

- 757-3
1. Considered 3-15, 1961
 2. Name of Applicant Wagon Wheel, Inc
 3. Post Office Address San Angelo
 4. Amount of water claimed 145
 5. Source of water supply ground water
 6. Water to be used for Suburban Home
Acres to be irrigated
 7. Water to be diverted and used in Mineral County about
1 mi miles W of San Angelo
 8. Proof of Publication Received
Not Received
 9. Application Approved ✓
Subject to PAP
Not approved
Action deferred
 10. Remarks:

No. 757-3

Water Division No. 3 1/2 Big Sioux River District
(Blanks to be filled by the Engineer for the W. R. C.)

JAN 5 1958

NORTH DAKOTA
NORTH DAKOTA
NORTH 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 WESTERN HEIGHTS, INC.
Postoffice address 2011 AUSTIN DRIVE
SIoux FALLS, County MINNEAPOLIS, State S. D.

I. If a corporation

- (a) Name of same WESTERN HEIGHTS INCORPORATED
(b) Date and place of incorporation SEPT. 25, 1958 AT SIOUX FALLS, S. D.
(c) Amount of capital stock \$250,000.00
(d) Amount paid in \$90,000.00
(e) Names and addresses of directors MR. A. E. JENSEN, PRES., 1905 AUSTIN DRIVE,
SIoux FALLS, S. D., F. M. ROSEMOOR, 1918 SO. MINNESOTA AVE., SIOUX FALLS, S. D.
D. W. SUTHERLAND, SEC. TREAS., 2011 AUSTIN DRIVE, SIOUX FALLS, S. D.,
ROBERT MORROW 1901 AUSTIN DRIVE, SIOUX FALLS, S. D., H. B. FOCKHART, 47 ST.
AND WESTERN AVE., SIOUX FALLS, S. D.
(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)
CONTRACT
(b) Cash on hand, \$ 20,000.00 (c) Treasury stock, \$
(d) Bonds to be issued, \$ (e) Other resources, \$
2. Name of diversion work WESTERN HEIGHTS WELL No. 1
3. Amount of water claimed 0.145 cubic feet per second,
4. Source of water supply DEEP WELL
5. Location of point of diversion IN THE N. E. 1/4 SEC. 35 T10N., R50W.
 on bank MINNEAPOLIS County.
6. Annual period or periods during which water is to be used CONTINUOUSLY 12 MONTHS
7. To be used for:

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? DOMESTIC

(a) Number of acres to be irrigated NONE acres.(b) Legal subdivisions to be irrigated NONE
(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.) DOMESTIC USE, HOUSING
DEVELOPMENT IN THE N. E. 1/4 SEC. 35

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

(a) Nature of use FIRE PROTECTION (RESIDENTIAL)
Name any of the above uses claimed(b) Amount of power to be generated NONE horse power.Amount claimed for engine cooling NONE

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

MAP No 565-3

8. Estimated cost of work:

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

(b) Pumping plant, \$20,607.00

(c) Fluming, \$..... (d) Canal earth, \$.....

Rock, \$.....

(e) Other structures WELL \$5,200.00

Total, \$25,807.00

9. Description of diversion works:

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

WELL, PUMP, PRESSURE TANK, AND WATER TANK

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 FALLS ARGUS LEADER

STATE OF SOUTH DAKOTA

County of Minnehaha

ss.

PRES., OF BOARD OF DIRECTORS

I, A. F. Junge, 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 A. F. Junge

Subscribed and sworn to before me this 14th day of January 1961

D. M. McManis
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 15" , Depth 185'
Type of casing STEEL (wood, concrete, steel, etc.)
Size of casing 8" , Thickness of casing STANDARD
Length of casing 171' If collection gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen 8" STAINLESS STEEL (SHUTTER TYPE)
Size of perforated screen 15' (length)
Thickness of gravel pack 15' , length of gravel pack 30'

(c) Water Bearing Materials

Distance to water 170' Character of water bearing materials SAND
.....
.....
Thickness of water bearing material 15'

(d) Pump and Motor

Type of pump SUBMERSIBLE (centrifugal, propeller, mixed flow, etc.)
Name of pump LAYNE , size 50 G. P. M.
Kind of motor ELECTRIC (gasoline, electric, diesel, etc.)
Horsepower 5 , Name of Motor

(e) Complete well

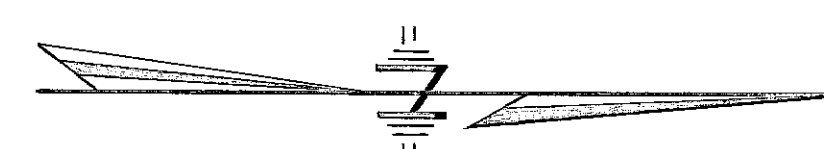
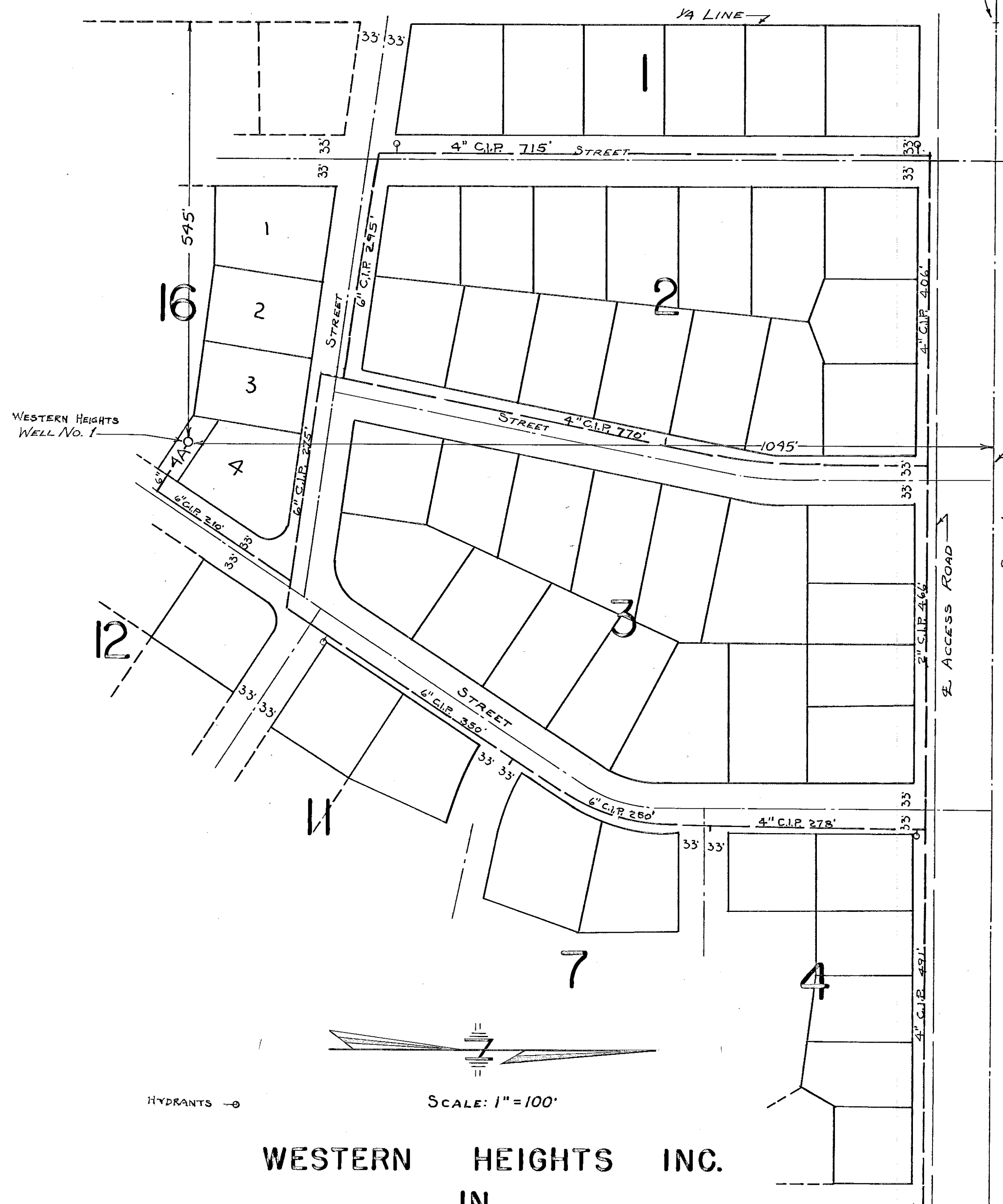
Capacity 65 G.P.M. at drawdown of 20' Estimated cost 5200.00

(f) Owner of land upon which well is located WESTERN HEIGHTS INC.
Name

..... 2011 AUSTIN DRIVE, SIOUX FALLS, S. D.
Address

(g) Distance to nearest existing wells

On same owner's property 40 rods. On property owned by others 80 rods



HYDRANTS —●—

SCALE: 1"=100'

SURVEYORS CERTIFICATE

I, K.E. BENSON, REGISTERED LAND SURVEYOR AND PROFESSIONAL ENGINEER OF THE STATE OF SOUTH DAKOTA DO HEREBY CERTIFY THAT I HAVE MAPPED THE AREA AS SHOWN FOR PURPOSES OF WATER APPROPRIATION.

K.E. Benson
K.E. BENSON

STATE OF SOUTH DAKOTA
COUNTY OF MINNEHAHA

ON THIS 4TH DAY OF JAN. 1960. BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC, APPEARED K.E. BENSON, WELL KNOWN TO ME TO BE THE PERSON DESCRIBED ABOVE AND WHO ACKNOWLEDGED TO ME THAT HE EXECUTED THE FOREGOING CERTIFICATE.

September 1, 1967
MY COMMISSION EXPIRES

Lucille E. McCormick
NOTARY PUBLIC

WESTERN HEIGHTS INC.
IN

N.E. 1/4 35-101-50
MINN. CO., S.D.

WELL NO. 1

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA

County of HUGHES } ss.

Pierre, South Dakota, MARCH 23, 1961

This is to certify that the foregoing application was received by the Commission at 9:15 o'clock

a m. upon the 5TH day of JANUARY, 1961.

State Water Resources Commission

By: [Signature]

Chief Engineer, Executive Officer

Number of permit 757-3

Date of first receipt of application JANUARY 5, 1961

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 JANUARY 5, 1961

Approved MARCH 15, 1961, Recorded in Book 6 Page 211

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

September 15, 1961

2nd. The whole of said work is to be completed on or before MARCH 15, 1962

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

MARCH 15, 1964

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

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 .145 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 for housing development

and beneficially applied for irrigation on or before MARCH 15, 1964; said water to be used during the following described annual period:

Continuously

Witness my hand this 23RD day of MARCH, 1961

State Water Resources Commission

By: [Signature]

Chief Engineer, Executive Officer

Certificate of Construction Issued August 28, 1961

Water License Issued August 28, 1961

Permit No. 757-3Water Division No. 3 Big Sioux River Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Western Heights Inc.of Sioux Falls, County of Minnehaha, and State of South Dakotathe holder of Permit No. 757-3, issued upon ApplicationNo. 757-3, bearing date of priority of January 5, 1961, authorizing the diversion of.145 cu. ft. per second of the waters of ground waterCounty of Minnehaha, State of South Dakota, at a point 1045' south and 545' east of the NE corner, Section 35, T 101N, R 50Wfor suburban housing development domestic

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 .145 cu. ft.

per second of water; and that the ~~XXXXXX~~ use of said water are described as follows,

to-wit: to be used for providing water supplies for suburban housing development

Witness my hand this 28th day of August A. D. 1961

State Water Resources Commission

by

Chief Engineer, Executive Officer
J. W. CRIMES

STATE OF SOUTH DAKOTA

WATER LICENSE No. . . . 757-3 . .

WHEREAS, On the 5th day of January A. D. 1961
Western Heights Inc.
 of Sioux Falls County of Minnehaha and State of
South Dakota duly made application (No. 757-3) to us for a permit to use .145
 cubic feet per second of the waters of ground water
 County of Minnehaha, State of South Dakota, for suburban housing development
 purposes; and

WHEREAS, On the 23rd day of March A. D. 1961
 Permit No. 757-3 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 15th day of
March A. D. 1961 and for the application to beneficial use of said
 water on or before the 15th day of March A. D. 1961
 and,

WHEREAS, On the 17th day of May A. D. 1961
 the holder of said permit duly made proof of the completion of adequate works for the diversion of .145
 cubic feet per second of said waters, as evidenced by our Certificate No. 757-3
 dated confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use .145 cubic feet per second of water, with date of
 priority of January 5, 1961 and,

WHEREAS, On the 17th day of May A. D. 1961
 proof was duly made of the application to beneficial use of .145 cubic feet per second of said water;
to be used for providing water supplies for suburban housing
development

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 Western Heights Inc.
of Sioux Falls the holder and owner of said permit No. 752-J
a water right, dating from January 5, 1961 to the use of .145
cubic feet per second of the waters of Ground water
in the County of Hinsdale and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted at a point 1045' South and 515'
East of the NE 1/4 corner Section 35, T 101N, R 50W
and conducted ~~to and from~~ portions of the NE 1/4, Section 35, T 101N, R 50W
for the purpose of providing water supplies for suburban housing development

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 28th day of August .. D. Nineteen
Hundred and sixty-one

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. GRIMES

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 _____

on or before
(First Publication February 17, 1961.)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., January 27, 1961.

Notice is hereby given that Western Heights Inc. whose postoffice address is Sioux Falls 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 .145 cubic feet of water per second of time from the ground water through the

Western Heights Well #1, the point of diversion of which is to be located on the ~~XXXXXX~~ in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35 Twp. 101 N. Range 50 W. Said water to be used for the purpose of providing ~~irrigation and other~~

~~XXXXXX~~
following described land:

water supplies for housing development project

~~XXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of March, 1961, 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 W. H. Leopard, Manager
Daily Argus Leader
Sioux Falls, S.D.

By:

~~XXXXXX~~
Burton F. Jones
Water Rights Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Minnehaha } ss.

W. T. Haggar being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Sioux Falls Argus Leader a newspaper which during the whole itme of publication of said notice herein after stated, has been and is printed and published in the City of Sioux Falls County of Minnehaha and State of South Dakota; that the said notice was published in said newspaper on the following dates:

January 31, 1961February 7, 1961February 14, 1961February 21, 1961

in each and every issue of the full number thereof, the first publication being made on the 31 day of January 19 61 and the last publication on the 21 day of February 19 61, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was Comptroller the printer and publisher of the said newspaper.

Subscribed and sworn to before me this 21 day of February A. D. 19 61

Elleanor Tague
Notary Public Minnehaha County, S. D.

Elleanor Tague
My Commission Expires
June 30, 1966

APPROPRIATION OF WATER No. 7813
Office of State Water Resources Commission, Pierre, S. Dak., January 27, 1961.
Notice is hereby given that Western Helonis Inc. whose postoffice address is Sioux Falls, 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 145 cubic feet of water per second of time from ground water through the Western Helonis Well No. 1, the point of diversion of which is to be located in the NW1/4 of the NE1/4 of Section 35, Twp. 101 N., Range 50 W. Said water to be used for the purpose of providing water supplies for housing development project.
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of March, 1961, 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 and all information presented.
—State Water Resources Commission
By: Burton F. Jones,
Water Rights Specialist.
(Jsn. 11; Feb. 7, 1961)

RECEIVED
MAR 21 1961

STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTA

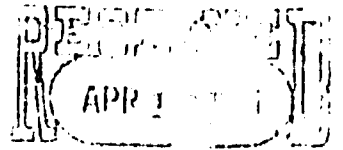
DATE MICROFILMED

JUL 21 1961
COLUMBIA UNIVERSITY

Permit No. 757-3Water Division No. 3

BIG SIOUX RIVER

Water District



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.) 2011 AUSTIN DRIVE, SIOUX FALLS, S. D.

(Date) APRIL 13, 1961

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 0.145
.....cu. ft. per second of the waters of the state from WELL #1
through the SYSTEM OF WATER MAINS
for SUBURBAN HOUSING, DOMESTIC USE purposes
IN WESTERN HEIGHTS 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.

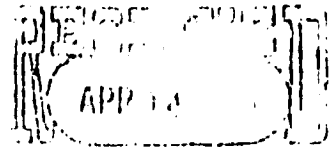
1. The name of the person or corporation holding said permit is WESTERN HEIGHTS INC.
2. The postoffice address of such person or the place of business of such corporation is SIOUX FALLS
County of MINNEHAHA State of SO. DAK.
3. The number of such permit is 757-3 and the date set for the completion of such work is
MARCH 15, 1962
4. Said water to be used for DOMESTIC 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 0.145 cubic feet per second.
6. The amount of land for which said water is available is 30+ ACRES SUBURBAN HOUSING acres,
particularly described as follows. IN THE N. E. 1/4 SEC. 35-101-50

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

Western Heights Inc.

(Signature of Owners)

By A. J. Janger Pres



Permit No. 757-3

Water Division No. 3 BIG SIOUX RIVER Water District

STATE WATER RESOURCES COMMISSION
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.) 2011 AUSTIN DRIVE, SIOUX FALLS, S. D.

APRIL 13, 1961
(Date)

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

DEAR SIR: Notice is hereby given that on the 15 day of AUGUST 1961, at WESTERN HEIGHTS County of MINNEAPOLIS State of South Dakota, before _____ proof will be submitted of the application to beneficial use of NOT MORE THAN 0.145 cubic feet per second of the waters of DEEP WELL NO. 1, WESTERN HEIGHTS INC., BIG SIOUX RIVER DIST. in accordance with the terms and conditions of Permit No. 757-3 heretofore issued by the Water Resources Commission of South Dakota.

- The name and postoffice address of the person or corporation holding said permit are WESTERN HEIGHTS INC.
- The use to which said water has been applied is DOMESTIC
- The amount applied to beneficial use is UP TO 0.145 C. F. S.
- The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated)
- The name of the canal or ditch or other works by which said water is conducted to such place of use is
- The right to take the water from such works is based upon permit No. 757-3
- The source of supply from which such water is diverted is DEEP WELL, BIG SIOUX RIVER DIST.
- The date of priority which said user is prepared to establish is JAN. 5, 1961

(Sign) Western Heights Inc.
by A. S. George Pres.

Permit No. 757-3Water Division No. 3Big SiouxRIVER

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 APRIL 13, 1961 1061, I have this day made a thorough examination of the diversion works constructed by WESTERN HEIGHTS INC. of SIOUX FALLS MINNEAPOLIS County, South Dakota, holder of Permit No. 757-3, issued upon Application No. 757-3, bearing date of priority of JAN 5, 1961, authorizing the diversion of 145 cu. ft. per second of the waters of GROUNDED WATER for DOMESTIC purposes. I have to report on the condition of the same as follows:

The diversion works comprise: 1 FAIRBANKS MORSE SUBMERSIBLE
COULD NOT GET SERIAL NUMBER

and the system is in the following condition: EXCELLENT

The point of diversion is located IN THE NE 1/4 SEC 35 T16N R50W

The works are capable of diverting and conveying to the place of use 145 cu. ft. per second of water, which is to be used for DOMESTIC

The legal sub-divisions to be irrigated are:

comprising a total of _____ acres of land.
The domestic use intended comprises ALL

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

Witness my hand, this 17 day of July, A. D. 1961

—SEAL—

Examining Engineer.