

1. Considered June 17, 1959 Appl. No. 383-1
2. Name of Applicant Edward T. Rucke
3. Post Office Address Hoover, N.Y.
4. Amount of water claimed 0.73 0.72 million gallons
5. Source of water supply San Diego
6. Water to be used for irrigation
Acres to be irrigated 200
7. Water to be diverted and used in Butte County about
6.18 miles 11.5 of San Diego.
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☒
Subject to ☐
Not approved ☐
Action deferred ☐

10. Remarks:

No.

Water Division No

(Blanks to be Filled by the Engineer for the W. R. C.)

Distribution

RECEIVED
MAR 27 1959
245A/11

STATE WATER RESOURCES COM.
 PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

ME 10/12/75

1. Name of applicant William A. Burke
Postoffice address Star Route #3, Box 73, Newell, County State

- 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 work (Whether by contract, employment of others, or by direct labor)

CONTRACTOR'S OWN LINES

- (b) Cash on hand, \$.....
- (c) Treasury stock, \$.....
- (d) Bonds to be issued, \$.....
- (e) Other resources, \$.....

2. Name of diversion work -----
3. Amount of water claimed ----- 73 ----- cubic feet per second -----

4. Source of water supply Deep well

5. Location of point of diversion at Sep 5 T-14-11 R-9-F on _____ bank Pointe County.

6. Annual period or periods during which water is to be used From 10/1/2000 to 9/30/2001

7. To be used for:

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Overhead sprinkling

- (a) Number of acres to be irrigated 50.9 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.)

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

- (a) Nature of use _____
Name any of the above uses claimed

- (b) Amount of power to be generatedhorse power.

Amount claimed for engine cooling

- (c) Location of plant _____

- (d) Method of developing power

9. Estimated cost of work:

(a) Head Gates, \$.....

(b) Pumping plant, \$.....

(c) Fluming, \$..... (d) Canal earth, \$.....

Rock, \$.....

(e) Other structures \$.....

Total, \$.....

10. Description of diversion works:

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

II. Dimensions of works:

- (a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....
material used in construction.....
- (b) Reservoir: Capacity when filled.....acre feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET-ACRES	FEET	ACRE-Feet CAPACITY

(c)* Head gate: Width.....feet; height.....feet;
Material.....

(d) Canal: Total length.....miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT 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.....years.

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

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

STATE OF SOUTH DAKOTA

County of.....ss.

I, ALFRED T. BURKE, 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.

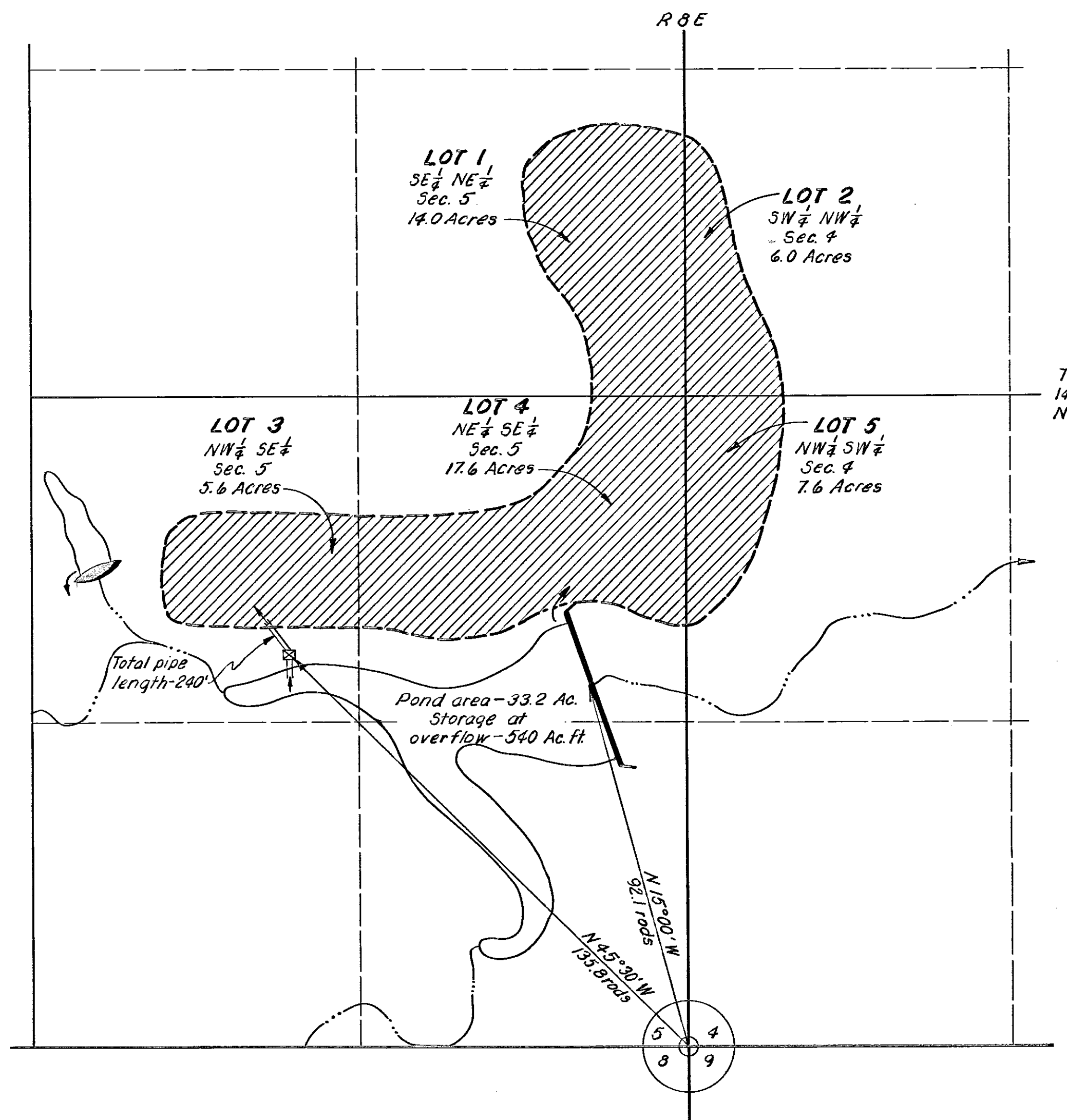
Signed Alfred T. Burke

Subscribed and sworn to before me this 18th day of March

My Commission Expires
March 2, 1961

Notary Public (or other qualified officer)
Butte County Auditor

*Each diversion must have a headgate or other water device.



All lands described are owned by Alfred Burke

LOCATION OF LAND UNDER WATERSPREADING					
LOT	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	SE 1/4 NE 1/4	5	14N	8E	14.0
2	SW 1/4 NW 1/4	4	14N	8E	6.0
3	NW 1/4 SE 1/4	5	14N	8E	5.6
4	NE 1/4 SE 1/4	5	14N	8E	17.6
5	NW 1/4 SW 1/4	4	14N	8E	7.6
TOTAL					50.8

- LEGEND**
- PUMP STATION (PROPOSED)
 - WATERSPREADER AREA
 - NATURAL DRAINAGEWAY
 - PROPOSED IRRIGATION DAM
 - STOCKDAM (CONSTRUCTED)

SURVEYOR'S CERTIFICATE

I, DWAYNE E. KONRAD DO HEREBY CERTIFY THAT THIS MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND OF THE ALFRED BURKE WATERSPREADING PROJECT "1" AND HAS BEEN PREPARED BY THE SOIL CONSERVATION SERVICE, FOR THE BUTTE COUNTY SOIL CONSERVATION DISTRICT.

SIGNATURE: Dwayne E. Konrad

TITLE: Agultural Engineer

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBSCRIBED AND SWORN TO BEFORE ME THIS 25 DAY OF March, 1957, A.D.

Ray H. Conway, Jr.
NOTARY PUBLIC

MY COMMISSION EXPIRES Jan. 1, 1961.

Scale: 1" = 400

ALFRED BURKE WATERSPREADING PROJECT NUMBER 1

Butte County, South Dakota

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed	Date	Approved by
Drawn		Title
Traced		Title
Checked	2-27-59	Sheet No. 1 of 1

Map No. 331-1 (Appl. No. 383-1)

The diversion rate limitation of 1 cubic foot per second for each 70 acres irrigated shall not apply to this dry land irrigation diversion during periods of flood flow, when such flows are in excess of the amount of water required to satisfy domestic requirements and other water rights.

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota,

April 21, 1959

This is to certify that the foregoing application was received by the Commission at 9:45 o'clock
9 m. upon the 27 day of March, 1959

State Water Resources Commission

By:

J. C. Brinner

Chief Engineer, Executive Officer

Number of permit 383-1

Date of first receipt of application March 27, 1959

Date of return to applicant for correction, amendments or changes required as follows: —, 19—

Date of receipt of corrected application —, 19—

Date from which applicant may claim right March 27, 1959

Approved June 17, 1959 Recorded in Book 5 Page 188

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before

June 17, 1960

2nd. The whole of said work is to be completed on or before June 17, 1961

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

June 17, 1963

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 0.72 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before June 17, 1963; said water to be used during the following described annual period:

April to October inclusive

Witness my hand this 27 day of July, 1959

State Water Resources Commission

By:

J. C. Brinner

Chief Engineer, Executive Officer

Certificate of Construction Issued NOVEMBER 2, 1971

Water License Issued NOVEMBER 2, 1971

LOT	LOCATION	SECTION	TOWNSHIP	LONG	ACRES
1	SE $\frac{1}{4}$ NW $\frac{1}{4}$	5	14N	83	1.6
2	SW $\frac{1}{4}$ NW $\frac{1}{4}$	4	14N	83	1.6
3	NW $\frac{1}{4}$ SE $\frac{1}{4}$	5	14N	83	1.6
4	NE $\frac{1}{4}$ SE $\frac{1}{4}$	5	14N	83	1.6
5	NW $\frac{1}{4}$ SW $\frac{1}{4}$	4	14N	83	1.6
				TOTAL	8.0

WATER LICENSE NO. 383-1

(1) WHEREAS, On the 27th day of March A. D. 19 59
Alfred J. Burke

made Water Right Application No. 383-1 for a permit to use .72 cubic feet per second of the waters of a dry draw

County of Butte State of South Dakota, for irrigation

purposes; and
 (2) WHEREAS, On the 27th day of July A. D. 19 59
 Permit No. 283-1 with a date of priority of March 27, 1959

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 20th day of September A. D. 19 63 and for the application to beneficial use of said water on or before the 20th day of September A. D. 19 63

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert .72 cubic feet per second of water for beneficial use and.

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent:

for irrigating the following land in T14N, R8E

<u>Acres</u>		
Section 4	SW $\frac{1}{4}$ NW $\frac{1}{4}$ P. 0	6.0
	NW $\frac{1}{4}$ SW $\frac{1}{4}$ P. 0	7.6
Section 5	SE $\frac{1}{4}$ NE $\frac{1}{4}$ P. 0	14.0
	NW $\frac{1}{4}$ SE $\frac{1}{4}$ P. 0	5.6
	NE $\frac{1}{4}$ SE $\frac{1}{4}$ P. 0	17.6
Total		50.8 Acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Alfred J. Burke

_____ of Hoover, S.D.
the holder _____ and owner _____ of said permit No. 383-1 a water right, dating from March 27, 1959
_____ to use of .75 cubic feet per second of the waters
of a dry draw

in the County of Butte and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at points from the SE Corner, Sec. 5, T14N, R8E, Outlet
at Dan, N. 15° W., 92.1 rods and Pump, N. 45° 30' West, 135.8 Rods

and conduct to and upon portions of Sections 4 and 5, T14N, R8E, described more fully on the
face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 383-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 2nd day of November A. D.
Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Form 15.

Permit No. 383-1

Water Diversion No. 1 MOREAU RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Alfred J. Burke

the holder of

Permit No. 383-1, issued upon Application No. 383-1, bearing date of priority of March 27,
1959 authorizing the diversion of .72 cu. ft. per second of the waters of

a dry draw County of Butte, State of South Dakota at

points from the SE Corner, Sec. 5, T14N, R8E, Outlet at Dam, N. 15° W., 92.1 rods
and Pump, N. 45° 30' West, 135.8 Rods

for irrigation

purposes, has 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 2.33 cu. ft. per second of water.

Date November 2, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

Permit No. 383-1Water Division 1 MOREAU RIVER 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 ALFRED J. BURKE of NEWELL holder of Permit No. 383-1, bearing date of priority of MARCH 27, 1959 authorizing the diversion of .73 cu. ft. per second of the waters of 4 DEY DRAW for IRRIGATION purposes, in BUTTE 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:

STORAGE DAM W/ CAPACITY OF 530 ACRE FEET
RAINMASTER BDP PUMP - 8" INLET - 10" OUTLET
POWERED BY OLIVER 88 - PROPANE TRACTOR

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

100' OF 10' RUBBER HOSE TO DITCH
MAIN DITCH APPROXIMATELY 1 MILE LONG

C. Works used to apply water to beneficial use.

AREA IS LEVELLED W/ 10 BORDERED FIELDS
IN IRRIGATED AREA

The system is in the following condition:

EXCELLENT

DAM N 15° W, 92.1 RODS 78.1 M FROM THE SE CORNER
The point of diversion is located PUMP N 45° 30' W, 135.8 RODS 3 SECTIONS 5, T14N, R8E

The works are capable of diverting and conveying to the place of use 3.33cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN T14N, R8E

<u>SECTION 4</u>		<u>SECTION 5</u>	
SW ¹ NW ⁴	6.2 ACRES	SE ¹ NE ²	14.0 ACRES
NW ¹ SW ⁴	7.6 "	NW ¹ SE ²	5.6 "
		NE ¹ SE ²	17.6 "

comprising a total of 50.8 acres of land.Date AUGUST 25, 1971

Burton Jones
(Signature)

WATER RIGHT SPECIALIST
WATER RESOURCES COMMISSION

Permit No.

Water Division No. Water District

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.)

(Date)

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 .75
cu. ft. per second of the waters of the state from diversion
through the BOPPE #1
for irrigation 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.

1. The name of the person or corporation holding said permit is 323-1
2. The postoffice address of such person or the place of business of such corporation is Hoover
County of Burns State of S. Dak.
3. The number of such permit is 323-1 and the date set for the completion of such work is JUNE 17, 1963
4. Said water to be used for irrigation purposes.
5. 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 .75 cubic feet per second.
6. The amount of land for which said water is available is 50.2 acres,
particularly described as follows: SEE PERMIT

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

(Signature of Owners) [Signature]

Permit No.

Water Division No. Water District

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.)

(Date) September 27, 1958

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

DEAR SIR: Notice is hereby given that on the day of

19....., at County of State of South Dakota,

before (Examining Engineer or Officer) proof will be submitted of the application to beneficial use

of 73 cubic feet per second of the waters of Big Bend..... In accordance with the terms and conditions of Permit No. 325-1
heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are

ALFRED J. BUCKE2. The use to which said water has been applied is IRRIGATION3. The amount applied to beneficial use is 734. The place where said water is used is (If for irrigation, give full and accurate description of the lands irrigated) SEE PERMIT

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is

BUCKE #16. The right to take the water from such works is based upon permit No. 325-17. The source of supply from which such water is diverted is SEE PERMIT8. The date of priority which said user prepared to establish is SEPTEMBER 27, 1958(Sign) Alfred J. Bucke

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA

County Butte

ss.

P. Lyn Gladstone being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the

Valley Irrigator a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the city of Nowell County of Butte and State of South Dakota; that the said notice was published in said newspaper on the following dates:

May 7, May 14, and May 21st and May 28

in each and every issue of the full number thereof, the first publication being made on the 7th day of May 1959 and the last publication on the 28th day of May 1959, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was editor ~~owner~~ and publisher of the said newspaper.

Subscribed and sworn to before me this 29 day of May A. D. 1959

Notary Public Butte County, S. D.

APPROPRIATION OF WATER

Office of State Water Resources Commission, Pierre, S. Dak., April 21, 1959.

Notice is hereby given that Alfred J. Burke, whose postoffice address is Hoover, 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 0.73 cubic feet of water per second of time from a dry draw through the Burke No. 1, the point of diversion of which is to be located on the northerly bank of said stream in the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 5, Twp. 14N., Range 5E. Said water to be used for the purpose of providing irrigation on parts of the following described land: NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5; SW $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ EW $\frac{1}{4}$, Sec. 4, all in T. 14N., R. 5E.

This application will be taken up by the State Water Resources Commission consideration upon the 17th day of June, 1959, at 2:00 P. M. All interested persons may appear and be heard. Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission
By: Les Wyborny,
(324) Water Rights Engineer

RECEIVED
JUN 2 1959

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

APPLICATION FOR EXTENSION OF TIME FOR COMPLETING WORKS

To the State Water Resources Commission
Pierre, South Dakota

SEPTEMBER 20, 1963
(date)

Dear Sirs:

I hereby request that an extension of time from JUNE 17, 1961
to SEPTEMBER 20, 1963 be granted me for the completion of works to be done under Permit No.
_____ and that the time for proof of beneficial use of water be extended to SEPTEMBER 20, 1963

Said works are located in BUTTE County and are described
as follows:

Location of headworks: In the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$
of Section 5 Township 14N Range 8E

E., B.H.M.

The water is to be used for the purpose of IRRIGATION

The extension of time for the completion of these works is requested for the following reasons: TO
BRING DATE OF COMPLETION INTO CONFORMANCE
WITH DATE OF NOTIFICATION.

APPROVED:

11-6-63
State Water Resources Commission

By:

P. L. H. Jones
Chief Engineer, Executive Officer

Arnold B. Burke
Holder of Permit No. 388-1

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8240

PIERRE, _____, 19 81

RECEIVED OF William A. Burke, St. Rt.#3, Box 73, Hewell, SD 57760

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 WR# 383-1		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 *(Signature)*
Chief Engineer, Executive Officer
JOHN HATCH / (bt)

NO. 383-1

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:

50.8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 4; SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 5, T14N, R8E

formerly owned by Alfred J Burke, Hoover

has been transferred to William A Burke, St Rt #3, Box 73, Newell, SD 57760

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

Water Right Permit No. 383-1 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, 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, Alfred J Burke, being first duly sworn on my oath depose and say: That 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.

Alfred J Burke
(Signed)

Subscribed and sworn to before me this 29 Day of May, 1981.

Colgan J Huber
(Notary Public)

COLGAN J. HUBER, Notary Public
Butte County
My Commission Expires April 23, 1987

 **Department of
Water & Natural Resources**

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

November 7, 1990

383-1

Bill Lindsey
RR #1 Box 81
Newell, SD 57760

Dear Mr. Lindsey:

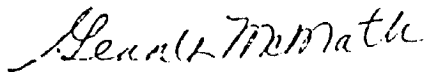
We have been notified by William Burke that you now own the land described in Water Right No. 383-1. Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 383-1.

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,



Gerry McMath
Natural Resources Analyst
(605) 773-3352

enclosure

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412437

Pierre, November 22, 1922

RECEIVED OF Lindsay & Sons, RR 1 Box 81, Newell, SD 57760

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. 585-1	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. Hatch
Chief Engineer



DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

January 24, 1991

No. 383-1

Bill Lindsey
Lindsey & Sons
RR 1 Box 81
Newell, SD 57760

Dear Lindsey:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 383-1.

Our records now show you as the owner of Water Right No. 383-1.

Sincerely,

Jaci R. Konop

JACI R. KONOP
Senior Secretary
Water Rights Division
605 773-3352

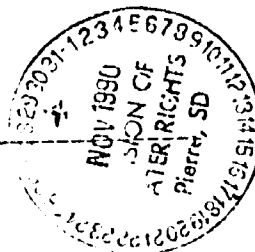
enclosure

NOTICE OF TRANSFER OF OWNERSHIP

No. 383-1

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

Date: 11/23/90



I/We request that Water Permit/Right No. 383-1

formerly owned by: William Burke

be transferred to: (name & address) Lindsey & Sons c/o Bill Lindsey
RR1, Box 81, Newell, SD 57760 (telephone No.) 405-456-2561

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

50.8 acres - SW1 NW1, NW1 SW1, Section 4; SE1 NE1, N1 SE1 Section 5, T14N, R8E

I/We understand that the validity of Water Permit/Right No. 383-1 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 Bill Lindsey 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.

Bill Lindsey
(Signed)

Subscribed and sworn to before me this 23 day of November, 1990.

Dennard Lindsey
(Notary Public)

My Commission expires Aug. 28, 1997

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.



38 3-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 21, 1997

383-1
1284-1

Bill Lindsey
PO Box 116
Rankin, TX 79778-0116

Dear Mr. Lindsey:

Enclosed are your 1997 irrigation questionnaires pertaining to Water Right Nos. 383-1 and 1284-1. The forms were originally mailed to RR 1 Box 81, Newell, SD. The post office has notified us that you have a new address.

If you no longer own the land or if you have an operator handling the irrigation, please let me know. Thank you in advance for your help.

Sincerely,

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

enclosures

Water Rights Program
South Dakota Department of Environment

RECEIVED OF: Denna P. Lind
the following amount: \$100.00
Department of Environment and Natural Resources
CT-100

Human Resources

417014

Fee for Application for Permit No. _____
Fees for Services rendered as provided for by _____
Rankin, TX 79776

December 10

2061

Fee for Applicant to put water to beneficial use.

Windey & Sons)
to Appropriate Water

Use _____ Entruf No.

to Appoint

Fee to retain Future Use Permit No. _____ to Appropriate Water, for Future Use for Inspection _____

License No.

after period of seven years.

_____ years.
 Fee for Filing Transfer Form _____
 Fee for Filing _____

183-1

Request

2/50

Total

21.50

Chief Engineer

David O. Child

✓

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 383-3

Date: 11/23/01

I/We request that Water Right No. 383-3

formerly owned by: Lindsey & Sons

be transferred to: (name & address) Texas Dakota Partners, Ltd. P.O. Box 116
Rankin, TX 7778
Telephone No. (915) 693-2362

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

50.8 acres - SW 1/4 NW 1/4, NW 1/4 SW 1/4 Section 4 and SE 1/4 NE 1/4, N 1/4 SE 1/4 Section 5; all in T14N-R8E

I/We understand that the validity of Water Right No. 383-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file 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 Texas)
SOUTH DAKOTA)

County of Upton)

I/We Bill Lindsey

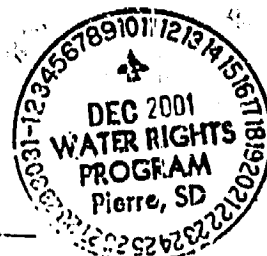
being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Bill Lindsey
(Signed)

Subscribed and sworn to before me this 27th day of November, 20 01.



Sylvia Rose
(Notary Public)



NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.



December 10, 2001

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

383-1
1284-1

Bill Lindsey
Texas Dakota Partners, Ltd
PO Box 116
Rankin, TX 79778

Dear Mr. Lindsey:

Thank you for following up on the ownership change for Water Right Nos. 383-1 and 1284-1. The transfers have been completed. The water rights formerly listed in the name of Bill Lindsey or Lindsey and Sons are now listed in the name of Texas Dakota Partners, Ltd.

Enclosed are your Receipt Nos. 417014 and 417015 in the amount of \$2.50 each. You may keep them for your records. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures

2001 Water Management Board Irrigation Questionnaire

Please fill out and return before December 1, 2001

No. 383-1
BILL LINDSEY
LINDSEY & SONS
 PO BOX 116
 RANKIN TX 79778 0116

Correct name →

Any address corrections?
 Bill Lindsey, Partner
 Texas Dakota Partner, Ltd.

Telephone No. 915-693-2362

Return the completed form to the Water Rights Program at 523 E Capitol, Pierre, SD 57501-3181 (605) 773-3352

1. Is the system constructed? *yes ☒ no ☐

*Type of system used (check all that apply):

center pivots ☐ towlines ☐ big gun ☐
 flood ☒ sprinklers ☐ other ☐

2. Did you irrigate in 2001? *yes ☐ **no ☒

*If yes, number of acres irrigated _____

**If no, list reason(s) in comment section:

Comment Section

No hay. Field ~~has~~ has converted back to grass.

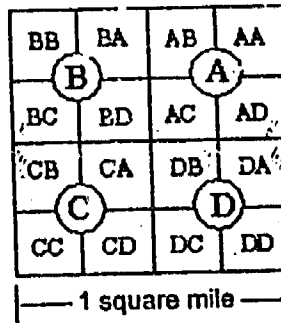
3. Is land enrolled in CRP? *yes ☐ no ☒
 *If yes, through what year? _____

4. Did you apply chemicals or fertilizer through the system in 2001? yes ☐ no ☒

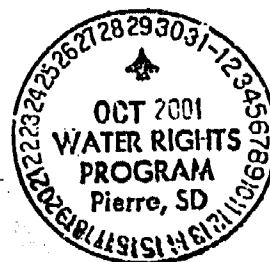
5. If permitted for more than one water source, circle each source used. 1: DRY-DRAW

2: None

3: _____



Office use only



Acreage permitted for irrigation under No. 383-1

(see above section map for help reading legal descriptions)

sec 04-T014N-R08E, BC — 6.00 acres
 sec 04-T014N-R08E, CB — 7.60 acres
 sec 05-T014N-R08E, AD — 14.00 acres
 sec 05-T014N-R08E, DB — 5.60 acres
 sec 05-T014N-R08E, DA — 17.60 acres

50.80

Please provide your 2001 water use to irrigate the above acreage on the REVERSE side of this form.

For a sample completed questionnaire, please refer to the reverse side of your cover letter.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 14, 2001

383-1 and 1284-1

Texas Dakota Partners, Ltd.
Bill Lindsey, Partner
PO Box 116
Rankin TX 79773-0116

Thank you for returning the 2001 Irrigation Questionnaires. Based on the information on the forms, it appears that a name/ownership change has occurred. Enclosed are partially completed "Notice of Transfer" forms for use in filing a name/ownership change on Water Right Nos. 383-1 and 1284-1.

The transfer forms should be completed, checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 each (\$5.00 total).

If we have misunderstood your intention and you wish the permits to remain in the names of Lindsey & Sons and Bill Lindsey, please let us know.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosures



December 10, 2001

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

383-1
1284-1

Bill Lindsey
Texas Dakota Partners, Ltd
PO Box 116
Rankin, TX 79778

Dear Mr. Lindsey:

Thank you for following up on the ownership change for Water Right Nos. 383-1 and 1284-1. The transfers have been completed. The water rights formerly listed in the name of Bill Lindsey or Lindsey and Sons are now listed in the name of Texas Dakota Partners, Ltd.

Enclosed are your Receipt Nos. 417014 and 417015 in the amount of \$2.50 each. You may keep them for your records. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 383-4

Date: 11/23/01

I/We request that Water Right No. 383-3

formerly owned by: Lindsey & Sons

be transferred to: (name & address) Texas Dakota Partners, Ltd. P.O. Box 116
Rankin, TX 79778 Telephone No. (915) 693-2362

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

50.8 acres - SW 1/4 NW 1/4, NW 1/4 SW 1/4 Section 4 and SE 1/4 NE 1/4, N 1/2 SE 1/4 Section 5; all in T14N-R8E

I/We understand that the validity of Water Right No. 383-4 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 ^{Texas} ~~SOUTH DAKOTA~~)

County of Upton)

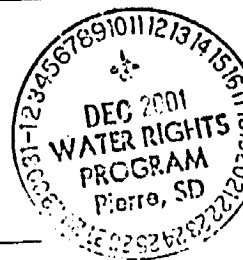
I/We Bill Lindsey being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Bill Lindsey
(Signed)

Subscribed and sworn to before me this 27th day of November, 20 01.



Sylvia Rose
(Notary Public)



NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NO 417014

Pierre, December 10, 2001

RECEIVED OF Debra P. Lindsey, PO Box 116, Parkia, TX 79778
the following amount in fees for services rendered as provided for by law: (Lindsey & Sons)

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. _____

Fee for Filing Transfer Form 383-1

Fee for Filing Extension Request _____

Fee for _____

2 50

Total

2 50

(Any Other Work Provided by Law)

Theresa E. Eide

Please fill out and return before December 1, 2001

correct name →

Bill Lindsey, Partner
Texas Dakota Partner, Ltd.

Telephone No. 915-693-2362

Return the completed form to the Water Rights Program at 523 E Capitol, Pierre, SD 57501-3181 (605) 773-3352

1. Is the system constructed? *yes ✓ no

*Type of system used (check all that apply):

center pivots _____ towlines _____ big gun _____
flood ☒ sprinklers _____ other _____

2. Did you irrigate in 2001? *yes_____ **no ✓

*If yes, number of acres irrigated_____

****If no, list reason(s) in comment section:**

Comment Section

No hay. Field ~~has~~ has converted back to grass.

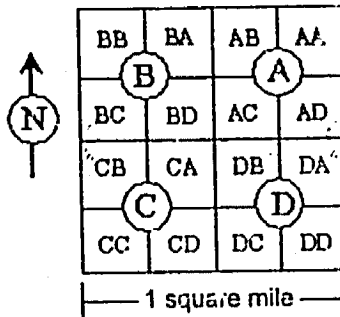
3. Is land enrolled in CRP? *yes _____ no ✓
*If yes, through what year? _____

4. Did you apply chemicals or fertilizer through the system in 2001? yes _____ no ✓

5. If permitted for more than one water source, circle each source used. ~~1: DRY DRAW~~

2: None

3:



Office use only



Acreage permitted for irrigation under No. 383-1

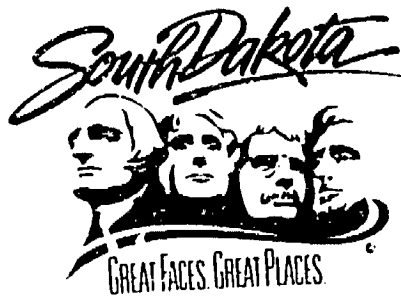
(see above section map for help reading legal descriptions)

sec 04-T014N-R08E, BC -- 6.00 acres
sec 04-T014N-R08E, CB -- 7.60 acres
sec 05-T014N-R08E, AD -- 14.00 acres
sec 05-T014N-R08E, DB -- 5.60 acres
sec 05-T014N-R08E, DA -- 17.60 acres

20.20

Please provide your 2001 water use to irrigate the above acreage on the REVERSE side of this form.

For a sample completed questionnaire, please refer to the reverse side of your cover letter.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 14, 2001

383-1 and 1284-1

Texas Dakota Partners, Ltd.
Bill Lindsey, Partner
PO Box 116
Rankin TX 79778-0116

Thank you for returning the 2001 Irrigation Questionnaires. Based on the information on the forms, it appears that a name/ownership change has occurred. Enclosed are partially completed "Notice of Transfer" forms for use in filing a name/ownership change on Water Right Nos. 383-1 and 1284-1.

The transfer forms should be completed, checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 each (\$5.00 total).

If we have misunderstood your intention and you wish the permits to remain in the names of Lindsey & Sons and Bill Lindsey, please let us know.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

383-1

DENNA LINDSEY <i>dennalindsey@gmail.com</i> (432) 208-4261 Cell		RECEIVED NOV - 7 2012 WATER RIGHTS PROGRAM
South Ranch PO Box 116 Rankin, TX 79778 (432) 693-2362	North Ranch 18695 Willow Creek Trail Newell, SD 57760 (605) 456-2561	

November 5, 2012

State of South Dakota
Water Rights Program
Joe Foss Building
523 E Capitol Ave.
Pierre, SD 57501-9970

Administration:

*I just received my 2012 Water Management Board Irrigation
Questionnaire and realized it is going to my old address.*

Please change my address from:

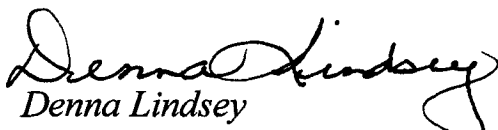
*Denna Lindsey
Texas Dakota Partner, Ltd.
PO Box 116
Rankin, TX 79778-0116*

*To: Denna Lindsey
Texas Dakota Partners, Ltd.
18695 Willow Creek Trail
Newell, SD 57760*

My permits are:

*Permit No. 383-1
Permit No. 1284-1*

Thank you,


Denna Lindsey

Managing Partner, Texas Dakota Partners, Ltd.