

LOCATION NOTICE

129-1

KNOW ALL MEN BY THESE PRESENTS:

THAT John W. Horner whose post office is Horner, South Dakota, a citizen of the United States, above the age of 21 years, being in possession of the following described land, to-wit: 21st section Thirteen township Thirteen North range Seven East B. H. M. in Butte County, South Dakota. Said lands comprising Desert Entry No. _____ Land District, availing himself of the right granted him under the provisions of Section 31 of Chapter 160 of the Session Laws of South Dakota of 1907, has located and claims the right to construct a certain dam across a dry draw situated in the SE 1/4 of the SE 1/4 section Sixteen township Thirteen N range Seven East and has located and claims the right to construct ditches and flumes for the purpose of directing flood waters from said dam for irrigation of the land first above described, and claims the right of way across any land for the purpose of conveying said waters for said purpose.

Said locator claims for the above purpose about cubic feet of water per second during the following described annual periods April 1st to August 1st inclusive, each year.

Said location was made on the _____ day of _____ 1911

Witness my hand and seal this 26th day of June 1911

John W. Horner

Locator.

STATE OF SOUTH DAKOTA } ss
COUNTY OF Butte

On the 26th day of June 1911, before me _____
Wm. C. Sellers, Clerk of Court Notary Public in and for the County and State aforesaid, personally appeared John W. Horner to me personally known to be the person who executed the foregoing instrument and acknowledged that he executed the same for the uses and purposes therein set forth.

Witness my hand and official seal, the day and date above written.

Wm. C. Sellers
Clerk of Court

Notary Public.

Pierre, South Dakota, _____ 1911

This is to certify that the foregoing location notice was received at this office at _____ o'clock _____ M., upon the _____ day of _____ 1911, and after examination it was _____

State of South Dakota

Location Notice Water License No. 129-1

(1) State of South Dakota, School and Public Lands
of Capitol Building, Pierre, South Dakota located and filed Location Notice No. 129-1
made Application No. June 26, 1909 for a right water permit to appropriate
2.2 cubic feet per second of water from a dry draw
Butte County, South Dakota for Irrigation purposes.
Location Notice
Permit No. 129-1 with a priority date of June 26, 1909
was approved located & filed by the and issued to applicant a diversion of water with construction of the described
water supply system The system was completed on or before and the water placed and for the application to beneficial use of said
water on or before

John W. Hoover originally located and filed Location Notice No. 129-1. March 12, 1985,
Location Notice No. 129-1 was transferred to the State of South Dakota, School and
Public Lands.

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system, and is entitled to divert 0.56 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 700' W of the E½ Corner, Section 16, T13N, R7E

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in T13N, R7E

Section 16

NE $\frac{1}{4}$:E $\frac{1}{4}$ **23 Acres** (AA)

SE $\frac{1}{4}$:NE $\frac{1}{4}$ **16 Acres** (AD)

TOTAL 39 ACRES

(4) Pursuant to §46-5-30.1 the State of South Dakota School and Public Lands

of Capitol Building, Pierre, South Dakota

Location Notice

the holder(s) and/or owner(s) of ~~Water Permit~~ No. 129-1 is issued a license to appropriate water, the right to use

0.56 cubic feet per second of water from a dry draw with a priority date

of June 26, 1909 from the location specified in (2) of this license. The water to be

conducted to and upon lands specified in (3) of this license for the purpose of Irrigation

This license is subject to any limitations or qualifications listed in Location Notice 129-1 and subject to South Dakota State Law.

Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JOHN HATCH

APR 23 1905

State of S. Dak

office copy

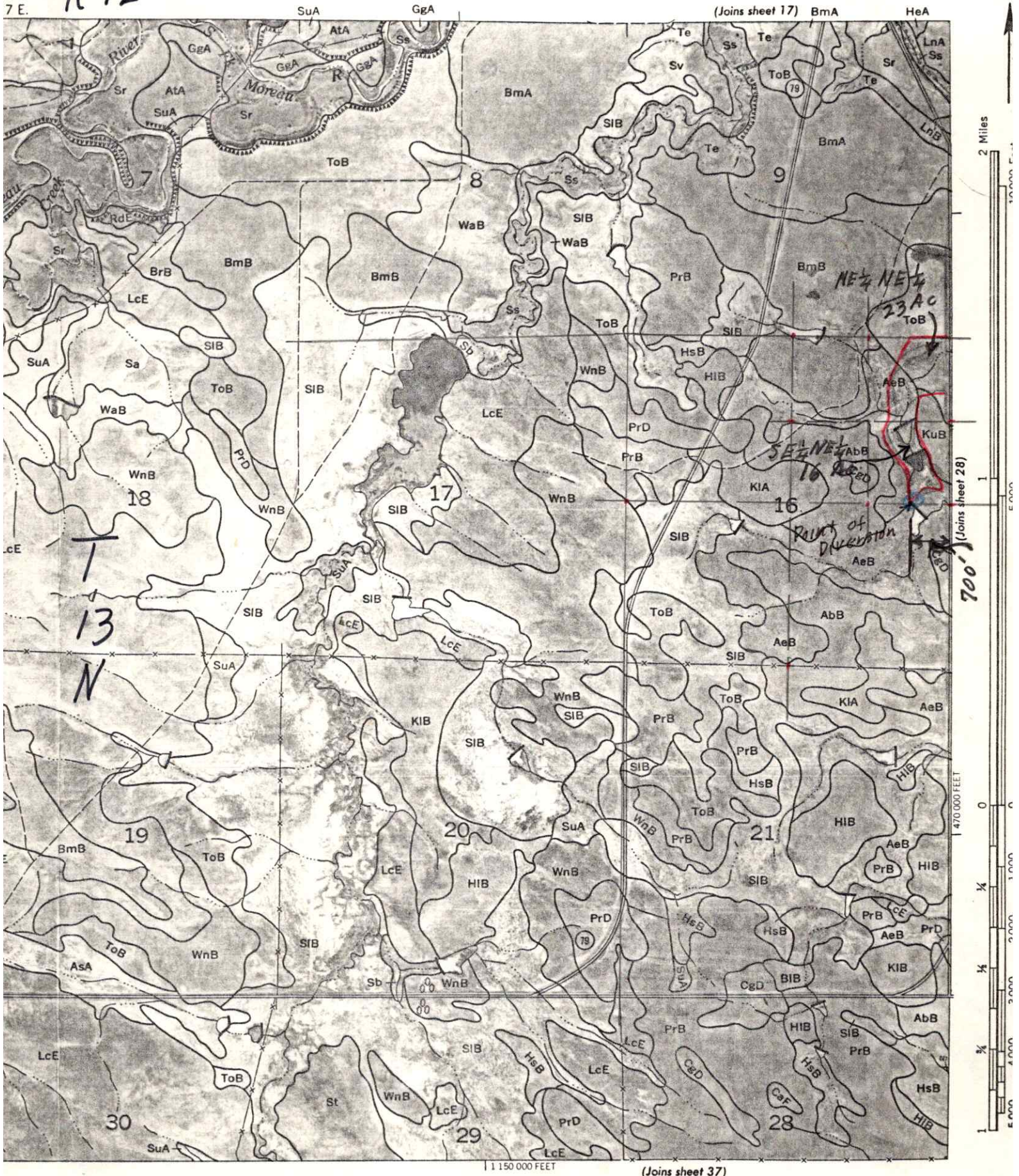
4 DAKOTA - SHEET NUMBER 27

Location Notice # 129-1

(2)

7 E.

R 7E



1:150,000 FEET

(Joins sheet 37)

Location Notice Permit No. 129-1Grand River Water District 10130304**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by _____

State of South Dakota a Pierre, S.Dak. 57501 holder ofL.N. Permit No. 129-1, bearing the priority of June 26 1909 authorizingthe diversion of 2.2 cu. ft. per second of the waters of A Dry Drawfor Irrigation purposes, in Butte County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

Three Small Diversion Dams

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

Ditches

C. Works used to apply water to beneficial use:

Dams Back water to irrigate some areasDams also Divert water onto a flat area.The system is in the following condition FairThe point of diversion is located 700' W of E $\frac{1}{4}$ Cor Sec. 16, T13N R7EThe works are capable of diverting and conveying to the place of use 10cu. 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 Section 16, T13N R7ENE $\frac{1}{4}$ NE $\frac{1}{4}$ = 23 AcSE $\frac{1}{4}$ NE $\frac{1}{4}$ = 16 Accomprising a total of 39 acres of land and the license should be issued for 0.56 cfsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: _____ Date October 10, 1984LeRoy J. Mernau
(signature)

WATER RIGHTS DIVISION
(605) 773-3352

March 5, 1985

Mike Cornellson
School & Public Lands
Capitol Building
Pierre, South Dakota

Dear Mr. Cornellson:

Enclosed per our discussion March 5, 1985 is a partially completed Notice of Transfer for transferring Location Notice No. 129-1 from John Hoover to the State of South Dakota. Please complete the form by having it notarized and return it to this office.

Our office is in the process of updating Location Notice No. 129-1 by having it transferred and then issuing a Water License for the lands currently being irrigated. As soon as the completed transfer form is received in our office, the water license will be issued and forwarded to your office.

If you have any questions, please contact us.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms
Enc.

NOTICE OF TRANSFER OF ~~WATER PERMIT~~

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: March 11, 1985

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

E 1/2 Section 16, T13N, R7E

formerly owned by John W Hoover

has been transferred to State of South Dakota, School & Public Lands, Capitol Bldg, Pierre

(please include complete mailing address)"

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

Location Notice
~~Water Right Permit~~ No. 129-1 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of ~~Water Right Permit~~"
in its appropriate file at the Div. of Water Rights, Water Management Board as
evidence of the change of ownership.

~~A fee of Two Dollars and Fifty Cents (\$2.50) is hereby attached to cover filing fees
as required under SDCL 46-5-13.~~

STATE OF SOUTH DAKOTA)
County of HUGHES) ss.

Alan D. Thomas, Deputy Commissioner,
I, School and Public Lands being first duly sworn on my oath despose 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.

Alan D. Thomas
(Signed)

Subscribed and sworn to before me this 11th Day of March, 1985.



Adeline Schlegel
(Notary Public)

My Commission expires: August 5, 1991.

SOUTH DAKOTA Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

APR 23 1985

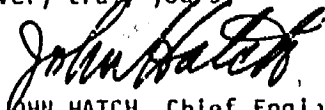
State of South Dakota
School and Public Lands
Capitol Building
Pierre, South Dakota 57501

Dear Sir:

Location Notice
Enclosed herewith is, Water License No. 129-1. This is the
final water right document completing your process of obtaining a
water right.

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

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Enclosures

WNR-817 3/83
Transmittal of Water License

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