

1. Considered: JULY 1982 Water Right No. 1817-2
2. Name of Applicant HARRY TERRY JR
3. Post Office Address STAR POST BOX 1524
4. Amount of Water Claimed 2.72 maximum acre feet
5. Source of Water Supply WHITE RIVER
6. Water to be used for IR acres to be irrigated 252.50
7. County TAPP & MELLITT about 3E-1SS miles of VIVIAN
8. PROOF OF PUBLICATION: Received 1st/Winnee Advocate Todd Co Tribune 7/3/82 Not Received
- APPLICATION: Approved 7-27-82 Subject to WRG-116
- Not Approved Action Deferred

PRIORITY
5-3-82

Dated Received 5-3-82 Application complete-yes no FEE 275.00

Remarks

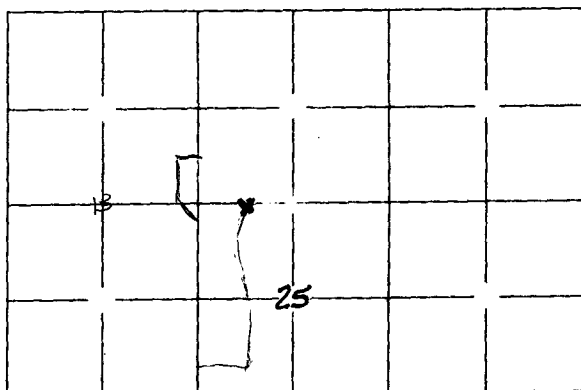
Corrected Application received Period of Annual Use

WATER
QUALITY

Received yes 6/11/82 no APPROVED CONDITIONAL (Circle one)

WI-1 Description same as application yes no Remarks

the Red hatched areas on Soils Map are NOT included in the application, so area to be irrigated is same as the WI-1.



Diversion Point
NE⁴ NW⁴ SEC 25-T103N-R79W

Land to be irrigated
W¹W², SEC. 25-T103N-R79W;
E²SE⁴ SEC. 13-T43N-R25W &
NE⁴ NE⁴, SEC 24-T43N-R25W.

WELL LOG

Driller Licensed - yes no

Depth

Remarks

MAP Map No. 1571-2 Map located in Water Right X Map file _____
 Type of Map Eng. Drawn Prepared by SCS

+++++

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on: _____

6/14/82

Dusty Westlund
 (Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date _____
 F.F. & C. Final Decision, including F.F. & C. of Law were adopted _____
 OF LAW, Date _____
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision was
 DECISIONS adopted _____
 ETC. Remarks _____

COPY (This typewritten/application and permit is a copy with corrections made for the purposes of Microfilming) and loading to the CRT)

Form 2 - Application for Permit to Appropriate Water-Original (Includes Approval and Permit)

No. 1817-2

Map No. 1571-2 Water Division No. 2 WHITE RIVER District

Above for Office Use 10140204

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

Check one of the following:

New ☒ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage _____

1. Name of Applicant HARRY PERRY JR Phone No. 895-2298

Post Office Address Star Rt. Box 16, Presho State S.D. 57568

(Street, RR, or Box) (Town) (Zip Code)

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 Perry #3

4. Amount of water claimed (cubic feet per second) 3.32 Maximum allowable

5. Source of water supply White River

6. Location of point of diversion 1500 feet east of NW Corner of Section 25-T103N-R79W
(NE $\frac{1}{4}$ NW $\frac{1}{4}$)

County TRIPP AND MELLETT

7. Annual period or periods during which water is to be used March to June 1st

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 232.80

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.
W $\frac{1}{2}$ W $\frac{1}{2}$ Sec. 25-103N-79W (Tripp County)	128.90

Land Description	No. Acres Irr.
E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 13-43N-25W	73.90
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 24-43N=25W	30.00

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 county newspaper for publication of Notice of Intent to Appropriate Water Tripp Co. Journal

12. Principal Features of the Proposed Water Supply System. Mellette Co. News

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

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

C. Works proposed to apply water to beneficial use.

gravity and center pivot

Estimated Total Cost \$ _____

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)
County of Hughes)ss.

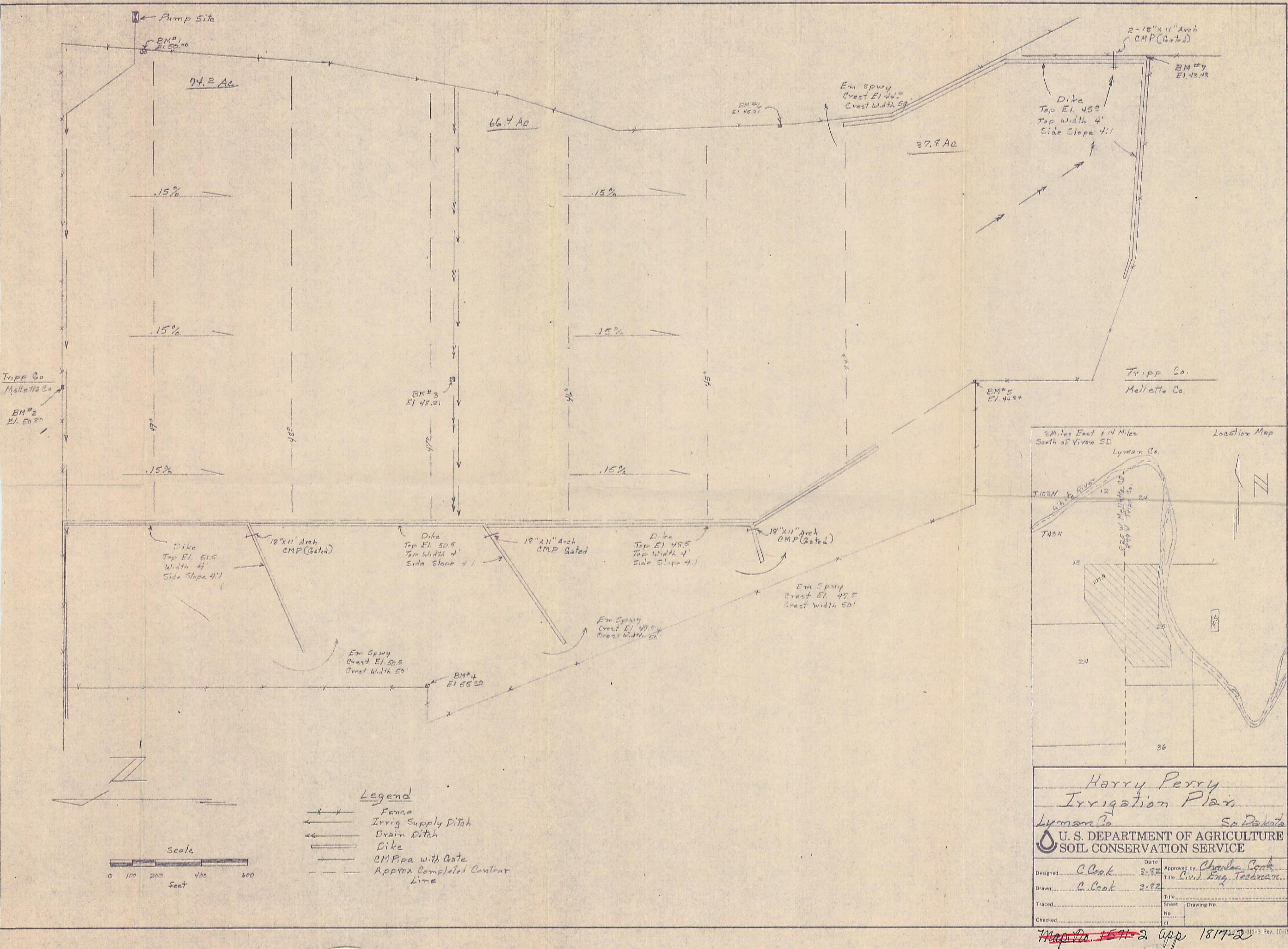
I, Harry Perry Jr the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed s/ Harry Perry Jr

Subscribed and sworn to before me this 3rd day of March, 1982

s/ Karen Schlaak, Ad, Sec. Water Rights

Notary Public (or other qualified officer)



Harry Perry
Irrigation Plan
Lyman Co. So Dakota

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed <u>C. Cook</u>	Date <u>3-32</u>	Approved by <u>Charles Cook</u>
Drawn <u>C. Cook</u>	Sheet <u>2-22</u>	Title <u>Lyman Co. Irrigation</u>
Traced	Sheet	Drawing No.
Checked	No	of

Map No. 1571-2 app. 1817-2

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1817-2

Harry Perry Jr

Star Route Box 16, Presho

(Applicant)

(Post Office Address)

South Dakota 57568

(State)

With the following qualifications

Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be by-passed.. This permit authorizes the diversion of water from the White River for irrigation until June 1st of each calendar year. After June 1, there shall be no diversions from the White River under this permit unless written authorization is issued by the Water Management Board or its legally appointed representative. Diversions under this permit shall be in accordance with any written orders issued by the Board or its representative.

This permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application May 3, 1982
Date of return to applicant for correction, amendments or changes required , 19
Date of receipt of corrected application WQ June 11, 1982
Approved July 28, 1982, Recorded in Book Page

WATER RIGHT PERMIT NO. 1817-2

The Water Management Board hereby grants and issues this Water Right Permit No. 1817-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is May 3, 1982
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before January 28, 1985
3. The whole of said work is to be completed on or before July 28, 1987
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is July 28, 1991
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 3.32 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 irrigation purposes said appropriation must be limited to not more than 2 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 28, 1991; said water to be used during the following described annual period: March to June 1st

Witness my hand this 2nd day of August, 1982

THE WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Water Rights

JOHN HATCH

Certificate of Construction Issued , 19

Water License Issued , 19

CONSERVATION COMMISSION

WI#1

9/81

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION

Office Use Only

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

3062

OWNERS NAME: HARRY PERRY, Jr OWNERS ADDRESS: Star Rt-Box 16

Presho, S.D. 57568

COUNTY LAND LOCATED IN: Tripp + Mellette PHONE: 895-2298

TENANT'S NAME AND ADDRESS: HARRY PERRY, Jr

In accordance with State Law SDCL 46-5-6.5, if a water permit is granted with a conditional Soil/Water Compatibility permit, **A COPY OF SUCH CONDITIONAL SOIL/WATER COMPATIBILITY PERMIT MUST BE FILED WITH THE COUNTY REGISTER OF DEEDS. THIS ACTION MUST BE TAKEN BY THE HOLDER OF A WATER PERMIT WITHIN 6 MONTHS OF RECEIPT OF SUCH WATER PERMIT.**

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION _____

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: White River

Legal Description	Acres	Legal Description	Acres
<u>Tripp Co. W$\frac{1}{2}$ W$\frac{1}{2}$ 25-103N-79W</u>	<u>128.9 Ac.</u>		
<u>Mellette Co. E$\frac{1}{2}$ SE$\frac{1}{4}$ 13T 43N-25W</u>			
<u>" NE$\frac{1}{4}$ NE$\frac{1}{4}$ 24-43N-25W</u>	<u>103.9 Ac.</u>		

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED _____

LEGAL DESCRIPTION: Lyman County

IN WHAT NAME: HARRY PERRY, Jr

4. LOCATION OF AREA TO BE IRRIGATED NOTE: **SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)**

5. TYPE OF IRRIGATION: GRAVITY: X TOWLINE: _____ CENTER PIVOT: 116A GUN: _____ OTHER: _____ (Specify)

6. CROPS TO BE IRRIGATED: Alfalfa

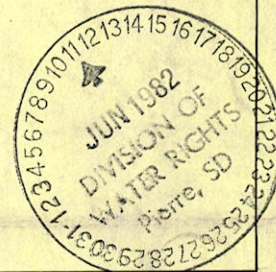
WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: White River

8. SALINITY (EC X 10⁶): 600

9. SODIUM (SAR): 6.83

10. ADJUSTED (SAR): 9.97



I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____, 19____, at the following location: _____

by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

CONDITIONAL

#3062

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

DIVISION OF CONSERVATION

NAME OF APPLICANT: Harry Parry, Jr.

LEGAL DESCRIPTION: Tripp - W $\frac{1}{4}$ W $\frac{1}{4}$ 25-103-79 = 128.9 acres
Mellette - E $\frac{1}{4}$ SE $\frac{1}{4}$ 13; NE $\frac{1}{4}$ NE $\frac{1}{4}$ 24-43-25 = 103.9 ac.

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED: (soils are indicated by
red hatch marks on map)

SnE - Samsil Schamber Complex
AAE - Sansarc Opal Association

These soils cannot be irrigated due to steepness of slope.

Ky - Kyle - These soils cannot be irrigated due to high clay
content causing very slow intake rates,

THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:

Keep in permanent alfalfa or a grass alfalfa mixture.

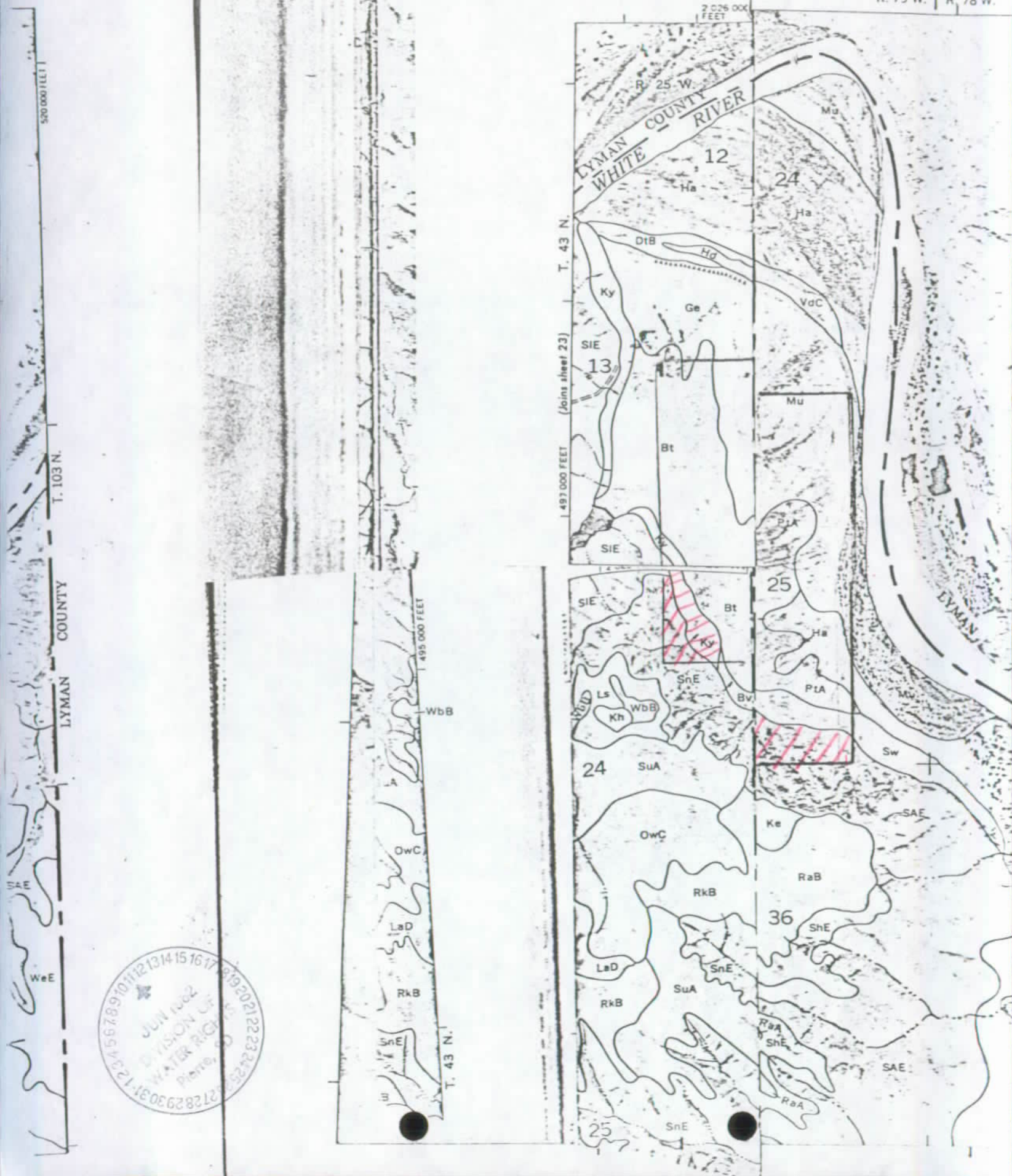
RECOMMENDED MANAGEMENT:



Jack M. Fyfe
SIGNATURE

6-1-64
DATE

R. 79 W. | R. 78 W.



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8825

PIERRE, May 7, 1902

RECEIVED OF Harry Perry, Jr. Star Route, Box 16, Presho, SD 57568

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

Fee for Application for Permit to Appropriate Water No. 1817-2 (examination, processing, recording and filing)	275.00
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 (any other work as provided by law)	
TOTAL	275 00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer

JOHN HATCH (ms)



No. 1817-2

Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
(605) 733-3352

June 14, 1982

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT THE
NEWSPAPER RIGHT AWAY.

Harry Perry Jr.
Star Route, Box 16
Presho, South Dakota 57568

Dear Mr. Perry:

You are hereby notified that your Application No. 1817-2 for a permit to appropriate water for irrigation use, has been examined and found to comply with the water laws of South Dakota and the regulations thereunder. A notice of your intent to appropriate water has been sent to the Tripp County Journal printed at Winner Publisher of the Mellette County News printed at Mission, South Dakota. For your information, a copy of this notice is enclosed.

BE SURE TO CONTACT THE LEGAL AD DEPARTMENT OF THE ABOVE NEWSPAPER TO AUTHORIZE PUBLICATION OF YOUR NOTICE OF INTENT TO APPROPRIATE WATER AND TO ARRANGE FOR PAYMENT. EARLY CONTACT WITH THE PAPER CAN ELIMINATE DELAYS IN PRINTING THE NOTICE AND TRANSMITTAL OF PUBLICATION NOTICES TO THIS OFFICE. THE PUBLISHER HAS BEEN INSTRUCTED ON WHAT DATES HE IS TO PUBLISH THE NOTICE OF YOUR APPROPRIATION OF WATER ONCE EACH WEEK FOR TWO CONSECUTIVE WEEKS PRIOR TO THE WATER MANAGEMENT BOARD MEETING WITH THE LAST PUBLICATION TO OCCUR AT LEAST FOUR LEGAL BUSINESS DAYS BEFORE THE BOARD MEETING. ANY INTERMEDIATE SATURDAY, SUNDAY OR LEGAL HOLIDAY DOES NOT COUNT AS A LEGAL BUSINESS DAY. AT LEAST THE FIRST PUBLICATION NOTICE MUST BE RECEIVED PRIOR TO THE WATER MANAGEMENT BOARD MEETING FOR THE HEARING TO BE CONDUCTED.

You should know that the Publisher is to furnish proof of publication to the Water Management Board within 60 days of the date of this letter, otherwise South Dakota Statute requires that your application lose its priority until proof of publication is received in proper form.

For the Water Management Board

BETTY WESTLUND
Water Rights Specialist

BW:ms
Encl. Forms 6 & 7

WNR-805-4/82
Publication Notice

Publish first publication, on or before June 23, 1982NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 14, 1982Notice is hereby given Harry Perry Jr. whose post office

address is Star Route, Box 16, Presho, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-25, 46-5-41 (ground) ~~46-6-2 thru 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, (future use) 46-5-98, (transfer lands) 46-5-99 thru 46-5-95~~ and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, (future use) ~~74:02:01:29 thru 74:02:01:26 (10,000 AFA) 74:02:07:01 thru 74:02:07:02~~, for a permit to appropriate for beneficial use

3.32 cubic feet of water per second of time from the White River through the Perry #3, the point ~~(S)~~ of diversion which is ~~(S)~~ to be located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 25, Twp. 103N, Range 79W. Said water to be used for purpose of providing irrigation on portions of the following described land:

W $\frac{1}{2}$, Section 25-T103N-R79W; E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 13; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 24 both in T43N-

R25W

This Application No. 1817-2 will be considered by the Water Management Board at Civil Defense Room, Capitol Building, Pierre, SD upon the 28th day of July, 1982.

at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNr, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board

cc: applicant

BETTY WESTLUND, Water Rights Specialist

WNR-806-2/82

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA

County of Todd

ss.

Kathy Klein, being first

duly sworn, on oath says that The Todd County Tribune

(name of newspaper)

is a weekly newspaper printed and published

(daily or weekly)

in Mission in said county of Todd

(city)

by Figert Printing, Inc.

(name of publisher)

a corporation, and that affiant is an

employee of said corporation

(employee, sole owner, member, or officer)

(newspaper, co-partnership, or corporation)

and is authorized to and does make this affidavit on behalf of said

corporation

(newspaper, co-partnership, or corporation)

knowledge of all the facts stated in this affidavit; that said newspaper

is a legal newspaper as defined by SDCL 17-2-2 as amended, has a

bona fide paid circulation of at least two hundred copies weekly

(daily or weekly)

has been published in the English language within said county and

has been admitted to the United States mail under the second class

mailing privilege, for at least one year continuously next prior to

the publication of the notice herein mentioned and was and is printed

wholly or in part in an office maintained at said place of publication;

that said notice, a printed copy of which taken from the paper in

which the same was published is hereto attached and is made a part

of this affidavit, was published in said newspaper two times

as follows: that the first publication of said notice in said newspaper

aforsaid was on Thursday, the 23 day

of June, 1982, and that the succeeding

publications were severally

on Thursday, the 30 day of June, 1982;

on Thursday, the day of , 19 ;

on Thursday, the day of , 19 ;

on Thursday, the day of , 19 ;

on Thursday, the day of , 19 ;

on Thursday, the day of , 19 ;

on Thursday, the day of , 19 ;

on Thursday, the day of , 19 ;

Affiant further says that the full amount of the fees charged for the publication of said notice

inures to the benefit of the publisher of said newspaper; that no agreement or understanding for the

division thereof has been made with any other person; that no part thereof has been agreed to be paid

to any person whomsoever; and that the fees charged for the publication thereof are

Twenty and 79/100

dollars (\$ 20.79).

Subscribed and sworn to before me this 1 day of July, 1982.

Margaret Figert

Todd County, South Dakota.

Notary Public.

Notice of Hearing

NOTICE OF HEARING ON APPLICATION TO APPROPRIATE WATER

Notice is hereby given Harry Perry Jr. whose post office address is Star Route, Box 16, Presho, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-25, 46-5-41 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, for a permit to appropriate for beneficial use 3.32 cubic feet of water per second of time from the White River through the Perry No. 3, the point of diversion which is to be located in the NE 1/4 NW 1/4 of Section 25, Twp. 103N, Range 79W. Said water to be used for purpose of providing irrigation on portions of the following described land: W 1/2 W 1/2, Section 25-T103N-R79W; E 1/2 SE 1/4, Section 13; NE 1/4 NE 1/4, Section 24 both in T 43N-R25W.

This Application No. 1817-2 will be considered by the Water Management Board at Civil Defense Room, State Capitol Building, Pierre, SD upon the 28th day of July, 1982 at 10 a.m. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board
Betty Westlund
Water Rights Specialist

Publ.: June 23 and 30, 1982.

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

No. 1817-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Mellott)

I, Kathy Klein hereby

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

Water was taken from the Mellott County News

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the

Exeter Printing, Inc. White River, SD

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

wednesday June 23, 1982

wednesday June 30, 1982

Kathy Klein
(Signature)

Bookkeeper
(Title)

June 24, 1982
(Date Signed)

Cost of Printing: 70¢ @ 16.5¢

1st publication - 11.55

2nd publication (20% discount) 9.24

total cost 20.79

Notice of Hearing

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Notice is hereby given Harry Perry Jr. whose post office address is Star Route, Box 16, Presho, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-25, 46-5-41 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, for a permit to appropriate for beneficial use 3.32 cubic feet of water per second of time from the White River through the Perry No. 3, the point of diversion which is to be located in the NE¹/₄NW¹/₄ of Section 25, Twp. 103N, Range 79W. Said water to be used for purpose of providing irrigation on portions of the following described land: W¹/₂W¹/₂, Section 25-T103N-R79W; E¹/₂SE¹/₄, Section 13; NE¹/₄NE¹/₄, Section 24 both in T 43N-R25W.

This Application No. 1817-2 will be considered by the Water Management Board at Civil Defense Room, State Capitol Building, Pierre, SD upon the 28th day of July, 1982 at 10 a.m. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person 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 at the hearing. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWRN, Joe Foss Building, Pierre, SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water

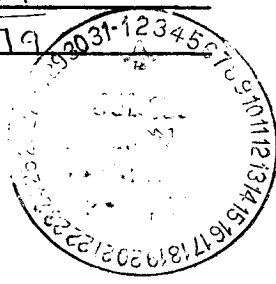
Management Board

Betty

Water Rights

Specialist

Publ. June 24, 1982.





Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

(605) 773-3352

August 6, 1982

Harry Perry, Jr.
Star Route, Box 26
Presho, South Dakota 57568

Dear Mr. Perry:

Enclosed herewith is your Water Right Permit No. 1817-2 as approved by the Water Management Board authorizing you to construct your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said Water Right Permit No. 1817-2.

Also enclosed is FORM 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Water Management Board when you have completed the system and/or have put the water to beneficial use. The Board can then schedule an inspection so that your Certificate of Construction and/or Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

enclosure

P.S. You will note that your enclosed Permit No. 1817-2 has been retyped with corrections. Due to the microfilming of every permit it is necessary they be legible.

SOUTH Dakota Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

March 22, 1983

1817-2
Harry Perry, Jr.
St Rt Box 16
Presho, SD 57568

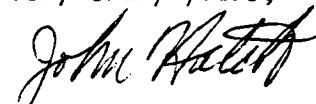
Dear Sir:

Water Permit No. 1817-2 was approved with the qualification that the irrigation questionnaire be submitted each year. To date we have not received the 1982 questionnaire from you.

Please complete the enclosed questionnaire and return to this office. Failure to return the questionnaire is in violation of the conditions under which the permit was approved.

Please advise, if you have any questions.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosure



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1817-2

March 3, 1987

Steve & Doug Perry
Box 395
Presho, South Dakota 57568

Dear Sir:

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.



Department of Water & Natural Resources

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



July 15, 1987

Second Notice
Permit No. 1817-2

Steve & Doug Perry
Box 395
Presho, SD 57568

Dear Sirs::

On March 3, 1987, notice was sent to you concerning the transfer of Water Permit No. 1817-2 in the name of Harry Perry, Jr. which covers irrigation of 232.8 acres in the W 1/2 W 1/2 Section 25, T103N, R79W, E 1/2 SE 1/4 Section 13, NE 1/4 NE 1/4 Section 24, T43N, R25W (part of the lands are in Tripp County and part are in Mellette County). To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed please find an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The permit can then be transferred to your name. If you are not the present owner of the land covered under this Permit, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 46-5-30.3 required 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 us.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

Steve Perry brought this to me - This piece of property is in our name & we are not making any changes on this particular piece at this time. I believe you have this confused with a 57 Acre piece of property that we sold to Steve & Doug - it is in Mellette County. If you need any more information call 895-2298 & I'll help you. - Bob L. Perry

PS Form 387 (Rev. 1-80)

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space
on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
- ☒ Show to whom and date delivered —¢
- ☐ Show to whom, date, and address of delivery.. —¢
2. ☐ **RESTRICTED DELIVERY** —¢
(The restricted delivery fee is charged in addition to
the return receipt fee.)

TOTAL \$ _____

3. **ARTICLE ADDRESSED TO:**

Steve & Doug Perry
Box 395
Pueblo SD 57568

4. **TYPE OF SERVICE:**

- ☒ REGISTERED ☐ INSURED
☐ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER

P321925662

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☒ Authorized agent

Linda Adkinson

5. **DATE OF DELIVERY**

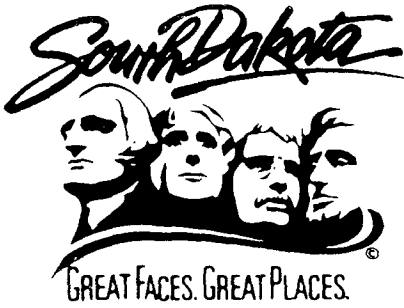
JUL 16 1987

POSTMARK

6. **ADDRESSEE'S ADDRESS** (Only if requested)

7. **UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S INITIALS**



1817-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

February 16, 1994

HARRY PERRY, JR
HCR 80 BOX 16
PRESHO SD 57568

NOTICE

RE: Violation of Requirement to Submit 1993 Irrigation Questionnaire

Our records indicate that the 1993 Irrigation Questionnaire has not been submitted for Permit No(s) 1817-2. The request for the Questionnaire was dated October 18, 1993. The Water Management Board has directed that owners of water permits who have not submitted the 1993 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 8:45 am, April 6, 1994, at the Golden Hills Resort, 900 Miners Ave, Lead, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1817-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
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(s) is(are) received in this office on/or before April 1, 1994, your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

**HARRY PERRY, JR
HCR 80 BOX 16
PRESHO SD 57568**

5. Signature (Addressee)

6. Signature (Agent)

Harry Perry Jr
by Gloria Perry

I also wish to receive the following services (for an extra fee):

1. ☒ Addressee's Address

2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

P 837 692 516

4b. Service Type

☐ Registered

☐ Insured

☒ Certified

☐ COD

☐ Express Mail

☐ Return Receipt for Merchandise

7. Date of Delivery

2-17-94

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991 ☆ U.S.G.P.O.: 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

March 7, 1994

1817-2

Harry Perry, Jr
HCR 80 Box 16
Presho, SD 57568

Dear Mr. Perry:

I am writing to acknowledge receipt of your 1993 irrigation questionnaire. You may disregard the February 16, 1994, **Notice of Violation of the Requirement to Submit the 1993 Irrigation Questionnaire.**

The questionnaire was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Division
(605) 773-3352



1817-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

SEP 6 1995

2312-2

Harry Perry, Jr.
HCR 80, Box 16
Presho, SD 57568

Dear Mr. Perry:

Enclosed is Water License No. 2312-2 and Receipt No. 414347 for \$50.00 which was assessed for an inspection and issuance of the license. Water License No. 2312-2 is the final document which completes the process of obtaining a water right.

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.

Very truly yours,

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

rd
enclosures

NOTE: The applicable portions of Permit No. 1817-2 have been incorporated into this Water License No. 2312-2.