

Water Right Number 1056-1

1. Considered MAY 21 19 75
2. Name of Applicant LELAND E. ANDERSON
3. Post Office Address SHADEHILL
4. Amount of Water claimed 4.3
5. Source of Water supply SHADEHILL RESERVOIR
6. Water to be used for IRRIGATION
- Acres to be irrigated 304
7. Water to be diverted and used in FERKINS County
about 165 6W miles of LEMMON
8. Proof of Publication Received 5-5-75
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

No. 1056-1
 Map No. 870-1 Water Division No. 1 GRAND RIVER District
 (Blanks to be Filled by the Engineer for the W. R. C.)

5,20

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Leland E. Anderson
 Postoffice address Shadehill, State South Dakota
 If a corporation show date and place of incorporation No corporation
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor
Anderson & Milner Irrigation Project #1
 3. Name of diversion work _____
 4. Amount of water claimed (cubic feet per second) 4.3 cfs
 5. Source of water supply Shadehill Reservoir
 6. Location of point of diversion See attached sheet

- County Perkins
 7. Annual period or periods during which water is to be used April 1st thru October 15
 8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
 9. For irrigation use, Total number of acres to be irrigated 304

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
See attached sheet			

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 years. Additional time required to complete application of water to the proposed beneficial use 3 years.
 11. Choice of newspaper for Notice of Intent to Appropriate Water publication Lemmon Leader
 12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Pump

B. Works proposed to transport water to place of use.

Pipeline

C. Works proposed to apply water to beneficial use.

Large volume traveling sprinkler or wheel line sprinkler

Estimated Total Cost \$ 25,000.00

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

County of Perkins) ss.

I, Leland E. Anderson the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Leland E. AndersonSubscribed and sworn to before me this 12th day of March, 1975

Notary Public (or other qualified officer)

My Commission Expires Jan. 14, 1977

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1056-1

LELAND E. ANDERSON
(Applicant)

SHADEHILL
(Post Office Address)

SOUTH DAKOTA 57653 With the following modifications:
(State)

This water right covers unappropriated water which exists at this location only, in intermittent seasonal or flood control flows in the Grand River. This water supply is not a dependable source of water for irrigation. A dependable source of water may be obtained by contract with the Bureau of Reclamation for water service from Shadehill Reservoir.

Date of first receipt of application APRIL 3 19 75
Date of return to applicant for correction, amendments or changes required _____ 19 ____
Date of receipt of corrected application _____ 19 ____
Approved MAY 22 19 75 Recorded in Book 13 Page 256

WATER RIGHT PERMIT NO. 1056-1

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1056-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is APRIL 3 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 22 19 76
3. The whole of said work is to be completed on or before MAY 22 19 78
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 22 19 81
5. The water appropriated shall be used for the purpose of IRRIGATION

6. 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.

7. The amount of the appropriation herein granted shall not exceed 4.3 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and 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 MAY 22 19 81; said water to be used during the following described annual period: APRIL 1 THRU OCTOBER 15

Witness my hand this 23RD day of MAY 19 75

WATER RIGHTS COMMISSION

By:

Wm W Butler

Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 ____

Water License Issued _____ 19 ____

ANDERSON & MILNER
IRRIGATION PROJECT #1

LOCATION OF LAND TO BE IRRIGATED:

AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	NW $\frac{1}{4}$ NW $\frac{1}{4}$	8	20N	15E	30
2	NE $\frac{1}{4}$ NW $\frac{1}{4}$	8	20N	15E	20
3	SW $\frac{1}{4}$ NW $\frac{1}{4}$	8	20N	15E	40
4	SE $\frac{1}{4}$ NW $\frac{1}{4}$	8	20N	15E	30
5	NW $\frac{1}{4}$ NW $\frac{1}{4}$	8	20N	15E	24
6	NW $\frac{1}{4}$ SW $\frac{1}{4}$	10	20N	15E	40
7	SW $\frac{1}{4}$ SW $\frac{1}{4}$	10	20N	15E	40
8	NW $\frac{1}{4}$ NW $\frac{1}{4}$	15	20N	15E	40
9	NE $\frac{1}{4}$ NW $\frac{1}{4}$	15	20N	15E	40
Total					304

POINTS OF DIVERSION:

From the Shadecill Reservoir: 111 rods S 73° 00' W of the Northeast Corner of Section 8, T20N, R15E. and 106 rods S 43° 30' W of the Northeast Corner of Section 8, T20N, R15E and 49 rods S 24° 00' E of the Northwest Corner of Section 10, T20N, R15E.

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 1056-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Perkins) ss.

I, Marilyn Trusty hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Lennon Leader

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 Lennon of Lennon

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

April 17, 1975

April 24, 1975

Marilyn Trusty
(Signature)

Editor
(Title)

April 25, 1975
(Date Signed)

RECEIVED
MAY 5 1975

STATE WATER RIGHTS COMMISSION

PIERRE, SOUTH DAKOTA

NOTICE

INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501

April 8, 1975

Notice is hereby given that
Leland E. Anderson whose post
office address is Shadehill, South
Dakota has made an application
in accordance with the provisions
of the water law of South Dakota
for a permit to appropriate for
beneficial use 13 cubic feet of
water per second of time from
Shadehill Reservoir through the
Anderson and Milner Irrigation
Project No. 1, the point of diver-
sion of which is to be located
between points in the NW 1/4 NE 1/4
Section 8, and in the NW 1/4 NW 1/4 of
Section 10, Twp. 20N, Range 15E.
Said water to be used for the
purpose of providing irrigation on
portions of the following described
land: NW 1/4 NW 1/4 NE 1/4, Section
8, W 1/2 SW 1/4, Section 10, N 1/2
NW 1/4, Section 15, all in T20N,
R15E.

This application No. 1056-1 will
be considered by the Water Rights
Commission at its office at Pierre
upon the 21st day of May, 1975 at
2:30 P.M. All interested persons
may appear and be heard.

WATER RIGHTS COM-
MISSION

By: Burton F. Jones
BURTON F. JONES

Water Rights Specialist

BFJ-dw

cc: Leland E. Anderson,
Shadehill, S.D. 57553
(Pub. April 17, 24, 1975)

No. 1056-1Publish first publication on or before May 8, 19 75NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 8, 19 75

Leland E. Anderson

Notice is hereby given that

whose post office address is Shadehill, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 4.3 cubic feet of water per second of time from the Shadehill Reservoir through the Anderson and Hilner Irrigation Project #1, the point of diversion of which is to be located in the

between points in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8, and in the NW $\frac{1}{4}$ NW $\frac{1}{4}$

or Section 10, Twp. 20N, Range 15E. Said water to be used for the purpose of providing irrigation on the following described land:

NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8, $\frac{1}{2}$ SW $\frac{1}{4}$, Section 10; NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 15, all in T20N, R15E

1056-1

This application No. _____ will be considered by the Water Rights Commission at its office at 21st May, 19 75, at 2:30 P. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

MURTON F. JONES

Water Rights Specialist

BPJ/bw

cc: Leland E. Anderson, Shadehill, S.D. 57653



**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1056-1

January 9, 1987

Cecil L. Milner
HCR 67, Box 15
Shadehill, South Dakota 57653

Dear Mr. Milner:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50.

Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper name. South Dakota Water Law 46-5-20.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

Maxine Stirling
Secretary

.ns/
Enc.

DWNR-820A-8/83

NO. 1056-1

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 2-25-87

This is to notify you that the title to the lands described as follows:

NW1, NW1NE1, Section 8, W1SW1 Section 10, N1NW1 Section 15, all in T20N-R15E

formerly owned by Leland E. Anderson

has been transferred to Cecil L. Milner, HCR 67, Box 15, Shadehill, SD 57653

(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1056-1 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Perris) ss.

I, Leland E. Anderson 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 I know of my own personal knowledge that the information herein stated is true.

Leland E. Anderson
(Signed)

Subscribed and sworn to before me this 25th of February, 1987.

Anthony L. Sattler
(Notary Public)
ANTHONY L. SATTLER
My Commission Expires February 9, 1993

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

Pierre, March 2, 1907, 19

RECEIVED OF Cecil L. Milner, Box 67, Box 15, Shadehill, SD 57655
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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. <u>1056-1</u>	2	50
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	2	50

By John Hatch
Chief Engineer **JOHN HATCH** (ms)

No. 1056-1

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

March 2, 1987

Cecil L. Milner
HCR 67, Box 15
Shadehill, South Dakota 57653

Dear Mr. Milner:

Enclosed is receipt No. 410752 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 1056-1.

Our records now show you as the owner of this Water Right.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

WNR-821-7779
Receipt & Notice of filing of Transfer of Water Right

L

South Dakota

GREAT FACES. GREAT PLACES.

MAY 28 1991

Cecil Milner
RCR 67, Box 15
Shadehill, SD 57653

Dear Mr. Milner:

Enclosed is Water License No. 1433-1. This is the final water right document completing your process of obtaining a water right. Enclosed is Receipt No. 412573 in the amount of \$50.00 which you paid for the inspection and issuance of this water license.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have continuing right to use the water.

Very truly yours,



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

enclosures

NOTE: The applicable portions of Water Permit No. (1056-1) are incorporated into this Water License No. 1433-1.