

Water right Number 1126-1

1. Considered 3-23, 19 77

2. Name of Applicant JOHN LEROY LEWIS

3. Post Office Address NISLAND

4. Amount of Water claimed 3.11

5. Source of Water supply BELLE FOURCHE RIVER

6. Water to be used for IRRIGATION

Acres to be irrigated 339

7. Water to be diverted and used in BUTTE County

about 2E, 1S miles of NISLAND

8. Proof of Publication Received ~~1ST~~ 3-23-77

9. Application Not Received _____

Approved _____

Subject to _____

Not Approved _____

Action. Deferred _____

10. Remarks:

Deferred

Map No. 937-1 Water Division No. 1 BELLE FOURCHE RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant John Leroy Lewis and June Lewis (wife)
Postoffice address Nisland State South Dakota
Name of corporation, partnership, or other legal entity

2. Method of accomplishing work (contract, employment of others, or by direct labor) self

3. Name of diversion work

4. Amount of water claimed (cubic feet per second) 1400 Gal per minute 3.11 cfs

5. Source of water supply Belle Fourche River

6. Location of point of diversion NW Corner of the NE 1/4 of Sec. 16, T. 5N R. 5E
(755 feet South of the NW corner)

County Butte

7. Annual period or periods during which water is to be used May - November

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 339

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.
SE 1/4 of NE 1/4 of Sec. 16	40	SE 1/4 of NE 1/4 of Sec. 16	40
SW 1/4 of SE 1/4 of Sec. 16	40	NE 1/4 of NE 1/4 of Sec. 16	10
NW 1/4 of SE 1/4 of Sec. 16	40	NW 1/4 of SW 1/4 of Sec. 15	40
NW 1/4 of SE 1/4 of Sec. 16	40	SW 1/4 of NW 1/4 of Sec. 15	40
SW 1/4 of NE 1/4 of Sec. 16	40	SE 1/4 of NW 1/4 of Sec. 15	20

10. Time required to complete construction of water supply system one years. Additional time required to complete application of water to the proposed beneficial use one years.

11. Choice of newspaper for Notice of Intent to Appropriate Water publication Newell Irrigator

12. Principal Features of the Proposed Water Supply System.

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

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

Irrigation Pump

C. Works proposed to apply water to beneficial use.

Irrigation Pipe

Estimated Total Cost \$ 8500⁰⁰

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

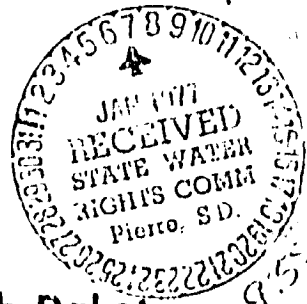
County of Butte

I, John Leroy Lewis, 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 John Leroy Lewis

Subscribed and sworn to before me this 10 day of November, 1927

Notary Public (or other qualified officer)



WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1126-1

JOHN LEROY LEWIS and June Lewis NISLAND
(Applicant) (Post Office Address)

SOUTH DAKOTA 57762 With the following modifications:
(State)

LOW FLOWS AS NEEDED FOR DOWNSTREAM DOMESTIC USE, INCLUDING
LIVESTOCK WATERING, MUST BE BY-PASSED.

Date of first receipt of application JANUARY 7, 19 77
Date of return to applicant for correction, amendments or changes required JANUARY 7, 19 77
Date of receipt of corrected application FEBRUARY 24, 19 77
Approved MAY 26, 19 77, Recorded in B 18 Page 137

WATER RIGHT PERMIT NO. 1126-1

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1126-1 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 JANUARY 7, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 26, 19 77
3. The whole of said work is to be completed on or before MAY 26, 19 78
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 26, 19 79
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 3.11 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 26, 19 79; said water to be used during the following described annual period: MAY - NOVEMBER

Witness my hand this 15th day of June, 19 77

WATER RIGHTS COMMISSION

By:

John A. [Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

(1) Drill Hole, Diameter _____, Depth _____

(2) Casing, Type _____ Diameter _____ Thickness _____
(wood, concrete, steel, etc)

(3) Perforated Screen.

Type _____ Diameter _____ Length _____

(4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates.

(1) Surface Dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

(1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

(2) Distance to nearest existing household or livestock watering wells.

On same owner's property _____ rds. On property owned by others _____ rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Dam #1

Height - 12'
Water Depth - 9'
Surface Area - 1 acre
Storage Capacity - 4.5 acre feet

Dam #2

Height - 32'
Water Depth - 29'
Surface Area - 3.5 acres
Storage Capacity - 40.6 acre feet

SW 1/4, NW 1/4, Sec. 16 T-2-N, R-5-E

NW 1/4, NW 1/4, Sec. 15 T-2-N, R-5-E

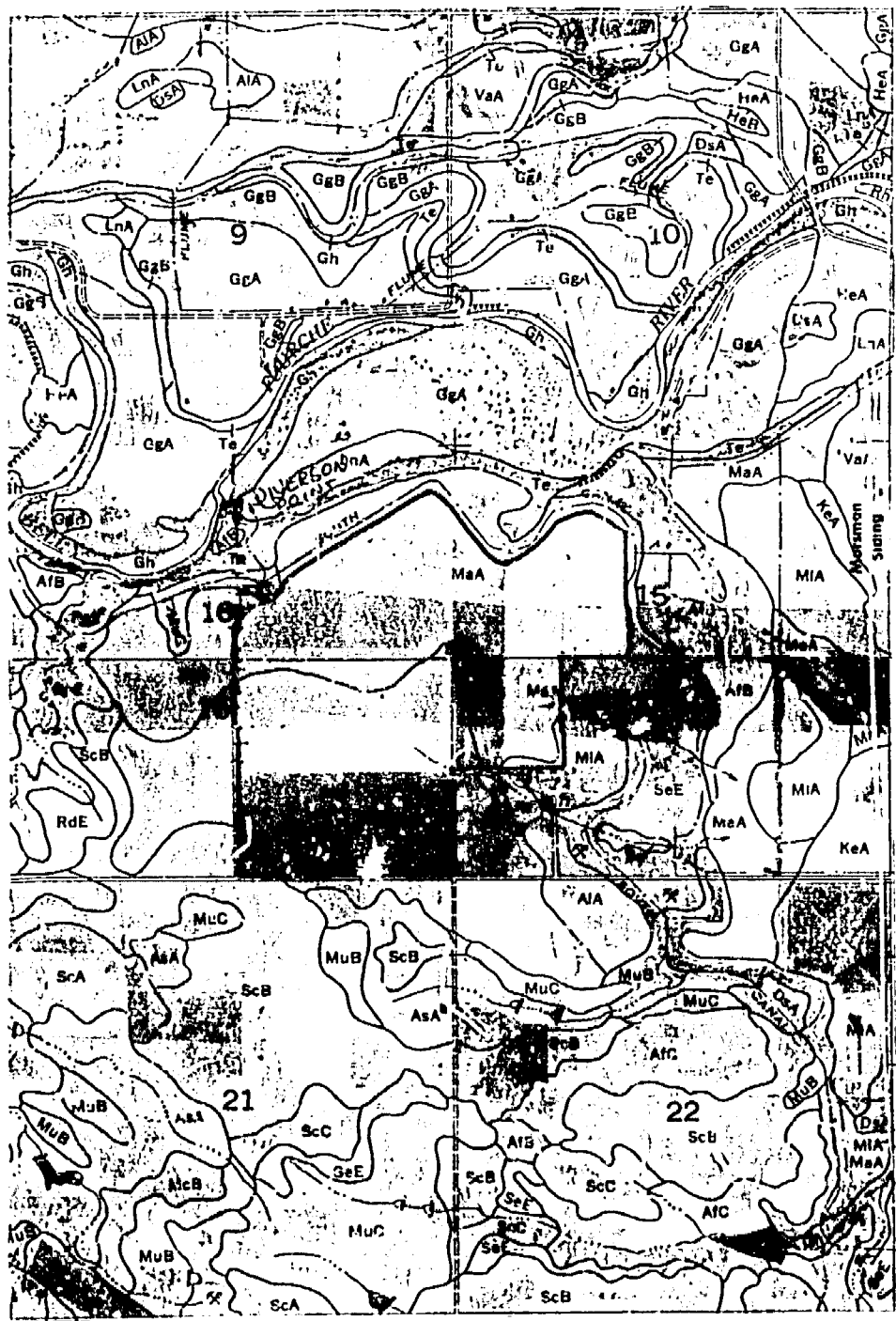
John F. Lewis
Signature of Applicant

SCS-CONS-11
OCTOBER 1974

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SOIL MAP

Owner JOHN L. LEWIS Operator SAMS
County BUTTE State SOUTH DAKOTA
Soil survey sheet (n) or code nos. _____ Approximate scale 2 1/2" = 1 mi.
Prepared by U. S. Department of Agriculture, Soil Conservation Service cooperating
with BUTTE Conservation District



TSN 452

INTERPRETIVE GROUPING	LAND USES AND SOILS INFORMATION ON YOUR OPERATING UNIT
M-A	IIe1 - These are deep, well drained fine sandy loam soils occurring on nearly level (0-2%) terraces. The subsoils have moderate structure. Water intake is about 1.0 inch per hour. Water holding capacity is about 1.5 inches per foot. The moisture holding zone is 4 to 6 feet thick. These soils are very susceptible to wind erosion.
M1A	IIe2 - These are moderately deep, well drained, fine, sandy loam soils on nearly level (0-2%) terraces, underlain by sandy and or sand and loamy sand between 20 to 40 inches. The subsoils have moderate structure. Permeability is moderate in the upper part and very rapid in the gravelly substratum. Water intake is about 1.0 inch per hour. Water holding capacity is about 1.5 inches per foot in the upper part and about 0.5 inch per foot in the substratum. The moisture holding zone is 4 to 6 feet thick, but the moisture holding capacity is greatly reduced in the substratum. These soils are very susceptible to wind erosion.
ScA	I-2 - These are deep, well drained soils occurring on nearly level (0-2%) terraces. They have silty or loamy surface layers, silty clay loam or clay loam subsoils and silty or loamy underlying materials. Water intake is about 0.5 inches per hour. Water holding capacity is about 2.1 inches per foot. The moisture holding zone is 3 to 4 foot thick.
ScB	IIIe2 - These are deep, well drained, gently sloping (2-6%) soils. They have silty or loamy surface layers, silty clay loam or clay loam subsoils and loamy or silty underlying material. Water intake rate is about 0.5 inch per hour. Water holding capacity is about 2.1 inches per foot. The moisture holding zone is 4 to 6 feet thick. These soils are subject to water erosion.

COMPUTATION SHEET

SCS-ENG-323 Rev. 8-68

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

STATE <u>S DAK</u>	PROJECT <u>Jack Lewis Irrigation</u>		
BY <u>C. METIN</u>	DATE <u>1-14-77</u>	CHECKED BY	DATE
SUBJECT <u>Storage in Dams</u>			JOB NO.
			SHEET <u>1</u> OF <u>1</u>

Dam # 1 - by buildings

Surface Area = 1.0 Acre

Max water depth = 9 FT

$$\text{Storage} = (1.0) (9') (0.5) = \underline{\underline{4.5 \text{ AC-FT}}}$$

Dam # 2

Surface Area = 3.5 Acres

Maximum water depth = 29 feet

$$\text{Storage} = (3.5 \text{ AC}) (29') (0.4) = \underline{\underline{40.6 \text{ AC-FT}}}$$

Form 6 - Notice of Intent to Appropriate Water

No. 1126-1

Publish first publication, on or before March 10, 1977

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

February 25, 1977

Notice is hereby given that John Leroy Lewis

whose post office address is Nisland, 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

3.11 cubic feet of water per second of time from the Belle Fourche River through the

John L. Lewis #1, the point of diversion of which is to be located in the

NW $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 16, Twp. 8N, Range 5E. Said water to be used for the purpose of providing irrigation on the following described land:

SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 16; NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, Section 15, T8N, R5E

This application No. 1126-1 will be considered by the Water Rights Commission at their office at Pierre upon the 23rd day of March, 1977, at 10:00 A. M. All interested persons may appear and be heard.

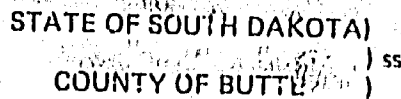
WATER RIGHTS COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/bw

cc: John Leroy Lewis, Nisland, S.D. 57762



of said county being first duly sworn, on oath says that he is the publisher of _____ of THE VALLEY IRRIGATOR, a weekly newspaper published in NEWELL, said COUNTY OF BUTTE, and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is published wholly or in part in an office maintained at said place of publication; that the _____ Notice of Intent to _____
_____ Appropriate Water _____

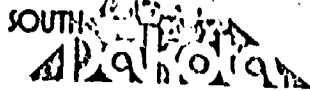
a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week for two successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

March 9	1977	1977
March 16	1977	1977
	1977	1977
	1977	1977
	1977	1977

that the full amount of the fees for the publication of the annexed notice is \$ 9.95

Subscribed and sworn to before me this twenty-second day of March, 1977.

Notary Public
County of Mineral South Dakota



1126-1

Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501

Phone 605/224-3151

May 20, 1977

TO: Persons Concerned With Water Right Application No. 1126-1,
John LeRoy Lewis, Nisland, South Dakota 57762

FROM: John Hatch, Chief Engineer, Water Rights Commission.

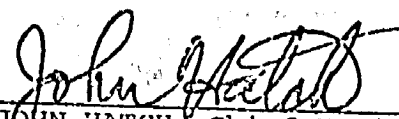
SUBJECT: Notice of Reconsideration Hearing on Application No. 1126-1.

The Water Rights Commission will reconsider Water Right Application No. 1126-1 at 1:30 P.M., May 26, 1977 in the South Dakota Education Association Auditorium, 411 E. Capitol, Pierre, South Dakota.

This reconsideration hearing will be conducted in accordance with SDCL 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-38, 46-5-41; and Commission Rules ARSD 52:01:01:01 thru 52:01:01:13.

Application No. 1126-1 was deferred by the Water Rights Commission March 23, 1977 pending Staff investigation.

After reconsideration of Application No. 1126-1 the Commission can approve, defer, or deny Application No. 1126-1.


JOHN HATCH, Chief Engineer
Water Rights Commission

JH/bw

REPORT ON JOHN LEROY LEWIS
WATER RIGHT APPLICATION NO. 1126-1
MAY 1977

The Water Rights Commission deferred action at the March 23-24, 1977 meeting on the John LeRoy Lewis Water Right Application No. 1126-1 pending an investigation by the Commission Staff. An investigation was conducted in the Butte County area May 17, 1977.

Proposed Project

The application proposes to divert 3.11 cubic feet per second of water from the Belle Fourche River. The point of diversion is where the Belle Fourche River enters the west side of the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 16, T8N, R5E and will irrigate 339 acres of land in sections fifteen and sixteen. (See attached map)

Objections

There were no objections to this project, however the Water Rights Commission deferred the application when it was determined that the diversion from the Belle Fourche River was near the point of diversion of the Ed Brenner Application No. 1106-1 which was deferred at the January 26-27, 1977 meeting.

Persons Contacted

The applicant John Lewis and David Rathbun, who has a diversion point approximately 6000 feet upstream from the proposed Lewis Application diversion point, and Solomon Stark who has a diversion point approximately 4500 feet upstream from the Lewis project, were contacted.

Discussion

John Lewis stated that there was no one diverting water from the Belle Fourche River between his proposed diversion point and the Owl Creek outlet. Lewis plans to irrigate from the river when water is available and he also plans to fill two storage dams in the off season to use in the event there is no water in the river. Lewis also stated that when there is considerable irrigation in operation above him the return flows and seepage from the irrigation causes considerable flow past his property.

David Rathbun who has a diversion point above Lewis stated that he was not opposed to Lewis' application as he felt it would have no effect on him.

Solomon Stark who has the first diversion point upstream from Lewis indicated he had no objection to the Lewis application and felt it would not affect his irrigation operation.

All three persons contacted agreed that the Owl Creek return carried a considerable amount of return flows and would replenish water for the irrigators below that point.

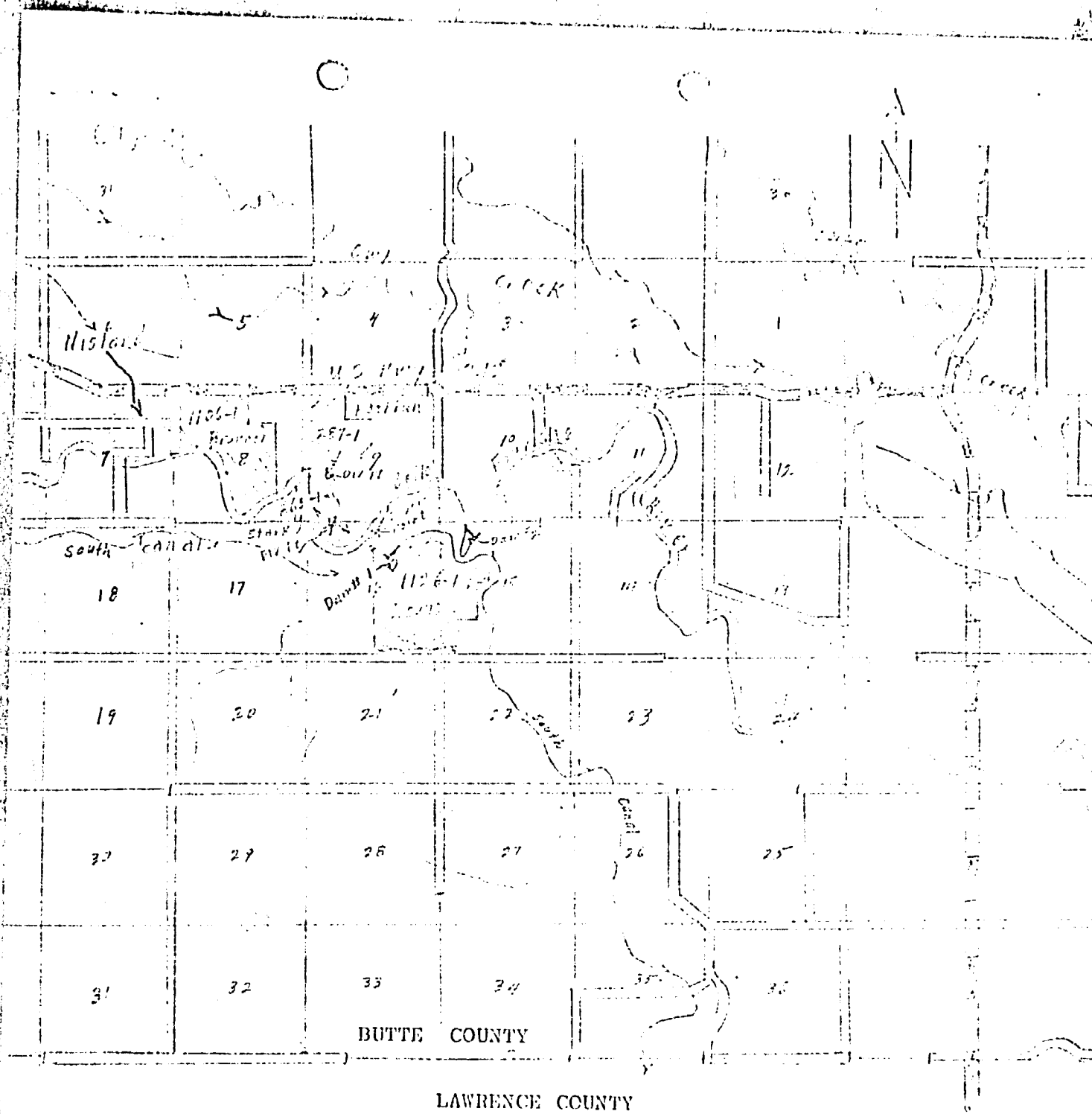
Conclusions and Recommendations

Based upon the investigation, unappropriated water is available for this project. Mr. Lewis is on the down stream end of the irrigators from the Belle Fourche River in that reach of the river between the Diversion dam and the Owl Creek outlet where a water shortage can develop during the peak pumping season. Mr. Lewis realizes this but feels there will be adequate water for his operation.

The Commission Staff recommends that the John LeRoy Lewis Application No. 1126-1 be approved with the following qualification.

"Low flows as needed for downstream domestic use including livestock watering must be by-passed."

LE ROY J. MERNAUGH
Water Resources Engineer 1



JOHN LE ROY LEWIS- APPLICATION NO. 1126-1

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8063

PIERRE, March 12, 19 81

RECEIVED OF John LeRoy Lewis, Wisland, SD 57762

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)	
Fee for Inspecting Construction, and issuing Cert. of Construction No.	
Fee for inspecting Beneficial Use, and issuing Water License No.	
Fee for issuing Location Certificate-Dry Draw, No.	
Fee for filing extension of time on WR# 1126-1	2 50
Fee for certified copy of	
Fee for Print copy of map	
Fee for Certifying	
Fee for (any other work as provided by law)	
TOTAL	2 50

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH / *et*

Form 18.

No. 1126-1

APPLICATION FOR EXTENSION OF TIME

TO: Water Rights
Foss Building
Pierre, South Dakota 57501

Date MARCH 12, 1981

Dear Sirs:

In Water Right Permit No. 1126-1 it is specified that the water diversion system is to be completed by MAY 26, 1978 and that the water is to be put to the limit of beneficial use by MAY 26, 1979.

I hereby request that the date for completing the diversion system be extended to MAY 26, 1982 and that the date for putting the water to the limit of beneficial use be extended to MAY 26, 1983.

The extension of time for the completion of these works is requested for the following reasons: HAS PORTIONS OF THIS DEVELOPED,
WANTS EXTRA TIME - MAY GO TO A PILOT SYSTEM

Enclosed herewith is a fee of Two Dollars and Fifty Cents (\$2.50) to pay the cost of filing this request for extension of time.

John LeRoy Lewis
(Signed)

1126-1

Permit Number

APPROVED: March 26, 1981

Board of Water Management

BY:

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

June 10, 1981

John Lewis
Nisland, SD 57762

Mr. Lewis:

The rules adopted by the Water Management Board for establishing a water use control area on the Belle Fourche River, Whitewood Creek and Owl Creek requires that the water right holder be assessed a fee of ten dollars for each cubic foot per second or portion thereof of the diversion capability of the diversion works plus twenty-five cents for each acre irrigated as shown by the water rights of record in the Division of Water Rights. These fees are required to be paid to the Division of Water Rights by July 1, 1981.

Permits for which fees have not been paid by July 1, 1981 shall be refused the right to divert water for the remainder of the year. The fees paid will be used to defray the costs of providing water master services within the water use control area. The following is a tabulation of your assessment.

<u>Permit No.</u>	<u>Diversion Rate</u>	<u>Acreage</u>	<u>Fee</u>
1126-1	3.11	339.0	\$124.75

TOTAL \$124.75

Please make check or money order payable to the Dept. of Water and Natural Resources and send to the Division of Water Rights, Joe Foss Building, Pierre, SD 57501.

If you have any questions, do not hesitate to contact this office.

Very truly yours,

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

JH/JW/gy

Equal Opportunity Employer

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8331

PIERRE, June 25, 1981

RECEIVED OF John & June Lewis, Nisland, SD 57762

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)	
Fee for Inspecting Construction, and issuing Cert. of Construction No.	
Fee for inspecting Beneficial Use, and issuing Water License No.	
Fee for issuing Location Certificate-Dry Draw, No.	
Fee for filling	
Fee for certified copy of	
Fee for Print copy of map	
Fee for Certifying	
Fee for water master services on WR# 1126-1 (any other work as provided by law)	124.75
TOTAL	124.75

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Office:
JOHN HATCH

(b)

1126-1

Belle Fourche River and Tributaries
Water Use Control Area
Financial Report
1981

Summary of Receipts and Expenditures
June, 1981 - July, 1981

	<u>Receipts</u>	<u>Disbursements</u>	<u>Balance</u>
Collections (Water User's fees)	\$7,379.37	\$	\$
Watermaster (Salary and Mileage)		2,028.62	5,350.75
	<u>\$7,379.37</u>	<u>\$2,028.62</u>	<u>\$5,350.75</u>

Detailed Report of Receipts

No.	Name	Diversion Rate	Acreage	Receipts (total fee)	Amount Returned
789-1	Louis Rudmayr	0.90	95.50	\$ 34.00	\$ 30.10
429-1	Ed Brunner & Son	1.43	106.00	46.50	41.16
429-1A	Mel Pittman	1.07	79.00	40.00	35.41
506-1	Bob Bartels	.23	17.00	14.25	12.61
892-1	Bob Bartels	1.00	70.00	27.50	24.34
417-1A	Quinten & Karen Watson	.53	78.00	29.50	26.11
417-1B	Clarence Anderson	1.43	206.00	64.00	56.65
417-1	Mrs. Eddie (Vivian) Anderson	1.15	69.00	69.50	61.52
531-1	Ruby Dillinger	1.27	89.29	42.50	37.62
1162-1	Charles & Dorothy Shaykett	4.61	324.70	131.00	115.96
1210-1	Charles & Dorothy Shaykett	1.80	128.30	52.00	46.03
1132-1	Ezra Pauley	4.00	285.00	111.25	98.48
1204-1	Art Heitz, Jr.	2.19	153.00	68.25	60.41
1205-1	Harlan K Schnell	1.88	132.00	53.00	46.91
1215-1	H L & Mildred Brunner	3.00	264.50	96.12	85.08
418-1	Alex Miller	1.67	117.00	49.25	43.59
1213-1	Robert W Grant	1.43	100.00	45.00	39.83
419-1	Herman Stark	2.50	179.00	74.75	66.17
421-1	Lee Dutton	2.50	175.00	73.75	65.28
1049-1	Thorval Jensen	1.47	103.00	45.75	40.50
1122-1	Thorval Jensen	4.88	324.14	135.75	120.16
1160-1	Thorval Jensen	1.90	133.49	53.50	47.36
1029-1	Homestake Mining	1.39	97.00	44.25	39.17
910-1	Donald Halbmaier	2.50	175.00	73.75	65.28
1165-1	Tom Bowen	2.85	200.00	80.00	70.81
722-1	Edith Anderson & Tom Bowen	2.80	196.00	79.00	69.93
1148-1	Homestake Mining	13.50	948.00	377.00	333.71
430-1	Gerald Wetz	1.65	116.00	49.00	43.37
422-1	Roy Casteel	4.30	307.00	126.75	112.20
414-1	Mary Ann Schummer	3.40	239.00	99.75	88.30
411-1	Edward Poss	5.10	452.00	173.00	153.13
440-1	David A Richards	5.00	416.00	154.00	136.32
1149-1	Homestake Mining	3.20	226.00	96.50	85.42
1150-1	Homestake Mining	7.60	534.00	213.50	188.98
437-1	McNenny Ranch Inc.	5.90	418.00	164.50	145.61
1151-1	Homestake Mining	5.50	390.00	157.50	139.41
821-1	George Levin & Sons	7.00	490.00	192.50	170.40
1136-1	George Levin & Sons	3.07	215.00	93.75	82.98

Detailed Report of Receipts Cont.

No.	Name	Diversion Rate	Acreage	Receipts (total fee)	Amount Returned
1152-1	Homestake Mining	6.60	462.00	\$ 185.50	\$ 164.20
449-1	George Wurnig	5.00	365.00	171.25	151.59
1153-1	Homestake Mining	6.10	428.00	177.00	156.68
311-1	Lester Clark	16.61	1,163.60	461.00	408.06
310-1	Lester Clark	6.76	473.20	188.50	166.85
248-1	Lawrence Burke	0.90	64.00	26.00	23.01
1077-1	Charles M Arneson	1.44	131.00	52.75	46.69
165-1	Trigg Ranches Inc.	4.30	301.00	275.00	243.42
122-1	Trigg Ranches Inc.	3.75	263.00		
1146-1	Trigg Ranches Inc.	1.05	336.00		
928-1	Charles Wennberg	2.20	155.00	68.75	60.86
912-1	Gilbert Alan	1.46	101.80	45.50	40.28
926-1	Donald Berger	2.04	143.00	65.75	58.20
1176-1	Arthur J Odekoven	2.30	163.00	70.75	62.63
1190-1	Neil Shuck	3.53	247.00	101.75	90.07
611-1	Alex Miller	3.35	235.00	98.75	87.41
569-1	Ramona McFarland	0.97	68.00	27.00	23.90
870-1	Eugene C Bishop	0.70	49.00	22.25	19.70
401-1	Kenneth & Dorothy Aker	1.88	132.00	53.00	46.91
135-1	Walter Hoffman	3.11	220.00	95.00	84.09
408-1	James A Mickelson	3.10	218.00	94.50	83.65
469-1	Raymond Garness	1.30	91.00	42.75	37.84
1218-1	William Dillinger	.40	42.70	20.75	18.37
1222-1	John Ismay (Norman)	1.11	79.00	39.75	35.19
1154-1	Homestake Mining	4.50	319.00	129.75	114.85
285-1	Edgar Colin Smart	1.42	150.00	67.50	---
331-1	Anna Stetta (Louis Budmayer)	1.87	131.00	52.75	---
472-1	Timothy Reich	2.00	167.84	62.00	---
275-1	John Lurr	1.90	133.00	53.25	---
271-1	Herbert Clarkson	.06	43.00	20.75	---
296-1	Robert Helmer	2.50	179.00	74.75	---
308-1	Lewis Bertolotto	.64	45.00	21.25	---
282-1	James J ffrey	1.05	73.70	38.50	---
1182-1	George Leach	1.60	108.00	47.00	---
229-1	Thornton Vallery	.72	54.17	23.75	---
290-1	Thornton Vallery	5.50	386.00	156.50	---
264-1	Thornton Vallery	.22	15.30	14.00	---
321-1	Clarence & Lawrence Foos	1.64	115.00	43.75	---
962-1	Ione A Shevling	3.00	251.00	92.75	---
960-1	Thornton & Gwenivere Vallery	.50	35.00	18.75	---
289-1	Thornton & Gwenivere Vallery	1.02	75.00	38.75	---
273-1	Ruben & Esther Kling	.46	32.60	18.25	---
273-1A	Ruben & Esther Kling	1.54	108.40	47.25	---
1177-1	Ruben & Esther Kling	3.30	231.00	97.75	---
416-1	Creta & Leslie Miner	2.66	198.00	79.50	---
865-1	Solomn Stark	2.14	150.00	67.50	---
287-1	David G Rathoun	2.20	154.00	68.50	---
1126-1	John Lewis	3.11	339.00	124.75	---

Water Rights Division - DWR
Conversation or File Documentation

File No. 1126-1

NAME OF PERSON OR FILE: John Jones

ADDRESS: Disband COUNTY

DATE: 6/12/74 TELEPHONE 257-2212

RE: T.O.

COMMENTS:
Talked to daughter both daughters were killed in a
car accident. Have me new address as their
kins are operating the farm. Told them they
should transfer to their name

L & M Farms
St Rt. Box 176
Disband 57762

Tending I & J for them to complete and told her
to return by end of month.

3390th SE 1/2 NE⁴ NENE Sec 16, NWSW 1/2 NW⁴
Sec 15 T. 2 N. R. 5 E

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: Prudy Martin



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1126-1

June 12, 1984

L & M Farms
Star Route, Box 176
Hiland, South Dakota 57762

Dear Sir:

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 46-5-30.3 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
Staff Assistant

ms/
Enc.

Please complete the enclosed Irrigation Questionnaire and return by the end of the month. Thank you.

Second Notice

September 17, 1984

Permit No. 1126-1

L & H Farms
St. Rt., Box 176
Hiland, South Dakota 57762

Dear Sirs:

On June 12, 1984 notice was sent to you concerning the transfer of Water Permit No. 1126-1 in the name of John and June Lewis which covers irrigation of 339 acres in the SE¹, S 1/2 NE¹, NE¹ NE¹ Section 16; NW¹ SE¹, S 1/2 NW¹, Section 15, T8N, R5E. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed please find an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The permit can then be transferred to your name. If you are not the present owner of the land covered under this Permit, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 45-5-30.3 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.

If you have any questions, please contact us.

Very truly yours,

John Sacchi, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

JS99:JR

01410K3.JR

PS Form 3811, Dec. 1980
 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☒ Show to whom and date delivered _____

☐ Show to whom, date, and address of delivery _____

2. ☐ **RESTRICTED DELIVERY**
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$ _____

3. **ARTICLE ADDRESSED TO:**
 L & M Farms
 St Rt, Box 176
 Nisland SD 57760

4. TYPE OF SERVICE: ☐ REGISTERED ☐ INSURED ☐ CERTIFIED ☐ COD ☐ EXPRESS MAIL	ARTICLE NUMBER P 404 786 687
--	--

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☒ Authorized agent
[Signature]

5. **DATE OF DELIVERY**
[Signature]

6. **ADDRESSEE'S ADDRESS** (Only if requested)

7. **UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S INITIALS**
R.V.



Water Rights Division
605 773-3352

November 15, 1984

1126-1

L & M Farms
St Rt, Box 176
Hiland SD 57762

Dear Sirs:

This will acknowledge receipt of the "Notice of Transfer" you submitted for transferring Water Permit No. 1126-1 from John and June Lewis to L & M Farms. However, the transfer can not be completed without the required \$2.50 filing fee.

Please remit the \$2.50 filing fee as soon as possible. Upon receipt of the fee, the permit will be transferred to L & M Farms, Inc.

If you have any questions, please contact me.

Sincerely,

GENNY MCHATH
Natural Resources Analyst

GM:ks

11/20/84

Dear Gerry,

Please note that the transfer
should be to L & M FARMS. A
partnership. not Inc.. Sorry for
the goof! Hope this clears it all
up

Thank you

Lynn R. Mohler
L & M Farms

NO. 1126-1

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 11/6/84

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

339 acres - SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16; NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 15,

T8N, R5E

formerly owned by John and June Lewis

has been transferred to L & M Farms, St Rt, Box 176, Nisland SD 57762

(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1126-1 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 Butte) ss.

I, Lynn R. Mohler 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.

Lynn R. Mohler, general partner
(Signed)

Subscribed and sworn to before me this 6 Day of Nov, 1984.

Edward V. Brunner
(Notary Public)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

No. 4 9833

Pierre, November 21, 1984

RECEIVED OF L. G. H Farms, SR, Box 176, Nisland, SD 57762

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. _____

Fee for Filing Transfer Form 1126-1 _____

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

2 50

By

Chief Engineer

JOHN HATCH (MS)

No. _____

1126-1

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

November 26, 1984

L & M Farms
Star Route, Box 176
Nisland, South Dakota 57762

Dear Sirs:

Enclosed is receipt No. 4-9833 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 1126-1.

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

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

WNR-821-7/79
Receipt & Notice of filing of Transfer of Water Right



**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1126-1

February 5, 1986

Lewis Brothers
HCR 76 Box 153
Hiland, SD 57762

Dear Sir:

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 46-5-30.3 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
Staff Assistant

ms/
Enc.

NOTE: This transfer notice is being sent to you in response to a change noted on the 1985 Irrigation Questionnaire.

DWNR-82GA-8/83

**South Dakota Department of
Water & Natural Resources**

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

September 2, 1986

Second Notice
Permit No. 1126-1

Lewis Brothers
HCR 76 Box 153
Nisland, South Dakota 57762

Dear Sirs:

On February 5, 1986 notice was sent to you concerning the transfer of Water Permit No. 1126-1 in the name of L&M Farms which covers irrigation of 339 acres in the SE 1/4, S 1/2 NE 1/4, NE 1/4 NE 1/4 Section 16; and NW 1/4 SW 1/4, S 1/2 NW 1/4, Section 15, T8N-R5E. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed please find an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The permit can then be transferred to your name. If you are not the present owner of the land covered under this Permit, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 46-5-30.3 required 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.

If you have any questions, please contact us.

Very truly yours,

John Hatch
John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

S509.WR

PS Form 3811, Dec. 1986

● **SENDER:** Complete Items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space
on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☒ Show to whom and date delivered —f
☐ Show to whom, date, and address of delivery.. —f

2. ☐ **RESTRICTED DELIVERY**

(The restricted delivery fee is charged in addition to
the return receipt fee.)

TOTAL \$

3. **ARTICLE ADDRESSED TO:**

Swiss Brothers
MCR 76, Box 153
Thibault ST 5 7762

4. **TYPE OF SERVICE:**

☒ REGISTERED ☐ INSURED
☐ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER

P 535 724 469

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

** Heidi Weiss*

DATE OF DELIVERY

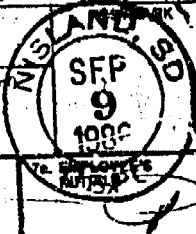
SEP 09 1986

6. **ADDRESSEE'S ADDRESS** (Only if required)

7. **UNABLE TO DELIVER BECAUSE:**

NO EMPLOYEE'S
AUTHORITY

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL



NO. 1126-1

NOTICE OF TRANSFER OF WATER PERMIT



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

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

339 acres - SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16; and NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, Section 15.

T8N, R5E

formerly owned by L & M Farms

has been transferred to Lewis Brothers, HCR 76, Box 153, Nisland SD 57762

(please include complete mailing address)

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

Water Right Permit No. 1126-1 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 Butte) ss.

I, Bob D Lewis 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.

Bob D Lewis
(Signed)

Subscribed and sworn to before me this 3rd day of October, 1986

Kim A. Habeck
(Notary Public)

KIM A. HABECK, Notary Public
My Commission Expires 11-1-92

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410843

Pierre, December 10, 1935

RECEIVED OF Lewis Brothers, HCR 76, Box 152, Nisland, SD 57762

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. _____		
Fee for Filing Transfer Form 1126-1 _____	2	50
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

J. L. Hatch

Chief Engineer JOHN HATCH INS

No. 1126-1

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

December 18, 1986

Lewis Brothers
P.O. Box 76, Box 153
Hiland, South Dakota 57762

Dear Sir:

Enclosed is receipt No. 410543 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 1126-1.

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

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

WNA-821-7/79
Receipt & Notice of filing of Transfer of Water Right

**South Dakota Department of
Water & Natural Resources**

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

March 23, 1987

LEWIS BROTHERS, Bob Lewis
HCR 76 BOX 153
NISLAND, SD 57762

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). (1126-1). The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 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 2:00 pm, May 6, 1987 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 1-2b. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 1126-1 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 hearing date, your name will be deleted from the agenda for the hearing.

 **Department of
Water & Natural Resources**

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

May 13, 1987

NOTICE OF AMENDMENT TO WATER PERMIT(s)

TO: BOB LEWIS- LEWIS BROTHERS
HCR 76 BOX 153
NISLAND, SD 57762

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352



SUBJECT: Amendment to Water Permit No(s). 1126-1

Pursuant to the provisions of the notice dated March 23, 1987, and following the Hearing May 6, 1987, the Water Management Board has amended Water Permit No(s). 1126-1 to add the following qualification:

"This permit is subject to the Irrigation Water Use Questionnaire being submitted each year."

The addition of this qualification to your Permit means that failure to submit the required irrigation questionnaire in the future could result in **SUSPENSION** of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

Attachment to Water Permit No. 1126-1

Pursuant to the provisions of the notice dated March 23, 1987 and following the Hearing May 6, 1987, the Water Management Board has amended Water Permit No. 1126-1 to add the following qualification:

"This Permit is subject to the Irrigation Water Use Questionnaire being submitted each year."

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees, the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.	
1. ☒ Show to whom delivered, date, and addressee's address.	2. ☐ Restricted Delivery.
3. Article Addressed to:	4. Article Number
BOB LEWIS - LEWIS BROTHERS BOX 76 BOX 155 NICHOLS, SD 57765	P 576 309 724 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail
5. Signature - Addressee	Always obtain signature of addressee or agent and DATE DELIVERED .
X <i>Heidi Lewis</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent	
X <i>[Signature]</i>	
7. Date of Delivery	
MAY 19 1987 <i>[Signature]</i>	

PS Form 3811, Feb. 1986

DOMESTIC RETURN RECEIPT



Department of Water & Natural Resources

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

March 5, 1991

1126-1

Bob Lewis
HCR 76 Box 153
Nisland, SD 57762

Dear Mr. Lewis:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Permit No. 1126-1. The water permit is currently listed in the name of Lewis Brothers.

The transfer form should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 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.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosure

South Dakota

1126-1

GREAT LAKES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501 3181

July 9, 1991

1126-1

Bobby Dean Lewis
HCR 76, Box 153
Hisland SD 57762

Dear Mr. Lewis:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Permit No. 1126-1. The water permit is currently listed in the name of L & M Farms.

The transfer form should be completed, checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 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.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Natural Resources Analyst
(605) 773-3352

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

No. 1126-1

TO: Chief Engineer
Water Rights Division, DWR
523 East Capitol
Pierre, SD 57501-3181

Date: March 8 1991

I/We request that Water Permit/Right No. 1126-1

formerly owned by: Lewis Brothers

be transferred to: (name & address) Bob Dean Lewis
HCR 76[#] Niskland, S.D. 57762 (telephone No.) 252-2212

Title to the following described land(s)/property has been transferred as described above:
339 acres - SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 15, T8N, R5E

I/We understand that the validity of Water Permit/Right No. 1126-1 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 SOUTH DAKOTA)

County of Butte)

I/We Bob Lewis being first duly sworn on my oath deposit 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.

Bob Lewis

(Signed)

Subscribed and sworn to before me this 22nd day of March, 1991.

Diane J. Schmidt

(Notary Public)

DIANE J. SCHMIDT, Notary Public
My Commission Expires January 24, 1992

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 water 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

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, _____, 19____

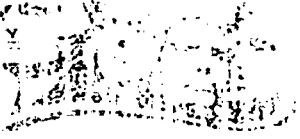
RECEIVED OF _____

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. _____		
Fee for Filing Transfer Form _____ Water Permit No. _____		
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 00

By _____
Chief Engineer

South Dakota



GREAT FACES. GREAT PLACES.

April 16, 1991

1126-1

DEPARTMENT OF WATER & NATURAL RESOURCES

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

No. 1126-1

Bob Dean Lewis
HCR 76, Box 153
Nisland, SD 57762

Dear Mr. Lewis:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Permit No. 1126-1.

Our records now show you as the owner of Water Permit No. 1126-1.

Sincerely,

Cheryl F. Frost

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

enclosure

South Dakota

1126-1

GREAT FALLES GREAT PLACES

NOV 24 1992

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

1519-1

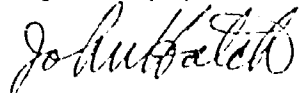
Bobby Dean Lewis
HCR 76, Box 153
Hisland, SD 57762

Dear Mr. Lewis:

Enclosed is Water License No. 1519-1 and Receipt No. 413256 for \$50.00 which was assessed for an inspection and issuance of the license. Water License No. 1519-1 is the final document which completes the process of obtaining a water right.

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

Very truly yours,

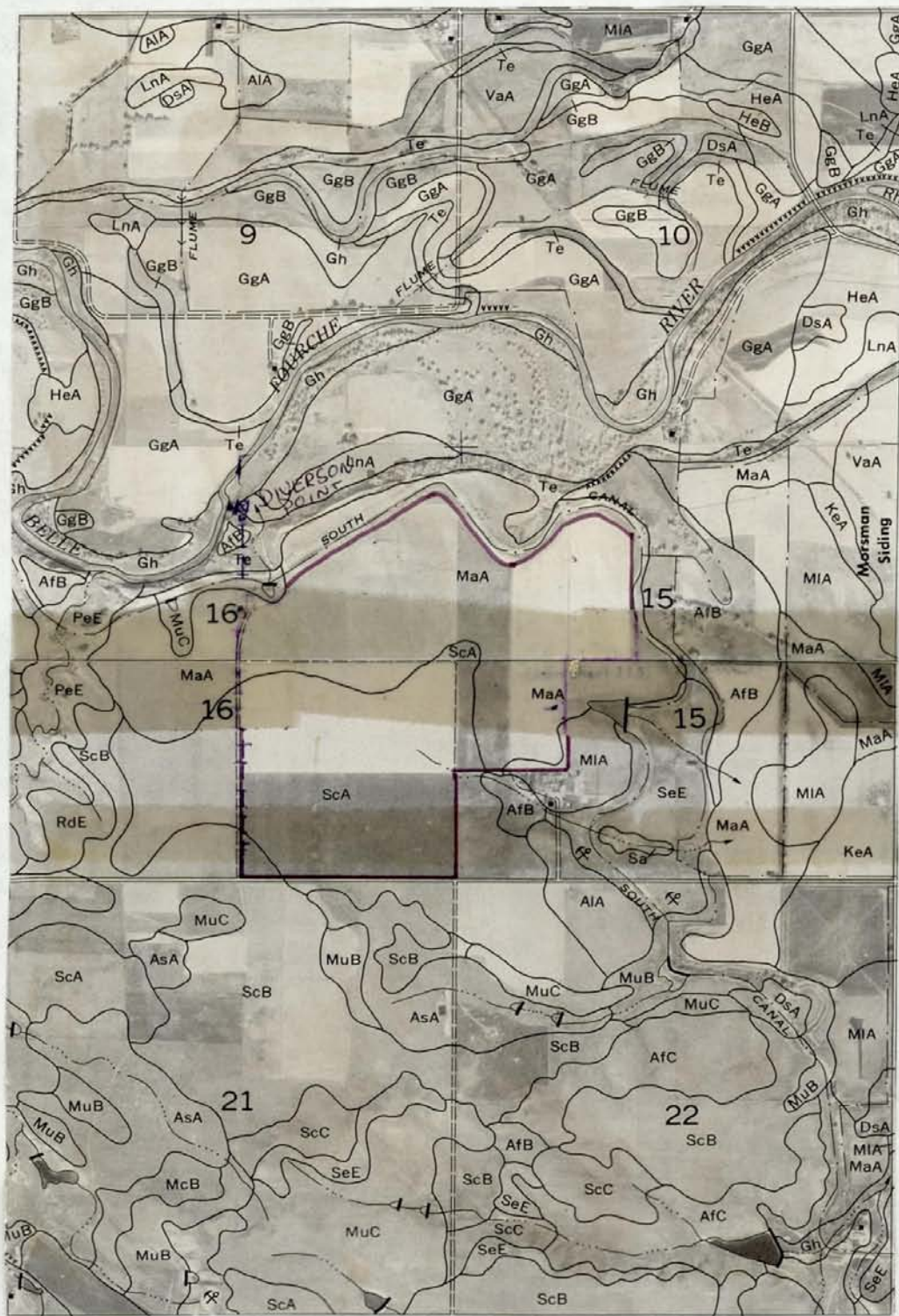


JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosures

NOTE: The applicable portions of No. 1126-1 have been
incorporated into Water License No. 1519-1.

Owner JOHN L. LEWIS Operator SAME
County BUTTE State SOUTH DAKOTA
Soil survey sheet(s) or code nos. _____ Approximate scale 2 5/8" = 1 mi.
Prepared by U. S. Department of Agriculture, Soil Conservation Service cooperating
with BUTTE Conservation District



NOT TO SCALE

L & M Farms

John Lewis

8-5 R5E

1-181R

McGowan Point

SW 1/4 NE 1/4 Sec 16 T8N R5E

NE 1/4 NE 1/4
13 Ac

SE 1/4 NE 1/4
40 Ac

SW 1/4 NE 1/4
29 Ac

16

78.0

NW 1/4 SE 1/4
40 Ac

NE 1/4 SE 1/4
40 Ac

93.5

SW 1/4 SE 1/4
39 Ac

SE 1/4 SE 1/4
39 Ac

Charles J. Logan Planner

SCS-CONS-16
OCTOBER 1974

L & M Farms

CONSERVATION PLAN MAP

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Owner John I. Lewis
County Butte Operator Same
Approximate acres 339 State South Dakota Date 1-6-77
Cooperating with Butte Approximate scale 8" = 1 mile
Plan identification Conservation District
Assisted by Charles J. Logan Photo number USDA Soil Conservation Service

NW 1/4 NW 1/4
4 Ac

NE 1/4 NW 1/4
7 Ac

SE 1/4 NW 1/4
22 Ac

SW 1/4 NW 1/4
39 Ac

NW 1/4 SW 1/4
40 Ac

14.1

17.8

SW 1/4 SW 1/4
18 Ac

7.6

11.0

7.0

8.6

7.1

9.5

22.6

16.3

58.4

24.1

24.1

50.6

1-181R