

Water Right Number 2255-3

1. Considered MAY 21, 1975
2. Name of Applicant ROLFE COLE
3. Post Office Address HUDSON
4. Amount of Water claimed 2.1
5. Source of Water supply SIoux RIVER
6. Water to be used for IRRIGATION
- Acres to be irrigated 149
7. Water to be diverted and used in LINCOLN County
about 15 1/2 E miles of HUDSON
8. Proof of Publication
Received 5-19-75
Not Received _____
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
9. Application
10. Remarks:

ORIGINALLY
RECEIVED 4-11-75Map No. 1647-3 Water Division No. 3 Big Sioux River
(Returns to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

RECEIVED
APR 28 1975
8:19STATE WATER RIGHTS COM.
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Rolfe Cole
Postoffice address Hydson State South Dakota
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct Labor
3. Name of diversion work Rolfe Cole Irrigation Project #1
4. Amount of water claimed (cubic feet per second) 2.1
5. Source of water supply Well Sioux River
6. Location of point of diversion Any point on River Bank from a point
2310' N 90° E to 1650' N 145° E of NW corner of
Sec 30 - 96 - 47 County Lincoln
7. Annual period or periods during which water is to be used May through October
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, (tc.) irrigation
9. For irrigation use. Total number of acres to be irrigated 199

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.
NW 1/4 of SW 1/4 Sec 19 96-47	39	NW 1/4 of NE 1/4 Sec 19	10
NE 1/4 of SW 1/4 Sec 19	40		
SW 1/4 of SW 1/4 Sec 19	35		
SE 1/4 of SW 1/4 Sec 19	25		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Five years. Additional time required to complete application of water to the proposed beneficial use Three years.
11. Choice of newspaper for Notice of Intent to Appropriately Water publication Sioux Valley News
Canon
12. Principal Features of the Proposed Water Supply System.

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

Electrically driven deep well turbine on well
pump on River Bank

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

closed conduit

C. Works proposed to apply water to beneficial use.

Center Pivot MachineEstimated Total Cost \$ 40,000Attachments: 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 BrookingsI, Rolfe Cole 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 Rolfe ColeSubscribed and sworn to before me this 24 day of April 19 75James E. Evans
Notary Public, or other qualified officer

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 2255-3ROLFE COLE

(Applicant)

HUDSON

(Post Office Address)

SOUTH DAKOTA 57034

(State)

With the following modifications:

Date of first receipt of application APRIL 11, 19 75Date of return to applicant for correction, amendments or changes required APRIL 18, 19 75Date of receipt of corrected application APRIL 28, 19 75Approved MAY 21, 19 75, Recorded in Book 13, Page 299WATER RIGHT PERMIT NO. 2255-3The Water Resources Commission hereby grants and issues this Water Right Permit No. 2255-3 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 APRIL 11, 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 21, 19 77
3. The whole of said work is to be completed on or before MAY 21, 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 21, 19 83
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 2.1 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 21, 19 83; said water to be used during the following described annual period: MAY THRU OCTOBER

Witness my hand this 29TH day of MAY, 19 75

WATER RESOURCES COMMISSION

By:

Wm W Butler

Acting

Chief Engineer, Executive Officer

Certificate of Construction Issued MAY 5, 19 80Water License Issued MAY 5, 19 80

West Field

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 30", Depth 50'
 Type of casing asbestos cement
 (wood, concrete, steel, etc.)
 Size of casing 16", Thickness of casing 3/4"
 Length of casing 35', If collection gallery, length, size and depth of gallery _____

(b) Screens

Type of perforated screen Johnson Wire Rap
 Size of perforated screen 16" (diameter), 15' (length)
 Thickness of gravel pack 13", length of gravel pack 50'

(c) Water Bearing Materials

Distance to water 20', Character of water bearing materials Coarse gravel and sand

Thickness of water bearing material 40'

(d) Pump and Motor

Type of pump Turbine
 (centrifugal, propeller, mixed flow, etc.)
 Name of pump Worthington, size 900 GPM
 Kind of motor electric
 (gasoline, electric, diesel, etc.)
 Horsepower 60 H.P., Name of Motor U.S.

(e) Complete well

Capacity 900 GPM at drawdown of 2', Estimated cost \$8000.00

(f) Owner of land upon which well is located Rolfe A. Cole
Hudson, S.D.
 Address

(g) Distance to nearest existing wells

On same owner's property 160 rods. On property owned by others 110 rods

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: 11/15/25

Disapproved: _____

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)

NAME: Ralph Cole

ADDRESS: Hudson, S.D.

57034

COUNTY: Lincoln

Edna Twp.

LEGAL DESCRIPTION

1. WELL LOCATION: 1st 1/4 of Sec. 19 96 47

2. AREA TO BE IRRIGATED: Same

TYPE OF IRRIGATION

3. GRAVITY

SPRINKLER (Indicate Type):

Sprinkler Water Drive Center Pivot

4. CROPS TO BE IRRIGATED: Corn

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 0%

6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Delmont Loam Intake family

2.0 Thurman fine sandy loam Intake family 3.0

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-200

8. SALINITY: EC = 50.8 μ mhos/cm (medium)

9. SODIUM: SAR = 0.12 (low)

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

Ed 4 of Nth 5 of Sec 25 46 48 Lincoln Co. A.S. C.

and:

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

Rolfe Cole

Subscribed and sworn before me this

12th day of April 1975.

K. L. Medsker

Notary Public

(Title)

RECEIVED
APR 15 1975

STATE WATER RIGHTS COM.
PIERRE, SOUTH DAKOTA

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

Submitted by: Rolfe Cole
 Address: Madison, SD 57034

Date Rec'd: March 26, 1975
 Sample No. 75-199
 Identification Well-
NE1, Sec. 25, T 96N, R 48W

WATER ANALYSIS

Calcium (Ca)	74	ppm*	3.70	me/l**
Magnesium (Mg)	29	ppm	2.38	me/l
Sodium (Na)	6	ppm	0.23	me/l
Potassium (K)	3	ppm	0.09	me/l
Sulfate (SO ₄)	90	ppm	1.87	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)	12	ppm	0.34	me/l
Bicarbonate (HCO ₃)	281	ppm	4.60	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)	230	ppm (as CaCO ₃)		
Alkalinity (Penolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	147	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.13			
Sodium	3.59	% of cations		
Residual sodium carbonate	0.00	me/l		
pH	7.68			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

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

COMMENTS: Total cations 6.40 me/l
 Total anions 6.81 me/l

By: Shirley Kitten

Service Performed

Amount Due

Irrigation analysis

\$6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 75-199

Amount Enclosed \$5

Signed

April 4, 1975

Mr. Rolfe Cole
Hudson
South Dakota 57034

Dear Mr. Cole:

Enclosed please find the reports of analysis of your water sample #75-199 and #75-200. These are yours to keep. Also enclosed is a copy of Extension Circular 654 with the approximate quality of these two waters for irrigation purposes designated by encircled red crosses on the outside back cover. You will note that they are generally quite good waters with medium salt content and very low sodium. You should have no difficulty whatever irrigating the soils you indicate you have with these waters.

A copy of this letter and your WI-1 forms and a copy of the water analyses are being sent to the State Conservation Commission

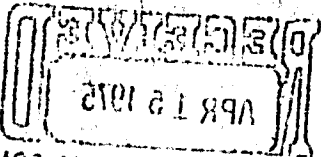
Sincerely yours,

L. O. Fine
L. O. Fine
Water Quality Lab

LOF:MRB

Enclosures

cc: State Conservation Commission
Larry Tidemann, Lincoln County Agent
Darrel Pahl



STATE WATER RIGHTS COM.
SOUTH DAKOTA

Permit No. 2255-3

Water Diversion No. 3 Big Sioux River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Rolfe Cole

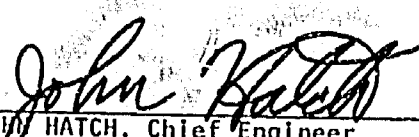
_____ the holder _____ of
Permit No. 2255-3, issued upon Application No. 2255-3, bearing date of priority of April 11, 1975

_____ authorizing the diversion of 2.1 cu. ft. per second of the waters of the
Sioux River County of Lincoln, State of South Dakota at a
point south 118° east, 1650' from the SW Corner, Section 19 - T96N - R47W

_____, 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 1.08 cu. ft. per second of water.

Date May 5, 1980


JOHN HATCH, Chief Engineer
Water Rights, WND

WATER LICENSE NO. 2255-3.

(1) WHEREAS, On the 11th day of April A. D. 19 75
Rolfe Cole

made Water Right Application No. 2255-3 for a permit to use 2.1 cubic feet per second of the water of the Sioux River

County of Lincoln, State of South Dakota, for Irrigation purposes; and

(2) WHEREAS, On the 21st day of May A. D. 19 75

Permit No. 2255-3, with a date of priority of April 11, 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 21st day of May A. D. 19 80 and for the

application to beneficial use of said water on or before the 21st day of May A. D. 19 83

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 1.83 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,

to irrigate the following lands in Section 19 - T96N - R47W

acres

NW 1/4 SW 1/4 33

NE 1/4 SW 1/4 33

SW 1/4 SW 1/4 33

SE 1/4 SW 1/4 29

128 TOTAL

(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 _____

Rolfe Cole

_____ of _____

Hudson

the holder _____ and owner _____ of said permit No. 2255-3 a water right, dating from April 11, 1975

_____ to use of 1.83 cubic feet per second of the waters

of the 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 south 118° east, 1650' from the SW corner,

Section 19 - T96N - R47W

and conducted ⁹⁰ and upon portions of the SW 1/4, Section 19 - T96N - R47W, more fully described

in this face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 2255-3 and subject to the laws of the State of South Dakota.

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

this 5th day of May A. D.

Nineteen Hundred and Eighty

Board of Water Management

By:

John Hatch
Chief Engineer

JOHN HATCH

2255-3

Publish first publication, on or before May 8, 19 75NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 29, 19 75Notice is hereby given that Rolfe Colewhose post office address is Hudson, 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 use2.1 cubic feet of water per second of time from the Stour River through the Rolfe Cole Irrigation Project #1, the point of diversion of which is to be located in thebetween points in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 30 and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 19, Twp. 96N, Range 47W. Said water to be used for the purpose of providing irrigation on ^{portions of} the following described land:SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 19, T96N, R47WThis application No. 2255-3 will be considered by the Water Resources Commission at their office at Pierre upon the 21st day of May, 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: Rolfe Cole, Hudson, S.D. 57034

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Lincoln) ss.

I, Marie Beitzel hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Sioux 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
two dates:

May 8, 15, 1975

Marie Beitzel
(Signature)

Bookkeeper

(Title)

May 16, 1975

(Date Signed)

NOTICE
INTENT TO APPROPRIATE
WATER

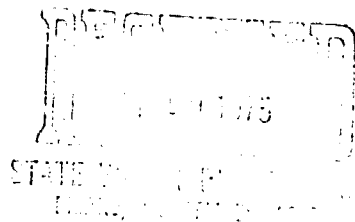
Notice is hereby given that Rolfe Cole, whose post office address is Hudson, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.1 cubic feet of water per second of time from the Sioux River through the Rolfe Cole Irrigation Project #1, the point of diversion of which is to be located in the between points in the NW1/4NW1/4, Section 30 and SE1/4 SW1/4 of Section 19, Twp. 96N, Range 47W. Said water to be used for the purpose of providing irrigation on portions of the following described land: SW1/4, NW1/4 SE1/4, Section 19, T96N, R47W

This application No. 2255-2 will be considered by the Water Resources Commission at their office at Pierre upon the 21st, day of May, 1975 at 2:30 p.m. All interested persons may appear and be heard.

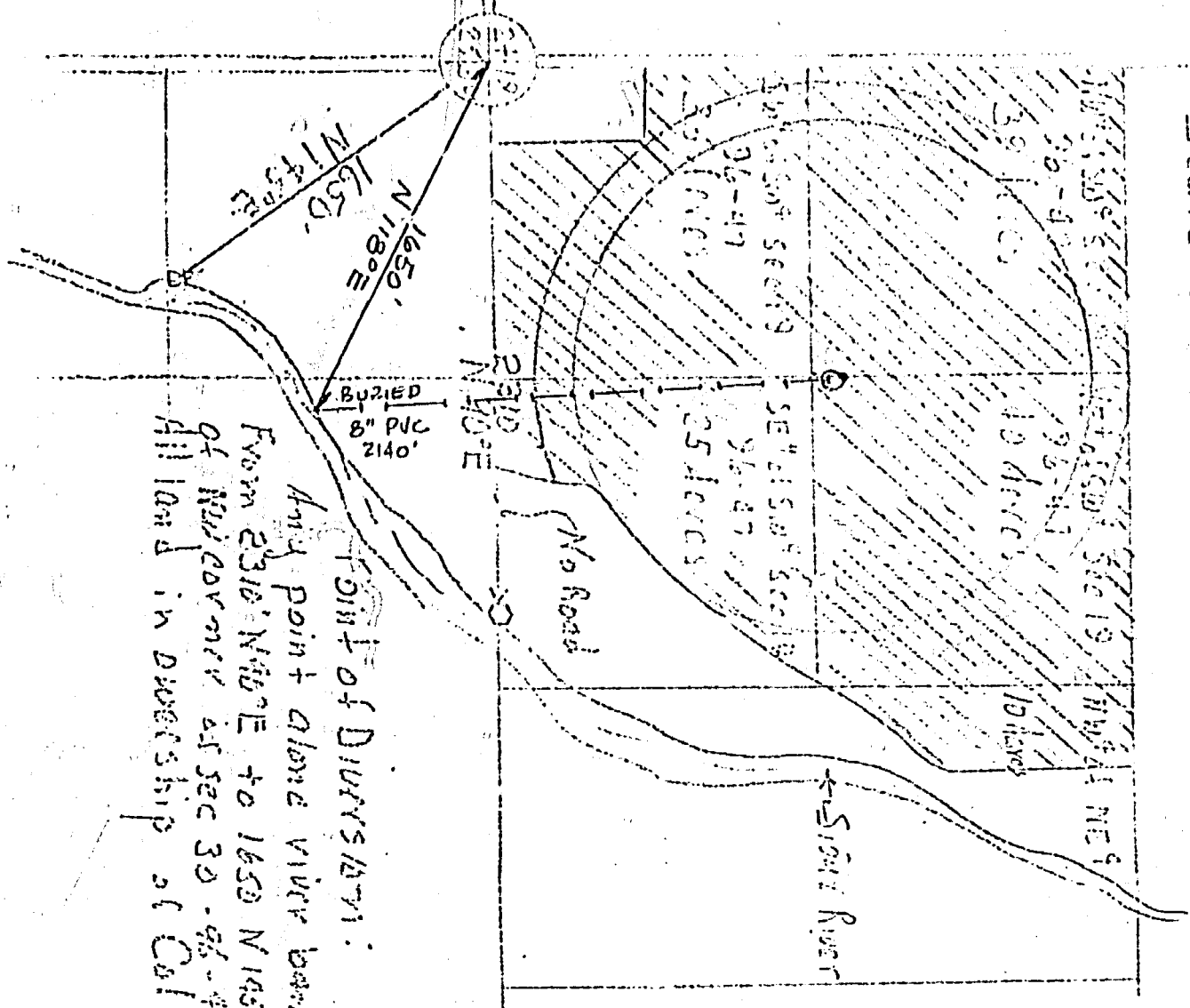
Water Resources Commission
By: Burton F. Jones

Water Rights Specialist

5-8-15;



Scale - 8" = 1 Mile



Point of Diversion:
Any point along river bank
from 2310' N 140° E to 1650' N 145° E
of New corner at sec 30 - 46 - 47
All land in ownership of Cole

ROLFE COLE

IRRIGATION PROJECT # 1
Hudson
South Dakota
Lincoln County

Acres Impleaded 149
Water Claimed - 2.1 cfs

Surveyor's Certificate

I, John L. Williams, do hereby certify that
this map hereof is a reasonably accurate
record of the land and

Rolf Cole

Hudson South Dakota
Drawn by J. L. Williams
John L. Williams
Bookings S. Dakota
57006
Lincoln County
4-18-75
P.E. # 1911

MAP NO 16473 APRIL 22 1975-3

Permit No. 2255-3Water Division 3 Big Sioux River Water District

REPORT OF EXAMINATION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: 'WATER RIGHTS, WATER MANAGEMENT' BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by ROLFECOLE

of

HUDSON

holder

of Permit No. 2255-3, bearing date of priority of APRIL 11, 1978authorizing the diversion of 2.1 cu. ft. per second of the waters of SIOUX RIVERfor 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:

PITTSBURGH PUMP CO 4" CENTRIFUGAL PUMP WITH 8" INLET
AND 8" OUTLET - TRAILER MOUNTED.
POWERED BY 75 HP US ELECTRIC MOTOR

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

2410' OF 8" PVC BURIED MAINLINE TO CENTER OF
PILOT.

C. Works used to apply water to beneficial use.

HYDROMATIC WATER DRIVE 1090' CENTER PILOT
SYSTEM WITH 200' END GUN

The system is in the following condition: GOOD

The point of diversion is located SE 1/4 S 118° E, 1650' FROM THE
SW CORNER, SECTION 19, T96N, R47W

The works are capable of diverting and conveying to the place of use LEECE (850 GPM)cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN SECTION 19, T96N, R47WNW 1/4 SW 1/4 33NE 1/4 SW 1/4 33SW 1/4 SW 1/4 33SE 1/4 SW 1/4 29comprising a total of 128 acres of land. = 1.83Date OCTOBER 28, 1979

F. J. J. J.
(Signature)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7473

April 25

80

RECEIVED OF Rolfa Cole, Hudson, SD 57034

PIERRE,

19--

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

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filling) _____		
Fee for Inspecting Construction, and Issuing Cert. of Construction No. 2255-3)		
Fee for Inspecting Beneficial Use, and Issuing Water License No. 2255-3)	50	00
Fee for Issuing Location Certificate-Dry Draw, No _____		
Fee for filling _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL	50	00

WATER RIGHTS COMMISSION

By

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH

ku

Water Rights Division
605 773-3352

January 20, 1982

2255-3

Rolf Cole
Hudson,
South Dakota 57034

Dear Mr. Cole:

Reference is made to your note on your irrigation questionnaire.

I am enclosing a list of the water rights above you, with amounts of water and priority dates. In addition to this listing the City of Sioux Falls has Permit No. 3981-3 for future development. This Permit calls for a diversion rate of 170 cfs, with a priority of June 6, 1977. One of the provisions in the permits is that they must allow 50 cfs to by-pass after diversions are made. No development has taken place under this permit, and the City does not presently use any water from the Sioux River.

We do not have any data on the diversions in Iowa.

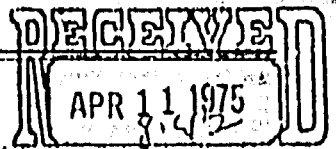
Hope this will be helpful.

Sincerely,

BURTON F. JONES
Water Rights Specialist

BFJ:ks

enclosure

No. 2255-3Water Division No. 3 BIG SIOUX RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RIGHTS COM.
PIERRE, SOUTH DAKOTA

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

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

1. Name of applicant Rolf Cole
Postoffice address Madison, County Lincoln, 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~~

(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)

Employment of others

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work Irrigation well R. COLE #13. Amount of water claimed 136 cu ft cubic feet per second 1.95 CFS4. Source of water supply Irrigation well5. Location of point of diversion Center of N.E. 1/4 sec. of 35 96-48on bank Lincoln County.6. Annual period or periods during which water is to be used Summer growing season

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? O.S.(a) Number of acres to be irrigated 136 acres.

(b) Legal subdivisions to be irrigated

(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.) To irrigate corn to begrown in the NE 1/4 sec. of 35 96-48

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

MAP # 1647-3

8. Estimated cost of work:

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

(c) Plumbing, \$-----

(e) Other structures

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

\$230.00

(b) Pumping plant, \$85.00

Rock, \$50

Total, \$365.00

9. Description of diversion works:

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

Pumping plant

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 ----- years.

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

12. Choice of newspaper for publication of notice of Intention to appropriate -----

Sioux Valley News, Canton, S. Dak.

STATE OF SOUTH DAKOTA

County of Lingsdale

ss.

I, Ralph Cole

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 Ralph Cole

Subscribed and sworn to before me this ----- day of -----

April 1925

Notary Public (or other qualified officer.)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA

County of ----- ss.

Pierre, South Dakota, -----, 19-----

This is to certify that the foregoing application was received by the Commission at ----- o'clock
----- m. upon the ----- day of -----, 19-----.

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Number of permit -----
Date of first receipt of application -----, 19-----
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 -----, 19-----
Approved -----, 19-----, Recorded in Book ----- Page -----

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 -----, 19-----
- 2nd. The whole of said work is to be completed on or before -----, 19-----
- 3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is -----, 19-----
- 4th. The water appropriated shall be used for the purpose of -----
- 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 ----- 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 -----, 19-----; said water to be used during the following described annual period:

Witness my hand this ----- day of -----, 19-----

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Certificate of Construction issued -----, 19-----

Water License issued -----, 19-----

RECEIVED

MAR 20 2008

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 2255-3

Date: 3-18-08

I/We request that Water Right No. 2255-3

formerly owned by: Rolfe Cole

be transferred to: (name & address) James H Cole, 29509 488th Ave, Hudson SD 57034

Telephone No. 605 984-2045

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

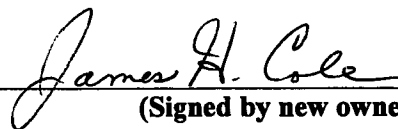
128 acres - SW 1/4 Section 19-T96N-R47W

I/We understand that the validity of Water Right No. 2255-3 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 required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We James H. Cole, the new owner, certify that the above information is true and correct.


(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 3/20, 2008

RECEIVED OF James Cole 29509 488th Ave Hudson SD 57034

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	2	50
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>2255-3</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. _____	2	50
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	2 50

No.

03009

By

Michael Erbele
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 17, 2008

2255-3

2256-3

James H Cole
29509 488th Ave
Hudson SD 57034

Dear Mr. Cole:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 2255-3 and 2256-3. The water rights are currently listed in the name of Rolfe Cole. I have also enclosed copies of the water rights for your files.

The transfer forms should be checked over for accuracy and **signed by you as the new owner.** Upon completion, return the forms to our office with a required filing fee of \$2.50 each (\$5.00 total).

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,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352
email: karen.schlaak@state.sd.us

enclosure



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 21, 2008

2255-3
2256-3

James H Cole
29509 488th Ave
Hudson SD 57034

Dear Mr. Cole:

The ownership changes have been completed for Water Right Nos. 2255-3 and 2256-3. The water rights formerly held by Rolfe Cole are now listed in your name.

Enclosed are your Receipt Nos. 03589 and 03590 in the amount of \$2.50 each. You may keep these for your records.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures



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

Gail Jacobson

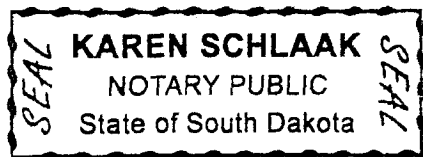
Gail Jacobson
Secretary/Water Rights

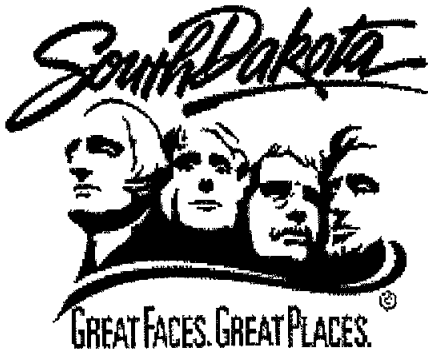
STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 4th 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
www.denr.sd.gov

January 31, 2018

2255-3

JAMES H COLE
29509 488TH AVE
HUDSON SD 57034

Subject: Bypass Qualifications on Big Sioux River Water Rights

Dear MR COLE,

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,

for Jeanne Goodman, Chief Engineer
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

February 12, 2018

2255-3

James H Cole
29509 488th Ave
Hudson SD 57034

Subject: Bypass Qualifications on Big Sioux River Water Rights

Dear Mr. Cole:

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