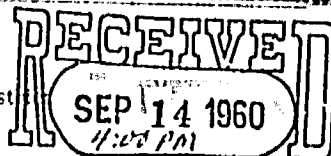


- 741-3
1. Considered 12-21, 1960
  2. Name of Applicant BETTER LEOLA CLUB
  3. Post Office Address LEOLA
  4. Amount of water claimed .177
  5. Source of water supply Ground water (artesian)
  6. Water to be used for Irrigation  
Acres to be irrigated \_\_\_\_\_
  7. Water to be diverted and used in McPherson County about  
12 miles N of LEOLA
  8. Proof of Publication Received 125  
Not Received \_\_\_\_\_
  9. Application Approved MPA  
Subject to \_\_\_\_\_  
Not approved \_\_\_\_\_  
Action deferred \_\_\_\_\_
  10. Remarks:

No. 741-3Water Division No. 3 JAMES RIVER Dist.  
(Blanks to be Filled by the Engineer for the W. R. C.)

# APPLICATION FOR PERMIT STATE WATER RESOURCES COMM. To Appropriate Water within the State of South Dakota PIERRE, SOUTH DAKOTA

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

1. Name of applicant Better Leola Club  
Postoffice address Leola, County W. Benson, State S. Dak.

## I. If a corporation

- (a) Name of same Better Leola Club, Inc.  
(b) Date and place of incorporation 1952 - Leola, S.D.  
(c) Amount of capital stock None  
(d) Amount paid in None  
(e) Names and addresses of directors Ervin Kulm, C.E. Anderson, T.J. Hibel,  
Dr. Thomas, Leslie Holmes, Raymond Nordmark, Edwin  
Hilgerson, all of Leola, S. Dak.

(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)  
Spent on bond & subscriptions  
(b) Cash on hand, \$ \_\_\_\_\_ (c) Treasury stock, \$ \_\_\_\_\_  
(d) Bonds to be issued, \$ \_\_\_\_\_ (e) Other resources, \$ \_\_\_\_\_

2. Name of diversion work Well - Leola Park  
3. Amount of water claimed Natural flow cubic feet per second See map  
4. Source of water supply Lakota Formation  
5. Location of point of diversion See map NE 1/4 SE 1/4 17 T12N 11  
R. 67W on \_\_\_\_\_ bank \_\_\_\_\_ County.

6. Annual period or periods during which water is to be used Continuously throughout the year  
7. To be used for:

## I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?

(a) Number of acres to be irrigated \_\_\_\_\_ 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.) Primarily for fountain@ park site

## II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use Fish culture & public recreation  
Name any of the above uses claimed(b) Amount of power to be generated None 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 in lake

MAP NO 552-3

8. Estimated cost of work:

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

(b) Pumping plant, \$-----

(c) Fluming, \$-----

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

Rock, \$-----

(e) Other structures well - the bids called for

Total, \$-----

9. Description of diversion works:

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

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<br>OUTLET-Feet | SURFACE AREA AT EACH<br>DEPTH AT OUTLET--ACRES | FEET | ACRE-Feet<br>CAPACITY |
|-------------------------|------------------------------------------------|------|-----------------------|
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |
|                         |                                                |      |                       |

(c)\* Head gate: Width-----feet; height-----feet;  
Material-----

(d) Canal: Total length-----miles.

| LOCATION BELOW<br>HEADGATE | DEPTH     | BOTTOM<br>WIDTH | WIDTH AT<br>WATER-LINE | GRADE<br>PER MIL. |
|----------------------------|-----------|-----------------|------------------------|-------------------|
| 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 1 month years

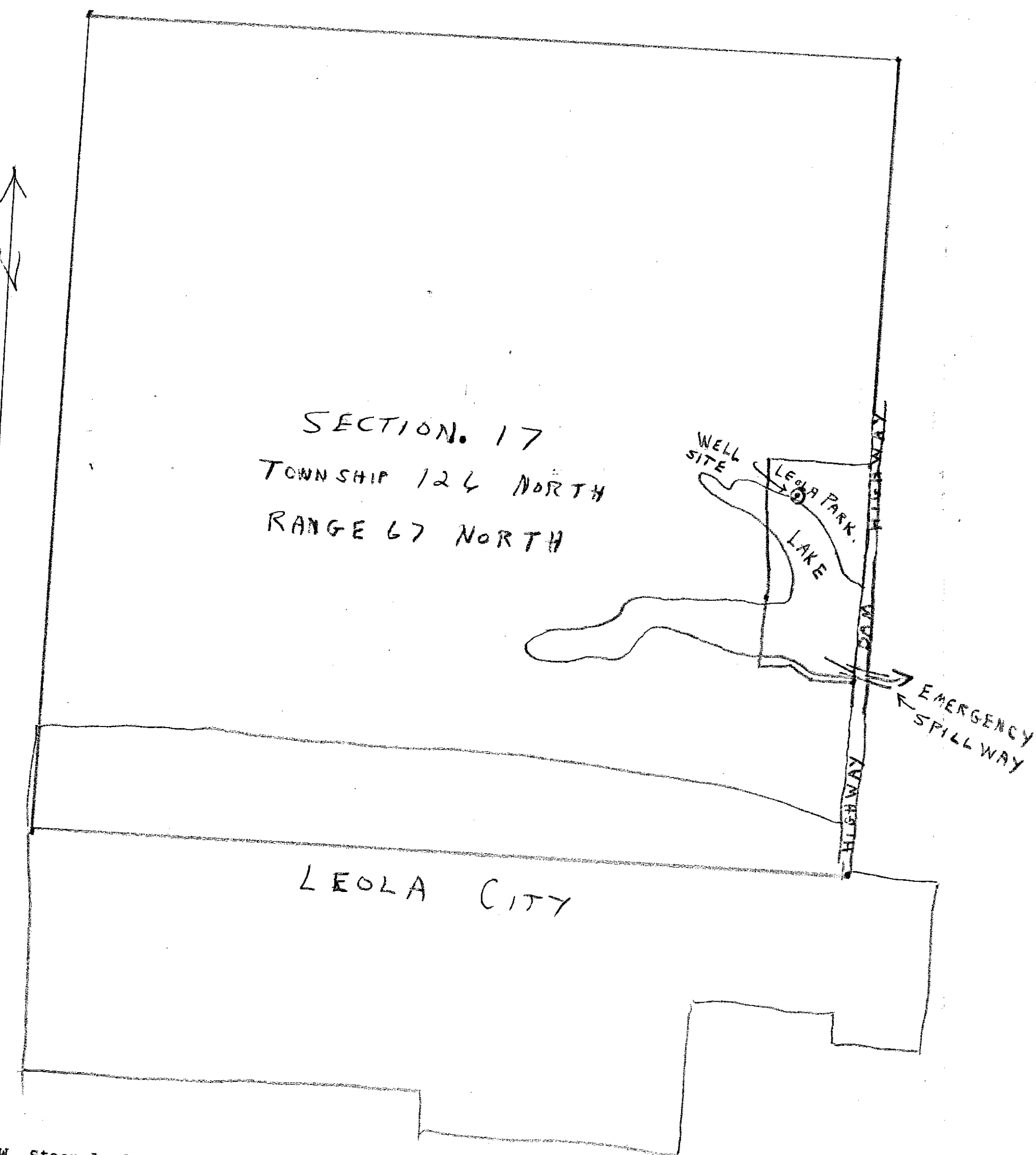
11. Time required for complete application of water to the proposed beneficial use 6 months years.

12. Choice of newspaper for publication of notice of intention to appropriate McPherson County Herald - Leola, S. Dak.

STATE OF SOUTH DAKOTA  
County of McPherson ss.

I, Dr. Karlis Zvejnicks, President, being first duly sworn on my oath depose and say: That in 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 Karl Zvejnicks, Jr.  
6<sup>th</sup> day of September 1960  
Subscribed and sworn to before me this  
E. H. Homan  
Notary Public (or other qualified officer.)



I, Ralph W. Steensland, a Soil Conservation Service Engineer, do hereby certify that at the request of the City of Leola, owner of the Leola Park above designated, have prepared the above and foregoing map and that the location and dimensions are true and correct in every respect.

IN WITNESS WHEREOF I have hereunto set my hand and seal this 19th day of September, 1960.

*Ralph W. Steensland*  
Soil Conservation Service Engineer

STATE OF SOUTH DAKOTA  
COUNTY OF McPHERSON SS

ACKNOWLEDGMENT OF ENGINEER

On this 19th day of September, 1960, before me, the undersigned Notary Public, personally appeared Ralph W. Steensland, a soil conservation service engineer, known to me to be the person whose name is subscribed to the foregoing certificate and acknowledged that he executed the same for the purposes therein contained.

My commission expires October 18, 1965.

*F. E. Hohman*  
F. E. HOHMAN  
Notary Public, South Dakota.

| U. S. DEPARTMENT OF AGRICULTURE<br>SOIL CONSERVATION SERVICE |      |             |             |
|--------------------------------------------------------------|------|-------------|-------------|
| Designed                                                     | Date | Approved by |             |
| Drawn                                                        |      | Title       |             |
| Traced                                                       |      | Title       |             |
| Checked                                                      |      | Sheet No.   | Drawing No. |
|                                                              |      | of          |             |

Map #  
MAP NO 552-3  
(APPL NO 741-3)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA  
County of Hyuga } ss.

Pierre, South Dakota, December 28, 1960

This is to certify that the foregoing application was received by the Commission at 4:00 o'clock  
2 p.m. upon the 14<sup>th</sup> day of September, 1960.

State Water Resources Commission  
By: Paulon J. Jones  
for Chief Engineer, Executive Officer

Number of permit 741-3

Date of first receipt of application September 14, 1960

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 September 14, 1960

Approved December 21, 1960, Recorded in Book 6 Page 157

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 \_\_\_\_\_

January 21, 1961

2nd. The whole of said work is to be completed on or before January 21, 1961

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

September 20, 1965 Extension Appvd 3-11-64

4th. The water appropriated shall be used for the purpose of recreation

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 177 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 used as specified

and beneficially ~~applied for irrigation~~ on or before JUNE 21, 1961; said water to be used during the following described annual period:

continuously  
Witness my hand this 28<sup>th</sup> day of December, 1960.

State Water Resources Commission

By: Paulon J. Jones  
for Chief Engineer, Executive Officer

Certificate of Construction Issued \_\_\_\_\_

March 16, 1964

Water License Issued \_\_\_\_\_

March 16, 1964

Remarks by the Applicant:

Water to be used to maintain  
lake level thereby providing recreation & maintaining  
fish culture.

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 4 1/2", Depth 1600'

Type of casing Copper  
(wood, concrete, steel, etc.)

Size of casing 2 1/2", Thickness of casing Type "B"

Length of casing 1600' If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen perforated copper casing

Size of perforated screen 2 1/2" (diameter), Unknown (length)

Thickness of gravel pack None, length of gravel pack

(c) Water Bearing Materials

Distance to water 1600' Character of water bearing materials Sandstone

Thickness of water bearing material as shown before drilling

(d) Pump and Motor

Type of pump None  
(centrifugal, propeller, mixed flow, etc.)

Name of pump, size

Kind of motor  
(gasoline, electric, diesel, etc.)

Horsepower, Name of Motor

(e) Complete well

Capacity 60-80 gpm drawdown of None Estimated cost as bid by

(f) Owner of land upon which well is located City of Reola  
Name

Reola, South Dakota  
Address

(g) Distance to nearest existing wells

On same owner's property 3/4 mile rods On property owned by others rods

200' of 5"  
Surface pipe cemented  
in place

## STATE OF SOUTH DAKOTA

## WATER LICENSE No....741-3...

WHEREAS, On the 14th day of September A. D. 1960

The Better Leola Club

of Leola County of Mc Pherson and State of  
South Dakota duly made application (No. 741-3) to us for a permit to use .17  
cubic feet per second of the waters of artesian ground water (Lakota)  
County of Mc Pherson, State of South Dakota, for public recreation  
purposes; and

WHEREAS, On the 28th day of December A. D. 1960  
Permit No. 741-3 was issued to said applicant... for the diversion of said water, and providing for the  
completion of the works of diversion therein described on or before the 21st day of  
January A. D. 1961 and for the application to beneficial use of said  
water on or before the 20th day of September A. D. 1963  
and,

WHEREAS, On the 7th day of February A. D. 1964  
the holder... of said permit duly made proof of the completion of adequate works for the diversion of  
.17 cubic feet per second of said waters, as evidenced by our Certificate No. 741-3  
dated March 16, 1964 confirming the completion of works of sufficient capacity for  
diverting and conveying to the place of intended use .17 cubic feet per second of water, with date of  
priority of September 14, 1960 ~~and~~ and,

WHEREAS, On the 7th day of February A. D. 1964  
proof was duly made of the application to beneficial use of .17 cubic feet per second of said water;  
for stabilizing lake level for public recreation

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 the Better Leola Club  
of Leola the holder and owner of said permit No. 741-3  
a water right, dating from September 14, 1960 to the use of .17  
cubic feet per second of the waters of Artesian ground water (Lakota)  
in the County of Mc Pherson and State of South Dakota, or so much thereof as may be  
necessary for the purposes hereinbelow mentioned, to be diverted at a point in the NE 1/4 SE 1/4  
Section 17, T126N, R67W  
and ~~be diverted into the lake~~ diverted into the lake

for the purpose of maintaining the lake level for public recreation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,  
this 16th day of March A. D. Nineteen  
Hundred and Sixty-Four

State Water Resources Commission

By:

J.W. GRIMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. \_\_\_\_\_

To \_\_\_\_\_

Source of Supply \_\_\_\_\_

County \_\_\_\_\_

Am't \_\_\_\_\_ c. f. s.

Point of Diversion \_\_\_\_\_

Place of Use \_\_\_\_\_

Purpose \_\_\_\_\_

Date of Priority \_\_\_\_\_

Recorded \_\_\_\_\_

In Book \_\_\_\_\_ of \_\_\_\_\_ Page \_\_\_\_\_

Permit No. 741-3

Water Division No. 3 JAMES Water District  
RIVER

## Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That the Better Leola Club

of Leola, County of Mc Pherson, and State of

South Dakota

, the holder of Permit No. 741-3, Issued upon Application

No. 741-3, bearing date of priority of September 14, 1960, authorizing the diversion of

.17

cu. ft. per second of the waters of artesian ground water (Lakota)

County of Mc Pherson, State of South Dakota, in the NE 1/4 SE 1/4

Section 17, T126N, R67W

for public recreation

purposes, has fully 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 .17 cu. ft.

per second of water; and that the ~~lands proposed to be irrigated by the~~ use of said water are described as follows,

to-wit: used to stabilize lake level for public recreation

Witness my hand this 16th day of March A. D. 1964

State Water Resources Commission

By:

**J.W. GRIMES,** Chief Engineer, Executive Officer

(First Publication on or before Nov. 24 1960.)

## APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., November 21, 1960

Notice is hereby given that the Latta Leola Club whose postoffice address is Leola S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 17 cubic feet of water per second of time from ~~the~~ ground water through the Leola Park Well, the point of diversion of which is to be located ~~on the~~ NE 1/4 of the SE 1/4 of Section 17 Twp. 126N Range 67W. Said water to be used for ~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~ maintaining lake level for public recreational purposes

~~XXXXXX~~ XXXXXX

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 21st day of December, 1960 at 2 P. M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

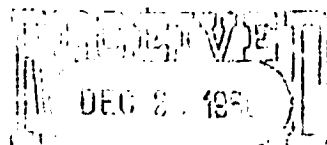
State Water Resources Commission

cc: Walter Bowen—Publisher  
McPherson County Herald  
Leola, South Dakota

By:

~~XXXXXXXXXXXXXXXXXXXX~~  
Burton F. Jones  
Water Right Specialist

## PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }  
County McPherson } ss.STATE WATER RESOURCES COMMISSION  
STATE OF SOUTH DAKOTA

Beulah Bowen being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the \_\_\_\_\_

McPherson County Herald 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 \_\_\_\_\_ Leola \_\_\_\_\_ County of \_\_\_\_\_

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

November 24, 1960

December 1, 1960

December 8, 1960

December 15, 1960

in each and every issue of the full number thereof, the first publication being made on the 24 day of November

1960 and the last publication on the 15 day of

December 19 60, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was \_\_\_\_\_ the printer and publisher of the said newspaper.

Beulah Bowen

Subscribed and sworn to before me this 16 day of December A. D. 19 60

Beulah Bowen  
Notary Public McPherson County, S. D.

## APPROPRIATION OF WATER

NOTICE is hereby given that the Better Leola Club, whose postoffice address is Leola, 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 .17 cubic feet of water per second of time from ground water through the Leola Park Well, the point of diversion of which is to be located in the NE $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 17 Twp. 136N Range 67W. Said water to be used for maintaining lake level for public recreational purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 21st day of December, 1960, at 5 p.m. All interested persons may appear and be heard.

Burton F. Jones  
Water Right Specialist  
Nov. 24--Dec. 1-8-15

# ARTICLES OF INCORPORATION

OF

-----BETTER LEOLA CLUB, OF LEOLA, SOUTH DAKOTA-----

## Know All Men By These Presents:

That we, the undersigned, Irvin Kulm, C. E. Knudson, T. J. Heibel,  
D. L. Thomas, Leellie Holmes, Raymond E. Nauharth and Edwin Hilgemann,  
all of Leola, South Dakota and residents of the State of South Dakota,  
for ourselves, our associates and successors, have associated ourselves together for the purpose of  
forming a corporation under and by virtue of the statutes and laws of the State of South Dakota,  
and we do hereby certify and declare as follows, viz:

### FIRST

The name of this corporation shall be Better Leola Club, of Leola, South Dakota.

### SECOND

The purpose<sup>s</sup> for which this organization is formed are to encourage, foster and promote all activities that make the City of Leola and surrounding area a better place in which to live and encourage public improvements of every kind and nature and foster and promote such activities which encourage better citizenship and improved civic pride; to promote all types of improvement that will lead to a better community; to acquire by purchase or donation and to own, pledge, mortgage, use, enjoy, sell and convey such real or personal property as may be deemed necessary or appropriate in carrying out any of the purposes hereinbefore enumerated; to secure by lease or other permission rights to the use and enjoyment of real or personal property; and to do all things necessary, appropriate or essential in accomplishing the main purposes of the organization and not inconsistent with the powers of private corporations or the laws of this State.

This club is organized and is to be operated exclusively for promotional purposes on a non-profit basis and all of its purposes shall be non-profitable, and no part of the net income shall inure to the benefit of any member.

### THIRD

The place where the principal business of this Corporation shall be transacted is Leola in the County of McPherson, State of South Dakota, ~~but its business affairs may be transacted~~ ~~where meetings of the directors and stockholders may be held for the transaction of business~~

### FOURTH

The term for which this Corporation shall exist shall be perpetual years

### FIFTH

The number of directors of this Corporation shall be seven and the names and residences of such who are to serve until the election of their successors are as follows:

| NAMES                      | RESIDENCES                 |
|----------------------------|----------------------------|
| <u>Irvin Kulis</u>         | <u>Leola, South Dakota</u> |
| <u>G. E. Knudson</u>       | <u>Leola, South Dakota</u> |
| <u>T. J. Heibel</u>        | <u>Leola, South Dakota</u> |
| <u>D. L. Thomas</u>        | <u>Leola, South Dakota</u> |
| <u>Leslie Holmes</u>       | <u>Leola, South Dakota</u> |
| <u>Raymond E. Neuharth</u> | <u>Leola, South Dakota</u> |
| <u>Edwin Hilgemann</u>     | <u>Leola, South Dakota</u> |
|                            |                            |
|                            |                            |
|                            |                            |

### SIXTH

~~THE AMOUNT OF CAPITAL STOCK OF THIS CORPORATION SHALL BE AND IT~~ This corporation shall have no corporate stock and shall pay no dividends or salary to its incorporators, members or directors. ~~DOLLARS~~

~~DIVIDENDS~~ shares

~~OF THE CAPITAL STOCK OF~~ ~~AND THE STOCKHOLDERS SHALL BE~~ ~~DOLLARS~~

### SEVENTH

The resident agent of this Corporation upon whom service of process may be made, shall be \_\_\_\_\_ of \_\_\_\_\_, South Dakota, and service upon him shall be taken and held as due and personal service upon this Corporation.

NOTE: (The above article applies only to Corporations of this State not doing or carrying on business within this State.)

No stockholder shall be liable for the debts of the Corporation in any amount greater than his unpaid subscription.

IN TESTIMONY WHEREOF, We have hereunto set our hands this 6th day of February, 19 59.

STATE OF SOUTH DAKOTA }  
County of McPherson } ss.

BE IT REMEMBERED, That on this 4th day of February,  
A. D. 1959, before the undersigned personally appeared the above named Irvin Kulm,  
C. E. Knudson, T. J. Heibel, D. L. Thomas, Leslie Holmes, Raymond E.  
Neuharth and Edwin Hilgemann

well and personally known to me to be the same persons described in and who executed the fore-  
going instrument and severally acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal  
at said County the day and year last above written.

Notarial Seal.

Notary Public.

STATE OF SOUTH DAKOTA }  
County of \_\_\_\_\_ } ss.

BE IT REMEMBERED, That on this \_\_\_\_\_ day of \_\_\_\_\_  
A. D. 19\_\_\_\_, before the undersigned personally appeared the above named \_\_\_\_\_

well and personally known to me to be the same person described in and who executed the fore-  
going instrument and severally acknowledged to me that he executed the same,

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal  
at said County the day and year last above written.

Notarial Seal.

Notary Public.

STATE OF SOUTH DAKOTA }  
County of McPherson } ss.

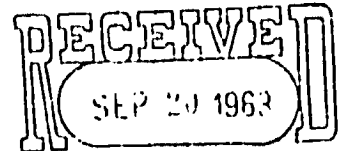
Irvin Kulm and C. E. Knudson  
BEING DULY SWORN, each for himself deposes and says: That he is one of the persons described in  
and who signed the foregoing Articles of Incorporation as an incorporator therein; that he has read  
said Articles and knows the contents thereof; that the incorporators intend in good faith to form a  
corporation for the purpose of the promotion of a lawful business as set forth in said articles and not  
for the purpose of enabling any corporation or corporations to avoid the provisions of Chapter 13.18  
South Dakota Code of 1939, relating to unlawful trusts and combinations, and laws amendatory  
thereto.

Subscribed and sworn to before me this \_\_\_\_\_

4th day of February, A. D. 1959.

Notarial Seal.

Notary Public.

Permit No. 741-3
 Water Division No. 3 <sup>Upper</sup> ~~Pierre~~ Water District  
 STATE WATER RESOURCES COMM.  
 PIERRE, SOUTH DAKOTA

## Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) Leola, South Dakota(Date) 9-18-63

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the 19 day of September  
 1963, at Leola County of McPherson State of South Dakota,  
 before Water Resources Commission (Examining Engineer or Officer) proof will be submitted of the application to beneficial use  
 of 1.77 cubic feet per second of the waters of Leola recreation  
 in accordance with the terms and conditions of Permit No. 741-3  
 heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are

Better Leola Club, Inc., Leola, South Dakota

2. The use to which said water has been applied is Recreation & fish culture3. The amount applied to beneficial use is 1.77 cfs

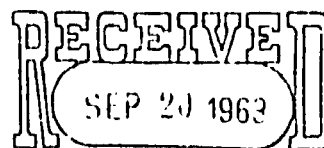
4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) Leola Lake

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is

Artesian well

6. The right to take the water from such works is based upon permit No. 741-37. The source of supply from which such water is diverted is Artesian well8. The date of priority which said user is prepared to establish is 3-20-62

Better Leola Club, Incorporated:  
 (Signed) Wesley Ruel  
 President.

Permit No. 241-3Water Division No. 3 James River Water District STATE WATER RESOURCES COMM.  
PIERRE, SOUTH DAKOTA

## NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) Leola, South Dakota(Date) 9-18-63

TO THE STATE WATER RESOURCES COMMISSION  
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of \_\_\_\_\_  
\_\_\_\_\_ 177 cu. ft. per second of the waters of the state from well  
through the Lakota Formation  
for \_\_\_\_\_ purposes  
\_\_\_\_\_ in accordance with the terms and con-  
ditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is \_\_\_\_\_  
Better Leola Club, Inc.

2. The postoffice address of such person or the place of business of such corporation is \_\_\_\_\_  
County of Leola State of South Dakota

3. The number of such permit is 241-3 and the date set for the completion of such work is \_\_\_\_\_

4. Said water to be used for Recreation & fish culture purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 130 G.P.M. cubic feet per second.

6. The amount of land for which said water is available is 19.25 acres,  
particularly described as follows: Lots A, B, C, D, E. of the  
North Half of the Southeast Quarter of  
Section 14 Township 126, Range 67 as shown on  
plat filed June 3, 1940.

I hereby certify that the facts set forth in the above notice are true.

Better Leola Club, Incorporated:

By: Wesley Ruck  
President.

(Signature of Owners) \_\_\_\_\_

## APPLICATION FOR EXTENSION OF TIME FOR COMPLETING WORKS

To the State Water Resources Commission  
Pierre, South Dakota

Feb. 7, 1964  
(date)

Dear Sirs:

I hereby request that an extension of time from June 21, 1961  
to Sept. 29, 1963 be granted me for the completion of works to be done under Permit No.  
741-3 and that the time for proof of beneficial use of water be extended to Sept. 29, 1963

Said works are located in McPherson County and are described  
as follows:

Location of headworks: In the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$   
of Section 17 Township 126 Range 67

E., B.H.M.

The water is to be used for the purpose of Public Recreation

The extension of time for the completion of these works is requested for the following reasons:

Taking date into conformance with date of notification of  
completion.

APPROVED:

March 11, 1964

State Water Resources Commission

By:

Barton Jones  
for Chief Engineer, Executive Officer

Holder of Permit No. 741-3

Permit No. 741-3Water Division No. 3 James River Water District**Certificate of Examination of Works****Report of Examining Engineer**

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated 7-10-64

I have this day made a thorough examination of the diversion works constructed by Betten Lake Club, of McPherson County, South Dakota, holder of Permit No. 741-3, issued upon Application No. 741-3, bearing date of priority of Sept. 14, 1960, authorizing the diversion of 9.177 cu. ft. per second of the waters of Consolidated water for Public Recreation purposes. I have to report on the condition of the same as follows:

The diversion works comprise: One well, 1000' deep w/ 200' of 5" surface casing cemented in place w/ 100' of 2 1/2" type "K" copper pipe. Bottom 20' ± is perforated. Flows into already constructed reservoir (existing), Lakota Fm.

and the system is in the following condition: Excellent

The point of diversion is located NE 1/4 SE 1/4 Section 17 T. 126 N. R. 47 W

The works are capable of diverting and conveying to the place of use 9.177 cu. ft. per second of water, which is to be used for Public Recreation

The legal sub-divisions to be irrigated are:

comprising a total of \_\_\_\_\_ acres of land. The domestic use intended comprises Public Recreation

The utilization for power, mining, or other beneficial uses comprises:

Witness my hand, this 7<sup>th</sup> day of February, A. D. 1964.

--SEAL--

William H. Miller  
Examining Engineer.

## 2000 South Dakota Water Use Questionnaire

To:

BETTER LEOLA CLB

LEOLA SD 57456

Address correction requested:

7 Leola Development Co.  
Box 283  
Leola SD 57456

One questionnaire is being provided for each permitted water source. The following information is based on Water Permit\Right No. 741-3. If you have other permits\rights in the same water source, also include water use under those permits\rights on this questionnaire.

Water Source: GROUNDWATER  
Aquifer: INYAN KARA GROUP  
Management Unit: NOT APPLICABLE

County: MCPHERSON  
Pumping Pt. Legal: SEC 17-T126N-R67W  
Type of Water Use: RECREATION

- 1) Please estimate your year 2000 water use from the above water source: unknown gallons  
2) If no water use in 2000, please list the reason(s) why in the comments section.

Comments:

Contact Person: Gerald Goffre

Telephone No: 605-439-3436

Questions? Please call Mark Rath or Ron Duvall at 605 773-3352 for assistance.

Thank you for completing the 2000 water use questionnaire.

Water Rights on the Web: [www.state.sd.us/denr/wr](http://www.state.sd.us/denr/wr)





DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 26, 2001

No. 741-3

Leola Development Corp.  
Gerald Geffre  
Box 283  
Leola SD 57456

Dear Mr. Geffre:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership/name change on Water Right No. 741-3. The water right is currently listed in the name of Better Leola Club.

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 45-5-30.3 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

enclosure

## NOTICE OF TRANSFER OF OWNERSHIP

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

No. 741-3

Date: 1/29/01

I/We request that Water Right No. 741-3

formerly owned by: Better Leola Club

be transferred to (name & address) Leola Development Corp  
PO Box 283, Leola, SD 57456-0283 Telephone No. 605-439-3536

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

well located in NE 1/4 SE 1/4 Section 17-T126N-R67W

I/We understand that the validity of Water Right No. 741-3 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 attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA )

County of McPherson )

I/We Gerald D. Goffe 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.

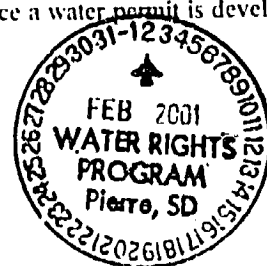
Gerald D. Goffe  
(Signed)  
Pres. Leola Development Corp

Subscribed and sworn to before me this 29<sup>th</sup> day of January, 20 01.

James R. Schieff  
(Notary Public)  
Expires 5/27/2007

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.





DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

January 26, 2001

741-3

Leola Development Corp.  
Gerald Geffre  
Box 283  
Leola SD 57456

Dear Mr. Geffre:

I am writing to acknowledge receipt of the transfer of ownership form for Water Right No. 741-3. In order to complete the transfer, a \$2.50 filing fee is required. Our first letter may not have been clear with respect to the fee.

Please remit a total of \$2.50 as soon as possible. The check or money order for the fee can be made payable to the Water Rights Program. As soon as we receive the fee, Water Right No. 741-3 will be transferred from the "Better Leola Club" to the "Leola Development Corporation".

If I can answer any questions for you, please get in touch with me.

Sincerely,

Genny McMath  
Environmental Scientist  
Water Rights Program  
(605) 773-3352

# RECEIPT

## Water Rights Program

South Dakota Department of Environment and Natural Resources

NC 416780

Pierre, February 21, 2001

RECEIVED OF Leola Development Corp., PO Box 283, Leola, SD 57456  
the following amount in fees for services rendered as provided for by law: (Better Leola Club)

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 741-3

Fee for Filing Extension Request \_\_\_\_\_

Fee for \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2 50

(Any Other Work Provided by Law)

Total

2 50

By

Chief Engineer

J. W. Leland



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[www.state.sd.us/denr](http://www.state.sd.us/denr)

February 26, 2001

741-3

Gerald D Geffre  
Leola Development Corporation  
PO Box 283  
Leola, SD 57456-0283

Dear Mr. Geffre:

Thank you for following up on the ownership change for Water Right No. 741-3. The transfer has been completed. The water permit formerly listed in the name of Better Leola Club is now listed in the name of Leola Development Corporation.

Enclosed is your Receipt No. 416780 in the amount of \$2.50. 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](mailto:genny.mcmath@state.sd.us)

enclosure