

256-1

1. Considered 4-6 1920
2. Name of Applicant Perrill K Brown
3. Post Office Address Travis City
4. Amount of water claimed 6000
5. Source of water supply Deep Creek
6. Water to be used for irrigation
Acres to be irrigated 400
7. Water to be diverted and used in Pinkino & Harding County about
8 miles 5 of Sumner
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☒
Subject to ☐
Not Approved ☐
Action deferred ☐
10. Remarks:

No. 456-1Water Division No. 1 Moreau River District
(Blanks to be Filled by the Engineer for the W. R. C.)JAN 3 1900
3:00 PM

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

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

1. Name of applicant DERRELL K. BROWN
Postoffice address Prairie City, County Parkins, State South Dakota
~~—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)

Contract and direct labor

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

2. Name of diversion work DERRELL K. BROWN IRRIGATION PROJECT
3. Amount of water claimed 6.66 cubic feet per second 1398 ac. ft. max.
4. Source of water supply Surface runoff from local watershed
5. Location of point of diversion See attached sheet

_____ on _____ bank _____ County.

6. Annual period or periods during which water is to be used
- when available during annual period

7. To be used for:

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

- (a) Number of acres to be irrigated
- 466
- acres.

- (b) Legal subdivisions to be irrigated
- See attached sheet

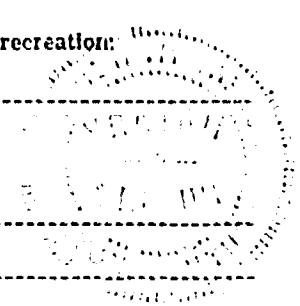
(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

- ~~(c) Statement as to domestic use (giving location, etc.)~~

~~—If 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 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 _____

Map No 397-1



8. Estimated cost of work:

(a) Head Gates, \$..... (b) Pumping plant, \$.....
 (c) Fluming, \$..... (d) Canal-earth, \$..... Rock, \$.....
 (e) Other structures Dikes-Earth \$ 900.00 Total, \$.....

9. Description of diversion works:

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

Diversion dike or dam

II. Dimensions of works:

(a) Dam: Height 10 feet; length at bottom 40 feet; length at top 80 feet; thickness at bottom 62 feet; thickness at top 12 feet; slope at front water face 3:1; slope at back face 2:1
 material used in construction Earth

(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 4 years.

11. Time required for complete application of water to the proposed beneficial use 4 years.

1. Choice of newspaper for publication of notice of intention to appropriate
Bison Courier

STATE OF SOUTH DAKOTA

County PERMITS } ss.

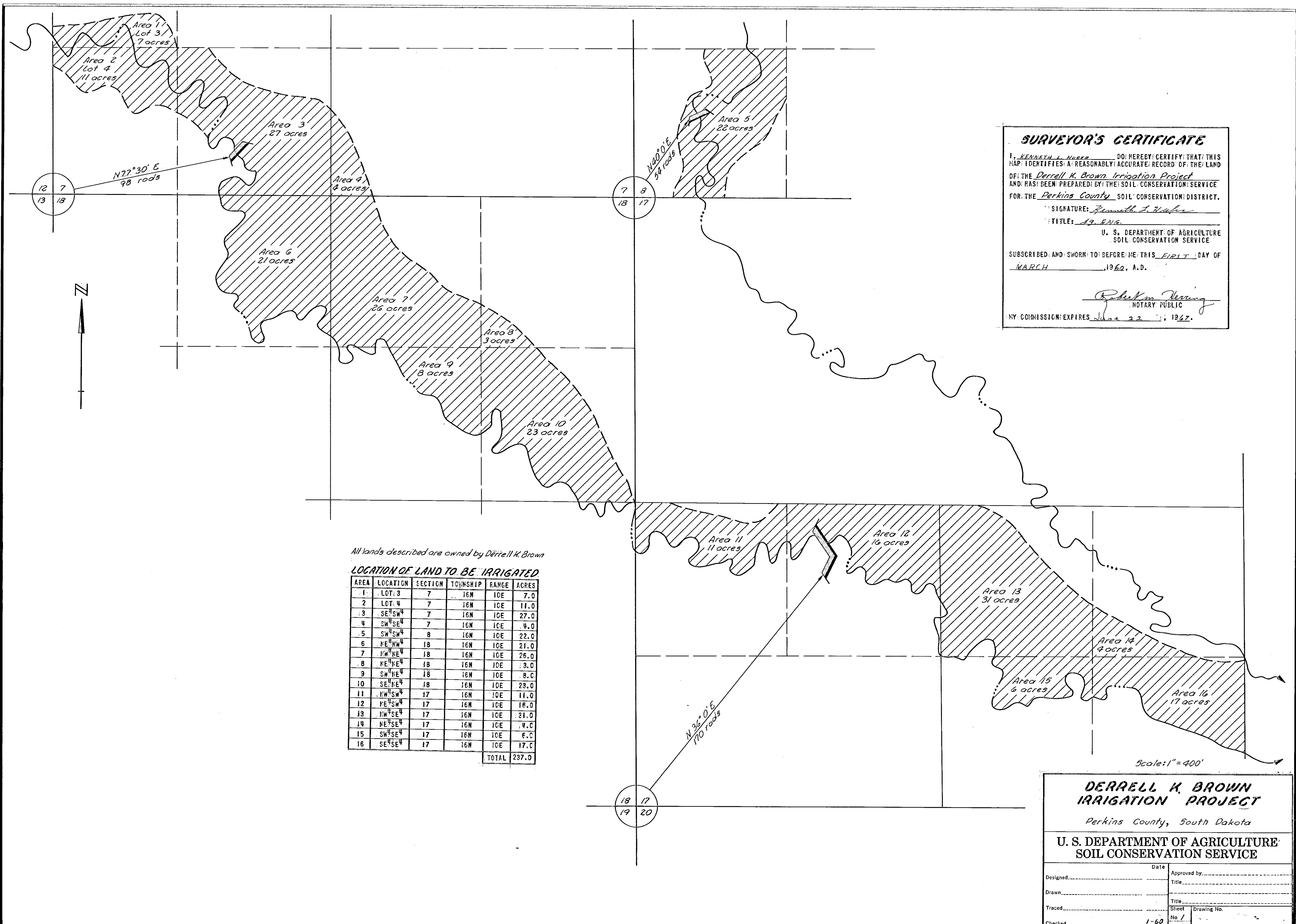
I, DERRELL K. BROWN

, being first duly sworn, do hereby 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 Derrell K. Brown

Subscribed and sworn to before me this 1 day of MARCH 1962

Robert K. Kerring
 Notary Public (or other qualified officer.)



All lands described are owned by Derrell K. Brown

LOCATION OF LAND TO BE IRRIGATED

AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	LOT 3	7	16N	10E	7.0
2	LOT 4	7	16N	10E	11.0
3	SE 1/4 SW 1/4	7	16N	10E	27.0
4	SW 1/4 SE 1/4	7	16N	10E	4.0
5	SW 1/4 SW 1/4	8	16N	10E	22.0
6	NE 1/4 NW 1/4	18	16N	10E	21.0
7	NW 1/4 NE 1/4	18	16N	10E	26.0
8	NE 1/4 NE 1/4	18	16N	10E	13.0
9	SW 1/4 NE 1/4	18	16N	10E	8.0
10	SE 1/4 NE 1/4	18	16N	10E	23.0
11	NW 1/4 SW 1/4	17	16N	10E	11.0
12	NE 1/4 SW 1/4	17	16N	10E	16.0
13	NW 1/4 SE 1/4	17	16N	10E	31.0
14	NE 1/4 SE 1/4	17	16N	10E	4.0
15	SW 1/4 SE 1/4	17	16N	10E	6.0
16	SE 1/4 SE 1/4	17	16N	10E	17.0
TOTAL					237.0

SURVEYOR'S CERTIFICATE

I, KENNETH L. HUBER DO HEREBY CERTIFY THAT THIS MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND OF THE Derrell K. Brown Irrigation Project AND HAS BEEN PREPARED BY THE SOIL CONSERVATION SERVICE FOR THE Perkins County SOIL CONSERVATION DISTRICT.

SIGNATURE: Kenneth L. Huber

TITLE: AS ENGR.

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBSCRIBED AND SWORN TO BEFORE ME THIS FIRST DAY OF MARCH, 1962, A.D.

Robert M. Nearing
NOTARY PUBLIC

MY COMMISSION EXPIRES June 22, 1967.

Scale: 1" = 400'

**DERRELL K. BROWN
IRRIGATION PROJECT**

Perkins County, South Dakota

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Date	Approved by
Designed	Title
Drawn	Title
Traced	Sheet
Checked	No. / of /

Remarks by State Water Resources Commission:

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

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, April 8, 1960

This is to certify that the foregoing application was received by the Commission at 3:00 o'clock
A.m. upon the 4th day of March, 1960.

State Water Resources Commission
By: Dustin Jones
for Chief Engineer, Executive Officer

Number of permit 456-1

Date of first receipt of application March 4, 1960

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 4, 1960

Approved April 6, 1960, Recorded in Book 6 Page 2

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 herein 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 _____

April 6, 1962

2nd. The whole of said work is to be completed on or before April 6, 1964

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

April 6, 1968

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 6.66 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 April 6, 1968; said water to be used during the following described annual period:

whenever available during irrigation season

Witness my hand this 8th day of April, 1960

State Water Resources Commission

By: J. C. Bunn
Chief Engineer, Executive Officer

Certificate of Construction Issued November 15, 1970

Water License Issued November 15, 1970

DERRELL K. BROWN IRRIGATION PROJECT

ATTACHED SHEET

5. Location of Points of Diversion:

1. 98 rods N 77°30' E of SW corner of Sec. 7, T16N, R10E.
2. 54 rods N 40°00' E of SW corner of Sec. 8, T16N, R10E.
3. 170 rods N36°00' E of SW corner of Sec. 17, T16N, R10E on both banks, Perkins County.
4. 176 rods N 55°30' E of SW corner of Sec. 12, T16N, R9E on both banks, Harding County.

7. I(b). Legal Subdivisions to be Irrigated: (Perkins County)

AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	lot 3	7	16N	10E	7
2	lot 4	7	16N	10E	11
3	SE ₄ SW ₄	7	16N	10E	27
4	SW ₄ SE ₄	7	16N	10E	4
5	SW ₄ SW ₄	8	16N	10E	22
6	NE ₄ NW ₄	18	16N	10E	21
7	NW ₄ NE ₄	12	16N	10E	26
8	NE ₄ NE ₄	18	16N	10E	3
9	SW ₄ NE ₄	18	16N	10E	8
10	SE ₄ NE ₄	18	16N	10E	23
11	NW ₄ SW ₄	17	16N	10E	11
12	NE ₄ SW ₄	17	16N	10E	16
13	NW ₄ SE ₄	17	16N	10E	31
14	NE ₄ SE ₄	17	16N	10E	4
15	SW ₄ SE ₄	17	16N	10E	6
16	SE ₄ SE ₄	17	16N	10E	17

(Harding County)

17	NW ₄ NE ₄	11	16N	9E	2
18	NE ₄ NE ₄	11	16N	9E	30
19	NW ₄ NW ₄	12	16N	9E	11
20	SE ₄ NE ₄	11	16N	9E	3
21	SW ₄ NW ₄	12	16N	9E	23
22	SE ₄ NW ₄	12	16N	9E	23
23	NW ₄ SW ₄	12	16N	9E	8
24	NE ₄ SW ₄	12	16N	9E	32
25	NW ₄ SE ₄	12	16N	9E	30
26	NE ₄ SE ₄	12	16N	9E	23
27	SW ₄ SE ₄	12	16N	9E	3
28	SW ₄ SE ₄	12	16N	9E	22
29	SE ₄ SE ₄	12	16N	9E	39

Total.....466.....

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 456-1

(1) WHEREAS, On the 4th day of March A. D. 19 60
Derrell K. Brown

made Water Right Application No. 456-1 for a permit to use 6.66 cubic feet per second of the waters of dry draws

County of Harding & Perkins, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 8th day of April A. D. 19 60

Permit No. 456-1, with a date of priority of March 4, 1960

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 6th day of April A. D. 19 64 and for the application to beneficial use of said water on or before the 6th day of April A. D. 19 68

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 6.66 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 lands:**

<u>T16N, R10E</u>			<u>T16N, R9E</u>		
		<u>Acres</u>			<u>Acres</u>
Section 7	NW $\frac{1}{4}$ SW $\frac{1}{4}$	7	Section 11	NE $\frac{1}{4}$ NE $\frac{1}{4}$	30
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	11		SW $\frac{1}{4}$ NE $\frac{1}{4}$	2
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	27		SE $\frac{1}{4}$ NE $\frac{1}{4}$	2
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	4	Section 12	NW $\frac{1}{4}$ NW $\frac{1}{4}$	11
Section 18	NE $\frac{1}{4}$ NE $\frac{1}{4}$	3		SW $\frac{1}{4}$ NW $\frac{1}{4}$	23
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	26		SE $\frac{1}{4}$ NW $\frac{1}{4}$	3
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	8		NW $\frac{1}{4}$ SW $\frac{1}{4}$	32
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	23		NW $\frac{1}{4}$ SW $\frac{1}{4}$	8
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	21		SE $\frac{1}{4}$ SW $\frac{1}{4}$	3
Section 8	SW $\frac{1}{4}$ ENE $\frac{1}{4}$	22		NW $\frac{1}{4}$ SE $\frac{1}{4}$	30
Section 17	NW $\frac{1}{4}$ ENE $\frac{1}{4}$	16		SW $\frac{1}{4}$ SE $\frac{1}{4}$	22
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	4		SE $\frac{1}{4}$ SE $\frac{1}{4}$	39
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	31	Total		466 Acres
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	6			
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	17			

(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 E Derrell K. Brown

2 of Prairie City, S.D.

the holder _____ and owner _____ of said permit No. 456-1 a water right, dating from March 4, 1960

to use of 6.66 cubic feet per second of the waters of dry draws

in the County of Harding & Perkins and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at Between points N. 90° W., 400' NE Cor. Sec. 11, T16N, R9E, North 90° W., 1980' from NE Cor. Sec. 11, T16N, R9E and a point N. 0° E. from SE Cor. Sec. 17, T16N, R10E, both banks also N. 40° E., 54 rods from SW Cor. Sec. 8, T16N, R10E.

and conduct to and upon portions of Sections 7, 8, 17 and 18, T16N, R10E and Sections 11 and 12, T16N, R9E, described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 456-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 25th day of November A. D.
Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

456-1

Permit No. _____

Water Diversion No. 1 MOREAU RIVER Water District

CERTIFICATE OF CONSTRUCTION

Derrell K. Brown

This is to Certify, That _____

_____ the holder _____ of
 Permit No. 456-1, issued upon Application No. 456-1, bearing date of prior t'y of March 4, 1960

_____ authorizing the diversion of 6.66 cu. ft. per second of the waters of _____

dry draws _____ Perkins & Harding County of _____ State of South Dakota x between
Points N. 90° E., 400' NE Cor. Sec. 17, T16N, R9E, N. 90° W., 1960 from NE Cor. Sec. 11,
T16N, R9E and a point N. 0° E. from SE Cor. Sec. 17, T16N, R10E, both banks also
N. 40° E., 54 rods from SW Cor. Sec. 8, T16N, R10E.

_____ for irrigation

purposes, has 8 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 6.66 cu. ft. per second of water.

Date November 25, 1970

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

Letha Bent
7244-12, 1970Permit No. 456-1Water 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 Derrell K.
Brown of Prairie City, South Dakota holder.of Permit No. 456-1, bearing date of priority of March 4 1960authorizing the diversion of 6.66 cu. ft. per second of the waters of Tributaries of Antelope Creek
for irrigation purposes, in Perkins & Harding Counties

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:

Dams across creeks, some with pipes, some with pipes and gates. Dikes and ditches.

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

Dikes and ditches

C. Works used to apply water to beneficial use.

Spreader dikes--some with pipes.

The system is in the following condition: Poor to good. Still doing improving & repair work
Between points N90°W 400' NE Cr Sec. 11, T16N, R9E
The point of diversion is located N90°W 1980' from NE Cor Sec. 11, T16N, R9E and a point
N 0°E from SE Cor Sec. 17, T16N, R10E both banks also N 40°E 54 rods
from SW Cor Sec. 8, T16N, R10EThe works are capable of diverting and conveying to the place of use (6.66) Total normal flood flows
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: See attached sheet.comprising a total of 466.0 acres of land.Date 10/28/70

(Signature)

Marvin Knecht
Engineer

PERKINS COUNTY

Area 1	NW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 7, Township 16N, Range 10E	7 acres
Area 2	SW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 7, Township 16N, Range 10E	11 acres
Area 3	SE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 7, Township 16N, Range 10E	27 acres
Area 4	SW $\frac{1}{4}$ SE $\frac{1}{4}$	Section 7, Township 16N, Range 10E	4 acres
Area 8	NE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 18, Township 16N, Range 10E	3 acres
Area 7	NW $\frac{1}{4}$ NE $\frac{1}{4}$	Section 18, Township 16N, Range 10E	26 acres
Area 9	SW $\frac{1}{4}$ NE $\frac{1}{4}$	Section 18, Township 16N, Range 10E	8 acres
Area 10	SE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 18, Township 16N, Range 10E	23 acres
Area 6	NE $\frac{1}{4}$ NW $\frac{1}{4}$	Section 18, Township 16N, Range 10E	21 acres
Area 5	SW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 8, Township 16N, Range 10E	22 acres
Area 12	NE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 17, Township 16N, Range 10E	16 acres
Area 11	NW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 17, Township 16N, Range 10E	11 acres
Area 14	NE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 17, Township 16N, Range 10E	4 acres
Area 13	NW $\frac{1}{4}$ SE $\frac{1}{4}$	Section 17, Township 16N, Range 10E	31 acres
Area 15	SW $\frac{1}{4}$ SE $\frac{1}{4}$	Section 17, Township 16N, Range 10E	6 acres
Area 16	SE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 17, Township 16N, Range 10E	<u>17 acres</u>
			237 acres

HARDING COUNTY

Area 18	NE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 11, Township 16N, Range 9E	30 acres
Area 17	NW $\frac{1}{4}$ NE $\frac{1}{4}$	Section 11, Township 16N, Range 9E	2 acres
Area 20	SE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 11, Township 16N, Range 9E	3 acres
Area 19	NW $\frac{1}{4}$ NW $\frac{1}{4}$	Section 12, Township 16N, Range 9E	11 acres
Area 21	SW $\frac{1}{4}$ NW $\frac{1}{4}$	Section 12, Township 16N, Range 9E	23 acres
Area 22	SE $\frac{1}{4}$ NW $\frac{1}{4}$	Section 12, Township 16N, Range 9E	3 acres
Area 24	NE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 12, Township 16N, Range 9E	32 acres
Area 23	NW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 12, Township 16N, Range 9E	8 acres
Area 27	SE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 12, Township 16N, Range 9E	3 acres
Area 26	NE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 12, Township 16N, Range 9E	23 acres
Area 25	NW $\frac{1}{4}$ SE $\frac{1}{4}$	Section 12, Township 16N, Range 9E	30 acres
Area 28	SW $\frac{1}{4}$ SE $\frac{1}{4}$	Section 12, Township 16N, Range 9E	22 acres
Area 29	SE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 12, Township 16N, Range 9E	<u>39 acres</u>
			229 acres

Total 466 acres

OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE

4-56-1
~~6111~~

STATE WATER RESOURCES COMM
PILGRIM SOUTH DAKOTA

Lloyd I Sudlow _____ being duly

sworn, deposes and says the annexed printed copy of Notice

BisonCourier..... a newspaper which

during the whole ^{time} of publication of said notice herein
after stated, has been and is printed and published in the

Town _____ of _____ **Bison** County of _____

Perkins _____ and State of South Dakota;

that the said notice was published in said newspaper on the following dates:

March 10, 1950

March 17, 1960

March 24, 1969

March 31, 1960

in each and every issue of the full number thereof, the first publication being made on the 10 day of March

260 and the last publication on the 31st day of

March 1960, upon which days or times

of publication aforesaid the newspaper is regularly published, and that during the whole time of said publication he

was ----- the printer X and publisher X of
the said newspaper.

Subscribed and sworn to before me this 31 day of March A. D. 19 60.

Notary Public Furcula County, S. D.

(First Publication on or before March 10, 1960)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., March 4, 1960

Notice is hereby given that Derrell K. Brown whose postoffice address is Prairie City 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 6.66 cubic feet of water per second of time from the dry draws through the Derrell K. Brown Irr. Project, the point of diversion of which is to be located on the both bank of said stream between a point in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 17 T 16N R 10E and a point in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12 Twp. 16N Range 9E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NE $\frac{1}{4}$ Sec 11, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Sec 12 T 16N R 9E and SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 7;
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 8; NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ Sec 18; NE $\frac{1}{4}$ SW $\frac{1}{4}$ & SE $\frac{1}{4}$ Sec 17, all in T 16N R 10E
and also

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 6th day of April, 1960, at 2 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

cc: Lloyd I. Sudlow—Publisher
 Bison Courier
 Bison, South Dakota

By:

Chief Engineer, Executive Office
~~Section 12, Sec 12, Sec 12~~
 Burton F. Jones
 Water Right Specialist



456-1
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

November 29, 2004

456-1
619-1

John Watkins
15591 Vernal Rd
Prairie City SD 57649

Dear Mr. Watkins:

Thank you for calling about the ownership of land as described in Water Right Nos. 456-1 and 619-1. Both of these are currently listed in the name of Derrell K Brown. I am including a copy of Water Right No. 619-1. You indicated Eric had already sent you a copy of No. 456-1.

Enclosed are partially completed Notice of Transfer of Ownership forms for filing an ownership change. Please review the forms and make any necessary corrections. Upon completion, please sign and return them to our office with a required filing fee of \$2.50 each (total of \$5.00). The check or money order for the fee can be made payable to the Water Rights Program.

If you have web access, our Water Rights home page contains information on how to obtain water permits; what is required as far as maintaining them and also contains information on pending water permit applications as they are public noticed in area newspapers. The site can be found at: <http://www.state.sd.us/denr/des/waterrights/waterprg.htm>

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. 456-1

Date: 12-21-04

I/We request that Water Right No. 456-1

formerly owned by: Derrell K Brown

be transferred to: (name & address)

John Watkins 15591 Vernal Rd
Prairie City S.D. 57649.

Telephone No. 605 866 4845.

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

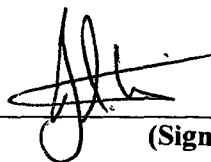
466 acres - portions of Sections 7, 8, 17 & 18, T16N, R10E and Sections 11 and 12, T16N, R9E more
fully described in the water license

I/We understand that the validity of Water Right No. 456-1 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 required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We John Watkins, the new owner, certify that the above information is true and correct.



(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. 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.

RECEIVED
DEC 17 2004
WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date December 17, 2004

RECEIVED OF John Watkins, 15591 vernal Rd., Prairie City SD 57649

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50
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 <u>45601</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	2	50
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

001533

By

Darland Ebel

Chief Engineer

gm



456-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

December 20, 2004

456-1
619-1

John Watkins
15591 Vernal Rd
Prairie City SD 57649

Dear Mr. Watkins:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" forms and filing fees you submitted for changing ownership of Water Right Nos. 456-1 and 619-1. The transfers have been completed. The water rights formerly held by Derrell K Brown are now listed in your name.

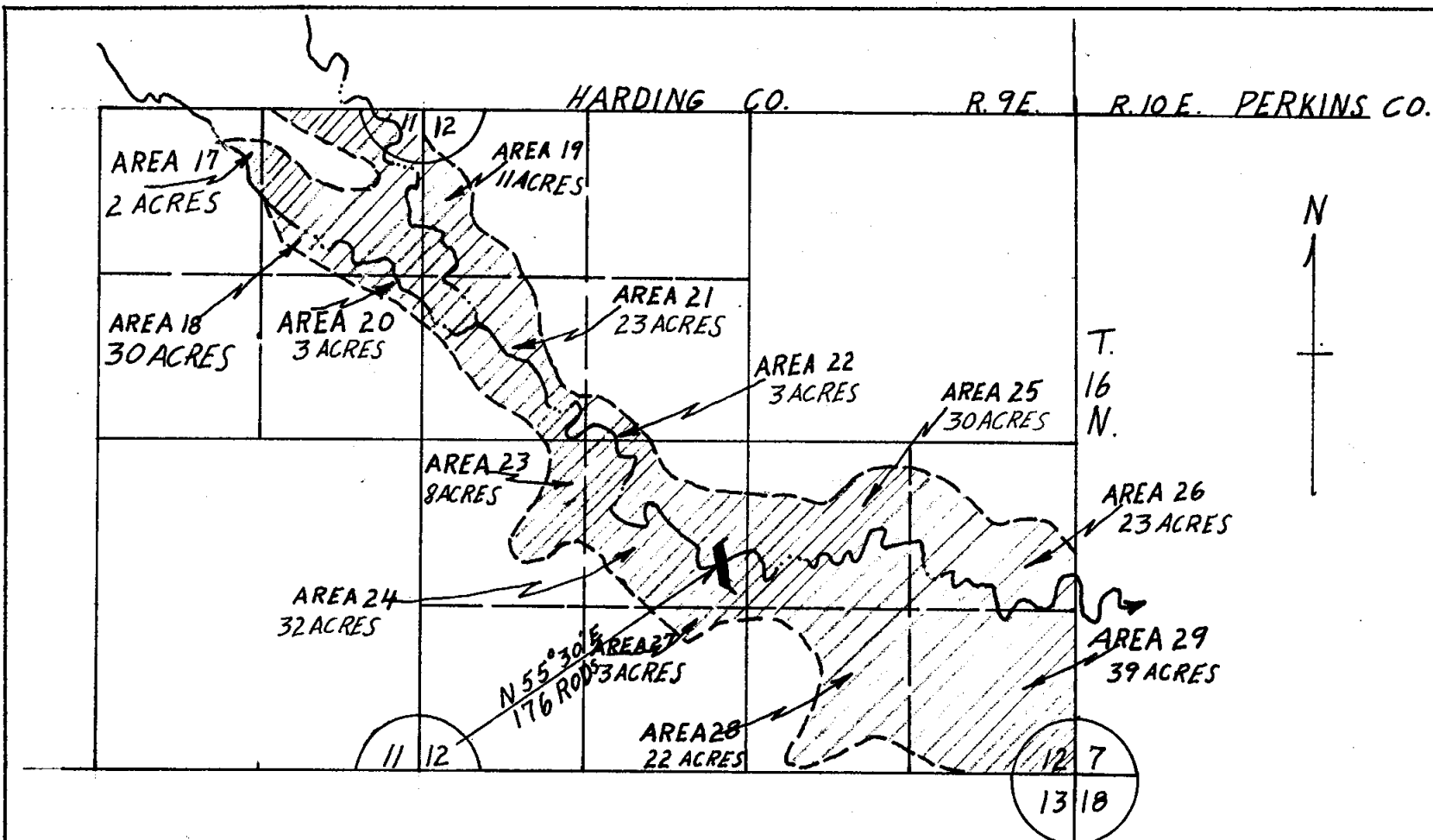
Enclosed are Receipt Nos. 001532 and 001533 in the amounts of \$2.50 each. You may keep these for your records.

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



LANDS TO BE IRRIGATED					
AREA	LOCATION	SEC.	T.	R.	ACRES
17	NW 1/4 NE 1/4	11	16 N	9 E	2.
18	NE 1/4 NE 1/4	11	16 N	9 E	30.
19	NW 1/4 NW 1/4	12	16 N	9 E	11.
20	SE 1/4 NE 1/4	11	16 N	9 E	3.
21	SW 1/4 NW 1/4	12	16 N	9 E	23.
22	SE 1/4 NW 1/4	12	16 N	9 E	3.
23	NW 1/4 SW 1/4	12	16 N	9 E	8.
24	NE 1/4 SW 1/4	12	16 N	9 E	32.
25	NW 1/4 SE 1/4	12	16 N	9 E	30.
26	NE 1/4 SE 1/4	12	16 N	9 E	23.
27	SE 1/4 SW 1/4	12	16 N	9 E	3.
28	SW 1/4 SE 1/4	12	16 N	9 E	22.
29	SE 1/4 SE 1/4	12	16 N	9 E	39.
TOTAL					229.

DERRELL K. BROWN
 IRRIGATION PROJECT
 HARDING & PERKINS CO., S.D.

Addendum to Map No 397-1
 Appl No 456-1