

Considered: _____

WATER PERMIT NO. 1942-2

MAP No. Same

Name of Applicant John & Reuben Littau and John & Tony Massa

Post Office Address RT. 3 Box 75 Carter S.P.

Amount of Water Claimed 0.09 cfs Total Acres N.A.

Source of Water Supply Spring

Water to be used for Domestic County Tripp

About 13 miles SW of Witten

PROOF OF PUBLICATION: Received 1st 11-1-85 Not Received _____

APPLICATION: Approved 12-4-85 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received Aug. 12, 1985 Fee \$5000 Remarks fee

8-12-85 received Aug. 22, 1985, Readvertised for Dec. mtg

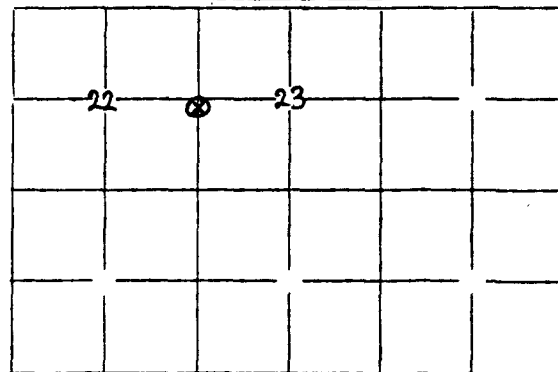
Corrected Application Received _____ Period of Annual Use Jan 1 to Dec. 31

WATER QUALITY APPROVAL RECEIVED N.A. APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point NE4 SE4 sec. 22 T98N-R79W

Land to be Irrigated N.A.



Well Log: Driller _____ Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map USGS Topo PREPARED BY K.C. Jansen Reviewed and the Number

assigned on Aug. 22, 1985 By Kevin C. Jansen

No. 1942-2Map No. Same Water Division No. 10140204 White River District
(Blanks to be Filled by the Engineer for the W. R. C.)Winner Advocate
Box 71 (Wed)
Winner

APPLICATION FOR PERMIT



To Appropriate Water within the State of South Dakota

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

1. Name of Applicant John & Reuben Littau and John & Tony Massa, Rosemary Roosa
 Postoffice address Carter, State South Dakota
 If a corporation show date and place of incorporation N/A
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
3. Name of diversion work Massa Diversion
4. Amount of water claimed (cubic feet per second) 0.09 cfs
5. Source of water supply Spring Development
6. Location of point of diversion NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 22, T98N, R79W
2100 ft. North from SE corner Sec 22, 20 ft. West
County Tripp
7. Annual period or periods during which water is to be used Annual
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Domestic
9. For irrigation use, Total number of acres to be irrigated N/A

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.
N/A			

Attach sheet if more space is needed

10. Time required to complete construction of water supply system one five years. Additional time required to complete application of water to the proposed beneficial use four years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Winner Advocate
12. Principal Features of the Proposed Water Supply System.

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

Spring box

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

PVC pipe

C. Works proposed to apply water to beneficial use.

Hydrant

Estimated Total Cost \$ 35,000Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of TrippI, Reuben Littau (rep.) 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 Reuben Littau (rep.)Subscribed and sworn to before me this 1st day of August 19 85

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1942-2John & Reuben Littau, John & Tony Massa, Rosemary Roosa
(Applicant)RT. 3 Box 75, Carter
(Post Office Address)South Dakota
(State)

With the following modifications:

Date of first receipt of application August 12, 19 85Date of return to applicant for correction, amendments or changes required -, 19 -Date of receipt of corrected application -, 19 -Approved December 4, 19 85, Recorded in Book - Page -WATER RIGHT PERMIT NO. 1942-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1942-2 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is August 12, 19 85
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before June 4, 19 88
3. The whole of said work is to be completed on or before December 4, 19 90
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is December 4, 19 94
5. The water appropriated shall be used for the purpose of Domestic - Common dist. system

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 0.09 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~~

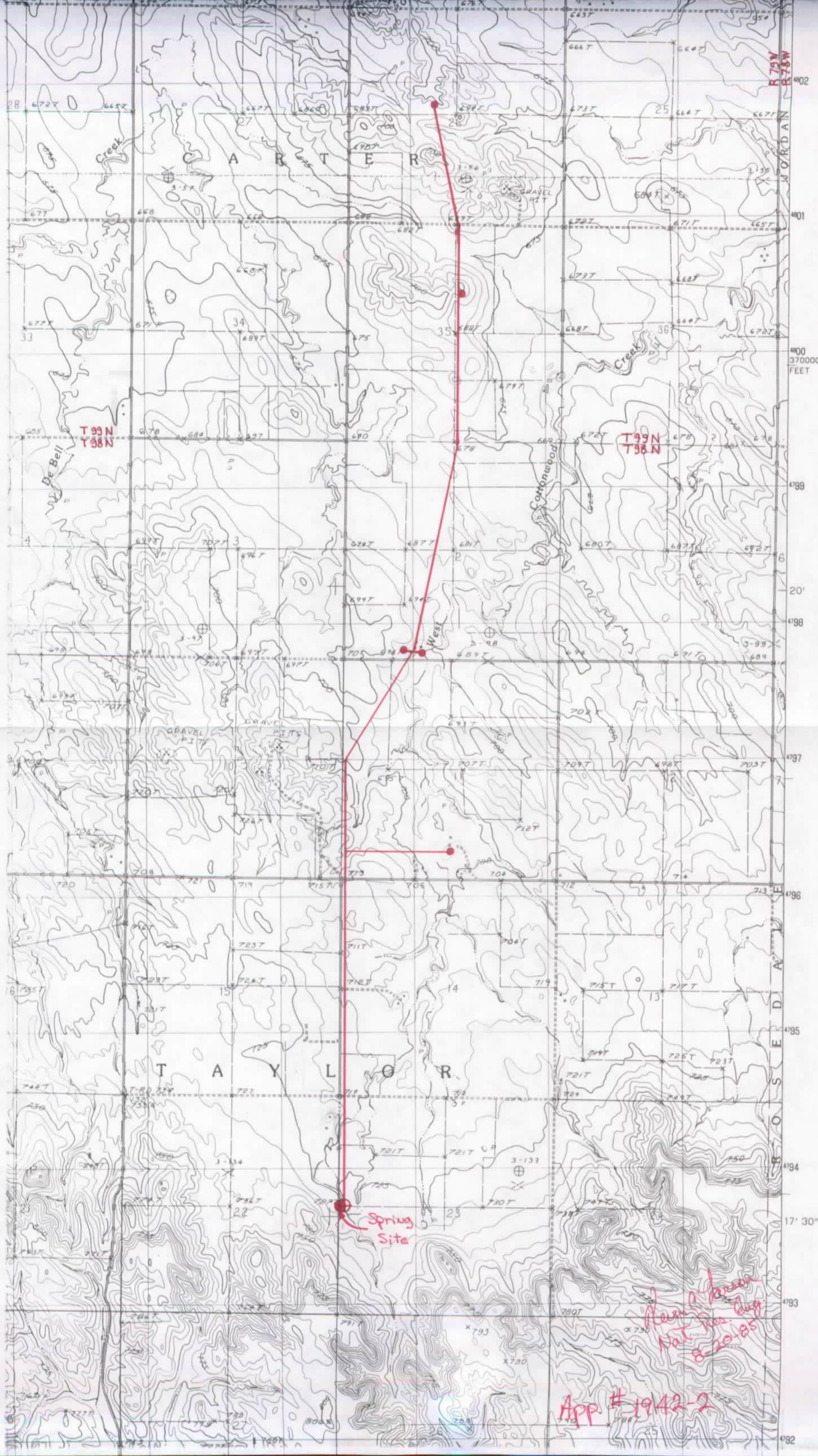
~~actually~~ and beneficially applied for ~~irrigation~~ on or before December 4, 19 94; said water to be used during the following described annual period: January 1 to December 31

Witness my hand this FEB 11 1986 day of -, 19 -

WATER RIGHTS COMMISSION

By:

John H. H. H.
Chief Engineer, Executive OfficerCertificate of Construction Issued -, 19 -Water License Issued -, 19 -



Div. of
Water Quality

David Jordan
Nat. Res. Serv.
8-20-85

App # 1942-2



Geology by R. A. Schoon, 1957

Vertical and horizontal control surveyed from triangulation and level lines from Federal surveys

Drafted by Donald Johnson, 1958

RECEIPT

Division of Water Rights

No 410159

South Dakota Department of Water and Natural Resources

Pierre, August 22, 1985

RECEIVED OF Anton Massa, Route 3, Box 75, Carter, SD 57526

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 _____	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. _____		
Fee for Filing Transfer Form _____		
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	50 00

By

Chief Engineer

JOHN HATCH MS

REPORT ON WATER PERMIT APPLICATION NO. 1942-2

~~John & Reuben Littau and John & Tony Massa~~

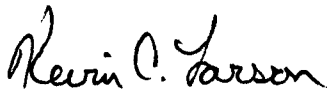
August 26, 1985

Permit Application No. 1942-2 is to appropriate 0.09 cubic feet per second from a spring located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22 T98N, R79W. The water will be used to supply domestic water to a number of households through a common distribution system.

Springs develop when the contact between a water bearing formation and a less permeable underlying formation is exposed as the result of erosion, road construction etc. The location of this spring would indicate that the water is being discharged from the Valentine member of the Ogallala group where it comes in contact with White River Formation. The Valentine member is a massive loosely consolidated clayey silts and sands generally water bearing; however, permeability can vary with the lithology. Water quality should be good to excellent. The White River formation consists of silt, clay and bentonitic claystone in the upper part which is in contact with the Valentine. There are no water permits or well logs on file in the area of this application.

Conclusions:

1. Water is available for this permit application
2. There are no water permits or well logs on file in this area.



Kevin C. Larson
Natural Resources Engineer

References

Ellis, M. J. et al: Hydrology of the Rosebud Indian Reservation in South Dakota. Hydrologic Investigations HA-355, U.S. Geological Survey, Washington, D.C., 1971.

Schoon, R.A.: Geology of the Witten Quadrangle, S.D. Geological Survey, Vermillion, SD 1957.

Water Rights Division, "Water Permit and Well Log Files", South Dakota DWRN, Pierre, SD 1985.

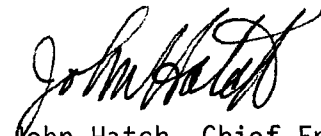
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION NO. 1942-2

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 1942-2, John and Reuben Littau and John and Tony Massa, Route 3, Box 75, Carter, South Dakota.

The Chief Engineer is recommending APPROVAL of Application No. 1942-2 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights. 3) the proposed use is a beneficial use and 4) in the public interest.

See attached report for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", written in a cursive style.

John Hatch, Chief Engineer
August 28, 1985

Instruction to Newspaper - Publish first publication of the following Notice on or before September 4, 1985 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1942-2 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that John & Reuben Littau and John & Tony Massa whose mailing address is
Route 3, Box 75, Carter, South Dakota has made an application for a permit

to appropriate 0.09 cubic feet per second from a spring located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of
 Section 22 T98N-R79W. Water will be used to supply domestic water through a common
 distribution system.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends
APPROVAL of Application No. 1942-2 because 1) unappropriated water is available,
 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and
 4) is in the public interest.

This application will be considered by the Water Management Board at Howard Johnson,
Nebraska Room, 3300 W. Russell, Sioux Falls, SD, October 16 19 85 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the
 Board is authorized to make a determination on this application after it reaches a con-
 clusion based upon facts presented at the public hearing. Any interested person who may
 be affected by a Board decision and who intends to participate in the hearing before the
 Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a
 written petition with BOTH the Applicant and the Chief Engineer by October 4, 1985.
 The petition may be informal, but it must include a statement describing the petitioners
 interest in the application, the reason for the petitioner's opposition to or support of
 the application, and the signature and mailing address of the petitioner or his legal
 counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12
 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12,
 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2,
 46-5-31; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~
~~46-5-38 thru 46-5-40; (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35; (10,000 AFA)~~
~~46-5-20.1, 46-5-8.1, and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use)~~
~~74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

This hearing is an adversary proceeding. The applicant or any person, after filing a
 petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on
 this application or to assure access to the hearing by the handicapped can contact the
 Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance
 prior to the hearing date. The time of the hearing will be automatically extended for
 at least twenty days upon written request of the applicant or any person who has filed
 a petition to oppose or support the application. The request for extension must be filed
 with the Chief Engineer by October 4, 1985.

No. 1942-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Tripp) ss.

I, Julie Snaveley hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Winner Advocate

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 Winner

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

Sept 11, 1985
Sept 18, 1985

Julie Snaveley
(Signature)
Office Manager
(Title)
9/18/85
(Date Signed)

Cost of Printing: 39.06



NOTICE OF HEARING

Notice of hearing on Application
No. 1942-2 to Appropriate Water.

Notice is hereby given that John &
Reuben Littau and John & Tony
Massa whose mailing address is
Route 3, Box 75, Carter, South
Dakota has made an application for
a permit to appropriate 0.09 cubic
feet per second from a spring
located in the NE 1/4 SE 1/4 of Section
22 T98N-R79W. Water will be used to
supply domestic water through a
common distribution system.

Pursuant to SDCL 46-2A-2 the Chief
Engineer of the Water Rights
Division recommends APPROVAL

of Application No. 1942-2 because 1)
unappropriated water is available,
2) will be no unlawful impairment of
existing rights, 3) is beneficial use of
water and 4) is in the public interest.

This application will be considered
by the Water Management Board at
Howard Johnson, Nebraska Room,
3300 W. Russell, Sioux Falls, SD,
October 16, 1985 at 10:00 am.

The recommendation of the Chief
Engineer is not final or binding upon
the Board and the Board is
authorized to make a determination
on this application after it reaches a

conclusion based upon facts pre-
sented at the public hearing. Any
interested person who may be
affected by a Board decision and
who intends to participate in the
hearing before the Board and
present evidence or cross-examine
witnesses according to SDCL 1-26,
must file a written petition with
BOTH the Applicant and the Chief
Engineer by October 4, 1985. The
petition may be informal, but it must
include a statement describing the
petitioners interest in the applica-
tion, the reason for the petitioner's
opposition to or support of the

application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-6-31; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14;, and Board Rules ARSD 74:02:01:01 thru 74:02:

01:15;

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation,

further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by October 4, 1985.

(37-38)



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

September 20, 1985

1942-2

John & Reuben Littau
John & Tony Massa
Rt 3, Box 75
Carter SD 57580

Gentlemen:

I have just received the proof of publication from the Winner Advocate for your permit application No. 1942-2. They published the notice on September 11 & 18 however, the last day for publication of the second notice was September 16. For this reason we will not be able to consider your application at the October board meeting. South Dakota statutes require the second notice to appear in the paper at least 30 days prior to the first day of the hearing. We will reschedule the hearing for December in Rapid City. We will prepare the advertising and send it to the Winner paper. If you have any questions, please contact this office.

Thank you,

KEVIN C LARSON
Natural Resources Engineer

KCL:ks

cc: Winner Advocate

Equal Opportunity Employer

NOTICE OF HEARING on Application No. 1942-2 to Appropriate Water
and/or to Amend Water Permit or Water Right No. _____

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNr, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by November 22, 1985.

No. 1942-2

Instruction to Newspaper - Publish first publication of the following Notice on or before September 4, 1985 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1942-2 to Appropriate Water
~~and/or to Amend Water Permit or Water Right No. _____~~

Notice is hereby given that John & Reuben Littau and John & Tony ^{Massa} whose mailing address is
Route 3, Box 75, Carter, South Dakota has made an application for a permit

to appropriate 0.09 cubic feet per second from a spring located in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of
 Section 22 T98N-R79W. Water will be used to supply domestic water through a common
 distribution system.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends
APPROVAL of Application No. 1942-2 because 1) unappropriated water is available,
 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and
 4) is in the public interest.

This application will be considered by the Water Management Board at Howard Johnson,
Nebraska Room, 3300 W. Russell, Sioux Falls, SD, October 16 19 85 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the
 Board is authorized to make a determination on this application after it reaches a con-
 clusion based upon facts presented at the public hearing. Any interested person who may
 be affected by a Board decision and who intends to participate in the hearing before the
 Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a
 written petition with BOTH the Applicant and the Chief Engineer by October 4, 1985.
 The petition may be informal, but it must include a statement describing the petitioners
 interest in the application, the reason for the petitioner's opposition to or support of
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 counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12
 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12,
 46-2A-14, 46-2A-15; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2,
 46-5-31; ~~(ground)~~ 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; ~~(future use)~~
~~46-5-38 thru 46-5-40; (transfer lands) 46-5-30.4, 46-5-33 thru 46-5-35; (10,000 AFA)~~
~~46-5-20.1, 46-5-8.1, and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use)~~
~~74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

This hearing is an adversary proceeding. The applicant or any person, after filing a
 petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on
 this application or to assure access to the hearing by the handicapped can contact the
 Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance
 prior to the hearing date. The time of the hearing will be automatically extended for
 at least twenty days upon written request of the applicant or any person who has filed
 a petition to oppose or support the application. The request for extension must be filed
 with the Chief Engineer by October 4, 1985.

No. 1942-3

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Tripp) ss.

I, Julie Smavelly hereby

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

Water was taken from the Winner Ad

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

City of Winner
County of Tripp and State of SD
that the said notice was published in said newspaper
two dates:

10/23/85

10/30/85

Julie Smavelly
(Signature)
Office Manager
(Title)
10/30/85
(Date Signed)

Cost of Printing: 37.01

NOTICE OF HEARING on Application No. 1942-2 to Appropriate Water

Notice is hereby given that John & Rebecca Littau and Tony & John Massa whose mailing address is Rt. 3, Box 75, Carter, South Dakota and Rosemary Donatino Roosa, St. Rt. 6, Box 34, Winner, S.D. has made an application for a permit to appropriate 0.09 cubic feet per second from a spring located in the NE 1/4 SE 1/4 of Section 22, T98N, R79W. Water will be used to supply domestic water through a common distribution system.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1942-2 because 1) unappropriated water is available; 2) will be no unlawful impairment of existing rights; 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at the Howard Johnson's Badlands Room, 2211 LaCrosse, Rapid City, SD on December 4, 1985 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination

Rules ARSD 74:02:01:01 thru 74:02:01:15.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWRN, Joe Foss Bldg., Pierre, SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by November 22, 1985. (43-44)





Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

November 5, 1985

John & Reuben Littau
Tony & John Massa
Rt 3, Box 75
Carter SD 57526

Gentlemen:

This letter is a followup to my phone conversation October 22, 1985 with Tony Massa concerning the addition of Rosemary Roosa's name to the application. As I explained to Tony, our attorney has advised me that if we do not have something on file authorizing this addition before the December meeting there is a legal question as to whether the Board can consider your application. All that is needed is a letter signed by the four of you stating that you authorize the addition of Rosemary Rossa to Application No. 1942-2. If you have any questions concerning this please contact me.

Thank you,

A handwritten signature in cursive script that reads "Kevin C. Larson".

KEVIN C LARSON
Natural Resources Engineer

KCL:ks

cc: Rosemary Roosa
Dale Benson

Equal Opportunity Employer

November 20, 1985

South Dakota Department of Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

RE: Littau-Massa Application No. 1942-2.

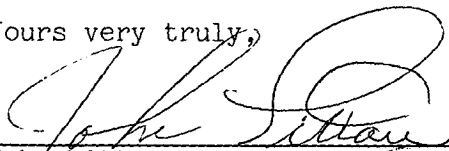
Gentlemen:

We the undersigned original applicants hereby authorize the Department of Water & Natural Resources to amend the original application to show Rosemary Roosa as one of the original applicants.

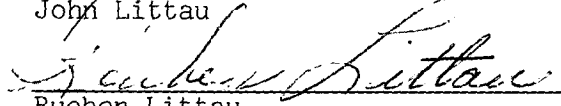
If you have any further questions or require any further written authorization please feel free to contact us at any time.

Thank you.

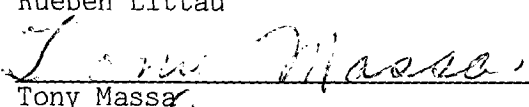
Yours very truly,


John Littau

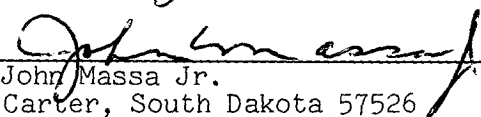
819
2208


Rueben Littau

819 -
2223


Tony Massa

879 -
2344


John Massa Jr.
Carter, South Dakota 57526
Telephone: 605-879-2214





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

FEB 11 1986

John & Reuben Littau
John & Tony Massa & Rosemary Roosa
RR 3, Box 75
Carter SD 57526

Dear Sirs:

Enclosed herewith is your Water Permit No. 1942-2 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 1942-2.

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 Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your 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: ks

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

South Dakota



GREAT FACES. GREAT PLACES.

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 19, 1991

1942-2

John Massa Jr.
Rt 3, Box 76
Carter SD 57526

Dear Mr. Massa:

The inspection of the water use system and the inspection of the extent of application of water to beneficial use, as developed under Water Permit No. 1942-2, listed under the names of John & Rueben Littau, John & Tony Massa and Rosemary Roosa, has been completed. The final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuance of the Water License. Upon receipt of the \$50.00 fee, we will begin processing the Water License.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

NOTE: On check or money order, please specify the permit number. This will insure proper handling of the fee.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412988

Pierre, December 31, 1991

RECEIVED OF John Massa, Jr., Rd 3, Box 76, Carter, SD 57526

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. <u>1942-8</u>	50	00
<u>2</u> Fee for Filing Transfer Form _____		
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	50 00

By John Hatch 
Chief Engineer

Permit No. 1942-2White River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by John & Reuben Littan & John & Tony Massa & Rosemary Roosa of Carter, SD holder of Permit No. 1942-2, bearing the priority of August 12 1985 authorizing the diversion of 0.09 cu. ft. per second of the waters of Groundwater (Spring) for Domestic purposes, in Tripp County.

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

A. Works used to divert the water:

Spring Development - Spring Box 6 ft. x 6 ft. x 3 ft.

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

Buried PVC pipe

Approximately { 1 1/2 mile - 3"
1 mile - 2 1/2"
2 mile - 2"

C. Works used to apply water to beneficial use:

Serving 6 Homes &
15 to 20 Pasture Hydrants

The system is in the following condition GoodThe point of diversion is located 2150 ft. North & 130 ft. West of the SE corner of Sec. 22-T98N-R79W (NE 1/4 SE 1/4)The works are capable of diverting and conveying to the place of use 0.09 cu. ft. per second of water which is to be used for DomesticWater has been put to beneficial use to the maximum extent as follows: Common Distribution System serving 6 Homes and 15 to 20 pasture hydrantscomprising a total of _____ acres of land and the license should be issued for 0.09 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date July 30, 1991

(signature)

Timothy H. Schaefer

LICENSE FOR PERMIT NUMBER 1942-2

1. Legal location of wells: Spring - 2150 ft. North & 130 ft. West of the
SE corner of Sec. 22-T98N-R79W. (NE 1/4 SE 1/4)
dams & structures: _____

2. Well Information: Well Drilling Firm _____

Completion Report Yes ___ No ___ No. of Wells _____ Depth _____

Casing a) diameter _____ Screen a) type _____
b) length _____ b) length _____
c) type _____ Static Water Level _____

Pump a) make _____ Motor a) make _____
b) model _____ b) model No. _____
c) size _____ c) horsepower rating _____
d) capacity _____ gpm
e) turbine pump - no. of stages _____
f) operating PSI 40-80 psi

3. Distribution lines or canals

a) size _____
b) type Buried PVC
c) length _____

} Approx. 1 1/2 mile - 3"
1 mile - 2 1/2"
2 mile - 2"

4. Dam Information:

a) height to crest _____ m) Outlet tubes:
b) height to primary spillway _____ 1) diameter _____
c) height to secondary spillway _____ 2) type _____
d) crest width _____ 3) valved (Y/N) _____
e) crest length _____ 4) valve type _____
f) spillway length _____ 5) location on structure _____
g) spillway width _____
h) approx. storage _____ n) Category of Dam _____
i) approx. storage to crest _____
j) date constructed _____
k) inspection sheet completed (Y/N) _____
l) Name of Contractor _____

5. System Type a) sideroll:

- 1) length _____ feet
- 2) diameter of pipe _____
- 3) make, model & number of
sprinklers _____
- 4) spacing of sprinklers _____
- 5) nozzle size _____

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length _____ feet
- 2) make, model & number of
sprinklers _____
- 3) spacing of sprinklers _____
- 4) nozzle size _____

d) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) end gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) capacity (GPM) _____

g) siphons

- 1) size _____
- 2) number _____

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project _____

Yes	No	Check Items
<u>NA</u>		1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
<u>X</u>		2. Special qualifications to permit being abided by?
<u>X</u>		3. All structures, wells and lands on map?
<u>NA</u>		4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
<u>X</u>		5. Is chemigation used?
<u>NA</u>		6. If yes, does equipment comply with chemigation rules?

REMARKS:

NOT TO SCALE

T3006

56.8

(139-L)

T3333

T3333

1 HEL

HEL

11 HEL

22

Spring Development 130' X

98.79

(139-L)

T3265

Timothy L. Lohr
July 30, 1991

STATE OF SOUTH DAKOTA

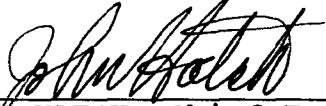
WATER LICENSE NO. 1942-2

(1) John and Reuben Littau, John and Tony Massa, and Rosemary Roosa % John Massa, Jr., Rt 3, Box 76, Carter, SD 57526 made Application No. 1942-2, August 2, 1985 for a water permit to appropriate 0.09 cubic feet of water per second from groundwater (spring), Tripp County, South Dakota for domestic purposes. Permit No. 1942-2 with a priority date of August 12, 1985 was approved December 4, 1985 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before December 4, 1990 and for the application to beneficial use of said water on or before December 4, 1994.

(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 0.09 cubic feet of water per second for beneficial use. The location of the diversion point is: 2150'N and 130'W of the SE corner of Section 22, T98N, R79W (NE 1/4 SE 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use. The water is diverted from the spring for use through a common distribution system which serves 6 homes and 15 to 20 pasture hydrants.

(4) Pursuant to Section 46-5-30.1 John and Reuben Littau, John and Tony Massa, and Rosemary Roosa % John Massa, Rt 3, Box 76, Carter, SD 57526 the holder(s) and/or owner(s) of Water Permit No. 1942-2 is issued a license to appropriate water, the right to use 0.09 cubic feet of water per second from groundwater (a spring) with a priority date of August 12, 1985 from the location specified in (2) of this license. The water is to be used for the purpose of domestic use. This license is subject to any limitations or qualifications listed in Water Permit No. 1942-2 and subject to South Dakota State Law.

 FEB 27 1992
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

FEB 27 1992

John and Reuben Littau,
John and Tony Massa
and Rosemary Roosa
% John Massa, Jr.
Rt 3, Box 76
Carter, SD 57526

Dear Sirs and Ms. Roosa:

Enclosed is Water License No. 1942-2. This is the final water right document completing your process of obtaining a water right. Enclosed is Receipt No. 412988 in the amount of \$50.00 which you paid for the inspection and issuance of this water license.

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

Very truly yours,

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

enclosures