

COPY

No. 183-2

Division No. 2

Rapid Creek Water District.

PERMIT

to appropriate water from
Box Elder Creek

Pennington County, South Dakota

Name of applicant
Frank Jewett

Name of diversion works
Jewett Irrigation Ditch

Date of first receipt at office of State
Engineer June 3, 1912

Returned to applicant for Correction
190

Corrected application received
190

Date of water right
June 3, 1912

Recorded in Book 2, Page 186-187
One-fifth of work to be completed
August 5, 1914

Whole work to be completed
August 5, 1916

Final proof of use of water
August 5, 1916

Approved August 5, 1912.
Samuel H. Lea
State Engineer.

By B. B. Lea
Deputy

STATE OF SOUTH DAKOTA,
COUNTY OF HUGHES

I hereby certify that the within and
for-going instrument is a true, correct and
complete transcript of the instrument which
it purports to be, as the same was filed for
record in the office of the State Engineer.

Witness my hand and official seal, done
at my office in Pierre, State of South Dakota
this 7 day of August, 1912

Samuel H. Lea
State Engineer.

By B. B. Lea
Deputy.

No. 183-2

Water Division No. 2 Rapid Creek Water District.

[Blanks to be filled by the State Engineer.]

COPY

APPLICATION FOR A PERMIT To Appropriate Water Within the State of South Dakota

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

1. Name of applicant ~~Frank J. Jorgensen~~ Transfer Joel B. Soderquist
 Postoffice address Wasta, County Pennington, State South Dakota

I. If a corporation: ~~#####~~ 7/27/67 RPS

(a) Name of same ~~#####~~

(b) Date and place of incorporation ~~#####~~

(c) Amount of capital stock ~~#####~~

(d) Amount paid in ~~#####~~

(e) Names and addresses of directors:

~~#####~~~~#####~~~~#####~~

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing this work. (Whether by contract, employment of others, or by direct labor) direct labor

(b) Cash on hand, \$ ## (c) Treasury stock, \$ ##

(d) Bonds to be issued, \$ ## (e) Other resources, \$ ##

2. Name of diversion works Jewett irrigation ditch

3. Quantity of water claimed 1.7 cubic feet per second.

4. Source of water supply Box Elder Creek

5. Location of point of diversion N. 73° 25' W. 1490 feet from southeast corner

Sec. 30, Tp. 1 N. R. 14 E., B.H.M. on left bank.
 (Right or left bank looking down stream.)

6. Annual periods during which water is to be used from March 1st to November 1st.

7. To be used for:

I. Irrigation or domestic use:

(a) Number of acres to be irrigated 118 acres.

(b) Legal subdivisions to be irrigated description appended.

NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a

Acres in each subdivision actually irrigated:

NE	SE	Sec. 10	20 acres irrigated
SE	SE	" 10	10 "
NE	NE	" 10	0 "
SE	NE	" 10	30 "
NE	SE	" 30	0 "
NE	NE	" 20	4 "
SE	NE	" 20	18 "
TOTAL			118 acres.

(c) Point where water will be returned to stream #####

8. Estimated cost of works:

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

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

(c) Fluming, \$..... (d) Canal-earth, \$..... Rock, \$.....

(e) Other structures..... \$..... Total, \$.....

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.) Dam is to be of earth, rock, and brush. Ditches average five feet wide, one foot deep.

11. Dimensions of works:

(a) Dam: Height 8 feet; length at bottom 55 feet, length at top 80 feet; thickness at bottom 40 feet; thickness at top 10 feet; slope of front (water) face $1\frac{1}{2}$ to 1; slope of back face same; material used in construction Dirt, rock and brush.

(b) Reservoir; Capacity when filled..... acre feet. Surface area at highwater mark..... acres. Dam used only as diverting dam.

DEPTH AT OUTLET-FEET	SURFACE AREA AT EACH..... FEET OF DEPTH AT OUTLET-ACRES	CAPACITY- ACRE-FEET

(c) Head gate: Width 10 feet, height 2 feet;

Material two inch plank

(d) Canal: Total length 1.7 miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER LINE	GRADE PER MILE
At mile	feet	feet	feet	feet
At mile	feet	feet	feet	feet
At mile	feet	feet	feet	feet
At mile	feet	feet	feet	feet
At mile	feet	feet	feet	feet

[Give dimensions where reductions in size are made.]

10. Time required for completion of work 4 years.

11. Time required for complete application of water to the proposed beneficial use 4 years.

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

Wasta Gazette

STATE OF SOUTH DAKOTA

County of Pennington } ss

I, Earle L. Lewis, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of

Engineer

(owner, manager or engineer)

that I have read the above and foregoing statement, and examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

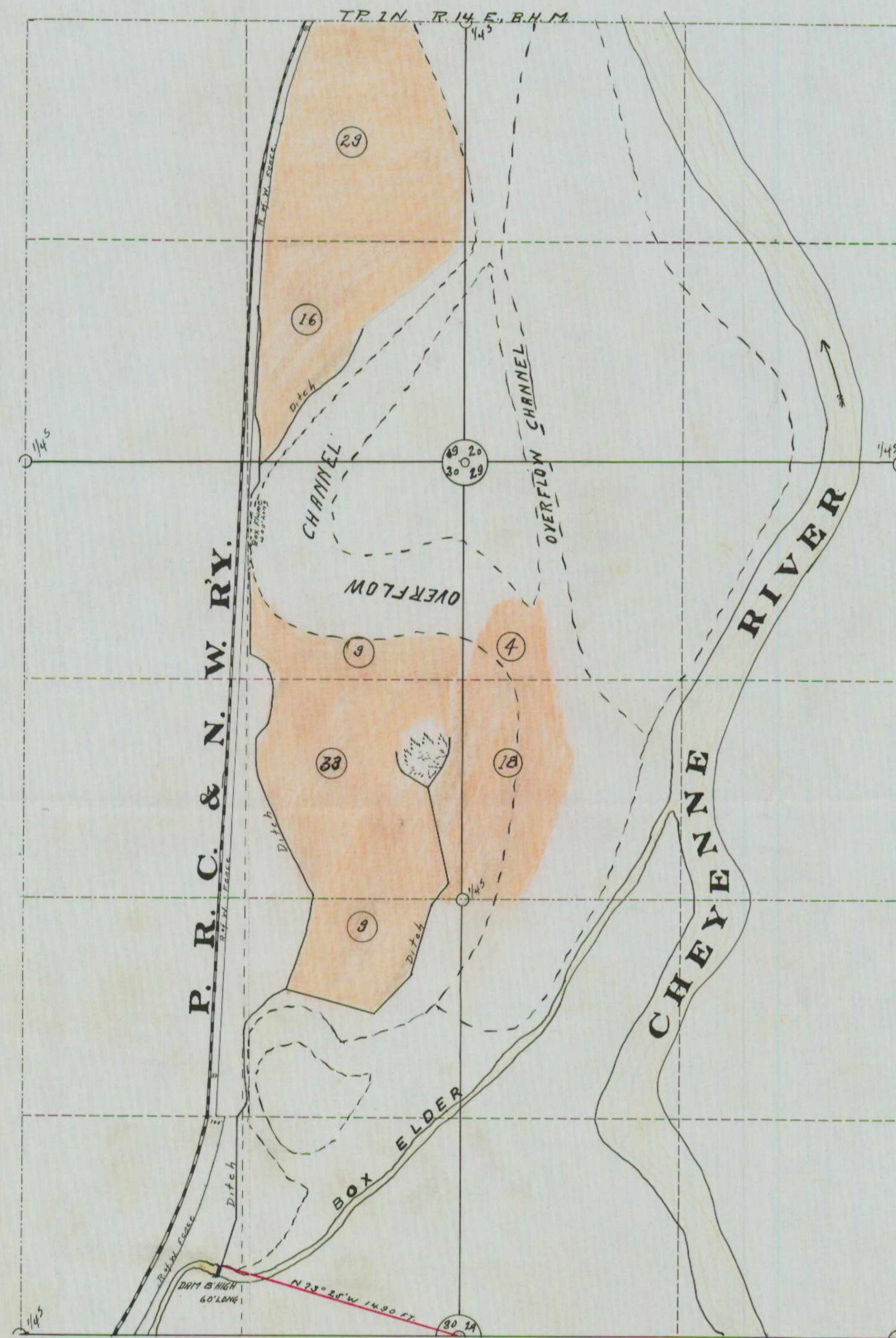
Signed Earle L. Lewis

Subscribed and sworn to before me this 1st day of June 1912.

(SEAL)

Jos. G. Maughan

Notary Public (or other qualified officer.)



JEWETT WATER RIGHT

on

BOX ELDER

PENNINGTON CO.

RAPID CITY, S.D.

MAY 23, 1912

SCALE 1"=500'

STATE OF SOUTH DAKOTA ss
COUNTY OF PENNINGTON

I, EARLE L. LEWIS, BEING DULY SWORN,
UPON MY OATH SAY, THAT I AM THE ENGINEER OF THE JEWETT
WATER RIGHT, THAT THE SURVEY AND MAP THEREOF WERE MADE
BY ME AND THAT I HAVE READ THE ACCOMPANYING AFFIDAVIT
AND KNOW OF MY OWN KNOWLEDGE THAT THE STATEMENTS
THEREIN MADE ARE TRUE

Earle L. Lewis
ENGINEER

SUBSCRIBED AND SWORN TO BEFORE ME THIS 31ST DAY OF MAY, 1912

Jos. F. Mangham
NOTARY PUBLIC

RECEIVED

JUN 3 1912

OFFICE OF STATE ENGINEER
PIERRE, S.D.

(WOC# 183-2)
Map# 224-2

Remarks by State Engineer:

This application is for the right to appropriate and divert from Box Elder Creek at the point designated herein - 1.7 - second feet of the waters of Box Elder Creek for irrigating the lands described. The point of diversion and the lands to be irrigated are situated in Pennington County.

STATE OF SOUTH DAKOTA }
County of Hughes }

Pierre, South Dakota, August 7, 1902.

This is to certify that the foregoing application was received at this office at nine o'clock a. m. upon the 3rd day of June 1902 and that after examination it was found to comply with the provisions of the Irrigation Code of South Dakota. Notice of intention to appropriate was published, proof of publication was duly filed, and a hearing was held in this office on August 3, 1902.

Samuel H. Lee
State Engineer.

By B. B. Lee Deputy.

Number of permit 183-2

Date of first receipt of application June 3, 1902

Date of return to applicant for correction - - - 190

Date of receipt of corrected application - - - 190

Date from which applicant may claim right June 3, 1902

Approved August 5, 1902, Recorded in Book 2 Page 186-187

This is to certify that I have examined the foregoing application for a permit to appropriate water of the state of South Dakota, and I hereby grant the same as stated herein, subject, however, to the following limitations and conditions.

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before August 5, 1904.

2d. The whole of said work is to be completed on or before August 5, 1906.

3d. The limit of time for proof of beneficial use of water appropriated in accordance herewith is August 5, 1908.

4th. The water appropriated shall be used for the purpose of irrigation.

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed - 1.7 - cubic feet of water per second of time; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1-70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before August 5, 1908; said water to be used during the following described annual periods.

From March 1st to November 1st.

Witness my hand this seventh day of August 1902.

Samuel H. Lee
State Engineer.

By B. B. Lee Deputy.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 183-2

WHEREAS, On the 1st day of June A. D. 1912

Frank Jewett

of Wasta County of Pennington and State of

South Dakota duly made application (No. 183-2) to me for a permit to use -1.7-

cubic feet per second of the waters of Box Elder Creek

County of Pennington State of South Dakota, for irrigation

purposes; and

WHEREAS, On the 7th day of August A. D. 1912

Permit No. 183-2 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 5th

August A. D. 1916 and for the application to beneficial use of said

water on or before the 5th day of August A. D. 1916

and,

WHEREAS, On the 28th day of January A. D. 1915

the holder of said permit duly made proof of the completion of adequate works for the diversion of

-1.7- cubic feet per second of said waters, as evidenced by my Certificate No. 183-2

dated January 28, 1915, confirming the completion of works of sufficient capacity for

diverting and conveying to the place of intended use -1.7- cubic feet per second of water,

with date of priority of June 3, 1912 and,

WHEREAS, On the 28th day of January A. D. 1915

proof was duly made of the application to beneficial use of -1.7- cubic feet per second of

said water;

For the irrigation of E1/4 Sec. 19, E1/4 NE1/4 & NE1/4 Sec. 30 and
W1/4 NW1/4 Sec. 29, Twp. 1 N., Rge. 14 E.

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of South Dakota, I hereby grant and confirm to.....Frank Jewett.....
of Wasta, South Dakota.....the holder... and owner... of said permit No. 183-B.....
a water right, dating from June 3, 1915.....to the use of -1.7-.....
cubic feet per second of the waters of Box Elder Creek.....
in the County of Pennington.....and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinafter mentioned, to be diverted to N. 73° 35' W. 1490 feet.....
from SE cor. Sec. 30, Twp. 1 N., Range 14 E. B.H.M......
243 acres in the NE 1/4 Sec. 19, Twp. 1 N., Range 14 E. B.H.M......
and conducted to and upon NE 1/4 Sec. 19, Twp. 1 N., Range 14 E. B.H.M......
and W 1/2 Sec. 29, Twp. 1 N., Range 14 E. B.H.M......
for the purpose... of irrigation.....

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or latera from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Pierre, South Dakota,
this 9th day of February.....A. D. Nineteen
hundred and...fifteen.

.....Harold M. Herr.....
State Engineer.

STATE OF SOUTH DAKOTA

Water License No. 183-B

To Frank Jewett

Wasta, S. D.

Source of Supply Box Elder Creek

County Pennington

Sec. Feet -1.7-

Point of Diversion N. 73° 35' W. 1490 feet from SE cor. Sec. 30, T. 1 N. R. 14 E. B.H.M.

Place of Use NE 1/4 Sec. 19, Twp. 1 N., Range 14 E. B.H.M.

Purpose Irrigation

Date of Priority June 3, 1915

Recorded Feb. 9, 1915

in Book 2 of Record Pages 157

NOTICE OF TRANSFER OF WATER PERMIT

July 27, 1967

TO: Office of State Water Resources Commission
Pierre, South Dakota

This is to notify you that Frank Jewett

who previously owned the land described below has sold his interests to

Joel B. Soderquist

together with any rights to the beneficial use of water thereon as evidenced by State Water Permit No. 183-2
and as provided for in section 61.0141 of the SDC of 1939 and elsewhere lands covered
are the same as listed in Permit
618-2

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at
the OFFICE OF WATER RESOURCES COMMISSION as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 55.1806 of the SDC of 1939.

STATE OF SOUTH DAKOTA

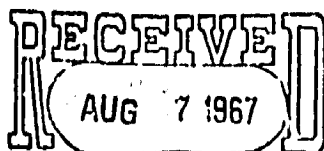
County of _____ } ss.

I, Joel B. Soderquist 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.

Signed

Joel B. Soderquist

Subscribed and sworn to before me this 27 day of Aug., 1967



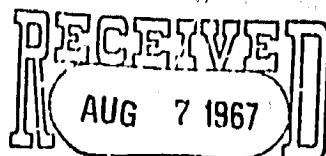
STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Notary Public

George Swann

Location No.

Water Division No. Water District

STATE WATER RESOURCES COMM.
SOUTH DAKOTA

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. *Joe B. Soderquist*
Box 79 Wasta SD 57063

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans.

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans. *June 3 1962*

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. *Box Elder Creek*
SE SE 30 1 N 14 E

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. *Reverend Dam 25' long*
20' wide at bottom 10' at top
dirt & rock

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. *irrigation*
same land as irrigated under permit
no. 618-2

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans.

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. *1.7 cfs ft per second*

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. *Frank Jenett*

Ans. This has been the main irrigating source of the
North since 1915 whenever water available.

(Sign) Jack B. Julequist

State of South Dakota, on this 2 day of April, 1961

Witnesses.

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

Location No. _____

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

PETITION OF HOLDER

Amount of Water ----- c. f. s.

Source

County

Purpose

Place of Use:

Date of recording

Received and filed

183-2
200-2

INVESTIGATION OF WATER RIGHTS 183-2 and 200-2

On July 28, 1967, Mr. Joel Soderquist of Wasta, the present owner of the lands covered by Water Licenses 183-2 and 200-2 was contacted. He stated that the water granted under these two licenses has been in use whenever it was available since the licenses were issued in 1915.

Mr. Soderquist agreed to submit form 24's and notices of transfer for these two licenses as soon as he could get them signed and notarized.

I looked at the ditches and dikes for carrying the water to the fields. All these were in very good condition. The diversion dam has been badly damaged by flood waters, however Mr. Soderquist stated that this damage was caused this spring and that he was diverting water for irrigation prior to the heavy run off in June. He intends to repair the dam later this summer for fall irrigation and stated that he has replaced this dam at least four times in the past when flood waters have destroyed it.

This investigation indicated that the system has been kept in good repair generally and no evidence of possible forfeiture was found.

Richard Schmoyer
Water Rights Specialist

August 2, 1967

Permit No. 183-2

Water Division No. 2 Reg. C. C. Water District

Certificate of Application of Water to Beneficial Use.

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Frank Jowett, Wata, So. Dak. Farmer

If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation name and postoffice of statutory agent), your position with reference to same, and your authority to act in its behalf.

Ans.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Number of Permit 183-2, Date of priority June 3, 1913

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Box Elder Creek. N. 73° 25' W. 1490 feet from SE Cor. Sec. 30
Twp. 11 Range 14 E. B.H.L.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. One dam 30 feet long and 3 feet high built of earth, rock and brush. Name of ditch is Jowett Ditch and is capable of handling 6.7 second feet of water.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. Irrigation purposes:- 29 Acres in NE 1/4 Sec. 16 across in SE 1/4 Sec. 19; 19 acres in NE 1/4 Sec. 36 across in SE 1/4 Sec. 19 and 19 acres in NE 1/4 Sec. 30; 14 acres in NW 1/4 Sec. 29 and 18 acres in SW 1/4 Sec. 29 all in Twp. 11 Range 14 E. B.H.L.

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans.

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 6.7 second feet

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. During the spring of 1913 and 1914 the full amount of water was distributed over all irrigatable portion described above

(Sign.) Frank Jewett

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Reid City, County of Bennington, State of South Dakota, on this 28 day of January, A. D., 1915.

Geo. A. Black
Notary Public

My Commission Expires August 19, 1918.

Permit No. 183-2

Proof of Application of Water to
Beneficial Use.

DEPOSITION OF HOLDER.

Amount of water 1.7 second feet

Source Box Elder Creek

County Bennington

Purpose Irrigation

Place of Use

Date of priority June 3-1912

RECEIVED
FEB 10 1915
PIERCE & FENNER
Received and filed

Permit No. 183-2

Water Division No. 2 Capital Creek Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Engineer, Pierre, South Dakota:

Dear Sir: I hereby certify that in accordance with your letter of authorization dated Sept. 24 1914... I have this day made a thorough examination of the diversion works constructed by Frank Jovatto, of Winton, Pennington County, South Dakota, holder of permit No. 107447, issued upon application No. 183-2, bearing date of priority of June 3, 1913, authorizing the diversion of 1.7 second feet of the waters of Box Elder for irrigation purposes. I have to report on the condition of the same as follows:

The diversion works comprise: Dam built of earth, rock and brush, sixty feet long and eight feet high. Direct diversion into head of ditch located on east side of dam.

and the system is in the following condition: Ditches and dam have both been kept up and in repair and are in good condition.

The point of diversion is located N. 73° 25' W, 1490 feet from SE Cor. Sec. 30, Twp. 1N, Range 14 E., B.H.M.

The works are capable of diverting and conveying to the place of use 1.7 second-feet of water, which is to be used for irrigation.

The legal sub-divisions to be irrigated are: E. 1/4 Sec. 19, N. 1/4 Sec. 19, Sec. 30 and W. 1/4 Sec. 19, Twp 1N Range 14E. B.H.M.

comprising a total of 280 acres of land.

The domestic use intended comprises

The utilization for power, mining, or other beneficial uses comprises:

Witness my hand, this 12th day of September, A. D. 1914

Examining Engineer

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA } ss
 County of Pennington }
 George Scott, being duly
 sworn, deposes and says the annexed printed copy of Notice
 Intention to Appropriate Water was taken from the
 Wasta Gazette a newspaper which
 during the whole time of publication of said notice herein-
 after stated, has been and is printed and published in the
 Town of Wasta County of
 Pennington and State of South Dakota,
 That the said notice was published in said newspaper on the
 following dates:
 June 7th; June 14; June 21; June 28;
 and July 5th, 1912
 in each and every issue of the full number thereof, the first
 publication being made on the 7th day of June
 1912 and the last publication on the 5th day of
 July 1912, upon which days or times
 of publication aforesaid the newspaper was regularly pub-
 lished, and that during the whole time of said publication
 he was Assist. Mgr. the printer and publisher of
 the said newspaper.

George Scott

Subscribed and sworn to before me this 5th day of July A. D. 1912

Harry H. H. H.
 Notary Public, Pennington County, S. D.
W. B. Commissioner

Form 9—Notice of Intention to Appropriate Water.

No. 183-2

(First Publication June 7th 1912.)

Appropriation of Water

Office of the State Engineer, Pierre, S. D., June 3, 1912.—Notice is hereby given that Frank Jewett, whose postoffice address is Wasta, Pennington County, S. D., has made application in accordance with the provisions of the Irrigation laws of South Dakota for a permit to appropriate for beneficial use 1.7 cubic feet of water per second of time from Box Elder Creek through the Jewett Irrigation Ditch, the point of diversion of which is to be located upon the left bank of said stream in the SW 1/4 of the SW 1/4 of Sec. 30 Twp. 1 North 14 E., B. H. M. said water to be used for the purpose of irrigation upon the NE 1/4 of SE 1/4, Sec. 19; SE 1/4 of SE 1/4, Sec. 19; NE 1/4 of NE 1/4, Sec. 20; SE 1/4 of NE 1/4, Sec. 20; NE 1/4 of SE 1/4, Sec. 30; NW 1/4 of NW 1/4, Sec. 29; SW 1/4 of NW 1/4, Sec. 29; Twp. 1 N., Rge. 14 E., B. H. M.

This application will be taken up by the State Engineer at his office at Pierre for consideration and appropriate action upon the second day of August, 1912, at 9 a. m. at which time all persons who believe that the prior rights would be injuriously affected, or that the allowance of the permit would be detrimental to the public welfare, and also parties making the application, and to be benefited, are notified to be present either by sworn affidavit or in person for the purpose of presenting any relative testimony.

Samuel H. Lee
 State Engineer.

RECEIVED

JUL 9 1912

OFFICE OF STATE ENGINEER,
 PIERRE, S. DAK.

(FIRST PUBLICATION _____ 191____)

APPROPRIATION OF WATER.

Office of the State Engineer,

Pierre, S.D.; June 3, 1912

Notice is hereby given that Frank Jewett
whose postoffice address is Wasta, Pennington
County, S. D., has made an application in accordance with the provisions
of the irrigation laws of South Dakota for a permit to appropriate for
beneficial use 1.7 cubic feet of water per second of time from
Box Elder Creek through the Jewett Irrigation
Ditch, the point of diversion of which is to
be located upon the left bank of said stream in the S.W.
 $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of section 30 township 1 N., range 14 E. B.H.M.
said water to be used for the purpose of irrigation
upon the NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 19; SE $\frac{1}{4}$ of SE $\frac{1}{4}$
Sec. 19; NE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 30; SE $\frac{1}{4}$ of NE $\frac{1}{4}$, Sec. 30; NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec. 30;
NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 29; SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Sec. 29. Twp. 1 N., Rge. 14 E. B.H.M.

This application will be taken up by the state engineer at his office
at Pierre for consideration and appropriate action upon the second
day of August, 1912, at 9 a.m., at which time all persons
who believe that the prior rights would be injuriously affected, or that
the allowance of the permit would be detrimental to the public welfare, and
also parties making the application, and to be benefited, are notified to
be present either by sworn affidavit or in person for the purpose of pre-
senting any relative testimony.

State Engineer.

OFFICE OF
HARRY L. GANDY
UNITED STATES COMMISSIONER

EDITOR THE WASTA GAZETTE
SENATOR FORTIETH DISTRICT

RECEIVED

JUL 8 1912

WASTA, S. D., July 6, 1912

Hon. S.H. Lee, OFFICE OF STATE ENGINEER,
Pierre, S. D. PIERRE, S. DAK.

Dear Sir:-

Referring to notices of intention to appropriate water No. 183-2
and No. 174-2:

Mr. Frank Jewett, who made the former application, desires to in-
quire as to the amount of water which he could secure for use in the
irrigation of this land. He noticed that in the second application,
for the irrigation of a fractional quarter of land, Mr. Edward Morris
is applying for the use of 2.8 cubic feet of water per second from the
Cheyenne river for the irrigation of 280 acres of land. Mr. Jewett's
application calls for but 1.7 cubic feet of water per second. Mr.
Jewett left this matter entirely with his engineer, Mr. E. L. Lewis,
of Rapid City, and he is at loss to know why, for a less acreage, an
application should call for nearly twice the water which his appli-
cation calls for. Please look up the original papers in Mr. Jewett's
case and see if any mistake has been made in the quantity of water he
desires to appropriate as shown by the engineers figures.

Yours very respectfully,

Harry L. Gandy

ANSWERED

JUL 8 1912

H.L.G.
S.H.B.

Morris
145.7 a.
2.08 c.f.
Jewett
118 a.
1.7 c.f.

July
Eighth,
1918.

Hon. Harry L. Gandy,
Wasta, South Dakota.

Dear Sir:-

Referring to your letter of the 6th instant, I note that you desire information concerning amounts of water designated in applications Nos. 174-2 and 183-2. You state that Mr. Edward Morris is applying for the use of 2.8 cubic feet of water per second from the Cheyenne River, while Mr. Jewett's application, No. 183-2, calls for 1.7 cubic feet of water per second. You wish to know the reason for the apparent discrepancy in the figures of these two applications.

I have looked up the records of this office and have noted the figures given in both of the applications designated by you; I find the following conditions. Application No. 174-2 calls for the use of 2.08 cubic feet of water per second, not 2.8 as you state, for the irrigation of 45.7 acres of land. The application of Mr. Jewett, No. 183-2, calls for the use of 1.7 cubic feet of water per second for the irrigation of 118 acres of land. Under the irrigation law one cubic foot of water per second is allowed for the irrigation of each 70 acres of land. If you will make the division of the number of acres designated in each application, you will note that the quantity of water designated in each case is in accordance with the legal amount allowable. The acreage of irrigable land stated in Mr. Jewett's application, No. 183-2, amounts to 118 acres and not 280 acres as you state.

Yours very truly,

State Engineer.



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

April 9, 1982

183-2
200-2

NOTICE

Joel B Boderquist
Wasta
South Dakota 57791

Dear Sir:

The existing conditions on Box Elder Creek will not allow pumping for irrigation. The flows on Box Elder Creek have not been sufficient to recharge the gravel beds downstream nor produce sufficient flows further downstream for domestic purposes. Therefore, by this letter you are ordered not to divert water from Box Elder Creek for irrigation purposes until further notice. This office will monitor the situation, if the quantity of water becomes sufficient to allow irrigation, you will be informed.

Please advise this office if you have any questions.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH:JW:ks

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

RECEIVED

MAY 28 2003

WATER RIGHTS
PROGRAM

No. _____

Date: 5-26-03

I/We request that Water Right/Permit No. 183-2

formerly owned by: JOEL B. SODERQUIST

be transferred to: (name & address) SODERQUIST FAMILY RANCH L.P.
17965 BASE LINE RD

Telephone No. 993-3151

Title to the following described land(s)/property has been transferred as described above:

Twp 1N, R14E; E 1/2 SE 1/4 Sec. 19, E 1/2 NE 1/4 & NE 1/4 SE 1/4 Sec. 30
and W 1/2 NW 1/4 Sec. 29.

I/We understand that the validity of Water Right/Permit No. 183-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We SODERQUIST FAMILY RANCH, the new owner, certify that the above information is true and
LTD. PTR. correct.

Joel B. Soderquist
(Signed by new owner)
Joel Soderquist

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

May 29, 2003

183-2
200-2
618-2

Joel S Deering
Soderquist Family Ranch LP
17965 Baseline Rd
Wasta, SD 57791

Dear Mr. Deering:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" forms and filing fees you submitted for transferring Water Right Nos. 183-2, 200-2 and 618-2. The ownership changes have been completed. The water rights, formerly listed in the name of Joel B Soderquist or Maude M Soderquist are now listed as "Soderquist Family Ranch L.P."

Enclosed are your Receipt Nos. 000788, 000789 and 000790 in the amounts of \$2.50 each. You may keep these for your records.

If I can answer any questions for you please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date May 28, 20 03

RECEIVED OF Soderquist Family Ranch Ltd., Part., 17965 Baseline Rd, Wasta SD 57791

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		
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 <u>183-2</u>		2 50
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	2.50

No.

000788

By

Darland Erbe
Chief Engineer *gm*