconsistency between permits on where the bypass flow is to be measured. The intent of this effort is to standardize and make consistent the bypass requirements for the remaining water users.

In order to amend a qualification on an existing water right permit, formal action by the SD Water Management Board is needed. In the next few weeks, you can expect to receive official notification scheduling a hearing before the Water Management Board. Again this does not pertain to amending your permit, only junior permit holders. If you wish to participate in the hearing you can, but you are not required to. There will be instructions with the notification on how to participate in the hearing if you so choose.

If you have any questions concerning this effort, please contact Mark Rath of the Water Rights Program at phone (605) 773-3352.

Sincerely,

 Jeanne Goodman, Chief Engineer
Water Rights Program



1454-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 26, 2018

NOTICE

TO: JOHN T & MELISSA R SCHUTTE, 48390 281st ST, CANTON, SD 57013 5828

FROM: Ron Duvall, Natural Resources Engineer
for Jeanne Goodman, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2017 Irrigation Questionnaire(s)

Our records indicate your 2017 Irrigation Questionnaire has not been submitted for Permit No(s) 1454-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 20, 2017. The Water Management Board has directed that owners of water permits who have not submitted the 2017 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

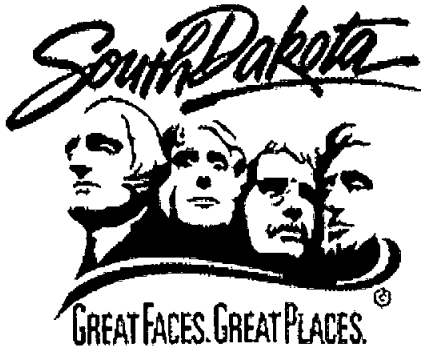
The hearing will be held at **Wednesday, March 7, 2018 at 10:00 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1454-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 7, 2018** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <http://denr.sd.gov/iq.aspx>

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

February 1, 2018

1454-3

John & Melissa Schutte
48390 281st St
Canton SD 57013 5828

Dear Mr. & Mrs. Schutte:

I am writing to acknowledge receipt of your 2017 irrigation questionnaire.

You may disregard the January 26, 2018, "Notice" concerning reporting requirements for Water Right No. 1454-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

February 12, 2018

1454-3

John T & Melissa R Schutte
48390 281st St
Canton SD 57013

Subject: Bypass Qualifications on Big Sioux River Water Rights

Dear Mr. & Mrs. Schutte:

The SD Department of Environment and Natural Resources (DENR) has evaluated the minimum flow bypass condition on water rights that pump from the Big Sioux River. The Chief Engineer is recommending amending the bypass qualification on 21 Big Sioux River water rights. The intent is to bring uniformity to the bypass requirement placed on water rights in past years. The water right you own or operate does not have a bypass qualification and will not be amended by the proposed action.

Even though your water right is not being amended, DENR wants to keep you informed of the proposed action since it involves the Big Sioux River. Enclosed is a notice to be published on or before February 15, 2018, in one newspaper from each of the seven counties that the Big Sioux River flows through. Also, the staff report including affected water rights and the proposed changes is available at <http://denr.sd.gov/public> or contact Mark Rath at 605 773-3352 or mark.rath@state.sd.us.

A hearing before the Water Management Board is scheduled at 11:30 AM, Wednesday, March 7, 2018 in the Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre SD. The enclosed notice provides information on the hearing and ability to file a petition in either support or opposition to the proposed amendment. The filing of a petition must be postmarked by February 26, 2018. Additionally filing a petition affords you the opportunity to participate in the March 7th hearing before the Board if you choose.

Again, this does not pertain to amending your water right, only junior water right holders with existing bypass requirements. If you have questions, please call. DENR is willing to work to answer any questions.

Sincerely,

Eric Gronlund
Water Rights Program, DENR
605 773-3352
Eric.gronlund@state.sd.us

enclosure