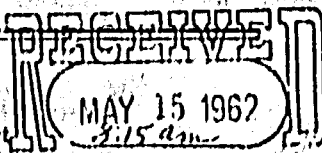


991.3

1. Considered 7-11, 1962
2. Name of Applicant Wm V. Anthony
3. Post Office Address Jefferson
4. Amount of water claimed 4.91
5. Source of water supply Ground water
6. Water to be used for irrigation
7. Acres to be irrigated 342.8
8. Water to be diverted and used in Union County
1.0 miles of Jefferson
9. Proof of Publication Received 1st
Not Received _____
10. Application Approved ✓ P of
Subject to _____
Not Approved _____
Action deferred _____

10. Remarks:

Lead Correspondence to
Wayne Beckford, Elk Point

No. 991-3Water Division No. 3Big Sioux River District
(Blanks to be filled by the Engineer for the W. R. C.)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 Noe V. Arthur
Postoffice address Ellettsville, County Union, State SD

- I. If a corporation
- (a) Name of same
- (b) Date and place of incorporation
- (c) Amount of capital stock
- (d) Amount paid in
- (e) Name 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, \$ sufficient

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work Arthur3. Amount of water claimed 5TH cubic feet per second4. Source of water supply Well5. Location of point of diversion 1320 West of SE Corner Sect 7
T. 90 N. R. 48 E. - 120 ACRES on Union County.6. Annual period or periods during which water is to be used May 1st to Oct 1st

7. To be used for:

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity(a) Number of acres to be irrigated 360 acres.(b) Legal subdivisions to be irrigated E 1/2 - NE 1/4 - 13-90-48-80A - W 1/2 - NW 1/4

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereon, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

17-90-48-80A - W 1/2 - SW 1/4 - 8-90-48-80A - E 1/2 - SE 1/4

(c) Statement as to domestic use (giving location, etc.)

7-90-48-120 A.

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 637-3

8. Estimated cost of work:

(a) Head Gates, \$1100⁰⁰

(c) Fluming, \$

(d) Canal earth, \$1100⁰⁰

(b) Pumping plant, \$1200⁰⁰

Rock, \$

(e) Other structures Well \$1500⁰⁰

Total, \$4400⁰⁰

9. Description of diversion works:

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

Turnout Canal with Ditch

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 WATERLINE	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 3 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

Union County Herald

STATE OF SOUTH DAKOTA

County of Union

I, Joe V. Cuthrie

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

JOE V. Cuthrie

Subscribed and sworn to before me this

14

day of

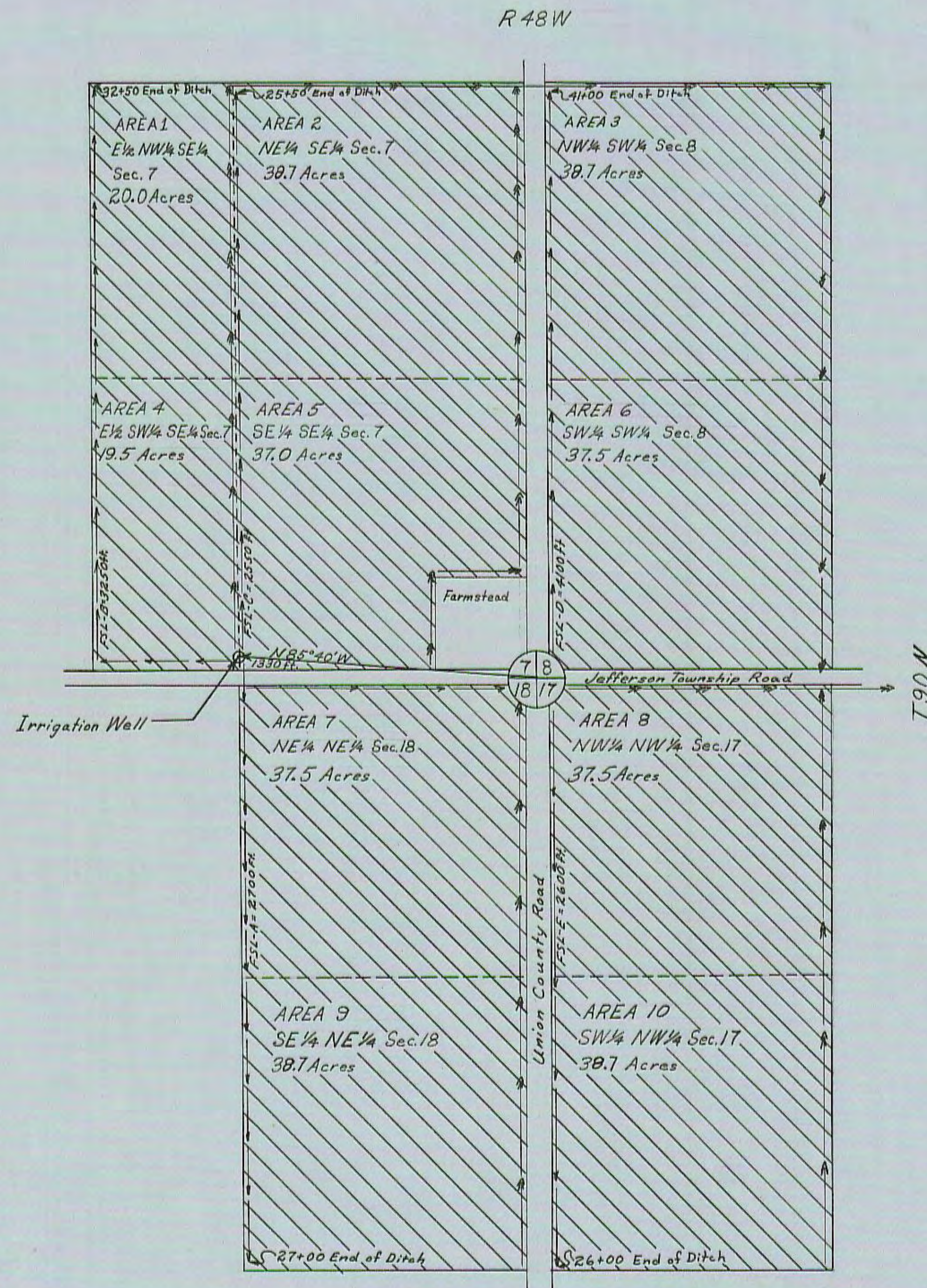
May

1902

Notary Public (or other qualified officer.)



LEGEND
Land to be Irrigated
Drainage Ditches
Water Supply Ditches



SURVEYOR'S CERTIFICATE

I Walter J. Ochs do hereby certify that this map identifies a reasonably accurate record of the land of the Noe V. Authier Irrigation Project Number 1 and has been prepared by the Soil Conservation Service for the Union County Soil & Water Conservation District

Signature: Walter J. Ochs

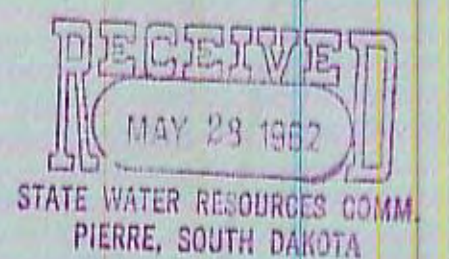
Title: Agricultural Engineer
U.S. Department of Agriculture
Soil Conservation Service

Subscribed and Sworn to before me this 22nd day of May 1962 A.D.

C. R. Larson
Notary Public
My Commission Expires October 6, 1965

LOCATION OF LAND TO BE IRRIGATED					
AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	E 1/2 NW 1/4 SE 1/4	7	90 N	48 W	20.0
2	NE 1/4 SE 1/4	7	90 N	48 W	38.7
3	NW 1/4 SW 1/4	8	90 N	48 W	38.7
4	E 1/2 SW 1/4 SE 1/4	7	90 N	48 W	19.5
5	SE 1/4 SE 1/4	7	90 N	48 W	37.0
6	SW 1/4 SW 1/4	8	90 N	48 W	37.5
7	NE 1/4 NE 1/4	18	90 N	48 W	37.5
8	NW 1/4 NW 1/4	17	90 N	48 W	37.5
9	SE 1/4 NE 1/4	18	90 N	48 W	38.7
10	SW 1/4 NW 1/4	17	90 N	48 W	38.7
TOTAL					343.8

All lands described are owned by Noe V. Authier.



NOE V. AUTHIER IRRIGATION PROJECT NUMBER 1 UNION COUNTY, SOUTH DAKOTA			
U.S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE			
Designed	Date	Approved by	<u>Walter J. Ochs</u>
Drawn		Title	<u>Agricultural Engineer</u>
Traced	<u>5-21-62</u>		
Checked		Sheet	Drawing No.
		No. /	of /

Remarks by State Water Resources Commission:

... The well granted under this Permit is located near domestic wells and other irrigation wells which may obtain water from the same aquifer. If the well covered by this Permit depletes the domestic supplies or interferes with prior water rights, restrictions, to the extent necessary, of the capacity of the well or periods of operation or other arrangements may be required to protect those water supplies.

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, JULY 24, 1962

This is to certify that the foregoing application was received by the Commission at 8:15 o'clock a.m. upon the 15TH day of MAY, 1962

State Water Resources Commission

By:

Burton Jones
for Chief Engineer, Executive Officer

Number of permit 991-3

Date of first receipt of application MAY 24, 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 MAY 24, 1962

Approved JULY 11, 1962, Record Book 7 Page 160

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 11, 1964

2nd. The whole of said work is to be completed on or before JULY 11, 1965

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is JULY 11, 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 4.91 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 JULY 11, 1967; said water to be used during the following described annual period:

MAY 1 TO OCTOBER 1

Witness my hand this 24TH day of JULY, 1962

State Water Resources Commission

By:

J. A. Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued JANUARY 6, 1971

Water License Issued JANUARY 6, 1971

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 30", Depth 100'

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

Size of casing 16, Thickness of casing 10 gauge

Length of casing 100' If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen Levee

Size of perforated screen 16" (diameter), 24' (length)

Thickness of gravel pack 7", length of gravel pack 100'

(c) Water Bearing Materials

Distance to water 16' Character of water bearing materials Coarse sand & Gravel

Thickness of water bearing material 1/2 to 1 - 60'

(d) Pump and Motor

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

Name of pump Western Hand Pumper, size 16"

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

Horsepower 21, Name of Motor Caterpillar

(e) Complete well

Capacity 5 1/4 at drawdown of 45' Estimated cost 1800⁰⁰

(f) Owner of land upon which well is located Noc V Authier, Name

Telferson SD
Address

(g) Distance to nearest existing wells

On same owner's property None rods, On property owned by others 240 rods

STATE OF SOUTH DAKOTA

WATER LICENSE NO. ... 991-3

(1) WHEREAS, On the 15th day of May A. D. 19 62
Noe V. Authier

made Water Right Application No. 991-3 for a permit to use 4.91 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 24th day of July A. D. 19 63

Permit No. 991-3, with a date of priority of May 24, 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 11th day of July A. D. 19 65 and for the application to beneficial use of said water on or before the 11th day of July A. D. 19 67

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 2.93 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 T90N, R41W

	Acres
Section 7, E $\frac{1}{2}$ NE $\frac{1}{4}$	20.0
NE $\frac{1}{4}$ SE $\frac{1}{4}$	38.7
SE $\frac{1}{4}$ SE $\frac{1}{4}$	37.0
E $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$	19.5
Section 18 NE $\frac{1}{4}$ NE $\frac{1}{4}$	37.5
SE $\frac{1}{4}$ NE $\frac{1}{4}$	38.7
Total	191.4 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 Noe V. Authier

_____ of Jefferson, S.D.

the holder _____ and owner _____ of said permit No. 991-3 a water right, dating from May 24, 1962

_____ to use of 2.93 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 1330 feet North 85° 40' West of the SE Corner, Section 7, T90N, R48W

and conduct to and upon portions of Sections 7 and 18, T90N, R48W, described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 991-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 6th day of January A. D.
Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By: _____
Chief Engineer, Executive Officer, J.W. GRINES

Form 15.

Permit No. 991-3

Water Diversion No. 3 BIG SIOUX RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify That Noe V. Authier

_____ the holder _____ of
Permit No. 991-3, issued upon Application No. 991-3, bearing date of priority of May 24,
1952 authorizing the diversion of 4.91 cu. ft. per second of the waters of _____
ground water _____ County of Union, State of South Dakota at _____
a point 1330 feet North 85° 40' West of the SE Corner, Section 7, T90N, R48W
_____, for irrigation

_____, has ⁸ 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 3.34 cu. ft. per second of water.

Date January 6, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Union } ss.

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 ofUnion and State of South Dakota; that the said notice was published in said newspaper on the following dates:June 7, 1962June 14, 1962June 21, 1962June 28, 1962in each and every issue of the full number thereof, the first publication being made on the 7th day of June1962 and the last publication on the 28th day ofJune 1962, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication hewas editor the printer and publisher of the said newspaper.Byron HelgersonSubscribed and sworn to before me this 7th day of July A. D. 1962.Rich HelgersonNotary Public Union County, S. D.APPROPRIATION OF WATER
Office of State Water Resources
Commission, Pierre, S. Dak.,
May 28, 1962.Notice is hereby given that Noe V. Authier whose postoffice address is Jefferson, 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 4.91 cubic feet of water per second of time from ground water through the Authier No. 1, the point of diversion of which is to be located in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 7 Twp. 90N, Range 48W. Said water to be used for the purpose of providing irrigation on the following described land:E $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ & E $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 7; W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 8;
W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 17; E $\frac{1}{2}$ NE
 $\frac{1}{4}$ Sec. 18, all in T90N,
R48W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 11th day of July, 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. June 7, 14, 21, 28)RECEIVED
JUL 21 1962STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

No. 291-3

on or before
(First Publication June 14, 1962)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., May 28, 1962

Notice is hereby given that Nos. V. Authier whose postoffice address is Jefferson 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 4.21 cubic feet of water per second of time from ~~xxx~~ ground water through the Authier #1, the point of diversion of which is to be located ~~on the~~ in the SE 1/4 of the SE 1/4 of Section 7 Twp. 20N Range 48W. Said water to be used for the purpose of providing irrigation on the following described land:
E 1/2 of SE 1/4 & E 1/2 SE 1/4, Sec. 7; E 1/2 SW 1/4 Sec. 6; NW 1/4, Sec. 17; E 1/2 NE 1/4 Sec. 18, all in T20N, R48W
~~xxxxx~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 11th day of July, 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.

~~xxxxxxxxxxxxxxxxxxxx~~
BURTON F. JONES
Water Right Specialist

CC: Mr. Byron Holgerson,
Publisher
Elk Point Leader Courier
Elk Point, South Dakota

Permit No. 991-3
 Water 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 Noe V. Authier
Jefferson, S.D. holder
 of Permit No. 991-3, bearing date of priority of May 24, 19 62
 authorizing the diversion of 4.91 cu. ft. per second of the waters of ground water
 for 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, 116 ft. deep, 24 inch concrete casing, static water level 12 ft., Bowl setting 50 ft.
 Western Land Roller, 8 inch pump, Mod. 8B 030
 Dayton Electric Motor, 30 HP, Heavy Duty, Type NJ

B. Works used to transport water to place of use,
 990 ft. main line 8 inch aluminum pipe } This pipe is used for four water rights
 2700 ft. 8 inch aluminum gated pipe } Nos. 991-3; 1188-3; 1189-3 and 1256-3.
 1300 ft. of buried 10 inch transite pipe

C. Works used to apply water to beneficial use.

Gated pipe
 Land Leveling

The system is in the following condition: Very good
 The point of diversion is located 1330 ft. N. 85° 40' W. of the SE Corner of Section 7,
T90N, R48W

The works are capable of diverting and conveying to the place of use 3.34
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 T90N, R48W

$E\frac{1}{2}$ NW $\frac{1}{2}$ SE $\frac{1}{2}$, Section 7	20.0 acres	NE $\frac{1}{2}$ NE $\frac{1}{2}$, Section 13	37.5 acres
NE $\frac{1}{2}$ SE $\frac{1}{2}$, Section 7	38.7 acres	SE $\frac{1}{2}$ NE $\frac{1}{2}$, Section 18	38.7 acres
SE $\frac{1}{2}$ SE $\frac{1}{2}$, Section 7	37.0 acres		
E $\frac{1}{2}$ SW $\frac{1}{2}$ SE $\frac{1}{2}$, Section 7	19.5 acres		

comprising a total of 191.4 acres of land.

Date September 30, 19 70

Donald Driscoll
 (Signature)

DONALD DRISCOLL, Deputy Chief Engineer
 Water Resources Commission

No. 591-3

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building Water Rights, Water Management Division
Pierre, South Dakota 57501 (605) 773-3352

March 17, 1980

Wayne Heckathorn
Elk Point, SD 57025

Dear Mr. Heckathorn:

Please find enclosed a copy of our Form 20, Notice of Transfer of Water Permit. This must be signed by the owner before a notary public and returned to this office with a fee of Two Dollars and Fifty Cents (\$2.50).

Upon receipt of the Form 20 and the \$2.50 filing fee the permit will be transferred to the proper name.

Please advise this office if you have any questions.

Sincerely,

GENNY YOUNG
Staff Assistant

gy

encl

NOTE: If you do not own this, please advise this office as to who the water right should be listed under.



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights, Water Management Division
(605) 773-3352

SECOND NOTICE

991-3

June 27, 1980

Wayne Heckathorn
Lik Point, SD 57025

Dear Mr. Heckathorn:

On March 17, 1980 we wrote you a letter concerning the transfer of Water Right No. 991-3 in the name of Roe V Authier. To date we have not heard from you on this matter.

If you have misplaced the transfer form previously sent to you, enclosed please find an additional form. Please complete, sign, have notarized, and return the form to this office with a filing fee of \$2.50. The water right will then be transferred to your name.

If you are not the present owner of the land covered under this Permit, please notify this office as to who does own it. It is very important in keeping our records up-to-date that we contact the proper party concerning the transfer.

If you have any questions please contact this office.

Sincerely,

GENNY YOUNG
Staff Assistant

gy

encl

*7-1-80
Mr. Heckathorn called in - does not own - (only farm)
WP should remain in Estate name for now. Sent
correspondence to Mr. Heckathorn.*

Equal Opportunity Employer

Genny

991-3



Department of Water & Natural Resources

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

April 5, 1983

Mary Louise Authier
% Farm Management Dept.
Toy National Bank
Sioux City IA 51101

ATTN: Kenneth Ebsen

Dear Mr. Ebsen:

Enclosed as we discussed by telephone on April 4, 1983 are the 1982 Irrigation Questionnaire pertaining to Water Right Nos. 991-3, 1188-3 and 1189-3, listed in the name of Noe V Authier Estate.

Please complete the data sheets and return them to this office. If you have any questions, please advise. The 1983 questionnaire will be mailed directly to you sometime in the fall.

Sincerely,

GENNY YOUNG
Water Rights Specialist

GY:ks

enclosures

Water Rights Division - DWR
Conversation or File Documentation

File No. 991-3
1188-3
1189-3

NAME OF PERSON OR FILE: Forest Winkoup

ADDRESS: 4546 Perry Way, Sioux City, IA 51104 COUNTY

DATE: April 28, 1986 TELEPHONE

RE: Irrigation Questionnaires for Authier Estate Water Rights

COMMENTS:

Mr. Winkoup indicated he now managed the systems and the yearly
irrigation questionnaires could be sent directly to him.

The water rights are still to be listed under the Estate
name.

He further indicated that he only used two of the three wells.

The third well is inoperable. He did not know which permit the
well belonged to.

The water rights should be reinspected to find out if the
acres that used to be irrigated with the "bad" well are now
being irrigated by the other two wells or if they have been
abandoned with the well.

File in Permit or other file as necessary. Use to document conversations and
what the other party was told; why action or decision was made.

NAME: Benny McMath

 **Department of
Water & Natural Resources**

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

January 29, 1988

FORREST WYNKOUF, MGR (Noe V Authier Estate)
4546 PERRY WAY
SIOUX CITY, IA 51104

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

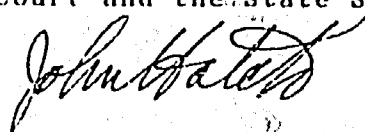
Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s) 1188-3, 1189-3, 991-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires 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) 1188-3, 1189-3, 991-3 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 18, 1988

991-1
1188-1
1189-1

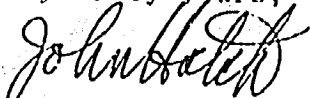
Forest Winkoup, Mgr.
4546 Perry Way
Sioux City IA 51104

Dear Mr. Winkoup:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 991-1, 1188-1, 1189-1 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, Chief Engineer
Water Rights Division
605 773-3352

Water Rights Division - DWR

File No. 11894(9913)

Conversation or File Documentation

NAME OF PERSON OR FILE: Authier - Estate, Forest Winkoup, MOR

ADDRESS: 4546 Perry Way Sioux City, Iowa COUNTY Union

DATE: 7/15/91 TELEPHONE N/A

RE: Status of License # 991, 1189

COMMENTS:

Upon inspection of the Authier estate license # 991/1189, it was discovered that Martin (Sam) Bertrand was farming & irrigating each area under the acreages given in the water permits. Will send IG's to Martin Bertrand:

Route 1 Box 420

Jefferson, SD

605/966-5718

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

4/82

NAME: Greg J. Hunt



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 19, 1994

1189-3
991-3

Noe Authier
3414 Fairhaven Drive
Rapid City, SD 57702

Dear Mr. Authier:

This will acknowledge receipt of the "Notice of Transfer of Ownership" you submitted for transferring Water Right No. 1189-3 from Noe V. Authier Estate to Authier - Union. Enclosed is your receipt No. 414352 in the amount of \$2.50 which you paid for filing the transfer. The water right is now listed under "Authier - Union".

The legal description that you added to the transfer form is described under Water Right No. 991-3. I am enclosing a partially completed "Notice of Transfer" for use in filing the ownership change on Water Right No. 991-3. Please complete the form and then sign it in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

I am enclosing a copy of Water Right No. 991-3 which you may keep for your records. If you have any questions, please contact me.

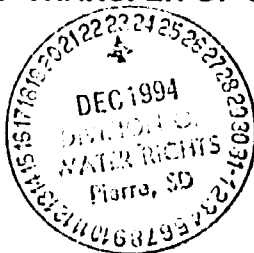
Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 991-3

Date: _____

I\We request that Water Right No. 991-3

formerly owned by: Noe V Authier Estate

be transferred to: (name & address) Authier - Union 3414 FAIRHAVEN DR
Rapid City, S.D. 57702 (Telephone No) 605-342-4937

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

191.4 acres - SE 1/4 Section 7 and the E 1/2 NE 1/4 Section 18, T90N, R48W

I\We understand that the validity of Water Right No. 991-3 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 at the Division of Water Rights, 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 SCUTH DAKOTA)
County: of _____)

I\We _____ 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.

Noe Authier
(Signed)

Subscribed and sworn to before me this 21 day of December, 19 94.

Mario J. Kessler
(Notary Public)

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.

RECEIPT

414360

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ December 23, 19 94

RECEIVED OF Authier - Union, 3414 Fairhaven Dr, Rapid City, SD 57702

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 _____		
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>Water Right No. 991-5</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By *John H. Hatch*
Chief Engineer

991-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 4, 1995

No. 991-3

Authier - Union
3414 Fairhaven Dr.
Rapid City, SD 57702

Dear Sirs:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 991-3.

Our records now show you as the owner of Water Right No. 991-3.

Sincerely,

A handwritten signature in cursive script that reads 'Cheryl F. Frost'.

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

enclosure



991-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 21, 2003

1189-3

Noe Authier
Authier-Union
3414 Fairhaven Dr
Rapid City SD 57702

RECEIVED

OCT 27 2003

WATER RIGHTS
PROGRAM

Dear Mr. Authier:

Thank you for the prompt return of the 2003 irrigation questionnaire for Water Right No. 1189-3. You indicated 160 acres were irrigated this year. In order for the questionnaire to be considered complete, we need to have you fill out the back of the form too.

Please write in the acres, pump rate, days per month and average hours per day in the months that water was applied. We use the information to calculate how much water was used from a specific source.

Also, the questionnaire for Water Right No. 991-3 will need to be completed and returned along with the one for 1189-3. I am including another form for No. 991-3 in the event you no longer have the first one. If you did not irrigate under No. 991-3, please check the area marked "no" on the questionnaire and return it to us.

The legal descriptions of the water rights are included on each questionnaire. If you have any questions, please get in touch with me.

Sincerely,

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

PLEASE CONTACT THE PERSON WHO HAS RENTED
THE LAND:

BRAD BERTRAND
P.O. BOX 251
JEFFERSON, S.D. 57025

enclosures



991-3

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 28, 2003

991-3
1189-3

Brad Bertrand
PO Box 251
Jefferson SD 57025

Dear Mr. Bertrand:

Noe Authier has notified our office that you have rented the land described in Water Right Nos. 991-3 and 1189-3. I have enclosed a copy of the water rights for your review.

Enclosed are the yearly irrigation questionnaires for this property. The legal descriptions of each water right are included on the questionnaires. Please complete the forms and return them to us by December 1st.

If you have any questions when completing the forms, please give me a call. I will edit our mailing list to allow these forms to be forwarded to you each year. The forms will be mailed directly to you, however the owner of the water rights (Noe Authier) is responsible for insuring that they reach our office by the deadline.

I am including a postage paid envelope for your convenience in returning the questionnaires.

Sincerely,

Genny McMath

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

enclosures

c: Noe Authier

991-3

1189-3

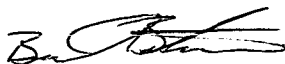
25-Nov-03

Ms. Genny McMath
Environmental Scientist
State of South Dakota
Water Rights Program
Joe Foss Building
523 E Capital Ave
Pierre, SD 57501-9980

Dear Ms. McMath,

Thank you for your assistance this afternoon. I believe everything should be in order.
Should there be any questions regarding any of the data, please do not hesitate to call.

Sincerely,



Brad Bertrand
P.O. Box 251
Jefferson, SD 57038
605-966-5434

Enclosure 2003 WMBIQ for 991-3
 2003 WMBIQ for 1189-3

RECEIVED
DEC - 1 2003
WATER RIGHTS
PROGRAM

P.O. Box 251
Jefferson, SD 57038
605-356-2535

December 6, 2004

Ms. Genny McMath
Environmental Scientist
Water Rights Program
503 East Capitol
Pierre, South Dakota 57501-3182

RECEIVED
DEC - 9 2004
WATER RIGHTS
PROGRAM

Dear Ms. McMath,

Thank you for sending me an additional copy of the forms! We have been very busy moving our house and have a pile of mail you would not believe!

As I mentioned, I do not believe I am going to be farming the Authier Farm this coming growing season. I have not been notified one way or the other for certain. But regardless, a farm manager is now seeing to the property. Tom Jass is with Farmers National Company and will be overseeing and tending to all matters regarding the Authier property. His contact information is as follows:

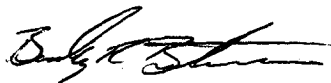
Farmers National Company

Tom JASS

401 South 3rd Avenue, Brandon, SD 57005
Phone (605) 582-2798

If you should have any further questions of me, please feel free to call or write.

Sincerely,



Brad Bertrand



991-3

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 13, 2004

991-3
1189-3

Tom Jass
Farmers National Company
401 S 3rd Ave
Brandon SD 57005

Dear Mr. Jass:

I am contacting you in regard to Water Right Nos. 991-3 and 1189-3 for Noe Authier in Union County.

Recently, Brad Bertrand from Jefferson, South Dakota notified us that future correspondence concerning these water rights should be directed to you. Mr. Bertrand has farmed the land the last couple years and has been completing the annual irrigation questionnaires. The questionnaires for this year have been completed and nothing further regarding the water rights is needed at this time.

I have added your name to the files so that any correspondence concerning the water rights will be directed to your attention. If you have any questions or would like copies of the water rights for Mr. Authier, please contact me.

Sincerely,

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



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

November 7, 2024

991-3
2339-3

Matt Schmitz
48020 County Rd 1B
Jefferson SD 57038

Dear Mr. Schmitz:

The Water Rights Program is in receipt of the 2024 Irrigation Questionnaires you submitted for Water Right Nos. 991-3, 1189-3, and 2339-3.

On questionnaires returned for 991-3 & 2339-3 you reported 808 and 850 hours of irrigation during the month of August, respectively. August only has 744 hours.

I've enclosed copies for both submissions for you to review. Please contact me right away to discuss these questionnaires, as reporting is a time sensitive matter.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures