

No. 25-1

OFFICE OF STATE ENGINEER
DOCUMENT FILE

Division 27th Elk Creek District

Name of Applicant John H. Hanks

Name of Division 27th
Side Ditch

Date of First Receipt December
31, 1907

Location of point of diversion -

From cor of Secs 23, 24, 25 & 26, T4

N. R. 6 E. 3 N. 27, S. 88° 20' E. 2144 ft.

Beneficial Use - Irrigation

Approved - April 26, 1908

Recorded in Book 1, page 23

Remarks - Lands to be irrigated

are in Sec 25, T4 N. R. 6 E.

34 N. and Sec 32, T4 N. R. 7 E.

34 N. Name of stream, Morris

Creek

No. 25

Water Division No. 1 Elk Creek District.
(Blanks to be filled by the State Engineer.)

COPY

APPLICATION FOR A PERMIT
To appropriate Water Within the State of South Dakota

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

1. Name of applicant William G. Hunsicker, Hunsicker & Co., Inc.
Postoffice address Tilford, County Meade, State South Dakota

I. If a corporation:

(a) Name of same

(b) Date and place of incorporation

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors:

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

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

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

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion works North Side Ditch3. Quantity of water claimed 2.72 cubic feet per second.4. Source of water supply Morris Creek5. Location of point of diversion From Cor. of Secs. 23, 24, 25 and 26, T. 4 N., R.6. E. B.H.M., S. 89° 50' E. 2144.0 ft. on the left bank
(Right or left bank looking down stream.)6. Annual periods during which water is to be used all year

7. To be used for:

I. Irrigation or domestic use:

(a) Number of acres to be irrigated 190.4 acres.(b) Legal subdivisions to be irrigated See sheet

NE 1/4 of NW 1/4 Section 25, T. 4 N., R. 6 E. B.H.M.	7.8 acres
SE 1/4 of NW 1/4 " " " "	0.7 "
SW 1/4 of NE 1/4 " " " "	24.6 "
NW 1/4 of NE 1/4 " " " "	34.2 "
NE 1/4 of NE 1/4 " " " "	40.0 "
SE 1/4 of NE 1/4 " " " "	39.0 "
NE 1/4 of SE 1/4 " " " "	3.2 "
SW 1/4 of NW 1/4 " " " "	39.1 "
NW 1/4 of SW 1/4 " " " "	2.5 "
Total	190.4 Acres

8. Estimated cost of works:

(a) Head gates, \$ 20

(b) Pumping plant \$

(c) Fluming, \$

(d) Canal-earth, \$ 150

rock, \$

Total, \$ 170

(e) Other structures

9. Description of diversion works:

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

Dam

Ditch

II. Dimensions of works:

(a) Dam: Height 10 feet; length at bottom 8 feet; length at top 135 feet; thickness at bottom 30 feet; thickness at top 10 feet; slope of front (water) face 2 to 1; slope of back face perpendicular material used in construction earth and timber

(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 OF CAPACITY- ACRE-Feet

(c) Head gate: Width 3 feet; height 2 1/2 feet

Material Timber

(d) Canal: Total length 0.74 miles

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER LINE	GRADE PER MILE
At mile	1 1/2 feet	2 1/2 feet	3 feet	15 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 five years.

11. Time required for complete application of water to the proposed beneficial use five years.

12. Choice of newspaper for publication of notice of intention to appropriate

Black Hills Press, Sturgis, South Dakota

STATE OF SOUTH DAKOTA

County of Lead

I, William G. Hanks, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of

Owner

(Owner, manager or engineer)

, that I have read the above and foregoing statement, and 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 William G. Hanks

Subscribed and sworn to before me this 28th day of December 1907

E. W. Shaw

Notary Public (or other qualified officer).

Map of Proposed
North Side Ditch & *South Side Ditch*
 and lands to be irrigated thereby
 LOCATED IN
 Meade County, South Dakota
 AND BELONGING TO
William G. Hanks
 Scale: 1 inch = 300 feet.

State of South Dakota) ss
 County of Lawrence) S. A. Calhoun, being duly sworn, says he is the person employed by William
 G. Hanks to survey the *North Side Ditch* and the *South Side Ditch* and the lands to be irrigated
 by them, located in Sections 25 and 30, Twp. 4 N., Ranges 6 and 7 E., B.H.M.; that the location of
 said ditches and the lands to be irrigated thereby, amounting to 190.4 Acres under the *North Side*
Ditch and 34.8 Acres under the *South Side Ditch*, a total of 225.2 Acres, as actually surveyed
 by him Nov. 4, 1907, are correctly shown on the map on the margin of which this is written.

S. A. Calhoun
 Surveyor

Subscribed and sworn to before me at Deadwood, Lawrence County, South Dakota, this 9th
 day of November, 1907.

Clayton J. Flower
 Notary Public

Ren. As by State Engineer:

This application is for a permit to extend an old water right which has been in use for irrigation for a number of years.

STATE OF SOUTH DAKOTA } ss
County of Hughes

Pierre, South Dakota, April 21, 1908.

This is to certify that the foregoing application was received at this office at nine o'clock a.m. upon the 31st day of December 1907 and that after examination it was found to comply with the provisions of the water laws of South Dakota. Notice of intention to appropriate was published and a hearing was held in this office at which all relative testimony was considered.

Samuel H. Lea
State Engineer.

By _____ Deputy.

Number of permit 25

Date of first receipt of application December 31, 1907

~~Date of return to applicant for correction~~ 190

~~Date of receipt of corrected application~~ 190

Date from which application may claim right December 31, 1907

Approved April 21, 1908, Recorded in Book 1 Page 73

This is to certify that I have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and I 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 October 21, 1910

2d. The whole of said work is to be completed on or before April 21, 1913

3d. The limit of time for proof of beneficial use of water appropriated in accordance herewith is April 21, 1913

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 2.72 cubic feet of water per second of time; 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 on or before 19; said water to be used during the following described annual periods.

Witness my hand this 21st day of April 1908

Samuel H. Lea
State Engineer.

By _____ Deputy.

COPY

No. 85

Division No. 1 Elk Creek District

PERMIT

To appropriate water from

Morris Creek

Meade County, South Dakota

Name of applicant

William G. Hanko

Name of diversion works

North Side Ditch

Date of first receipt at office of State

Engineer Dec. 31, 1907

Returned to applicant for correction

1908

Corrected application received

1908

Date of water right

December 31,

1907

Recorded in Book 1 Page 73

One-fifth of work to be completed

October 21,

1910

Whole work to be completed

April 21,

1913

Final proof of use of water

April 21,

1913

Approved April 21,

1908

Samuel H. Lee

State Engineer.

By

Deputy.

STATE OF
COUNTY

I hereby certify that the within and foregoing instrument is a true, correct and complete transcript of the instrument which it purports to be, as the same was filed for record in the office of the State Engineer.

Witness my hand and official seal, done at my office in Pierre, State of South Dakota,

this 12 day of May 1908

Samuel H. Lee
State Engineer.

B. B. Lea

Deputy.

Update of
Water License No. 25-1 //Permit No. 25-1Water Division 1 FLK Creek Water DistrictREPORT 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 E. Loner
Biers of Sturgis, S.D. holder
of Permit No. 25-1, bearing date of priority of Dec. 31, 1907
authorizing the diversion of 2.72 cu. ft. per second of the waters of Morris Creek
for irrigation purposes, in Meade Co. 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: Pump: Serial No. 98067, Model No.
5303A Size: 2 1/2

Engine: V4D Wisconsin VF4 1093331

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

3" pipe to place of use

C. Works used to apply water to beneficial use.

SprinklersThe system is in the following condition: Fair to PoorThe point of diversion is located in the SW4NE4 of Sec. 25, T4N,
R6E.The works are capable of diverting and conveying to the place of use 0.25 cfs
cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: Irrigation of treesand area around trees - see aerial photoIrrigated area includes the following described land:

<u>NW4NE4 - 0.5 acres</u>	<u>SW4NE4 - 5.6 acres</u>
<u>SE4NE4 - 13.2 acres</u>	<u>all in Sec. 25, T4N, R6E, B.H.M.</u>

comprising a total of 19.3 acres of land.

Note: Water License No. 25-1 covers the lands presently irrigated.
Retaining this permit would require an application for
a change in the pt of diversion from the location on the
original license to that as described on this report. This
action cancels the unused portions
of Water License no 25-1.

Date Oct. 24, 1978

James E. Hentzer
(Signature)

Form, No. 23.....

Water Division No. 1..... Elk Creek... Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Engineer, Pierre, South Dakota:

Dear Sir: I hereby certify that in accordance with your letter of authorization dated

19..... I have this day made a thorough examination of the diversion works constructed by

William J. Hanks of Telford
 Meade County, South Dakota, holder... of permit No. 25, issued
 upon application No. 75, bearing date of priority of December 31, 1907, authorizing the
 diversion of 2.72 second feet of the waters of Morris Creek for irrigation
 purposes. I have to report on the condition of the same as follows:

The diversion works comprise Timber & earth dam - Plank
 headgate with gate - Plank wasteway with ^{pick gate} and
 dam - and irrigation ditch as per original
 maps of "North Side Ditch"

and the system is in the following condition: Fair

The point of diversion is located 7144' S. 88° 20' E from Cor. Sec. 23. 75
 75 & 76 Map 4 N. R. 6 E. B. H. M.

The works are capable of diverting and conveying to the place of use 2.72 second-feet of water,
 which is to be used for irrigation

The legal sub-divisions to be irrigated are:

N. 1/4 NW 1/4 Sec. 25, Map 4 N. R. 6 E. B. H. M.	7.3 Acres
S. 1/4 NW 1/4 " " " "	0.7 "
S. 1/4 NE 1/4 " " " "	24.6 "
N. 1/4 NE 1/4 " " " "	34.2 "
NE 1/4 NE 1/4 " " " "	40.0 "
S. 1/4 NE 1/4 " " " "	39.8 "
NE 1/4 S. E. 1/4 " " " "	39.7 "
SW 1/4 N. 1/4 1/2 80 " " 4 7	39.7 "
NW 1/4 SW 1/4 " " " "	7.3 "
Total 190.4	

The domestic use mentioned comprises

Comprising

Total 190.4

The utilization for power, mining, or other beneficial uses comprises:

Witness my hand, this

1st day of May

A. D. 1911

L. Roy Leach

Examining Engineer.

Permit No. 25....

Water Div. No. 1 Elk Cr. Water Dist.

**Certificate of Examination
of Works**

Dated May 1, 1911

Stream Morris Creek

County Meade

Amount 2.72 Second Feet

Date of Priority December 31, 1907

Recorded in Book 1 Page 73

Filed in the office of the State Engineer this

15th day of May A. D. 1911

Samuel H. Lea
State Engineer.

By *B. B. Lea*
Deputy.

RECEIVED
MAY 2 1911

OFFICE OF THE ENGINEER,
PIERRE, S. DAK.

FILED
MAY 15 1911
SAMUEL H. LEA, State Engineer

Permit No. 25

Water Division No. 1 Elk Creek Water District

Certificate of Application of Water to Beneficial Use.

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. William J. Hanks
Telford Meade Co. S. D. S.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. #25. Date Dec 31. 1907

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Morris Creek. 2144' S. 88° 20' E. cor Secs 23-24
- 20' and 26 - Imp. A N Rge 6 E BHM.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Timber and earth dam - Plank headgate
- with gate - Plank wasteway with gate and
ditches as per original map "North Side Ditch"

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Subdivision	Acres
NE 1/4 NW 1/4 Sec 25 Twp 4 N Rge 6 E BHM	7.3 Acres
SE 1/4 NW 1/4	0.7
SW 1/4 NE 1/4	24.6
NW 1/4 NE 1/4	34.2
NE 1/4 NE 1/4	40.
SE 1/4 NE 1/4	39.
NE 1/4 SE 1/4	33.2
SW 1/4 NW 1/4	39.1
NW 1/4 SW 1/4	2.5
SW 1/4 NW 1/4	30
NW 1/4 SW 1/4	9.0
Total	190.7

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans.

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 2.72

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Full capacity of works - 1908 - 1909 - 1910

(Sign.) William G. Hawkes

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Sturgis, County of Blaine, State of South Dakota, on this First day of May, A. D., 1911

H. M. Shaw
Notary Public

Permit No. 25

Proof of Application of Water to
Beneficial Use.

DEPOSITION OF HOLDER.

Amount of water.....3.72second feet

Source. Morris Creek

County Meade

Purpose. Irrigation

Place of Use NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$,

NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Sec. 25, T. 4 N., R. 6 E. BHM; SW $\frac{1}{4}$ NW $\frac{1}{4}$,

NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30, T. 4 N., R. 7 E. BHM

Date of priority. December 31, 1907

RECEIVED

MAY 2 1911

OFFICE OF STATE ENGINEER,
PIERRE, S. DAK.

FILED
MAY 15 1911
FILED
SAMUEL H. LEA, State Engineer.

Received and filed May 2, 1911.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA

County of Meade

J. N. Butler

sworn, deposes and says the annexed printed copy of Notice

Attention to appropriate water was taken from the

Spencer Hills Street newspaper white

during the whole time of publication of said notice herein-

as stated, has been and is printed and published in the

..... of County of

..... and State of South Dakota,

That the said notice was published in said newspaper on the

following dates: 2, 1, 2, 1

Jan 24 and Oct 6 - 12-17, 18

in each and every issue of the full number thereof, the first

publication being made on the 28th day of Jan

1908 and the last publication on the 11 day of

19th, upon which days or times

of publication aforesaid the newspaper was regularly pub-

lished, and that during the whole time of said publication

he was ~~connected~~ the printer and publisher of

the said newspaper.

_____ J. W. Deane

Subscribed and sworn to before me this 12th day

.....

No.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 25

WHEREAS, On the thirty-first day of December, A. D. 1907

WILLIAM O. HANKS

of Tillford County of Mandan and State of South Dakota duly made application (No. 35) to me for a permit to use 3.72 cubic feet per second of the waters of Morrin Creek County of Mandan State of South Dakota, for irrigation purposes; and

WHEREAS, On the twenty-first day of April, A. D. 1908

Permit No. 25 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the twenty-first day of April, A. D. 1915, and for the application to beneficial use of said water on or before the twenty-first day of April, A. D. 1913 and,

WHEREAS, On the fifteenth day of May, A. D. 1911 the holder of said permit duly made proof of the completion of adequate works for the diversion of 3.72 cubic feet per second of said waters, as evidenced by my Certificate No. 35 dated May 1, 1911, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.72 cubic feet per second of water, with date of priority of December 31, 1907 and,

WHEREAS, On the fifteenth day of May, A. D. 1911 proof was duly made of the application to beneficial use of 3.72 cubic feet per second of said water;

For irrigation upon the NE¹/₄ of NW¹/₄, SE¹/₄ of NW¹/₄, SW¹/₄ of NE¹/₄, NW¹/₄ of NE¹/₄, NE¹/₄ of NE¹/₄, SE¹/₄ of NE¹/₄, NE¹/₄ of SE¹/₄, Section 25, Township 4 N., Range 6 E. B.H.M.; SW¹/₄ of NW¹/₄, NW¹/₄ of SW¹/₄, Section 30, Township 4 N., Range 7 E. B.P.M.

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of South Dakota, I hereby grant and confirm to.....WILLIAM C. HAUKE.....
of.....Tillford.....the holder... and owner... of said permit No.25.....
a water right, dating from.....December 31, 1907.....to the use of.....irrigation.....
cubic feet per second of the waters of.....Horria Creek.....
in the County of.....Hedges.....and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted at.....S. 08° 20' E. 2144 feet from
corner of Sections 23, 24, 25 and 26, Township 4 N., Range 6 E. B.H.M.,
and conducted to and upon.....NE 1/4 NW 1/4, NE 1/4 NW 1/4, NW 1/4 NE 1/4, NE 1/4 NE 1/4, SE 1/4 NE 1/4,
NE 1/4 S. 1/4, Section 25, Township 4 N., Range 6 E. B.H.M.; SW 1/4 NW 1/4, NW 1/4
SW 1/4, Section 30, Township 4 N., Range 7 E. B.H.M.
for the purpose... of.....irrigation.....

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Pierre, South Dakota,
this.....fifteenth.....day of.....May.....A. D. Nineteen
Hundred and.....Eleven.....

State Engineer.

STATE OF SOUTH DAKOTA

Water License No. 35

To WILLIAM O. HARKS

Source of Supply

Morris Creek

Head

County

Am't

23

Sec. Fee

Point of Diversion S. 68° 20' E. 2146 ft.
from cor. Secs. 23, 24, 25 & 26,
T. 4 N., R. 3 E. B.H.M.

Place of Use NE 1/4, SE 1/4, SW 1/4,
NE 1/4, NE 1/4, NE 1/4, NE 1/4,
SE 1/4, NE 1/4, SE 1/4, Sec. 25, T. 4 N.,
R. 3 E. B.H.M.; SW 1/4, NW 1/4,
Sec. 30, T. 4 N., R. 7 E. B.H.M.

Purpose

Irrigation

Date of Priority December 31, 1907

Recorded April 21, 1908

in Book -1- of Record Page 73

FILED
JAN 5 1911
SAMUEL H. LEA, State Engineer

Deputy

(First Publication 190)

APPROPRIATION OF WATER

Office of the State Engineer,

Pierre, S. D., January 15, 190 8

Notice is hereby given that William G. Hanks
 whose postoffice address is Pilford
Meade County, S. D., has made an application in
 accordance with the provisions of the irrigation laws of South Da-
 kota for a permit to appropriate for beneficial use 2.72 cubic
 feet of water per second of time from Morris Creek
 through the North Side Ditch, the point of diversion of which
 is to be located upon the left bank of said stream in the NE
1/4 of the NW 1/4 of section 25 township 1 N. range 6 E. B.H.M. and water
 to be used for the purpose of irrigation
 upon the N 1-2 NE
SE 1-4, Sec. 25, T.4 N., R.6 E. B.H.M.; also SE 1-4 NW 1-4 and NW 1-4 SE 1-4, Sec. 30,
T.4 N., R.7 E. B.H.M.

This application will be taken up by the state engineer at his
 office at Pierre for consideration and appropriate action upon the
16th day of March 190 8, at 9 a. m., at which time all
 persons who believe that the prior rights would be injuriously af-
 fected, or that the allowance of the permit would be detrimental
 to the public welfare, and also parties making the application, and
 to be benefited, are notified to be present either by sworn affi-
 davit or in person for the purpose of presenting any relative tes-
 timony.

Samuel H. Lea
 State Engineer

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 6680

PIERRE, January 5, 1979

RECEIVED OF Elmer Biers, Hereford Route, Sturgis, SD 57785
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 transfer of water right No. 25-1	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
~~XXXXXXXXXX~~ John Hatch

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
Foss Building
Pierre, SD 57501

Date: Nov. 29, 1978

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

NE 1/4, Sec. 25, T4N, R6E, BHMformerly owned by William G. Hanks as stated on Water License No. 25-1has been transferred to Elmer Biers, Harpwood, Sturgis, S.D.

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

Water Right Permit No. 25-1 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 Office of Water Rights Commission 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.

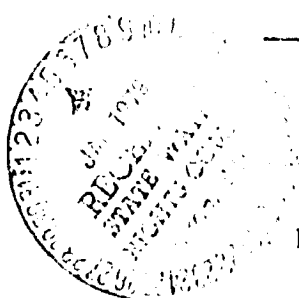
STATE OF SOUTH DAKOTA)
County of Meade) ss.

I, Elmer Biers 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.

Elmer Biers
(Signed)

Subscribed and sworn to before me this 19 Day of December 19 78.

Frank Muller
(Notary Public)

My Commission Expires: Oct. 3, 1984