

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 12 day of September 1908.

Samuel H. Lee
State Engineer.

B. B. Lee
Deputy.

COPY.

No. 48
Division No. 8. Chayona District

PERMIT

to appropriate water from Slim Butte
Creek and tributaries
Fall River County, South Dakota

Name of applicant

George and Mary Goodnick

Name of diversion works George and

Mary Goodnick Diversion Works

Date of first receipt at office of State

Engineer March 31st, 1908

Returned to applicant for correction

1908

Corrected application received

1908

Date of water right

March 31 1908

Recorded in Book -1- Page 85

One-fifth of work to be completed

July 7 1909

Whole work to be completed

July 7 1910

Final proof of use of water

July 7 1911

Approved July 7, 1908

Samuel H. Lee
State Engineer.

By
Deputy.

No. 42

Water Division No. 3, South Chayonna Water District.

(Blanks to be filled by the State Engineer.)

COPY.

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

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

1. Name of applicant LEE M. & C. MARQUIS HUGHSON
CHADRON, County Fall River, State NEBRASKA 69337
 Postoffice address Chadron

Is it 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) By direct labor

(b) Cash on hand, \$ (c) Treasury stock, \$ (d) Bonds to be issued, \$ (e) Other resources, \$

2. Name of diversion works George and Mary Goodrick Diversion Works
 3. Quantity of water claimed 3 cubic feet per second.
 4. Source of water supply Slit Butte Creek and Tributaries
 5. Location of point of diversion SE 1/4 of NE 1/4 of Sec. 21 and NE 1/4 of NE 1/4 Sec. 22 and NE 1/4 of NE 1/4 Sec. 23, T. 11 S. R. 9 E. 2 NW on right and left bank
 (Right or left bank looking down stream.)

6. Annual periods during which water is to be used when needed on the land

7. To be used for:

1. Irrigation or domestic use:

(a) Number of acres to be irrigated 560 acres.

(b) Legal subdivisions to be irrigated

W 1/2 of N. E. 1/4, N. W. 1/4 Section 23; N. E. 1/4, E. 1/2 of N. W. 1/4, S. W. 1/4 of N. W. 1/4 Section 23; S. E. 1/4 of N. E. 1/4 Section 21, all in Township 11 S., Range 9 E., B. H. M. Fall River County.

8. Estimated cost of works:

(a) Head gates, \$100.00

(b) Pumping plant \$

(c) Plumbing, \$

(d) Canal-earth, \$1,021.60

rock, \$

(e) Other structures

\$3,451.00

Total, \$4,332.60

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.) 3 dams,

3 reservoirs, 4 ditches and a lot of laterals

II. Dimensions of works:

(a) Dam: Height No. 1 12 No. 2 10.5 No. 3 13 feet; length at bottom 1421 100 527 feet; length at top 1431 100 527 feet; thickness at bottom 10 60 75 feet; thickness at top 15 7.5 8 feet; slope of front (water) face 5 to 1; slope of back face 2 to 1; material used in construction earth, masonry

(b) Reservoir: Capacity when filled 172 25 acre feet. Surface area at highwater mark 13 1/2 13 acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET-ACRES	CAPACITY- ACRE-Feet

(c) Head gate: Width 2 1 1 1/2 feet; height 2 1 1 1/2 feet. Material either ten inch plank, tiling or concrete.

(d) Canal: Total length 19,451 miles feet.

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work 2 years.

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

13. Choice of newspaper for publication of notice of intention to appropriate
Edmonton Express

STATE OF SOUTH DAKOTA

County of Fall River

I, George Goodnick, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of landowner, 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 George Goodnick

Subscribed and sworn to before me this 27th day of March 1908

William F. Smithson
Notary Public (or other qualified officer).

A PLAT

OF THE

GEORGE & MARY GOODNICK DAMS RESERVOIRS & DITCHES.

State of South Dakota } ss
County of Fall River

I, Robert Wallace, being duly sworn, upon my oath say, that I am the surveyor of the George & Mary Goodnick dams, reservoirs, and ditches; that the survey and map thereof were made by me, and that I have read the accompanying statement and know of my own knowledge that the statements therein made are true.

Robert Wallace
D.S. Surveyor

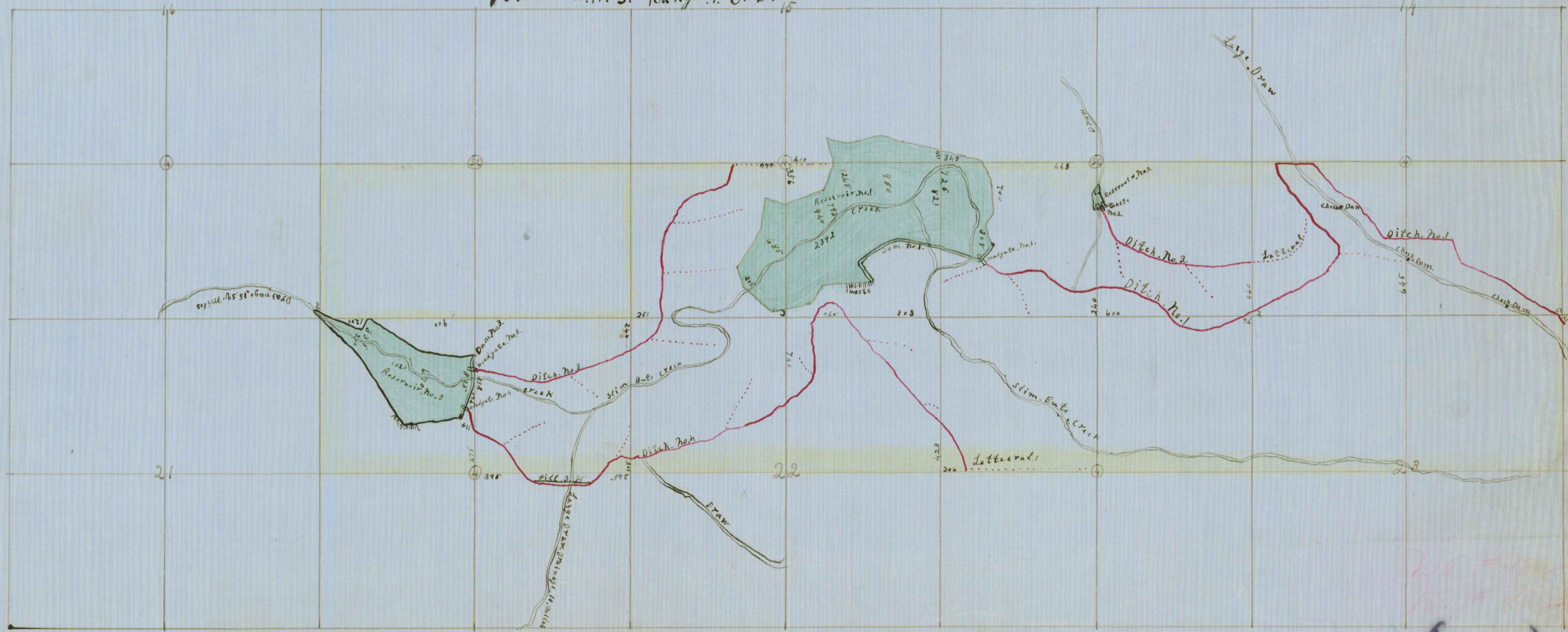
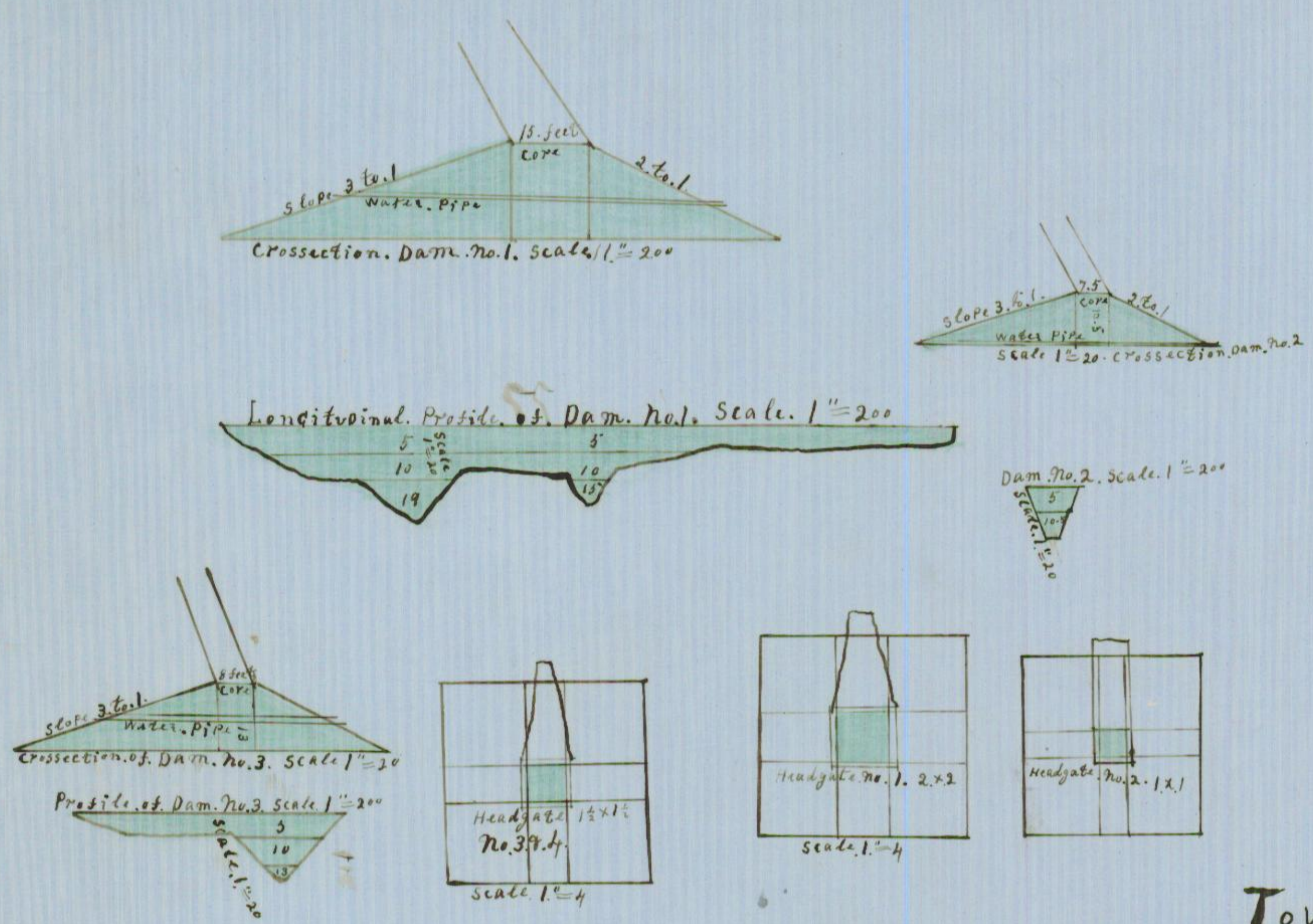
Subscribed and sworn to before me
this 23 day of March 1908

Arthur J. Gogan
Notary Public.

Area of Reservoirs	Capacity, when full
No. 1. 43. acres	No. 1. 172 acre. feet
No. 2. $\frac{1}{2}$ acre	No. 2. 1 acre -
No. 3. 13. acres	No. 3. 26. acre. feet

This survey and map are run by the true meridian
Scale of map 1"=400

Township 11. S. Range 9. E. B.H.M.



Remarks by State Engineer:

This application is for the right to appropriate and store for irrigation purposes the flood waters of Goodnick Creek in Fall River County.

STATE OF SOUTH DAKOTA
County of Hughes } ss

Pierre, South Dakota, July 7, 1908.

This is to certify that the foregoing application was received at this office at 5 o'clock, P. M. upon the 31st day of March, 1908 and that after examination it was found to comply with the provisions of the water laws of South Dakota. Notice of intention to appropriate was duly advertised and a hearing was held in this office on June 12, 1908.

Samuel H. Lea
State Engineer.

By Deputy.

Number of permit 43

Date of first receipt of application March 31, 1908

Date of return to applicant for correction 1908

Date of receipt of corrected application 1908

Date from which application may claim right March 31, 1908

Approved July 7, 1908, Recorded in Book -1- Page 85

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

July 7, 1909.

2d. The whole of said work is to be completed on or before July 7, 1910..

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

July 7, 1911.

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 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 July 7, 1910; said water to be used during the following described annual periods.

When needed on the land.

Witness my hand this 7th day of July, 1908.

Samuel H. Lea
State Engineer.

By Deputy.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 48

WHEREAS, On the thirty-first day of March A. D. 1908
GEORGE AND MARY GOODHOK

of Delrichs County of Fall River and State of
South Dakota duly made application (No. 48) to me for a permit to use eight
cubic feet per second of the waters of Slim Butte Creek and tributaries
County of Fall River State of South Dakota, for irrigation
purpose; and

WHEREAS, On the seventh day of July A. D. 1908
Permit No. 48 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 seventh day of
July A. D. 1910 and for the application to beneficial use of said
water or before the seventh day of July A. D. 1911
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 six
cubic feet per second of said waters, as evidenced by my Certificate No. 48
dated December 20, 1909, confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use six cubic feet per second of water,
with date of priority of March 31, 1908, and,

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

STATE OF SOUTH DAKOTA
WATER LICENSE NO.

WHEREAS, On the thirty-first day of March A. D. 1908

GEORGE AND MARY GOODNICK

of Dalrichs County of Fall River and State of
South Dakota duly made application (No. 48) to me for a permit to use eight
cubic feet per second of the waters of Slim Butte Creek and tributaries
County of Fall River State of South Dakota, for irrigation
purposes; and

WHEREAS, On the seventh day of July A. D. 1908

Permit No. 48 was issued to said applicants for the diversion of said water, and providing for the com-
pletion of the works of diversion therein described on or before the seventh day of
July A. D. 1910 and for the application to beneficial use of said
water on or before the seventh day of July A. D. 1911
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 six
cubic feet per second of said waters, as evidenced by A Certificate No. 48
dated December 30, 1909, confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use six cubic feet per second of water,
with date of priority of March 31, 1908, and,

WHEREAS, On the nineteenth day of January A. D. 1910

proof was duly made of the application to beneficial use of six cubic feet per second of
said water;

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA } ss
 County of Fall River
H. G. Jordan being duly sworn, deposes and says the annexed printed copy of Notice Intention to appropriate Water was taken from the Superior Express 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 Superior County of Fall River and State of South Dakota, That the said notice was published in said newspaper on the following dates: May 8 May 15 May 22 May 29 / 08 in each and every issue of the full number thereof, the first publication being made on the 8th day of May 1908 and the last publication on the 29th day of May 1908, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was H. G. Jordan the printer and publisher of the said newspaper.

Subscribed and sworn to before me this

15 day of

June

A. D. 1908

Notary Public Fall River County, S. D.

Appropriation of Water.
 Form No. 1-Notice of Intention to appropriate Water.
 Office of the State Engineer,
 Pierre, S. D., April 13, 1908.
 Notice is hereby given that George and Mary Goodnick who post office address is Detrichs, Fall River County, South Dakota, have made an application in accordance with the provisions of the Irrigation laws of South Dakota for a permit to appropriate for beneficial use eight cubic feet of water per second of time from Slim Butte Creek and tributaries through the George and Mary Goodnick Division Works the points of diversion of which are to be located upon the right and left banks of said stream in the S E 1/4 N E 1/4 Section 21, N E 1/4 of the N E 1/4 of Section 22, T 4 N, R 10 W, Section 23, all in township 11 S, Range 9 E, T 11 S, said water to be used for the purpose of irrigation upon the W 1/4 E 1/4, T 4 N, R 10 W, Section 23, N E 1/4, E 1/4, W 1/4, S W 1/4 N W 1/4, Section 22, S E 1/4, N E 1/4 Section 21, Township 11 S, Range 9 E, T 11 S.
 This application will be taken up by the State Engineer at his office at Pierre for consideration and appropriate action upon the 25th day of June, 1908, 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.

RECEIVED

JUN 18 1908

OFFICE OF STATE ENGINEER,
 PIERRE, S. DAK.

Ans. Water was used during the summer of 1909, for irrigation purposes. To the extent of irrigating the land as described under question #6

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Delichs, County of Fall River, State of South Dakota, on this 20th day of December, A. D., 1907.

A. C. Forney
United States Commissioner

Proof of Application of Water to Beneficial Use

DEPOSITION OF HOLZER.

Amount of water.....Six.....second feet

Source Slim Butte Creek

County Tall River

Purpose: Irrigation.

Place of Use: ST. JAMES, Sec. 27, Twp. 14

SEP 24 1964

NY 65-15861-Sub E, Ser. 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852,

THE UNIVERSITY OF CHICAGO

Date of priority March 31, 1905

SOC. SEC. T. INS. R. O. E. H. M. S.

JAN 19 1910

SAMUEL H. LEA, State Engineer.

Received and filed December 27, 1909.

DECLIVED

DEC 27 1995

OFFICE OF STATE ENGINEER,
PIERCE, S. DAK.

Permit No. 48,....

Water Division No. 2, South Ohayanna 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 November 22, 1909, I have this day made a thorough examination of the diversion works constructed by Mr. George Goodnick & Mary Goodnick, of Celricha Fall River, County, South Dakota, holders of permit No. 48, issued upon application No., hearing date of priority of, 19....., authorizing the diversion of eight second feet of the waters of Slim Butte Creek for Irrigation purposes. I have to report on the condition of the same as follows:

The diversion works comprise: Of three reservoirs & Three Dams & three check dams & Four ditches and their laterals, & four headgates made of 2 inch planks. No 1 is ten by twenty inches & 100 Ft. long, & No 2 is 12 X 12 inches & 75 Ft. long, & No 3 is 10 X 10 inches & 32 feet long, & No 4 is 10 X 10 inches & 20 feet long,

and the system is in the following condition: Dam No. 1 & 2 are good & Dam No. 3 needs a very little repair & the check dams are good & the ditches are in good shape & the laterals also; & the headgates are good,

The point of diversion is located No 1 is West 947 ft. & S. 770 ft. from the NE. Sec. Cor. of Sec. 22, & No 2 is S. 390 ft. & E. 50 ft. from the N.W. Sec. Cor. of Sec. 23, & No 3 is N. 858 ft. from the W. Sec. Cor. of Sec. 22, & No 4 is N. 565 ft. & E. 119 ft. from the E. Sec. Cor. of Sec. 21, all in T 11 S; R 9 E. B. H. M.

The works are capable of diverting and conveying to the place of use six second-feet of water,

which is to be used for Irrigation purposes,

The legal sub-divisions to be irrigated are S. E. N. E. Sec 21. & S. W. N. W. SE. NW; NE. NW; SW. NE; SE. NE; NW. NE; NE. NE; Sec. 22; & SW. NW; SE. NW; NW. NW; NE. NW; & SW. NE; NW. NE; Sec. 23; all in T. 11 S; R 9 E; B. H. M.; all of these sub-divisions are under irrigation. Except what is too high to get water on,

comprising a total of 385. acres of land.

The domestic use intended comprises Irrigation only,

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

Witness my hand, this 20th day of December A. D. 1909.

Robt. Wallan

Examining Engineer.

John Field Notes of the Geo and Mary. Goodnick Dams. Reservoir and Ditches

Dam No. 1. is located from the N. E
Sec. cor. of Sec 22. Township 11 S. Range 9
E. B. H. M. West 87° East & South 700 feet
To the ~~East~~ end of Dam. Then dam runs

N	S 42° W.	171	N	W 15° S.	100
N	W 21° N	100	N	W 32° S	200
/	W 19° N	100	N	W 37° S	100
	W 17° N	100	N	S 27° E	100
N	W 11° N	400		S 38° E	50

Then starting at West end of dam
Reservoir runs

N	W 4° S	430	N	E 11° S.	167	N	E 14° S.	396
N	S 32° W	182	N	E 20° N.	345	N	E 29° S.	217
N	W 13° N	333	N	N 21° E.	234	N	E 2° S.	113
N	W 40° N	320	N	N 15° W.	230	N	S 28° E.	150
N	N 17° W	155	N	E 14° S.	182	N	S 6° E	286
N	N 32° E	392	N	E 16° N.	278	N	S 34° W	133
N	N 7° E	254	N	E 20° S.	117	N	S 17° E	174

Area of Reservoir 43 acres
Capacity when full 172 acre feet
comprising 45 feet end
of dam

H. L. Geo. L. L.

Spec. 1. surge is located from the east-
 end of the dam. No. 1. 140 feet on the
 dam & at the bottom of dam & Ditch
 No. 1. Starts at Headgate & runs

11	E 31° S.	100	11	N 42° E.	100
	E 22° S.	100		N 35° E.	100
	E 8° S.	100		N 29° E.	100
11	E 28° N.	100		N 22° E.	100
11	E 2° S.	100		N 30° W.	100
	E 29° S.	200		N 27° W.	100
	E 40° S.	100		N 33° W.	100
	S 38° E.	100		N 35° W.	100
11	S 43° E.	25		N 45° W.	300
11	E 21° N.	75		N 38° W.	100
	E 12° N.	100		N	158
	E 2° N.	100		N E	300
	E 8° S.	100		N S 41° E.	300
	E 11° S.	100		N E 27° S.	200
11	E 6° S.	100		N S 39° E.	400
	E 18° S.	100		N E 1° S.	600
	E 15° S.	100		N S 21° E.	200
11	E 18° S.	100		N E 20° S.	400
	E 23° S.	100		N E 39° S.	250
	E 30° S.	100		N E 24° S.	300
	E 32° S.	100		N S 24° E.	100
	E 25° S.	100			
11	E 21° N.	100			
	E 23° N.	400			
11	E 24° N.	100			
	E 21° N.	300			
	E 24° N.	100			

Total Length of Ditch
 7.608 feet

~~N 42° E 100~~ (Dam No. 2. is located from the N. E. sec. cor of sec. 22. 1/4 on Town 11 S. Range 9 E. B.H. Or. South 390 feet then dam runs W. 11° S. 30 feet & E 11° N 10' & dam is 10.5' High: Then starting at west end of dam. Reservoir runs N 1° W. 124 feet N 29° E. 100. S 5° E. 100. & S 21° E. 109 coming to east end of dam. Area of Reservoir 11400 cubic feet capacity when full 1 acre foot

& Headgate No. 2. is located in the center of dam and at the bottom of the dam. & Ditch No. 2. Starts at Headgate & Runs

N S 28° E . 100	E 18° S . 100
S 16° E . 100	E 15° S . 200
S 21° E . 100	N E 2° S 100
N E 25° S . 100	E 100
E 23° S 200	E 3° N 300
E 21° S 100	

Total length of ditch. 1500 feet

Dam No. 3. is located from the 1/4 sec. cor between sec 21 & 22. North 475 feet & West 119 feet to the south end of dam. Then dam runs N. 91° E 300. N 13° E 100. N 12° E 100. N 14° E 23.4' & Headgate No. 3. is located in the dam. 858 feet North from the 1/4 sec cor. & Headgate No. 4 is located in the dam & is 90 feet North from the south end of dam & is in the bottom of dam Then starting at south end of dam. Reservoir

Runs W 85° S. 481	N N 36° E . 135	area of Reservoir 13 acres capacity when full 26 acre. feet
N N 32° W 716	N E 32° S 509	
N N 45° W 494	N E 9° S 323	
N E 22° S 407	N E 14° S 123	

Then Ditch No. 3. starts at Headgate No. 3 & runs

↑ W 8° S . 100	N 30° E . 100
E 1° S . 343	N 23° E . 100
E 2° S . 100	N 18° E . 100
↖ E 14° S . 100	N 5° E . 200
E 10° S . 100	N 9° E . 100
↖ E 40° N . 100	N 11° E . 100
E 36° N . 100	N 20° E . 100
E 33° N . 100	N 30° E . 100
E 30° N . 100	↖ E 31° N . 100
E 28° N . 100	N 44° E . 100
E 26° N . 100	N 29° E . 100
E 22° N . 100	N 20° E . 100
E 26° N . 100	N 30° E . 100
↖ E 40° N . 100	N 34° E . 100
N 43° E . 100	N 32° E . 100
N 36° E . 100	Total length of ditch. 3543. feet

Then Ditch No. 4 starts at Headgate No. 4 & runs

↖ S 34° E . 100	↖ E 19° S . 100	S 44° E . 400
S 23° E . 100	E 7° S . 100	↖ E 34° S . 100
S 25° E . 300	E 11° S . 100	E 32° S . 100
S 30° E . 100	E 30° S . 100	E 33° S . 100
S 38° E . 100	↖ E 99° N . 100	E 36° S . 100

	S 42° E . 100	E 21° N . 100	E 38° S . 100
11	E 15° S . 500	E 27° N . 100	E 40° S . 100
11	E 26° N . 100	E 33° N . 100	E 42° S . 100
	E 32° N . 100	E 40° N . 100	E 44° S . 100
	E 35° N . 100	E 43° N . 200	N S 24° E . 200
	E 40° N . 100	N 44° E . 100	S 31° E . 100
	E 34° N . 100	N 39° E . 100	S 28° E . 200
11	E 20° S . 100	N 36° E . 100	S 30° E . 100
	E 21° S . 100	N 24° E . 200	Total Length
	E 15° S . 100	N 17° E . 100	of ditch 6750
	E 2° S . 100	N 13° E . 100	feet.
	E 1° N . 100	N 15° E . 100	This survey was
	E 10° N . 100	N 17° E . 50	made by the
	E 14° N . 100	N E 3° S . 100	line meridian
	E 21° N . 100	E 30° S . 100	
	E 22° N . 100	E 44° S . 100	

The survey & field notes were made by Robt Wallace
D. S. Surveyor
S. D.

NOTICE OF TRANSFER OF WATER PERMIT

TO: ~~WATER RIGHTS COMMISSION~~State Office Building No. 2
Pierre, South Dakota 57501

Date _____

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

 $W\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Section 23; NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22; SE $\frac{1}{4}$ NE $\frac{1}{4}$,

Section 21 in T11S, R9E, B.H.M.

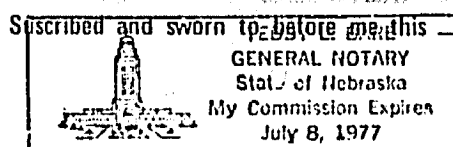
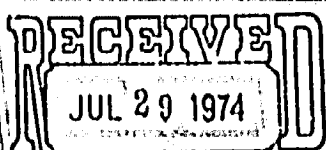
formerly owned by Geo. and Mary Goodnickhas been transferred to Lee M. and C. Marquis Hughson

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 48-2 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.

WATER RIGHTS COMMISSION

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.

NEBRASKA
STATE OF ~~SOUTH DAKOTA~~County of Dawes } ss.I, Lee M. Hughson 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.C. Marquis Hughson Lee M. Hughson
(Signed)Lady Hare
(Notary Public)STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

Water Rights Division - DWR

File No. 48-2

Conversation or File Documentation

NAME OF PERSON OR FILE: Perle O'DanielADDRESS: RR #4, Box 384, Chadron, NE 69337 COUNTY Fall RiverDATE: Nov. 29, 1984 TELEPHONE 535-6241RE: Investigation of Water Right 48-2

COMMENTS:

I investigated this Water Right with Mr. O'Daniel
on Nov. 4, 1982. Mr. O'Daniel owns the property
associated with Water Right 48-2

I found the project to be very similar to the original
map filed with the application in 1908. I prepared a
map of the project as it exists today.

Location Notice 29-2 should be incorporated with
Water Right 48-2

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

4/82

NAME: William D. Berg, P.E.
Hydrologist

South Dakota Department of
Water & Natural Resources

Jill Foss Building
523 East Capitol
Pierre, South Dakota 57501-3101

April 14, 1989

47-2
48-2

Perle O'Daniel
RR #4 Box 38A
Chadron, NE 69337

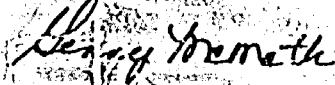
Dear Mr. O'Daniel:

I am writing in regard to the transfer and licensing of Water Right Nos. 47-2 and 48-2. These water rights are currently listed under the name of Lee Hughson. In November, 1984, Delvin Brosz, of this office, inspected the water use systems existing under these water rights for licensing purposes. He then notified you that the water rights needed to be transferred to you before the licenses could be issued. To date, we have not heard from you on this matter.

Enclosed are partially completed "Notice of Transfer" forms for use in filing the ownership changes. Please complete the forms by signing in the presence of a notary public. Upon completion, return them to us with a required filing fee of \$2.50 each (total of \$5.00). When the completed transfer forms and filing fees are received in our office, Water Right Nos. 47-2 and 48-2 will be transferred to your name and the water licenses issued.

I apologize for the lengthy delay in follow-up on the transfers and licenses. If you have any questions, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosures



L

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, _____ April 24, 1960

RECEIVED OF Perla O'Daniel, RR 4, Box 38A, Chadron NE 69337

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 Water Right No. 48-2 _____

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

2 50

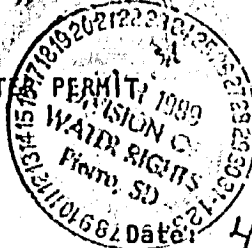
By

Chief Engineer

JOHN HATCH

(s)

NOTICE OF TRANSFER OF WATER



TO: Water Rights
Foss Building
Pierre, SD 57501

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

N $\frac{1}{2}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 22, NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 23, T11S, R9E

formerly owned by Lee Hughson

has been transferred to Perle O'Daniel, Box 38A, Chadron, NE 69337
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 48-2 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 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 Fall River

I, Perle O'Daniel, 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.

Perle O'Daniel
(Signed)

Subscribed and sworn to before me this 21st Day of April, 1989

Olga Warner
(Notary Public)

My Commission Expires Nov. 29, 1990

Permit No. 48-2

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 Perle
O' Daniel of RR 4, Box 384, Chadron, NE 69337 holder of
 Permit No. 48-2, bearing the priority of March 31 1988 authorizing
 the diversion of 8 cu. ft. per second of the waters of Slim Butte Creek & Tributaries
 for Irrigation purposes, in Fall River County.

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

- A. Works used to divert the water: Dikes in and along the creek channel and dikes and a dam across adjacent tributaries.
- B. Works used to transport water to place of use: Some of the water is transported thru canals along the edge of the field. Some water is forced directly onto the fields by the diversion dikes.
- C. Works used to apply water to beneficial use: Flood irrigation with the use of spreader dikes.

The system is in the following condition Fair

The point of diversion is located between the following two points on Slim Butte Creek and side tributaries: Point #1 - 2070 ft south of the NW corner of section 22 and Point #2 - 400 ft north of the center of section 23, all in T11S, R9E. An additional diversion point in the SE 1/4 Sec 18 T11S, R9E, 3630 ft west of the SE corner of section 18.

The works are capable of diverting and conveying to the place of use _____
 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:

Section 22 - T11S - R9ESection 23 - T11S - R9ENENW - 17 acres;NW NW - 2 acresSW NW - 16 "NENW - 27 acresSE NW - 30 "SW NW - 35 "NW NE - 33 "SE NW - 33 "NENE - 19 "NW NE - 23 "SW NE - 9 "SW NE - 32 "SE NE - 36 "comprising a total of 312 acres of land and the license should be issued for 2.86 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date Nov. 1, 1984

Delwin D. Brown, P.E.
 (Signature) Hydrologist

LICENSE FOR PERMIT NUMBER 48-2

1. Legal location of wells: _____

dams & structures: Dam - SE & SW Section 18, T11S, R9E

2. Well Information: Well Drilling Firm _____

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 d) motor efficiency rating _____

e) turbine pump no. of stages _____

3. Distribution lines:

a) size of lines _____

b) type _____

c) length _____

4. Dam Information:

a) height to crest 15'

b) height to spillway 12'

c) crest width 12'

d) crest length 800'

e) spillway length -

f) spillway width -

g) approx. storage 12 A.F.

h) Distribution lines or canals:

1) size _____

2) type _____

3) length _____

i) Outlet tubes:

1) diameter 15"

2) type steel

3) valued (Y/N) Y

4) valve type gate

5) location on structure

230' from West end

5. System Type: a) sizeroll:

1) length _____ feet

2) diameter of pipe _____

3) make, model & number of sprinklers _____

4) spacing of sprinklers _____

5) nozzle size _____

b) towline:

1) length _____ feet

2) make, model & number of sprinklers _____

3) spacing of sprinklers _____

4) nozzle size _____

5. System Type: c) 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) PSI reading while system is running _____
- 9) GPM _____

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

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

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES

NO

Check Items

1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.
2. Special Qualifications to permit being abided by.
3. All Structures, wells and lands on map.

REMARKS:

DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
WATER RIGHTS PROGRAM

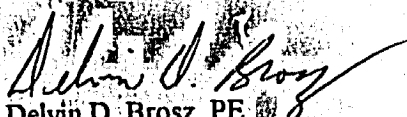
September 6, 1995

RE: Additional Diversion Point on Slim Butte Creek for Water Permit No. 48-2, Perle O'Daniel.

An inspection in 1984 found a diversion point that was not on the water permit. The diversion point is located in the SE 1/4 SW 1/4 Section 14, T11S, R9E. This diversion point is very close to the diversion point, NW 1/4 NE 1/4 Section 23, T11S, R9E, described on the application. SDCL 46-5-13.1 provides that a point of diversion may be changed or additional points of diversion may be approved without application or publication of a notice of hearing if the additional point of diversion is from the same source of water, no additional water is appropriated and the chief engineer makes a finding that the change does not increase the potential for interference with existing diversions.

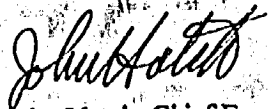
Water Permit No. 48-2 appropriates 4.46 cubic feet of water per second from Slim Butte Creek and tributaries to irrigate 312 acres.

A review of existing diversions on Slim Butte Creek was conducted based on Water Rights Program records. This review indicates that this additional diversion point does not change the impact potential to existing diversions from Slim Butte Creek. The diversion point has been in operation for many years.



Delvin D. Brosz, PE
Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding that this additional diversion point does not increase the potential for interference with existing diversions. In making the finding, "does not increase the potential for interference" is interpreted to mean potential for adverse interference. Water Permit No. 48-2 may be licensed without requiring application or publication of a notice of hearing pursuant to SDCL 46-2A-4 for an additional diversion point.



John Hatch, Chief Engineer
Water Rights Program

6-30-95

Date

**STATE OF SOUTH DAKOTA
WATER LICENSE NO. 48-2**

(1) George and Mary Goodnick of Oelrichs, SD 57763 made Application No. 48-2, March 31, 1908 for a water permit to appropriate 8.00 cubic feet of water per second (cfs) from Slim Butte Creek and tributaries, Fall River County, South Dakota for irrigation purposes. Permit No. 48-2, with a priority date of March 31, 1908 was approved July 7, 1908 and issued to the applicants for diversion of water with construction of the described water supply system to be completed on or before July 7, 1910 and for the application to beneficial use of said water on or before July 7, 1911.

On July 29, 1974, Water Permit No. 48-2 was transferred to Lee M and C Marquis Hughson, Chadron, Nebraska. On April 24, 1989, the permit was transferred to Perle O'Daniel, also of Chadron, Nebraska.

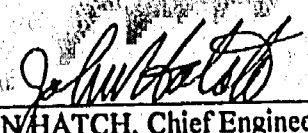
Location Notice No. 29-2 authorizes appropriation of 2.00 cfs and describes a portion of the land also irrigated under Water Permit No. 48-2. The applicable portions of Location Notice No. 29-2 have been incorporated into this Water License No. 48-2. A priority date of December 1, 1903, established under Location Notice No. 29-2 is retained for 2.00 cfs.

(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 4.46 cubic feet of water per second for beneficial use. The location of the diversion points are between the following two points on Slim Butte Creek and side tributaries: Point #1 - 2070 feet south of the NW corner of Section 22 (SW 1/4 NW 1/4) and Point #2 - 400 feet north of the center of Section 23, all in T11S, R9E. An additional diversion point is located 3630 feet west of the SE corner of Section 14, (SE 1/4 SW 1/4) T11S, R9E.

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following 312 acres all in T11S, R9E -

Section 22	NE 1/4 NW 1/4	17 acres	Section 23	NW 1/4 NW 1/4	2 acres
	SW 1/4 NW 1/4	16 acres		NE 1/4 NW 1/4	27 acres
	SE 1/4 NW 1/4	30 acres		SW 1/4 NW 1/4	35 acres
	NW 1/4 NE 1/4	33 acres		SE 1/4 NW 1/4	33 acres
	NE 1/4 NE 1/4	19 acres		NW 1/4 NE 1/4	23 acres
	SW 1/4 NE 1/4	9 acres		SW 1/4 NE 1/4	32 acres
	SE 1/4 NE 1/4	36 acres			

(4) Pursuant to South Dakota Water Law 46-5-30.1 Perle O'Daniel of RR #4 Box 38A, Chadron, NE 69337 the holder and/or owner of Incorporated Water Permit No. 48-2 is issued a license to appropriate water, the right to use 4.46 cubic feet of water per second from Slim Butte Creek & tributaries with priority dates of December 1, 1903 (2.00 cfs) and March 31, 1908 (2.46 cfs) from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation. This license is subject to any limitations or qualifications listed in Incorporated Water Permit No. 48-2 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

SEP 6 1995

date



48-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 6 1995

48-2

Perle O'Daniel
RR 4, Box 38A
Chadron, NE 69337

Dear Mr. O'Daniel:

Enclosed is Water License No. 48-2 and Receipt No. 411758 for \$2.50 which was assessed for an inspection and issuance of the license. Water License No. 48-2 is the final document which completes the process of obtaining a water right.

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

Very truly yours,

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

gm
enclosures

NOTE: The applicable portions of Location Notice No. 29-2 have been incorporated into this Water License No. 48-2.



February 21, 2001

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

47-2

48-2

547-2

Hall & Hall
Tom Metzger
1559 Logan St
Denver, CO 80203

Dear Mr. Metzger:

Thank you for calling with regard to Water Rights held by Perle O'Daniel. Enclosed as you requested, are copies of Water Right Nos. 47-2, 48-2 and 547-2.

Also enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing an ownership change. Please review the forms for accuracy and complete as needed. They will need to be signed in the presence of a notary by the "new" owner(s). Upon completion, please return them to our office with a required filing fee of \$2.50 each (total of \$7.50). The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you, please get in touch with me.

Sincerely,

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

enclosures

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

Pierre, March 19, 2001

416814

RECEIVED OF First American Title Company of SD, PO Box 8181, Rapid City, SD 57709
the following amount in fees for services rendered as provided for by law:

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

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

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

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

Fee for Filling Transfer Form 48-2

Fee for Filling Extension Request _____

Fee for _____

Total

2 50

2 50

(Any Other Work Provided by Law)

By

Darlene E. Eide
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 4, 2001

47-2
48-2
547-2

Pat Ginsbach
Farrell, Farrell & Ginsbach
441 N River
Hot Springs, SD 57747

Dear Mr. Ginsbach:

Enclosed, as we discussed, are partially completed "Notice of Transfer of Ownership" forms for use in filing ownership changes on Water Right Nos. 47-2, 48-2 and 547-2. We received a set of forms and the filing fees from the title company, however the forms were signed by Mr. O'Daniel rather than the new owner.

Please have the new owner sign the forms in the presence of a notary public. In the top half of the forms, the area titled "be transferred to: (name and address)....." also needs to be completed. Upon completion, please return the forms to our office. As stated above, the filing fees for the transfers have already been paid. No further fees are required.

Thank you in advance for your help. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures

LAWYERS

FAX: (605) 745-3154

PATRICK M. GINSBACH

[illegible]

October 2, 2001

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

RE: Water Right Numbers 47-2, 48-2, 547-2

Dear Chief Engineer:

Enclosed please find a Notice Of Transfer Of Ownership signed by Randy Twarling. Mr. Twarling had previously signed these but apparently had not mailed them back in. He came into my office on the 26th of September and I had him sign them again."

If you have any questions, please feel free to contact me.

Yours truly,

Patrick M. Ginsbach

cc: Randy Twarling
Perle O' Daniel

CLW

enclosures

ew



October 5, 2001

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

47-2
48-2
547-2

Randy L. & Elizabeth A. Twarling
PO Box 394
Dalton, NE 69131

RE: Pearl O'Daniel - Randy & Elizabeth Twarling transfers

Dear Mr. & Mrs. Twarling:

We have received your signed transfer of ownership forms for Water Right Nos. 47-2, 48-2 and 547-2. The transfers have been completed. The water rights formerly listed in the name of Perle O'Daniel are now listed in your names.

Receipt Nos. 416814, 416815 and 416816 in the amounts of \$2.50 each have been forwarded to the First American Title Company of SD located in Rapid City. They paid the filing fees for the ownership changes.

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

Sincerely,

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

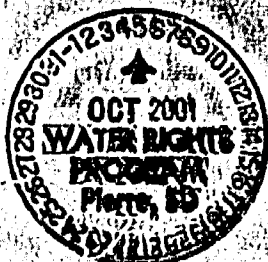
c: First American Title Company
Pat Ginsbach, Farrell, Farrell & Ginsbach

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 48-2

Date: March 15, 2001



I/We request that Water Right No. 48-2

formerly owned by: Perle O'Daniel

be transferred to: (name & address) Randy L. Twarling & Elizabeth A. Twarling, husband and wife, as joint
tenants with right of survivorship, POB 394, Dalton, NE 69131
Telephone No.

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

312 acres - portions of the N 1/4 Section 22 and NW 1/4, W 1/4 NE 1/4 Section 23, T11S, R9E

I/We understand that the validity of Water Right No. 48-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

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

STATE OF SOUTH DAKOTA)

County of Fall River)

Twarling

I/We Randy L. Twarling & Elizabeth A. 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 that I know of my own personal knowledge that the information herein stated is true.

Randy Twarling
(Signature of new owner)

Subscribed and sworn to before me this 26th day of September, 2001.

My Commission Expires
May 18, 2007

Allen L. White
(Notary Public)

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

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

SD EForm - 0495 V1 NOTICE OF TRANSFER OF OWNERSHIP

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

Water Right/Permit No. 48-2Date: 2/4/2004

I/We request that Water Right/Permit No. 48-2 formerly owned by:
Randy A. Twarling and Elizabeth A. Twarling be transferred to:

New Owner Name: Brian G. Wurst and Beverly A. WurstAddress: P.O. Box 1704City, State, Zip Lamar CO 81052-1704 Telephone No. (719) 336-2251

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

Township 11 South, Range 9 East, Fall River County, South Dakota
Section 22: N1/2, NW1/4SW1/4, NE1/4SE1/4
Section 23: NW1/4, NW1/4NE1/4, S1/2NE1/4

☒ I understand that the validity of Water Right/Permit No. 48-2 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

A fee of Two Dollars and Fifty Cents (\$2.50) is included to cover the filing fee as required by SDCL 46-2-13.

I, Brian G. Wurst, the new owner, certify that the above information is true and correct.


(Signed by new owner)

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

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

11/2002

RECEIVED
FEB 12 2004
WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date February 12, 20 04

RECEIVED OF Micahel Ortner Lawyer, PO Box 629, Hot Springs SD 57747

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50	
Fee for Application for Permit No. _____ to Appropriate Water for Future use			
Fee to retain Future Use Permit No. _____ after period of seven years.			
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____			
Fee for Filing Transfer Form <u>48-2</u>			
Fee for _____			
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____			
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____			
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	2	50	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____			
(Any Other Work Provided by Law)	TOTAL		
	2.50		

No. **001184**

By Darland Erbe
Chief Engineer



48-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 13, 2004

48-2
547-2

Brian G & Beverly A Wurst
PO Box 1704
Lamar CO 81052-1704

Dear Mr. & Mrs. Wurst:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted for changing ownership of Water Right Nos. 48-2 and 547-2. The transfers have been completed. The water rights formerly listed in the name of Randy A and Elizabeth A Twarling are now listed in your names.

Receipt Nos. 001184 and 001185 in the amounts of \$2.50 each are being forwarded by copy of this letter to Michael Ortner in Hot Springs, SD.

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

Sincerely,

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

enclosure

c: Michael Ortner

NOT TO SCALE

11-9

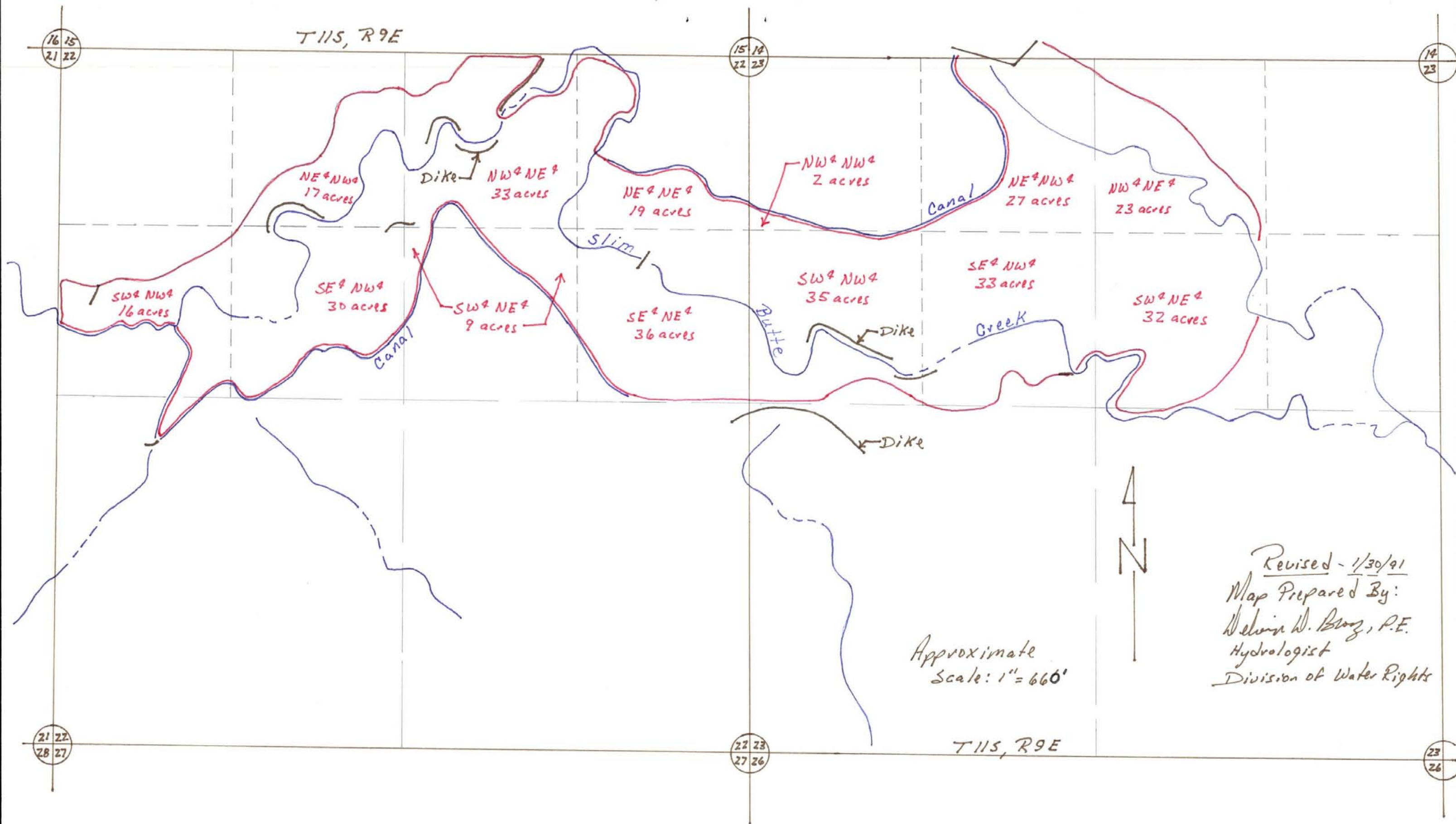
Irrig

16.1

23

11-9

T11S, R9E



Approximate
Scale: 1" = 660'

Revised - 1/30/91
Map Prepared By:
Melvin W. Bong, P.E.
Hydrologist
Division of Water Rights