

Water Resource Commission
Remarks by State Engineer:

NO. 262-1

Water Division No. 1

(Blanks to be filled by the State Engineer)
Bellevue River

District

RECEIVED

JUN 20 1955

2:00 PM

OFFICE OF STATE ENGINEER

STATE OF 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 ~~Norman G. Andersen~~ HOWARD W. & RUBY L. MORRISON
Postoffice address Lead, Tinton Route County Lawrence State S. Dak. TSFD
R.R. #3 10-8-70

I. If a corporation No WATER TOWN

- (a) Name of same
- (b) Date and place of incorporation
- (c) Amount of capital stock
- (d) Amount paid in
- (e) Names and address 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) Direct labor and employment of others
- (b) Cash on hand, \$ 8,000.00 (c) Treasury stock, \$
- (d) Bonds to be issued, \$ (e) Other resources, \$

- 2. Name of diversion work Anderson Fish Farm
- 3. Quantity of water claimed 2.00 cubic feet per second. (Not consuming)
- 4. Source of water supply Headwaters of Little Spearfish Creek
- 5. Location of point of diversion Not to be diverted but used in dams constructed over stream bed on bank, County.
- 6. Annual periods during which water is to be used Continuous
- 7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system

(a) Number of acres to be irrigated acres.

(b) Legal subdivisions to be irrigated

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

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

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

- (a) Nature of use Fish culture
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 Creek channel at north property line of Patent No. 837620.

Map 240-1

See 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

8. Estimated cost of work:

(a) Head gates, \$----- (b) Pumping plant, \$-----
 (c) Fluming, \$----- (d) Canal earth, \$----- Rock, \$-----
 (e) Other structures Dams, overflow structure, siphons and piping \$3,300.00 Total, \$-----

9. Description of diversion works:

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

Twelve dams and one rearing pond

II. Dimensions of works:

(a) Dam: Height 10' to 4' feet; length at bottom 60-120 feet; length at top 105 to 200 feet; thickness at bottom 24-38 feet; thickness at top 8 feet; slope at front water face 2:1; slope of back face 2:1; material used in construction Earth fill
 (Total) Capacity when filled 4.15 acre feet. Surface area at highwater mark 3.08 acres.

Dam No. 1
 Dam No. 2
 Dam No. 3
 Dam No. 4
 Dam No. 5
 Dam No. 6
 Dam No. 7
 Dam No. 8
 Dam No. 9
 Dam No. 10
 Dam No. 11
 Dam No. 12
 Rearing Pond

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET-ACRES	ACRE-Feet CAPACITY
2.5	13,100 Sq. Ft.	0.13
2.5	6,250 Sq. Ft.	0.13
3.2	14,100 Sq. Ft.	0.17
3.4	15,870 Sq. Ft.	0.20
4.2	11,925 Sq. Ft.	0.39
5.2	13,200 Sq. Ft.	0.45
8.0	2,700 Sq. Ft.	0.04
4.2	13,200 Sq. Ft.	0.35
4.2	7,050 Sq. Ft.	0.08
3.2	8,350 Sq. Ft.	0.13
2.6	10,350 Sq. Ft.	0.13
2.5	1,800 Sq. Ft.	0.13
		<u>4.15</u>

(c) Head gate: Width two feet; height eight feet.

Material Concrete

(d) Canal: Total length 0 miles.

LOCATION BELOW HEADGATE	DEPTH	POTTON WIDTH	WIDTH AT WATER-LINE	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 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 Sioux City Mail, Spearfish, South Dakota

STATE OF SOUTH DAKOTA

County of LAWRENCE ss.

I, NORMAN G. ANDERSEN, 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 Norman G. Andersen

Subscribed and sworn to before me this 18 day of June 1927

Notary Public (or other qualified officer.)

Water Resources Commission
Remarks by State Engineer

-----Statement by Agent-Commiss for Innashtacko Mining Company, U.S.A. Hayer, that the Innashtacko Mining Company, in a prior appropriation of water on Little Spearfish Creek, has no objection to the use of water proposed in this application since consumptive use of the water would not occur.-----

STATE OF SOUTH DAKOTA

County of Hughes

Pierre, South Dakota, September 1, 1955

This is to certify that the foregoing application was received in the State Engineer's office at 2:00 o'clock P.M. upon the 20th day of June, 1955, and that after examination it was found to comply with the South Dakota water laws, was published in accordance with the provisions thereof and consideration given to any and all information presented.

WATER RESOURCES COMMISSION

By: J. W. Grimes, Chief Engineer and Executive Officer

Number of permit 262-1

Date of first receipt of application June 20, 1955

Date of return to applicant for correction -----, 19--

Date of receipt of corrected application -----, 19--

Date from which applicant may claim right June 20, 1955

Approved September 19, 1955, Recorded in Book 3 Page 88

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 September 19, 1956

2nd. The whole of said work is to be completed on or before September 19, 1960

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is September 19, 1960

4th. The water appropriated shall be used for the purpose of fish culture

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 2.6 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 on the land to be irrigated; and further, said appropriation must be limited to not more than one-seventieth (1/70) of the water per acre of land to be irrigated, and beneficially applied for irrigation on or before September 19, 1960; said water to be used during the following described annual period: continuous non-consumptive use period.

Witness my hand this 23rd day of September, 1955

WATER RESOURCES COMMISSION

By: J. W. Grimes, Chief Engineer and Executive Officer

Certificate of Construction issued November 26, 1963

Water License issued November 26, 1963

STATE OF SOUTH DAKOTA

WATER LICENSE No. 262-1

WHEREAS, On the 20th day of June A. D. 1955

Norman G. Anderson

of Spearfish County of Lawrence and State of South Dakota duly made application (No. 262-1) to us for a permit to use 2.6 cubic feet per second of the waters of Little Spearfish Creek County of Lawrence, State of South Dakota, for fish culture purposes; and

WHEREAS, On the 23rd day of September A. D. 1955 Permit No. 262-1 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 19th day of September A. D. 1960 and for the application to beneficial use of said water on or before the 19th day of September A. D. 1960 and,

WHEREAS, On the 8th day of August A. D. 1963 the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.6 cubic feet per second of said waters, as evidenced by our Certificate No. 262-1 dated November 26, 1963 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2.6 cubic feet per second of water, with date of priority of June 20, 1955 and,

WHEREAS, On the 8th day of August A. D. 1963 proof was duly made of the application to beneficial use of 2.6 cubic feet per second of said water; to be used non-consumptively for fish culture

NOW, THEREFORE, By the virtue of the authority vested in us by the law of the State of South Dakota,
We hereby grant and confirm to Norman G. Anderson
of Spearfish the holder and owner of said permit No. 262-1
a water right, dating from June 20, 1955 to the use of 2.6
cubic feet per second of the waters of Little Spearfish Creek
in the County of Lawrence and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinbelow mentioned, to be diverted at 12 points in the SE¹, Section 9,
and NE¹, Section 16, T4N, R1E
and ~~XXXXXX~~ stored in 12 rearing ponds located in the SE¹, Section 9 and
NE¹, Section 16, T4N, R1E in H.E.S. 7237

for the purpose of fish culture

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 seal of our office at Pierre, South Dakota,
this 26th day of November A. D. Nineteen
Hundred and Sixty-Three

State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No.	
To	
Source of Supply	
County	
Am't	c. f. s.
Point of Diversion	
Place of Use	
Purpose	
Date of Priority	
Recorded	
In Book	of Page

Permit No. 262-1Water Division No. 1 Belle Fourche River
Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Norman O. Anderson

of Spearfish, County of Lawrence, and State of South Dakota, the holder of Permit No. 262-1, issued upon Application No. 262-1, bearing date of priority of June 20, 1955, authorizing the diversion of 2.6 cu. ft. per second of the waters of Little Spearfish Creek County of Lawrence, State of South Dakota, at 12 points in the SE $\frac{1}{4}$, Section 9 and the NE $\frac{1}{4}$, Section 16, T4N, R1E, located in H.E.S. #287 for fish culture

purposes, has fully 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 2.6 cu. ft.

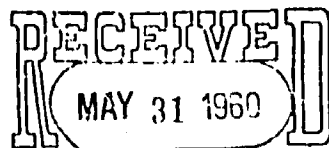
per second of water; and that the ~~XXXXXX~~ use of said water are described as follows, to-wit: to be temporarily stored in 12 rearing ponds for fish culture purposes.
(Non-consumptive water use).

Witness my hand this 26th day of November A. D. 1963

State Water Resources Commission

By: J. W. ORMES
Chief Engineer, Executive Officer

Permit No. 262-1



Water Division No. _____

STATE WATER RESOURCES COMM.
Water District PIERRE, SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) Spearfish, South Dakota

(Date) May 27, 1960

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of 2.6 cfs
Non-consuming cu. ft. per second of the waters of the state from
through the Headwaters of Little Spearfish Creek - Anderson Fish Farm
for Fish culture purposes
in accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

- The name of the person or corporation holding said permit is Norman G. Anderson
- The postoffice address of such person or the place of business of such corporation is Rt. 1, Spearfish,
County of Lawrence State of South Dakota.
- The number of such permit is 262-1 and the date set for the completion of such work is
September 19, 1960
- Said water to be used for Fish Culture purposes.
- Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 2.6 cubic feet per second.
- The amount of land for which said water is available is no irrigation acres,
particularly described as follows:

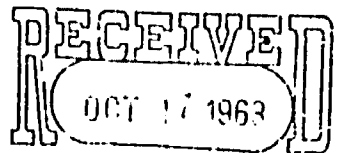
I hereby certify that the facts set forth in the above notice are true.

Anderson Fish Farm

(Signature of Owners)

Permit No. 262-1

Water Division No. 1 BELLE FOURCHE Water District

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

~~XX~~

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

Norman G. Anderson

of

Lawrence

County, South Dakota, holder of Permit No. 262-1, issued

upon Application No. 262-1, bearing date of priority of June 20, 1955, authorizing the

diversion of 2.60 cu. ft. per second of the waters of Little Spearfish for Fish culture

purposes. I have to report on the condition of the same as follows:

The diversion works comprise 12 dams and one rearing pond as described in

Description of Diversion works of Form 2, Application for Permit.

and the system is in the following condition: Good

The point of diversion is located Dams on creek located in SE 1/4 Sec. 9, T 4N, R 1E.

The works are capable of diverting and conveying to the place of use 2.60 cu. ft. per second of water,
which is to be used for Fish culture (Non-consumptive)

The legal sub-divisions to be irrigated are:

comprising a total of _____ acres of land.
The domestic use intended comprises Fish Culture

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

Witness my hand, this 8 day of August, A. D. 1963

--SEAL--

William H. Miller Examining Engineer,
Engineering Geologist

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Resources Commission
State Office Building No. 2
Pierre, South Dakota 57501

Date October 8, 1970

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

H.E.S. #287 in SE $\frac{1}{4}$, Section 9 and NE $\frac{1}{4}$, Section 16, T4N, R1E

formerly owned by Norman G. Anderson

has been transferred to Howard W. and Ruby L. Morrison, R.R. #3, Watertown, S.D.

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 262-1 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Resources Commission as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA)
 HUGHES) ss.
County of _____)

I, Howard W. Morrison 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.

Howard W. Morrison
(Signed)

Suscribed and sworn to before me this 8th day of October, 19 70

(Notary Public)
Betty Westlund, Technical Assistant
Water Resources Commission

PROOF OF PUBLICATION

RECEIVED
SEP 18 1955

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

STATE OF SOUTH DAKOTA }
County Lawrence } ss.

Hazel Vopat being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the

Quinn City Mail a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the Spearfish of Lawrence County of

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

Appropriation of Water

in each and every issue of the full number thereof, the first publication being made on the 18 day of Sept.

1955, and the last publication on the 9 day of Sept. 1955, upon which days or times

of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was bookkeeper of the printer and publisher of the said newspaper.

Hazel Vopat

Subscribed and sworn to before me this 18 day of September A. D. 1955

Fred J. Henson

Notary Public Lawrence County, S. D.

NO. 242-1
APPROPRIATION OF WATER
Office of State Water Resources
Commission State Office Building,
Pierre, S. Dak. Aug. 15, 1955
Notice is hereby given that
Norman G. Anderson whose post-
office address is Lead, 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
2.6 cubic feet of water per second
of time from the Little Spearfish
Creek through the Anderson Fish
Farm through a dam on the creek
located in SE $\frac{1}{4}$ of Section 9 Twp.
4N Range 1E. Said water to be
used for the purpose of providing
fish culture.
This application will be taken
up by the Water Resources Com-
mission at their Office at Pierre
for consideration upon the 19th
day of September, 1955, at 2:00 p.m.
All persons who believe that their
prior rights would be injuriously
affected, or that the allowance of
the permit would be detrimental to
the public welfare shall file such
protest with the Water Resources
Commission after Aug. 18, 1955 in
writing prior to the above date and
may appear on the day above men-
tioned in person for the purpose of
discussing further, the information
presented.
Appropriate action will be taken
by the Water Resources Commission
after suitable time has elapsed for
the consideration of any or all in-
formation presented.
FRED J. HENSON
Acting Chief Engineer
and Executive Officer.
(N. 955, 4 T. 18, 25. S. 1, 8).

Notes and Bounds Description
of
Homestead Entry No. 267
in the
Black Hills National Forest
in
Sec. 9, T4N, R1E
Sec. 15, T4N, R1E
Sec. 16, T4N, R1E

Beginning at Corner No. 1 which is a point on the section line common to said Sections 9 and 16, 2.62 chains west of the northeast corner of said Section 16 and running thence S20°29'E 7.48 chains to Corner No. 2 which is on the east section line of said Section 16 and 7.02 chains south of the northeast corner of said Section 16, thence S20°29'E 1.31 chains to Corner No. 3, thence S5°24'E 17.16 chains to Corner No. 4, thence S17°28'W 6.84 chains to Point No. 5, which is a point on the section line common to said Sections 15 and 16 and 7.91 chains north of the quarter corner common to said Sections 15 and 16, thence S17°28'W 6.81 chains to Corner No. 6, which is a point that is 2.49 chains N55°22'W of the east quarter corner of said Section 16, thence S29°06'W 7.46 chains to Corner No. 7, thence S6°20'E 9.54 chains to Corner No. 8, thence S52°58'E 3.74 chains to Corner No. 9, thence, S45°24'W 10.08 chains to Corner No. 10, which is a point 18.94 chains N28°01'W of the southeast corner of said Section 16 and thence N74°04'W 4.14 chains to Corner No. 11, thence, N34°40'E 5.01 chains to Corner No. 12, thence, N0°10'E 13.49 chains to Corner No. 13, thence, N17°55'E 19.11 chains to Corner No. 14, thence, N17°09'W 22.34 chains to Corner No. 15, thence N9°29'W 5.51 chains to Corner No. 16, which is a point on the section line common to said Sections 9 and 16, 11.54 chains west of the northeast corner of said Section 16, thence N9°29'W 14.87 chains to Corner No. 17, thence N67°28'E 4.02 chains to Corner No. 18, thence S17°36'E 10.62 chains to Corner No. 19, thence S49°08'E 4.25 chains to Corner No. 20, thence closing S20°29'E 3.52 chains to Corner No. 1, the point of beginning. The tract contains 52.30 acres more or less.

NOTICE OF TRANSFER OF OWNERSHIP

No. 262-1

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

Date: _____

I/We request that Water ~~Permit~~/Right No. 262-1

formerly owned by: Howard & Ruby Morrison

be transferred to: (name & address) Howard W Morrison

HC 37 Box 1394, Lead, SD 57754

(telephone No.) _____

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

SE 1/4 Section 9 and NE 1/4 Section 16, T4N, R1E

I/We understand that the validity of Water ~~Permit~~/Right No. 262-1 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.

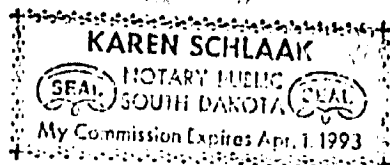
STATE OF SOUTH DAKOTA)

County of Hughes)

I/We Howard W. Morrison 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.

Howard W. Morrison
(Signed)

Subscribed and sworn to before me this 19th day of June, 19 90.



Karen Schlaak
(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 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

412271

Pierre, June 19, 19 90

RECEIVED OF Will Howard W. Morrison, HC 37 Box 1394 Lead, SD 57754

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 Right No. 262-1	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 *John H. Hatcher*
Chief Engineer *(Mira)*

MEMO

TO DEPT. OF ENVIRONMENT AND NATURAL RESOURCES

FROM



BLACK HILLS LAND TITLE, INC.
TITLE INSURANCE • ESCROWS • ABSTRACTS

P.O. Box 588 - 83 Sherman Street
Deadwood, South Dakota 57732
Phone (605) 578-2376
Fax (605) 578-2394

1230 North Avenue
Spearfish, South Dakota 57763
Phone (605) 642-7300
Fax (605) 642-7600

SUBJECT WATER TRANSFER OF OWNERSHIP

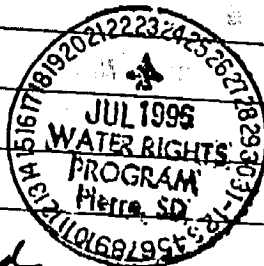
DATE 7/22/96

PLEASE RECORD THE ENCLOSING TRANSFER OF OWNERSHIP

\$2.50 IS ENCLOSING FOR THE FEE.

IF YOU HAVE ANY QUESTIONS, PLEASE CONTACT ME.

RUTHIE WEIERS



7/23/96 called Black Hills Land Title and
asked for contact person & mailing address of
Anderson Historic Preservation Assoc.
-- mark Anderson
HC 80 Box 427, Piedmont SD

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 262-1

Date: 7-19-96

I/We request that Water Right No. 262-1

formerly owned by: Howard W Morrison

be transferred to: (name & address)

Anderson Historic Preservation
HC 80 Box 427
Piedmont, SD 57765

Telephone No. 787-4712Title to the following described land(s) property has been transferred as described above:
SE 1/4 Section 9 and NE 1/4 Section 16, T4N, R1E

I/We understand that the validity of Water Right No. 262-1 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 with the Water Rights Program, 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 Lawrence)

I/We Mark J. Anderson being first duly sworn on my oath depose and say that my relation to the above described undertaking is that I am the Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information is true.

Mark J. Anderson
(Signed)

Subscribed and sworn to before me this 19th day of July, 1996.

William H. Harris
(Notary Public)

My commission expires 10-13-2003

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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 23, 1996

262-1

Ruthie Weiers
Black Hills Land Title, Inc
PO Box 588
Deadwood, SD 57732-0588

Dear Ms. Weiers:

This will acknowledge receipt of the "Notice of Transfer of Ownership" form you submitted for filing an ownership change on Water Right No. 262-1. Enclosed is your Receipt No. 415025 in the amount of \$2.50 which you submitted for payment of the filing fee.

The transfer has been completed and the water right is now listed in the name of Anderson Historic Preservation Association, HC 80 Box 477, Piedmont, SD 57769. If you have any questions, please contact us.

Sincerely,

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

enclosure

c: Mark Anderson, Anderson Historic Preservation Association

RECEIPT

415025

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre.

July 23, 19 96

RECEIVED OF Black Hills Land Title, Inc., P.O.Box 588, Deadwood, SD 57732

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

Fee for Application fee, 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 Water Right No. 26262

Fee for Filing Extension Request _____

Fee for _____

2 50

(Any Other Work Provided by Law)

Total

2 50

By

Chief Engineer

John H. Hatcher