

No. 2186-3Map No. 328-3 Water Division No. 3 MISSOURI RIVER
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RIGHTS COMM.
SIOUX FALLS, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Bon Homme Hutterian Brethern, Inc.
Postoffice address Tabor, State South Dakota 57063
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor
3. Name of diversion work Bon Homme Colony #2
4. Amount of water claimed (cubic feet per second) 2.27
5. Source of water supply Missouri River
6. Location of point of diversion From NE Corner, Sec. 17, T93N, R58W, between points South 5° East, 278 rods and South 52° 20' West, 338 rods
County Bon Homme
7. Annual period or periods during which water is to be used April thru October
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
9. For irrigation use, Total number of acres to be irrigated 158.9

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
SE $\frac{1}{4}$ NE $\frac{1}{4}$	39.0	NE $\frac{1}{4}$ NW $\frac{1}{4}$	2.7
SW $\frac{1}{4}$ NE $\frac{1}{4}$	40.0	SE $\frac{1}{4}$ NW $\frac{1}{4}$	5.2
NW $\frac{1}{4}$ NE $\frac{1}{4}$	32.0	All in Sec. 17, T93N, R58W	
NE $\frac{1}{4}$ NE $\frac{1}{4}$	38.0		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Springfield Times, Springfield, SD
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.
Pump and MotorB. Works proposed to transport water to place of use.
MainlineC. Works proposed to apply water to beneficial use.
Sprinkler and/or gravity

Estimated Total Cost \$ _____

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of Bon HommeI, Benjamin J. Stahl, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed Benjamin J. StahlSubscribed and sworn to before me this 7th day of Jan, 1975

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2186-3
BON HOMME HUTTERIAN BRETHREN, INC. TABOR
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57063 With the following modifications:
 (State)

*Cancelled 12/28/79
 Incorporated into
 W/L 3847-3*

Date of first receipt of application JANUARY 9 19 75
 Date of return to applicant for correction, amendments or changes required 19
 Date of receipt of corrected application 19
 Approved MARCH 20 19 75 Recorded in Book 13 Page 212

WATER RIGHT PERMIT NO. 2186-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2186-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is JANUARY 9 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 20 19 77
3. The whole of said work is to be completed on or before MARCH 20 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 20 19 84
5. The water appropriated shall be used for the purpose of IRRIGATION

6. 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.

7. The amount of the appropriation herein granted shall not exceed 2.27 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and 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 MARCH 20 19 84; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 21st day of MARCH 19 75

WATER RIGHTS COMMISSION

By:

Donall Driscoll
 Chief Engineer, Executive Officer

Certificate of Construction Issued 19

Water License Issued 19

Form 6 - Notice of Intent to Appropriate Water

2186-3

Publish first publication, on or before March 6, 1975

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

~~February 2~~, 1975

Notice is hereby given that Bon Homme Hutterian Brethern, Inc.
whose post office address is Tabor, 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
2.27 cubic feet of water per second of time from the Missouri River through the
Bon Homme Colony #2, the point of diversion of which is to be located in the
between points in the NW 1/4, Section 17, and in the SW 1/4

of Section 16, Twp. 93N, Range 58W. Said water to be used for the purpose
of providing irrigation of ^{portions of} the following described land:

E 1/2 NW 1/4 and NW 1/4, Section 17, T93N, R58W

WATER RIGHTS COMMISSION

This application No. 2186-3 will be considered by the Water Resources Commission at their office at
Pierre upon the 19th day of March, 1975, at 2:30 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES

Water Rights Specialist

BFJ/bw

cc: Benjamin J. Stahl, Bon Homme Hutterian Brethern, Inc., Tabor, S.D. 57063

No. 2186-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Bon Homme) ss.

I, Wayne L. Bertone hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Springfield Times

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 Springfield
County of Bon Homme and State of South Dakota;

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

Febr. 20, 1975

Febr. 27, 1975

Wayne L. Bertone
(Signature)

Publisher
(Title)

2-28-75
(Date Signed)

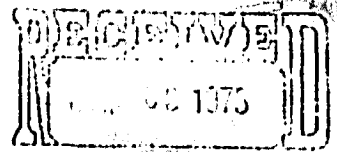
NOTICE
INTENT TO APPROPRIATE

WATER
Pierre, S. Dak. 57501
February 3, 1975

Notice is hereby given that Bon
Homme Hutterian Brethern, Inc.,
whose post office address is
Tabor, 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
2.27 cubic feet of water per
second of time from the Missouri
River through the Bon Homme
Colony No. 2, the point of
diversion of which is to be located
in the between points in the NW 1/4
SW 1/4, Section 17, and in the SW 1/4
SW 1/4 of Section 16, Twp. 93N,
Range 58W. Said water to be used
for the purpose of providing
irrigation on portions of the
following described land: E 1/2
NW 1/4 and NE 1/4, Section 17,
T93N, R58W.

This application No. 2186-3 will
be considered by the Water
Rights Commission at their office
at Pierre upon the 19th day of
March, 1975, at 2:30 p.m. all
interested persons may appear
and be heard.

Water Rights Commission
By:
Burton F. Jones
Water Rights
Specialist
(Feb. 20 and 27)



STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA



2166-3

DEPARTMENT OF THE ARMY
OMAHA DISTRICT, CORPS OF ENGINEERS
4014 U.S. POST OFFICE AND COURT HOUSE
OMAHA, NEBRASKA 68102

MROOP-N

21 March 1975

SD 2SB OXT 1 000046

Pon Homme Muttarian Brethren, Inc.

Intake Structure

Missouri River Mile 823.35LB

NOTICE OF PERMIT PENDING

The application of Pon Homme Muttarian Brethren, Inc., Route 1, Tabor, South Dakota 57063, for approval of plans and issuance of a permit under authority of the Secretary of the Army is being considered by the District Engineer, U.S. Army Engineer District, Omaha, Nebraska.

The applicant requests permission to construct a water intake structure to provide irrigation water to approximately 130 acres. Approximately 40 cubic yards of riprap will be placed along the bankline to prevent erosion. The intake structure will be utilized to withdraw water at a rate of 4.0 cubic feet per second during the period June through September each year. All excavation for the irrigation system will be above the ordinary high water line. All areas disturbed by the construction activity will be reseeded to native grasses.

Certification that the proposed project, if permitted, will not violate applicable State Water Quality Standards has been requested, by the applicant, from the South Dakota Department of Environmental Protection.

An environmental assessment of the proposed activity has been made and is on file in this office. The assessment indicates that no significant adverse impacts on the human environment will occur. Based on this finding, a preliminary determination has been made that an environmental impact statement will not be required.

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

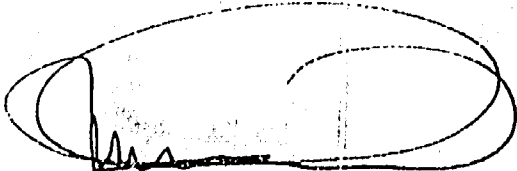
Any interested party (particularly officials of any town, city, county, state, federal agency, or local association whose interests may be affected by the proposed work) is invited to submit to this office written facts, arguments, or objections on or before 21 April 1975. Any agency or individual having an objection to the work should specifically identify it as an objection with clear and specific reasons.

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

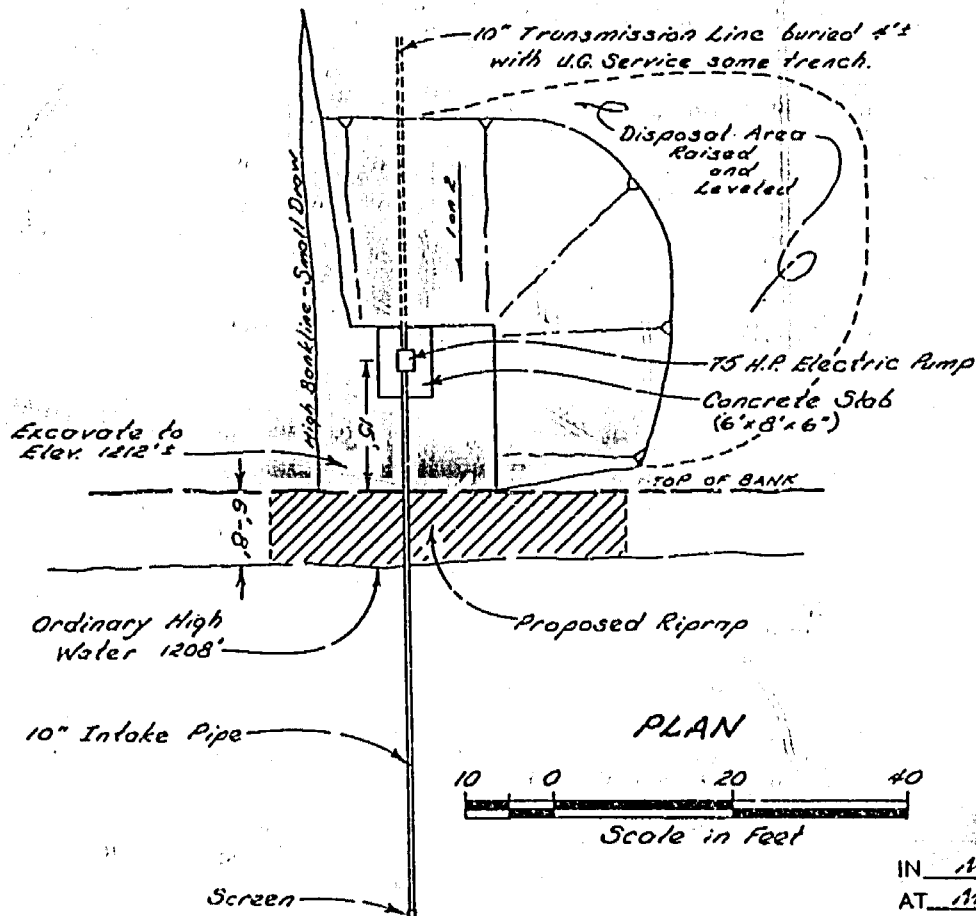
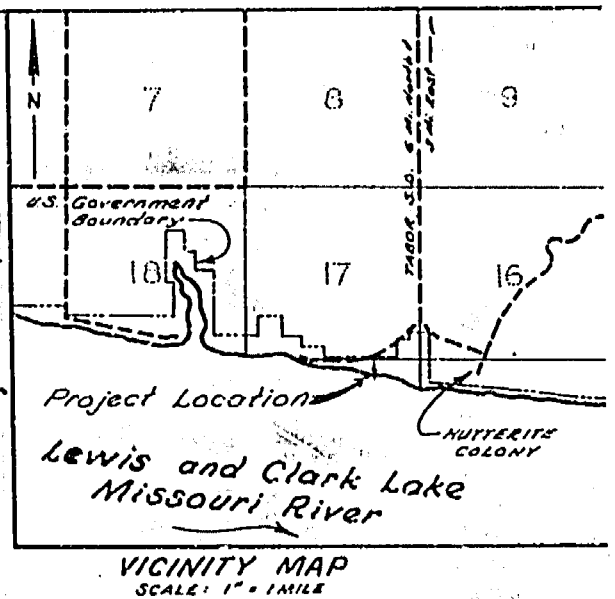
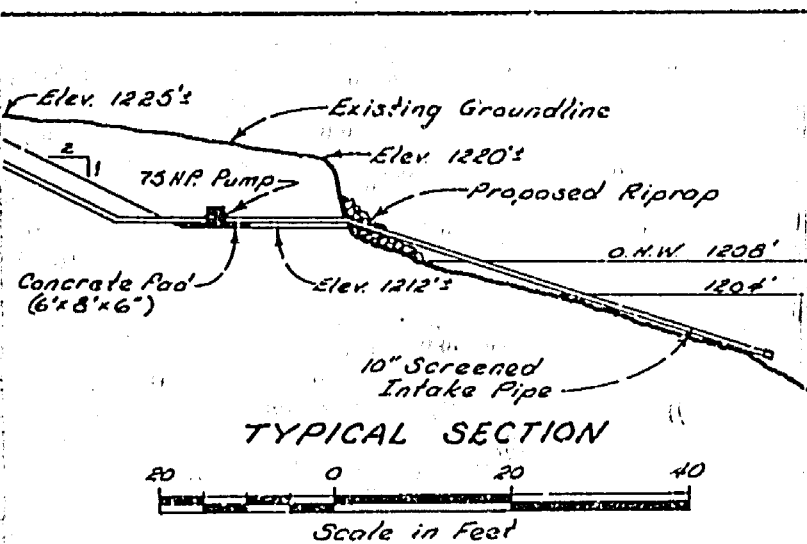
A drawing showing the location and extent of the work is attached to this notice.

FOR THE DISTRICT ENGINEER:

Attachment
As stated



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



NOTES:
 All elevations refer to sea level datum.
 Water will be utilized to irrigate approximately 130 Acres.
 Project Location Coordinates:
 Latitude... 42°51'49" North
 Longitude... 97°45'07" West
 Adjacent Property Owners:
 2/3... Hugh Donforth
 1/3... Albert Kreber

Lewis and Clark Lake
Missouri River

PROPOSED WORK
 IN MISSOURI RIVER
 AT MILE 823.35 LB
 COUNTY OF Bon Homme STATE SD
 APPLICATION BY Bon Homme
Hutterian Brethren, Inc.
 SHEET 1 OF 1 DATE 1-9-75

2186-3 Van Hornes. 7/1/1911
10-2-77 River boat etc. 41 6 ft. 120 HP

1730 K.P.M.

TD# R 9454 01-158.

Pump. Curran No. 1177-934

1650 gpm, 705 Head, 1730 R.P.M.

Line 588 ft. Pump 1730 gpm

→ Mill C.P. Motor to mill pump

Generator Model 410-307

Per # 107515

N.E.C.P. Generator Model 507-507

Per # 111054

Boiler at C.P. Toshiba 410 HP. 1730 R.P.M.

Model B0404 VG F143

Pump Curran No. 477-10062, 900 gpm

Type 411 Head 123 ft.

LyC 3 x 3 x 15, 1730 K.P.M.

Ban Homme County

All in same Range

		Section	Range	Township
Lot 6	39 Ac.	8	58N	93
Lot 5	39.3 Ac.	8	"	"
Lot 7	38 Ac.	8	"	"
Lot 8	32.6 Ac.	8		
Lot 17	37.5 Ac.	17		
Lot 18	38 Ac.	18		
Lot 19	39 Ac.	18		
Lot 20	29.7 Ac.	17		
Lot 33	39 Ac.	18		
Lot 32	12.6 Ac.	17		
Lot 34	29.9 Ac.	18		
Lot 35	7.9 Ac.	17		

Water intake location

		Section	Township	Range
Lot 35	SW of SW	17	93N	58W

Location of Map No 328 - 3 B
 app. no 431-3

Bon Homage Hutton Brith Inc
appl for Water Rights to pump
out of J & Clark Lake at named
location at Rate of 2500 Gal
per minute from May to Nov

Call 463-2422 for more
information

Box 160 mme. Kuttenden Res. Inc.,

Tabor S. Dak, 57063

State of So. Dak.

11-18-74

Water Resources Commission

Dear Sir

We like to irrigate about 320 A.
or 2 quarters in 1975

Do we have to renew the License?

Our License No is 431-3

please let us know if we can go
ahead with your permission.

an reply will be appreciated

your truly

-by Jacob Waldner

Appl. # 2186-3

- see also Appl. # 431-3