

James McFarland

507-1

DRY DRAIN
LOCATION ~~SECTION 33~~
Notice.

KNOW ALL MEN BY THESE PRESENTS:

That John F. Hooyer, whose post office is Hoover, Butte County South Dakota, a citizen of the United States above the age of 21 years, being the owner of and in possession of the SW¹ NE¹, SE¹ NE¹, NE¹ SW¹ and NW¹ Sec. 4, in T. 13 N. R. 7 E., 2. N. H., in Butte County, South Dakota, availing himself of the right granted him under the provisions of Sec. 31 of Chapter 180 of the Session Laws of South Dakota of 1907, has located and claims the right to construct a dam across a certain dry draw known as Bad Land Creek which drains lands in Sec. 33, and north, in T. 14 N. R. 7 E., 2. N. H., the said dam being located near the southwest corner of and on, the lot 2 of Sec. 4, in said T. 13 N. R. 7 E., 2. N. H., and has located and claims the right to construct ditches and flumes for the purpose of directing the flood waters from the said dam for the irrigation of the land first above described, and claims the right of way across any land for the purpose of conveying water for said purpose.

Said locator claims for the above purpose two cubic feet of water per second during the annual period from March 1st to November 1st of each and every year.

The ditch will run in a southeasterly direction from said dam to and upon said land.

Said location was made on the 23rd day of June, 1913.

Witness my hand and seal this 23rd day of June, 1913.

..... J. F. Hooyer
Locator.

State of South Dakota

LOCATION NOTICE Water License No. 507-1

(1) John W. Hoover
of Hoover, South Dakota located and filed Location Notice 507-1
made Application No. June 23, 1913 for a water permit to appropriate
2.0 cubic feet per second of water from Bad Land Creek
Butte County, South Dakota for irrigation purposes.
Location Notice
No. 507-1, with a priority date of June 23, 1913
was approved located & filed by the
The system was
water supply system, completed on or before and the water placed for the application to beneficial use of and
water on or before

John W. Hoover originally located and filed Location Notice No. 507-1. September 25, 1985, Location Notice No. 507-1 was transferred to James McFarland.

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 0.91 cubic feet per second of water for beneficial use. The location of the diversion point(s) is on Badland Creek between Pt "A" 600'S and 930'W of 1/4 Corner Section 4 and Pt "B" 2640'N and 180'W of the 1/4 Corner Section 4, 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 4	NE $\frac{1}{4}$ NW $\frac{1}{4}$	11 Acres	(BA)
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	16 Acres	(BD)
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	3 Acres	(AB)
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	23 Acres	(AC)
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	11 Acres	(DB)
TOTAL		64 ACRES	

(4) Pursuant to §46-5-30.1 James McFarland
of RR#3, Box 68, Hewell, South Dakota 57760
the holder(s) and/or owner(s) of Location Notice
Water Permit No. 507-1 is issued a license to appropriate water, the right to use
0.91 cubic feet per second of water from Bad Land Creek with a priority date
of June 23, 1913 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 507-1 and subject
to South Dakota State Law.


Chief Engineer, Water Rights Division
Department of Water and Natural Resources
JOHN HATCH
DEC 20 1985

NOT TO SCALE

R7E

930'

600'

Div. Pt. "A"

NE $\frac{1}{4}$ NW $\frac{1}{4}$

11 Ac.

SE $\frac{1}{4}$ NW $\frac{1}{4}$

16 Ac.

5.0

NW $\frac{1}{4}$ NE $\frac{1}{4}$

3 Ac.

22.0

SW $\frac{1}{4}$ NE $\frac{1}{4}$

23. Ac

Div. Pt. "B"

180'

12.6

NW $\frac{1}{4}$ SE $\frac{1}{4}$

11 Ac

T
13
N

2640'

James McFarland

Location Notice
507-1

Office Copy

Location Notice 507-1

33 34
4 3

4 3
9 10

Location Notice Permit No. 507-1Moreau 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 James McFarland.Rt # 3, Box 68, a Newell, S. Dak. 57760 holder ofPermit No. 507-1 bearing the priority of June 23 19 13 authorizingthe diversion of 2.0 cu. ft. per second of the waters of Bad Land Creekfor Irrigation purposes, in Butte County.

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

A. Works used to divert the water:

Four Diversion Dams to Divert Water from Bad Land Creek
15" CMP culverts in Dam. for new flows on upper dam.

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

Dikes & Ditches

C. Works used to apply water to beneficial use:

Dikes & Ditches to Spread the waterThe system is in the following condition FairThe point of diversion is located on Bad Land Creek between Pt 'A' 600' S + 930' W of
N $\frac{1}{4}$ Cor Sec. 4 and Pt 'B' 2640' N + 180' W at S $\frac{1}{4}$ Cor Sec. 4. All. in T13N R7EThe works are capable of diverting and conveying to the place of use 10 +cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All in Sec. 4, T13N R7ENE $\frac{1}{4}$ NW $\frac{1}{4}$ - 11 Ac. NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 11 Ac.NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 3 Ac.SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 16 Ac.SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 23 Ac.omprising a total of 64 acres of land and the license should be issued for 91 yrsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: Date Oct. 10, 1984Leroy J. McFarland
(signature)

Water Rights Division
605 773-3352

November 21, 1984

Location Notice No. 507-1

James McFarland
Rt 3, Box 68
Newell SD 57760

Dear Mr. McFarland:

Please find enclosed a copy of a "Notice of Transfer" form. This form must be signed by the owner before a notary and returned to this office with a \$2.50 filing fee.

Upon receipt of the enclosed form and the \$2.50 filing fee the location notice will be transferred to the proper name. After transferring the location notice, a Water License will be issued. Your Irrigation permit will then be completely updated.

S Dakota Water Law 46-5-30.3 now requires Notice of any sale, grant, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

I advise if you have any questions.

Sincerely,

GE:NY TH
Ne Resources Analyst

GM:ks

enclosure

Water Rights Division
605 773-3352

September 16, 1985

Location Notice No.
507-1

James McFarland
RR 3, Box 68
Newell SD 57760

Dear Mr. McFarland:

On November 21, 1984, notice was sent to you concerning the transfer of Location Notice No. 507-1 from John W. Hoover to your name. To date, we have not heard from you on this matter.

If you have misplaced the original transfer notice sent to you, enclosed is an additional form. Please check over, date and sign in the presence of a notary public before returning the transfer form to our office with a \$2.50 filing fee. The Location Notice will then be transferred to your name.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Your irrigation project has been inspected and Location Notice No. 507-1 is now ready for licensing. Upon transferring the notice to your name, the water license will be issued.

If you have any questions, please contact us.

Sincerely,

GERRY MCNATH
Natural Resources Analyst

GM:ks

enclosure

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

No 410196

Pierre, September 25, 1935

RECEIVED OF James McFarland, Rt 3, Box 68, Hewell SD 57760

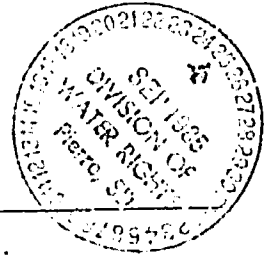
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
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 Location Notice No. 507-1 _____	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer JOHN HATCH KS

NO. 507-1

LOCATION NOTICE
NOTICE OF TRANSFER OF ~~WATER~~ PERMIT



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

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

Portions of E 1/4 NW 1/4, W 1/2 NE 1/4 & NW 1/4 SE 1/4 all in

Section 4, T13N, R7E

formerly owned by John W Hoover

has been transferred to James McFarland, Rt 3, Box 68, Newell SD 57760

(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. 507-1 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 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 hereto attached to cover filing fees as required under SDCL 46-2-3.

STATE OF SOUTH DAKOTA)
County of Butte) ss.

I, James McFarland 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 information herein stated is true.

James McFarland
(Signed)

Subscriber and sworn to before me this 24 Day of Sept, 1985

Colman J. Huber
(Notary Public)

COLMAN J. HUBER, Notary Public
Butte County
My Commission Expires April 23, 1987

WNR-820-9/83
Notice of Transfer of Water Permit



Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

No. LN 507-

Department of Water & Natural Resources

DEC 20 1985

James McFarland
RR#3, Box 68
Newell, South Dakota 57760

Dear Mr. McFarland:

Enclosed herewith is, ^{Location Notice} Water License No. 507-1. 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

WRR-817 3/83
Transmittal of Water License