

801-1

1. Considered May 17, 1962
2. Name of Applicant W. A. Hickman
3. Post Office Address Kinley
4. Amount of water claimed 31
5. Source of water supply Dry draws
6. Water to be used for irrigation
- Acres to be irrigated 215.7
7. Water to diverted and used in Ziebach County
about 16.5 miles 15 E of DePree.
8. Proof of Publication Received _____
Not Received X
9. Application Approved ✓
Subject to letter
Not Approved _____
Action deferred X Investigation
10. Remarks:

No. 801-1Water Division No. 1 SULPHUR CREEK District
(Blanks to be filled by the Engineer for the W. R. C.)

APR 13 1967

STATE WATER RESOURCES COMMISSION
PIERRE SOUTH DAKOTAAPPLICATION FOR PERMIT
To appropriate Water within the State of South Dakota

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

1. Name of applicant W. A. Hickman
Postoffice address KIRLEY, County Ziebach, State SDakI. If a corporation None

(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)

Employment of others(b) Cash on hand, \$ Adequate

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$ USDA2. Name of diversion work Earth Diversion Dams3. Amount of water claimed 31 1.72 Approved cubic feet per second4. Source of water supply Dry Drows5. Location of point of diversion See back of sheetBETWEEN POINTS IN THE NW 1/4, SEC. 17, AND
IN THE SE 1/4, SEC. 22, T10N, R23E on PIERRE bank ZIEBACH County.6. Annual period or periods during which water is to be used When available

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Water spreading(a) Number of acres to be irrigated 215 7 1.00 Approved acres.(b) Legal subdivisions to be irrigated See back of 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.) None

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

(a) Nature of use None

Name any of the above uses claimed

(b) Amount of power to be generated None 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. 673-1

8. Estimated cost of work:

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

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

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

(d) Canal-earth, \$ 270.00

Rock, \$-----

(e) Other structures Ditch, Dams 32.00

Total, \$-----

9. Description of diversion works:

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

Earth Diversion Dams

II. Dimensions of works.

(a) Dam: Height 6.0 feet; length at bottom ----- feet; length at top 20.0 feet; thickness at bottom 4.0 feet; thickness at top 1.0 feet; slope at front water face 2:1; slope at back face 2:1; material used in construction Earth

(b) Reservoir: Capacity when filled No Storage 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 None feet; height ----- feet; Material -----

(d) Canal: Total length 0.28 miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At ----- Mile	<u>1.5</u> feet	<u>12.0</u> feet	<u>17.0</u> feet	<u>5.3</u> 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 3 years.12. Choice of newspaper for publication of notice of intention appropriateWest River Progress, Dupree, S.D.

STATE OF SOUTH DAKOTA

County of Deuel Hughes ss.

I, W. A. Hughes, 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 W. A. HughesSubscribed and sworn to before me this 12th day of April 1967H. E. Bowers
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

H. E. Bowers, Notary Public
M. Commissioner



WATER SPREADING
W. HICKMAN
ZIEBACH CO. EAST SYSTEM S. DAK.

MAP NO 673-1 SHT 1

(APPL NO 801-1)

7 8
10

170' S 43° 15' E

Existing
Structure

100' wide weeps

1.8 Ac.

6.3 Ac.

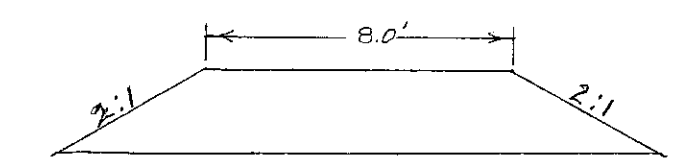
12.3 Ac.

34.6 Ac.

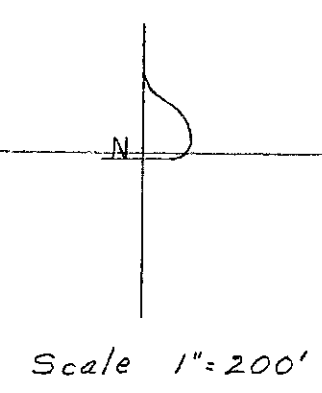
25.5 Ac.

37.8 Ac.

2.1 Ac.



ELEVATIONS			
Dike No.	Block	Spill.	Cont.
1	89.0	88.0	87.0
2	87.5	86.5	85.5
3	86.0	85.0	84.0
4	84.5	83.5	82.5
5	83.0	82.0	81.0
6	81.5	80.5	79.5
7	80.0	79.0	78.0
8	78.5	77.5	76.5
9	77.0	76.0	—



WATER SPREADING
W. HICKMAN
Ziebach Co West System S Dot.

MAD NR 673-1 SH+2

(APPL NO 801-1)

Remarks by State Water Resources Commission:

At Mr. Hickman's request the land to be irrigated in Section 22, T.14N, R.23E has been deleted from this permit.

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, August 28, 1962

This is to certify that the foregoing application was received by the Commission at 1:30 o'clock P.m. upon the 13th day of April, 1962.

State Water Resources Commission

By: Richard D. Schroyer
Chief Engineer, Executive Officer

Number of permit 801-1

Date of first receipt of application April 13, 1962

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 April 13, 1962

Approved July 19, 1962, Recorded in Book 9 Page 332

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 19, 1969

2nd. The whole of said work is to be completed on or before July 19, 1972

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

July 19, 1975

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 1.22 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 19, 1975; said water to be used during the following described annual period:

April 1st through November 1st

Witness my hand this 28th day of August, 1962

State Water Resources Commission

By: Richard D. Schroyer
Chief Engineer, Executive Officer

Certificate of Construction issued _____, 19____

Water License issued _____, 19____

Remarks by the Applicant:

Point of Diversion

1310 ft S43°15'E of NE Cor Sec 18 T10N R23E

3930 ft N38°10'E of NE Cor Sec 28 T10N R23E

Legal subdivisions all in T10N R23E

SE SW	Sec 8	1.5 Ac
SW SE	Sec 8	6.5 Ac
NE NW	Sec 17	12.3 Ac
NW NE	Sec 17	34.6 Ac
SE NW	Sec 17	25.5 Ac
SW NE	Sec 17	37.5 Ac
SE NE	Sec 17	2.1 Ac
SE NW	Sec 22	2.7 Ac
NW SE	Sec 22	1.4 Ac
NE SW	Sec 22	2.6 Ac
SW NE	Sec 22	20.2 Ac
SE NW	Sec 22	32.1 Ac

Total 215.7 Ac

4

at request
of Mr. H. Jensen

Affidavit of Publication

State of South Dakota, County of Ziebach, ss.

Harry L. Fairbanks, being duly sworn, on his oath says:

That the WEST RIVER PROGRESS is a newspaper of general circulation, published in Dupree, in said county and state, by Harry L. Fairbanks, and has been such newspaper during the time hereinafter mentioned; and that Harry L. Fairbanks, editor and publisher of said newspaper, in charge of the advertising department thereof and has personal knowledge of all the facts stated in this affidavit; that the advertisement headed

Appropriation of Water

a printed copy of which is hereunto attached, was printed and published in the regular and entire issue of said newspaper, and not in supplement, once each week for ~~22~~ successive weeks, the first publication being made the ~~22nd~~ day of ~~April~~, 1967, and the last publication on the ~~11th~~ day of ~~May~~, 1967. That the said newspaper is a legal newspaper, has bona-fide circulation of more than two hundred copies weekly, has been published within the county of Ziebach for more than fifty-two successive weeks prior to the first publication of said notice, and is printed in an office maintained in Dupree, Ziebach County, South Dakota, the place of publication of said newspaper. That the full amount of the fee paid for the publication of the attached notice is \$~~1.00~~ and inures solely to the benefit of said publisher; that no agreement or understanding for a division thereof has been made with any other person whomsoever.

Harry L. Fairbanks

Subscribed and sworn to before me this ~~22nd~~ day of ~~May~~, 1967

J. J. Anderson
Notary Public

APPROPRIATION OF WATER

Office of State Water Resources Commission

Pierre, S. Dak. April 14, 1967

Notice is hereby given that W. A. Hickman whose postoffice address is Kirley S. Dak., has made application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.1 cubic feet of water per second of time from dry draws through the Hickman Diversion Dams; the point of diversion of which is to be located on the either bank of said stream between points in the NW 1/4 NW 1/4 Section 17, and in the SE 1/4 of the NW 1/4 of Section 22 Twp 10N Range 23E. Said water to be used for the purpose of providing irrigation on portion of the following described land: SE 1/4 SW 1/4, SW 1/4 SE 1/4, Section 8; E 1/4 NW 1/4, W 1/4 NE 1/4, Section 17; SW 1/4 and SE 1/4 NW 1/4, Section 22, all in T10N, R23E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of May, 1967, at 2 p.m. All interested persons may appear and be heard.

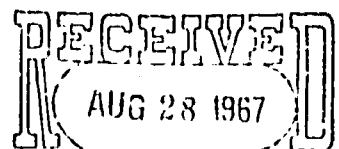
Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented. State Water Resources Commission.

By:

BURTON F. JONES

Water Right Specialist

pub. 4-20-27 5-4-11



STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

7 8
10

170' S 43° 15' E

Existing
Structure

100' wide weeps

1.8 Ac.

6.3 Ac.

12.3 Ac.

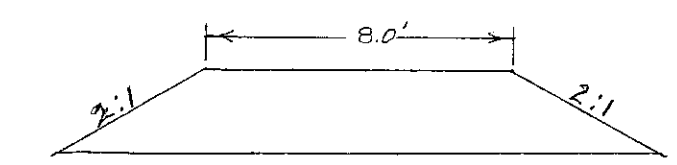
34.6 Ac.

25.5 Ac.

37.8 Ac.

2.1 Ac.

ELEVATIONS			
Dike No.	Block	Spill.	Cont.
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6	81.5	80.5	79.5
7	80.0	79.0	78.0
8	78.5	77.5	76.5
9	77.0	76.0	—



Scale 1"=200'

WATER SPREADING
W. HICKMAN
Ziebach Co West System S Dot.

MAD NR 673-1 SH+2

(APPL NO 801-1)

801-1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 23, 2010

700-2
801-1

Shirley Halligan
24387 Robbs Flat Rd
Midland SD 57552

Dear Ms. Halligan:

I am writing to acknowledge receipt of the ownership change you filed for Water Right No. 700-2. The transfer has been completed. The water right formerly listed in the name of W.A. Hickman is now listed as follows:

- (50% ownership) Shirley H Halligan JJH Non-GS Trust
- (50% ownership) Shirley H Halligan WAH Non-GS Trust

Enclosed is your Receipt No. 04592 in the amount of \$50.00 which you paid for filing the ownership change. You may keep this for your records.

When completing the transfer of ownership, I found another water permit listed in the name of W A Hickman. The land described in this water permit is in Ziebach County. This water permit (copy enclosed) does not have an annual reporting requirement since it is for a water spreading system.

Do you know if the spreader system is still in existence for the land in Ziebach County? I have enclosed a transfer form for this property in the event ownership should be changed. Upon completion, please sign and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

If you do not own the property, please disregard the transfer form and contact me so that I can update our records accordingly. 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

RECEIVED

AUG - 5 2010

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 801-1Date: 8-3-10I/We request that Water Permit No. 801-1formerly owned by: W A Hickman

now owned by the following (undivided)
owner: 10% SHH JSH Non-GS Trust 10% SHH WAH Non-GS Trust 80% R.H. Jordan
be transferred to: (name & address) Shirley H. Halligan et al. Ranch, Inc
24387 Rehbs Flat Rd
Mioland, SD 57552 Telephone No. (605) 563-3611

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

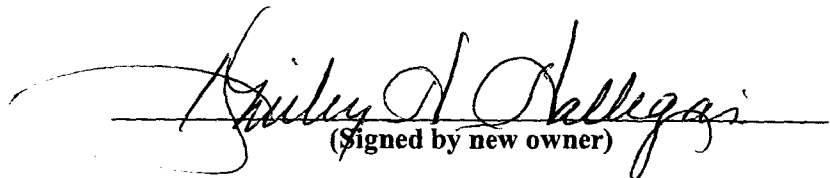
120.4 acres: SE ¼ SW ¼ and SW ¼ SE ¼ Section 8; E ½ NW ¼, W ½ NE ¼ and SE ¼ NE ¼Section 17, all in T10N, R23E, Ziebach County

I/We understand that the validity of Water Permit No. 801-1 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 Fifty Dollars (\$50.00) 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 Shirley H. Halligan the new owner, certify that the above information is true and trustee & stockholder 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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 8/5, 2010

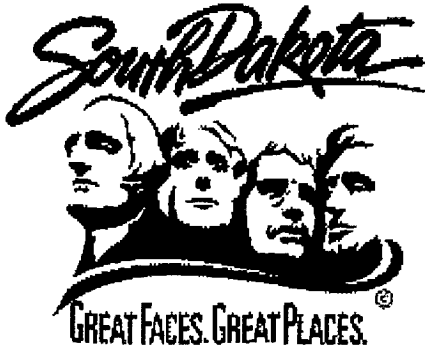
RECEIVED OF F Shirley Halligan 24387 Robbs Flat Rd Midland SD 57552

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	50	00
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>801-1</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. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 04590

By [Signature]
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 11, 2010

801-1

Shirley H Halligan
24387 Robbs Flat Rd
Midland SD 57552

Dear Ms. Halligan:

I am writing to acknowledge receipt of the ownership change you filed for Water Permit No. 801-1. The transfer has been completed. The water permit formerly listed in the name of W.A. Hickman is now listed as follows:

- (10% ownership) SHH JJH Non-GS Trust
- (10% ownership) SHH WAH Non-GS Trust
- (80% ownership) R H Jordon ranch, Inc

Enclosed is your Receipt No. 04598 in the amount of \$50.00 which you paid for filing the ownership change. You may keep this for your records.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosure