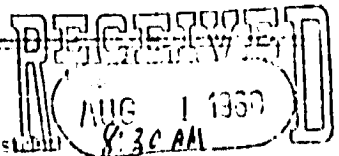


510-1

1. Considered CC 12 21, 1960
2. Name of Applicant Gov. Robinson
3. Post Office Address Newell
4. Amount of water claimed 2.5
5. Source of water supply Dry Creek & Robbins Cr
6. Water to be used for irrigation
Acres to be irrigated 181
7. Water to be diverted and used in Smith County about
35 NE miles of Newell.
8. Proof of Publication Received ✓ 100
Not Received
9. Application Approved
Subject to
Not approved
Action deferred
10. Remarks:

No. 510-1Water Division No. 1 BELLE FOURCHE RIVER
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
PIERRE 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 LEVI ROBBINS, ROBERT & JAY TOPE
Postoffice address NEWELL, County Butte, State So. Dak.

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)

X X X(b) Cash on hand, \$ X X(c) Treasury stock, \$ X X(d) Bonds to be issued, \$ X X(e) Other resources, \$ X X2. Name of diversion work THE ROBBINS IRRIGATION PROJECT.3. Amount of water claimed 2.3 cubic feet per second

4. Source of water supply Dry Creek and Robbins Creek
Robbins Creek; S 71° 45' E 285' from the NW Cor. Sec. 3, T.8 N., R. 6 E-BHM
Dry Creek; Between a point N. 90° W. 1320' from the E 1/4 Cor. Sec. 3 and a point
N. 0° E 1220' from the SE Cor. Sec. 3, T.8 N., R. 6 E-BHM.
on Both bank Butte County.

6. Annual period or periods during which water is to be used April 1st thru Sept. 15th

7. To be used for:

I. Irrigation or domestic use: Gravity _____ head sprinkling or combination system? Gravity(a) Number of acres to be irrigated 181 acres.Lot 4+28 Ac. SW-NW-33 Ac. Sec. 3, T.8 N., R. 6 E-BHM Total 53 Ac.

(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.)

NW-SE-38 Ac. NE-SE-36 Ac. SW-SE-15 Ac. SE-SE-34 Ac. Sec. 3, T.9 N., R. 6 E.
(c) Statement as to domestic use (giving location, etc.) Total 123 Ac.

Grand Total

181 Ac.Stockwatering and irrigation

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

(a) Nature of use Stockwatering and irrigation
Name any of the above uses claimed(b) Amount of power to be generated None horse power.Amount claimed for engine cooling None(c) Location of plant None(d) Method of developing power None(e) Point where water will be returned to stream X X

MAP No 430-1

8. Estimated cost of work:

(a) Head Gate, ~~PTO, 6-200 Berkeley trailer mounted Pump~~ pumping plant, \$ ~~2000.00~~
 390' 7" Aluminum pipe & Accessories
 (c) Fluming, \$ (d) Canal earth, \$ Rock, \$ 867.00
 (e) Other structures \$ Total, \$ 1467.00

9. Description of diversion works:

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

~~Operator claims vested right to diversion dam and reservoir on Robbins~~
Creek

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 FT/MILE
At _____ Feet	_____ 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 reduction in size are made.

10. Time required for completion of work _____ **4 years** years.

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

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

~~The Valley Irrigator, Newell, So. Dak.~~

STATE OF SOUTH DAKOTA

County of **Butte**

I, **Levi Robbins**

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

Levi Robbins

Subscribed and sworn to before me this **22nd** day of **July** 19 **60**

Carl M. Cornell,

Notary Public for State of South Dakota

FLAT
OF
THE ROBBINS IRRIGATION PROJECT
SECTIONS 2 AND 3, T.8 N., R.6 E-4MM
BUTTE COUNTY, SOUTH DAKOTA.

SCALE: 1 inch = 660 feet
8 inches = 1 mile.

- SURVEYOR'S CERTIFICATE -

I, Carl M. Cornell, Licensed Surveyor, in and for the State of South Dakota, do hereby certify that at the request of Levi Robbins, of Newell, Butte County, South Dakota, I have made a survey of the irrigable tracts which are depicted on this plat and have prepared this plat of same for the purpose of furnishing the required plat to be submitted with his "Application for a Permit to appropriate Water for Irrigation Purposes," and computing the area thereof.

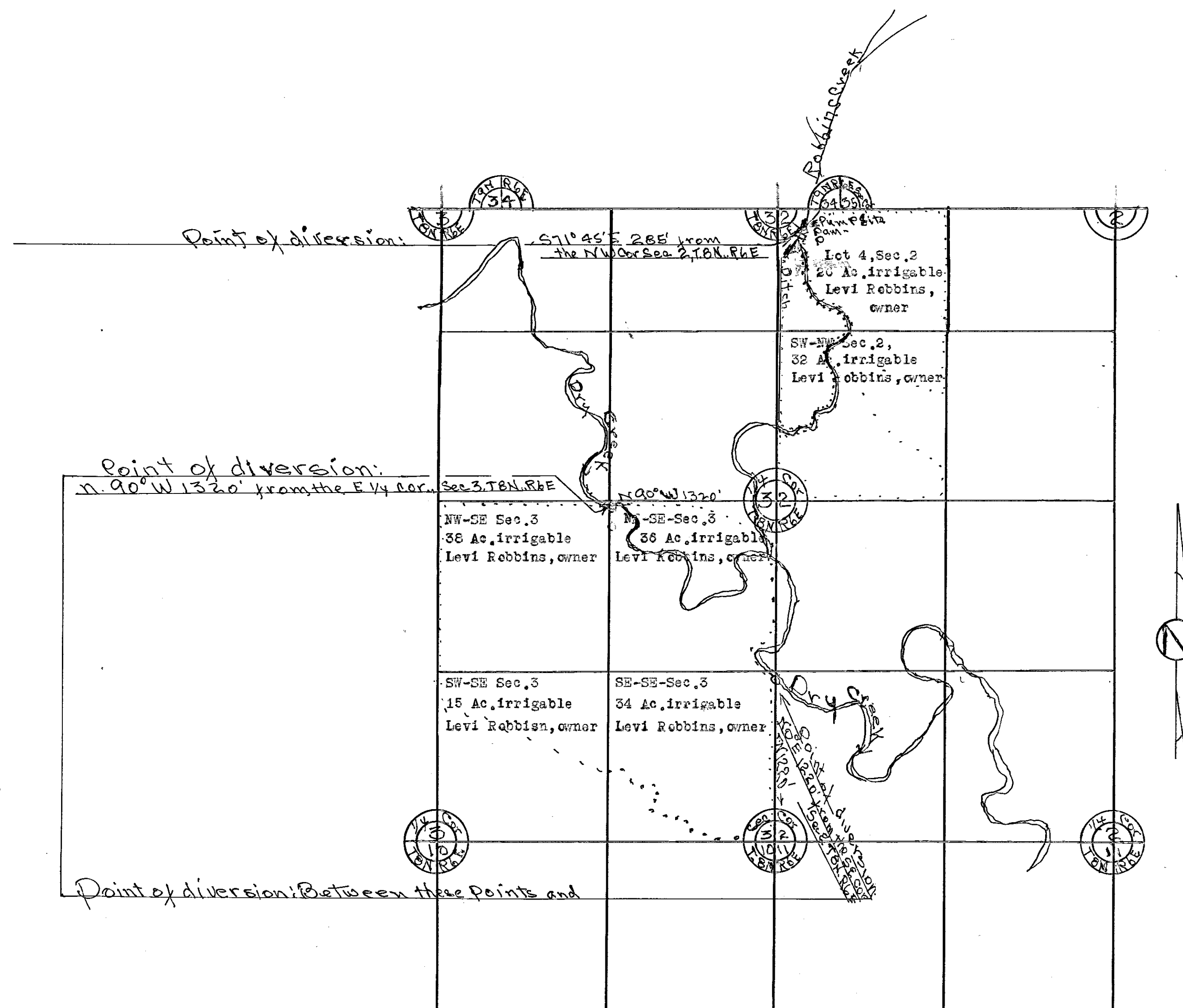
I further certify that the bearings and lengths of all lines shown, and their location with reference to the Government Land Corners shown, are correct, to the best of my knowledge and belief.

Subscribed and sworn to at Buffalo, South Dakota this 25th day of July, 1960.

SIGNED: *Carl M. Cornell*
Carl M. Cornell, Licensed Surveyor
No. 144 (SEAL)

Subscribed and sworn to before me at Buffalo, South Dakota this 25th day of July, 1960.

M. R. Henn
Notary Public, (SEAL)



Remarks by State Water Resources Commission:

"Partial vested right claimed"

Primarily, water available for this permit is return flows from the Belle Fourche Project. Such available flows may be reduced or changed by different water utilization by the project. The use of water under this permit is contingent upon water supplies being available to prior water rights.

Lands described in this permit which receive water from the Belle Fourche Project may not receive water under this permit at the same time water is being obtained from the Belle Fourche Project.

STATE OF SOUTH DAKOTA

County of

Hughes

ss.

Pierre, South Dakota,

JANUARY 3, 1961

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock

6 in. upon the 1ST day of August, 1960.

State Water Resources Commission

By:

Burton Jones
for Chief Engineer, Executive Officer

Number of permit 510-1

Date of first receipt of application August 1, 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 .13 from 1946
2.10 from August 1, 1960

Approved December 21, 1960, Recorded in Book 6 Page 175

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

December 21, 1962

2nd. The whole of said work is to be completed on or before December 21, 1964

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

December 21, 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 2.3 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 December 21, 1968; said water to be used during the following described annual period:

April to September inclusive

Witness my hand this 3rd day of January, 1961

State Water Resources Commission

By:

John Bruner
Chief Engineer, Executive Officer

Certificate of Construction issued JULY 8, 1970

Water license issued JULY 8, 1970

STATE OF SOUTH DAKOTA

WATER LICENSE NO. ... 510-1

(1) WHEREAS, On the 1st day of August A. D. 19 60
Levi Robbins

made Water Right Application No. 510-1 for a permit to use 2.3 cubic feet per second of the waters
of Dry Creek and Robbins Creek
County of Butte, State of South Dakota, for irrigation
purpose; and

(2) WHEREAS, On the 3rd day of January A. D. 19 61

Permit No. 510-1, with a date of priority of 1946 and August 1, 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 21st day of December A. D. 19 64 and for the
application to beneficial use of said water on or before the 21st day of December 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 2.3 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 T8N, R6E

Section 2	Lot 4	26 acres
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	32 acres
Section 3	SW $\frac{1}{4}$ SE $\frac{1}{4}$	38 acres
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	36 acres
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	15 acres
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	34 acres
Total		181 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 Levi Robbins

_____ of Newell
the holder _____ and owner _____ of said permit No. 510-1 a water right, dating from 1946 and
August 1, 1960 to use of 2.3 cubic feet per second of the waters
of Dry Creek and Robbins Creek

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~~ between points in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 3, and in
lot 4, Section 2, T8N, R6E

and conduct to and upon Portions of Sections 2 and 3, T8N, R6E described on the
face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 510-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 8th day of July _____ A. D.
Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRINES

Form 15.

Permit No. 510-1

Water Diversion No. 1 BELLE FOURCHE RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Levi Robbins

_____ the holder _____ of
Permit No. 510-1, issued upon Application No. 510-1, bearing date of priority of 1946 and
August 1, 1960 authorizing the diversion of 2.30 cu. ft. per second of the waters of _____
Dry Creek & Robbins Creek County of Butte, State of South Dakota;
between points in the SE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 3, and in Lot 4, Section 2, T8N, R6E
_____, 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 2.3 cu. ft. per second of water.

Date July 8, 1970

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

Permit No. 510-1
 Water Division 1 BELLE FOURCHE RIVER Water District

REPORT 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 LEVI
ROBBINS of NEWELL holder
 of Permit No. 510-1, bearing date of priority of AUGUST 1, 1960
 authorizing the diversion of 2.3 cu. ft. per second of the waters of ANY CREEK & ROBBINS DRAIN
 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:

SMALL SPREADER DAM ON DRAIN
BERKELEY 6" INLET & 10" OUTLET PUMP, POWERED
BY INTERNATIONAL DIESEL TRACTOR MODEL 656

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

390' OF 7" DISCHARGE PIPE TO ABOUT
3/4 MILE OF MAIN DITCH

C. Works used to apply water to beneficial use.

SPREADER DITCHES & DIKES TO
LEVELLED LAND

The system is in the following condition: GOOD

The point of diversion is located BETWEEN POINTS IN THE SE⁴SE⁴ SECTION 3,
AND IN LOT 4, SECTION 2, T8N, R6E

The works are capable of diverting and conveying to the place of use 2.3-PUMP UP TO 10 CFS
BY SPREADER
 cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows: ALL IN T8N, R6E

SECTION 3		SECTION 2	
NE ¹ SE ⁴	38 ACRES	LOT 4	26 ACRES
NE ¹ SE ⁴	36 "	SW ¹ NW ⁴	32 "
SW ⁴ SE ⁴	15 "		
SE ⁴ SE ⁴	34 "		
comprising a total of <u>181</u> acres of land.			

Date JULY 1, 1970
Durston Jones
 (Signature)
 WATER RIGHT SPECIALIST
 WATER RESOURCES COMMISSION

Location No.

Water Division No. Water District

Proof of Application of Water to Beneficial Use**PETITION OF HOLDER**

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

Ans. LEVI ROBBINS; NEWELL, SO. DAK. STOCK FARMER; NEWELL, SO. DAK.

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

Ans. THIS IS A PRIVATE OWNED PROJECT.

Ques. 3. State date of posting and date of recording notice of appropriation.

The structures were completed and in use at the time I purchased the land involved in 1946 and has been used annually since that time.

Ques. 4. State source of water supply and give exact location of point of diversion.
Robbins Creek (a dry draw). Point of diversion; S 71° 45' E 285' from the NW Cor. Sec. 2, T. 8 N., R. 6 E-BHM Butte County, South Dakota.

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

Ans. I dam 16' long- H- 6' Concrete face. Flume 16' X 24" with steel headgate.Main ditch 1400' at head of field. (In place when I purchased the place in 1946.

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

For irrigation; Lot 4-3¹; A-., SW-1/4- 6 Ac. Sec. 2, T. 8 N., R. 6 E-BHM Total 9¹ Ac.

Ans.

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

Ans. Irrigation and stockwater only.

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

Ans. .137 Sec. Ft. a ctually covers the area previously irrigated from this point but operation proposes to turn from this site to irrigate the east side of Lot 4

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

Ans. X X

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

Ans. ~~Water from this draw has been diverted to flood land below when~~
~~water was available since I purchased this place in 1946~~

(Sign)

Levi Robbins

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Butte County, County of Butte

State of South Dakota, on this 22nd day of July A. D. 1960

Witnesses.

Carl H. Cornell
Carl H. Cornell, Notary Public (SEAL)

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

Robert J. Donaldson

E. J. Krasner

700

123

Location No. _____

PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE

PETITION OF HOLDER

Amount of Water _____ c. f. s.

Source _____

County _____

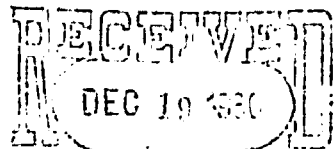
Purpose _____

Place of Use _____

Date of recording _____

Received and filed _____

PROOF OF PUBLICATION



STATE OF SOUTH DAKOTA

SS.

County Butte

STATE WATER RESOURCES COMMISSION

PIERRE, SOUTH DAKOTA

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 Newell County of

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

November 24, 1960

December 1, 1960

December 8, 1960

December 15, 1960

in each and every issue of the full number thereof, the first publication being made on the 24th day of November

1960 and the last publication on the 15th day of

December 1960, 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 ~~manager~~ and publisher of the said newspaper.

P. Lyn Gladstone

Subscribed and sworn to before me this 15 day of December A. D. 1960

Notary Public Butte County, S. D.

APPROPRIATION OF WATER

Office of State Water Resources Commission, Pierre, S. Dak., November 18, 1960

Notice is hereby given that Levi Robbins, whose postoffice address is Newell, 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 2.3 cubic feet of water per second of time from Dry Creek & Robbins Creek, through the Robbins Irrigation Project, the point of diversion of which is to be located on both banks of said stream between a point in Lot 4, Sec. 2, and a point in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3, both in Twp. 2N, Range 6E. Said water to be used for the purpose of providing irrigation on portions of the following described land: Lot 4 and SW $\frac{1}{4}$ 1/4 Sec. 2; NE $\frac{1}{4}$, Sec. 3, all in T. 2N, R. 6E, and for stockwatering purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 21st day of December, 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

BY:

Burton F. Jones, Water Right Specialist (sc)

(First Publication on or before Nov. 24 19 60)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., November 18, 19 60

Notice is hereby given that Lavi Robbins whose postoffice address is Newell 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 2.1 cubic feet of water per second of time from the Dry Creek & Robbins Creek through the Robbin Irrigation Project, the point of diversion of which is to be located on the both banks of said stream/in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 3, both in Twp. 8N Range 6E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

Lot 4 and SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 2; SE $\frac{1}{4}$ Sec 3, all in T 8N R 6Eand for stockwatering purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 21st day of December, 19 60, 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: F. Lyn Gladstone—Publisher
Valley Irrigator
Newell, South Dakota

By:

~~State Water Resources Commission~~
Burton F. Jones
Water Right Specialist

**OVERSIZE
DOCUMENT IS
SUPPLEMENTARY
TO MICROFILM FILE**

Form 20.

510-1

NOTICE OF TRANSFER OF WATER PERMIT

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

Date October 27, 1971

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

portions of Sections 2 and 3, T8N, R6E, described in Water Permit No. 510-1

formerly owned by Levi Robbins, Newell, S.D.

has been transferred to Robert and Jay Tope, Newell, S.D.

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 510-1 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

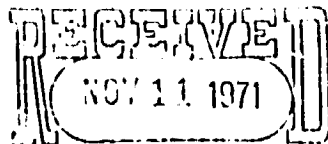
County of Battle) ss.

I, Robert Tope, 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.

Robert Tope
(Signed)

Suscribed and sworn to before me this 7th day of November, 1971

Shirley J. Anderson
(Notary Public)



STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

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

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

February 8, 1989

ROBERT & JAY TOPE
RR #1 BOX 63A
NEWELL, SD 57760

NOTICE

RE: Violation of Requirement to Submit 1988 Irrigation Questionnaire

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 510-1. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of hearing to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, 1-90 at LaCrosse, Rapid City SD.

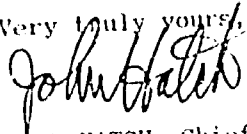
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s). 510-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire is received in this office before the March 1st hearing date, your name will be deleted from the agenda for the hearings.

Very truly yours,



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



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

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

February 23, 1989

510-1

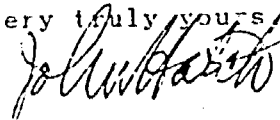
Robert & Jay Tope
RR #1 Box 63A
Newell, SD 57760

Dear Sirs:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 510-1. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaire your name has been deleted from the March Water Management Board meeting agenda.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division



Department of Water & Natural Resources

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

510-1

March 28, 1991

Robert & Jay Tope
RR 1, Box 63A
Newell SD 57760

Dear Mr. Tope:

The Water Management Board has validated the enclosed Vested Water Right No. 510-1. This validation gives legal status to the claim and is the final document for your vested right.

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

Very truly yours,

A handwritten signature in cursive script that reads "John Hatch".

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

enclosure

SOUTH DAKOTA

VALIDATION OF (PARTIAL) VESTED WATER RIGHT CLAIM NO. 510-1
FOR IRRIGATION

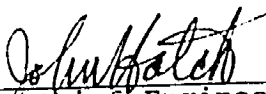
Date Claim Accepted For Filing August 1, 1960.

Date of Validation September 27, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim Permit No. 510-1 for irrigation purposes for Robert and Jay Tope, Rural Route 1, Box 63A, Newell, South Dakota 57760 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 510-1 appropriates 0.13 cubic feet of water per second from Dry Creek and Robbins Creek to irrigate 9.5 acres. The diversion point is located in Lot 4 and the irrigated acres are located in Lot 4 and the SW1/4 NW1/4; all in Section 2, T8N, R6E.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per year for each acre of irrigated land. The water is to be used during the following annual period: April 1 - September 30.
3. The priority date of the Vested Water Right is January 1, 1946.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: 
Chief Engineer
Division of Water Rights
Dept. of Water and Natural Resources

MAR 25 1991

date

510-1



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

January 29, 1993

NOTICE

TO: ROBERT & JAY TOPE
RR #2 BOX 63A
NEWELL SD 57760

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

RE: Violation of Requirement to Submit 1992 Irrigation Questionnaire

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 510-1. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:30 am, March 3, 1993, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 510-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, your name will be deleted from the Board agenda.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fees.

3. Article Addressed to:

510-1

ROBERT & JAY TOPE
RR #2 BOX 63A
NEWELL SD 57760

4a. Article Number

P906 560 074

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

JAN 8 1993

5. Signature (Addressee)

Robert Jay Tope

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 U.S.G.P.O. 1992-307-330

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.

510-1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 22, 1993

510-1

Robert & Jay Tope
Box 85
Newell, SD 57760

Dear Sirs:

I am writing to acknowledge receipt of your 1992 irrigation questionnaire for Water Right No. 510-1. You may disregard the January 29, 1993, Notice of Violation of the Requirement to Submit the 1992 Irrigation Questionnaire.

The questionnaire was received in our office prior to the Water Management Board meeting, your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Genny McMath'.

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fees.

3. Article Addressed to:

570-1

ROBERT & JAY TOPE
BOX 85
NEWELL, SD 57750

4a. Article Number

P378 081 403

4b. Service Type

- ☐ Registered
- ☐ Express Mail
- ☐ Return Receipt for Merchandise
- ☒ Certified
- ☐ Insured
- ☐ COD

7. Date of Delivery

2/5/97

5. Received By: (Print Name)

Robert Tope

6. Signature: (Addressee or Agent)

X *Robert Tope*

8. Addressee's Address (Only if requested and fee is paid)

Domestic Return Receipt

Thank you for using Return Receipt Service.



February 4, 1997

310-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

TO: ROBERT & JAY TOPE, BOX 85, NEWELL, SD 57760

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 510-1. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 2:30 pm, March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 510-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before February 28, 1997, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



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

February 18, 1997

510-1

Robert & Jay Tope
Box 85
Newell, SD 57760

Dear Mr. Tope:

I am writing to acknowledge receipt of your 1996 irrigation questionnaire. You may disregard the February 4, 1997, Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaire.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you and if you have any questions, please contact me.

Sincerely,

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

510-1

18727 Youngberg Road
Newell, S.D. 57760
November 4, 2003

Genny McMath
Environmental Scientist
Water Rights Program

I am selling the land that the water right on Robbins Creek irrigates. I need to transfer the permit. Would you please direct me as how to proceed. Thank you in advance.

Please note my address has been ^{changed} (911) since last mailing.

Sincerely,

Robert Tye

RECEIVED

NOV - 5 2003

WATER RIGHTS
PROGRAM



**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 6, 2003

510-1

Robert Tope
18727 Youngberg Rd
Newell SD 57760

Dear Mr. Tope:

Thank you for the prompt return of your 2003 irrigation questionnaire and your note concerning the pending sale of your land.

Once the land is sold, the new owner will need to submit a change of ownership with us. Enclosed is a partially completed "Notice of Transfer of Ownership" to be used for this purpose. If you are not selling all of the land described on the transfer form, you may edit the legal description as needed.

Once the land is sold, the new owner can complete the form and return it to us with a \$2.50 filing fee. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

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

enclosure



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 13, 2004

510-1

Robert Tope
18727 Youngberg Rd
Newell SD 57760

Dear Mr. Tope:

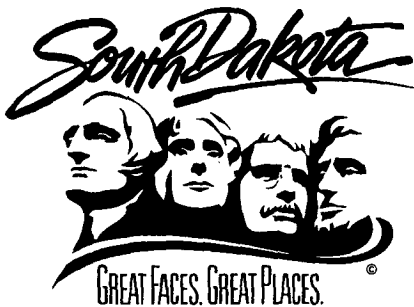
I am contacting you in regard to Water Right No. 510-1 held in the names of Robert and Jay Tope. Last November you mentioned on your irrigation questionnaire that the land was being sold. In response to your note, I forwarded you a "Notice of Transfer of Ownership" form in the event it was needed.

We are getting ready to mail the 2004 irrigation questionnaires out soon and I realized I had not heard back from you regarding whether or not the land was sold. If it was, please forward me the new owner(s) name and address and I can contact them about the water right.

The 2004 questionnaires will be mailed out in mid October. If the water right needs to be updated as far as ownership, please notify us before that time. Thank you in advance for your help.

Sincerely,

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



510-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 20, 2005

NOTICE

TO: ROBERT & JAY TOPE, 18727 YOUNGBERG RD, NEWELL, SD 57760

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire

Our records indicate that the 2004 Irrigation Questionnaire has not been submitted for Permit No. 510-1. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 2, 2005, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No. 510-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire is received in this office on/or before **February 25, 2005**, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire, please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



510-1

Track & Confirm

Current Status

You entered 2301 3460 0000 8516 1909

Your item was delivered at 8:38 am on January 24, 2005 in NEWELL, SD 57760. The item was signed for by Q TOPE.

[Shipment Details >](#)

Notification Options

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U.S. Postal Service Signature Confirmation Receipt

SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8516 1909

ROBERT & JAY TOPE
18727 YOUNGBERG RD
NEWELL SD 57760

Waiver of Signature ☐ YES ☐ NO

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mailing.

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www.usps.com
or call 1-800-222-1811

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(See Reverse)

PS Form 153, July 2001



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 24, 2005

510-1

Robert & Jay Tope
18727 Youngberg Rd
Newell SD 57760

Dear Sirs:

I am writing to acknowledge receipt of your 2004 irrigation questionnaire. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right No. 510-1.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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



510-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 26, 2007

NOTICE

TO: ROBERT & JAY TOPE, 18727 YOUNGBERG RD, NEWELL, SD 57760

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire has not been submitted for Permit No(s) 510-1. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:30 am, March 7, 2007, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 510-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before March 1, 2007, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:
<https://www.state.sd.us/efrms/secure/efrms/E0455V5-IQ.pdf>

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



5/0-1

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Label/Receipt Number: 2303 2160 0000 0799 7023

Status: **Delivered**

Your item was delivered at 11:11 AM on January 29, 2007 in NEWELL, SD 57760. The item was signed for by R TOPE.

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U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 7023

Post
AM

ROBERT & JAY TOPE
18727 YOUNGBERG RD
NEWELL SD 57760

Waiver of Signature ☐ YES ☐ NO

Postmark
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Form 3800, May 2002 (See Reverse)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 6, 2007

510-1

Robert & Jay Tope
18727 Youngberg Rd
Newell SD 57760

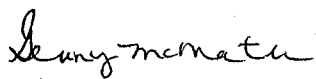
Dear Sirs:

I am writing to acknowledge receipt of your 2006 irrigation questionnaire. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right No. 510-1.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,


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



510-1

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

January 20, 2022

NOTICE

TO: ROBERT & JAY TOPE, 18727 YOUNGBERG RD, NEWELL, SD 57760

FROM: Ron Duvall, Water Rights Permitting Administrator
for Eric Gronlund, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2021 Irrigation Questionnaire(s)

Our records indicate your 2021 Irrigation Questionnaire has not been submitted for Permit No(s) 510-1 as required by administrative rule 74:02:01:14.02. The request for the Questionnaire was dated October 22, 2021. The Water Management Board has directed that owners of water permits who have not submitted the 2021 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at **Wednesday, March 2, 2022 at 9:30 am (Central Time)** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 510-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office before the **March 2, 2022** hearing you will no longer be in violation of your permit and your name will be removed from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. **If you prefer, you can complete the questionnaire online at the following link: <https://danr.sd.gov/iq> using this password: FWUPWF**

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

510-1



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

February 14, 2022

510-1

Robert & Jay Tope
18727 Youngberg Rd
Newell SD 57760

Dear Sirs:

I am writing to acknowledge receipt of your 2021 irrigation questionnaire.

You may disregard the January 20, 2022, "Notice" concerning reporting requirements for Water Right No. 510-1. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

ATTACHMENT TO PARTIAL VESTED WATER RIGHT NO. 510-1

Partial Vested Water Right License No. 510-1 authorized diversion of 2.30 cubic feet of water per second (cfs) from Dry Creek and Robbins Creek, Butte County, South Dakota for irrigation purposes. No. 510-1, with priority dates of January 1, 1946, and August 1, 1960, authorizes irrigation of 181 acres in Lot 4 and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2 and the SE $\frac{1}{4}$ Section 3, all in T8N, R6E.

Ownership changes were filed August 25 & September 28, 2022 for the land described in No. 510-1. Based on the ownership changes, No. 510-1 is being divided and reissued to reflect separate ownership as follows:

- **510A-1, Brandon or Jessica Gatzke**, authorizing diversion of 1.56 cfs from Dry Creek to irrigate 123 acres located in the SE $\frac{1}{4}$ Section 3, T8N, R6E. A priority date of August 1, 1960, is retained.
- **510B-1, John E Maxwell**, authorizing diversion of 0.74 cfs from Robbins Creek to irrigate 58 acres located in Lot 4 and the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 2, T8N, R6E. Priority dates are as follows:
January 1, 1946: 9.5 acres & 0.13 cfs
August 1, 1960: 48.5 acres & 0.61 cfs