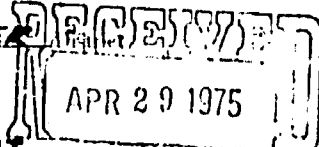


Water Right Number 1264-2

1. Considered MAY 21, 1975
2. Name of Applicant J. TIPPS HAMILTON
3. Post Office Address MIDLAND
4. Amount of Water claimed 2.95
5. Source of Water supply DRY DRAW STORAGE 300 A.F.
6. Water to be used for IRRIGATION  
Acres to be irrigated 207.0
7. Water to be diverted and used in HAAKON County  
about 19E, 11N miles of MILESVILLE
8. Proof of Publication  
Received 5-16-75  
Not Received \_\_\_\_\_
9. Application  
Approved \_\_\_\_\_  
Subject to \_\_\_\_\_  
Not Approved \_\_\_\_\_  
Action Deferred \_\_\_\_\_
10. Remarks:

No. 1264-2Map No. 1071-2 Water Division No. 2 EAST CHEYENNE RIVER  
(Blanks to be Filled by the Engineer for the W. R. C.)

## APPLICATION FOR PERMIT

STATE WATER RIGHTS COMMISSION  
PIERRE, SOUTH DAKOTA

## To Appropriate Water within the State of South Dakota

(NOTE: Draw a line through items not applicable)

CANCELLED  
BY ACTION OF W. R. C.  
BY

1. Name of Applicant J. Tipps Hamilton  
Postoffice address Midland  
If a corporation show date and place of incorporation None
2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct Labor
3. Name of diversion work J. Tipps Hamilton Irrigation Project #3
4. Amount of water claimed (cubic feet per second) 2.95 cfs
5. Source of water supply Private Dam
6. Location of point of diversion 115 rods N 40°30' W of the Southeast Corner of Section 36, T8N R23E  
Haakon County
7. Annual period or periods during which water is to be used March 1st thru November 31st
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 207

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. |
|--------------------|----------------|------------------|----------------|
| See attached sheet |                |                  |                |
|                    |                |                  |                |
|                    |                |                  |                |
|                    |                |                  |                |

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 5 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Pioneer Review
12. Principal Features of the Proposed Water Supply System.

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

Pump

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

Pipe

C. Works proposed to apply water to beneficial use.

Sprinkler System

Estimated Total Cost \$ \$45,000Attachments: 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 HAAKONI, J. Tipps Hamilton, 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

Subscribed and sworn to before me this 22nd day of April 19 75

Notary Public (or other qualified officer)

R-23-E

23 24  
26 25

24 19  
25 30

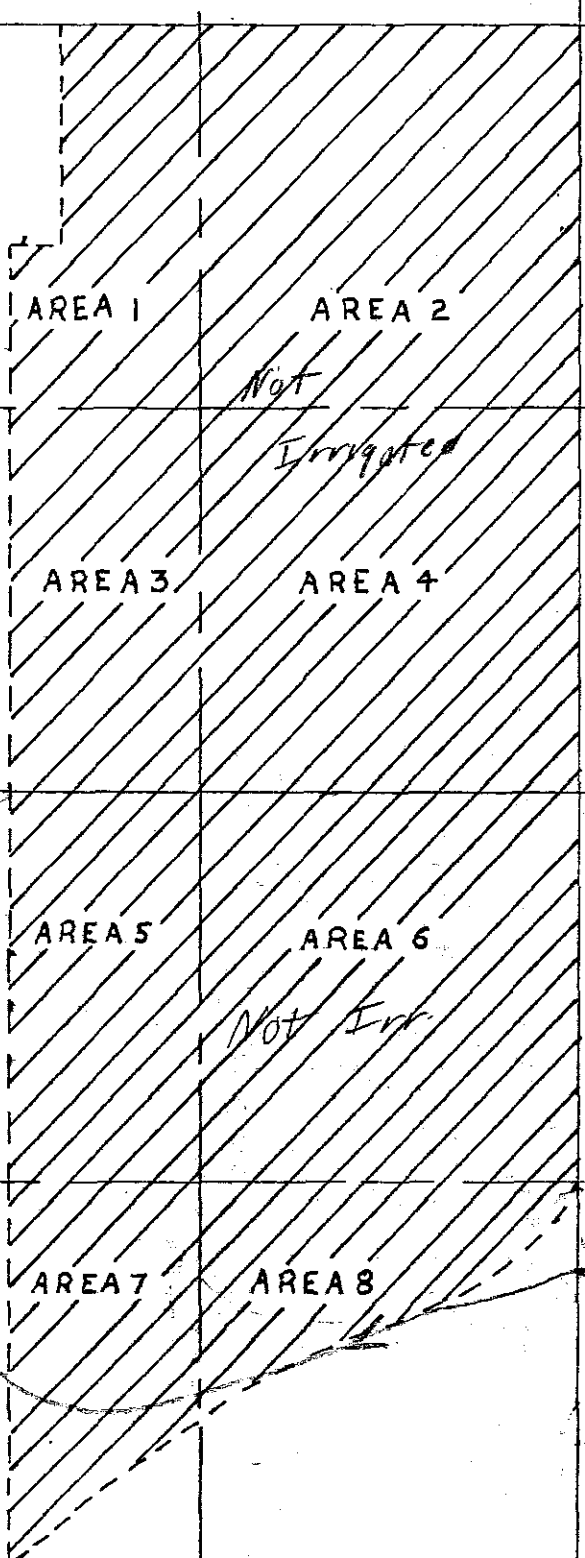
26 25  
35 36

25 30  
36 31

35 36  
2 1

36 31  
1 6

T-8-N



Gravity to  
Dams in Sec.  
36 & 26.  
Thru ditch.

See US GS Map  
or aerial Map

Dam 30ft high

PERMIT # 1447-2  
for dam in NW 1/4 - Sec. 6  
T 7 N R 24 E

All lands described are owned by "J. Tipps Hamilton"

| LOCATION OF LAND TO BE IRRIGATED |               |         |          |       |       |
|----------------------------------|---------------|---------|----------|-------|-------|
| AREA                             | LOCATION      | SECTION | TOWNSHIP | RANGE | ACRES |
| 1                                | NW 1/4 SW 1/4 | 25      | 8 N      | 23 E  | 16.5  |
| 2                                | NE 1/4 SW 1/4 | 25      | 8        | 23    | 40.0  |
| 3                                | SW 1/4 SW 1/4 | 25      | 8        | 23    | 20.0  |
| 4                                | SE 1/4 SW 1/4 | 25      | 8        | 23    | 40.0  |
| 5                                | NW 1/4 NW 1/4 | 36      | 8        | 23    | 20.0  |
| 6                                | NE 1/4 NW 1/4 | 36      | 8        | 23    | 40.0  |
| 7                                | SW 1/4 NW 1/4 | 36      | 8        | 23    | 16.0  |
| 8                                | SE 1/4 NW 1/4 | 36      | 8        | 23    | 14.5  |
| Total                            |               |         |          |       | 207.0 |

Scale: 1" = 660'

J. TIPPS HAMILTON  
IRRIGATION PROJECT NO. 3

Haakon County, South Dakota

Keith Kuehnbecker, Manager  
West River Conservancy Sub-District

MAP NO 1071-2 APPL NO 1264-2

# WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1264.2  
J. TIPS HAMILTON MIDLAND  
 (Applicant) (Post Office Address)  
SOUTH DAKOTA 57552 With the following modification:

APPROVAL OF THIS PERMIT AUTHORIZES STORAGE OF 300 ACRES  
 FEET OF WATER ANNUALLY.

**CANCELLED**  
 BY ACTION OF W.R.C.  
 DATE 5/22/80 BY WMB

*Incorporated into  
 # 1703-2*

Date of first receipt of application APRIL 29 19 75  
 Date of return to applicant for correction, amendments or changes required — 19 —  
 Date of receipt of corrected application — 19 —  
 Approved MAY 22 19 75, Recorded in Book 13 Page 267

WATER RIGHT PERMIT NO. 1264.2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1264.2 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 APRIL 29 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 22 19 77
3. The whole of said work is to be completed on or before MAY 22 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 22 19 80
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 2.95 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 22 19 75 said water to be used during the following described annual period: MARCH 1 THRU NOVEMBER 30

Witness my hand this 23<sup>RD</sup> day of MAY 19 75

WATER RIGHTS COMMISSION

By: Kenn W. Boudier  
 Acting Chief Engineer, Executive Officer

Certificate of Construction Issued — 19 —

Water License Issued — 19 —

# J. TIPPS HAMILTON IRRIGATION PROJECT #3

All land described are owned by "J. Tipps Hamilton"

## LOCATION OF LAND TO BE IRRIGATED:

| AREA | LOCATION                          | SECTION | TOWNSHIP | RANGE | ACRES       |
|------|-----------------------------------|---------|----------|-------|-------------|
| 1    | NW $\frac{1}{4}$ SW $\frac{1}{4}$ | 25      | 8N       | 23E   | 16.5        |
| 2    | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 25      | 8N       | 23E   | 40.0        |
| 3    | SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 25      | 8N       | 23E   | 20.0        |
| 4    | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 25      | 8N       | 23E   | 40.0        |
| 5    | NW $\frac{1}{4}$ NW $\frac{1}{4}$ | 36      | 8N       | 23E   | 20.0        |
| 6    | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | 36      | 8N       | 23E   | 40.0        |
| 7    | SW $\frac{1}{4}$ NW $\frac{1}{4}$ | 36      | 8N       | 23E   | 16.0        |
| 8    | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | 36      | 8N       | 23E   | <u>14.5</u> |
|      |                                   |         |          | Total | 207.0       |

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

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

D. Well Information or Estimates

(1) Drill Hole, Diameter \_\_\_\_\_, Depth \_\_\_\_\_

(2) Casing, Type \_\_\_\_\_ Diameter \_\_\_\_\_ Thickness \_\_\_\_\_  
(wood, concrete, steel, etc)

(3) Perforated Screen.

Type \_\_\_\_\_, Diameter \_\_\_\_\_, Length \_\_\_\_\_

(4) Gravel Pack, Thickness \_\_\_\_\_, Length of gravel pack \_\_\_\_\_

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 \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Depth to top of water bearing material \_\_\_\_\_

Depth to bottom of water bearing material \_\_\_\_\_

Thickness of water bearing material \_\_\_\_\_

Depth to water (ground surface to water level) \_\_\_\_\_

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

On same owner's property \_\_\_\_\_ rds. On property owned by others \_\_\_\_\_ 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.

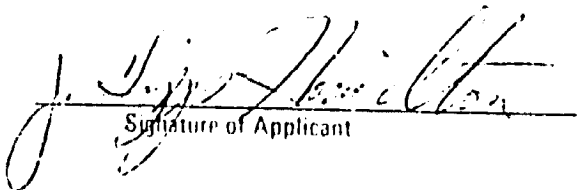
SR 200-36

HEIGHT. = 30 feet

MAXIMUM WATER DEPTH = 25 feet

SURFACE AREA = 20 acres

STORAGE CAPACITY = 300 AF

  
Signature of Applicant

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

No. 1264-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County Haakon ) ss.

I, Les Ravellette hereby  
certify that the annexed printed copy of Notice of Intent to Appropriate  
Water was taken from the Pioneer Review

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 Philip of Philip

County of Haakon and State of South Dakota,  
that the said notice was published in said newspaper on the following  
two dates:

May 8, 1975

May 15, 1975

Burton F. Jones  
(Signature)

By  
(Type)

May 15, 1975  
(Date Signed)

NOTICE OF INTENT  
TO APPROPRIATE  
WATER  
NOTICE IS HEREBY GIVEN  
that J. Tipps Hamilton whose  
post office address is Midland,  
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  
2.95 cubic feet of water per  
second of time from a dry draw  
through the J. Tipps Hamilton  
Irrigation Project #3, the point  
of diversion of which is to be  
located in the SE1/4SE1/4 of  
Section 36, Twp. 8N, Range 23E.  
Said water to be used for the pur-  
pose of providing irrigation on  
portions of the following des-  
cribed land: SW 1/4, Section  
25, and NW 1/4, Section 36,  
T8N, R23E.  
This application No. 1264-2  
will be considered by the Water  
Resources Commission at their  
office at Pierre upon the 21st  
day of May, 1975, at 2:30 P.M.  
All interested persons may ap-  
pear and be heard.  
WATER RESOURCES  
COMMISSION  
By Burton F. Jones,  
Water Rights  
Specialist  
(Published May 8 & 15, 1975)

RECORDED  
MAY 16 1975  
STATE WATER RIGHTS COMMISSION  
PIERRE, SOUTH DAKOTA

Form 6 - Notice of Intent to Appropriate Water

1264-2

Publish first publication, on or before May 8, 19 75

NOTICE  
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 29 19 75

J. Tipps Hamilton

Notice is hereby given that

whose post office address is Midland, 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

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

J. Tipps Hamilton Irrigation Project #3, the point of diversion of which is to be located in the

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

of Section 36, Twp. 8N, Range 23E. Said water to be used for the purpose of providing irrigation on the ~~following~~ portions of land:

SW $\frac{1}{4}$ , Section 25, and NW $\frac{1}{4}$ , Section 36, T8N, R23E

This application No. 1264-2 will be considered by the Water Resources Commission at their office at Pierre upon the 21st day of May, 19 75, at 2:30 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

MURRON F. JONES  
Water Rights Specialist

BFJ/bw

cc: J. Tipps Hamilton, Midland, S.D. 57552



# Department of Water & Natural Resources

Joe Foss Building

Pierre, South Dakota 57501

Water Rights, Water Management Division

(605) 773-3352

June 12, 1980

J. Tipps Hamilton  
Box 622  
Ft. Pierre SD 57532

Dear Mr. Hamilton:

Enclosed herewith is your Water Right Permit No. 1703-2 as approved by the Water Management Board authorizing the water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said Water Right Permit No. 1703-2.

Also, enclosed is your Water License No. 1703-2 and Certificate of Construction.

Water License No. 1703-2 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.

The applicable portions of Permit Nos. 1172-2, 1264-2 and 1447-2 have been incorporated into this License No. 1703-2 and Permit Nos. 1172-2, 1264-2 and 1447-2 have been placed in a cancelled status.

Very truly yours,

JOHN HATCH, Chief Engineer  
Water Rights, WMP

JH:kw

enclosures

*Equal Opportunity Employer*