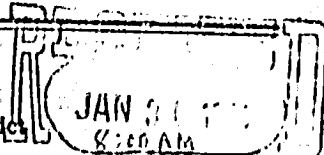


- 964-3
1. Considered 3-7, 1967
2. Name of Applicant Blues Cloud Abbey
3. Post Office Address Meriden, Conn
4. Amount of water claimed .98
5. Source of water supply dry draw
6. Water to be used for irrigation
Acres to be irrigated 6.4
7. Water to be diverted and used in Heard County about
15 1/2 miles of main
8. Proof of Publication Received 1st
Not Received
9. Application Approved
Subject to
Not approved
Action deferred
10. Remarks:

Prof Publ
Ltr - call attention to
shiny plow

No. 964-

Water Division No. 3 WHETSTONE CREEK District
(Blanks to be filled by the Engineer for the W. R. C.)



STATE WATER RESOURCES COMMISSION
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 Blue Cloud Abbey
Postoffice address Marvin, County Grant, State S. D.

2. If a corporation

(a) Name of same Blue Cloud Abbey

(b) Date and place of incorporation March 21, 1954

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors
Gilbert H. Blue Cloud Abbey, Marvin, S.D.
Minard H. Blue Cloud Abbey, Marvin, S.D.
Odile B. Blue Cloud Abbey, Marvin, 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)

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work Dam #1

3. Amount of water claimed approximately 1.48 cfs max. allowable cubic feet per second

4. Source of water supply 810 acres watershed

5. Location of point of diversion Sec 15, T12N, R50W, NE 1/4 NW 1/4
113 rods from the NE corner Sec 15 T12N R50W on Grant County.

6. Annual period or periods during which water is to be used April to November for irrigation

7. To be used for:

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

(a) Number of acres to be irrigated 69 acres.

(b) Legal subdivisions to be irrigated Sec 15, T12N, R50W, NE 1/4 NW 1/4
(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.) for Blue Cloud Abbey
domestic use and stockwatering

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

(a) Nature of use stockwatering, fire protection
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 _____

MAR 26 1954

DATE MICROFILMED

SERIAL OPERATOR

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 25 feet; length at bottom 100 feet; length at top 304.5 feet; thickness at bottom 130 feet; thickness at top 20 feet; slope at front water face 2:1; slope at back face 2:1
 material used in construction clay
 (b) Reservoir: Capacity when filled 41 acre feet. Surface area at highwater mark 6.2 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 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 finished years.
 11. Time required for complete application of water to the proposed beneficial use 1 years.
 12. Choice of newspaper for publication of notice of intention to appropriate Herald Advance Newspaper

STATE OF SOUTH DAKOTA } ss.
 County of Grant

I, Blue Cloud Alley (nee O. J. Engel, 253), 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.

Subscribed and sworn to before me this 28th day of January 1912
Wm. L. Keane
 Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

R. 50 W

7 1/2

26 25
35 36



AREA 1
NE 1/4 NW 1/4 Sec. 35
40 Acres

0.7
3-5
AREA 2
NW 1/4 NE 1/4 Sec. 35
29 Acres

9.5 Acres

S 59° 30' W
142 rods

S 43° 15' W
112 rods

Dam #1

Dam #2

T.
121
N.

All lands described are owned by Blue Cloud Abbey

LOCATION OF LAND TO BE IRRIGATED					
AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	NE 1/4 NW 1/4	35	T 121 N	R 50 W	40.0
2	NW 1/4 NE 1/4	35	T 121 N	R 50 W	29.0
TOTAL					69.0

 Land to be irrigated

SURVEYOR'S CERTIFICATE

I, Leroy J. McNaught DO HEREBY CERTIFY THAT THIS
MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND
OF THE Blue Cloud Abbey
AND HAS BEEN PREPARED BY THE SOIL CONSERVATION SERVICE
FOR THE Grant SOIL CONSERVATION DISTRICT.
SIGNATURE: Leroy J. McNaught
TITLE: Agricultural Engineer
U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
SUBSCRIBED AND SWORN TO BEFORE ME THIS _____ DAY OF
_____, 19____, A.D.

NOTARY PUBLIC

MY COMMISSION EXPIRES _____, 19____.

Scale: 1" = 200'

**BLUE CLOUD ABBEY
IRRIGATION PROJECT
NUMBER 1**
N 1/2 Sec. 35, T 121 N, R 50 W
Grant County, S. Dak.

**U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE**

RECEIVED
JAN 31 1961
STATE WATER RESOURCES COM. 22
PIERRE SOUTH DAKOTA

Designed _____	Date _____	Approved by _____
Drawn _____		Title _____
Traced _____		Title _____
Checked _____	9-61	Drawing No. _____

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA

County of HUGHES } ss.

Pierre, South Dakota, APRIL 9, 1962

This is to certify that the foregoing application was received by the Commission at 3:00 o'clock
A.m. upon the 31ST day of JANUARY, 1962

State Water Resources Commission

By:

Durton
for Chief Engineer, Executive Officer

Number of permit 964-3

Date of first receipt of application JANUARY 31, 1962

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 31, 1962

Approved MARCH 7, 1962, Recorded in Book 7, Page 83

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 27, 1962

2nd. The whole of said work is to be completed on or before MARCH 7, 1962

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

MARCH 7, 1962
4th. The water appropriated shall be used for the purpose of irrigation,
stockwatering & domestic use

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 1000 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, 1963; said water to be used during the following described annual period:

April 1 to November 1 for Irrigation - Continuous for other uses

Witness my hand this 9th day of April, 1962

State Water Resources Commission

By:

John
Chief Engineer, Executive Officer

Certificate of Construction issued JULY 13, 1970

Water License issued JULY 13, 1970

Form 15.

Permit No. 964-3

Water Diversion No. 3 WHEATSTONE CREEK Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Blue Cloud Abbey

_____ the holder _____ of
Permit No. 964-3, issued upon Application No. 964-3, bearing date of priority of January 31,
1962 authorizing the diversion of .98 cu. ft. per second of the waters of
local runoff County of Grant, State of South Dakota at
a point South 59°30' West, 142 rods from the NE Corner, Section 35,
T121N, R50W
_____, 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 .11 cu. ft. per second of water.

Date July 13, 1970

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 964-2

(1) WHEREAS, On the 31st day of January, A. D. 19 63
the Blue Cloud Abbey

made Water Right Application No. 964-2 for a permit to use .98 cubic feet per second of the waters
of local runoff

County of Grant, State of South Dakota, for irrigation
purposes; and

(2) WHEREAS, On the 7th day of January, A. D. 19 63
Permit No. 964-3, with a date of priority of January 31, 1962
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. 19 63 and for the
application to beneficial use of said water on or before the 7th day of March, A. D. 19 64

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 .11 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 Section 35, T121N, R50W

SW 1/4 NE 1/4 26.5 acres

NE 1/4 NE 1/4 9.5 acres

Total 36.0 acres

(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 Blue Cloud Abbey

of Marvin, South Dakota

the holder and owner of said permit No. 964-3 a water right, dating from January 31, 1962

to use of .11 cubic feet per second of the waters of local runoff

in the County of Grant and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 9 1/2 miles north 14 1/2 rods from the NE Corner, Section 35, T121N, R56W

and conduct to and upon portions of the NE 1/4, Section 35, T121N, R56W described on the face of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 964-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 13th day of July A. D.
Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIGGS

No. 2611-3

On or before
(First Publication) February 8, 1962

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., January 31, 1962

Notice is hereby given that the Blue Cloud Abbey whose postoffice address is Marvin 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 1.00 cubic feet of water per second of time from the a dry draw through xxx lands #1 and #2, the point of diversion of which is to be located on xxx both at a point on the NW 1/4 NE 1/4, and a point on the NE 1/4 NE 1/4 of the NE 1/4 of Section 35 Twp. 121N Range 50W Said water to be used for the purpose of providing irrigation on portions of following described land:

NE 1/4 NW 1/4 and NW 1/4 NE 1/4, Section 35-T 121N, R 50W

and for domestic and fire protection purposes.

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.

cc: Mrs. Charles C. Burgess, Publisher
Milbank Herald Advance
Milbank, South Dakota

State Water Resources Commission

By:

BURTON F. JONES
Water Right Specialist

Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF GRANT--ss.

Mrs. Charles Burges

of said county, being first duly sworn, on oath says that she is the publisher of the Milbank Herald Advance, a weekly newspaper printed and published in said county of Grant and State of South Dakota, and has full and personal knowledge of all facts herein stated; that said newspaper has a bona fide paid circulation of more than two hundred copies weekly, and has been published in the English language at Milbank, in Grant County, South Dakota, and has been admitted to the United States mail under the second class mailing privilege, for more than one year prior to the making of this affidavit, and the same is printed in whole in an office maintained at the place of publication, viz: Milbank, Grant County, South Dakota, and the same is therefore a legal newspaper; that the advertisement or legal notice headed:

Appropriation of Water

a printed copy of which, taken from the paper in which the same was published, is attached to this sheet and is made a part of this affidavit, was published in said news-

paper at least once in each week for successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

February 8, 1962

February 15, 1962

February 22, 1962

March 1, 1962

19

19

19

19

that the full amount of the fee charged for the publication of said Notice inures to the benefit of the publisher of said newspaper; that no agreement or understanding for the division thereof has been made with any person, and that no part thereof has been agreed to be paid to any person whomsoever, and that the fees charged for the publication thereof are \$ 18.57

Mrs. Charles Burges

Subscribed and sworn to before me this

9th day of March A. D., 1962

Genevieve M. Walsh
Notary Public, County of Grant, S. Dak.

APPROPRIATION OF WATER
Office of State Water Resources
Commissioner
Pierre, South Dakota
January 31, 1962
Notice is hereby given that the
Miss Cloud Abbey whose post office
address is Darwin, South Dakota,
has made an application in accord-
ance with the provisions of the
water laws of South Dakota for a
permit to appropriate for domestic
use 1 1/2 cubic feet of water
per acre of time from a very
draw three sections, number 1 and
number 2, the point of diversion of
which is to be located on both
banks of said stream at a point in the
NW 1/4 NE 1/4, and a point in the
NE 1/4 NE 1/4, of Section 34
Twp 21 N, Range 10 W, Sd. Water
to 10-21-62 for the purpose of pro-
tecting domestic and fire protection
purpose and for irrigation for por-
tion of the following described
land: 24 N 1/4, and NE 1/4 NE 1/4
Section 34, T. 21 N, R. 10 W, S. 1
This application will be taken up
by the State Water Resources Com-
missioner at his office at Pierre for
consideration on the 7th day of
March, 1962, at 2 P.M. All interest-
ed persons may appear and be
heard.
Appropriate action will be taken
by the Water Resources Commis-
sioner after suitable time has elapsed
for the consideration of any or
all information presented.
State Water Resources Com-
mission
By: Burton F. Jones
Water Right Specialist
Feb. 8 Feb. 15 Feb. 22 Mar. 1

RECEIVED
MAR 12 1962

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Copy

ARTICLES OF INCORPORATION

OF

BLUE CLOUD ABBEY

Know All Men By These Presents, That we, the undersigned have this day voluntarily associated ourselves together for the purpose of forming a corporation under the laws of the State of South Dakota, and for that purpose we hereby adopt and subscribe the following articles of Incorporation:

I

The name of this corporation shall be known as Blue Cloud Abbey.

II

The location of said Abbey is in Grant County, with post office address Marvin, South Dakota.

III

The term for which said corporation is to exist is to be perpetual.

IV

The number of directors of this corporation shall be five. All these directors are regular ministers of religion in the Roman Catholic Church, are residents of South Dakota, were duly elected on March 21, 1954, by a majority of the members present, and hold office until their successors are duly elected and qualified. The names of the present directors are:

Right Reverend Gilbert Hess, O.S.B.	Abbot and President
Very Reverend Meinrad Hoffman, O.S.B.	Prior
Very Reverend Odilo Burkhardt, O.S.B.	Subprior
Reverend Ildephonse Kreidler, O.S.B.	Consultor
Reverend Brendan Keane, O.S.B.	Consultor

V

The purpose of the corporation, organized as it is under South Dakota's regulations for religious, educational, and charitable purposes, shall not be for profit, but shall be as follows:

1. To give shelter, employment, missionary work to members of the monastic order of St. Benedict according to the rules and regulations of said order.
2. To carry on a theological institute, having for its object the preparation of students for the Roman Catholic priesthood and to confer degrees in this theological institute.
3. To carry on secondary and collegiate schools in accordance with the laws of the state of South Dakota and to confer diplomas and degrees in these schools.
4. To carry on the cultivation of the soil and other such manual labor as may be necessary for the support and maintenance of said institute; also to carry on such enterprises as are legal to further support and maintain said institute and members thereof.

VI

Since the corporation is not for profit, the mode of support and maintenance, in part at least, shall be by gifts and free-will offerings of persons and associations that may choose to contribute.

In Witness Whereof, We have hereunto set our hands this 21st day of March, 1954.

Gilbert Hess, O.S.B.
Meinrad Hoffman, O.S.B.
Odilo Burkhardt, O.S.B.
Ildephonse, Kreidler, O.S.B.
Brendan Keane, O.S.B.

* * * * *

STATE OF SOUTH DAKOTA }
COUNTY OF GRANT } SS

On this 21st day of March, 1954, before the undersigned, a Notary Public within and for said County and State, personally appeared Right Reverend Gilbert Hess, O.S.B., Abbot and President; Very Reverend Meinrad Hoffman, O.S.B., Prior; Very Reverend Odilo Burkhardt, O.S.B., Subprior; Reverend Ildephonse Kreidler, O.S.B., Consultor; and Reverend Brendan Keane, O.S.B., Consultor, well known to me to be the persons who are described in and who executed the above and foregoing Articles of Incorporation as directors of said corporation therein mentioned, and each duly acknowledged to me that he executed the same.

Notary Public, South Dakota

* * * * *

STATE OF SOUTH DAKOTA }
COUNTY OF GRANT } SS

Right Reverend Gilbert Hess, O.S.B., Abbot and President; Very Reverend Meinrad Hoffman, O.S.B., Prior; Very Reverend Odilo Burkhardt, O.S.B., Subprior; Reverend Ildephonse Kreidler, O.S.B., Consultor; and Reverend Brendan Keane, O.S.B., Consultor, 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; that he has read said Articles and knows the contents thereof; that the incorporators intend in good faith to form a corporation for the purposes as set forth in said Articles, and not for the purpose of enabling any corporation or corporations to avoid the provision of Chapter 224, Session Laws of 1909, of the State of South Dakota, relating to unlawful trusts and combinations, and laws amendatory thereto.

Gilbert Hess, O.S.B.
Meinrad Hoffman, O.S.B.
Odilo Burkhardt, O.S.B.
Ildephonse Kreidler, O.S.B.
Brendan Keane, O.S.B.

Subscribed and sworn to before me this 21st day of March, 1954.

Notary Public, South Dakota

STATE OF SOUTH DAKOTA)
COUNTY OF GRANT) SS

Julius Armbruster and Austin Caldwell being duly sworn each for himself deposes and says that he is one of the officers who conducted the foregoing election and the results above stated are the true and correct results of said election.

Julius Armbruster

Austin Caldwell

Subscribed and sworn to before me this 21st day of March, 1954.

(SEAL)

Notary Public, South Dakota

Permit No. 964-3Water Division 3 MIETSTONE CREEK 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 Blue
Cloud Abbey of Marvin, South Dakota holder
of Permit No. 964-3, bearing date of priority of January 31, 19 62
authorizing the diversion of .98 cu. ft. per second of the waters of Local runoff
for irrigation purposes, in Grant 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:

Dams 1 and 2, construction not quite completed on dam No. 2
3/4 H.P. Electric motor

Burkes 1 1/2" pump

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

underground pipe line

C. Works used to apply water to beneficial use.

small sprinklers and spigots

The system is in the following condition: goodThe point of diversion is located S. 59° 30' W, NE Corner, Section 35, T121N, R50W

The works are capable of diverting and conveying to the place of use 0.11
cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows: All in Section 35, T121N, R50WNW 1/4 NE 1/4 26.5 acresNE 1/4 NE 1/4 9.5 acrescomprising a total of 36 acres of land.Date June 15, 1970

Donald Driscoll
(Signature)

DONALD DRISCOLL, Deputy Chief Engineer, W.R.C.

SOUTH DAKOTA Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

January 29, 1988

BLUE CLOUD ABBEY - %Reverend Dennis Quinkert
BOX 98
MARVIN, SD 57251

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

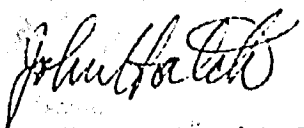
Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 964-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 964-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.


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

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.

South Dakota
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

February 4, 1988

964-3

Reverend Dennis Quinkert
Blue Cloud Abbey
Box 98
Marvin, SD 57251

Dear Reverend Quinkert:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the the requirement to submit the Irrigation Questionnaire(s) for Water Right No. 964-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352



January 30, 1996

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: BLUE CLOUD ABBEY, REVEREND THOMAS HILLENBRAND, PO BOX 98, MARVIN,
SD 57251 0098

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Requirement to Submit 1995 Irrigation Questionnaire

Our records indicate that the 1995 Irrigation Questionnaire has not been submitted for Permit No(s) 964-3. The request for the Questionnaire was dated October 20, 1995. The Water Management Board has directed that owners of water permits who have not submitted the 1995 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:45 am, March 6, 1996, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 964-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before March 1, 1996 your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

BLUE CLOUD ABBEY
REVEREND THOMAS HILLENBRAND
PO BOX 98
MARVIN SD 57251-0098

4a. Article Number

Z 348 318 820

4b. Service Type

- ☐ Registered
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☒ Certified
- ☐ Insured
- ☐ COD

5. Date of Delivery

JAN 31 1996

5. Received By: (Print Name)

BRO FRANCIS

6. Signature: (Addressee or Agent)

X Bro Francis

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

944-3



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 1, 1996

964-3

Rev Thomas Hillenbrand
Blue Cloud Abbey
PO Box 98
Marvin, SD 57251-0098

Dear Reverend Hillenbrand:

I am writing to acknowledge receipt of your 1995 irrigation questionnaire. You may disregard the January 30, 1996, Notice of Violation of the Requirement to Submit the 1995 Irrigation Questionnaire.

I completed a questionnaire for you based on our January 31st telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Enclosed, as we discussed, is a copy of Water Right No. 964-3 listed in the name of Blue Cloud Abbey. You indicated you would like to review the water right to determine if any of the acreage was still being irrigated. Thank you for calling and if you have any questions, please contact me.

Sincerely,

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
623 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

www.state.sd.us/denr

March 11, 1999

964-3

Reverend Thomas Hillenbrand
Blue Cloud Abbey
PO Box 98
Marvin, SD 57251-0098

Dear Reverend Hillenbrand:

I am contacting you in regard to Water Right No. 964-3, held by Blue Cloud Abbey. The water right authorizes diversion of 0.11 cubic feet of water per second from run off (includes two storage dams) for irrigation and domestic use.

On your 1998 irrigation questionnaire you indicated "no system is constructed, nor acres irrigated". Past irrigation questionnaire records reflect the land was last irrigated in 1993. If you no longer have a system or intend to irrigate, the water right could be reissued to delete the irrigation portion and allow use of water for domestic purposes from the two storage dams. This would eliminate the need for you to fill out yearly irrigation questionnaires.

Please write or call concerning your intentions towards Water Right No. 964-3. Thank you in advance for your assistance in determining the status of the water right.

Sincerely,

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

1998 WATER MANAGEMENT BOARD IRRIGATION QUESTIONNAIRE
PLEASE FILL OUT AND RETURN BEFORE DECEMBER 1, 1998

964-3 ~~XXXXXXXXXX~~
 BLUE CLOUD ABBEY
 REVEREND THOMAS HILLENBRAND
 PO BOX 98
 MARVIN, SD 57251 0098

CHANGES TO ADDRESS LABEL, IF ANY:

Telephone No. (605) 432-5528

COMPLETE AND RETURN THIS FORM TO THE WATER RIGHTS PROGRAM AT 523 E CAPITOL, PIERRE, SD 57501- (605) 773-3352

IS SYSTEM CONSTRUCTED? YES ☐ NO ☒ DID YOU IRRIGATE IN 1998? YES ☐ NO ☒

* IF YES, NUMBER OF ACRES IRRIGATED _____ * IF NO, LIST REASON(S) IN COMMENT SECTION

IS LAND ENROLLED IN CRP? YES ☐ NO ☐ IF YES, THROUGH WHAT YEAR? _____

DID YOU CHEMIGATE IN 1998? YES ☐ NO ☐

SOURCE OF WATER _____

TYPE OF SYSTEM (CHECK ALL THAT APPLY):

CENTER PIVOTS ☐ TOWNLINES ☐ BIG GUN ☐

FLOOD ☐ SPRINKLERS ☐ OTHER ☐



COMMENT SECTION:

No system constructed nor acres irrigated in 1998

THE PORTION OF THE FORM FOR REPORTING ACRES IRRIGATED IS ON THE BACK OF THIS PAGE. LISTED BELOW ARE TWO EXAMPLES OF HOW TO COMPLETE THE FORM:

EXAMPLE 1: IN JUNE & JULY, 130 ACRES WERE IRRIGATED USING A PIVOT SYSTEM (70 ACRES OF CORN & 60 ACRES OF ALFALFA). THE PUMP RATE OF THE PIVOT IS 800 GALLONS PER MINUTE AND YOU PUMPED 8 DAYS (@ 24 HOURS PER DAY) ON THE CORN AND 22 DAYS ON THE ALFALFA:

MONTH	CROP	ACRES	PUMP RATE	# DAYS	AVE/HRS DAY
JUNE	CORN	70	800 GPM	8	24
	ALFALFA	60	800 GPM	10	24
JULY	ALFALFA	60	800 GPM	12	24

EXAMPLE 2: IN JUNE, 40 ACRES OF ALFALFA WERE IRRIGATED (USING GATED PIPE @ 3000 GPM) FOR 5 DAYS - 24 HOURS PER DAY; 60 ACRES OF BEANS WERE IRRIGATED (USING BIG GUN @ 380 GPM) FOR 10 DAYS AT 24 HOURS PER DAY:

JUNE	ALFALFA	40	3000 GPM	5	24
	BEANS	60	380 GPM	10	24

PLEASE SPECIFY IF ACTUAL IRRIGATION HOURS OR KILOWATT HOURS ARE BEING REPORTED. FOR KILOWATT HOURS, INCLUDE DEPTH TO WATER & SYSTEM PRESSURE IN COMMENT SECTION.



Water Right No. 964-3

March 15, 1999

BLUE CLOUD ABBEY

PO BOX 98
MARVIN SD 57251-0098

(605) 398-9200

Dear Ms McMath,

My name is Br Chris Wesely, farm manager for Blue Cloud Abbey. I have been at the Abbey for almost eleven years and farm manager for three years. I really don't know what Water Right No. 964-3 involves for us. We have two storage dams close to the Abbey building. One body of water has a pump that we water the garden, orchard, recently planted trees, and on occasion a few head of live stock (In times past we have had up to 800 head of cattle watered by this system, but I don't foresee this scale of operation starting again).

To my knowledge no farm acres were ever irrigated from these two bodies of water. If by domestic use the water right entitles us to use the water for the Abbey grounds and live stock usage then I see no need for the irrigation portion of Water Right No. 964-3.

Thank you,
Br Chris Wesely OSB
Farm Manager

File No. 964-3

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME: Blue Cloud Abbey

ADDRESS: PO Box 98, Marvin, SD 57251-0098

DATE: March 16, 1999

TELEPHONE: (605) 398-9200

RE: Water Right No. 964-3

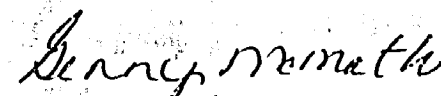
COMMENTS:

On March 11th, I wrote to Blue Cloud Abbey requesting information on whether or not they still irrigated. The water right allows use of water from two storage dams for irrigation and domestic use.

On March 16th, a letter was received from Brother Chris Wesely indicating they water a garden and an orchard and at times a few head of cattle. He stated in his letter that he didn't believe any "farm acres" were ever irrigated.

I called to ask him about the size of the garden and the rating of the pump from the dam(s). He said their garden varies between $\frac{1}{2}$ to $\frac{3}{4}$ of an acre and they have approximately 2 dozen trees. He didn't know the pump rate but thought it was a 1 $\frac{1}{2}$ to 2-horse power.

I told him that their use of water would most likely fall under domestic use and we could reissue the license to that affect. Prior to that happening, someone from our office would stop out and take a look at the setup. He seemed to be comfortable with that as long as they would be able to retain their water right for domestic purposes.


Genny McMath
Environmental Scientist

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Blue Cloud Abbey

DATE: October 10, 2013

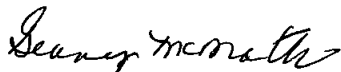
RE: Water Right No. 964-3

COMMENTS:

The Abbey closed in 2012. I contacted the Grant County Assessor's office today and found the Abbey still owns the property however it is up for sale and it sounded like a sale is pending and might be official before the end of 2013.

They have not irrigated for a number of years but do have two dams on the property that are covered under the water right. No documentation exists in the file on how much storage is involved. The original permit talked about 41 acre feet of water but the inspection report does not specify what was developed. There are two location notices in the S ½ of the section for small dugouts but nothing else on file for the dams in the N ½ of Section 35 listed on the water right.

A staff person needs to visit the area and determine the storage amount of the two dams. The irrigation portion of the water right will need to be brought before the Board for cancellation consideration and then the water right reissued for storage of water for domestic use.



Genny McMath
Water Rights Program