

Water Right Number 7229-3

1. Considered MAY 21, 19 75
2. Name of Applicant H. & H. FARMS CO.
3. Post Office Address SIoux CITY, IOWA
4. Amount of Water claimed 2.85
5. Source of Water supply GROUND WATER (2 96' WELLS)
6. Water to be used for IRRIGATION
Acres to be irrigated 200
7. Water to be diverted and used in CLAY County
about 4E, 3S miles of VERMILLION
3. Proof of Publication Received 4-18-75
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks:

1623-3 No. 2229-3 Received: March 10, 1975 11:25 am
Map No. 3 Water Division No. VERMILION 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)

H and H Farms Co., % Neil E. Helvig

1. Name of Applicant _____
Postoffice address 3300 Lakeport Rd., Sioux City, Iowa State _____
If a corporation show date and place of incorporation none _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract _____
3. Name of diversion work _____
4. Amount of water claimed (cubic feet per second) 2.85 maximum allowable _____
5. Source of water supply wells _____
6. Location of point of diversion Well #1 - 1050 ft. and 125 ft. West, Well #2 - 3150 ft. and 125 ft. West, both from the NE Corner, Section 3, T91N, R51W _____
County Clay _____
7. Annual period or periods during which water is to be used June through September _____
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 200 _____

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.
All Lot 1, 2-91-51	9.48	Part of Lot A-2-91-51	47.73
Part Lot A, 2-91-51	33.25	Part of Lot E, 3-91-51	60.59
All Lot 1, 3-91-51	40.46	(Well #2)	
Part Lot E, 3-91-51	20.13		

(Well #1)

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 years. Additional time required to complete application of water to the proposed beneficial use 1 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Elk Point _____
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

B. Works proposed to transport water to place of use.

C. Works proposed to apply water to beneficial use.

Center Pivot Irrigation System

Estimated Total Cost \$ 30,000.00

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 XXXXXXXXXX IOWA)
County of Woodbury) ss.

I, Neil E. Helvig 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 s/ Neil E. Helvig

Subscribed and sworn to before me this 7th day of March 1975

s/ Verneal E. Huff

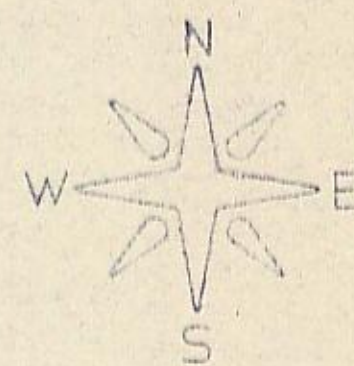
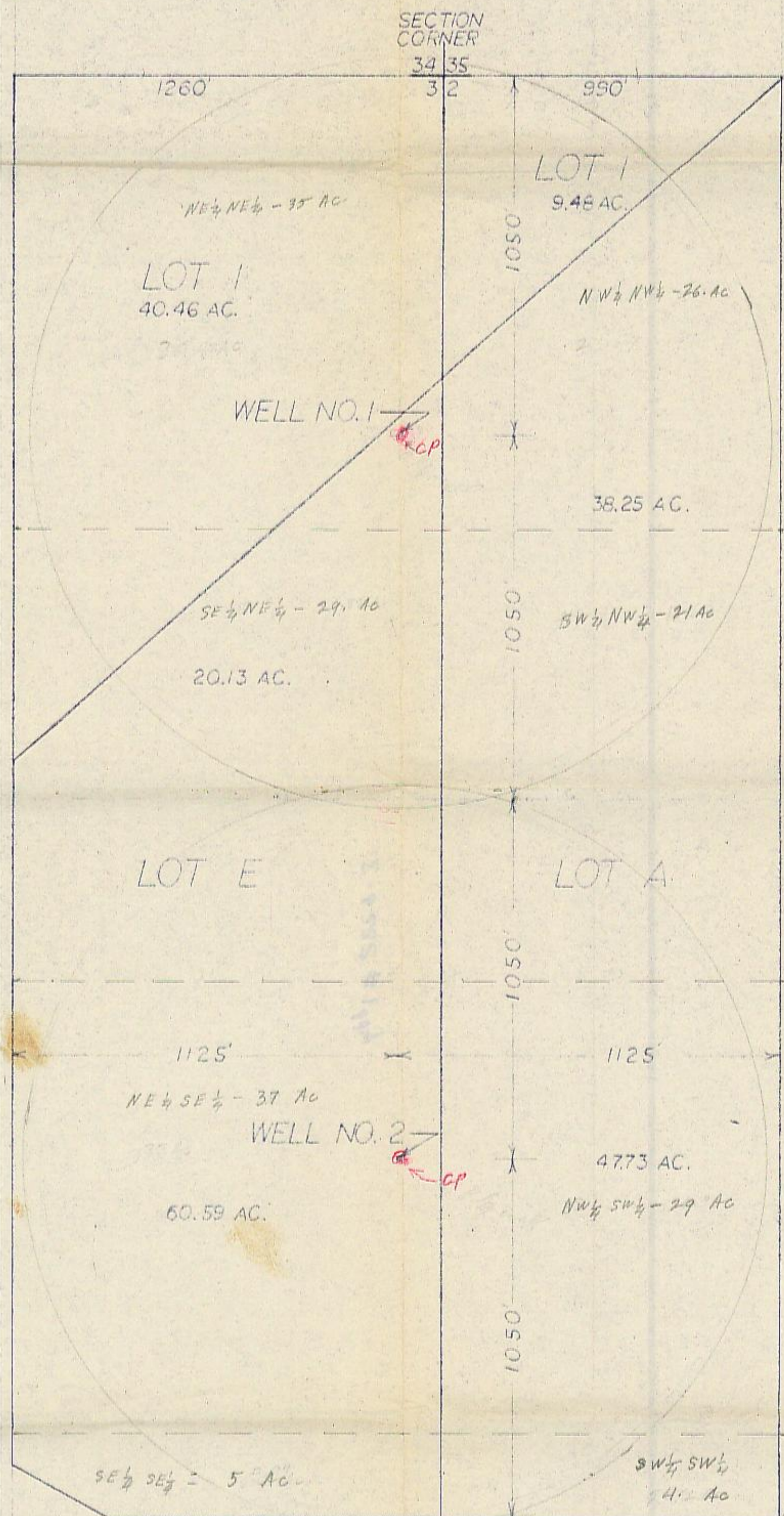
Notary Public (XXXXXXXXXXXX)

SEAL

IRRIGATION WELL LOCATION MAP

H&H FARMS CO.

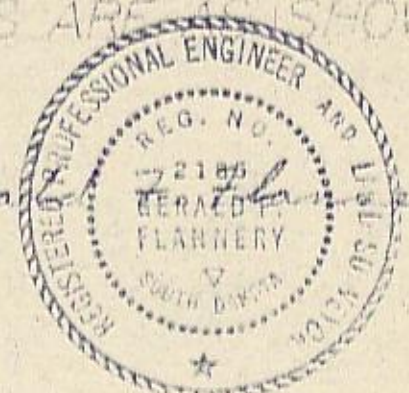
SECTIONS 2 AND 3, T91N, R51W, 5 PM, CLAY COUNTY, SD.



SCALE 1" = 300'

I, GERALD F. FLANNERY, REGISTERED LAND SURVEYOR IN SOUTH DAKOTA, DO HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME AND ALL DIMENSIONS ARE AS SHOWN ON THIS MAP.

Gerald F. Flannery
S.D. 2185



WATER RIGHT APPLICATION APPROVAL

2229-3

The Water Rights Commission hereby approves Water Right Application No. _____

H & H Farms Co., % Neil E. Helvig3300 Lakeport Rd. Sioux City,

(Applicant)

(Post Office Address)

Sioux City, Iowa

With the following modifications:

(State)

The irrigation well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

Date of first receipt of application JANUARY 3 ~~MARCH 10~~ 19 75
 Date of return to applicant for correction, amendments or changes required JANUARY 6 19 75
 Date of receipt of corrected application MARCH 10 19 75
 Approved MAY 22 19 75, Recorded in Book 13 Page 278

WATER RIGHT PERMIT NO. 2229.3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2229.3 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 MARCH 10 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 22 19 75
3. The whole of said work is to be completed on or before MAY 22 19 76
4. The limit of time from receipt of beneficial use of water appropriated in accordance herewith is MAY 22 19 77
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 2.85 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 MAY 22 19 77; said water to be used during the following described annual period: JUNE THRU SEPTEMBER

Witness my hand this 27TH day of MAY 19 75

WATER RIGHTS COMMISSION

By: Ken W. Butler

Acting Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 15 19 77Water License Issued SEPTEMBER 15 19 77

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

(1) Drill Hole, Diameter 30", Depth 96'
(2) Casing, Type Transite Diameter 16" Thickness 39'
(wood, concrete, steel, etc)
(3) Perforated Screen.
Type Transite, Diameter 16", Length 39'
(4) Gravel Pack, Thickness 14", Length of gravel pack 80'

E. Dugout Information or Estimates.

(1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials Sand

Depth to top of water bearing material 15'

Depth to bottom of water bearing material 96'

Thickness of water bearing material 81'

Depth to water (ground surface to water level) 15'

(2) Distance to nearest existing household or livestock watering wells.

On same owner's property None rds. On property owned by others 180 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

David H. H. H.
Signature of Applicant

WATER LICENSE NO. 2229-3

(1) WHEREAS, On the 3rd day of January, A. D. 1975

H. A. H. Faras, Inc.

made Water Right Application No. 2229-3 for a permit to use 2.25 cubic feet per second of the waters of ground water

County of Blair, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 22nd day of May, A. D. 1975

Permit No. 2229-3, with a date of priority of March 10, 1975

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 22nd day of May, A. D. 1976 and for the application to beneficial use of said water on or before the 22nd day of May, A. D. 1977

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 2.64 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 T41N, R31E

Section 2 NE1/4NW1/4 26 acres

SW1/4NW1/4 21 acres

NW1/4SW1/4 29 acres

SW1/4SW1/4 1 acres

Section 2 NE1/4NE1/4 35 acres

SE1/4NE1/4 29 acres

NE1/4SE1/4 37 acres

SE1/4SE1/4 5 acres

TOTAL 180 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 H & H Farms, Inc.,

_____ of Sioux City, Iowa

the holder _____ and owner _____ of said permit No. 2229-3 a water right, dating from March 10, 1975

_____ to use of 2.64 cubic feet per second of the waters

of ground water

in the County of Clay and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at _____

Well #1, 1050'S & 125'W; Well #2, 3150'S & 125'W, both in the
NE corner, Section 3, T91N, R51W

and conduct to and upon portions of Sections 2 and 3, T91N, R51W,
described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2229-3 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 September A. D.
Nineteen Hundred and seventy-seven

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Permit No. 2229-3

Water Diversion No. 3 Vermillion River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That H & H Farms, Inc.

the holder of
Permit No. 2229-3, issued upon Application No. 2229-3, bearing date of priority of March 10,
1975 authorizing the diversion of 2.85 cu. ft. per second of the waters of
ground water County of Clay, State of South Dakota at
Well #1, 1050'S & 125'W; #2, 3150'S & 125'W both from the NE
corner, Section 3, T91N, R51W
for irrigation

purposes, has complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 3.78 cu. ft. per second of water.

Date September 15, 1977

By:

WATER RIGHTS COMMISSION

John Hatch

JOHN HATCH, Chief Engineer

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(This Form Required for Proposed Well Irrigation Only)

FOR COMMISSION USE ONLY

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: Alfred S. Siffert

Disapproved: _____

NAME: Neil E. Helwig 412 H H Farms Co
ADDRESS: 3300 S. Lakewood, Sioux City, Iowa
COUNTY: Woodbury (Residence) 2144, Sioux City (Farm)

LEGAL DESCRIPTION

1. WELL LOCATION: Lot "E" Section 3, Twp 91, R. 51
2. AREA TO BE IRRIGATED: 200 Acres in above lot and 1/4 A. Sec 2

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Center Pivot
4. CROPS TO BE IRRIGATED: Corn

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: Level
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Sandy Loam
Class II & III

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 79-1005
8. SALINITY: EC = 1691 micromhos/cm (high)
9. SODIUM: Sodium Adsorption Ratio 1.12 (low)

ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA
LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS
AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICRO
REPRODUCTIONS. REDUCTION 25% ROLL NO 32 4-14-83 DATE MICROFILMED
Dariusz Palmarz

I do hereby certify that a chemical analysis of the ground water to be
acquired for irrigation from South Dakota State University and:

the land capability for irrigation information has been acquired from

Permit, Report - Clay County, South Dakota.

and:

that the legal description for the location of the well and land to be
irrigated is true and correct.

W. R. S. Helms.

Subscribed and sworn before me this

29th day of NOVEMBER 1974.

B. M. Broderick

B. BRODERICK, Notary Public

In and for Woodbury County, Iowa

~~Commission Expires Sept. 30, 1977~~

(Title)

RECEIVED

FEB 19 1976

DEPT. OF NATURAL
RESOURCES

Conservation
Commission
Form WL #1

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SECL 46-6-3 AS AMENDED
(This Form Required for Proposed Well Irrigation Only)

FOR COMMISSION USE ONLY

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: [Signature] 3/7/87

Disapproved: _____

NAME: 112 H Farms Company
ADDRESS: 3325 S. Oakhurst Road
COUNTY: Sioux Falls, South Dakota (Meeker County)

LEGAL DESCRIPTION

1. WELL LOCATION: Section 34, Township 92 N, Range 51 W
in Meeker County, South Dakota
2. AREA TO BE IRRIGATED: Approximately 100 acres
in Section 34, Township 92 N, Range 51 W

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): Center Pivot (12/16-18" SP)
4. CROPS TO BE IRRIGATED: Potatoes & Corn

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: Level
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Sandy Loam
(Class II & III)

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 74-1005
8. SALINITY: EC = 1691 micro mhos/cm (high)
9. SODIUM: Volume: 1.15 L

Note (No actual sample submitted; applicant states this well has not yet been drilled, but will be about 1000 ft N NW of the one in sec 3, T 91 N, R 51 W, and will tap the same aquifer)

December 23, 1974



Mr. Neil E. Helvig
5300 South Lakeport Road
Sioux City, IA 51102

Dear Mr. Helvig:

Pursuant to our telephone conversation Friday afternoon, I am forwarding your WI-1 forms and copies of this letter and the water quality analysis report to the State Conservation Commission. Attached to this letter you will find a questionnaire which we would appreciate your completing and returning to us.

The water quality of this water sample is what we call high salinity, low sodium. That is, it has a total salt load which is appreciable, being 1691 micromhos per centimeter of electrical conductivity, but the sodium content is only enough to give it a sodium adsorption ratio of 1.12. Thus, the only hazard with this water is that of occasional salt accumulation on the surface or in the root zone. However, with the rainfall frequency and intensity which occurs in Clay County, there should be natural periodic leaching to keep the salt level from becoming high enough to interfere with the salt growth. Therefore, I am recommending the approval of a water use permit for this water supply.

I am enclosing a copy of Extension Circular 654 which gives some information about irrigating with marginal quality water such as this. Also on the back cover is an encircled red cross which denotes the approximate quality of this water in a nationally used quality diagram. I hope that the irrigation venture is a success and that the additional forms required will be supplied to the State as soon as possible. We will hold of them.

Sincerely yours,

L. O. Fine
Water Quality Lab

RECEIVED

FEB 19 1975

DEPT. OF NATURAL
RESOURCE DEVELOPMENT

LOF:111

Enclosures

CC: State Conservation Commission
Robert Schurrer, Clay County Agent
Darrel Fahl



REPORT OF ANALYSIS **Water Quality Laboratory** **Water Resources Research Institute** **South Dakota State University** **Brookings, South Dakota 57006**

Submitted by: H. L. Helwig
 Address: 3300 E. Lakewood Road
Sioux City, Iowa 51106

Date Rec'd: December 16, 1974
 Sample No.: 74-1005
 Identification: _____

WATER ANALYSIS

Calcium (Ca)	240	ppm*	12.00	me/l**
Magnesium (Mg)	59	ppm	4.84	me/l
Sodium (Na)	75	ppm	3.26	me/l
Potassium (K)	12	ppm	0.30	me/l
Sulfate (SO ₄)	660	ppm	13.73	me/l
Nitrate (as N)	0.20	ppm	0.01	me/l
Chloride (Cl)	32	ppm	0.91	me/l
Bicarbonate (HCO ₃)	373	ppm	0.12	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	306	ppm (as CaCO ₃)		
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	1691	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	1.12			
Sodium	15.98	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.06			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

***g.p.g.=grains per gallon

COMMENTS: Total cations 20.40 me/l
 Total anions 20.77 me/l

By: Harvey Hittan

Service Performed	Amount Due
ANALYSIS SHOWN ABOVE.	3.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 74-1005

Amount Enclosed \$ _____

Signed _____

No. 62229-3

Publish first publication, on or before May 8, 1975

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 1, 1975

Notice is hereby given that H & H Farms Company
whose post office address is Sioux City, Iowa, 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
2.65 cubic feet of water per second of time from the ground water through the
H & H Wells, the point of diversion of which is to be located in the

Lot E

of Section 3, Twp. 91N, Range 51E. Said water to be used for the purpose
of providing irrigation on the following described land:

lot 1 and lot A, Section 2 and lot 1 and lot E, Section 3, T91N, R51E

This application No. 2229-3 will be considered by the Water Rights Commission at its office at
Pierre upon the 21st day of May, 1975, at 2:30 P. M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: Neil Helvig, H & H Farms Company, 2300 1st Apprt Road, Sioux City, Iowa 51102

PROOF OF PUBLICATION

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

I, Byron Helgerson hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Leader Courier

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____
city of Elk Point

County of Union and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

April 10, 1975

April 17, 1975

Byron Helgerson
(Signature)
Publisher
(Title)

4 17 75

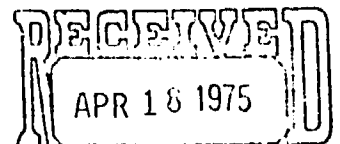
(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
April 1, 1975

Notice is hereby given that
H & H Farms Company whose
post office address is Sioux City,
Iowa has made an application in
accordance with the provisions
of the water laws of South Dakota
for a permit to appropriate for
beneficial use 2.85 cubic feet of
water per second of time from
ground water through the H & H
Wells, the points of diversion
are to be located in Lot E of
Section 3, Twp., 91N, Range
51W. Said water to be used for
the purpose of providing irrigat-
ion on the following described
land: Lot 1 and Lot A, Section
2 and Lot 1 and Lot E, Section
3, T91N, R51W.

This application No. 2229-3
will be considered by the Water
Rights Commission at its office
at Pierre upon the 21st day of
May, 1975, at 2:30 P.M. All
interested persons may appear
and be heard.

WATER RIGHTS COMMISSION
By Burton F. Jones
Water Rights Specialist
Publish: April 10 & 17



STATE WATER RIGHTS COMMISSION
PIERRE, SOUTH DAKOTA

2227.3
6-18-76

Camp 11/15/76

Stage 2 - 1000

3 stages - Period 11/27/76

Camp 11/15/76

Holmes 11/15/76

854 p. 1103 KPM

10² - Q 946 - 00.11 - 871

Camp 11/15/76

Stage 2 - 1000

of all 2/10 9 tower 1000

11/15/76 Period 13953

Camp 11/15/76

Stage 2 - 1000

Model 11/15/76

Valley 11/15/76 9 tower 1000

1090 ft. 25 stages 11/15/76

Model 1260 Period 13899

over

Permit No. 2229-3
VERMILLION
 Water Division 3 VERMILLION 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 H H Farms Co.
 of 1300 Schaefer Rd, Sioux City, Iowa holder
 of Permit No. 2229-3, hearing date of priority of MARCH 10, 1975
 authorizing the diversion of 2.85 cu. ft. per second of the waters of Wells
 for Irrigation purposes, in Clay 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:

Well #1 - Pump - Fairbanks Morse - Size 12 A1, Figure 7000
 Serial # A2W 24423X - 3 Stage Est 850 gpm
 Engine - Ford 6 cyl. Industrial - Propane fuel.
 Well #2 - Pump - Fairbanks Morse - Size 12 A1 - Figure 7000
 Serial # A2X 250H 535A 3 Stage - Est 850 gpm
 Engine - Ford 6 cyl. Industrial - Propane fuel.

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

Aluminum Pipe - from pumps to Center Pivots & ditches.

C. Works used to apply water to beneficial use.

Well #1 - Valley Center Pivot, Water Driven, Model 1260
 Serial # 13599.

Well #2 - Valley Center Pivot - Water Driven, Model 1260
 Serial # 13953, Good

The system is in the following condition: Good

The point of diversion is located Well #1 1050 ft South and 125 ft West, Well #2
3150 ft South and 125 ft West, both from the NE Corner Section 7
T 91N, R 51W

The works are capable of diverting and conveying to the place of use 3.78

cu. ft. per second of water which is to be used for Irrigation

Water has been put to beneficial use to the maximum extent as follows: In Sec. 2 T 91N, R 51W

N 1/2 NW 1/4 - 20 Ac, SW 1/4 NW 1/4 - 21 Ac, NW 1/4 SW 1/4 - 29 Ac, SW 1/4 SW 1/4 - 4 Ac
In Sec. 7 T 91N, R 51W, NE 1/4 NE 1/4 - 35 Ac, SE 1/4 NE 1/4 - 29 Ac
NE 1/4 SE 1/4 - 37 Ac, SE 1/4 SE 1/4 - 5 Ac

comprising a total of 1.86 acres of land.

Date July 22, 1976
Lester H. H. H. H.
 (Signature)



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

September 26, 1977

H & H Farms, Inc.
c/o Neil Helvig
3300 S. Lakeport Road
Sioux City, IA 51102

Gentlemen:

Enclosed herewith are, Water License No. 2229-3 and Certificate of Construction.

Water License No. 2229-3 is the final water right document completing your process of obtaining 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 COMMISSION

JH:gy

Enclosures

NOTE: Your pump capacity is 3.78 cfs (1697 gpm). Based upon the acreage actually irrigated you are entitled to only divert 2.64 cfs (1185 gpm). Any diversion in excess of 2.64 cfs would be a violation of your water right.



2229-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

February 11, 1994

No. 2229-3

Neil E. Helvig
PO Box 2705
Sioux City IA 51106

Dear Mr. Helvig:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 2229-3. The water right is currently listed in the name of H & H Farms.

The transfer form should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

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 me.

Sincerely,

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

enclosure

2229-3

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 2229-3
Date: February 16, 1994

I\We request that Water Right No. 2229-2

formerly owned by: H & H Farms

be transferred to: (name & address) Neil E. Helvig, Box 2705, Sioux City, IA 51106-0705

(Telephone No) (712) 276-4130

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

186 acres - W 1/2 NW 1/4, W 1/2 SW 1/4 Section 2 and the E 1/2 NE 1/4, E 1/2 SE 1/4 Section 3; all in T91N-R51W

I\We understand that the validity of Water Right No. 2229-2 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.

IOWA
STATE OF ~~SOUTH DAKOTA~~ XXXXX
County of WOODBURY }

I\We NEIL E. HELVIG 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.

Neil E. Helvig
(Signed)

Subscribed and sworn to before me this 16 day of Feb., 19 94.

Beverly J. Morgan
(Notary Public)



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.



2229-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 24, 1994

No. 2229-3

Neil E. Helvig
Box 2705
Sioux City, IA 51106-0705

Dear Mr. Helvig:

We are in receipt of your "Notice of Transfer of Ownership" form, but have not received the required \$2.50 fee. Before we can proceed with the transfer of Water Right No. 2229-3, we must be in receipt of the required fee.

Your immediate response is appreciated, and if you have further questions, please feel free to contact me.

Sincerely,

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

2229-3

HELVIG AGRICULTURAL SERVICE CO.

NEIL E. HELVIG A.F.M.
DOUGLAS E. HELVIG
(712) 276-4130
FAX: (712) 276-4130

FARM MANAGEMENT • FARM LOANS
CERTIFIED APPRAISER • FARM SALES



3300 S. LAKEPORT ROAD
P.O. BOX 2705
SIOUX CITY, IOWA 51106

February 28, 1994



Cheryl F. Frost
South Dakota Department of Environment
and Natural Resources
Joe Foss Building
523 East Capitol
Pierre South, Dakota 57501-3181

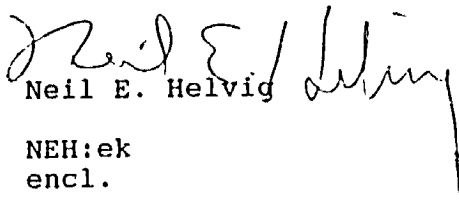
RE: Water Right No. 2229-3

Dear Ms. Frost:

Enclosed please find \$2.50 fee for "Notice of Transfer of Ownership". Sorry about the previous omission.

Thank you for your assistance in this matter.

Yours sincerely,


Neil E. Helvig
NEH:ek
encl.

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

2229-3
414068

Pierre, March 2, 19 94

RECEIVED OF Eileen Helvig, 3300 Lakeport Rd, Sioux City, IA 51106

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. 2229-3

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By John Hatch
Chief Engineer



2229-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 8, 1994

No. 2229-3

Eileen Helvig
3300 Lakeport Rd.
Sioux City, IA 51106

Dear Ms. Helvig:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 2229-3.

Our records now show Neil E. Helvig as the owner of Water Right No. 2229-3.

Sincerely,

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

enclosure

c: Neil E. Helvig, Box 2705, Sioux City, IA 51106-0705



2229-3
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 21, 2011

NOTICE

TO: NEIL E HELVIG, PO BOX 2697, SIOUX CITY, IA 51106

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2010 Irrigation Questionnaire(s)

Our records indicate that the 2010 Irrigation Questionnaire has not been submitted for Permit No(s) 2229-3 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 15, 2010. The Water Management Board has directed that owners of water permits who have not submitted the 2010 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 **10:00 am, March 9, 2011**, 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) 2229-3 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 on/or before **March 4, 2011**, 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.

2229-3

[Home](#) | [Help](#) | [Sign In](#)[Track & Confirm](#)[FAQs](#)

Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 1024

Service(s): **Signature Confirmation™**Status: **Delivered**

Your item was delivered at 7:52 am on January 25, 2011 in SIOUX CITY, IA 51106. The item was signed for by D HELVIG.

Track & Confirm

Enter Label/Receipt Number.

[Go >](#)

Detailed Results:

- Delivered, January 25, 2011, 7:52 am, SIOUX CITY, IA 51106
- Notice Left, January 24, 2011, 9:12 am, SIOUX CITY, IA 51106
- Arrival at Post Office, January 24, 2011, 6:20 am, SIOUX CITY, IA 51101

Notification Options

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Get current event information or updates for your item sent to you or others by email.

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No FEAR Act EEO Data

FOIA

[USPS Tracking Services](#)[Business Customer Gateway](#)SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0802 1024

NEIL E HELVIG
PO BOX 2697
SIOUX CITY IA 51106

Waiver of Signature ☐ YES ☐ NOPostmark
Here**POSTAL CUSTOMER:**

Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com®
or call 1-800-222-1811

- ☐ Priority Mail™ Service
- ☐ First-Class Mail® parcel
- ☐ Package Services parcel



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 8, 2011

2229-3

Eileen Helvig
PO Box 2697
Sioux City IA 51106

Dear Ms. Helvig:

I am writing to acknowledge receipt of your 2010 irrigation questionnaire. You may disregard the January 21, 2011, "Notice" concerning reporting requirements for Water Right No. 2229-3. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

In response to your notation about the ownership change, enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

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

enclosure

RECEIVED

APR 14 2011

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2229-3

Date: April 12, 2011

I/We request that Water Right No. 2229-3

formerly owned by: Neil E Helvig

be transferred to: (name & address) Eileen A. Helvig Revocable Trust
3300 S. Lakeport St. P.O. Box 2697
Sioux City IA 51106 Telephone No. 712-276-4130

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

186 acres - W 1/2 NW 1/4, W 1/2 SW 1/4 Section 2 and E 1/2 NE 1/4, E 1/2 SE 1/4 Section 3, T91N, R51W

I/We understand that the validity of Water Right No. 2229-3 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 Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Eileen A. Helvig, the new owner, certify that the above information is true and
Revocable Trust correct.

Eileen A. Helvig Revocable Trust
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. 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

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 4/14, 20 11

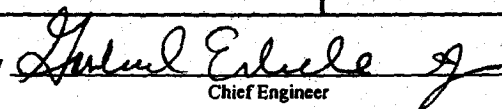
RECEIVED OF Helvig Farm Account PO Box 2697 Sioux City IA 51106

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	50 00	
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>2229-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **04968**

By


Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 18, 2011

2229-3

Eileen A Helvig
PO Box 2697
Sioux City IA 51106

Dear Ms. Helvig:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" form and filing fee you submitted for transferring Water Right No. 2229-3.

The ownership change has been completed. Water Right No. 2229-3 formerly listed in the name of Neil E Helvig is now listed under the name of Eileen A Helvig Revocable Trust.

Enclosed for your records is Receipt No. 04968 in the amount of \$50.00. If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosure