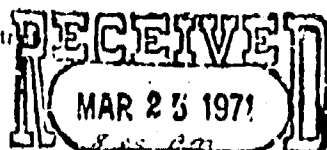


1. Considered May 19, 19 71 r Right Number 1072-2
2. Name of Applicant Ingebert G. Fauske
3. Post Office Address Quinn, S.D.
4. Amount of water claimed 1.77
5. Source of water supply dry draws
6. Water to be used for irrigation
Acres to be irrigated 124.00
7. Water to be diverted and used in Jackson County
about 6 N INTERIOR of
8. Proof of publication
Received 6-16-71
Not received
9. Application
Approved
Subject to
Not approved
Action deferred
10. Remarks:

Map No. 914-2 Water Division No. 2 **BAD RIVER**
 (Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

STATE WATER RESOURCES COMMISSION
 Pierre, South Dakota

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Ingebert G. Fauske
 Post-office address Quinn State South Dakota
 If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct labor

3. Name of diversion work Fauske No. 2

4. Amount of water claimed (cubic feet per second) 1.77

5. Source of water supply Surface runoff, diversion dams, and ditches

6. Location of point of diversion _____

NW Corner of the NE 1/4 NW 1/4 Sec. 4, 3S - R18E

County Jackson

7. Annual period or periods during which water is to be used Growing season

8. Use to be made of water (irrigation, industrial, municipal, commercial, recreation, etc.) water spreading and Erosion

9. For irrigation use. Total number of acres to be irrigated 124 A. Control.

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NE 1/4 NW 1/4 Sec. 4 - 3S R18E	10.6	NE 1/4 SE 1/4 Sec. 4 - 3S R18E	4.5
NW 1/4 NE 1/4 Sec. 4 - 3S R18E	7.0	SE 1/4 SE 1/4 Sec. 4 - 3S R18E	26.8
SW 1/4 NE 1/4 Sec. 4 - 3S R18E	16.5	SW 1/4 SW 1/4 Sec. 3 - 3S R18E	.7
NW 1/4 SE 1/4 Sec. 4 - 3S R18E	13.3	NW 1/4 NW 1/4 Sec. 10 - 3S R18E	19.5

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 NE 1/4 NW 1/4 Sec. 10 - 3S R18E 25.6 years. Additional time required to complete application of water to the proposed beneficial use 3 years

11. Choice of newspaper for Notice of Intent to Appropriate Water publication Kadoka Press

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source

Dikes and ditches.

B. Works proposed to transport water to place of use.

None

C. Works proposed to apply water to beneficial use.

Leveling

Estimated Total Cost \$ 6030.00

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

County of Jackson)

I, Ingebert G. Fauske the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Subscribed and sworn to before me this 24 day of March 1971

Signed Ingebert G. Fauske
 Notary Public (or other qualified officer)
W. H. F. Carlisle South Dakota
 Comm. Exp. 4-17-71

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1072-2

INGERBERT G. FAUSKE
(Applicant)

Box 2, Wall
(Post Office Address)

SOUTH DAKOTA 57790 With the following modifications:
(State)

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.

Date of first receipt of application MARCH 25 19 71

Date of return to applicant for correction, amendments or changes required _____ 19 _____

Date of receipt of corrected application _____ 19 _____

Approved MAY 19 19 71, Recorded in Book 11 Page 330

WATER RIGHT PERMIT NO. 1072-2

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1072-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is MARCH 25 19 71
2. The equivalent of at least one-tenth of the work above specified is to be completed on or before NOVEMBER 19 19 72
3. The whole of said work is to be completed on or before MAY 19 19 74
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 19 19 79
EXTENSION - 3-26-74
5. The water appropriated shall be used for the purpose of IRRIGATION

6. 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.

7. The amount of the appropriation herein granted shall not exceed 1.77 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and 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 MAY 19 19 77; said water to be used during the following described annual period: WHEN AVAILABLE DURING GROWING SEASON

Witness my hand this 21ST day of MAY 19 71

WATER RESOURCES COMMISSION

By: [Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued January 19 19 81

Water License Issued January 19 19 81

WATER LICENSE NO. 1072-2

(1) WHEREAS, On the 25th day of March A. D. 19 71
Ingebert G. Fauske

made Water Right Application No. 1072-2 for a permit to use 1.77 cubic feet per second of the waters
of surface runoff, diversion dams and ditches
County of Jackson, State of South Dakota, for irrigation

_____ purposes; and
(2) WHEREAS, On the 19th day of May A. D. 19 71
Permit No. 1072-2, with a date of priority of March 25, 1971

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 19th day of May A. D. 19 76 and for the
application to beneficial use of said water on or before the 19th day of May A. D. 19 79

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 1.66 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,
to irrigate the following lands all in T35-R18E

Section 4

NW¹ NW⁴ 15

NW¹ NE⁴ 7

SW⁴ NW⁴ 20

NW¹ SE⁴ 17

NW¹ SE⁴ 6

SE⁴ SE⁴ 19

Section 3

SW¹ SW⁴ 1

Section 10

NW¹ NW⁴ 24

NE¹ NW⁴ 7

Total 116 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 Ingebert G. Fauske

of Wall, SD
the holder and owner of said permit No. 1072-2 water right, dating from March 25, 1971
to use of 1.66 cubic feet per second of the waters
of surface runoff, diversion dams and ditches
in the County of Jackson and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 792' W of the NE Corner, Sec.
4-T3S-R18E

and conducted to and upon portions of lands in Sections 3, 4 and
10-T3S-R18E, more fully described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1072-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 19th day of January A. D.
Nineteen Hundred and eighty-one

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Permit No. 1072-2

Water Diversion No. 2 Bad River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Ingebert G. Fauske

_____ the holder _____ of
Permit No. 1072-2, issued upon Application No. 1072-2, bearing date of priority of March 25,
1971 authorizing the diversion of 1.77 cu. ft. per second of the waters of surface
runoff, diversion dams, & ditches Jackson County of _____, State of South Dakota at a
point 792' W of the NW Corner, Section 4-T3S-R18E

_____, for irrigation

purposes, has 5 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 20 (est) cu. ft. per second of water.

Date January 19, 1981


JOHN HATCH, Chief Engineer
Water Rights Division

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Jackson) ss.

I, L. G. Parkinson hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Kadoka Press

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 Kadoka

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

Thursday, April 1, 1971

Thursday, April 8, 1971

Thursday, April 15, 1971

Thursday, April 22, 1971

L. G. Parkinson
(Signature)

Publisher
(Title)

April 22, 1971
(Date Signed)

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501
March 25, 1971

Notice is hereby given that Ingebert Fauske, whose post office address is Quinn, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.77 cubic feet of water per second of time from dry draws through the Fauske No. 2, the point of diversion of which is to be located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, Twp. 38, Range 18E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NE $\frac{1}{4}$ NW $\frac{1}{4}$, W1/2 NE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 4; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 8; N1/2 NW $\frac{1}{4}$, Section 10, all in T8S, R18E.

This application No. 1671-2 will be considered by the Water Resources Commission at their office at Pierre upon the 13th day of May, 1971, at 2:00 p.m. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By: Barton F. Jones
Water Rights Specialist

Pub. April 1-8-15-22

RECEIVED
APR 26 1971

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

1072-2

Publish first publication, on or before April 22, 19 71NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 25, 19 71Ingebert G. Fauske

Notice is hereby given that

whose post office address is Quinn, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use1.77 cubic feet of water per second of time from the dry draws through the Fauske #2

the point of diversion of which is to be located in the

NE 1/4 NW 1/4of Section 4, Twp. 3S, Range 16E. Said water to be used for the purpose of providing irrigation of portions of the following described land:NE 1/4 NW 1/4, W 1/2 NE 1/4, SE 1/4, Section 4; SW 1/4 SW 1/4, Section 3; N 1/2 NW 1/4, Section 10, all in T3S, R16EThis application No. 1072-2 will be considered by the Water Resources Commission at their office at Pierre upon the 19th day of May, 19 71, at 2:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialistcc: Ingebert G. Fauske
Quinn, S.D. 57775

APPLICATION FOR EXTENSION OF TIME

TO: **WATER RIGHTS COMMISSION**
State Office Building No. 2
Pierre, South Dakota 57501

Date January 23, 1974

Dear Sirs:

In Water Right Permit No. 1072-2 it is specified that the water diversion system is to be completed by
May 19 74 and that the water is to be put to the limit of beneficial use by
May 19 77.

I hereby request that the date for completing the diversion system be extended to May 19
19 76 and that the date for putting the water to the limit of beneficial use be extended to
May 19, 19 79.

The extension of time for the completion of these works is requested for the following reasons: _____
Didn't request enough time originally

Enclosed herewith is a fee of \$1.00 to pay the cost of filing this request for extension of time.

Robert E. Finkbe
(Signed)
Holder of Permit No. 1072-2

APPROVED: 3-21-74**WATER RIGHTS COMMISSION**by: [Signature]

Form 10.

No. 1072-2

NOTICE OF COMPLETION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE

Post Office Pierre, S.D. 57775
Date Mar 12, 1978

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

Dear Sirs:

This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used not exceeding the amount as specified in Water Right Permit No. 1072-2.

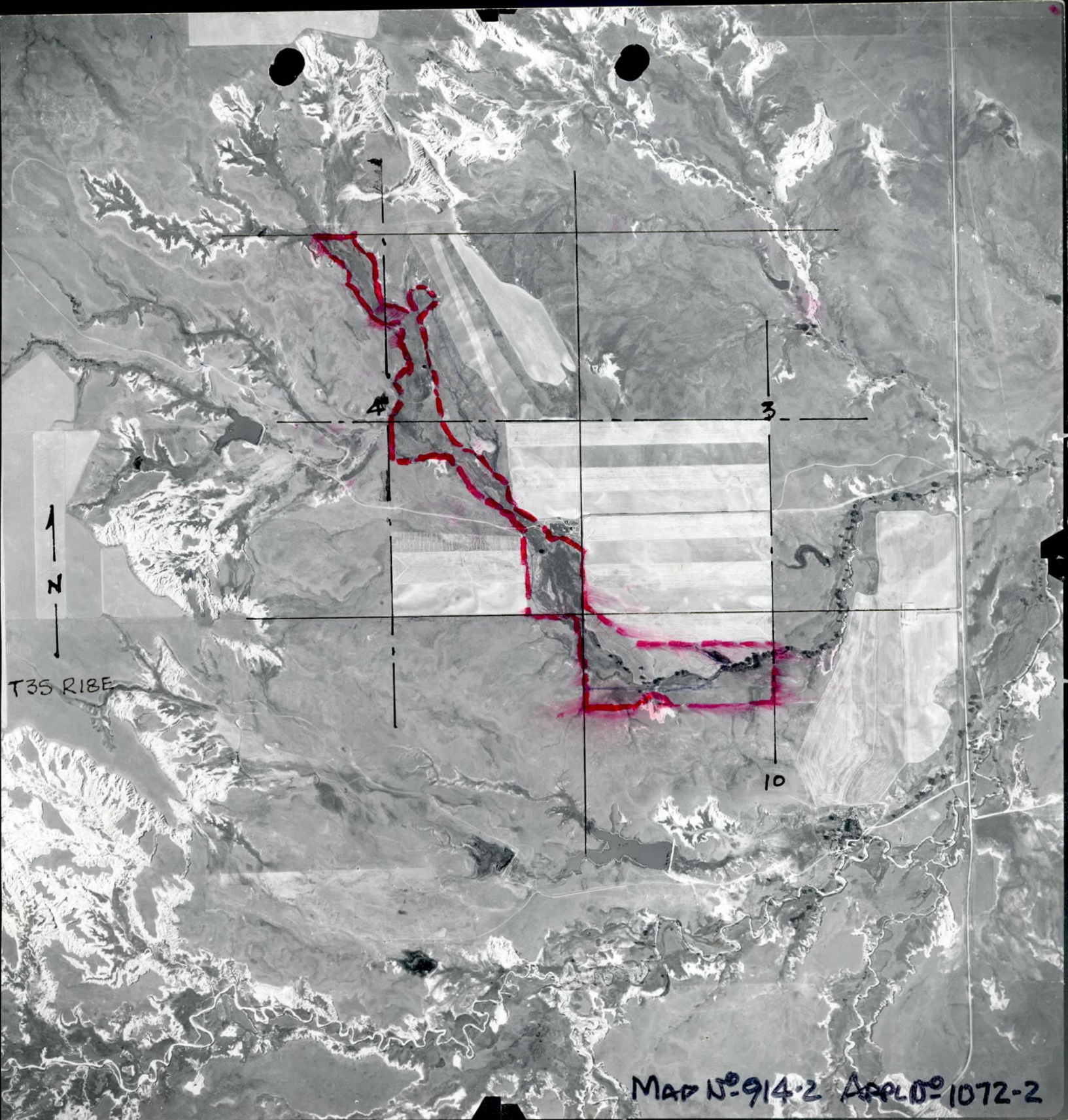
Water Right Permit No. 1072-2 states that the diversion system is to be constructed by May 19, 1976 and that the water is to be put to beneficial use by May 19, 1977, 19 .

The diversion system was completed on April 15, 1976. Applying the water to beneficial use was completed on June 1st, 1977.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Charles E. Fausch
(Signature)





RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7816

PIERRE, December 15 19 80

RECEIVED OF Ingebert Fauske, Fauske Home Ranch, Star Rt. 2, Wall, SD 57790
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. 1072-2	12	00
Fee for inspecting Beneficial Use, and issuing Water License No. 1072-2		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	12	00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH / cu

1077 9 Inlet 9 Fench

4-14-80

11075 125 AC.

Inlet area like 40' long water out of
rock. Also spread out like this
thrustwater in other areas

Creek bed was filled in with
mud before ground in flood plain
area around bed bank and debris
area is covered

Water spreading out by SCS

Creek channel filled as a means
of diverting water.

Permit No. 1072-2Water Division 2 Bad River Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Ingebert G. Fauske of Star Rt 2, Wall, S.Dak. holder of Permit No. 1072-2, bearing date of priority of March 25, 1971 authorizing the diversion of 1.71 cu. ft. per second of the waters of Surface Run-off. Diversion dams. and ditches for Irrigation purposes, in Jackson 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:

Filled in Creek Bed. Diversion Dams.

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

Dry draw flood plain

C. Works used to apply water to beneficial use.

Spreader ditches and dike.Channel Flood Plain leveled. to spread waterThe system is in the following condition: Good.The point of diversion is located 792' W of the N $\frac{1}{4}$ Cor. Sec. 4, T35 R18EThe works are capable of diverting and conveying to the place of use 20 (est)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: The following in Sec. 4, T35 R18ENE $\frac{1}{4}$ NW $\frac{1}{4}$ - 15 Ac. NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 7 Ac. SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 20 Ac. NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 17 Ac.NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 6 Ac. SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 19 Ac. The following in Sec. 3, T35 R18ESW $\frac{1}{4}$ SW $\frac{1}{4}$ - 1 Ac. The following in Sec. 10, T35 R18ENW $\frac{1}{4}$ NW $\frac{1}{4}$ - 24 Ac. NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 7 Ac.comprising a total of 116 Ac. acres of land.116 $\div$ 70 = 1.66 cfsallows for 1.66 cfs

Date Sept 14, 1980
L. Roy J. H. H. H. H.
 (Signature)