

G Soc
5170203

Water Right No. 4539-3

1. Considered SEPT 25 1980
2. Name of Applicant KIRK HULSTEIN
3. Post Office Address RFD #1
SIoux CENTER, IOWA 51250
4. Amount of Water Claimed 1.34
5. Source of Water Supply PATTIE CREEK
6. Water to be used for IRR
7. Acres to be irrigated 160 maximum
acre feet
8. Water to be diverted and used in LINCOLN County
about 1 3/4 miles WEST of HUDSON
9. PROOF OF PUBLICATION Received (21) 4-5-80

Not Received

APPLICATION

Approved

Subject to

Not Approved

Action deferred

Priority

Date

Received 6-18-80

Application Complete yes

no

FEE 250.00

8-18-60

Remarks appl. needed completion and land description
correction

Date information and/or

fee or corrected Application received 7-10-80

Period of Annual use APR - JULY - AUGUST - SEPT

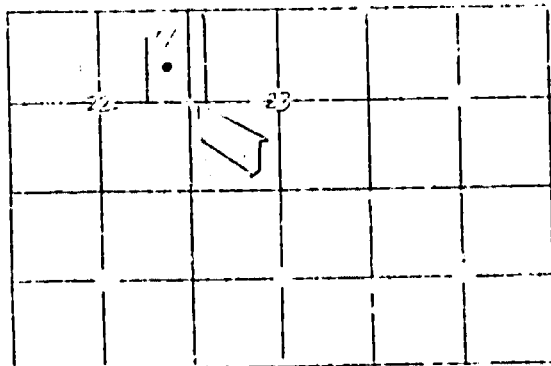
WATER
QUALITY

Received (yes) 8/18/80 in APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application (yes) no Remarks

Disapproved

Returned



Diversion Point on Pattie

Check in the SW 1/4 NE 4
Section 22 - T9N - R48W

Lands to be irrigated

1/2 NE 1/4, Section 22 and
1/2 W 1/4 NW 1/4 & SW 1/4
Section 23, all in T9N - R48W

WELL
LOG

Remarks

Driller

Licensed yes no

Depth

MAP Map No. 3758-3 Map located in Water Right _____ Map file _____
Type of Map Aerial Prepared by Cons. SCS-Canton, SD

+++++

REVIEWED This Application was reviewed within 30 days of date received, accepted as complete, Number assigned and written up for advertisement before the Board on Sept 25, 1980.

Betty Westlund
(Signed)

+++++

PROTESTS Letters/Petitions in File - yes X no _____ Remarks _____

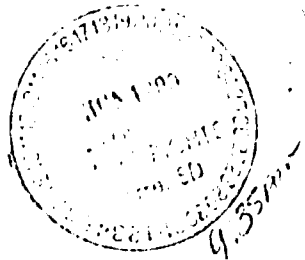
REMARKS Date
F.F. & C Final Decision, including F.F. & C of Law were adopted _____
OF LAW, Date
FINAL Final Decision mailed to parties and/or parties notified that Final Decision
DECISIONS was adopted _____
ETC.

Remarks. _____

No. 4539-3

Map No. 3758-3 Water Division No. 3 BIG SIOUX District

Above for Office Use 10170203



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

Check one of the following:

New ☒ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant Kirk - Kelly Hulsbain Phone No. 712-722-1335

Post Office Address State St. P.O. 1 Sioux Center State Iowa 51350
(Street, R.R. or Box) (Town) (Zip Code)

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Self Labor

3. Name of diversion work Hulsbain Project

4. Amount of water claimed (cubic feet per second) = 100 gal per min (1.34 CFS)

5. Source of water supply Patty Creek (Patty Creek)

6. Location of point of diversion 1/2 mile down the creek on Sec. 22, T. 22N, R. 48W, S. 1500' W & 1500' S of NE CORNER (S. 1500' E) 22-T-22N-R-48W
on Patty Creek 1500 ft. S of the N Road in Sec. 22. County Lincoln

7. Annual period or periods during which water is to be used Aug - July - Sept

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 160 A.

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.
<u>1/2 - NE 1/4 - 23-46-48</u>	<u>100</u>	<u>E 1/2 - NE 1/4 - Sec 23-46-48</u>	<u>60.0</u>
<u>1/2 - NW 1/4 - 23-46-48</u>	<u>60</u>	<u>1/2 NW 1/4 - NW 1/4 - NW 1/4 - 23-46-48</u>	<u>54.7</u>
		<u>SW 1/4 - Sec 23-46-48</u>	<u>55.1</u>
			<u>160.0</u>

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 1 month years. Additional time required to complete application of water to the proposed beneficial use 1 month years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Sioux Valley News

12. Principal Features of the Proposed Water Supply System.

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

8 in aluminum section pipe

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

Blow down pump aluminum pipe

C. Works proposed to apply water to beneficial use.

big rain throwing big gun

Estimated total cost \$ 100.00

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 SOUTH DAKOTA)

County of Sioux) ss.

I, Kirk Hulsbain 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 Kirk Hulsbain

Subscribed and sworn to before me this 14 day of June, 1970

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Board of Water Management hereby approves Water Right Application No. 4539-3

KIRK HULSTEIN
(Applicant)

RED #1-SIOUX CENTER
(Post Office Address)

IOWA 51250
(State)

With the following qualifications.

Low flows as needed for downstream domestic use, including livestock watering, and prior water rights must be by-passed.

This permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application June 18, 1980
Date of return to applicant for correction, amendments or changes required June 18, 1980
Date of receipt of corrected application August 18, 1980
Approved May 27, 1981, Recorded in Book 22 Page 220

WATER RIGHT PERMIT NO. 4539-3

The Board of Water Management hereby grants and issues this Water Right Permit No. 4539-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is August 18, 1980
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before June 11, 1981
3. The whole of said work is to be completed on or before June 27, 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is June 27, 1981
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 31.34 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 irrigation purposes said appropriation must be limited to not more than 2 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 June 27, 1981; said water to be used during the following described annual period: July - September

Witness my hand this 9th day of June, 1981

THE BOARD OF WATER MANAGEMENT

By: John Hatch
Chief Engineer, Water Rights
JOHN HATCH

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

CONSERVATION COMMISSION
WI71 FORM
3/80

Office Use Only

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

OWNERS NAME: Kirk Keith Hultgren OWNERS ADDRESS: 1000 1st St.

COUNTY LAND LOCATED IN: Lincoln PHONE: 712 122-0701

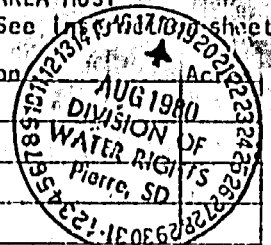
TENANT'S NAME AND ADDRESS: (If Other Than Owner) Kirk Hultgren

In accordance with State Law SDCL 46-5-6.3, If a water permit is granted with a conditional Soil/Water Compatibility permit, a copy of such conditional soil/water compatibility permit must be filed with the County Register of Deeds. This action must be taken by the holder of a water permit within 6 months of receipt of such water permit.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION OR DIVERSION POINT: 2nd Day
2. SURFACE WATER SOURCE: Butte Creek
3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See 1st sheet)

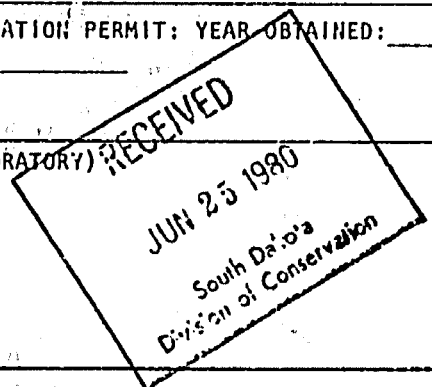
Legal Description	Acres	Legal Description	Acres
<u>1/4 Sec 22-96-48</u>	<u>60</u>		
<u>1/4 Sec 23-96-48</u>	<u>44.3</u>		
<u>SW 1/4 of Sec 25-96-48</u>	<u>55.7</u>		



4. TYPE OF IRRIGATION: GRAVITY: TOWLINE: CENTER PIVOT: GUN: OTHER:
5. CROPS TO BE IRRIGATED:
6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED:
LEGAL DESCRIPTION:
IN WHAT NAME:

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 80-384
8. SALINITY (EC x 1.6): 927
9. SODIUM (SAR): 0.35
10. ADJUSTED (SAR): 0.90



I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at 7 a.m./p.m., on 10-1 1980, at the following location: Kirk Hultgren (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

10 DAY OF June, 1980.

[Signature]
(NOTARY PUBLIC)

IMPORTANT

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER PERMIT must be obtained from the Board of Water Management.

[Signature]
APPLICANT'S SIGNATURE

[Signature]
Director, Division of Conservation

APPROVED

DISAPPROVED

X CONDITIONALLY APPROVED

conditional

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT Kirk-Kelly Hulstain, Miami Center, Iowa

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED

RECOMMENDED MANAGEMENT:

Subsurface drainage, if feasible.
Deep Tillage: Occasional use, depending upon your decision, crops
and water table.
For maximum crop yields in both dry and wet years, internal drains on
portions of your land may be economically practical. Such areas may
be where spring tillage is delayed because of wetness.
If a sub or side-roll system is employed, you will be able to stay
off those areas that may be affected by surface flooding or a shallow
water table in years of abundant moisture.

(۱)

Date Rec'd June 18, 1980
Sample No. 80-384
Identification Intero Creek
NE 1/4, Sec. 22, T 96N, R 48W

WATER ANALYSIS			
Calcium (Ca)	149	ppm*	7.45 me/l**
Magnesium (Mg)	45	ppm	3.69 me/l
Sodium (Na)	19	ppm	0.83 me/l
Potassium (K)	5	ppm	0.13 me/l
Sulfate (SO ₄)	230	ppm	4.78 me/l
Nitrate (as N)		ppm	me/l
Chloride (Cl)	9	ppm	0.25 me/l
Bicarbonate (HCO ₃)	342	ppm	5.60 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)	280	ppm (as CaCO ₃)	
Alkalinity (Phenolphthalein)	0	ppm (as CaCO ₃)	
Electrical Conductivity	927	micromhos per cm at 25° C.	
Sodium Adsorption Ratio	0.35	Adjusted SAR	0.90
Sodium	6.35	% of cations	0.63
Residual sodium carbonate	0.00	me/l	
pH	8.08		
Others:			

*ppm=parts per million
 **me/l=millequivalents per liter
 ***g.p.g.=grains per gallon

RECEIVED
 280

per gallon

RECEIVED
JUN 25 1980
South Dakota
Division of Conservation

By: Shirley Mitten

Service Performed	Amount Due
Irrigation analysis	\$15.00 PAID

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment.

Sample No. 80-384

Amount Enclosed \$

Signed

Point T 23
Diction
District Court

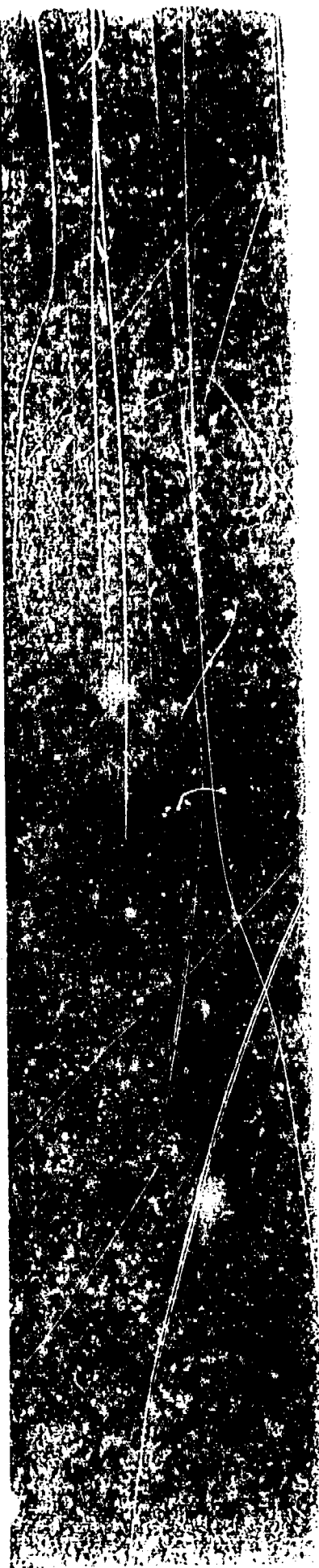
CAND. JOHN
MONTAGNA
MAY 1964
CAND.



COMP

94-418

100-41
100-41
CAND.



NOT TO BE

82-42

10-10

POINT 33
DIVISION
ATTN: CASE

10-10-10
10-10-10

92-42

10-10

copy

10-10

No. 4539-3

Publish first publication, on or before September 4, 1980

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 21, 1980

Notice is hereby given Kirk Hulstein whose post office

address is Sioux Center, Iowa ~~XXXXXX~~ has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 1.34 cubic feet of

water per second of time from ~~the~~ Pattag Creek through the

Hulstein Project, the point ~~(s)~~ of diversion of which is ~~(are)~~ XXXX to be located

in the SW 1/4 NE 1

of Section 22, Twp. 96N, Range 48W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

E 1/2 NE 1, Section 22; W 1/2 NE 1 and SW 1/4, Section 23, all in T96N-R48W

This Application No. 4539-3 will be considered by the Water Management Board at Meeting Room #1, Kreip Building upon the 25th day of September, 1980

at 10 A. M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: Kirk Hulstein
RFD #1
Sioux Center, Iowa 51250

BETTY WESTLUND
Water Rights Specialist

WNR-806B-7/79 Notice of Intent to Appropriate Water
SURFACE WATER

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Lincoln) ss.

I, Marie Feitzel 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:

August 27, 1930

September 4, 1930

Marie Feitzel
(Signature)

Bookkeeper
(Title)

September 4, 1930
(Date Signed)

NOTICE OF HEARING
ON APPLICATION TO
APPROPRIATE WATER

Notice is hereby given Kirk
Hulstein whose post office ad-
dress is Sioux Center, Iowa has
made an application in accordan-
ce with the provisions of SDCL 46-
1-1 thru 46-1-9, 46-1-14; 46-2-9 thru
46-2-11, 46-2-13; 46-5-1 thru 46-5-8,
46-5-10 thru 46-5-22, 46-5-41, and
Board Rules ARSD 57:01:01 thru
52:01:01:13, for a permit to ap-
propriate for beneficial use 1.34
cubic feet of water per second of
time from Patten Creek through
the Hulstein Project, the point of
diversion of which is to be located
in the SW 1/4 NE 1/4 of Section 22,

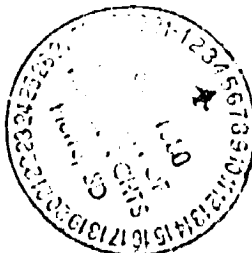
Twp. 86N, Range 48W. Said water
to be used for the purpose of
providing irrigation on portions of
the following described land:
E 1/2 NE 1/4, Section 22; W 1/2
W 1/2 NW 1/4 and SW 1/4, Section
23, all in T96N-R48W

This Application No 4539-3 will
be considered by the Water
Management Board at Meeting
Room 1, Knelp Building, Church &
Illinois, Pierre, South Dakota upon
the 25th day of September, 1930 at
10 a.m. The Board is authorized to
make a determination on this ap-
plication at the hearing. All in-
terested persons may appear and
be heard. Any person who may be
affected by a Board decision who
desires to present evidence or
cross-examine witnesses accord-
ing to SDCL 1-26 may notify the
Board in writing prior to the
hearing or orally at the hearing.

This hearing is an adversary
proceeding. Any person 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 exer-
cised at the hearing. Decisions of
the Board may be appealed to the
Courts as provided by law.

Any handicapped person
wishing to attend this hearing can
contact the Water Rights Division,
DWRN, Joe Foss Building, Pierre
SD, prior to the hearing date for
assistance to assure access to
the hearing.

Water Management Board
Betty Westlund
Water Rights Specialist
(8-28; 9-4)



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7544

PIERRE, June 18, 1930

RECEIVED OF Ken Hulstain, Sioux Center, Iowa

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

Fee for Application for Permit to Appropriate Water No. 4539-3 (examination, processing, recording and filing)	250	0
Fee for Inspecting Construction, and Issuing Cert. of Construction No.		
Fee for Inspecting Beneficial Use, and Issuing Water License No.		
Fee for Issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	25	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH (137)

4539-3

**SOUTH DAKOTA Department of
Water & Natural Resources**
Joe Foss Building
Pierre, South Dakota 57501

DATE: May 13, 1981

TO: Persons Interested In Application No. 4539-3, Kirk Holstein

FROM: John Hatch, Chief Engineer, Water Rights Division *John Hatch*

SUBJECT: Reconsideration of Application 4539-3

The Water Management Board will reconsider deferred Water Permit Application No. 4539-3 in Lincoln County on May 27, 1981 at 1:00 p.m., Knopf Building, Rooming Room #1, Church and Illinois, Pierre, South Dakota.

This reconsideration hearing will be conducted in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-14; 46-2-9 thru 46-2-11; 46-2-13; 46-5-1 thru 46-5-8; 46-5-10 thru 46-5-22; 46-5-41; 46-6-3; 46-6-5; 46-6-6.1; 46-6-10; 46-6-3.1; 46-6-14 and Board Rules ARSD 52:01:01:01 thru 52:01:01:13.

This application was previously deferred by the Board pending staff investigation.

After reconsideration of the deferred application the Board can approve, conditionally approve, defer, or deny all or part of the Applications.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. Those and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

You are also notified that SDCL 1-26 provides any interested party the opportunity to meet informally with the Water Rights Division Staff to discuss proposed recommendations by the staff to the Board prior to the scheduled hearing. If we do not hear from you, we will assume that the opportunity for an informal meeting is being waived and you wish to proceed directly to the hearing on the application before the Board.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNR, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

a53201kw

Equal Opportunity Employer

Kenn Hulstein
Box 154
Sioux Center, Iowa

IOWA
ASSOCIATION

BOARD

PRESIDENT: Raymond Miller
VICE PRESIDENT: Kenneth Hulstein
TREASURER: Lee De Haan
SECRETARY: Kenneth Gradert

Lawrence Baartman
Harold Van Zandbergen
Creighton Wegner



March 27, 1981

John Hatch
Chief Engineer Water Rights Division

Dear Mr Hatch,

As to our telephone conversation, and as to the procedure we will use, we have a Berkley Auction Pump on a Dutz Diesel engine and a Agis Rain Big Gun Tractor with a capacity of 500-600 gal. per minute. It will cover 20 acres with 1 run (about 20 hrs).

On the withdrawal point 1320 ft South of the North Border. The water is 1 ft deep 10 feet wide and is moving about 100-120 feet per minute. With $7\frac{1}{2}$ gal per cubic ft it will not affect the stream much at all.

From the South end of our property the Sioux - Patty creek access is $1\frac{1}{4}$ mile South east. There is very little pasture and only 2 unused old farm places on the creek. It will not affect any other people or livestock.

Sincerely
Kenn Hulstein
Sioux Center, Iowa



4-39-3

4-3-81

They have an inlet
mounted on a steel
plate that they
can set on the
bottom of the creek
where the water
is 2-3 feet deep.

They do not use
a dam, but depend
upon continuous
flow in the
creek.

John Hatch

March 14, 1980

Gerrit Havelaar
Pattee Creek Watershed
Hudson, South Dakota 57034

Dear Mr. Havelaar:

In reviewing the South Dakota Compiled Laws with respect to the statutory responsibilities of the Department of Water and Natural Resources, it has been noted that watershed districts with developments are required to submit annual operating budgets to the department. SDCL 46-24-67 reads as follows:

On or before May first of each year a copy of the annual operation and maintenance budget for the following calendar year shall be submitted to the commission (now Board of Water and Natural Resources). The commission may arrange with the managers for modifications to the budget. The commission shall approve such annual operation and maintenance budget on or before June first with such adjustments as the commission considers necessary.

Evidently, this process has been neglected in the past. In order to prevent problems with past budgets, especially concerning tax levies, we will propose that the legislature issue remedial legislation for the 1981 Session to correct for the lack of past approvals.

In order to remedy the current situation and to, in essence, begin anew, please be reminded that in accordance with SDCL 46-24-67, each district's 1981 budget should be submitted to the Department of Water and Natural Resources by May 1, 1980.

We will try to provide any assistance which might be necessary in the preparation of the budgets. If there are any questions, please contact Ron Woodburn of our staff.

Sincerely,

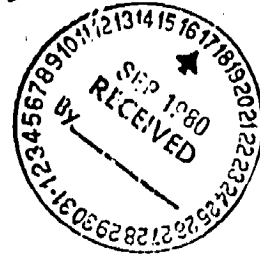
Warren R. Neufeld, Secretary
Water & Natural Resources
Phone: (605) 773-4216

c32402vm

45539-3
Pattee

Pattee Creek Watershed District

CANTON, SOUTH DAKOTA 57013



Special Meeting
Board of Managers
Pattee Creek Watershed District
Hudson, S.D.
September 10, 1980
Wednesday evening

Meeting called to order by Kerwin Ulricksch, Chairman. Those present were Kerwin Ulrickson, Morris Christopherson, Gerritt Havelaar & Roy Larsgaard, representing the Board of Managers; Earl Richter, Soil Conservation Service; and Delbert Fowles, Secretary of the Board.

Purpose of the meeting was to discuss the "Notice to Appropriate Water in the SW of NE22 96-48," by Kirk Hulstien. After a thorough discussion of this Notice, motion was made by Morris Christopherson that the Pattee Creek Board of Managers oppose the permit for the following reasons:

1. Concern about additional wells being requested in the Pattee Creek Valley in the future because of the effect on existing farmstead wells.
2. Possible damage to recreational lakes located in the Pattee Creek Watershed.
3. Adverse effect on water supplies for livestock on pasture below the proposed project.

This motion was seconded by Roy Larsgaard and carried.

Motion by Gerrit Havelaar that the meeting adjourn. Seconded by Morris Christopherson and carried.

Delbert Fowles

Delbert Fowles, Secretary

Pattee Creek Watershed District

CANTON, SOUTH DAKOTA 57013

ANNUAL MEETING
PATTEE CREEK WATERSHED DISTRICT
HUDSON MEMORIAL BUILDING
MARCH 18, 1980

The Pattee Creek Watershed District held its Annual meeting on Tuesday, March 18, 1980, at the Hudson Memorial Building, starting at 1:30 P.M. Those present were Gerrit Havelaar, Kerwin Ulrickson, Morris Christopherson, Roy Larsgaard, and John Anderson - Board of Managers; Earl Richter, SCS; Delbert Fowles, Secretary-Treasurer; and Lou Miller, farmer.

Minutes of the last Annual Meeting were read. There being no additions or corrections, the minutes were approved as read.

Treasurer read the Financial Report for the period of March 1, 1979, through February 29, 1980. Report was approved as read. (Copy attached).

Motion was made by Roy Larsgaard that the Secretary-Treasurer deposit all monies, except \$1,000.00, presently in the checking account, savings account and Time Certificates in the Hudson State Bank in Money Market Certificate. Seconded by Morris Christopherson and carried.

Lou Miller complained to the Board that he has been taxed on floodplain acres and has never received compensation for work done in 1942. Board members stated that they were not in favor of paying for work done prior to Watershed organization. Dams have resulted in less flow through the Miller property.

Board agreed that P-5 Channel be sprayed for tree control; also channel below P-3.

Secretary Fowles reported that two people - John Anderson and Morris Christopherson - had applied for vacancies on the Board. These were the only applications received. Chairman Havelaar declared that Morris Christopherson and John Anderson be elected to the Board of Managers of the Pattee Creek Watershed District.

Roy Larsgaard discussed the raising of the dike or lowering channel on the Korroll Ingebrigtsen land. Suggested that the area be checked at the time of inspection.

Motion by Morris Christopherson that the meeting adjourn. Seconded by Roy Larsgaard, and carried.

Delbert Fowles, Secretary-Treasurer
Pattee Creek Watershed District

LAITEE CREEK WATERSHED DISTRICT
Canton, South Dakota

A G E N D A
21st ANNUAL MEETING

1. Minutes of 20th Annual Meeting
 2. Financial Report
 3. Maintenance Report
 4. Election of Officers
 5. Other New Business
-

A G E N D A
BOARD OF MANAGERS
LAITEE CREEK WATERSHED DISTRICT

1. Minutes of last Regular Meeting
 2. Election of Officers
 3. Appointment of Secretary-Treasurer
 4. Floodplain Tax Levy
 5. Official Depository
 6. Adoption of Budget - 1980
 7. Other New Business
-

1979 MAINTENANCE REPORT

1.	1-1	None	5.	1-5A	None
2.	1-2	None	6.	1-5B	None
3.	1-3	None	7.	1-6	None
4.	1-4	None	8.	1-7	None

PATRICK CREEK WATERSHED DISTRICT
Cannon, South Dakota

FINANCIAL REPORT

March 1, 1979 to February 29, 1980

RECEIPTS:

1979

June 18	County Treasurer	Taxes	\$ 131.25
Dec. 15	County Treasurer	Taxes	117.55

1980

Jan. 1	State Bank of Hudson	Interest on C.D. #2493	<u>150.00</u>
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TOTAL RECEIPTS: 398.80

CASH ON HAND, March 1, 1979..... 1,427.20

TOTAL CASH TO BE ACCOUNTED FOR \$1,826.00

EXPENDITURES:

1979

Feb. 27	Lincoln Co. Highway Department Lincoln Cons. Dist.	Repairs on P-2 Past Years'	\$ 281.62
	Lincoln Cons. Dist. Dalbert Fowles	Clerical Work 1979 Clerical	100.00 50.00
		Lunches -Annual mtg.	5.83
Mar. 20	Memorial Bldg. Fund	Rent- Annual mtg.	25.00
Apr. 1	Hudson State Bank	Bank Box	3.00
Sep 1.12	Heiskell's	Lock & Keys 1-1	5.44
Nov. 13	Hudson Ins. Agcy.	Bond	38.00

1980

Jan. 1	Lucky Strike Cafe	Lunches	<u>3.64</u>
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TOTAL EXPENDITURES: 512.53 512.53

CASH ON HAND, MARCH 1, 1980 ... \$1,313.47

*Amount in Savings Account \$2,554.13

** Amount in Time Certificates 10,000.00

*** Amount in Money Market Certificates 2,500.00

Pattee Creek Watershed District

CANTON, SOUTH DAKOTA 57013

ORGANIZATIONAL MEETING

BOARD OF MANAGERS

PATTEE CREEK WATERSHED DISTRICT

MARCH 18, 1980

The regular organizational meeting of the Pattee Creek Watershed District Board of Managers was held at the Hudson Memorial Building on March 18, 1980, following the annual meeting. Those present were Gerrit Havelaar, John Anderson, Roy Larsgaard, Morris Christopherson and Kerwin Ulrickson, Board of Managers; Earl Richter, SCS; Delbert Fowles, Secretary-Treasurer; and Lou Miller, farmer.

The minutes of the last meeting were read and approved as read.

Election of Officers:

Motion by Roy Larsgaard, seconded by Morris Christopherson, that Kerwin Ulrickson be nominated for Chairman. Motion by Larsgaard that nominations cease and Ulrickson be declared elected Chairman. Carried.

Motion by Roy Larsgaard, seconded by John Anderson, that Morris Christopherson be nominated for Vice Chairman. Kerwin Ulrickson moved that nominations cease and that Morris be declared Vice Chairman. Motion carried.

Morris Christopherson nominated Delbert Fowles for Secretary -Treasurer. Seconded by Kerwin Ulrickson and carried.

Motion by Kerwin Ulrickson that the Pattee Creek Watershed District assess all landowners on the floodplain ten (.10) cents per acre for operation & maintenance for the coming year. Seconded by Roy Larsgaard and carried.

Motion by Kerwin Ulrickson, seconded by John Anderson that the Hudson Bank be named official depository. Motion carried.

Proposed Annual Budget was presented by the Treasurer. Motion by Roy Larsgaard that the Budget be adopted as presented (Copy Attached). Seconded by John Anderson and carried.

A letter from Warren H. Neufeld, Secretary for the S.D. Department of Water & Natural Resources concerning the filing of the Annual Budget with the Department was read. Watershed District has been complying with this portion of the Law.

Letter from Bob Walton, Game Warden, with Dept. of Game, Fish and Parks relative to the use of electric motors on Lake Lakota was read. Board of Managers declined to change their stand on the use of motors on the Lake.

Motion by Kerwin Ulrickson that the Pattee Creek Watershed District cost-share terraces installed in 1980 within the Watershed area. Total of ASC & Watershed payment not to exceed 90% of the cost of terraces to the farmers. Terrace cost to be based on, but not to exceed normal rates as set by the Lincoln County ASCS Committee. \$1500.00 to be appropriated for 1980. Amount not to exceed \$500.00

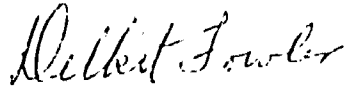
Pattee Creek Watershed District

CANTON, SOUTH DAKOTA 57013

Organizational Meeting - Pattee Creek Watershed Board of Managers - 3/18/80 - 2

per farm. If all money is used maximum payment be limited to \$300.00 per farm.
Seconded by Roy Larsgaard. Carried.

Motion by Roy Larsgaard, seconded by Morris Christopherson, that the meeting be adjourned. Motion carried.



Delbert Fovles, Secretary-Treasurer

1980 BUDGET

RECEIVED

APR 1 1989

DEPT. OF WATER
NATURAL RESOURCES

OPERATION, MAINTENANCE & ADMINISTRATION:

Bond Premium	33.00
Managers Travel Expense	75.00
Office Expense	75.00
Maintenance of Structures	<u>250.00</u>
<u>TOTAL PROPOSED BUDGET:</u>	433.00

INCOME

Balance on Hand, March 1, 1980	1,313.47
Taxes	250.00
Interest	<u>1,000.00</u>
<u>TOTAL PROJECTED INCOME</u>	2,563.47

Pattee Creek Watershed District

CANTON, SOUTH DAKOTA 57013

May 21, 1981



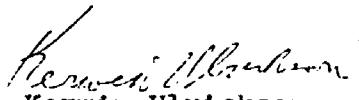
SD Dept. of Water and Natural Resources
Joe Foss Building
Pierre, SD 57401

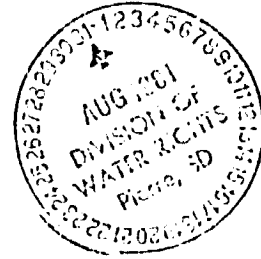
Subject: Reconsideration of Application 4539-3

Dear Sirs:

The Board of Managers Of Pattee Creek Watershed have not changed their decision of Sept 10, 1980 concerning the application for irrigation rights in the SW of NE 22 96-48 by Kirk Hulstien. We stated our reasons as follows:

1. Concern about application for additional wells or appropriations in the Pattee Creek Valley because of the effect on existing farmstead wells.
2. Possible adverse effect on recreational lakes located in the Pattee Creek Watershed.
3. Adverse effect on livestock water supplies in pastures below the proposed project.


Kerwin Ulrickson
Chairman, Pattee Creek
Watershed Board.



NOTICE OF COMPLETION OF WORKS AND/OR
APPLICATION OF WATER TO BENEFICIAL USE

Post Office Sioux Center

Date Aug 26, 1981

TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to maximum extent it is going to be used, not exceeding the amounts as specified in Water Right No.

4534-3

Water Right Permit No. 4534-3 states that the diversion system is to be constructed by self labor, and that the water is put to beneficial use

by troueling gun

The diversion system was completed on June 15, 1981. Applying the water to beneficial use was completed on July 10, 1981.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Kirk H. Alstern
(Signature)

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

August 16, 1991

4539-3

Kirk Manker
Farm Credit Services
PO Box 84110
Sioux Falls, SD 57118

Dear Mr. Manker:

Enclosed, as you requested, is a copy of Water Permit No. 4539-3.
The permit is currently listed in the name of Kirk & Kelly
Hulstein.

If you need further information, please contact me.

Sincerely,

Genny McMath

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures



4539-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

JUN 11 1993

5610-3

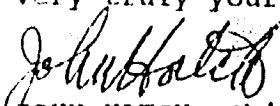
Kirk and Kelly Hulstein
RR, Box 159
Sioux Center, IA 51250

Dear Sirs:

Enclosed is Water License No. 5610-3 and Receipt No. 413424 for \$50.00 which was assessed for an inspection and issuance of the license. Water License No. 5610-3 is the final document which completes the process of obtaining a water right.

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

Very truly yours,


(JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

gm
enclosures

NOTE: The applicable portions of Water Permit No. (4539-3) have been incorporated into this Water License.

NOT TO SCALE

96-48

102L

32.3A
Inrig.

22.2A

Pattie Creek
1300 ft
wall down point

Point of
Division
PATTIE Creek.

650

22

Cons. PLANNING 6-20-80
Earl Guelter Dist. Cons.
CANTON, S. DAK.

CORN-BEAN
NOTATION
MIN TILL
chem.

96-48

96-48

102L

4.3A
Inrig

73

84

23

enop

55.7A
Inrig

enop

PLANNING 6-20-80
Earl Guelter Dist. Cons.
CANTON, S. DAK.

96-48

~~Map 3733~~ Appl. 4539-3

96-48

102L

557A

7/2

Pattee Creek

Point of
Diversion
PATTEE Creek.

22

Point of
Diversion
PATTEE Creek.

13. PLANNING 6-20-80
Earl Guelter DIST. CONS.
CANTON, S.DAK.

CORN-BEAM
NOTATION
MIN TILL
chem.

96-48

102L

557A
7/2

7/2

94

23

crop

557A
7/2

crop

PLANNING 6
Earl Guelter
CANTON, S.DAK.

~~Map 5158-3~~ upl 4539-3