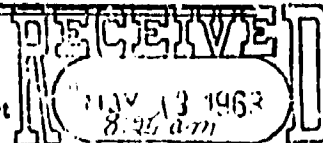


1. Considered 7-17-, 1963 581-1A
2. Name of Applicant LEROY COOPER
3. Post Office Address HARDING SO DAK
4. Amount of water claimed None
5. Source of water supply VALLEY CREEK
6. Water to be used for IRRIGATION
- Acres to be irrigate 520.0
7. Water to be diverted and used in HARDING County
about 8E.75 miles of CAMP CREEK
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved
 Subject to
 Not Approved
 Action deferred
10. Remarks:

No. 581-1AWater Division No. 1 Little Missouri River District
(Planks 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 LEROY COOPERPostoffice address HARDING, County HARDING, State SO. DAK.I. ~~XXXXXXXXXX~~ REQUEST FOR CHANGE OF POINT OF DIVERSION AS SHOWN(a) ~~XXXXXXXXXX~~ BELOW

(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)

BY CONTRACT AND THE EMPLOYMENT OF OTHERS

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work THE COOPER FLOOD PROJECT3. Amount of water claimed 7.4 cubic feet per second 3330 GPM4. Source of water supply VALLEY CREEK (ADRY DEAR.)

APPLICANT WISHES TO CHANGE THE POINT OF DIVERSION IN PERMIT No. 581-1 from "A point N. 90° W. 10' from the S. 1/4 Cor. Sec. 7, T. 17 N., R. 3 E-BHM" to "a point in the SE 1/4-NW 1/4 of Sec. 18, T. 17 N., R. 3 E-BHM which lies N 75° E. 2017' from the W 1/4 Cor. said Sec. 18, T. 17 N., R. 3 E-BHM" on left bank of Valley Creek in Harding County, S.D.

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? GRAVITY(a) Number of acres to be irrigated 520 acres.

NW-NW-24 ac., NE-NW-39 ac., SW-NW-22 ac., SE-NW-40 ac., NW-NE-23 ac.,

NE-NE-37 ac., SW-NE-7 ac., SE-NE-38 ac., NW-SW-36 ac., NE-SW-40 ac.,

SW-SW-21 ac., SE-SW-34 ac., NW-SE-39 ac., NE-SE-38 ac., SW-SE-35 ac.,

SE-SE-33 ac., Sec. 7, T. 17 N., R. 3 E-BHM Total 520 ac.

(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 Y Y Y Y Y

MAP JP 494-1

8. Estimated cost of work: LAND LEVELING? SPREADER DAMS & DITCHES

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

(b) Pumping plant, \$3000.00

(c) Fluming, \$-----

(d) Canal-earth, \$-----

Rock, \$-----

(e) Other structures ----- \$-----

Total, \$-----

9. Description of diversion works:

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

SPREADER DAMS? DIKES AND DITCHES

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 ----- 5 ----- years.

11. Time required for complete application of water to the proposed beneficial use ----- 5 ----- years.

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

THE BUFFALO TIMES-HERALD, BUFFALO, SO. DAK.

STATE OF SOUTH DAKOTA

County of ----- HARBING ----- ss.

I, ----- LEROY COOPER -----, 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.

Subscribed and sworn to before me this ----- 10th ----- day of ----- May ----- 1963

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Remarks by State Water Resources Commission:

This permit is a change in diversion from that granted under 581-1, and cancels 581-1. The priority for this permit is transferred from 581-1.

STATE OF SOUTH DAKOTA

County of

Hughes

ss.

Pierre, South Dakota.

January 17, 1964

This is to certify that the foregoing application was received by the Commission at 8:25 o'clock

9 a.m. upon the 13th day of May, 1963

State Water Resources Commission

By:

for Chief Engineer, Executive Officer

Number of permit 581-1A

Date of first receipt of application

May 13

1963

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

June 12

1961

Approved

July 17, 1963

Recorded in Book

6

Page

285A

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

January 17, 1966

2nd. The whole of said work is to be completed on or before

July 17

1968

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

July 17

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 7.4 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 July 17, 1968, said water to be used during the following described annual period:

April 1 thru November 30

Witness my hand this

17th

day of

January

1964

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Certificate of Construction Issued

MARCH 15

1971

Water License Issued

MARCH 15

1971

WATER LICENSE NO. 581-1A

(1) WHEREAS, On the 18th day of May A. D. 19 63
Leroy Cooper

made Water Right Application No. 581-1A for a permit to use 7.4 cubic feet per second of the waters
of Valley Creek
County of Harding State of South Dakota, for irrigation

purpose: and
(2) WHEREAS, On the 17th day of January A. D. 19 64
Permit No. 581-1A, with a date of priority of June 12, 1961

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 17th day of July A. D. 19 68 and for the
application to beneficial use of said water on or before the 17th day of July 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 7.1 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 Section 7, T17N, R3E

	Acres		Acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$	39	SE $\frac{1}{4}$ SE $\frac{1}{4}$	22
SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	SW $\frac{1}{4}$ NE $\frac{1}{4}$	15
SW $\frac{1}{4}$ SW $\frac{1}{4}$	21	SE $\frac{1}{4}$ NE $\frac{1}{4}$	25
NW $\frac{1}{4}$ SE $\frac{1}{4}$	18	Total	500 Acres
NE $\frac{1}{4}$ NE $\frac{1}{4}$	37		
NW $\frac{1}{4}$ NW $\frac{1}{4}$	26		
NE $\frac{1}{4}$ SW $\frac{1}{4}$	40		
SE $\frac{1}{4}$ SW $\frac{1}{4}$	34		
SW $\frac{1}{4}$ SE $\frac{1}{4}$	35		
NW $\frac{1}{4}$ NE $\frac{1}{4}$	36		
SW $\frac{1}{4}$ NW $\frac{1}{4}$	12		
NW $\frac{1}{4}$ SW $\frac{1}{4}$	38		
NE $\frac{1}{4}$ SE $\frac{1}{4}$	32		

(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 Leroy Cooper
_____ of Buffalo
the holder _____ and owner _____ of said permit No. 581-1A a water right, dating from June 12, 1961
_____ to use of 7.1 cubic feet per second of the waters
of Valley Creek
in the County of Harding and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted ~~at~~ from a point North 75° East, 2017 feet from the W
Corner, Section 18, to a point North 90° West, 1260 feet from the NE Corner,
and a point South 0°, 760 feet from the NW Corner, Section 7, all in T17N, R3E
and conduct to and upon portions of Section 7, T17N, R3E, described on the face of this
License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 581-1A and subject to the laws of the State of South Dakota.

WITNESS. My hand and seal of our office at Pierre, South Dakota
this 15th day of March A. D.
Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Permit No. 581-1AWater Diversion No. 1 LITTLE MISSOURI RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Leroy Cooper

_____ the holder _____ of
Permit No. 581-1A, issued upon Application No. 581-1A, bearing date of priority of June 12,
1961 authorizing the diversion of 7.4 cu. ft. per second of the waters of _____
Valley Creek County of Harding, State of South Dakota, ~~at~~ _____
from a point North 75° East, 2017 feet from the W $\frac{1}{2}$ Corner, Section 18, to
a point North 90° West, 1260 feet from the NE Corner, and a point South 0°
760 feet from the NW Corner, Section 7, all in T17N, R3E
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 7.1 cu. ft. per second of water.

Date March 15, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Harding } ss.

Donald L. Cammack being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the

Buffalo Times-Herald 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 Buffalo County of Harding and State of South Dakota; that said notice was published in said newspaper on the following dates:

June 20, 1963

June 27, 1963

July 4, 1963

July 11, 1963

in each and every issue of the full number thereof, the first publication being made on the 20th day of June 1963 and the last publication on the 11th day of July 1963, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was the printer and publisher of the said newspaper.

Donald L. Cammack

Subscribed and sworn to before me this 12th day of July

A. D. 1963

Donald L. Cammack
 Notary Public Harding County, S. D.

APPROPRIATION OF WATER

No. 581-1A

Office of State Water Resources Commission,
 Pierre, S. Dak., June 4, 1963.

Notice is hereby given that Leroy Cooper, whose postoffice address is Harding, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to change the point of diversion to appropriate for beneficial use no additional water than that granted under Permit No. 581-1 from Valley Creek through the Cooper Flood Project, the new point of diversion of which is to be located on the left bank of said stream in the SW1 of the NW1 of Section 18, Twp. 17N, Range 3E. Said water to be used for the purpose of providing irrigation on the described land under Permit 581-1.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of July, 1963, 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
 (Pub. June 20-27-July 4-11)

RECEIVED
 AUG 26 1963

STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

on or before June 22, 1963
(First Publication June 22, 1963)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., June 4, 1965

Notice is hereby given that Leroy Cooper whose postoffice address is Harding S. Dak., has made an application in accordance with change the point of diversion to the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use no additional water than that granted under Permit 581-1 ~~which is to be used for the purpose of providing irrigation on the~~ Valley Creek through the Coopers Flood Project now the point of diversion of which is to be located on the left bank of said stream in the SW ¼ of the NW ¼ of Section 18 Twp. 17N Range 3E. Said water to be used for the purpose of providing irrigation on the ~~the~~ described land: under Permit 581-1

~~NOTICE~~ ~~NOTICE~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of July 1963, 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

CC: Mr. D. L. Cammack, Publisher
Buffalo Times-Herald
Buffalo, South Dakota

- - EASEMENT - -

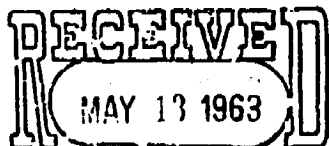
This easement, made and executed by Floyd A. Cooper (a married man) and Louise Cooper (his wife) herein referred to as the parties of the first part (both of Harding, South Dakota) and Leroy Cooper of Harding, South Dakota herein referred to as Party of the Second Part.

Witnesseth that Whereas the party of the first part is owner of the E $\frac{1}{2}$ -NW $\frac{1}{4}$ of Sec. 18, T.17 N., R.3 E-BHM in Harding County, South Dakota and whereas the party of the Second Part desires to construct a dike ~~or dam~~ for the purpose of diverting water from Valley Creek into what is locally known as the Koger Ditch at a point in the SE $\frac{1}{4}$ -NW $\frac{1}{4}$ of Sec. 18, T.17 N., R.3 E-BHM which point is located N 75° E. 2017 feet from the West Quarter Corner of said Section 18, T.17 N., R.3 E-BHM and he also wishes to repair and to maintain the said Koger Ditch to a capacity of 7 second feet of water, in flood season, and to convey said water along said ditch to a point on the north line of said Section 18 which point lies N. 60° E a distance of 1947 feet from the northwest corner of said Section 18 for the purpose of irrigating certain tracts in Section 7, T.17 N., R.3 E-BHM under his "Application for Permit, to Appropriate Water" No. 581, and Whereas the Party of the First Part is willing to grant to the Party of the Second Part, his heirs executors and assigns or successors in interest, the right to divert said water across the said E $\frac{1}{2}$ -NW $\frac{1}{4}$ Sec. 18 along the course of the Koger Ditch to his land in Sec. 7, T.17 N., R.3 E-BHM and Whereas the party of the Second Party is willing to assume all costs of said construction.

Now therefore in consideration of One Dollar (\$1.00) and other valuable consideration, the Party of the First Part hereby grants, gives, ~~XXXXXX~~ and lets onto the Party of the Second Part the right to divert the said water and to maintain the necessary dike and ditch for the purpose of conveying same. This is to be a permanent easement and shall be binding upon the said parties of the Second Part, their heirs and assigns and executors.

It is further stipulated between the parties to this agreement that a headgate shall be maintained in the diversion dike and that the party of the first part shall receive the 7.7 second feet of water to which he is entitled under his permit No. 591 before water is diverted into the ditch.

Dated and Signed this 29th day of April 1963 at Harding, South Dakota.



Floyd A. Cooper
Louise Cooper

Parties of the First Part.

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Subscribed and sworn to before me at Harding, South Dakota this 29th day of April, 1963.

CARL A. COUNTELL
Notary Public, Harding County, S. Dak.
My Commission Expires July 15, 1967

Carl A. Countell

Notary Public

(SEAL)

OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE

No. 581-1A

 **Department of
Water & Natural Resources**

Joa Foss Building Water Rights Division
Pierre, South Dakota 57501

Phone (605) 773-3352

October 29, 1982

Dennis Price
St Rt, Box 128
Buffalo SD 57720

Dear Mr. Price:

Please find enclosed a copy of our Form 20, Notice of Transfer of Water Permit. This must be signed by the owner before a notary public and returned to this office with a fee of Two Dollars and Fifty Cents (\$2.50).

Upon receipt of the Form 20 and the \$2.50 filing fee the permit will be transferred to the proper name.

Please advise this office if you have any questions.

Sincerely,

KAREN SCHLAAK
Administrative Secretary

enclosure

NO. 581-1A

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 11/23/82

This is to notify you that the title to the lands described as follows:
Section 7, R17N, R3E

formerly owned by LeRoy Cooper
has been transferred to Dennis Price, Star Rt, Box 128, Buffalo SD 57720
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 581-1A 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 Hauke) ss.

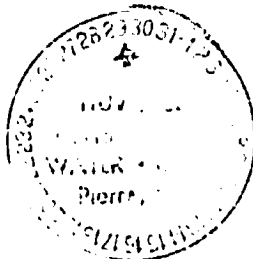
I, Dennis Price being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read
the above foregoing statement, and I know of my own personal knowledge that the infor-
mation herein stated is true.

Dennis Price
(Signed)

Subscribed and sworn to before me this 23rd Day of November, 1982.

Ruana Alamo
(Notary Public)

Comm Exp 6/22/90



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9043

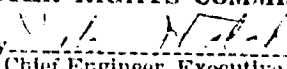
PIERRE, November 20, 1982

RECEIVED OF Dennis Price, Star Route, Box 128, Buffalo, SD 57720

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#531-1A	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 
Chief Engineer, Executive Officer

581-1A

No. _____



Department of Water & Natural Resources

Joe Foss Building

Water Rights Division

Pierre, South Dakota 57501

Phone (605) 773-3352

November 30, 1983

Dennis Price
Star Rt, Box 128
Buffalo SD 577201

Dear Mr. Price:

Enclosed is receipt No. 4 9043 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 581-1A.

Our records now show you as the owner of this Water Right.

Sincerely,

KAREN SCHLAAK
Administrative Secretary

enclosure

WNR-621-7/79

Receipt & Notice of filing of Transfer of Water Right