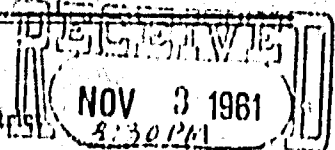


- 845-3
1. Considered 3-7, 1962
 2. Name of Applicant Kolamb Chindin
 3. Post Office Address Elle Point
 4. Amount of water claimed 3.24
 5. Source of water supply ground water
 6. Water to be used for irrigation
Acres to be irrigated 227.31
 - 25 7. Water to be diverted and used in Union County about 4.5 miles of Elle Point.
 8. Proof of Publication Received ✓
Not Received _____
 9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____
 10. Remarks:

No. 845-3Water Division No. 3 Big Sioux River District
(Blanks to be Filled by the Engineer for the W. R. O.)STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of applicant Roland Chivars
 Postoffice address Elk Point, County Union, State S.D.

If a corporation _____

(a) Name of same _____

(b) Date and place of incorporation _____

(c) Amount of capital stock _____

(d) Amount paid-in _____

(e) Names and addresses of directors _____

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor) _____

(b) Cash on hand, \$ _____

(c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____

(e) Other resources, \$ _____

2. Name of diversion work Chivars Well #1

3. Amount of water claimed 1500 2.24 cfs cubic feet per second

4. Source of water supply well (ground water)

5. Location of point of diversion S 3° 54' E 80 rods from the NW corner

Section 35 T9N R49W on _____ bank Union County.

6. Annual period or periods during which water is to be used Summer

7. To be used for:

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

(a) Number of acres to be irrigated 227.3 acres.

(b) Legal subdivisions to be irrigated NW 1/4 Section 35, S 1/4 NE 1/4 Section 31 T9N

(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.) _____

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

(a) Nature of use _____

Name any of the above uses claimed.

(b) Amount of power to be generated _____ horse power.

Amount claimed for engine cooling _____

(c) Location of plant _____

(d) Method of developing power _____

(e) Point where water will be returned to stream _____

MAP NO 602-3

8. Estimated cost of work:

(a) Head Gates, \$..... (b) Pumping plant, \$.....
 (c) Fluming, \$..... (d) Canal-earth, \$..... Rock, \$.....
 (e) Other structures \$..... 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 topfeet; thickness at bottomfeet; thickness at topfeet; slope at front water face; slope at back face material used in construction
 (b) Reservoir: Capacity when filledacre feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET—ACRES	AREA-Feet CAPACITY

(c)* Head gate: Width.....feet; heightfeet;
 Material
 (d) Canal: Total lengthmiles.

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 2 years.
 11. Time required for complete application of water to the proposed beneficial use 5 years.
 12. Choice of newspaper for publication of notice of intention to appropriate

Leader Courier Elk Point S.D.

STATE OF SOUTH DAKOTA

County of Lincoln

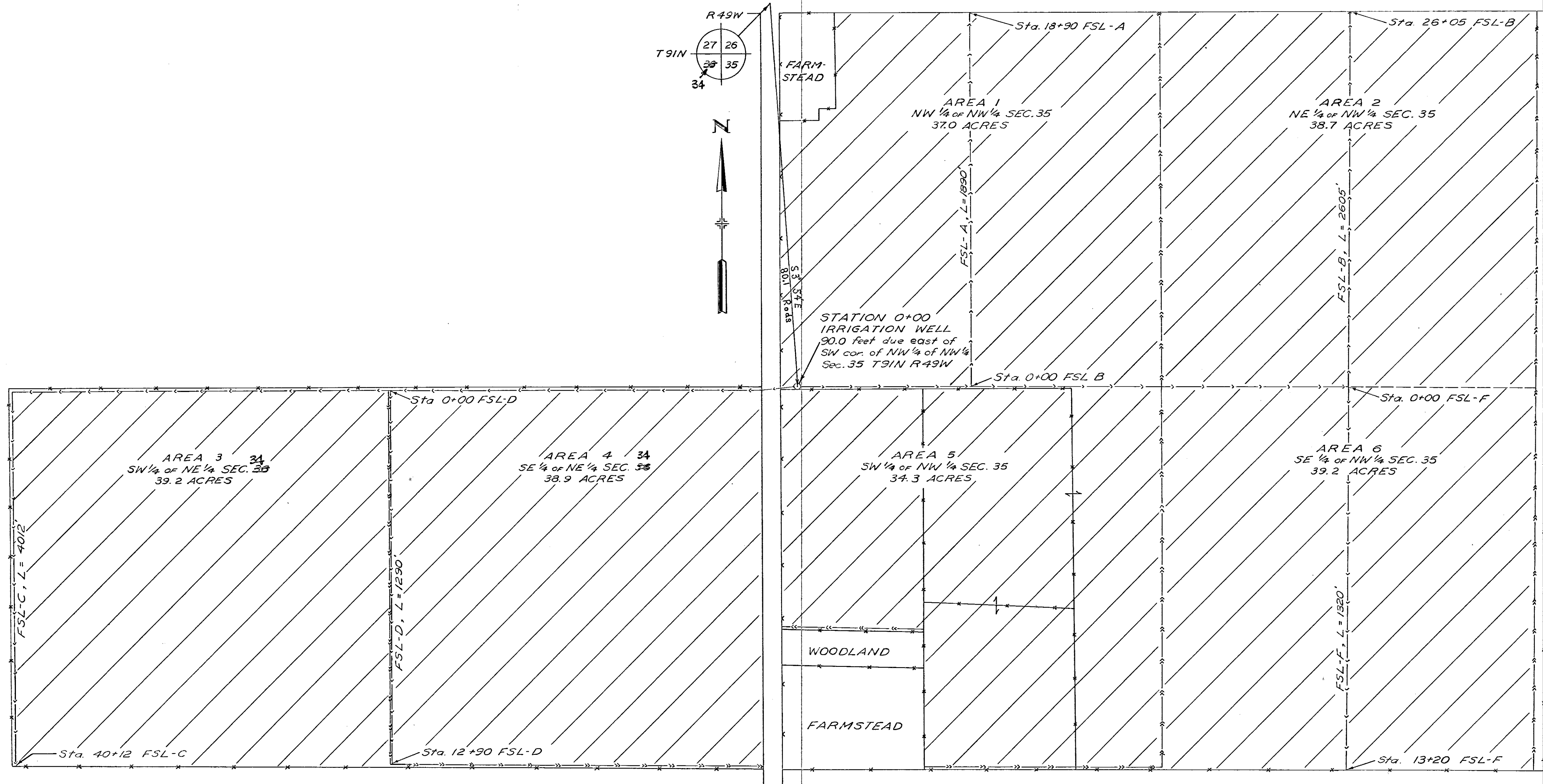
I, Roland Christine, being first duly sworn on my oath, depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement; examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed Roland Christine

Subscribed and sworn to before me this 21st day of November 1941

Notary Public (or other qualified officer)

*Each diversion must have a headgate or measuring device.



SURVEYOR'S CERTIFICATE

I, Walter J. Ochs do hereby certify that this map identifies a reasonably accurate record of the land of the Roland Chicoine Irrigation Project No. 1 and has been prepared by the Soil Conservation Service for the Union County Soil Conservation District.

Signature: *Walter J. Ochs*
Title: *Agricultural Engineer*
U.S. Department of Agriculture
Soil Conservation Service

Subscribed and sworn before me this 12th day of *January*, 1961 A.D. *C. A. Jensen*
NOTARY PUBLIC
My commission expires: *Oct. 4, 1965*

LOCATION OF LAND TO BE IRRIGATED

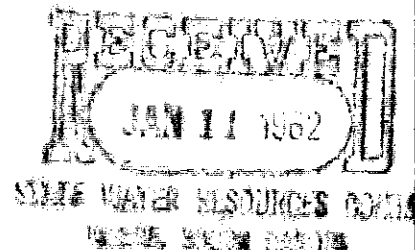
Area	Location	Section	Township	Range	Acres
1	NW 1/4 NW 1/4	35	91N	49W	37.0
2	NE 1/4 NW 1/4	35	91N	49W	38.7
3	SW 1/4 NE 1/4	35	91N	49W	39.2
4	SE 1/4 NE 1/4	35	91N	49W	38.9
5	SW 1/4 NW 1/4	35	91N	49W	34.3
6	SE 1/4 NW 1/4	35	91N	49W	39.2
Total					227.3

All lands described are owned by Roland Chicoine.

LEGEND

Land to be irrigated	
Drainage ditches	
Water supply laterals	

SCALE: 1" = 200'



ROLAND CHICOINE IRRIGATION PROJECT NUMBER ONE UNION COUNTY, SOUTH DAKOTA	
U.S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE	
Designed	Date
Drawn	Approved by <i>W. J. Ochs</i>
<i>J. R. Torgerson</i>	<i>12-8-61</i>
Traced	Title
Checked	Sheet
<i>W. J. Ochs</i>	<i>12-12-61</i>
	Drawing No
	No. 1
	of 1

MAP No 602-3
(APPL No 345-3)

Roland Chicoine
Elk Point, S. Dak.

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of HUGHES ss.

Pierre, South Dakota, MARCH 12, 1962

This is to certify that the foregoing application was received by the Commission at 3:30 o'clock
p.m. upon the 3rd of November, 1961.

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Number of permit 845-3

Date of first receipt of application NOVEMBER 3, 1961

Date of return to applicant for correction, amendments or changes required as follows: November 21, 1961

Date of receipt of corrected application JANUARY 15, 1962

Date from which applicant may claim right November 3, 1961

Approved MARCH 7, 1962, Recorded in Book 7 Page 64

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

MARCH 7, 1963

2nd. The whole of said work is to be completed on or before MARCH 7, 1964

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

MARCH 7, 1967

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

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 3.24 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually

and beneficially applied for irrigation on or before MARCH 7, 1967; said water to be used during the following described annual period:

SUMMER

Witness my hand this 12TH day of MARCH, 1962

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued DECEMBER 7, 1971

Water License Issued DECEMBER 7, 1971

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 36", Depth 109

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

Size of casing 18", Thickness of casing 3"

Length of casing 109 feet If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen concrete sloped

Size of perforated screen 18" (diameter), 36' (length)

Thickness of gravel pack 6", length of gravel pack 109 feet

(c) Water Bearing Materials

Distance to water 12, Character of water bearing material fine sand & coarse gravel

The water bearing strata

Thickness of water bearing material 93 feet

(d) Pump and Motor

Type of pump Turbine
(centrifugal, propeller, mixed flow, etc.)

Name of pump Western Sand P. Co., size 8'

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

Horsepower , Name of Motor

(e) Complete well

Capacity 1500 g.p.m. at drawdown of 30 feet, Estimated cost

(f) Owner of land upon which well is located Robert L. Lippin
Name

Ells Point
Address

(g) Distance to nearest existing wells

On same owner's property none rods. On property owned by others 400 rods

STATE OF SOUTH DAKOTA

WATER LICENSE NO. ... 845-3

(1) WHEREAS, On the 2nd day of November A.D. 1961
Roland Chicofne

made Water Right Application No. 845-3 for a permit to use 2.27 cubic feet per second of the waters
of ground water

County of Union, State of South Dakota, for Irrigation

purpose: and

(2) WHEREAS, On the 12th day of March A.D. 1962

Permit No. 845-3, with a date of priority of November 3, 1961

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 7th day of March A.D. 1962 and for the
application to beneficial use of said water on or before the 7th day of March A.D. 1967

and;

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert 2.67 cubic feet
per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to the application of water to beneficial use of the following extent,

for irrigating the following land in T91N, R49W

Acres		
Section 36	SW $\frac{1}{4}$ NE $\frac{1}{4}$	39.2
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	38.9
Section 35	NW $\frac{1}{4}$ NW $\frac{1}{4}$	37.0
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	38.7
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	34.3
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	39.2
		<u>227.3 Acres</u>

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Richard Chicoine

_____ of Pike Point, S.D.

the holder _____ and owner _____ of said permit No. 845-2 a water right, dating from November 3, 1951

_____ to use of 0.07 cubic feet per second of the waters of GROUND WATER

in the County of _____ Union _____ and State of South Dakota, or so much thereof as may be necessary for the purposes hereinafter mentioned, to be diverted at a point 36.1 rods South 1/4 corner of the

NE 1/4 Corner, Section 35, T91N, R49W

and conduct to and upon _____ portions of Sections 34 and 35, T91N, R49W, more fully described _____ on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 845-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 7th day of December A. D.
Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIFFS

Form 15.

Permit No. 845-3

Water Diversion No. 3 BIG SIOUX RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Roland Chicoine

_____ the holder _____ of
Permit No. 845-3, issued upon Application No. 845-3, bearing date of priority of November 3,
1961 authorizing the diversion of 3.24 cu. ft. per second of the waters of _____
ground water County of Union, State of South Dakota at _____
a point 80.1 rods South 3° 54' East of the NW Corner, Section 35, T91N,
R49W
_____, for irrigation

purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 2.67 cu. ft. per second of water.

Date December 7, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

on or before February 8, 1962
(First Publication _____)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., January 23, 1962

Notice is hereby given that Roland Chicoine whose postoffice address is Elk Point 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 3.24 cubic feet of water per second of time from xxx ground water through the Chicoine Well #1, the point of diversion of which is to be located on the xxxxxx in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25 Twp. 21N Range 49W. Said water to be used for the purpose of providing irrigation on the following described land:

NW $\frac{1}{4}$, Sec. 25; S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 34, T21N, R49W

xxxxxx purpose

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 7th day of March, 1962, 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.

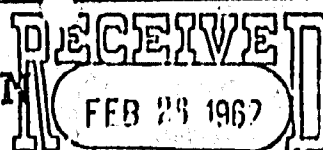
State Water Resources Commission

By:

CC: Byron Halgorson, Publisher
Leader Courier
Elk Point, S. Dak.

xxxxxxxxxxxxxxxxxxxx
BURTON F. JONES
Water Right Specialist

PROOF OF PUBLICATION



STATE OF SOUTH DAKOTA }
County _____ } ss.

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Byron Helgerson _____ being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____

Leader Courier _____ 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 Elk Point _____ County of Union _____ and State of South Dakota; that the said notice was published in said newspaper on the following dates:

Feb. 1, 1962

Feb. 8, 1962

Feb. 15, 1962

Feb. 22, 1962

In each and every issue of the full number thereof, the first publication being made on the 1st day of Feb. _____

1962 and the last publication on the 22nd _____ day of

February _____ 1962, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was _____ Owner _____ the printer _____ and publisher _____ of the said newspaper.

Byron Helgerson

Subscribed and sworn to before me this 23rd day of February _____ A. D. 1962

Edith Helgerson

Notary Public _____ Union _____ County, S. D.

APPROPRIATION OF WATER

Office of State Water Resources Commission, Pierre, S. Dak., January 23, 1962.

Notice is hereby given that Roland Chilcote whose post office address is Elk Point, 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 3.24 cubic feet of water per second of time from ground water through the Chilcote Well No. 1, the point of diversion of which is to be located in the NW 1/4 of the NW 1/4 of Section 35, Twp. 01N, Range 49W. Said water to be used for the purpose of providing irrigation on the following described land:

NW 1/4, Sec. 35, T51N, R49W; Sec. 34, T91N, R49W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 7th day of March, 1962, 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

By: Burton F. Jones
Water Right Specialist
(Pub. Feb. 1, 8, 15, 22)

Permit No. 845-3Water Division 3 Sioux River Water District

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

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by Roland Chicoineof Elk Point, S.D. holderof Permit No. 845-3, bearing date of priority of November 3, 19 61authorizing the div. 3.24 cu. ft. per second of the waters of ground waterfor irrigation purposes, in Union County.

I have to report on the condition of the same as follows:

The Water Use System consists of,

A. Works used to divert the water:

Well 108 ft., 24 inch concrete casing, static water level 15 ft., bowl setting 40 ft.
Western Land Roller pump, 8 inch, Mod. 8B
Westinghouse Electric Motor, 20 HP, serial No. 650453

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

Now uses open ditch and siphons
Plans to install 240 rods buried plastic or metal asbestos, 8 inch pipe
and 80 rods of 8 inch gated pipe

C. Works used to apply water to beneficial use.

Siphons
land leveling

The system is in the following condition: Very goodThe point of diversion is located 80.1 rods South 3°54' East of the NW Corner of Section 35,
T91N, R49WThe works are capable of diverting and conveying to the place of use 2.67
cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: all in T91N, R49W

NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35	37.0 acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34,	39.2 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35	38.7 acres	SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34	38.9 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35	34.3 acres		
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 35	39.2 acres		

comprising a total of 227.3 acres of land.Date XXX September 30, 1970

Donald Driscoll
(Signature)
DONALD DRISCOLL, Deputy Chief Engineer
Water Resources Commission

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED
APR - 3 2008
WATER RIGHTS
PROGRAM

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

Water Right/Permit No. 845-3

Date: 12/20/07

I/We request that Water Right/Permit No. 845-3 formerly owned by:

Roland Chicoine

be transferred to:

New Owner Name:

Brian Chicoine

Address:

32650 480th Ave

City, State, Zip

Elk Point SD 57025

Telephone No.

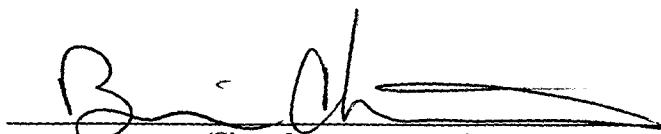
Title to the following described land(s)/property has been transferred as described above:

☒ I understand that the validity of Water Right/Permit No. 845-3 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 included to cover the filing fee as required by SDCL 46-2-13.

I, Brian Chicoine, the new owner, certify that the above information is true and correct.


(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 4/3, 20 08

RECEIVED OF Brian Chicoine 32650 480th Ave Elk Point SD 57025

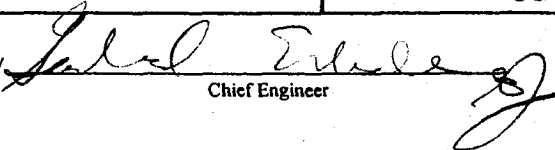
The following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>845-3</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2 50

No.

03013

By


Chief Engineer

845-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 8, 2008

Brian Chicoine
32650 480th Ave
Elk Point SD 57025

RE: Water Right Nos. 845-3, 1932-3, 3313-3 and 4874-3

Dear Mr. Chicoine:

I am writing to acknowledge receipt of the ownership changes you filed for Water Right Nos. 845-3, 1932-3, 3313-3 and 4874-3.

With reference to the transfer forms for Water Right Nos. 845-3 and 3313-3 (Roland Chicoine); a legal description was not included on either form showing what property was transferred. Water Right No. 845-3 authorizes irrigation of the S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 34 and NW $\frac{1}{4}$ Section 35, T91N, R49W and No. 3313-3 authorizes irrigation of the N $\frac{1}{2}$ Section 35, T91N, R49W. Since no legal description was included, we are assuming that you own the entire acreage. If this is incorrect, please contact me so corrections can be made.

The transfers have been completed. The water rights are now listed in your name. Enclosed are your Receipt Nos. 3610, 3611, 3612 and 3613 in the amounts of \$2.50 each which you paid for filing the ownership changes.

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

Sincerely,

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

enclosures