

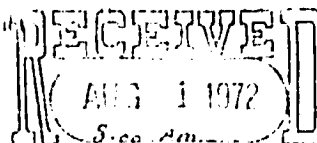
Water Right Number 1118-2

1. Considered Sept 6, 19 72
2. Name of Applicant Milo Brookens
3. Post Office Address Interior, S.D.
4. Amount of water claimed 2.06
5. Source of water supply Dry Draw
6. Water to be used for Irrigation
- Acres to be irrigated 144.20
7. Water to be diverted and used in Jackson County
about 16 1/2 85 Miles of KADOKA
8. Proof of Publication Received 8-22-72
Not received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

Map No. 950-2Water Division No. 2 WHITE RIVER
(Blanks to be filled by the Engineer for the W. R. C.)

District



APPLICATION FOR PERMIT

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Milo Brookens
 Postoffice address Interior 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) contract
3. Name of diversion work Brookens spreader irrigation system No. 1
4. Amount of water claimed (cubic feet per second) 2.06 MAXIMUM ALLOWABLE
5. Source of water supply Dry draw
6. Location of point of diversion S 26° 30' E. 1245' from NW corner of Section 15, T4S, R19E
- County Jackson
7. Annual period or periods during which water is to be used April through October
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) spreader irrigation
9. For irrigation use, All in T4S, R19E Total number of acres to be irrigated 144.2

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.
NW 1/4 NW 1/4 Section 15	5.5	NE 1/4 SE 1/4 Section 16	31.8
SE 1/4 NE 1/4 Section 16	4.2	NW 1/4 SW 1/4 Section 15	26.5
SW 1/4 NW 1/4 Section 15	20.5	SE 1/4 SE 1/4 Section 16	21.9
NW 1/4 SE 1/4 Section 16	1.0	SW 1/4 SW 1/4 Section 15	32.8

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 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.
3,000 cu.yd. diversion dam
- B. Works proposed to transport water to place of use.
one ditch
- C. Works proposed to apply water to beneficial use

Estimated Total Cost \$ 9,500Attachments: 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, Milo Brookens

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

Signed

Milo Brookens

Subscribed and sworn to before me this

31

day of

July1972

Notary Public for the State of South Dakota

EX 4-21-75

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1118-2
MILD BROOKENS NORMAN AMICITE INTERIOR
 (Applicant) (Post Office Address)
SOUTH DAKOTA 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 AUGUST 1 19 72
 Date of return to applicant for correction, amendments or changes required _____ 19 ____
 Date of receipt of corrected application _____ 19 ____
 Approved SEPTEMBER 6 19 72 Recorded in Book 12 Page 145

WATER RIGHT PERMIT NO. 1118-2

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1118-2 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 AUGUST 1 19 72.
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 6 19 75.
3. The whole of said work is to be completed on or before SEPTEMBER 6 19 77.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 6 19 81.
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 2.06 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 SEPTEMBER 6 19 81 said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 8TH day of SEPTEMBER 19 72

WATER RESOURCES COMMISSION

By:

[Signature]
 Chief Engineer, Executive Officer

Certificate of Construction Issued DECEMBER 11 19 78

Water License Issued DECEMBER 11 19 73

Permit No. 1118-2Water Diversion No. 2 White River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Norman A. Amiotte_____ the holder _____ of
Permit No. 1118-2, issued upon Application No. 1118-2, bearing date of priority of __________ authorizing the diversion of 2.06 cu. ft. per second of the waters of 8dry draw _____ County of Jackson, State of South Dakota x onDry Draw: 47 rds. South 44° 00' West of the NE Corner Section 16-
T4S-R19E_____ for irrigationpurposes, has _____ 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 10.0 cu. ft. per second of water.Date 12/11/78

By:

WATER RIGHTS COMMISSION

John Hatch
JOHN HATCH, Chief Engineer

JH/bt

WATER LICENSE NO. 1118-2

(1) WHEREAS, On the 1st day of August A. D. 1972
Milo Brookens

made Water Right Application No. 1118-2 for a permit to use 2.06 cubic feet per second of the waters
of a dry draw
County of Jackson State of South Dakota, for irrigation
purposes; and

(2) WHEREAS, On the 6th day of September A. D. 1972
Permit No. 1118-2, with a date of priority of August 1, 1972
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 6th day of September A. D. 1977 and for the
application to beneficial use of said water on or before the 6th day of September A. D. 1981.

Whereas, on 27th Day of September 1973 this permit
was transferred to Norman A. Amiotte, Interior, S.D.

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 2.06 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 land all in T4S-R19E as follows:

Description	Acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15	5.5
SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15	20.5
NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15	26.5
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15	32.8
SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16	4.2
NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16	1.0
NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16	31.8
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 16	21.9
total	144.2

(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 Norman A. Amiotte

of Interior, S.D.

the holder _____ and owner _____ of said permit No. 1118-2 a water right, dating from August 1, 1972
to use of 2.06 cubic feet per second of the waters
of a dry draw

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 ~~XX~~ on Dry Draw: 47 rds. South 44⁰ 00' West of
the NE Corner Section 16-T4S-R19E

and conduct to and upon lands in Sections 15 and 16, all in T4S-R19E, more fully
described on the face of this license.

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1118-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 11th day of December A. D.
Nineteen Hundred and Seventy-eight

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Publish first publication, on or before August 24, 19 72

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 3, 1972

Notice is hereby given that Milo Brookens

whose post office address is Interior, 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

2.06 cubic feet of water per second of time from the a dry draw through the

Brookens Spreeder System #1, the point of diversion of which is to be located in the

NW 1/4 NW 1/4

of Section 15, Twp. 48, Range 19E. Said water to be used for the purpose of providing irrigation on ^{portions of} the following described land:

W 1/2 NW 1/4, W 1/2 SW 1/4, Section 15; E 1/2 SE 1/4 and SE 1/4 NE 1/4, Section 16, All in T48, R19E

This application No. 1118-2 will be considered by the Water Resources Commission at their office at Pierre upon the 6th day of September, 19 72, at 2:00 P. M. All interested persons may appear and be heard

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

cc: Milo Brookens, Interior, S.D. 57750

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 1118-2

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
two dates:

Thursday, August 10, 1972

Thursday, August 17, 1972

L. G. Parkinson
(Signature)

Publisher

(Title)

August 17, 1972

(Date Signed)

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

Pierre, August 2, 1972

Notice is hereby given that M/O
Brookens whose post office address is
Interior, South Dakota, has made an ap-
plication in accordance with the provisions
of the water laws of South Dakota for
a permit to appropriate for beneficial use
2.06 cubic feet of water per second of
time from a dry draw through the Broo-
kens Spreader System No. 1, the point of
diversion of which is to be located in the
NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 18, Twp 4S,
Range 19E. Said water to be used for the
purpose of providing irrigation on portions
of the following described land:

W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Section
15: E $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section
16, All in T4S, R19E.

This application No. 1118-2 will be con-
sidered by the Water Resources Commis-
sion at their office at Pierre upon the
6th day of September, 1972, at 2:00 P.M.
All interested persons may appear and be
heard.

WATER RESOURCES COMMISSION

BY:

Burtan F. Jones,

Water Rights Specialist

RECEIVED
AUG 22 1972

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

NOTICE OF TRANSFER OF WATER PERMIT

WATER RIGHTS COMMISSION

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

Date September 7, 1973

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

portions of the $W\frac{1}{2}$ NW $\frac{1}{2}$ and $W\frac{1}{2}$ SW $\frac{1}{2}$, Section 15; SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$
 and SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 16, T4S, R19E

formerly owned by Milo Brookens, Interior, S.D.

has been transferred to Norman Amiotte, Interior, S.D.

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 1118-2 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Resources Commission as evidence of the change of ownership.

WATER RIGHTS COMMISSION

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA)

County of _____) ss.

I, Norman P. Amiotte 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 information herein stated is true.

Norman P. Amiotte
 (Signed)

Suscribed and sworn to before me this 27 day of Sept, 19 73

Charles J. Hanson
 (Notary Public) E-74-21-75

Form 10.

No. 1118-2

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

Post Office Interior, So. Dak. 57750
Date 4-5-76

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

Dear Sirs:

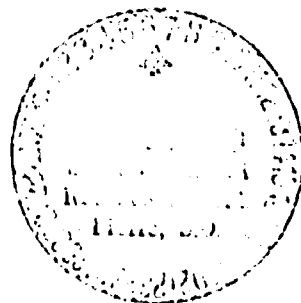
This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 1118-2.

Water Right Permit No. 1118-2 states that the diversion system is to be constructed by Sept. 6 1977 and that the water is to be put to beneficial use by Sept. 6 1981.

The diversion system was completed on 1-29 1976. Applying the water to beneficial use was completed on 1-29 1976.

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.

Harmon C. Bennett
(Signature)



1118-2 Norman Amante

4-3-78 Pumps from river into diversion
to irrigate area in the permit a.d.
1464-2. See map "730-2".

Pump used for permits
1118-2 + 1464-2

Crisafati pump - 10,000 gpm

at 440' head - Has 15 ft lift

at 10 315 pumping rate.

Pump 48 hrs per irrigation.

Water needs to be 3.0 ft deep in
river for pump to operate.

16" dia outlet on pump.

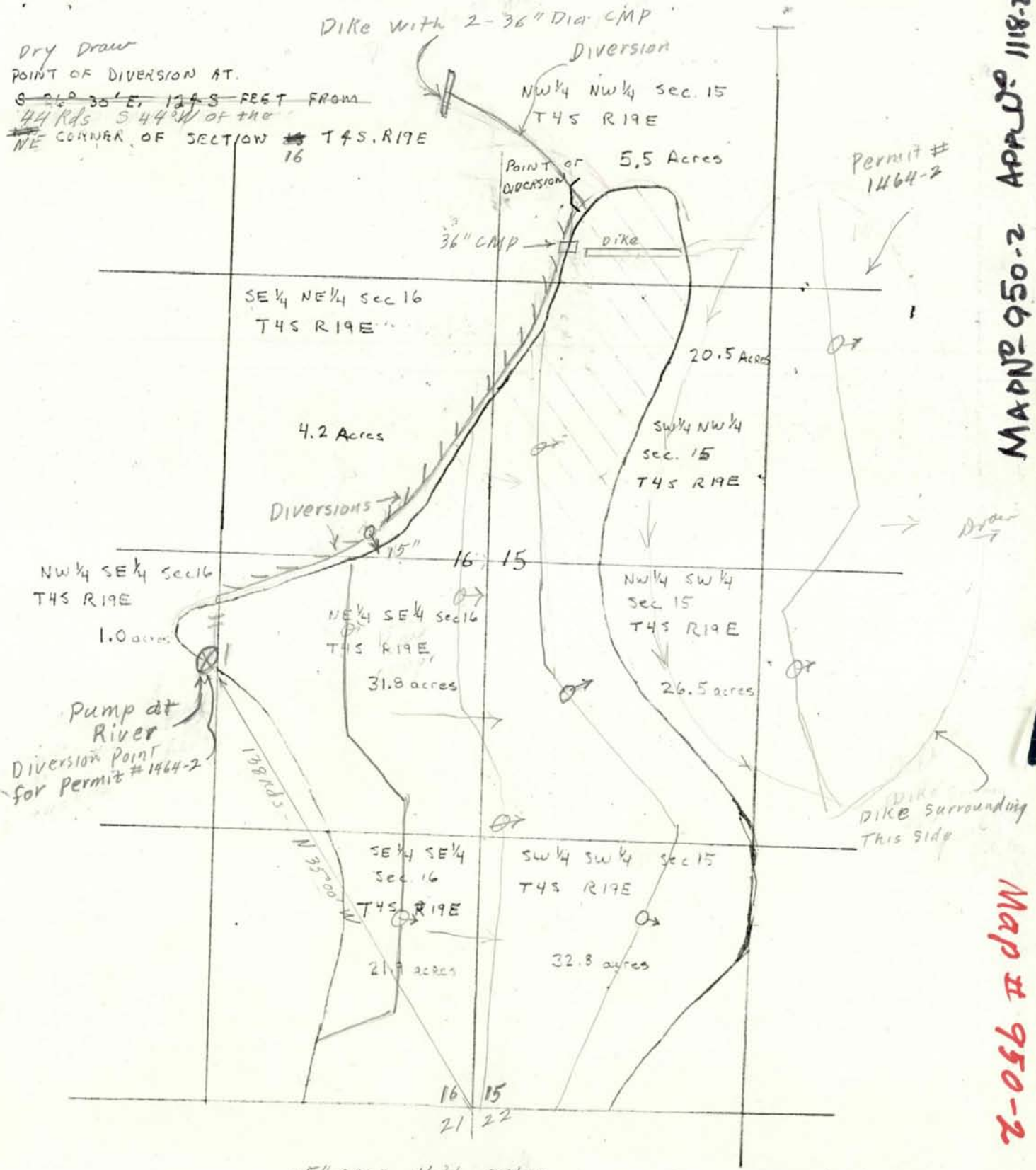
100 ft of 16" dia. collapsible
hose.

Power take off uses 100 HP
tractor for power.

A diversion on Dry Creek allowed to
supply water for the permit.

2-1111
APR 1950-2
MAP # 950-2

Map # 950-2



Norman A Amiotte
MILK BROOKENS
SPREADER IRRIGATION SYSTEM # 1

PREPARED BY
Liefried Holso
CIVIL ENGR (WAB) SEC

Permit No. 1118-2Water Division 2 White River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by Norman A. Amiotte of Interior, South Dakota 57750 holder of Permit No. 1118-2, bearing date of priority of August 1, 1972 authorizing the diversion of 2.05 cu. ft. per second of the waters of White River and Dry Creek 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:

Pump - Crisitali, Tractor Power, 100 HP Tractor
Pumping 4500 gpm for 40 hrs / Irrigation
Diversion Dam with 2 - 36" dia CMP with gates on
Dry Draw

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

100 ft of 16" dia Flexible Hose.
Ditches and Diversions

C. Works used to apply water to beneficial use.

Spreader Dikes with Control gates

The system is in the following condition: Good.

The point of diversion is located on Dry Draw: 47 Rods S 44° 00' W of the NE
corner of Section 16, T4S, R19E and on the White River 138 Rods
N 35° 00' W of the SE corner of Sec. 16, T4S, R19E

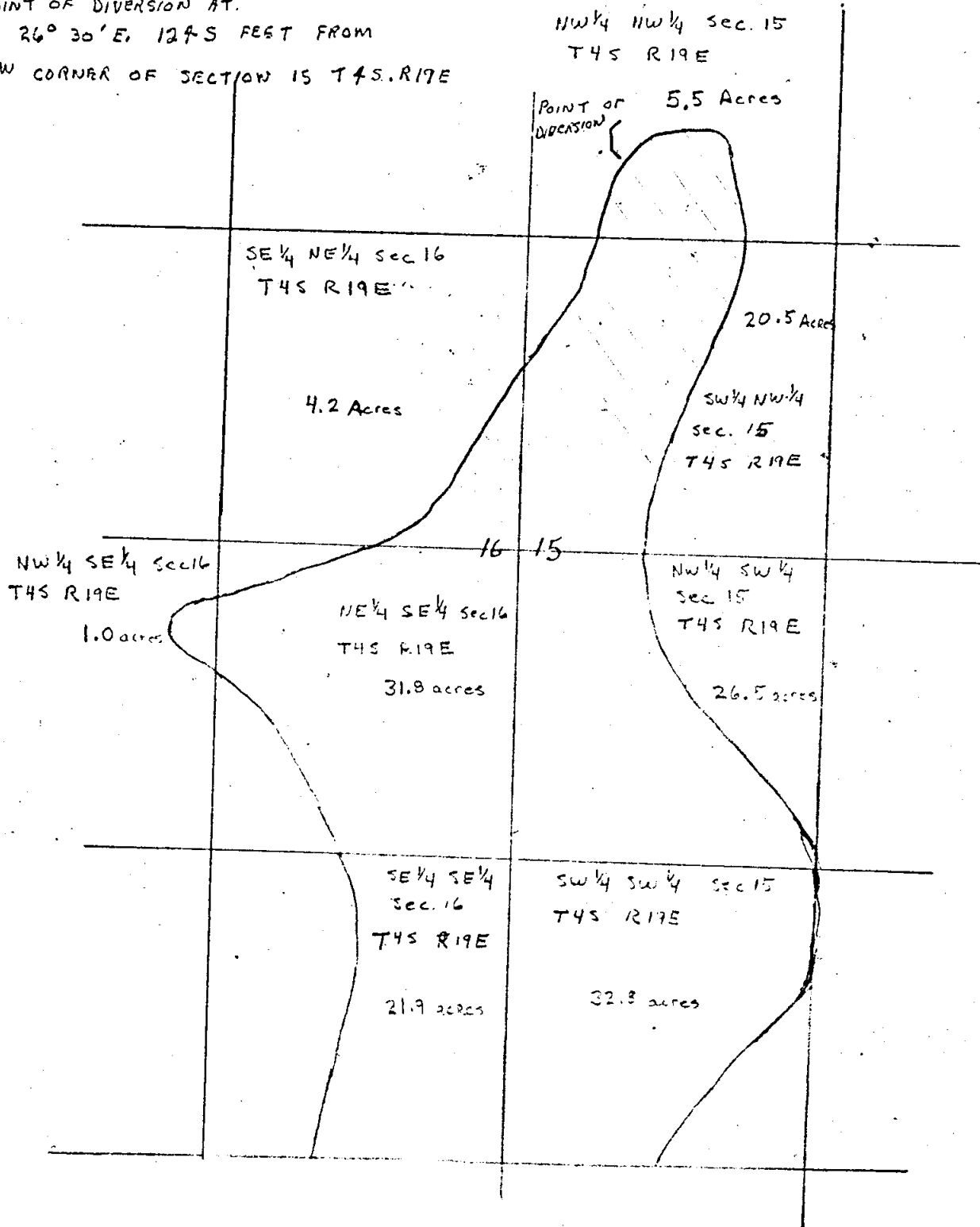
The works are capable of diverting and conveying to the place of use 10.0cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All in Sec 16, T4S, R19E:-

NW 1/4 NW 1/4 - 5.5 Ac, SW 1/4 NW 1/4 - 20.5 Ac, NW 1/4 SW 1/4 - 21.5 Ac, SW 1/4 SW 1/4 - 32.9 Ac.
All in Sec. 16, T4S, R19E - SE 1/4 NE 1/4 - 4.2 Ac, NW 1/4 SE 1/4 - 1.0 Ac.
NE 1/4 SE 1/4 - 31.8 Ac, SE 1/4 SE 1/4 - 21.9 Ac.

comprising a total of 144.2 acres of land.Date May 24, 1978

L. Roy J. McManis
 (Signature)

POINT OF DIVERSION AT.
 S 26° 30' E, 1275 FEET FROM
 NW CORNER OF SECTION 15 T4S. R19E



Norman A Amiotte
~~Mike Brooks~~
 SPREADER IRRIGATION SYSTEM # 1

PREPARED BY
Liefried H. H. CIVIL ENGR (WAE) SEC

Map No 950.2 (April 1118-2)