

1. Considered 7-21, 1976
2. Name of Applicant BERNARD & LESLIE BERGDALE
3. Post Office Address HAWARDEN
4. Amount of water claimed 1.78
5. Source of water supply BIG SIOUX RIVER
6. Water to be used for IRRIGATION
- Acres to be irrigated 180
7. Water to be diverted and used in UNION county
about 5 E miles of ALCESTER
8. Proof of Publication Received 7-12-76
Not received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____

PERMITS N^o 2350-3
AND N^o 2670-3

10. Remarks:

*Cancelled 11-27-79
Incorporated into Water License 2350-3*

No. 2765-3Map No. 1730-3 Water Division No. 3 BIG SIOUX RIVER (District)
(Plans to be filed by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

920 P. M.

To Appropriately Water within the State of South Dakota

(NOTE: Draw a line through items not applicable)

1. Name of Applicant Bernard & Leslie Bengtson
Post-office address RT. 2 Box 89 Hammon, Iowa
If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract
3. Name of diversion work Bengtson Irrigation Project # 3
4. Amount of water claimed (cubic feet per second) 1.78
5. Source of water supply Sioux River
6. Location of point of diversion Sec 21 T9S R46

County _____

7. Annual period or periods during which water is to be used June thru Sept.
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation of Crops.
9. For irrigation use, Total number of acres to be irrigated 180

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.
NE 1/4 SW 1/4 Sec 21 T9S R46W	40A		
LOT 2 SE 1/4	48.75A		
LOT 1 SE 1/4	50A		
SE 1/4 SW 1/4 Sec 21 T9S R46W	40A		

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 5 years.
11. Choice of newspaper for Notice of Intent to Appropriately Water publication Albion Union, Albion, So. Dakota
12. Principal Features of the Proposed Water Supply System.

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

Pump

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

Pipe

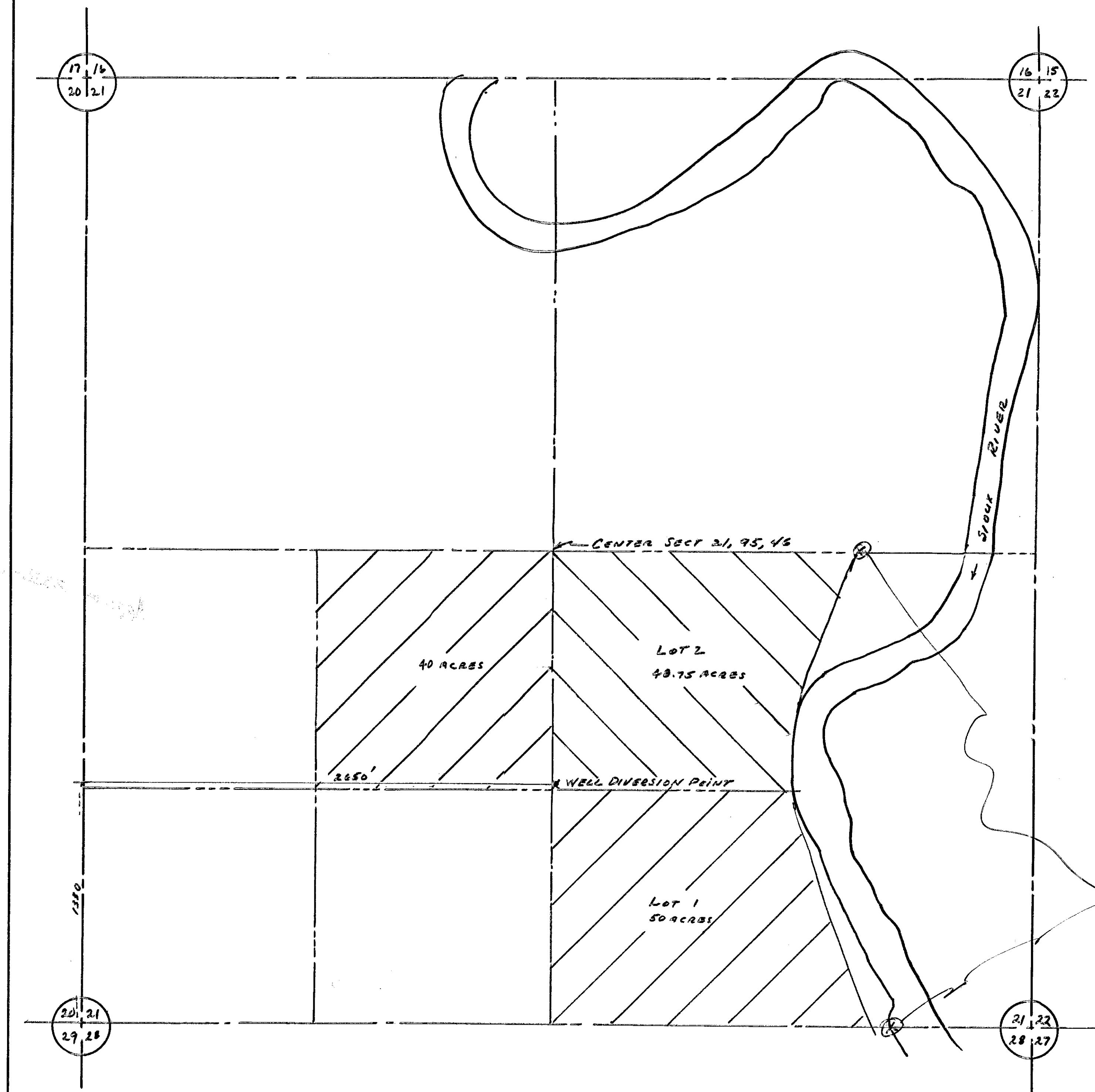
C. Works proposed to apply water to beneficial use.

Center Pivot systemEstimated Total Cost \$ 40,000.00Attachments: 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 UnionI, Bernard Bengtson, 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 Bernard BengtsonSubscribed and sworn to before me this 11 day of June, 1976.GARY M. MCKELLIPS
Notary Public, Union County, S. Dak.
My Commission Expires Aug. 26, 1983

Notary Public (or other qualified officer)



AREA BY LEGAL SUBDIVISION
 ACRES
 40.00 NE 1/4, SW 1/4 SECTION 21, T95N, R46W, STHAN
 48.75 LOT 2; SE 1/4
 50.00 LOT 1; SE 1/4
 138.75 TOTAL

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA) SS
 COUNTY OF MINNEAPPA)

I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
 IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
 CERTIFY THAT AT THE REQUEST OF BERNARD & LESLIE BERGDAL
 SOLE OWNER, I HAVE SHOWN THE LAND PRPOSED TO BE IRRIGATED
 WITHIN THEIR OWNERSHIP BOUNDARIES ON AUG 8, 1975 FOR WHICH
 APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND
 THIS MAP IS A TRUE REPRESENTATION OF THE SAME.
 WITNESS MY HAND AND SEAL THIS 8TH DAY OF AUG. 1975

Harlan W. Meyer
 REGISTERED LAND SURVEYOR #495

SCALE 1" = 400'

BETWEEN THESE
 POINTS FOR APPL NO 2765-3

BERNARD & LESLIE BERGDAL IRRIGATION PROJECT #1
 SHOWS AREA TO BE IRRIGATED & WATER DIVERSION POINT
 FOR PERMIT TO APPROPRIATE WATER

OWNER BERNARD & LESLIE BERGDAL
 SURVEYOR HARLAN W. MEYER
 AUG 8, 1975

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2765-3

BERNARD & LESLIE BERGDAL Rt #2, Box 89, HAWARDEN
(Applicant) (Post Office Address)

IOWA 51023 With the following modifications:
(State)

"LANDS TO BE IRRIGATED UNDER THIS PERMIT ARE ALSO COVERED UNDER PERMITS NO 2350-3 & NO 2670-3. COMBINATIONS OF DIVERSIONS UNDER THE THREE PERMITS SHALL NOT EXCEED THE STATUTORY LIMIT OF ONE CUBIC FOOT PER SECOND FOR EACH 70 ACRES IRRIGATED.

*Cancelled 11-29-79
Incorporated into W/L 2350-3*

Date of first receipt of application JUNE 14, 19 76

Date of return to applicant for correction, amendments or changes required ---, 19 ---

Date of receipt of corrected application ---, 19 ---

Approved JULY 22, 19 76, Recorded in Book 15 Page 242

WATER RIGHT PERMIT NO. 2765-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2765-3 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 JUNE 14, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 22, 19 79
3. The whole of said work is to be completed on or before JULY 22, 19 81
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 22, 19 81
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 1.78 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 use, 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 JULY 22, 19 81; said water to be used during the following described annual period: JUNE THRU SEPTEMBER

Witness my hand this 30TH day of JULY, 19 76

WATER RIGHTS COMMISSION

By:

John H. H. H.
Chief Engineer, Executive Officer

Certificate of Construction Issued ---, 19 ---

Water License Issued ---, 19 ---

Form 6. - Notice of Intent to Appropriate Water

No. 2765-3

Publish first publication, on or before

July 8, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 17, 1976

Notice is hereby given that Bernard & Leslie Bergdale

whose post office address is Hawarden, 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 1.73 cubic feet of water per

second of time from the Sioux River through the

Bergdale #3, the point of diversion of which is to

be located ~~in the~~ XXXX

between points in the NE 1/4 SW 1/4 and in the SE 1/4 SE 1/4

of Section 21, Twp. 05N, Range 48W. Said water to be used for the purpose of providing irrigation on the following described land:
portions of

NE 1/4 SW 1/4, Lots 1 and 2, Section 21, T05N, R48W

This application No. 2765-3 will be considered by the Water Rights

Commission at the Court House at Winner, South Dakota

upon the 21st day of July, 1976 at 10:00 A.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/bw
cc:

Bernard & Leslie Bergdale, Rt. 2, Box 88, Hawarden, Iowa 51023

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 2765-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Union) ss.

I, H. B. Heath hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Alcenter Union

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 Alcenter

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

July 1, 1976

July 3, 1976

H. B. Heath
(Signature)

Editor

(Title)

July 3, 1976

(Date Signed)

No. 2765-3
NOTICE OF INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
June 17, 1976
Notice is hereby given that Hor-
noid & Leslie Bergdale, whose post
office address is Haywarden, Iowa, has
made an application in accordance
with the provisions of the water laws
of South Dakota for a permit to ap-
propriate for beneficial use 1.78 cubic
foot of water per second of time from
the Sioux River through the Bergdale
No. 3, the point of diversion of which
is to be located between points in
the NE 1/4 SW 1/4 and in the SE 1/4 SW 1/4
of Section 21, Twp. 95N, Range 48W,
Said water to be used for the purpose
of providing irrigation on portions of
the following described land: E 1/4
SW 1/4, Lots 1 and 2, Section 21,
T95N, R48W.
This application No. 2765-3 will be
considered by the Water Rights Com-
mission at the Court House at Win-
ner, South Dakota, upon the 21st day
of July, 1976, at 10:00 A. M. All in-
terested persons may appear and be
heard.
WATER RIGHTS COMMISSION
By: BURTON F. JONES,
Water Rights Specialist
(July 1-8)

