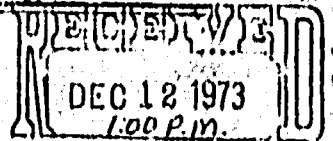


1164-2

1. Considered MARCH 20, 1974
2. Name of Applicant H 2 CATTLE CO.
3. Post Office Address KILGORE, NEB.
4. Amount of water claimed 2.66
5. Source of water supply GROUND WATER
6. Water to be used for IRRIGATION
Acres to be irrigated 200
7. Water to be diverted and used in TORD County
about 45 NW miles of ST. FRANCIS
8. Proof of Publication Received 3-14-74
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____

10. Remarks:

No. 1164-2

Water Division No. 2 LITTLE WHITE RIVER District
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RIGHTS COM.
PIERRE SOUTHER DAKOTA

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

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

1. Name of applicant H. C. Richard L. Hand, Lewis Hand, Patricia
Postoffice address Highway, County Todd, State So. Dak

- I. If a corporation Richard Hand
(a) Name of same By 252-Valentine, NB 61201
(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) Contract
(b) Cash on hand, \$ 110,000.00 (c) Treasury stock, \$ _____
(d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work _____
3. Amount of water claimed 1200 266 cubic feet per second 1000
4. Source of water supply Well
5. Location of point of diversion S 36° E, 2838' FROM THE NW CORNER, SECTION 14, T36N, R31W on Todd County.

6. Annual period or periods during which water is to be used April 15 - Oct 15
7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?

- (a) Number of acres to be irrigated 200 acres. 30A-NE 1/4 of S14 T36 N, R31
(b) Legal subdivisions to be irrigated NW 1/4 of T36 N, R31 20A-SW 1/4 of S14 T36 N, R31

(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.) _____

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

- (a) Nature of use _____
Name any of the above uses claimed
(b) Amount of power to be generated _____ 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 152 988-2

9. Estimated cost of work:

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

(c) Fluming, \$.....

(e) Other structures.....

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

Rock, \$.....

Total, \$.....

10. Description of diversion works:

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

11. Dimensions of works.

(a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....material used in construction.....

(b) Reservoir: Capacity when filled.....acr. 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.....feet; height.....feet; Material.....

(d) Canal: Total length.....miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
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
At.....Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work Two years.

11. Time required for complete application of water to the proposed beneficial use ONE years.

12. Choice of newspaper for publication of notice of intention to appropriate

Todd Co. Tribune, Mission, S.D.

STATE OF SOUTH DAKOTA

County of Todd

I, H. C. Atterton and Richard L. Hand, 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

H. C. Atterton and Richard L. Hand

Subscribed and sworn to before me this 10th day of December 1923

John L. Esterson
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Remarks by State Water Resources Commission:

RECEIVED
1:00 P.M.
DEC 12 1973

RIGHTS COM
DAKOTA

The irrigation well approved under this Permit is located near domestic wells which may obtain water from the same aquifer.
The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells.

STATE OF SOUTH DAKOTA

County of HUGHES ss.

Pierre, South Dakota, APRIL 2, 1974

This is to certify that the foregoing application was received by the Commission at 1:00 o'clock

P m. upon the 12TH day of DECEMBER, 1973

State Water Resources Commission

By:

Burton J. Jones
Chief Engineer, Executive Officer

Number of permit 1164.2

Date of first receipt of application DECEMBER 12, 1973

Date of return to applicant for correction, amendments or changes required as follows: DEC 17, 1973

Date of receipt of corrected application MARCH 4, 1974

Date from which applicant may claim right MARCH 4, 1974

Approved MARCH 20, 1974, Recorded in Book 12 Page 340

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

MARCH 20, 1975

2nd. The whole said work is to be completed on or before MARCH 20, 1976

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

MARCH 20, 1977

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 2.66 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 MARCH 20, 1977; said water to be used during the following described annual period:

APRIL 15 TO OCTOBER 15

Witness my hand this 2ND day of APRIL, 1974

State Water Resources Commission

By:

Donald J. Daniel
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

SARGENT Irrigation Co.
E. B. BASSETT Neb.

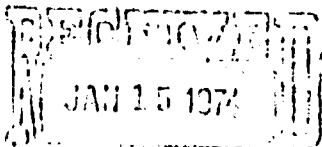
TEST LOG
OCT., 1971

Richard Hand
Kilgore, Nebr.

"Location"
(E. 14 T. 36 R. 31) NW $\frac{1}{4}$ of 14. 36. 31

0-20	top soil & sandy clay
20-26	sandy clay
26-33	fine sand, sandstone
33-40	clay & limestone
40-54	med. sand
54-66	limestone, ss
66-74	fine sand ss
74-80	fine sand
80-92	sand ss
92-100	sand ss, limestone
100-104	med. sand ss
104-108	limestone
108-120	med. sand, ss
120-140	fine to med. sand
140-160	fine sand ss, limestone
160-240	med. to coarse sand
240-246	med. sand
246-280	red rock
280-300	red rock & clay
300-380	red rock
380-460	red rock & clay

WL 100 ft.



STATE OF NEBRASKA
DEPARTMENT OF AGRICULTURE

F-200-1074

12. Principal Features of the Proposed Water Supply System (continued.)

JAN 5 1974

D. Well Information or Estimates

- (1) Drill Hole, Diameter 30 inch, Depth 247 ft.
- (2) Casing, Type Steel Diameter 16 inch Thickness .219"
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Steel, Diameter 16 inch, Length 147 ft.
- (4) Gravel Pack, Thickness 7", Length of gravel pack 247 ft.

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials fine to coarse sand with
fine stone layers.

Depth to top of water bearing material 100 ft.

Depth to bottom of water bearing material 247 ft.

Thickness of water bearing material 147 ft.

Depth to water (ground surface to water level) 100 ft.

- (2) Distance to nearest existing household or livestock watering wells.

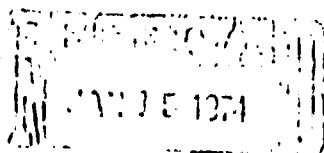
On same owner's property 720 rds. On property owned by others 720 rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

H/2 Cattle Co.

Lewis D. Hunt
Richard L. Hunt
Signature of Applicant



February 28, 1974



Mr. R. L. Hand
Kilgore, NE 69216

Dear Mr. Hand:

The water sample received February 27 has been analyzed and a copy of the report is attached. A copy of this letter, the water analysis report, and your WI-1 form are being forwarded today to the State Conservation Commission.

There should be no difficulty with the use of this water on soils which you anticipate to use. The water is in the medium salinity range and low in sodium.

I am enclosing a copy of Extension Circular 654 with some useful information about irrigation water. Your water quality is indicated by the red cross on the diagram on the back cover. You can tell something about its probable performance from this chart.

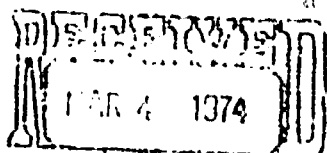
Sincerely yours,

John L. Piersma, Director
Water Resources Institute

JLW:111

Encs

CC: ~State Conservation Commission
Kenneth Stephens, Todd County Agent
Darrel Pahl



STATE WATER RIGHTS COMM
PLANNING DIVISION

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(This Form Required for Proposed Well Irrigation Only)

FOR COMMISSION USE ONLY

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: DAK 3/1/14

Disapproved: _____

NAME: H2 Cattle Co. Lewis Hand

ADDRESS: Kilgore, Neb. 69216

COUNTY: Todd

LEGAL DESCRIPTION

1. WELL LOCATION: NN⁴ Sec. 14, T36N, R31W center of quarter
2. AREA TO BE IRRIGATED: 210 acres of NN⁴ circle extending partially into NE⁴ and SW⁴ Sec. 14, T36N, R31W.

TYPE OF IRRIGATION

3. GRAVITY ☒ SPRINKLER (Indicate Type): Center Pivot Sprinkler
4. CROPS TO BE IRRIGATED: alfalfa + grass

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 0 - 2%
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: 85% Class I
15% Class II

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: _____
8. SALINITY: _____
9. SODIUM: _____

I do hereby certify that a chemical analysis of the ground water to be acquired for irrigation from South Dakota State University and:

the land capability for irrigation information has been acquired from

Todd County Conservation District.

and:

that the legal description for the location of the well and land to be irrigated is true and correct.

H. L. Cattle Co. Lewis & Clark

Subscribed and sworn before me this

27 day of Feb 1974.

Margaret Fiebert

Notary Public

(Title)

REPORT OF ANALYSIS
 Water Quality Laboratory
 Water Resources Research Institute
 South Dakota State University
 Brookings, South Dakota 57006

Submitted by: R. L. Ham
 Address: Algore, Nebraska
69216

Date Rec'd: February 27, 1974
 Sample No. 74-100
 Identification #2
NW 1/4, Sec. 14, T 36N, R 31W

WATER ANALYSIS

Calcium (Ca)	44	ppm*	2.20	me/l**
Magnesium (Mg)	8	ppm	0.66	me/l
Sodium (Na)	18	ppm	0.80	me/l
Potassium (K)	10	ppm	0.26	me/l
Sulfate (SO ₄)	24	ppm	0.50	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)		ppm		me/l
Bicarbonate (HCO ₃)	244	ppm	4.00	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	200	ppm (as CaCO ₃)		
Alkalinity (Penolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	356	micromhos per cm at 25° C.		
Sodium Adsorption Ratio	0.67			
Sodium	20.10	% of cations		
Residual sodium carbonate	1.14	me/l		
pH	7.31			
Others:				

*ppm=parts per million

**me/l=milliequivalents per liter

***g.p.g.=grains per gallon

COMMENTS: Total cations 3.92 me/l
 Total anions 4.50 me/l

By: Shirley Mitten

Service Performed	Amount Due
Irrigation analysis	\$6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 74-100

Amount Enclosed \$

Signed

REPORT OF ANALYSIS
Water Quality Laboratory
Water Resources Research Institute
South Dakota State University
Brookings, South Dakota 57006

Submitted by: R. L. Hand
 Address: Kilgore, Nebraska
59216

Date Rec'd February 27, 1974
 Sample No. 74-099
 Identification #1
W-1, Sec. 14, T 36N, R 31W

WATER ANALYSIS

Calcium (Ca)	53	ppm*	2.65	me/l**
Magnesium (Mg)	8	ppm	0.66	me/l
Sodium (Na)	9	ppm	0.38	me/l
Potassium (K)	9	ppm	0.23	me/l
Sulfate (SO ₄)	14	ppm	0.29	me/l
Nitrate (as N)		ppm		me/l
Chloride (Cl)		ppm		me/l
Bicarbonate (HCO ₃)		ppm	3.80	me/l
Carbonate (CO ₃)		ppm		me/l
Iron (Fe)		ppm		me/l
Fluoride (F)		ppm		me/l
Hardness (EDTA as CaCO ₃)		ppm		g.p.g.***
Alkalinity (Methyl Orange)	190	ppm (as CaCO ₃)		
Alkalinity (Penolphthalein)	0	ppm (as CaCO ₃)		
Electrical Conductivity	367	microhmhos per cm at 25° C.		
Sodium Adsorption Ratio	0.30			
Sodium	9.69	% of cations		
Residual sodium carbonate	0.49	me/l		
pH	7.16			

*ppm=parts per million

**me/l=milliequivalents per liter

***g.p.g.=grains per gallon

COMMENTS: Total cations 3.92 me/l
 Total anions 4.09 me/l

By: Shirley Mitten

Service Performed

Amount Due

Irrigation analysis

\$6.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 74-099

Amount Enclosed \$

Signed

Form 10 - Notice of Intent to Appropriate Water

1164-2

Publish first publication, on or before March 7, 19 74

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 4, 19 74

Notice is hereby given that the H2 Cattle Co.

whose post office address is Kilgore, Nebraska, ~~XXXXXX~~ has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use

2.00 cubic feet of water per second of time from the ~~xxx~~ ground water through the

H2 Cattle Co. Fl, the point of diversion of which is to be located in the

SW 1/4 NW 1/4

of Section 14 Twp. 36N, Range 31W Said water to be used for the purpose of providing irrigation on the following described land:

NW 1/4, NE 1/4 and SW 1/4, Section 14, T36N, R31W

This application No. 1164-2 will be considered by the Water ~~Resources~~ ^{Rights} Commission at their office at Pierre upon the 26th day of March, 19 74, at 2:30 p .M. All interested persons may appear and be heard.

cc: H2 Cattle Co.
Kilgore, Neb. 69216

~~WATER RESOURCES COMMISSION~~
WATER RIGHTS COMMISSION

By:

Barton F. Jones
Water Right Specialist

No. 1164-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Lead) ss.

I, Margaret Tigert hereby

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

Water was taken from the Lead Co. Tribune

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 Mission

County of Lead and State of South Dakota;
that the said notice was published in said newspaper on the following

two Thursday, March 7, 1974

Thursday, March 14, 1974

Margaret Tigert
(Signature)
Officer - Legal Paper
(Title)
3-14-74
(Date Signed)

**Notice of Intent
to appropriate
water**

Notice is hereby given that the
H2 Cattle Co. whose post office
address is Kilgore, Nebraska has
made an application in accor-
dance with the provisions of the
water laws of South Dakota for a
permit to appropriate for benefi-
cial use 2.66 cubic feet of water
per second of time from ground
water through the H2 Cattle Co.
No. 1, the point of diversion of
which is to be located in the SW¹/₄
NW¹/₄ of Section 14, Twp. 36N,
Range 31W. Said water to be used
for the purpose of providing
irrigation on the following des-
cribed land: NW¹/₄, NE¹/₄ and
SW¹/₄, Section 14, T36N, R31W.

This application No. 1164-2
will be considered by the Water
Rights Commission at their
office at Pierre upon the 20th day
of March, 1974, at 2:30 p.m. All
interested persons may appear
and be heard.

Water Rights

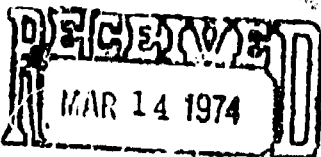
Commission

Burton F. Jones

Water Right Specialist

Publ. March 7 and 14.

-TEN-



STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

1164-2

March 20, 1974

Robert Burnette, President
Rosebud Sioux Tribe
Rosebud Indian Reservation
Rosebud, South Dakota 57570

Mr. Mr. Burnette:

Acknowledgement of your letter dated March 20, 1974 delivered to this office at about 1:10 p.m. on March 20, 1974 is hereby made.

Your letter stated that it had been noted that a notice of intent to appropriate, within the closed portion of the Rosebud Indian Reservation, 2.66 cubic feet per second of ground water to the H2 Cattle Company had been published in the South Dakota Tribune.

Your letter stated the Water Rights Commission has no legal right whatsoever to appropriate water within the closed boundaries of the Rosebud Indian Reservation, Todd County, South Dakota. Your letter also protested the publication of intent to appropriate such water.

Your letter was presented to the Water Rights Commission shortly thereafter it convened at 2 p.m. on March 20, 1974 and was again read later on the same day when Water Right Application No. 1164-2 of H2 Cattle Company was considered.

Water Right Application No. 1164-2 of H2 Cattle Company was approved by the Water Rights Commission containing the following qualifications:

"The irrigation well approved under this Permit is located near domestic wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation with care so there is not a reduction of needed water supplies in existing domestic wells."

The Water Rights Commission recognizes that there are prior Indian water rights for existing and future water uses on the Rosebud Indian Reservation. The Water Rights Commission is a state agency and as such operates under state law. Under

Mr. Robert Durnette

state law the Water Rights Commission has an obligation to accept and approve water right applications where water is available. The Commission also has an obligation to protect existing water users. The action of the Commission in its approval of Water Right Application No. 1164-2 with qualification as noted complies with these requirements and such action under such circumstances is deemed mandatory by the Commission.

Sincerely,

RONALD DRISCOLL,
Chief Engineer

DD/CS

cc: Mr. Robert Gando
Attorney General

1164.2

ROBERT P. BURNETTE
President Mission, S. D.

Rosebud Sioux Tribe

NORMAN I. KNOX
Secretary Okreek, S. D.

ADAM BORDEAUX
Vice President Rosebud, S. D.

Rosebud Indian Reservation
South Dakota

LOIS D. KRAMER
Treasurer Rosebud, S. D.

Incorporated Under Act of June 18, 1934, 48 Stat-984

PHONE: (605) 747-2283

March 20, 1974

TRIBAL COUNCILMEN

Antelope Community
CHARLIE COLOMBE
ALOYSIOUS LARVIE
JACOB ANTOINE
SPENCER BEAR HEELS
DICK LONE DOG

Black Pipe Community
CHRISTINE DUNHAM

Bull Creek Community
PAUL EAGLE STAR

Butte Creek Community
NELSON STRANGER HORSE

Corn Creek Community
NARCISSE BRAVE

He Dog Community
LEO RUNNING HORSE

Horse Creek Community
BEN KNIFE

Ideal Community
LEVI ANTOINE
GEORGE BEAR

Mills Camp Community
HAMPTON ANDREWS

Okreek Community
DONALD KNOX

Parmelee Community
JAMES GUERRE
ROBERT WALN
TITUS WHITE LANCE

Ring Thunder Community
ROBERT STEAD

St. Francis Community
MICHAEL BOLTZ
BOB QUIGLEY
ANGELINE RABBIT
JONAS SWIFT

Soldier Creek Community
JOHN LONGCOR

Swift Bear Community
JOE IVOTTE, JR.
FRANCIS BORDEAUX

Two Strike Community
LEO CHASING IN TIMBER

Spring Creek Community
CHARLES KILLS IN WATER

Upper Cut Meat Community
VICTOR LITTLE THUNDER

Rosebud Community
OPIE LAPOINTE
JIM BURNETTE
JULIE C. LAMBERT

Grass Mountain Community
STANLEY WHIPPLE

Water Rights Commission
State of South Dakota
Pierre, South Dakota

Attention: Burton F. Jones
Water Rights Specialist

Gentlemen:

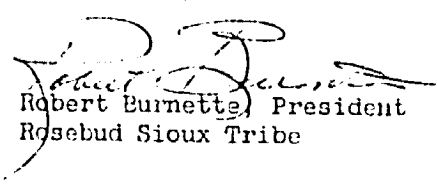
As noted, on March 7th and 14th in the Todd County Tribune, Mission, South Dakota, you have published notice of intent to appropriate, within the closed portion of the Rosebud Indian Reservation, 2.65 cubic feet of water per second of time from ground water for the H2 Cattle Company.

For some years, this tribe has attempted to deal diplomatically with the State of South Dakota concerning its water rights and has failed to bring the State Water Commission into proper legal prospective.

Due to that fact, I hereby serve notice upon you officially through Adam Bordeaux, Vice President of the Rosebud Sioux Tribe, who is personally delivering this statement to your commission, that from this date forward, the State Water Commission has no legal right whatsoever to appropriate water within the closed boundaries of the Rosebud Indian Reservation, Todd County, South Dakota. Should such action be taken, this tribe will bring proper legal action to protect its interest and recover any and all damages that may be caused by your action. We protest the publication of the intent to appropriate our water. This is a commodity that can only be appropriated and sold by the Rosebud Sioux Tribe.

Please take note of this matter as we expect to call upon the Government of the United States to fulfill its trust responsibilities if and when you take action.

Respectfully,


Robert Burnette, President
Rosebud Sioux Tribe

RB:vh

THE ROSEBUD SIOUX WELCOME YOU TO CRAZY HORSE CANYON

1164-2
1294-2
1476-2
1481-2

WATER RIGHTS DIVISION (605) 733-3352

May 14, 1982

David Danielski
RR#1,
Crookston, Nebraska 69201

Dear Mr. Danielski:

This letter is in regard to our telephone conversation May 11, 1982 in which you indicated you owned land covered under Permit Nos. 1164-2, 1476-2, 1481-2 and portions of land under Permit No. 1294-2. Enclosed please find copies of the above mentioned permits together with maps showing the permitted acreages.

As we previously discussed, since you own only portions of the land covered under Permit No. 1294-2, only that portion will be transferred to your name. The Permit will be split and given an "A" number, i.e., 1294-2A. You indicated that Willis Nelson, Tilden, Nebraska owned the remaining land covered under Permit No. 1294-2. Mr. Nelson will be contacted concerning such transfer.

Enclosed please find partially completed transfer forms for transferring Permit Nos. 1164-2, 1476-2, 1481-2 and portions of 1294-2. Please check over the accuracy of the legal descriptions, date, sign and have all the forms notarized before returning them to this office with a \$2.50 filing fee for each transfer. The permits can then be transferred to your name.

If you have any questions, please do not hesitate to contact this office.

Sincerely,

Genny Young
Water Rights Specialist

GY:ms
Enc. 4

SECOND NOTICE

1164-2

1294-2

1476-2

1481-2

WATER RIGHTS DIVISION (605) 773-3552

August 4, 1982

David Danielski
RR#1
Crookston, Nebraska 69201

Dear Mr. Danielski:

On May 14, 1982 notice was sent to you concerning the transfer of Water Permit No. 1164-2, Richard Hand; portions of Permit No. 1294-2, Annie Fernan; No. 1476-2, Stanley R. Majer; and No. 1481-2, Conrad Schelhaas. To date, we have not heard from you on this matter.

Transfer forms were previously sent to you, enclosed please find additional forms. Please check over the accuracy of the land descriptions, date, sign and have them notarized before returning the forms to this office. A \$2.50 filing fee is required for each transfer (total of \$10.00).

If you are not the present owner of the land covered under these permits, please notify this office. It is very important the ownership records be kept current. This office is in the process of updating the mailing labels for sending out our 1982 Irrigation questionnaires. In order for the questionnaires for these permits to be sent directly to you, the transfers will have to be received in this office within the next two weeks. Otherwise, the questionnaires will be mailed to the previous owner.

If you have any questions, please contact this office.

Sincerely,

Genny Young
Water Rights Specialist

GY:ms
Enc.

~~No-1164-2~~
1294-2
1476-2
1481-2

April 22, 1983

THIRD NOTICE

David Danielski
Rural Route
Crookston, Nebraska 69201

Dear Mr. Danielski:

On May 14 and August 4, 1983 notice was sent to you concerning transfer of Permit No. 1164-2, Richard Hand; portions of Permit No. 1294-2, Annie Fernan; Permit No. 1476-2, Stanley H. Sedlmajer and Permit No. 1481-2, Conrad Schelhaas. Since we have not heard from you on this matter, the Todd County Assessor's Office was contacted to see if you still owned the land. The Assessor's Office indicated you either owned or were buying the land under 1294-2, 1476-2 and 1481-2. They had no record of sale for land under Permit No. 1164-2 - Richard Hand.

If you still own the land covered by these permits, (see description on transfer forms) they should be transferred to your name. The Statutes provide that a permit for irrigation remains appurtenant to the land. If there is an ownership change; however, no such assignment (transfer) shall be binding except upon the parties thereto, unless filed for record in this office.

Enclosed are partially completed transfer forms. Check the accuracy of the land description for each, sign, date and have them notarized before returning the forms to this office. If you do not own any part of these lands, please notify this office.

Section 66 of House Bill 1001 as passed by the 1983 Legislature and effective March 8, 1983 requires Notice of any sale, grant, lease, conveyance or other transfer of a permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

1164-2

April 28, 1983

David Danielski
KR#1
Crookston, ME 69201

Dear Mr. Danielski:

This will acknowledge the receipt of the transfer notices you submitted to transfer Permit No. 1164-2, portions of Permit No. 1294-2, and Permit Nos 1476-2 and 1481-2 to your name. However, the transfer cannot be completed without the \$2.50 filing fee for each permit (total of \$10.00).

Please remit this amount as soon as possible. The transfers will be filed upon receipt of the \$10.00 filing fees.

Sincerely,

Genny Young
Water Rights Specialist

GY:ms

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 4-21-83

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

NW 1/4 NE 1/4 SW 1/4, Section 14-36-31

formerly owned by Richard Hand

has been transferred to David Danielski, RR#1, Crookston, NE 69201

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

Water Right Permit No. 1164-2 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 Office 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 46-2-13.

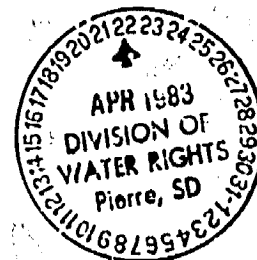
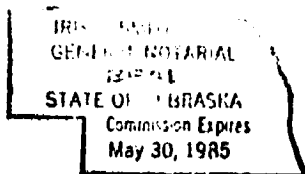
STATE OF SOUTH DAKOTA }
County of Cherry } ss.

I, David Danielski 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.

David Danielski
(Signed)

Subscribed and sworn to before me this 21st day of April, 1983.

Eric J. Smith
(Notary Public)



RECEIPT

Phone 605-747-2164

WATER RIGHTS COMMISSION

NO 4 9239

State of South Dakota

PIERRE, May 5, 1983

RECEIVED OF David Danielski, RR, Crookston, NE 69212

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.

Fee for inspecting Beneficial Use, and issuing Water License No.

Fee for issuing Location Certificate-Dry Draw, No.

Fee for filling Transfer of WR# 114-2

Fee for certified copy of

Fee for Print copy of map

Fee for Certifying

Fee for

(any other work as provided by law)

2 50

TOTAL

2 50

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH/ms

1164-2

**Nebraska Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Lincoln, South Dakota 57001

Water Rights Division
605 773-3352

May 16, 1983

David Danielski
RR #1
Crookston NE 69201

Dear Mr. Danielski:

Enclosed are receipt Nos. 4-9239 thru 4-9242 in the amount of \$2.50 each which you paid for transfer of Water Permit Nos. 1164-2, 1481-2, 1476-2 and 1294-2A.

Enclosed also is a copy of Water Permit No. 1294-2A which has been split and transferred from 1294-2.

Our records now show you as the owner of these Water Permits.

Sincerely,

KAREN SCHLACK
Administrative Aide

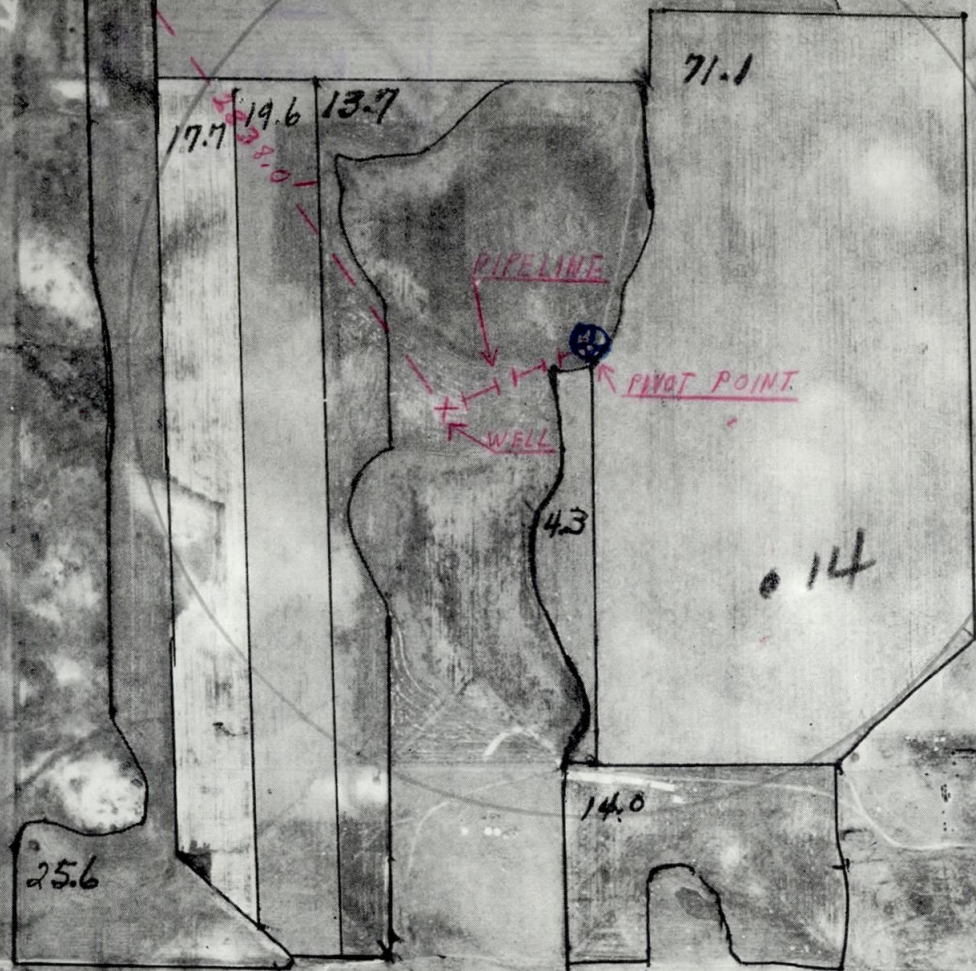
enclosures

14

44.6

(3-20)

PLAN MAP
 H2 Cattle Company
 Irrigation Project



WELL 144° of Grid North

2838.0' FROM NW CORNER SEC. 14-T36N-R31W

PIVOT POINT IS 627' NE OF WELL AT 63°-30' of Grid North

14-36-31

Map # 988-2

MAP # 988-2 (APPL # 1164.2)

Howard R. Wagner
 District Conservationist
 S.D.A. - S.C.S.