

OFFICE OF STATE ENGINE

PIERRE, SOUTH DAKOTA

RECORD OF PROCEEDINGS

Application No. 225-

Water Div. No. 2 Fall R. Water Dist.

Application Received Nov 15 - 1917

Maps Received

Acknowledgment

Notice for Pub. Mailed Dec 20, 1917

Receipt from Newspaper Jan 14, 1918

Copy of Newspaper Rec'd. Jan 14, 1918

Notice of Correction

Proof of Pub. Rec'd.

Hearing

Approved

Recorded and Filed

REMARKS:

Filed by James Hartgening
personally.

STATE OF SOUTH DAKOTA,
COUNTY OF HUGHES.

I hereby certify that the within and foregoing 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 18th day of February, 1918.

Homer M. Derr
State Engineer.

COPY

No. 225

Division No. 2

Fall River Water District.

PERMIT

to appropriate water from

Lame Johnny Creek

Custer County, South Dakota.

Name of applicant

Mary L. Engelbrecht.

Name of diversion works Upper

Engelbrecht Ditch

Date of first receipt at office of State Engineer November 15, 1917.

Returned to applicant for Correction January 4, 1918.

Corrected application received

February 18, 1918.

Date of water right

November 15, 1917.

Recorded in Book 2 Page 324 & 325

One-fifth of work to be completed

August 18, 1920.

Whole work to be completed

February 18, 1923.

Final proof of use of water

February 18, 1923

Approved February 18, 1918.

Homer M. Derr,

State Engineer.

Corrected copy of
No. 225

Water Division No. 2

Fall River Water District.

(Checks 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 Mary I. Engelbrecht, Margery Lynn Fish
Box 116
Postoffice address Buffalo Gap, County Custer, State South Dakota.

I. If a corporation:

- (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 the 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 Upper Engelrecht Ditch
3. Quantity of water claimed 8.76 cubic feet per second.
4. Source of water supply Lane Johnny Creek
5. Location of point of diversion Sec. 62-35' E. 815.5' to W. 4' Cor. Sec. 16.
T. 5 S., R. 7 E. B.N.M. on right bank.
(Right or left bank looking down stream.)
6. Annual periods during which water is to be used During Irrigating season.
7. To be used for:
I. Irrigation or domestic use:
(a) Number of acres to be irrigated 612.10 acres.
(b) Legal subdivisions to be irrigated _____

SE of SE of Sec. 17	- 14.96 A	SW of SW of Sec. 16	- 4.90 A.
SE of SW " "	16 - 1.71 "	NE of NE of " "	20 - 19.97 "
NW of NW " "	21 - 40.00 "	NE of NW " "	21 - 27.10 "
SW of NW " "	21 - 40.00 "	SE of NW " "	21 - 40.00 "
NW of NE " "	21 - 7.75 "	SW of NE " "	21 - 39.46 "
SE of NE " "	21 - 14.08 "	NE of SW " "	21 - 33.80 "
SE of SW " "	21 - 20.44 "	NW of SE " "	21 - 40.00 "
NE of SE " "	21 - 35.95 "	SW of SE " "	21 - 40.00 "
SE of SE " "	21 - 40.00 "	NW of SW " "	22 - 8.00 "
SW of SW " "	22 - 27.70 "	SE of SW " "	22 - 1.28 "
NE of NW " "	27 - 28.80 "	SE of NW " "	27 - 28.50 "
NE of SW " "	27 - 27.45 "	SE of SW " "	27 - 20.35 "

Total, 612.10 Acres.

State Engineer.

8. Estimated cost of works:

(a) Head gates, \$ 50.00 (b) Pumping plant, \$
(c) Fluming, \$ (d) Canal-earth, \$2800.00 Rock, \$
(e) Other structures \$ Total, \$2850.00

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

Diversion Dam only.

II. Dimensions of works:

(a) Dam: Height 2.0 feet; length at bottom 15.0 feet; length at top 30.0 feet; thickness at bottom 8.0 feet; thickness at top feet; slope of front (water) face; slope of back face; material used in construction Earth.

(b) Reservoir; Capacity when filled acre feet. Surface area at highwater mark acres.

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

(c) Head gate: Width 5 feet; height 3 feet;

Material Timber

(d) Canal: Total length 2.78 miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER LINE	GRADE PER MILE
At .7 Mile	2 feet	10 feet	feet	10.5 feet
At .7 - .8 Mile	2 feet	10 feet	feet	7.9 feet
At .85 - 1.1 Mile	2 feet	10 feet	feet	5.3 feet
At 1.17 - 2.7 Mile	2 feet	10 feet	feet	7.9 feet
At Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work five years.

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

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

Buffalo Gap Gazette.

STATE OF SOUTH DAKOTA,
County of Pennington ss.

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

Engineer

(Owner, manager, engineer.)

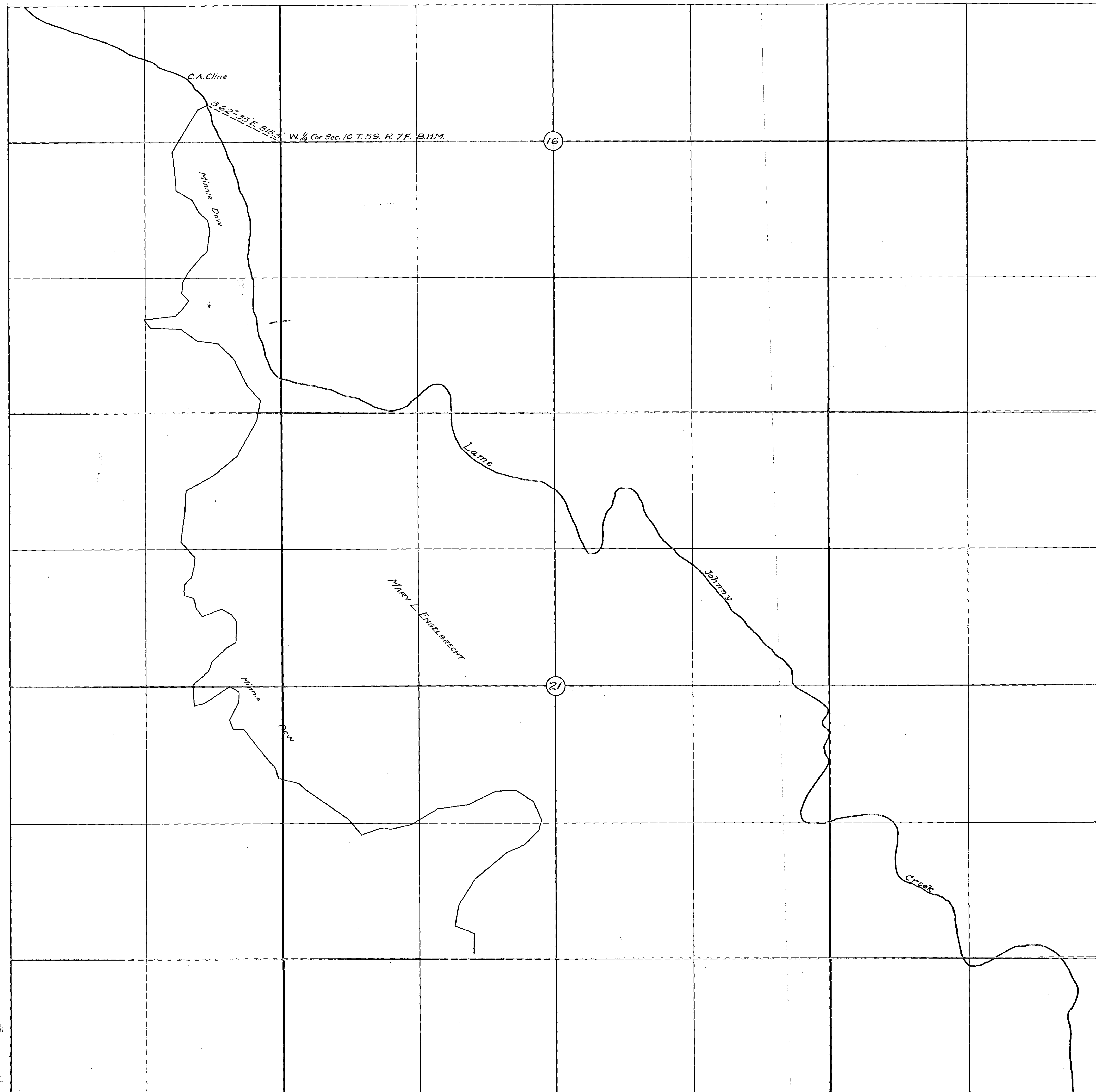
, that I have read the above and foregoing statement, and examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed C. E. Youngberg.

Subscribed and sworn to before me this 15th day of February 1918.

Chas. A. Nystrom,

Public (or other qualified officer)



MAP
OF
UPPER ENGELBRECHT DITCH
T. 5S. R. 7E. B.H.M.
SCALE 1"=500

STATE OF SOUTH DAKOTA SS:
COUNTY OF PENNINGTON

I, G.E. Youngberg, being duly sworn, upon my oath, say that I am the Engineer of the Upper Engelbrecht Ditch; that the survey and map were made by me, and that I have read the accompanying statement and know of my own knowledge that the statements therein are true.

G.E. Youngberg Engineer

Subscribed and sworn before me this 15th day of February 1918.

Charles H. Johnson Notary Public

Approved Feb. 15, 1918.
Harmon M. Lerr
State Engineer.

RECEIVED

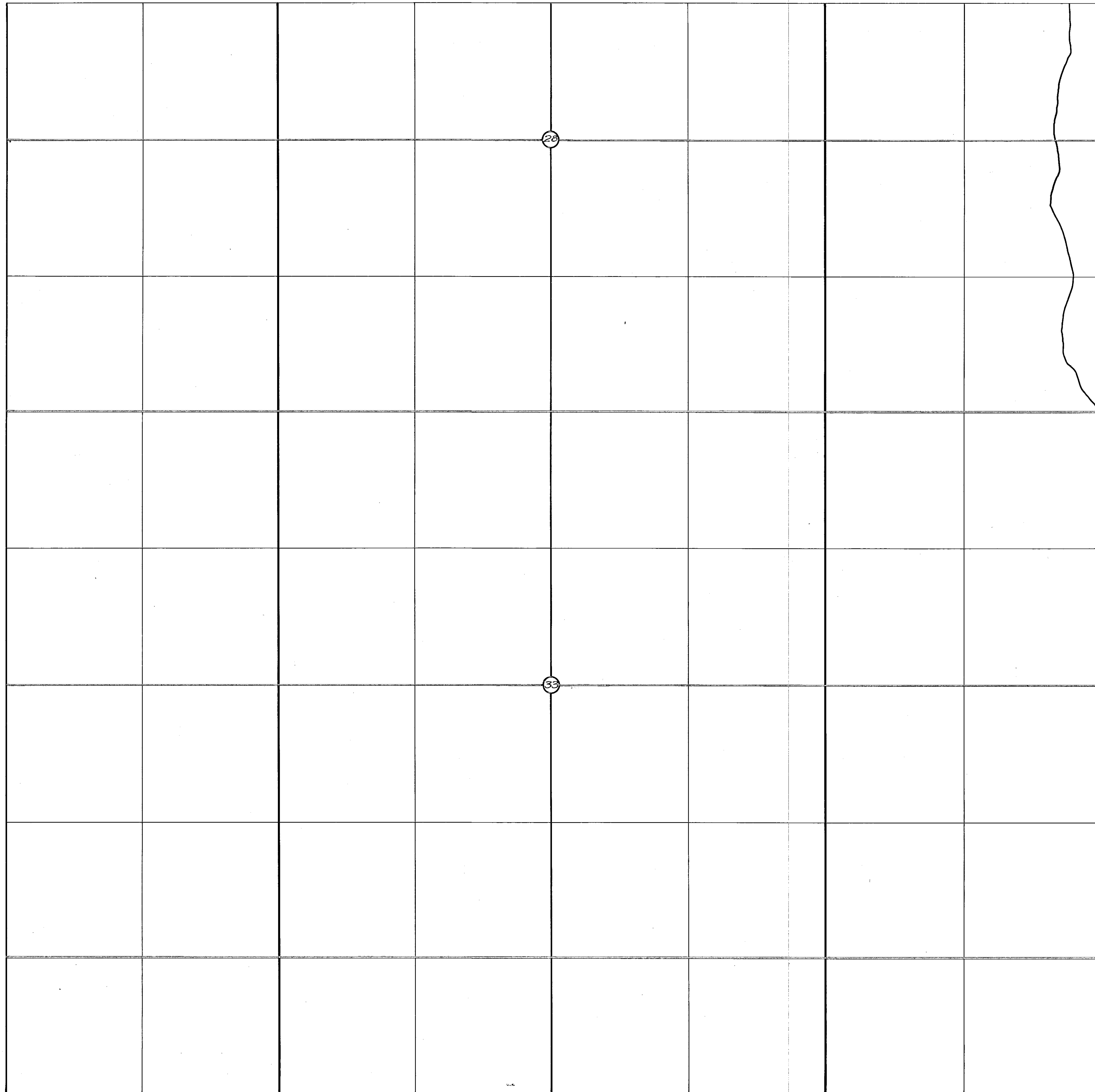
FEB 18 1918

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

OFFICE OF STATE ENGINEER
FEB 20 1918
PIERRE, S. DAK.

271-2

Drawing No. 1 U.E.D.



MAP
OF
UPPER ENGELBRECHT DITCH
T.5S R.7E. B.M.
SCALE 1"=500'

STATE OF SOUTH DAKOTA ss:
COUNTY OF PENNINGTON

I, G.E. Youngberg, being duly sworn, upon my oath, say that I am the engineer of the Upper Engelbrecht Ditch; that the survey and map were made by me and that I have read the accompanying statements and know of my own knowledge that the statements therein are true.

G.E. Youngberg Engineer

Subscribed and sworn before me this 19th day of February 1918

Charles H. Hoffman Notary Public.

Approved Feb. 18, 1918.
Homer M. Derr,
State Engineer.

RECEIVED
FEB 18 1918
OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

OFFICE OF STATE ENGINEER
FEB 19 1918
PIERRE, - S. DAK.

271-2

(Map 271-2)
Map 271-2

Remarks by State Engineer:

This permit is granted subject to the rights of all prior appropriators wherein each shall be allowed one second-foot for each 70 acres of land irrigated as provided by law, regardless of the amount of water that may have been applied for under the old law. The holder of this permit has agreed, previous to the granting of the same, that there will be an opening below the head-gate large enough to allow the full amount of water flow that is due all prior water appropriators, in accordance with the legal allowance above mentioned.

STATE OF SOUTH DAKOTA
County of Hughes }

ss.

Pierre, South Dakota, February 18, 1918.

This is to certify that the foregoing application was received at this office at 9 o'clock a m. upon the 15th day of November 1917 and that after examination it was returned to the applicant for correction and changes, after which it was returned to this office. Notice of intention to appropriate was published, proof of publication was duly filed, and a hearing was held in this office on February 18, 1918.

Harner M. Derr
State Engineer.

Number of permit 225-2.

Date of first receipt of application November 15, 1917.

Date of return to applicant for correction January 4, 1918.

Date of receipt of corrected application February 18, 1918.

Date from which applicant may claim right November 15, 1917.

Approved February 18, 1918. Recorded in Book 2. Pages 324 & 325.

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 18, 1920.

2nd. The whole of said work is to be completed on or before February 18, 1923.

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is February 18, 1923.

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 -8.74- 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 February 18, 1923; said water to be used during the following described annual periods.

Irrigating seasons.

Witness my hand this 18th day of February 1918.

Water License and Certif of Const.
Issued, December 29, 1980

Harner M. Derr
State Engineer.

WATER LICENSE NO. 225-2

(1) WHEREAS, On the 15th day of November A. D. 19 17
Mary L Engelbrecht

made Water Right Application No. 225-2 for a permit to use 9.76 cubic feet per second of the waters
of Lame Johnny Creek

County of Custer, State of South Dakota, for Irrigation

purposes; and

(2) WHEREAS, On the 18th day of February A. D. 19 18

Permit No. 225-2, with a date of priority of November 15, 1917

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 18th day of February A. D. 19 23 and for the
application to beneficial use of said water on or before the 18th day of February A. D. 19 23

WHEREAS, on the 17th day of December, 1980, this Permit was transferred to Margery Lynn
Fish, Box 116, Buffalo Gap, South Dakota,

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert .96 cubic feet
per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to the application of water to beneficial use of the following extent,

To irrigate the following lands all in T5S, R7E

Section 21, NE $\frac{1}{4}$ NW $\frac{1}{4}$ 3 acres

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 14 "

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 21 "

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2 "

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 9 "

Section 22, NW $\frac{1}{4}$ NW $\frac{1}{4}$ 3 "

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 8 "

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 7 "

TOTAL 67 acres

The applicable portions of Permit No. 224-2 have been incorporated into this Water
License No. 225-2.

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Margery Lynn Fish

_____ of Buffalo Gap, South Dakota

the holder _____ and owner _____ of said permit No. 225-2 a water right, dating from November 15, 1917

_____ to use of .96 cubic feet per second of the waters

of Lane Johnny Creek

in the County of Custer and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at: Point #1, 30' south and 220' west of the NE corner

and Point 2, 100' south of the NE corner, both in Section 21, T5S, R7E

and conducted to and upon portions of lands in Sections 21 and 22, T5S, R7E, more fully
described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 225-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 29th day of December A. D.

Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Permit No. 225-2

Water Diversion No. 2 Fall River Water District

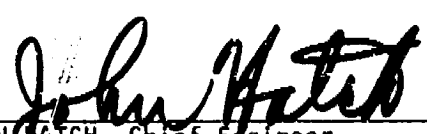
CERTIFICATE OF CONSTRUCTION

This is to Certify, That Margery Lynn Fish

_____ the holder _____ of
Permit No. 225-2, issued upon Application No. 225-2, bearing date of priority of _____
November 15, 1917 authorizing the diversion of 8.76 cu. ft. per second of the waters of _____
Lane Johnny Creek County of Custer, State of South Dakota ~~xxx~~
Point #1, 30' south and 220' west of the NE corner, and Point #2, 100' south of
the NE corner, both in Section 21, T5S, R7E
_____, for Irrigation

purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 20(Est.) cu. ft. per second of water.

Date December 29, 1980



JOHN HATCH, Chief Engineer
Water Rights Division

Copy
STATE OF SOUTH DAKOTA

PERMIT No. 225-2

CERTIFICATE OF EXTENSION OF TIME FOR COMPLETING ONE-FIFTH OF WORKS

WHEREAS, On the 15th day of November A. D. 1917, Mary J. Engelbrocht of Buffalo Gap, County of Custer and State of South Dakota duly made application (No. 225-2) ~~there~~ for a permit to use 0.76 cubic feet per second of the waters of Lame Johnny Creek, County of Custer, State of South Dakota, for irrigation purposes; and

WHEREAS, On the 18th day of February A. D. 1918, Permit No. 225-2 was issued to said applicant for the diversion of said water, and providing for the completion of one-fifth of the Works of Diversion on or before the 18th day of August A. D. 1920, and for the completion of the works and the application to beneficial use of said water on or before the 18th day of February, A. D. 1923, and ~~which extension was granted~~

WHEREAS, On the 27th day of August, A.D. 1920, the holder of said permit filed in this office a request that an extension of time be granted for the completion of the equivalent of at least one-fifth of works to be done under said permit, and which extension was granted, and

WHEREAS, On the 27th day of July, A.D. 1921, the holder of said permit filed in this office a request that a further extension of time be granted for the completion of the equivalent of at least one-fifth of works to be done under said permit, and

WHEREAS, The reasons stated by the applicant are considered valid and satisfactory.

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of South Dakota, I hereby grant and allow to Mary L. Engelbrocht of Buffalo Gap, South Dakota the holder and owner of said permit No. 225-2 an extension of time for completing one-fifth of said diversion works from August 18, 1921 to August 18, 1922.

WITNESS, My hand and the seal of my office at Pierre, South Dakota, this 11th day of August A. D. 1921.

State Engineer.

Copy

STATE OF SOUTH DAKOTA

PERMIT No. 225-2

CERTIFICATE OF EXTENSION OF TIME FOR COMPLETING ONE-FIFTH OF WORKS

WHEREAS, On the 15th day of November A. D. 1917, Mary L. Engelbrecht of Buffalo Gap, County of Custer and State of South Dakota, duly made application (No. 225-2) for a permit to use 8.76 cubic feet per second of the waters of Lake Johnny Creek, County of Custer, State of South Dakota, for irrigation purposes; and

WHEREAS, On the 15th day of February A. D. 1918, Permit No. 225-2 was issued to said applicant for the diversion of said water, and providing for the completion of One-Fifth of the Works of Diversion on or before the 18th day of August A. D., 1920, and for the completion of the works and the application to beneficial use of said water on or before the 18th day of February, A. D. 1923, and

WHEREAS, On the 27th day of August, A. D. 1920, the holder of said permit filed in this office a request that an extension of time be granted for the completion of the equivalent of at least one-fifth of works to be done under said permit, and which extension was granted, and

WHEREAS, On the 27th day of July, A. D. 1921, the holder of said permit filed in this office a request that a further extension of time be granted for the completion of the equivalent of at least one-fifth of works to be done under said permit, and which extension was granted, and

WHEREAS, On the 20th day of October, A. D. 1922, the holder of said permit filed in this office a request that a further extension of time be granted for the completion of the equivalent of at least one-fifth of works to be done under said permit, and

WHEREAS, The reasons stated by the applicant are considered valid and satisfactory.

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of South Dakota, I hereby grant and allow to Mary L. Engelbrecht of Buffalo Gap, South Dakota, the holder and owner of said permit No. 225-2, an extension of time for completing one-fifth of said diversion works from August 18, 1922, to August 18, 1923.

WITNESS, My hand and the seal of my office at Pierre,
South Dakota, this 20th day of October, A. D. 1922.

.....
State Engineer.

Form 9 - Notice of Intention to appropriate water:

(First Publication _____ 191__)

APPROPRIATION OF WATER.

Office of the State Engineer,

Pierre, S. D., Dec 20 191__

Notice is hereby given that Mary L. Engelbrecht,
whose postoffice address is Buffalo Gap, Carter 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 9.6 cubic feet of water per second of time from Lame Johnny
Green through the Upper Lame Johnny Irrig. Works
the point of diversion of which is to be located upon the Right
bank of said stream in the SE 1/4 of the NE 1/4 of section
19 township 35 range 5, said water
to be used for the purpose of irrigation

upon the SE 1/4 of Sec 17, NE 1/4 of T. 35, R. 5, S. 1
at 500 ft. above the level of the sea
500 ft. above the level of the sea
27 to 55 @ 7 ft. to 10 ft. 675 ft. S.

This application will be taken up by the state engineer at his office
at Pierre for consideration and appropriate action upon the 18
day of February 1918, 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.

Harner M. Derr
State Engineer.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA } ss
 County of Custer
 Paul F. Foss

being duly sworn, deposes and says the annexed printed copy of Notice Intention to appropriate Water was taken from the Buffalo Gap 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 Buffalo Gap County of Custer and State of South Dakota, That the said notice was published in said newspaper on the following dates:

Saturday, January 11th, 18th, 25th and Saturday February 1st, 1918.

in each and every issue of the full number thereof, the first publication being made on the 11th day of January 1918 and the last publication on the 1st day of February 1918, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was the printer and publisher of the said newspaper.

Subscribed and sworn to before me this 2nd day of February A. D. 1918.

Notary Public Custer. County, S. D.

Notice of Intention To appropriate Water.

Form 9. No. 225-2.
 (First Publication January 11, 1918.)
 APPROPRIATION OF WATER.
 Office of the State Engineer, Pierre, S. D., December 20, 1917.

NOTICE is hereby given that Mary L. Engelbrecht, whose postoffice address is Buffalo Gap, Custer 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 0.6 cubic feet of water per second of time from Lane Johnny Creek through the Upper Lane Johnny Irrigation Works, the point of diversion of which is to be located upon the right bank of said stream in the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 17, Township 7 S., Range 7 E. B. H. M., said water to be used for the purpose of irrigation upon the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 17; NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 20; and NW $\frac{1}{4}$ of SW $\frac{1}{4}$, SE $\frac{1}{4}$, and SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 21; and NW $\frac{1}{4}$ of SW $\frac{1}{4}$, SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 22; and SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Sec. 27, Township 8 South, Range 7 E., B. H. M. Total 675 Acres. This application will be taken up by the state engineer at his office at Pierre for consideration and appropriate action upon the 15th day of Feb. 27, 1918, at 10 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 benefitted, are notified to be present either by sworn affidavit or in person for the purpose of presenting any relative testimony.

HOMER M. DEAR
 State Engineer.

APPLICATION FOR EXTENSION OF TIME FOR COMPLETING WORKS.

To the State Engineer,
Pierre, South Dakota.

Dear Sir:-

I hereby request that an extension of time of one year
one-fifth of
be granted me for the completion of work
to be done under permit No. 225

Said works are located in Custer County and
are described as follows:-

Location of headworks: In the SE 1/4 NE 1/4 of the NE 1/4 of
Section 17, Township 5 South Range 7 East
E., B. H. N.

The water is to be used for the purpose of irrigation

The extension of time for the completion of one-fifth of
these works is re-
quested for the following reasons: the reason that I desire to get an
extension of time on these water rights is that I was unable to get
anybody to do the work

Mary L. Engelbrecht
Holder of Permit No. 225

APPROVED:-

Sept. 1, 1920.
John R. [Signature]
State Engineer.

APPLICATION FOR EXTENSION OF TIME FOR COMPLETING WORKS.

To the State Engineer,
Pierre, South Dakota.

Dear Sir:-

I hereby request that an extension of time of one year
of one-fifth
be granted me for the completion of works
to be done under permit No. 225-2.

Said works are located in Custer County and
are described as follows:-

Location of headworks: In the SE 1/4 of the NE 1/4 of
Section 17, Township 5 South, Range 7 East
E., B.M.V.

The water is to be used for the purpose of irrigation

The extension of time for the completion ^{of one-fifth} of these works is re-
quested for the following reasons: of adverse financial
and labor conditions

Witness my hand and seal this 11th day of August, 1921.

State Engineer.

APPROVED:-

Aug. 11, 1921
John D. G.
State Engineer.

APPLICATION FOR EXTENSION OF TIME FOR COMPLETING WORKS.

ONE-FIFTH OF

RECEIVED

OCT 22 1922

STATE ENGINEER
SOUTH DAKOTA

To the State Engineer,

Pierre, South Dakota.

Dear Sir:-

I hereby request that an extension of time of one year
of one-fifth
be granted me for the completion of works
to be done under permit No. 225-2.

Said works are located in Custer County and
are described as follows:-

Location of headworks: In the S.E. of the S.W. of
Section 16, Township 5 South, Range 7 East
E., B.H.M.

The water is to be used for the purpose of irrigation

The extension of time for the completion of these works is re-
quested for the following reasons: "we are on ^{of one-fifth} ~~the~~ ^{have} ~~the~~ time
with our ditching we haven't ^{the} time
and money for that work but expect to get
started again ^{next} ~~this~~ Spring or this winter"
"There is nothing done on this ditch yet"

Mary L. Engelbrecht

Holder of permit No. 225-2

APPROVED:-

October 20, 1922
John H. [Signature]
State Engineer.

NO. 225-2

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Nov 28, 1980

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

Portions of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 21, NE $\frac{1}{4}$ Sec. 21, W $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22

T5S, R7E

formerly owned by Mary L Engelbrecht

has been transferred to Margery Fish, Buffalo Gap, SD 57722

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 225-2 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

X STATE OF SOUTH DAKOTA)
County of Custer) ss.

I, Margery Fish 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.

Margery Fish
(Signed)

Subscribed and sworn to before me this 28 Day of November, 1980

Wm W. Schubert
(Notary Public)

Received Nov 17, 1980
File

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

NO 4 7332

Marger, Lynn Fish, Box 116, Buffalo Gap SD 57722

PIERRE,

December 17

19 80

RECEIVED OF

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Const action No. 225-2)		
Fee for inspecting Beneficial Use, and issuing Water License No. 225-2)	12	00
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filling		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for transfer of water right No. 225-2	2	50
(any other work as provided by law)		
TOTAL	14	50

WATER RIGHTS COMMISSION

By

Chief Engineer, Executive Officer

JOHN HATCH

kw

Permit No. 2-25-2Water Division 2 Full River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Marjery Fish
 of Buffalo Gap, S. Dak. holder: _____
 of Permit No. 2-25-2, bearing date of priority of November 15, 1917
 authorizing the diversion of 8.74 cu. ft. per second of the waters of Lame Johnny Creek
 for Irrigation purposes, in Custer County.

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

The Water Use System consists of,

A. Works used to divert the water:

Headgates on Creek and Dry Draw.

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

Diversion Ditches

C. Works used to apply water to beneficial use.

Diversion Ditches for Flood IrrigationThe system is in the following condition: Fair

The point of diversion is located #1 = 30' S and 220' W of the N $\frac{1}{4}$ Cor Sec. 21,
#2 = 100' S of the NE Cor Sec. 21, T5S R7E

The works are capable of diverting and conveying to the place of use 20 (est).cu. ft. per second of water which is to be used for Irrigation.Water has been put to beneficial use to the maximum extent as follows: All in T5S R7E.

In Sec. 21, NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 3 Ac. NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 14 Ac. NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 24 Ac.
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 2 Ac. SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 2 Ac. In Sec. 22
NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 3 Ac. SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 8 Ac. NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 7 Ac.

comprising a total of 67 acres of land. 67 $\div$ 10 = 196 cfs.
196 $\div$ 10 = 19.6 cfs.

Permit H 224-2 is incorporated into this license

Date July 10 1980
Lesley J. McLaughlin
 (Signature)

SOUTH



Department of Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

(605) 773-3352

January 27, 1981

Margery Lynn Fish
Box 116
Buffalo Gap, SD 57722

Dear Ms. Fish:

Enclosed herewith are, Water License No. 225-2 and Certificate of Construction.

Water License No. 225-2 is the final water right document completing your process of obtaining a water right.

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

Very truly yours,

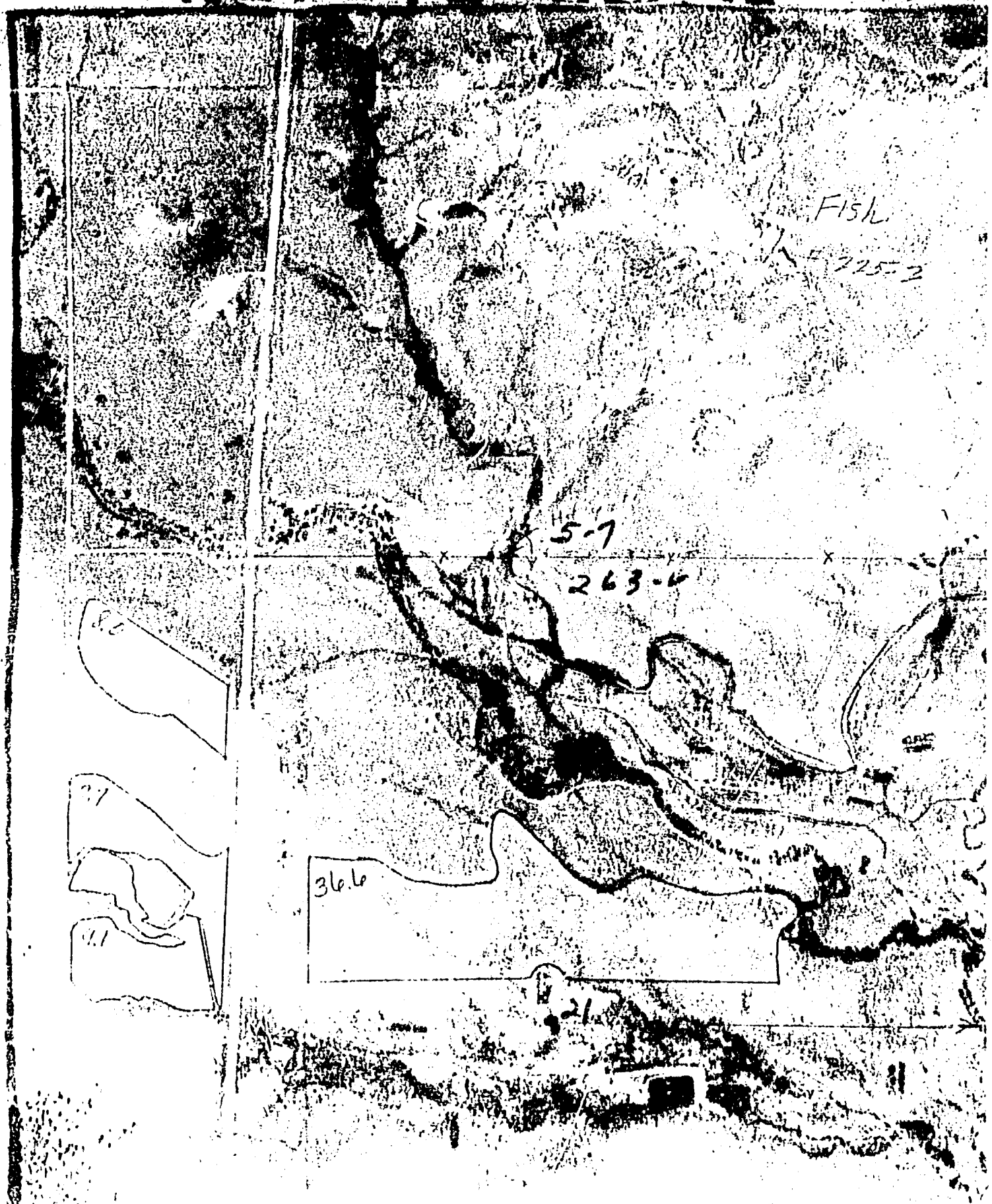
JOHN HATCH, Chief Engineer
Water Rights Division

JH:gy

enclosures

NOTE: The applicable portions of Permit No. 224-2 have been incorporated into this Water License No. 225-2.

NOT TO SCALE



DATE MICROFILMED

CAMERA OPERATOR

16.

R 7 E

Pt of DIV.
#1

Headscale
220'
30'

Pt of DIV.
#2
100' S ME COR.
Sec. 21

NE $\frac{1}{4}$ NW $\frac{1}{4}$
3 AC

NW $\frac{1}{4}$ NE $\frac{1}{4}$
14 AC.

NE $\frac{1}{4}$ NE $\frac{1}{4}$
21 AC

NW $\frac{1}{4}$ NW $\frac{1}{4}$
3 AC

Section #2

T
5
S

SW $\frac{1}{4}$ NE $\frac{1}{4}$
2 AC.

SE $\frac{1}{4}$ NE $\frac{1}{4}$
9 AC

SW $\frac{1}{4}$ NW $\frac{1}{4}$
8 AC

Railroad

21.

Overlay of Aerial Map
8" = 1 Mi.
1" = 660'
by J. J. M. Wright
11-24-82

17

Marjery Fish
Permit # 225-2

