No. 188-5Water Division No. 3 Vermillion River District
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

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

1. Name of applicant LEO CHRISTENSEN
Postoffice address Huxley, County Turner, State S. Dak.

I. If a corporation

- (a) Name of same
(b) Date and place of incorporation
(c) Amount of capital stock
(d) Amount paid in
(e) Names and addresses of directors

INCORPORATED INTO
WATER LICENSE NO. 2852-3
B.P.
11/24/51

(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

3. Amount of water claimed 1.14 cubic feet per second4. Source of water supply Well5. Location of point of diversion 1/2 NW 1/4 Sec 32 T28N R52Eon bank Turner County.6. Annual period or periods during which water is to be used April 1 to Sept. 15

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Sprinkler(a) Number of acres to be irrigated 80 acres.(b) Legal subdivisions to be irrigated 1/2 NW 1/4 Sec 32 T28N R52E

(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.) None

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

(a) Nature of use None
Name any of the above uses claimed(b) Amount of power to be generated None horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

8. Estimated cost of work:

(a) Head Gates, \$..... (b) Pumping plant, \$1900.....
 (c) Fluming, \$..... (d) Canal-earth, \$..... Rock, \$.....
 (e) Other structures \$100..... \$..... Total, \$5900.....

9. Description of diversion works:

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

Well..... Centrifugal pump unit..... apron dam.....

II. Dimensions of works:

(a) Dam: Height..... feet; length at bottom..... feet; length at top..... feet; thickness at bottom..... feet; thickness at top..... feet; slope at front water face.....; slope at back face..... material used in construction.....

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

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

(c)* Head gate: Width..... feet; height..... feet;
 Material.....

(d) Canal: Total length..... miles.

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work..... 3..... years.

11. Time required for complete application of water to the proposed beneficial use..... 3..... years.

12. Choice of newspaper for publication of notice of intention to appropriate.....
 Harlow, S. D.

STATE OF SOUTH DAKOTA

County of Lincoln } ss.

I, Calander Sherrard, 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 Calander Sherrard.

Subscribed and sworn to before me this 16 day of April 1956

Enoch G. Green
 Notary Public (or other qualified officer.)

"Vested Right" Claimed

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Platte, South Dakota, April 20, 1920

This is to certify that the foregoing application was received by the Commission at 9:15 o'clock
3 m. upon the 28 day of April 1936

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Number of permit 188-3

Date of first receipt of application April 28 1956

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 5/11/03, 1903-5

Approved May 7 1926, Recorded in Book 11 Page 135

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 ²⁰⁰³ ~~is to be~~ completed on or before _____

June 1, 1955

2nd. The whole of said work is ^{42.75}to be completed on or before June 1, 195

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

June 1 1958

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 114 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 Jan 1, 10-53; said water to be used during the following described annual period:

April to September inclusive

Witness my hand this 21 day of June, 1946

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Certificate of Construction Issued June 21 1956

Water License Issued June 21 1926

9. (continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 42 "

Depth 28 "

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

Size of casing 42 , Thickness of casing 2"
Length of casing 10 . If collection gallery,
length, size, and depth of gallery _____.

(b) Screens

Type of perforated screen 3/16 x 4

Size of perforated screen 42 , 10
(diameter) (length)

Thickness of gravel pack material, length of gravel
pack _____.

(c) Water Bearing Materials

Distance to water 3 "

Character of water bearing materials White Sand

Thickness of water bearing material _____

(d) Pump and Motor

Type of pump Centrifugal
(centrifugal, propellor, mixed flow, etc.)

Name of pump Chrysler , size up 4x

Kind of motor 1P
(gasoline, electric, diesel, etc.)

Horsepower 1/2

Name of motor Chrysler

(e) Complete well

Capacity 1500 at drawdown of 10

Estimated cost _____

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

Claude Sherard , Hurley, South Dakota
Address

(g) Distance to nearest existing wells

On same Owner's property 320 rods

On property owned by others None rods

STATE OF SOUTH DAKOTA

WATER LICENSE No. 188-3....

WHEREAS, On the 28th day of April A. D. 1956
Claude and Lucille Sherard

of Hurley County of Turner and State of
South Dakota duly made application (No. 188-3 Vester Right 1.14
cubic feet per second of the waters of ground water
County of Turner, State of South Dakota, for irrigation
purposes; and as stated in their Proof of Beneficial Use dated April 10, 1956,
that their irrigation works were completed on or before June 1, 1955

WHEREAS, On the 1st day of June A. D. 1955
Permit No. 153-3 was issued to said applicant² for the diversion of said water, and recognizing
completion of the works of diversion therein described on or before the 1st day of
June A. D. 1955 and for the application to beneficial use of said
water on or before the 1st day of June A. D. 1955
and,

WHEREAS, On the 28th day of April A. D. 1956
the holder³ of said permit duly made proof of the completion of adequate works for the diversion of 1.14
cubic feet per second of said waters, as evidenced by our Certificate No. 188-3
dated June 21, 1956, confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 1.14 cubic feet per second of water, with date of
priority of June 1, 1955 and, and,

WHEREAS, On the 28th day of April A. D. 1956
proof was duly made of the application to beneficial use of 1.14 cubic feet per second of said water:
on 80 acres in the W¹/₄, N¹/₄, Sec. 36, T 98N, R 53W

Vested
Right

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 Glaude and Lucille Shepard
of Hurley, South Dakota the holder and owner Vertical Right 188-3
a water right, dating from June 1, 1955 to the use of 1.14
cubic feet per second of the waters of ground water
in the County of Turner and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted at 160 feet south and 150 feet
West of the center of the 1/2, 1/4, Sec. 36, T-26N, R-53W
and conducted to and upon the 1/2, 1/4, Sec. 36, T-26N, R-53W

for the purpose of irrigation

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 21st day of June A. D. Nineteen
Hundred and Fifty-six

State Water Resources Commission

By:

J. W. Grimes

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. 188-3Water Division No. 3 - Vermillion River
Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

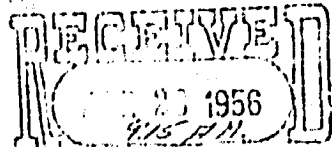
This is to Certify, That Claude and Lucille Sherard

of Hurley, County of Turner, and State of South Dakota, the holder of Permit No. 188-3, issued upon Application No. 198-3, bearing date of priority of June 1, 1956, authorizing the diversion of 1.14 cu. ft. per second of the waters of ground water County of Turner, State of South Dakota, at 160 feet south and 160 feet west of the center of the W $\frac{1}{2}$, NW $\frac{1}{4}$, Sec. 36, T 98N, R 53W, for irrigation purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 1.14 cu. ft. per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: W $\frac{1}{2}$, NW $\frac{1}{4}$, Sec. 36, T 98N, R 53W

Witness my hand this 21st day of June A. D. 1956

State Water Resources Commission

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

Location No. 188-5Water Division No. 2 Corralton Water DistrictSTATE WATER RESOURCES COMMISSION
SIOUX FALLS, SOUTH DAKOTA**Proof of Application of Water to Beneficial Use****PETITION OF HOLDER**

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

Ans. Claude Sharard, Farmer, Hurley, South Dakota, Turner County

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

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

Ans. June 15, 1955

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

Ans. Well - 160 ft. S 160 ft. W. center W 1/2 NW 1/4 36 - 98 - 53

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. 1 80 rod 5" sprinkler line 40 rod 8" main line Rainbird No. 40 15 GPM

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. Water to be used for irrigation of W 1/2 - NW 1/4 - 36-98-53during crop season of April to September 30.

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

Ans. _____

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

Ans. 1.14 Cubic feet per second

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

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

Ans. Crop year 1951 for irrigation 80 acres.

First irrigation completed in June 1955.

(Sign)

Clarence Sherard

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in *Waverly, S. D.*, County of *Butte*

State of South Dakota, on this

16

day of

April

A. D. 19

56

Witnesses.

A. H. Green
Kenneth L. Christensen

Frank L. Bacon
Henry (Ellis)

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

Location No. -----

PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE

PETITION OF HOLDER

Amount of Water ----- c. f. s.

Source -----

County -----

Purpose -----

Place of Use -----

Date of recording -----

Received and filed -----

NOTICE OF TRANSFER OF WATER PERMIT

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

Date April 11, 1972

This is to notify you that title to the lands described as follows:
W $\frac{1}{2}$ NW $\frac{1}{2}$, Section 36, T98N, R53W

formerly owned by Claude and Lucille Sherard

has been transferred to Leo Christenson

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 188-3 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

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

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA)
) ss.
County of _____)

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

Leo Christenson
(Signed)

Suscribed and sworn to before me this 1-31 day of 73, 19____.

(Notary Public)

SOUTH DAKOTA Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

November 24, 1981

Leo & Loin Christensen
Hurley,
South Dakota 57036

Dear Mr. Christensen:

Enclosed herewith are, Water License No. 2852-3 and Certificate of Construction.

Water License No. 2852-3 is the final water right document completing your process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ks

enclosures

NOTE: The applicable portions of Water Permit No. 188-3 have been incorporated into this Water License No. 2852-3