

1401-2

1. Considered 7-21, 1976
2. Name of Applicant HAROLD G. SCHNEE
3. Post Office Address KADOKA
4. Amount of water claimed .9
5. Source of water supply DRY DRAW (80 AC FT STORAGE)
6. Water to be used for IRRIGATION
Acres to be irrigated 63
7. Water to be diverted and used in JACKSON county
about 3N 3W miles of KADOKA.
8. Proof of Publication Received 7-19-76
Not received
9. Application Approved
Subject to
Not Approved
Action deferred
10. Remarks:

No. 1401-2Map No. 1187-2 Water Division No. 2 BAD RIVER District _____
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant Harold G. Schnee
 Postoffice address Kadoka, State South Dakota
 If a corporation show date and place of incorporation November, 1974; Kadoka
2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract & Direct Labor
3. Name of diversion work Schnee Dairy Inc. Irrigation Project No. 1
4. Amount of water claimed (cubic feet per second) 0.9 cfs
5. Source of water supply Dam
6. Location of point of diversion On Storage Reservoir: 156 rods S12⁰⁰'W of the NE corner of Section 14, T2S, R21E and 65 rods N08⁰⁰'W of the SE corner of Section 14, T2S, R21E. County Jackson
7. Annual period or periods during which water is to be used April 1 to September 31
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 63

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.
#1, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec14, T2S, R21E	29		
#2, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec14, T2S, R21E	34		

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.

Pump

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

Pipe

C. Works proposed to apply water to beneficial use.

Sprinkler & GravityEstimated Total Cost \$ 10,000.00

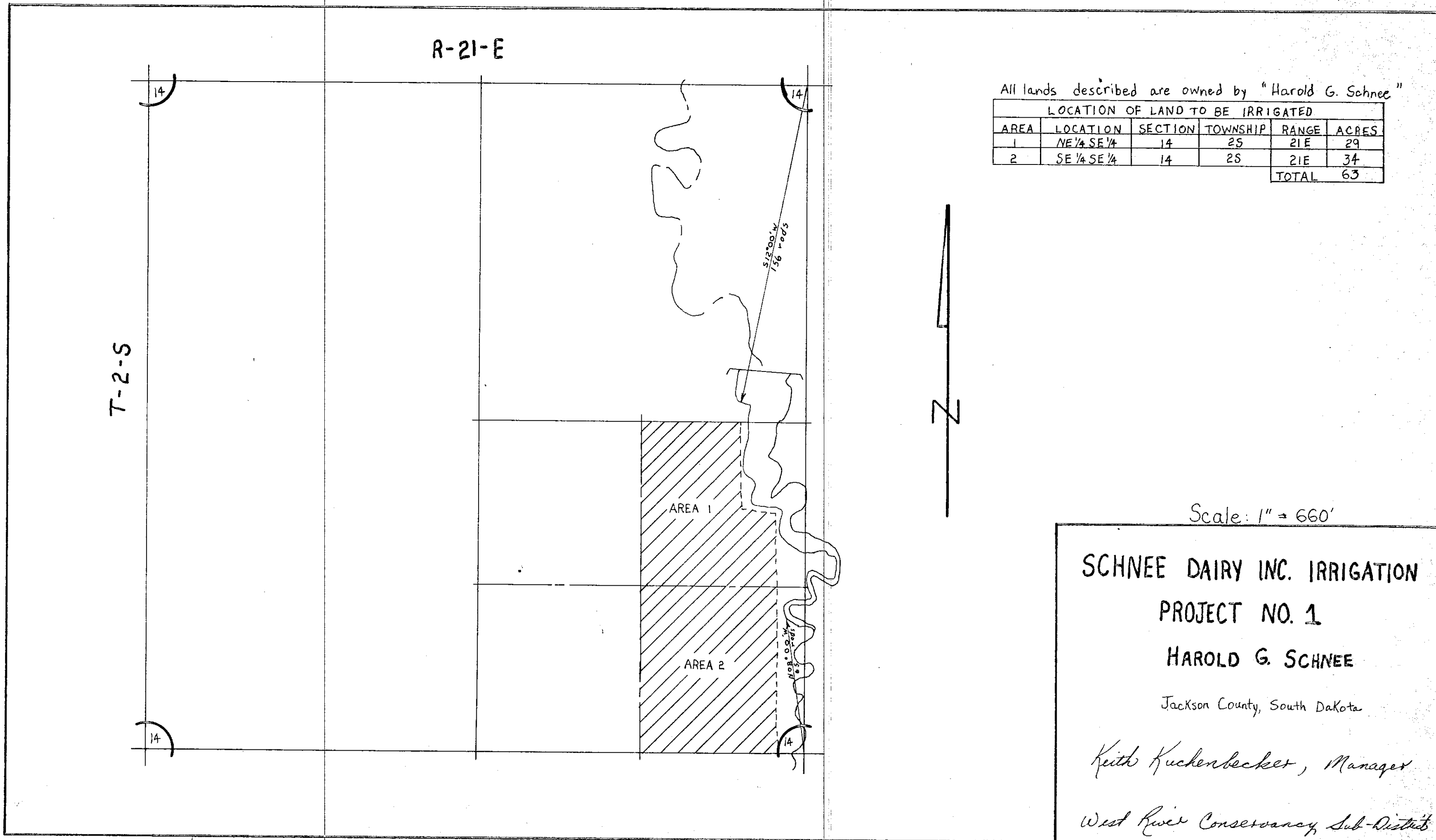
Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA)

) ss.

County of JacksonI, Harold G. Schnee 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 Harold G. SchneeSubscribed and sworn to before me this 10th day of June 19 76Janet M. Hapley
Notary Public (or other qualified officer)

My Commission Expires 6-18-81



All lands described are owned by "Harold G. Schnee"

LOCATION OF LAND TO BE IRRIGATED					
AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	NE 1/4 SE 1/4	14	2S	21E	29
2	SE 1/4 SE 1/4	14	2S	21E	34
TOTAL					63

MAP NO 1137-2 (APP NO 1401-2)

WATER RIGHT APPLICATION APPROVAL

Water Rights Commission hereby approves Water Right Application No. 1401-2
HAROLD G. SCHNEE
(Applicant)
SOUTH DAKOTA 57543 (State) With the following modifications:
KADOKA
(Post Office Address)

LOW FLOWS AS NEEDED FOR DOWNSTREAM DOMESTIC USE, INCLUDING LIVESTOCK WATERING AND PRIOR WATER RIGHTS, MUST BE BY-PASSED. APPROVAL OF THIS PERMIT AUTHORIZES STORAGE OF 80 ACRE FEET OF WATER ANNUALLY.

Date of first receipt of application _____
Date of return to applicant for correction, amendments or changes required _____
Date of receipt of corrected application _____
Approved JULY 22, 1976, Recorded in Book 15 Page 224
WATER RIGHT PERMIT NO. 1401-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1401-2 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 JUNE 22, 1976
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 22, 1979
3. The whole of said work is to be completed on or before JULY 22, 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 22, 1985
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 .90 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 JULY 22, 1985; said water to be used during the following described annual period: APRIL 1 TO SEPTEMBER 31

Witness my hand this 28TH day of JULY, 1976

By: John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____
License Issued _____, 19____

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.

Max. Water Depth..... 20 ft.

Height..... 25 ft.

STORAGE (APPROX) 80 AC FT.

Harold G. Schuer
Signature of Applicant

No. 1401-2

Publish first publication, on or before

July 8, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 24, 1976

Notice is hereby given that Harold G. Schnee

whose post office address is Kadoka, 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 .90 cubic feet of water per

second of time from ~~the~~ a tributary of Franklin Creek through the
Schnee Dairy Project #1, the point of diversion of which is to
be located in the

SE1 NE1

of Section 14, Twp. 2S, Range 21E. Said water to be used for the purpose of providing irrigation on the following described land:

E4 SL4, Section 14, T2S, R21E

This application No. 1401-2 will be considered by the Water Rights Commission at the Court House at Winner, South Dakota upon the 21st day of July, 1976 at 10:00 A. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFJ/bw

cc: Harold G. Schnee, Kadoka, S.D. 57543

4XGYZRERK1A55NZXEM11A55K

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Jackson) ss.
County _____)

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, July 8, 1976

Thursday, July 15, 1976

L. G. Parkinson

(Signature)

Publisher

(Title)

July 15, 1976

(Date Signed)

NOTICE OF INTENT TO
APPROPRIATE WATER

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June 24, 1976

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in accordance with the provisions
of the water laws of South Dakota
for a permit to appropriate for
beneficial use .90 cubic feet of
water per second of time from a
tributary of Franklin Creek
through the Schnee Dairy Project
#1, the point of diversion of which
is to be located in the SE 1/4 NE 1/4
of Section 14, Twp. 2S, Range
21E. Said water to be used for the
purpose of providing irrigation on
portions of the following de-
scribed land:

E 1/2 SE 1/4, Section 14, T2S, R21E.

This application No. 1401-2 will
be considered by the Water
Rights Commission at the Court
House at Winner, South Dakota
upon the 21st day of July, 1976, at
10:00 a.m. All interested persons
may appear and be heard.

WATER RIGHTS COMMISSION
BY:

Burton F. Jones,
Water Rights Specialist
Pub. July 8-15



**Department of
Water & Natural Resources**

State, South Dakota 57501-3181

February 8, 1989

HAROLD G SCHNEE
BOX 437
KADOKA, SD 57542

NOTICE

RE: Violation of Requirement to Submit 1988 Irrigation Questionnaire

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 1401-2, 840-2, 841-2. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of hearing to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

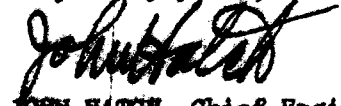
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s). 1401-2, 840-2, 841-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire is received in this office before the March 1st hearing date, your name will be deleted from the agenda for the hearings.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

— over —

Dear Sirs -



Feb 1961

I can identify with your
of not receiving the questionnaire. I
it back, however I made the mistake
not having a copy made which will
happen in the future. If you will send
me another questionnaire I will gladly
fill it out again. I did not
any last year & do not intend
at this time in the future as
of the questionnaire. I have just a
portion of the records in the C.R. file.

I'm also adapting the methods
used to see to it that I receive the
letter I'm returning it by Certified.

Sincerely,

Harold S. White

Box 437

Kedoka, S.D.

**Department of
Water & Natural Resources**

Joe Ross Building
603 East Capitol
Pierre, South Dakota 57501-3181



May 26, 1988

Harold G Schnee
Box 437
Kadoka, SD 57543

Dear Mr. Schnee:

I am writing in regard of our review of irrigation questionnaire records. No irrigation has been reported for the last five irrigation seasons under Permit No(s). 1401-2.

South Dakota Codified Laws state that when any person fails to use water for the purpose for which it was appropriated for a period of three years, or abandons the use of the water, such unused water shall revert to the public. An exception to the law is when there is legal excuse for nonuse of water. Examples of legal excuse for nonuse of water are when water is not available or legal proceedings which prevent the use of water.

Since your permit(s) has (have) not been used for five years, the permit(s) may be subject to cancellation by the Water Management Board unless there is a legal reason for not using water. Please advise by June 17, 1988 if you still want to keep your water right and if there is a reason why water has not been used. Let us know, if you have any questions.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

Dear Sir:

The farm has been in process of a restructure agreement for about 3 yrs. Drought has been about everything making no water available. If the board feels the need to
- over -



Department of Water & Natural Resources

Jon Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

February 8, 1989

HAROLD G SCHNEE
BOX 437
KADOKA, SD 57543

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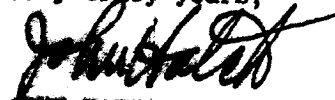
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1. Amend Permit No(s). 1401-2, 840-2, 841-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
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If the questionnaire is received in this office before the March 1st hearing date, your name will be deleted from the agenda for the hearings.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division
606 773-3352



**Department of
Water & Natural Resources**

Joe Foss Building
520 East Capitol
Pierre, South Dakota 57501-3181

February 24, 1989

840-2
841-2
1401-2

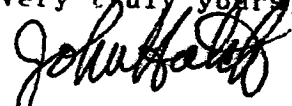
Harold G Schnee
Box 437
Kadoka, SD 57543

Dear Mr. Schnee:

I am writing to acknowledge receipt of your February 10, 1989 letter indicating you did not irrigate in 1988 under Water Permit Nos. 840-2, 841-2 and 1401-2. Irrigation Questionnaires have been completed for you based upon your letter. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. Your name has been deleted from the March Water Management Board meeting agenda.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

 **Department of
Water & Natural Resources**

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

October 27, 1989

1401-2

Joseph T Singletary
RR #1 Box 988
Ragley, LA 70657

Dear Mr. Singletary:

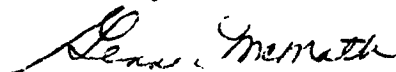
I am contacting you in regard to ownership of Water Permit No. 1401-2, currently listed in the name of Harold Schnee. Mr. Schnee has notified our office that you have purchased the land authorized for irrigation under Permit No. 1401-2 (63 acres in the E1/2 SE 1/4 Section 14, T2S, R21E).

Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Permit No. 1401-2. Please check over the form and sign in the presence of a notary public. Upon completion of the form, return it to our office with a required filing fee of \$2.50.

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.

If you have any questions, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



NO. 1401-2

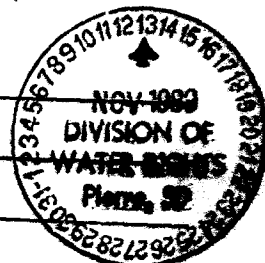
NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 11/8/89

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

63 acres - E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 14, T2S, R21E



formerly owned by Harold G Schnce

has been transferred to Joseph T Singletary
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1401-2 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.

LOUISIANA
STATE OF ~~SOUTH DAKOTA~~)
Parish of Beauregard) ss.

I, Lucille Barnhill being first duly sworn on my oath despose 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.

Joseph T Singletary
(Signed)

Subscribed and sworn to before me this 7th Day of November, 19 89.

Lucille Barnhill
(Notary Public)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411974

Pierre, November 13, 19 39

RECEIVED OF Joseph Singletary, Rt 1, Box 988, Ragley LA 70657

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 No. 1401-2 _____	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)		
Total	2	50

By John Hatch
Chief Engineer JOHN HATCH (ks)

**Department of
Water & Natural Resources**

Joe Foss Building
823 East Capitol
Pierre, South Dakota 57501-3181

November 20, 1989

Joseph T. Singletary
Rt 1, Box 988
Ragley LA 70657

Dear Mr. Singletary:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Permit No. 1401-2.

Our records now show you as the owner of this Water Permit.

Sincerely,

Karen Schlaak

KAREN SCHLAACK
Senior Secretary
Water Rights Division
605 773-3352

enclosure

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Joseph T Singletary, 7943 Hwy 190E, Ragley LA 70657 9721

DATE: September 25, 2002

TELEPHONE: (337) 725-3712

(at ranch): (605) 837-2919

RE: status of Water Permit No. 1401-2

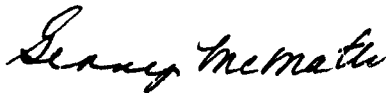
COMMENTS:

I called and spoke with Mr. Singletary about the annual irrigation questionnaire for Water Permit No. 1401-2. He indicated he does not irrigate and does not intend to irrigate.

The water permit authorizes a storage dam w/80 acre feet capacity. He indicated the dam does exist. He added that he actually has three large dams. He repaired one of them this summer but does not know if it's the one described in the irrigation permit.

I told him I would take him off the list to receive an irrigation questionnaire so he would no longer have to fill them out on a yearly basis. He hoped he would not lose his water permit for not reporting. I explained to him that he still needed the permit because of the storage dam. I told him that someone from our office would be contacting him to obtain permission to go look at the area for licensing purposes.

He indicated that someone is usually always on the ranch (near Kadoka) and we could call (605) 837-2919. However he would prefer that we keep the phone number (337) 725-3712 as his primary number because that's where he lives.



Genny McMath
Environmental Scientist

Permit No. 1401-2
Bad River - Water District

Report Of Examination Of Works And/Or Application of Water To Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, **June 3, 2003**, made a thorough examination of the water use system constructed by **Joseph T. Singletary** of **7943 Hwy 190E, Ragley, LA** holder of Permit No. **1401-2**, bearing the priority of **June 22, 1976** authorizing the storage of **80** acre-feet of the waters of **runoff (dry draw dam)** for **livestock use** purposes, in **Jackson** County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

25 ft. high earth dam with 80 ac-ft capacity

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

N/A

C. Works used to apply water to beneficial use:

25 ft. high earth dam with 80 ac-ft capacity

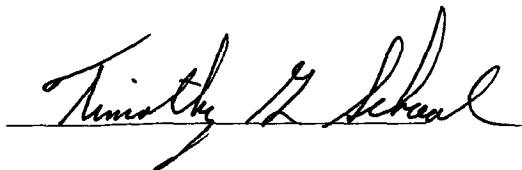
The system is in the following condition **good**. The point of diversion is located **2250 ft. south & 400 ft. west of the NE corner of Sec. 14-T2S-R21E (SE ¼ NE ¼)**. The works are capable of storing **80** acre-feet of water which is to be used for **livestock use**. Water has been put to beneficial use to the maximum extent as follows:

25 ft. high earth dam with 80 ac-ft capacity

and the license should be issued for **80** acre-feet of storage.

Applicable permit qualifications have been complied with: Yes **X**

Exceptions to compliance are: **none** Date Report Completed: **June 17, 2003**



Timothy G. Schaal, P.E.
Natural Resources Engineer Specialist
DENR, Water Rights Program

REPORT ON INSPECTION OF PERMIT NO. 1401-2

DATE OF INSPECTION: June 3, 2002

NAME & ADDRESS OF INSPECTION CONTACT/ Ed Beckwith

RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE: ranch hand

NAME & ADDRESS OF PERMIT HOLDER: Joseph T. Singletary, 7943 Hwy 190E,
Ragley, LA 70657 9721

DIVERSION POINT LEGAL LOCATION: 2250 ft. south & 400 ft. west of the NE corner of
Sec. 14-T2S- R21E (SE ¼ NE ¼)

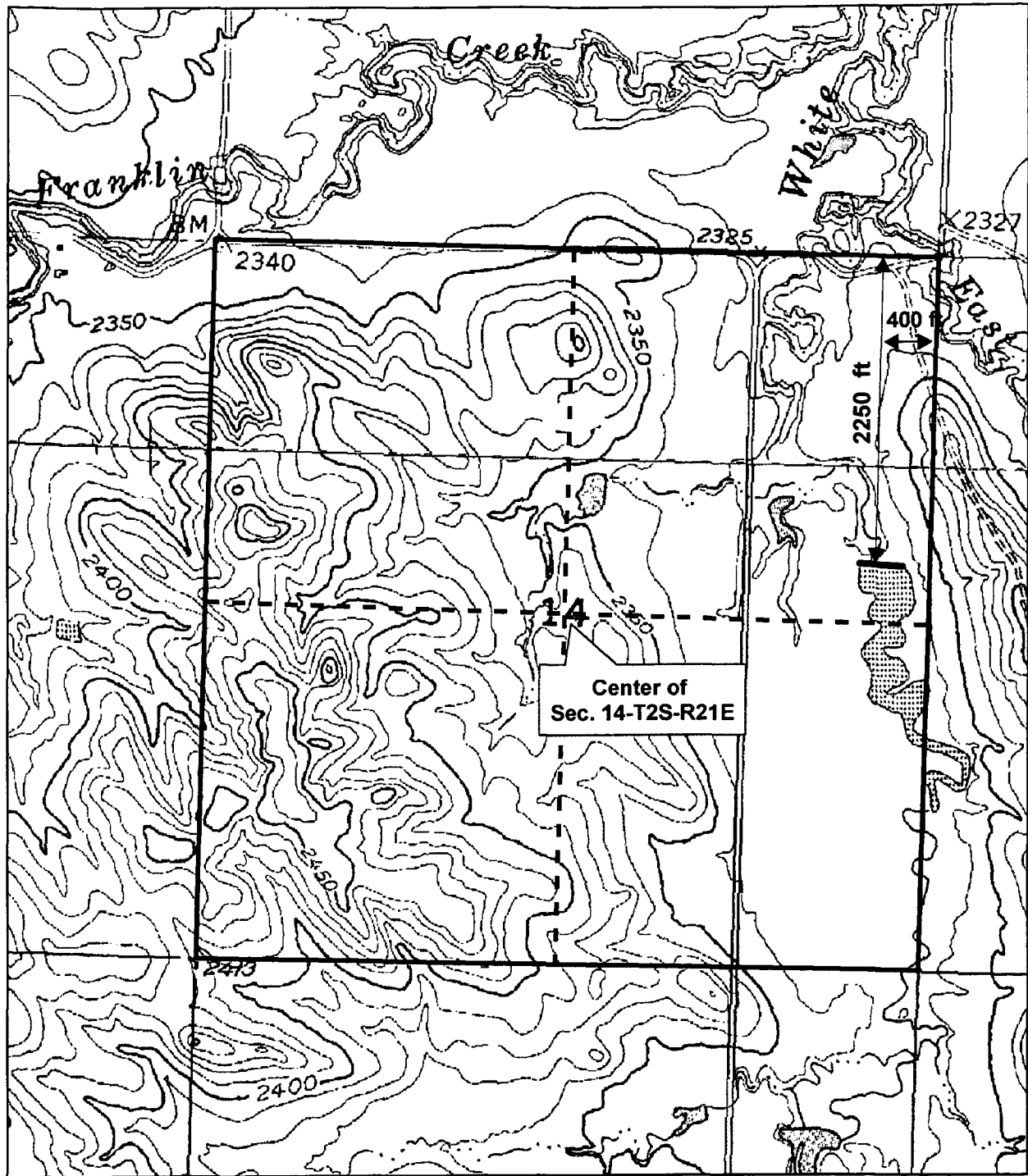
DAM INFORMATION:

- 1) Height to crest 25 feet
- 2) Height to primary spillway 20 feet
- 3) Height to secondary spillway 22 feet
- 4) Crest width 12 feet
- 5) Crest length 400 feet
- 6) Spillway length XXX feet
- 7) Spillway width 200 feet
- 8) Approx. storage (Normal) 80 acre-feet
- 9) Approx. storage (Maximum) 150 acre-feet
- 10) Date constructed: 1976

PERMIT QUALIFICATIONS AND REGULATIONS:

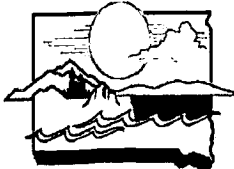
- 1) Soil and water permit lands agree with lands being irrigated and lands listed on permit N/A
- 2) Special qualifications to permit being abided by yes
- 3) All structures, wells and lands on map yes
- 4) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period N/A

Water Permit Application No. 1401-2



0 0.25 0.5 1 Miles

South Dakota Department of
Environment and Natural Resources



Protecting South Dakota's Tomorrow ... Today



Timothy G. Schaal
Timothy G. Schaal, P.E. 6/17/03
Natural Resources Engineer Specialist
Water Rights Program

Licensing of Irrigation Water Permit for Stock Watering

NAME: Joseph T. Singletary

ADDRESS: 7943 Hwy190E, Ragley, LA

DATE: June 17, 2003 COUNTY: Jackson TELEPHONE: (337) 725-3712

AUTHORITY

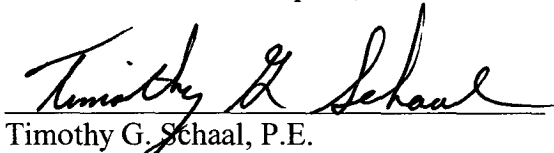
Pursuant to SDCL 46-5-31.1, if permitted irrigation use from a storage dam is abandoned or forfeited but the storage dam is used for stock watering, stock watering may be added to the license or permit upon the request of the permit or license holder.

REQUEST

I talked to Joseph T. Singletary today about Water Permit No. 1401-2. He said they do not irrigate from this dam anymore; however, they do maintain the dam for livestock watering purposes. I explained to him that we should change the use of the dam from irrigation to stock watering use.

RECOMMENDED ACTION

Based on the above request, it is recommended that the water license be issued for stock watering.



Timothy G. Schaal, P.E.

Natural Resources Engineer Specialist

Water Rights Program

The Chief Engineer makes a finding pursuant to SDCL 46-5-31.1 that:

This addition of stock watering does not impair existing water rights and no diversion of water will be made from the stock dam. Licensing of the water permit for stock watering may occur without application or publication pursuant to SDCL 46-2A-4.



Garland Erbele, Chief Engineer

Water Rights Program



June 23, 2003

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

RECEIVED

JUL 28 2003

**WATER RIGHTS
PROGRAM**

1401-2

Joseph T Singletary
7934 Hwy 190E
Ragley LA 70657-9721

Dear Mr. Singletary:

On June 3, 2003 the investigation of your water use system, including the extent of application of water to beneficial use, as developed under Water Permit No. 1401-2, was completed by Tim Schaal, a staff engineer with our program. Your final water right document, the water license, can now be issued.

State law requires that we charge a \$50.00 fee for the investigation and issuance of the water license. Upon receipt of the \$50.00 fee from you, we will complete processing your water license. The check or money order for the fee should be made payable to the "Water Rights Program".

Your licensed water right will be similar to a property right that can not be lost as long as the water use continues and you abide by the permit requirements.

If you have any questions regarding the water permit, investigation of your water use system or payment of the fee, please contact Genny McMath with our program at (605) 773-3352.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
(605) 773-3352

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date July 28, 20 03

RECEIVED OF Patty M Singletary, 7805 Hwy 190 East, Rapid City LA 70657

The following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
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. <u>1401-2</u>		
Fee for Filing Transfer Form _____		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50.00

No.

By

Darlene Erbe
Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1401-2

(1) Harold G Schnee, Kadoka SD made Application No. 1401-2, June 22, 1976 for a water permit to impound 80 acre feet of water from runoff, Jackson County, South Dakota for irrigation purposes. Permit No. 1401-2, with a priority date of June 22, 1976 was approved July 22, 1976 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before July 22, 1981 and for the application to beneficial use of water on or before July 22, 1985.

On November 13, 1989, Water Permit No. 1401-2 was transferred to Joseph T Singletary, 7934 Hwy 190E, Ragley LA 70657-9721.

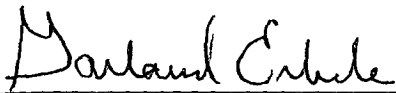
An investigation of Water Permit No. 1401-2 found the irrigation use to be abandoned and/or forfeited. Pursuant to SDCL 46-5-31.1, the Chief Engineer makes a finding that the existing water rights will not be impaired provided no diversions are made from the stock dam.

(2) The water supply system has been completed and water applied to beneficial use in accordance with South Dakota State Law. Pursuant to South Dakota Codified Law 46-5-30.1, the holder and/or owner of Water Right No. 1401-2 is issued a license, bearing a priority date of June 22, 1976, to impound 80 acre feet of water.

The location of the storage dam (spillway) is 2,250 feet south and 400 feet west of the northeast corner of Section 14-T2S-R21E (SE ¼ NE ¼).

(3) This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Permit No. 1401-2, including the following now applicable qualifications:

- Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.
- This license authorizes storage of 80 acre-feet of water annually.



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

AUG 28 2003

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

AUG 28 2003

1401-2

Joseph T Singletary
7934 Hwy 190E
Ragley LA 70657-9721

Dear Mr. Singletary:

Enclosed is Water License No. 1401-2. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 000847 in the amount of \$50.00 which you paid for the investigation and issuance of the Water License.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures