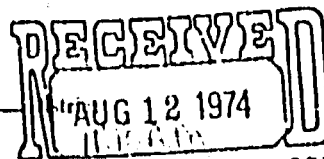


Water Right Number 1201-2

1. Considered 9-11, 1974
2. Name of Applicant WESLEY WILSEY
3. Post Office Address CREIGHTON
4. Amount of water claimed 3.34
5. Source of water supply CHEYENNE RIVER
6. Water to be used for IRRIGATION
Acres to be irrigated 2.34
7. Water to be diverted and used in PENNINGTON County
about 7E, 16N Miles of CREIGHTON
8. Proof of Publication
Received RE 9-6-74
Not received
9. Application
Approved
Subject to
Not approved
Action deferred
10. Remarks:

No. 1201-2Map No. 1022-2 Water Division No. 2 EAST CHEYENNE RIVER
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RIGHTS COMM.
PIERRE, SOUTH 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 Lucy Wilsey
Postoffice address Creighton, State South Dakota 57729
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 WILSEY #1
4. Amount of water claimed (cubic feet per second) 3.34 MAXIMUM ALLOWABLE
5. Source of water supply Cheyenne River
6. Location of point of diversion NW 1/4 Sec. 21 and NW 1/4 Sec. 15 Twp. 6N Range 17E
#1-2350' E & 1060' S OF THE NW CORNER SEC. 21, & #2-2050' S
& 1350' E OF THE NW CORNER SECTION 15, T6N, R17E County Pennington
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.) Irrigation
9. For irrigation use, _____ Total number of acres to be irrigated 234

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.
SE 1/4 of NW 1/4 of Sec. 15	3
NW 1/4 of SE 1/4 of Sec. 15	6
SW 1/4 of SE 1/4 of Sec. 15	10
N 1/2 of SE 1/4 of Sec. 15	27

Land Description	No. Acres Irr.
SW 1/4 of NE 1/4 of Sec. 15	35
NE 1/4 of SW 1/4 of Sec. 15	37
E 1/4 of SE 1/4 of Sec. 15	40
E 1/4 of SE 1/4 of Sec. 15	30

NW 1/4 of NE 1/4 of Sec. 21 Attach sheet if more space is needed

10. Time required to complete construction of water supply system Five years. Additional time required to complete application of water to the proposed beneficial use Four years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Pennington Co. Courant, Wall, S.
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Pump & Motor

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

Pipe 10" (approx. diameter)

C. Works proposed to apply water to beneficial use.

DitchesEstimated Total Cost \$10,000Attachments: 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 PenningtonI, Lucy Wilsey, 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 Lucy WilseySubscribed and sworn to before me this 21 day of August, 1974W. H. G. [Signature]
Notary Public (or other qualified officer)

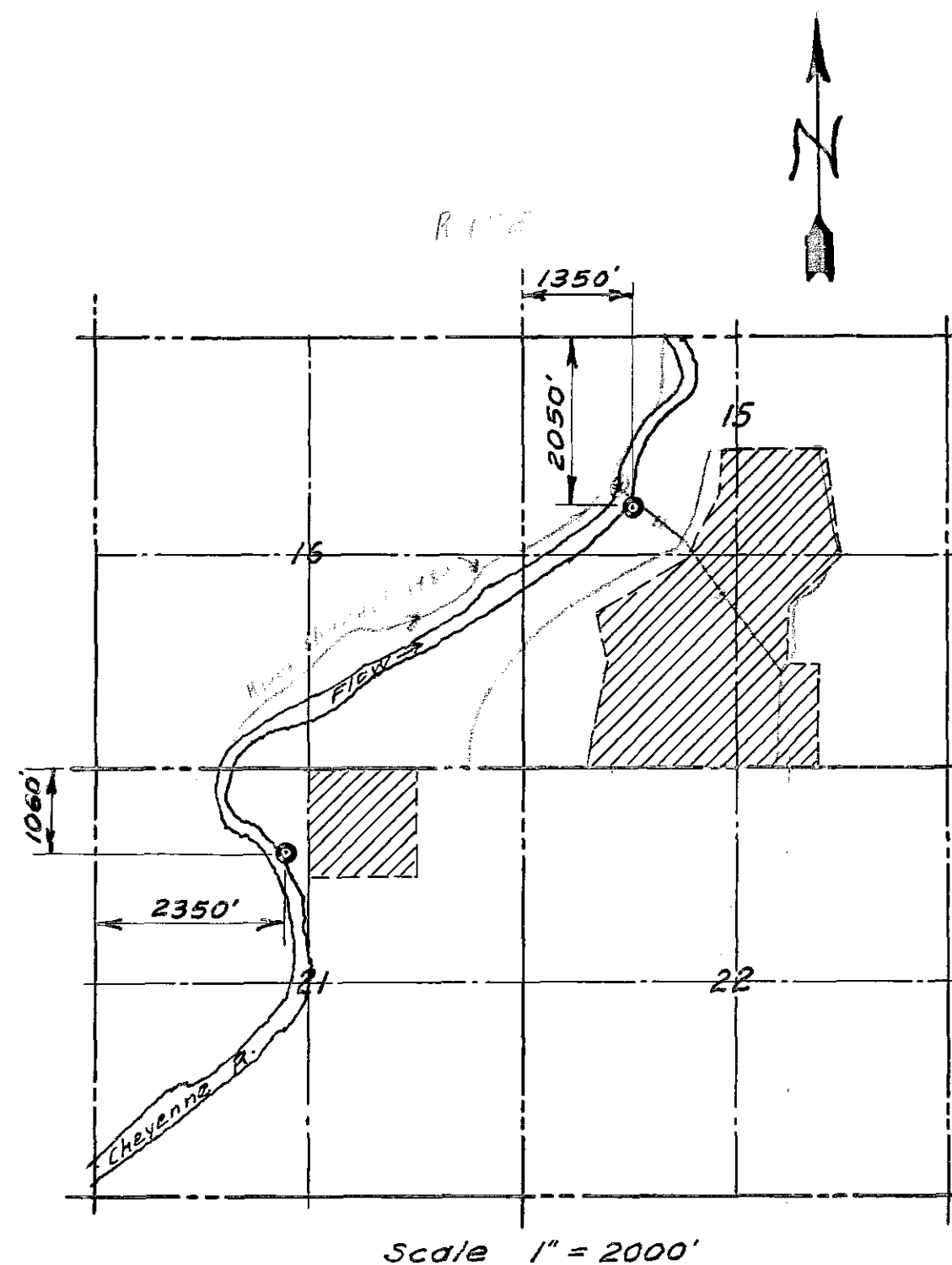
ESTIMATED AREAS TO BE IRRIGATED

LEGAL DESCRIPTION	ACRES
SE 1/4 of the NW 1/4 of Sec. 15	9
SW 1/4 of the NE 1/4 of Sec. 15	35
NW 1/4 of the SW 1/4 of Sec. 15	6
NE 1/4 of the SW 1/4 of Sec. 15	37
SW 1/4 of the SW 1/4 of Sec. 15	10
SE 1/4 of the SW 1/4 of Sec. 15	40
NW 1/4 of the SE 1/4 of Sec. 15	27
SW 1/4 of the SE 1/4 of Sec. 15	30
NW 1/4 of the NE 1/4 of Sec. 21	40
<u>Total</u>	<u>234</u>

All areas in Twp. 6N. - Range 17 E.
All owned by: Lucy F. Wilsey

This is to certify that the above
shown areas represent a reasonably
accurate description of the areas
to be irrigated.

By: James F. Wilsey
Registered Professional Engineer #1384



LEGEND

Areas to be irrigated



Section Lines



1/4 Section Lines



Diversion Points



Note: The intended diversion points are as
shown. Water may also be diverted at other
points between these if found to be more
accessible in the future.

WATER RIGHT PROPOSAL
OF WESLEY WILSEY
FOR IRRIGATION PURPOSES
DIVERSION FROM THE
CHEYENNE RIVER
PENNINGTON COUNTY
AUGUST 12, 1974

MAP NO 1022-2 APPL NO 1201-2

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1201-2
WESLEY WILSEY, LUCY C. REIGHTON
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57729 With the following modifications:
 (State)

DIVERSIONS OF WATER UNDER THIS PERMIT ARE CONTINGENT UPON SUPPLIES BEING FIRST AVAILABLE TO THE PRIOR WATER RIGHTS ON THE CHEYENNE RIVER. FLOW RECORDS SHOW THAT THERE ARE OCCASIONAL YEARS WHEN THE FLOWS OF THE CHEYENNE RIVER ARE DEFINITELY AND RECOGNIZABLY LOWER THAN USUAL DURING THE MONTHS OF JULY, AUGUST & SEPTEMBER. DIVERSIONS OF WATER ARE NOT TO BE MADE UNDER THIS PERMIT DURING SUCH LOW FLOW PERIODS.

Date of first receipt of application AUGUST 12 1974
 Date of return to applicant for correction, amendments or changes required --- 19---
 Date of receipt of corrected application --- 19---
 Approved SEPTEMBER 11 1974 Recorded in Book 13 Page 68

WATER RIGHT PERMIT NO. 1201-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1201-2 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 12 1974.
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 11 1977.
3. The whole of said work is to be completed on or before SEPTEMBER 11 1979.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 11 1983.
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 3.34 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 11 1983; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 12TH day of SEPTEMBER 1974

WATER RIGHTS COMMISSION

By:

Donald R. Rieck
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

Form 6 - Notice of Intent to Appropriate Water

1201-2

Publish first publication, on or before August 29, 1974

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

August 12, 1974

Notice is hereby given that Wesley Wilsey
whose post office address is Craigton, 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
3.34 cubic feet of water per second of time from the Cheyenne River through the
Wilsey #1, the point of diversion of which is to be located in the _____

Between points in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and in the SE $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 15, Twp. 6N, Range 17E. Said water to be used for the purpose
of providing irrigation on ^{portions of} the following described land:

NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 21, T6N, R17E

This application No. 1201-2 will be considered by the Water Resources Commission at their office at
Pierre upon the 11th day of September, 1974, at 2:30 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/bw

cc: Wesley Wilsey, Craigton, S.D. 57729

No. 1201-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Penn.) ss.

I, R. F. Lewis hereby

certify that the annexed printed copy of Notice of Intent to Appropriate Water was taken from the Penn. Co. Record

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 Wells

County of Penn. and State of South Dakota; that the said notice was published in said newspaper on the following two dates:

Aug 22, 1974

Aug 29, 1974

R. F. Lewis
(Signature)

Editor
(Title)

Sept. 2, 1974
(Date Signed)

PENNINGTON COUNTY COURT, WELLS, South Dakota - 67795

NOTICE
INTENT TO APPROPRIATE
WATER

No. 1201-2

August 12, 1974

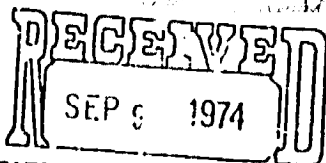
Pierre, South Dakota 57501

Notice is hereby given that Wesley Wilsey whose post office address is Creighton, South Dakota, has made application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for domestic use .334 cubic feet of water per second of flow from the Cheyenne River through the Wilsey No. 2, the point of diversion of which is to be located between points in the NE 1/4 NW 1/4, Section 21, and in the SE 1/4 SW 1/4 of Section 15, Twp. 6N, Range 17E, Sd. Creighton, S.D. 57729

WATER RESOURCES
COMMISSION
By: Burton F. Jones,
Water Rights Specialist

This application No. 1201-2 will be considered by the Water Resources Commission at their office at Pierre upon the 11th day of September, 1974, at 2:30 P.M. All interested persons may appear and be heard.

water to be used for the purpose of providing irrigation on portions of the following described land: NW 1/4 NE 1/4, Section 21, SW 1/4, SE 1/4 NW 1/4 SW 1/4 NE 1/4, and 1/4 SE 1/4, Section 21, T6N,



STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

1721-2 W-12 W-12

4-17-80 Air Mail. 1st class. 2nd class. 3rd class.

1st class. 2nd class. 3rd class.

1st class. 2nd class. 3rd class.

1st class. 2nd class. 3rd class.

1st class. 2nd class. 3rd class.

3-12" Air. Through. 1st class. 2nd class.

1st class. 2nd class. 3rd class.

3-12" Air. Through. 1st class. 2nd class.

1st class. 2nd class. 3rd class.

3-12" Air. Through. 1st class. 2nd class.

1st class. 2nd class. 3rd class.

3-12" Air. Through. 1st class. 2nd class.

1st class. 2nd class. 3rd class.

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7543

PIERRE, June 17, 1980

RECEIVED OF Jef D. Wilsey, Creighton, SD 57729

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 filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for transfer of permit #1201-2 (any other work as provided by law)	2	50
TOTAL	2	50

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer

JOHN HATCH *(Jb)*

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 6-17-80

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

9 ac. SE $\frac{1}{4}$ NW $\frac{1}{4}$; 93 ac. SW $\frac{1}{4}$; 57 ac. W $\frac{1}{2}$ SE $\frac{1}{4}$; 35 ac. SW $\frac{1}{4}$ NE $\frac{1}{4}$ all in Sec. 15 T6N, R17E

40 ac. NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 21, T6N, R17E

formerly owned by Lucy F. Wilsey, Creighton, SD 57729

and is still owned by Lucy F Wilsey, Creighton, SD 57729
~~has been transferred to~~

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

Water Right Permit No. 1201-2 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 the Board of Water Management 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 Hughes) ss.

I, Jeff D. Wilsey 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.

Jeff D. Wilsey
(Signed)

Subscribed and sworn to before me this 17th Day of June, 1980.

Lois L. Ries
(Notary Public)

LOIS L. RIES, Notary Public
My Commission Expires
February 3, 1988



**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1201-2

August 1, 1986

Jeff Wilsey
SR#1, Box C 29
Creighton, South Dakota 57729

Dear Mr. Wilsey:

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

Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper 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.

Please advise if you have any questions.

Sincerely,

Maxine Stirling
Secretary

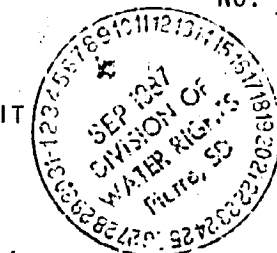
ms/
Enc.

DWNR-820A-8/85

NO. 1201-2

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:

169
234 acres - SE1/4NW1/4, SW1/4, W1/2SE1/4, W1/2NE1/4 Section 15, T6N-R17E

formerly owned by Lucy Wilsey

has been transferred to Jeff Wilsey, Frank Wilsey, Esther Merrill
Jeff Wilsey, SR#1, Box C 29, Creighton, SD 57729

(please include complete mailing address)

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

Water Right Permit No. 1201-2 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 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 46-2-13.

STATE OF SOUTH DAKOTA)
County of Pennington) ss.

I, Jeff D. Wilsey 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.

Jeff D. Wilsey
(Signed)

Subscribed and sworn to before me this 7th Day of August, 1987.

Richard J. R. [Signature]
(Notary Public)

My Commission expires 11/29/90

**South Dakota Department of
Water & Natural Resources**

Joe Foster Building
523 East Capitol
Pierre, South Dakota 57501-3181

1201-2

September 8, 1987

Jef D Wilsey
SR 1 Box C29
Creighton, SD 57729

Dear Mr. Wilsey:

I am writing to acknowledge receipt of the "Notice of Transfer" form you submitted and Receipt No. 4 7543 dated June 17, 1980 in the amount of \$2.50. The transfer form was completed properly, however, even though you still have the old receipt, a new filing fee of \$2.50 needs to accompany the transfer notice.

Water Permit No. 1201-2 was applied for under the name of Wesley Wilsey. In 1980, the permit was transferred to Lucy Wilsey. The receipt you sent to us was for the \$2.50 fee paid for filing the transfer from Wesley Wilsey to Lucy Wilsey.

I hope I have cleared up any questions you may have had concerning this transfer. Upon receipt of a \$2.50 filing fee from you, Water Permit No. 1201-2 will be transferred to Jef Wilsey, Frank Wilsey, and Esther Merrill.

If you have any questions, please contact me.

Sincerely,

Genny McMATH

GENNY MCMATH
Natural Resources Analyst
605 773-3352

encl: Receipt No. 4 7543

October 8, 1987

1201-2

Please find enclosed check for \$2.50 for transfer fee. Permit 1201-2.

Jef D. Wilsey

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

411006

Pierre, October 13, 19 87

RECEIVED OF Jef D. Wilsey, SR 1, Box C 22, Greighton, SD 57750

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 1201-2

Fee for Filing Extension Request _____

Fee for Certified Copy of _____

Fee for Print Copy of Map _____

Fee for Certifying _____

for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By J. H. Hatch
Chic. Engineer JOHN HATCH

(S)

SOUTH Dakota Department of
Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

Phone (605) 773-3352

October 14, 1987

Jef D. Wilsey
SR 1, Box C 29
Creighton, South Dakota 57729

Dear Mr. Wilsey:

Enclosed is receipt No. 411006 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 1201-2.

Our records now show ~~you~~ **Jef Wilsey, Frank Wilsey & Esther Merrill**
as the owner of this Water Right.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

WNR-821-7/79

Receipt & Notice of filing of Transfer of Water Right



Department of Water & Natural Resources

Jon Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

DEC 19 1988

Jef D. Wilsey
Star Route 1, Box C29
Creighton, South Dakota 57729

Dear Mr. Wilsey:

Enclosed herewith is, Water License No. 2034-2. 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,

A handwritten signature in cursive script that reads "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Enclosures

NOTE: Applicable portions of Water Permit No. 1201-2 have been incorporated into this Water License No. 2034-2.

WNR-817 3/83
Transmittal of Water License