

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 16 day of April 1908

Samuel H. Lea
State Engineer.

By Wm. S. H. Lea
Deputy.

Copy

No. 7

Division No. 2 Rapid Creek District

PERMIT

to appropriate water from Bad Lands Draw
Bennington County, South Dakota

Name of applicant Isabel D. Humphrey

Name of diversion works Bad Lands Water Ditch

Date of first receipt at office of State Engineer July 3 1906

Returned to applicant for correction 190

Corrected application received 190

Date of water right Sept 5 1906

Recorded in Book 1 Page 6

One-fifth of work to be completed Oct. 15 1907

Whole work to be completed Oct. 15 1908

Final price of use of water Oct. 15 1909

Approved Sept. 29 1906
Samuel H. Lea
State Engineer.

By
Deputy.

No. 4Water Division No. 2 Rapid Creek 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.)

GLEN & GENE1. Name of applicant GLEN & GENEResidence address Box 257, Rapid Creek, County, Custer, State South Dakota

1. 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 Bad Lands Water Ditch3. Quantity of water claimed 1 3/4 cubic feet per second.4. Source of water supply Bad Land Draw5. Location of point of diversion on NE 1/4, SE 1/4, Sec. 1, T1N, R10E, BHM, which, from the SW Cor. of SW 1/4, SE 1/4 of said Sec. 1, bears N 31° E 247.0 ft., on left bank
(Right or left bank looking down stream.)

6. Annual periods during which water is to be used

7. To be used for:

I. Irrigation or domestic use:

(a) Number of acres to be irrigated 110 acres, W 1/2, SE 1/4 of NE 1/4, Sec. 1, T1N, R10E, BHM.(b) Legal subdivisions to be irrigated Lot 1; the E 1/2 of NW 1/4 of Lot 2; E 1/2 SW 1/4 of NE 1/4; and the

(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 part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.)

II. Mining, power, manufacturing, transportation, or other purposes:

(a) Nature of use

(b) Amount of power to be generated horse power.

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

8. Estimated cost of works:

(a) Head gate, \$..... (b) Pumping plant \$.....
 (c) Fluming, \$..... (d) Canal-earth, \$..... rock, \$.....
 (e) Other structures \$..... Total, \$658

9. Description of diversion works:

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

Earth dams and Earth ditches

II. Dimensions of works:

(a) Dam: Height 7 feet; length at bottom 120 feet; length at top 75 feet; thickness at bottom 3 feet; thickness at top 8 feet; slope of front (water) face 2 to 1; slope of back face 2 to 1; material used in construction Earth

(b) Reservoir: Capacity when filled 0.76 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..... feet; height..... feet
 Material.....

(d) Canal: Total length..... miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER LINE	GRADE PER MILE
At 0 mile	2 feet	3 feet	5 feet	21.2 feet
At 1/2 mile	2 feet	3 feet	5 feet	21.2 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..... 2 years.

11. Time required for complete application of water to the proposed beneficial use..... 2 years.

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

Black Hills Union

STATE OF SOUTH DAKOTA

County of Pennington } ss

I, Isabel D. Humphrey, being first duly sworn on my oath depose and say: That my relative to the above described undertaking is that of Owner 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 Isabel D. Humphrey

Subscribed and sworn to before me this 29th day of June 1906

signed

A. K. Gardner
 Notary Public (or other qualified officer).

Remarks by State Engineer:

Publication having been made and hearing held, as required by law, this application has been approved

STATE OF SOUTH DAKOTA
County of Hughes }

Pierre, South Dakota, Sept. 29 1906

This is to certify that the foregoing application was received at this office at one o'clock P. m. upon the third day of July, 1906 and that after examination it was found to comply with the irrigation code of South Dakota. Publication was ordered and a hearing was set for Sept. 5, 1906. This hearing was held and the application has been approved.

Samuel H. Lea
State Engineer.

By _____ Deputy.

Number of permit 1
Date of first receipt of application July 3 1906
Date of return to applicant for correction _____ 190____
Date of receipt of corrected application _____ 190____
Date from which application may claim right Sept. 5 1906
Approved Sept. 29 1906, Recorded in Book 1 Page 7

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 Oct. 15 1907

2d. The whole of said work is to be completed on or before Oct. 15 1908

3d. The limit of time for proof of beneficial use of water appropriated in accordance herewith is Oct. 15 1909

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~~ use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 1 3/4 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 on or before Oct. 15 1909; said water to be used during the following described annual periods.

Yearly

Witness my hand this 29th day of September 1906

Samuel H. Lea
State Engineer.

By _____ Deputy.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 4

WHEREAS, On the third day of July A. D. 1900
ISABEL B. HOFFMEYER

of Reid City County of Pennington and State of
South Dakota duly made application (No. 4) to me for a permit to use 1 1/2
cubic feet per second of the waters of Bad Land Draw
County of Pennington State of South Dakota, for irrigation
purposes; and

WHEREAS, On the twenty-ninth day of September A. D. 1900
Permit No. 4 was issued to said applicant for the diversion of said water, and providing for the com-
pletion of the works of diversion therein described on or before the fifteenth day of
October A. D. 1900 and for the application to beneficial use of said
water on or before the fifteenth day of October A. D. 1900
and,

WHEREAS, On the eighteenth day of January A. D. 1910
the holder of said permit duly made proof of the completion of adequate works for the diversion of
cubic feet per second of said waters, as evidenced by my Certificate No. 4
dated January 14, 1910, confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 1 1/2 cubic feet per second of water,
with date of priority of July 3, 1900, and,

WHEREAS, On the eighteenth day of January A. D. 1910
proof was duly made of the application to beneficial use of 1 1/2 cubic feet per second of
said water;

For irrigation of the Lot 1, E 1/2 and NW 1/4 of Lot 3, E 1/2 SW 1/4 of NE 1/4,
and the W 1/2 SE 1/4 of NE 1/4, Section 1, Township 1 N., Range 10 E. B.H.M.

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 Isabel S. Humphrey of Rapid City the holder and owner of said permit No. 4 a water right, dating from July 3, 1908, to the use of 1 1/2 cubic feet per second of the waters of Bad Land Draw in the County of Ponnington and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at N. 17° E. 3470 ft. from the 1/4 section corner on the south boundary of Section 1, Township 1 N., Range 10 E. D.H.M., and conducted to and upon Lot 1, NE 1/4 and NW 1/4 of Lot 2, NE 1/4 of NE 1/4 and the NW 1/4 of NE 1/4 Section 1, Township 1 N., Range 10 E. D.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 lateral 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 22nd day of January, A. D. Nineteen Hundred and Ten

State Engineer.

STATE OF SOUTH DAKOTA

Water License No. 4

To Isabel S. Humphrey

Source of Supply

Bad Land Draw

County Ponnington

Sec. Feet 1 1/2

Point of Diversion N. 17° E. 3470 ft. from 1/4 sec. corner S. 1/4 of Sec. 1, T. 1 N., R. 10 E. D.H.M.

Place of Use Lot 1, NE 1/4 & NW 1/4 of S. 1/4 SW 1/4 of NE 1/4 SE 1/4 of NE 1/4, Sec. 1, T. 1 N., R. 10 E. D.H.M.

Purpose irrigation

Date of Priority July 3, 1908

Recorded September 23, 1908

In Book 15 of Record Page 7

Permit No. 1

Water Division No. 2 Papad Creek Water District

Certificate of Application of Water to Beneficial Use.

Deposition of Holder

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

Ans. Donald S. Humphrey

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. None

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

Ans. No. 1 July 3, 1906

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

Ans. Bond Land Grant
N 37° E 2470' from the 1/4 sec. on S. 1/4 Sec. 1, T. 1 N., R. 10 E. B. H. M.

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. Dam 150 ft long, 7 ft high, and a ditch 5 ft wide
2 ft deep and 1/2 mile long

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: Lot 1, E 1/2 and NW 1/4 of Lot 2, E 1/2
S. W 1/4 of the N. E. 1/4, and the W 1/2 S. E. 1/4 of the N. E. 1/4
Sec. 1, T. 1 N., R. 10 E. B. H. M., 110 acres

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

Ans. None

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

Ans. Two or less 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. None

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

Ans. during 1907 about 80 acres, during 1908 100 acres, and during 1909 about 100 acres, were irrigated.

(Sign.) Isabel S. Humphrey

I hereby certify that the foregoing testimony was read to the above subscriber before his 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 Papier City, County of Pennington, State of South Dakota, on this 15th day of January, A. D., 1910.

Frank H. Burger
Notary Public

Permit No. 4

Proof of Application of Water to Beneficial Use.

DEPOSITION OF HOLDER.

Amount of water 13 second feet

Source Bad Lands Draw

County Pennington

Purpose Irrigation

Place of Use Lot 1, E. 1/2 NE 1/4 of lot 2, E. 1/2 SW 1/4 NE 1/4, Sec 1, Township 1 N., Range 10 E., B.H.M.

Date of priority July 3, 1890

FILED
JAN 18 1910
FILED

CHARLES H. LEA, State Engineer.
Received and filed January 18, 1910.

RECEIVED

JAN 18 1910

OFFICE OF STATE ENGINEER,
PIERRE, S. DAK.

Permit No. 4.....

Water Division No. 3..... Rapid 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 Jan. 12, 1910 1910, I have this day made a thorough examination of the diversion works constructed by Isabel S. Humphrey of Rapid City Pennington County, South Dakota, holder of permit No. 4, issued upon application No. 4, bearing date of priority of July 3rd, 1902, authorizing the diversion of second feet of the waters of Rapid Creek for irrigation purposes. I have to report on the condition of the same as follows:

The diversion works comprise: Dam 150 feet long 7 ft. high and ditch 5 feet wide 2 ft. deep 1/2 mile long

and the system is in the following condition: in good condition

The point of diversion is located N 37° E 2470 feet from the 1/4 sec. cor. on the S. 1/2 Sec. 1, T. 1 N., R. 10 E. B. H. M.

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

The legal sub-divisions to be irrigated are: Lot 1, E 1/2 and NW 1/4 of Lot 2; E 1/2 SW 1/4 of the NE 1/4; and the NW 1/4 SE 1/4 of the NE 1/4, Sec. 1, T. 1 N., R. 10 E. B. H. M.

comprising a total of 110 acres of land.

The domestic use intended comprises none.

The utilization for power, mining, or other beneficial uses comprises none.

Witness my hand, this 14th day of January, A. D. 1910.

James Hartgering
Examining Engineer.

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Resources Commission
State Office Building No. 2
Pierre, South Dakota 57501

Date 2-3-71

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

Lot 1, E $\frac{1}{2}$ and NW $\frac{1}{2}$ of Lot 2, E $\frac{1}{2}$ SW $\frac{1}{4}$ of NE $\frac{1}{4}$ and W $\frac{1}{2}$ of NE $\frac{1}{4}$ of Section 1,
T1N, R10E

formerly owned by Isabel S. Humphrey

has been transferred to Glen and Gene Crosbie of New Underwood, S.D.

License
together with any rights to the beneficial use of water thereon as evidenced by Water Right ~~Permit~~ No.
4-2 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

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 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

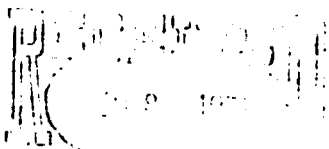
STATE OF SOUTH DAKOTA)

County of Bennington) ss.

I, Glen and Gene Crosbie 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.

Suscribed and sworn to before me this 3rd day of February, 19 71

Glen Crosbie
Gene (Signed) Crosbie
Robert E. Emery
(Notary Public)



STATE WATER RESOURCES COMMISSION

State of South Dakota

REISSUED Water License No. 4-2

(1) Isabel Humphrey
of Rapid City, South Dakota was issued Water License No. 4-2
under application No. _____, January 22, 1910 for a water right to appropriate
1.75 cubic feet per second of water from Bad Lands Draw
Pennington County, South Dakota for irrigation purposes.

Water License
A Permit No. 4-2, with a priority date of July 3, 1906
was approved _____ and is used to applicant(s) for diversion of water with construction of the described
water supply system ~~to be completed on or before~~ _____ and for the application to beneficial use of said
water ~~on or before~~ completed.

Water Right No. 4-2 was transferred to Glen and Gene Crosbie February 8, 1971.

The applicable portions of Water Right No. 3-2 and Location Notice No. 163-2 have been incorporated into this license. A priority date of July 3, 1906 (Water Right Nos. 3-2 and 4-2) is retained for 2.83 cfs; and a priority date of September 26, 1909 (Location Notice No. 163-2) is retained for 0.66 cfs. Priority dates as they apply to the acres irrigated are described in No. 3 of this license.

and

(2) It is certified that the application 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 3.49 cubic feet per second of water for beneficial use. The location of the diversion point(s) is are #1 -2310' N32°W from SE Corner Section 1 and #2 - 660' N65°E from SW Corner Section 1, all in T11N-R10E.

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following lands all in Section 1, T14N, R10E

	Priority date of July 3, 1906	Priority date of September 26, 1909
NE $\frac{1}{4}$ NE $\frac{1}{4}$	39 acres	
SE $\frac{1}{4}$ NE $\frac{1}{4}$	20 acres	17 acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$	10 acres	
NW $\frac{1}{4}$ NE $\frac{1}{4}$	33 acres	
NE $\frac{1}{4}$ NW $\frac{1}{4}$	15 acres	11 acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$	40 acres	
SW $\frac{1}{4}$ NW $\frac{1}{4}$	40 acres	
SE $\frac{1}{4}$ NW $\frac{1}{4}$		18 acres
TOTAL	244	ACRES

(4) Pursuant to §46-5-30.1 Gene and Glen Crosbie

of New Underwood, South Dakota 57761

the holder(s) and/or owner(s) of Water ^{Right} Permit No. 4-2 is issued a license to appropriate water, the right to use 3.49 cubic feet per second of water from Badlands and Hawk Nest draws with a priority date of 2.83 cfs from July 3, 1906 and 0.66 cfs from September 26, 1909 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (2) of this license for the purpose of irrigation

This license is subject to any limitations or qualifications listed in Water ^{Right} Permit No. 4-2 and subject to South Dakota State Law.


Chief Engineer, Water Rights Division
Department of Water and Natural Resources
JOHN HATCH
NOV 26 1986

LOCATION NOTICE

KNOW ALL MEN BY THESE PRESENTS:

THAT David Humphrey whose post office is Capitol City, South Dakota, a citizen of the United States, above the age of 21 years, being in possession of the following described land, to-wit: Section 14 township 20 N range 20 E B. H. M. in DeWitt County, South Dakota. Said lands comprising Desert Entry No. 2525-2527 Capitol City Land District, availing himself of the right granted under the provisions of Section 31 of Chapter 180 of the Session Laws of South Dakota of 1907, has located and claims the right to construct a certain dam across a dry draw situated in the SW 1/4 of the 14 section 14 township 20 N range 20 E and has located and claims the right to construct ditches and flumes for the purpose of directing flood waters from said dam for irrigation of the land first above described, and claims the right of way across any land for the purpose of conveying said waters for said purpose.

Said locator claims for the above purpose 500 cubic feet of water per second during the following described annual periods inclusive, each year.

Said location was made on the 7th day of July 1912

Witness my hand and seal this 7th day of July 1912

David Humphrey Locator.

STATE OF SOUTH DAKOTA }
COUNTY OF _____ }^{ss}

On the _____ day of _____ 1912, before me _____

_____, a Notary Public in and for the County and State aforesaid, personally appeared _____ to me personally known to be the person who executed the foregoing instrument and acknowledged that he executed the same for the uses and purposes therein set forth.

Witness my hand and official seal, the day and date above written.

Notary Public.

Pierre, South Dakota, August 31st 1912

This is to certify that the foregoing location notice was received at this office at 2 o'clock P.M., upon the 31st day of August 1912, and after examination it was filed record

Samuel H. Jones
State Engineer.

Permit No. 4-2 incorporating 3-2 + LN163-2Upper Chaffee Water District
10/20/11**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Gene J. GlenCrosbie of New Underwood, SD holder ofPermit No. 4-2, 3-2, LN163-2, bearing the priority of July 3, 1906 Sept. 26, 1909 ID. authorizingthe diversion of 5.25 cu. ft. per second of the waters of Badlands and Hawkrest drawsfor irrigation purposes, in Pennington County.

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

A. Works used to divert the water:

Spreader dikes

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

Spreader dikes

C. Works used to apply water to beneficial use:

Spreader dikesThe system is in the following condition E 1/2 section good, W 1/2 section - poorThe point of diversion is located Diversion #1 - 2310' N32°W from SE corner
Section 1 - TIN-RIOE; Diversion #2 - 660' N65°E from SW corner Section 1 - TIN-RIOEThe works are capable of diverting and conveying to the place of use 4 cfscu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: all land in Section 1 - TIN-RIOEpriority date of July 3, 1906: priority date of Sept. 26, 1909:NE 1/4 NE 1/4 - 39 acres NW 1/4 NE 1/4 - 33 acres SE 1/4 NE 1/4 - 17 acresSE 1/4 NE 1/4 - 20 acres NE 1/4 NW 1/4 - 11 acres NE 1/4 NW 1/4 - 11 acresSW 1/4 NE 1/4 - 10 acres NW 1/4 NW 1/4 - 40 acres SE 1/4 NW 1/4 - 18 acresSW 1/4 NW 1/4 - 40 acres
comprising a total of 244 acres of land and the license should be issued for 3.49 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date July 23, 1986

(signature)

G. M. Tallent



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

NOV 26 1986

Glen & Gene Crosbie
New Underwood,
South Dakota 57761

Dear Sirs:

Enclosed is your Water Right License No. 4-2. The water license has been reissued to the extent of what is actually being used. The relicense is based on a July 22, 1986 inspection of your water use system.

If you have any questions concerning the enclosed Water License, please contact us.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH:

enclosure

Applicable portions of Water Right No. 3-2 and Location Notice No. 163-2 have been incorporated into this license.



Department of Water & Natural Resources

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

October 12, 1988

4-2

Gene Crosbie
RR #1 Box 3
New Underwood, SD 57761

Dear Mr. Crosbie:

Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Vested Water Right Claim No. 4-2. Please check over the form and sign in the presence of a notary public. Upon completion of the form, return it to our office with a required filing fee of \$2.50. The vested water right claim will then be transferred to the proper name.

If you have any questions, please contact us.

Sincerely,

GERNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure





NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 1-27-89

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

N $\frac{1}{2}$ Section 1, T1N, R10E

formerly owned by Gene & Glen Crosbie

has been transferred to Gene & Alma Crosbie RR1 Box 3
New Underwood, S.D. 57761
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 4-2 as provided for in SDCI 46-5-32 and 46-5-33.

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

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

STATE OF SOUTH DAKOTA)
) ss.
County of Pennington)

I, Gene Crosbie 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 infor-
mation herein stated is true.

Gene C. Nozick
(Signed)

Subscribed and sworn to before me this 27th day of January, 1989.

Larry L. Graham
(Notary Public)
Commission Expires 4-22-93

RECEIPT

Division of Water Rights
South Dakota Department of Water and Natural Resources

411611

Pierre, January 30, 1989, 19

RECEIVED OF Gale & Alma Crossie, RR1 Box 3, New Underwood, SD 57761
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____

Fee for Filing Transfer Form 4-2 _____

Fee for Filing Extension Request _____

Fee for Certified Copy of _____

Fee for Print Copy of Map _____

Fee for Certifying _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

By

John H. Hetch / msa
Chief Engineer

**SOUTH Dakota Department of
Water & Natural Resources**

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

January 31, 1989

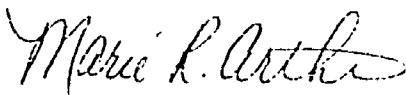
Gene & Alma Crosbie
PR 1 Box 3
New Underwood, SD 57761

Dear Mr. & Mrs. Crosbie:

Enclosed is Receipt No. 411611 in the amount of \$ 2.50 which you paid for transfer of Water Right No. 4-2.

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

Sincerely,



Marie R. Arthur
Water Rights Division
(605) 773-3352



4-2

SOUTH DAKOTA

VESTED WATER RIGHT NO. 4-2 FOR IRRIGATION

Date of Receipt of Claim July 3, 1906.

Date of Validation September 30, 1992.

The Water Management Board validated Vested Water Right Claim No. 4-2 for irrigation purposes for Gene & Alma Crosbie, RR 1, Box 3, New Underwood SD 57761 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 4-2 appropriates 3.49 cubic feet of water per second from Badlands and Hawk Nest Draws to irrigate 244 acres. The points of diversion are located in the NE 1/4 SE 1/4 and SW 1/4 SW 1/4 Section 1-T1N-R10E. The irrigated lands are located in the NE 1/4, NW 1/4 Section 1-T1N-R10E.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. Water is to be used during the following annual period: January 1 - December 31.
3. The priority dates of the Vested Water Right are:
2.83 cfs - July 3, 1906
0.66 cfs - September 26, 1909.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: John H. Kato
Chief Engineer

MAR 11 1993

date

Division of Water Rights
Dept. of Environment and Natural Resources



4-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 11 1993

Gene & Alma Crosbie
RR 1, Box 3
New Underwood SD 57761

Dear Mr. & Mrs. Crosbie:

The Water Management Board has validated the enclosed Vested Water Right No. 4-2. This validation gives legal status to the claim and is the final document for your vested right.

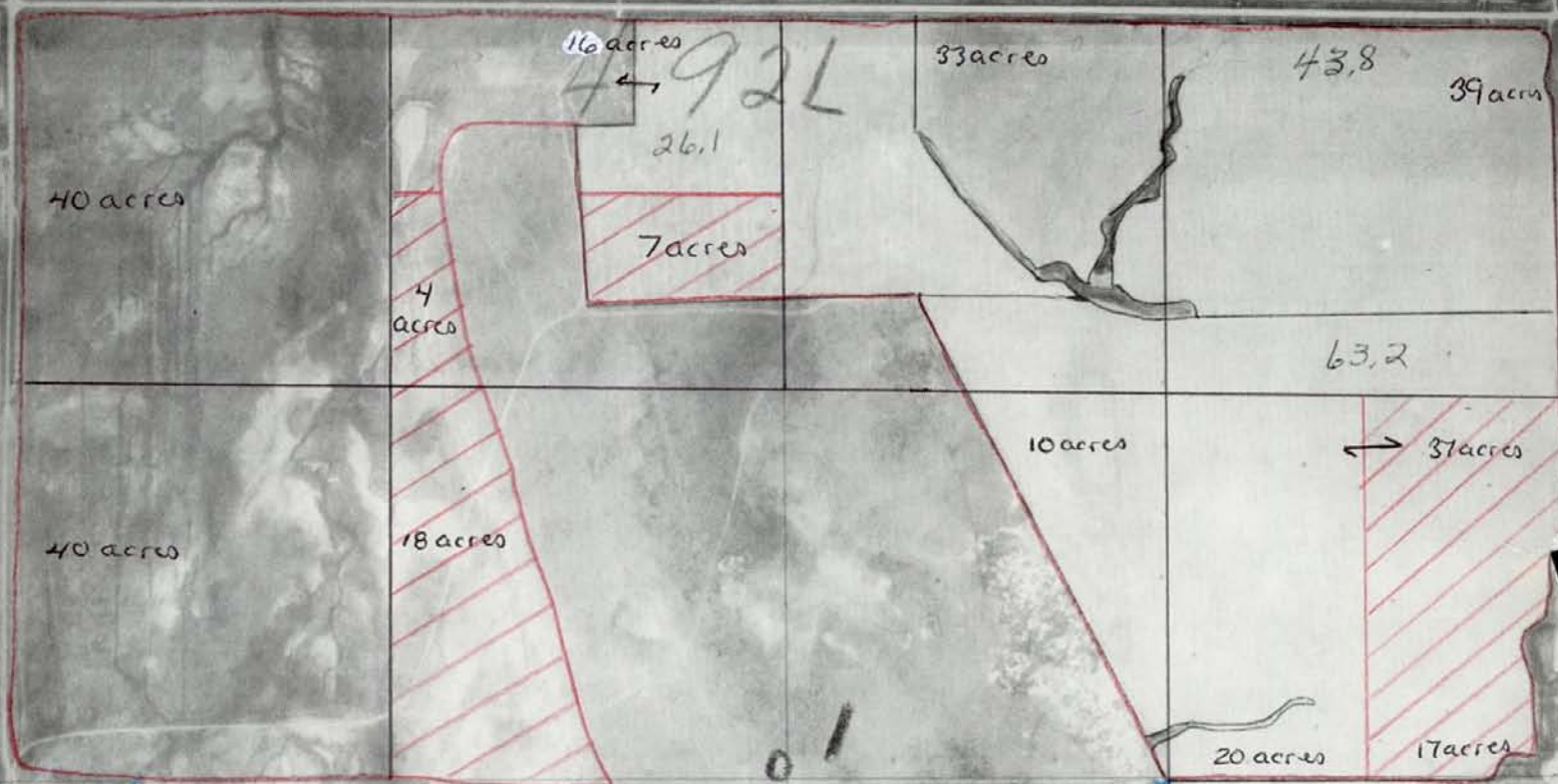
As long as you use the water beneficially, as stated in the validation, State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

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

enclosure

NOT TO SCALE



Sec. 1 - TIN - RIOE

diversion
pt 2

SW
Corner

56.7

17.3

4 92L

Scale
1" ≈ 660'

SE
Corner

Hatched portions have priority date of Sept 26, 1909
all other lands have priority date of July 3, 1906

Tim Tallipul
Natural Resource Engineer.
W.R. 4-2