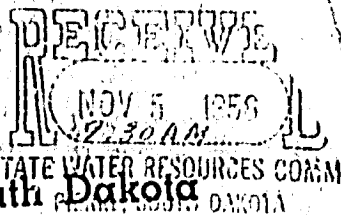


1. Considered Feb 5, 1959 Appl. No. 505-2
2. Name of Applicant Koy Stout
3. Post Office Address Kodoka S. Dak.
4. Amount of water claimed 1.97 cfs
5. Source of water supply Dry draw
6. Water to be used for irrigation
Acres to be irrigated 137.91
7. Water to be diverted and used in Tac Kson County about
10 miles west of Kodoka.
8. Proof of Publication Received L
Not Received _____
9. Application Approved V
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

No. 505-2Water Division No. 2 Bad River District
(Blank to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT To appropriate Water within the State of South Dakota

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

1. Name of applicant Roy Stout—Jerome Stout
Postoffice address Kedok, County Jackson, 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 work (Whether by contract, employment of others, or by direct labor)
Roy Stout will build with his own dirt moving equipment.

- (b) Cash on hand, \$ 1300.00 (c) Treasury stock, \$ _____
(d) Bonds to be issued, \$ _____ (e) Other resources, \$ Land, cattle, grain

2. Name of diversion work Stout Project #13. Amount of water claimed, 1.67 cubic feet per second4. Source of water supply dry draw5. Location of point of diversion See attachment to this application
see attached map_____ on _____ bank Jackson County.6. Annual period or periods during which water is to be used growing season

7. To be used for:

1. Irrigation or domestic use:
- Gravity
- , overhead sprinkling or combination system?
- Gravity

(a) Number of acres to be irrigated 137.9 acres.(b) Legal subdivisions to be irrigated See attachment to this application

(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.) see attached map

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use _____ Name any of the above uses claimed

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

Amount claimed for engine cooling _____

(c) Location of plant _____

(d) Method of developing power _____

(e) Point where water will be returned to stream _____

Map No. 498-2

8. Estimated cost of work:

(a) Head Gates, \$350.00

(b) Pumping plant, \$ none

(c) Fluming, \$

(d) Canal-earth, \$1500.00

Rock, \$

(e) Other structures culvert & pipe \$500.00

Total, \$2350.00

9. Description of diversion works:

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

dams, dikes, ditches & pipe (culvert)

II. Dimensions of works:

(a) Dam: Height 14.0 feet; length at bottom 497 feet; length at top 497 feet; thickness at bottom 82 feet; thickness at top 12 feet; slope at front water face 3:1; slope at back face 2:1; material used in construction clay

(b) Reservoir: Capacity when filled 112 acre feet. Surface area at hwater mark 2.8 acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET-ACRES	FEET	ACRE-Feet CAPACITY
10	2.8	112	11.2
0			0

(c) Head gate: with diameter 18" feet; height feet;

Material cast iron

(d) Canal: Total length 0.9 miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDT	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
At Mile	feet	feet	feet	feet

(Give dimension 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 Dakota Press, Kadoka, S.Dak

STATE OF SOUTH DAKOTA

County of Jackson

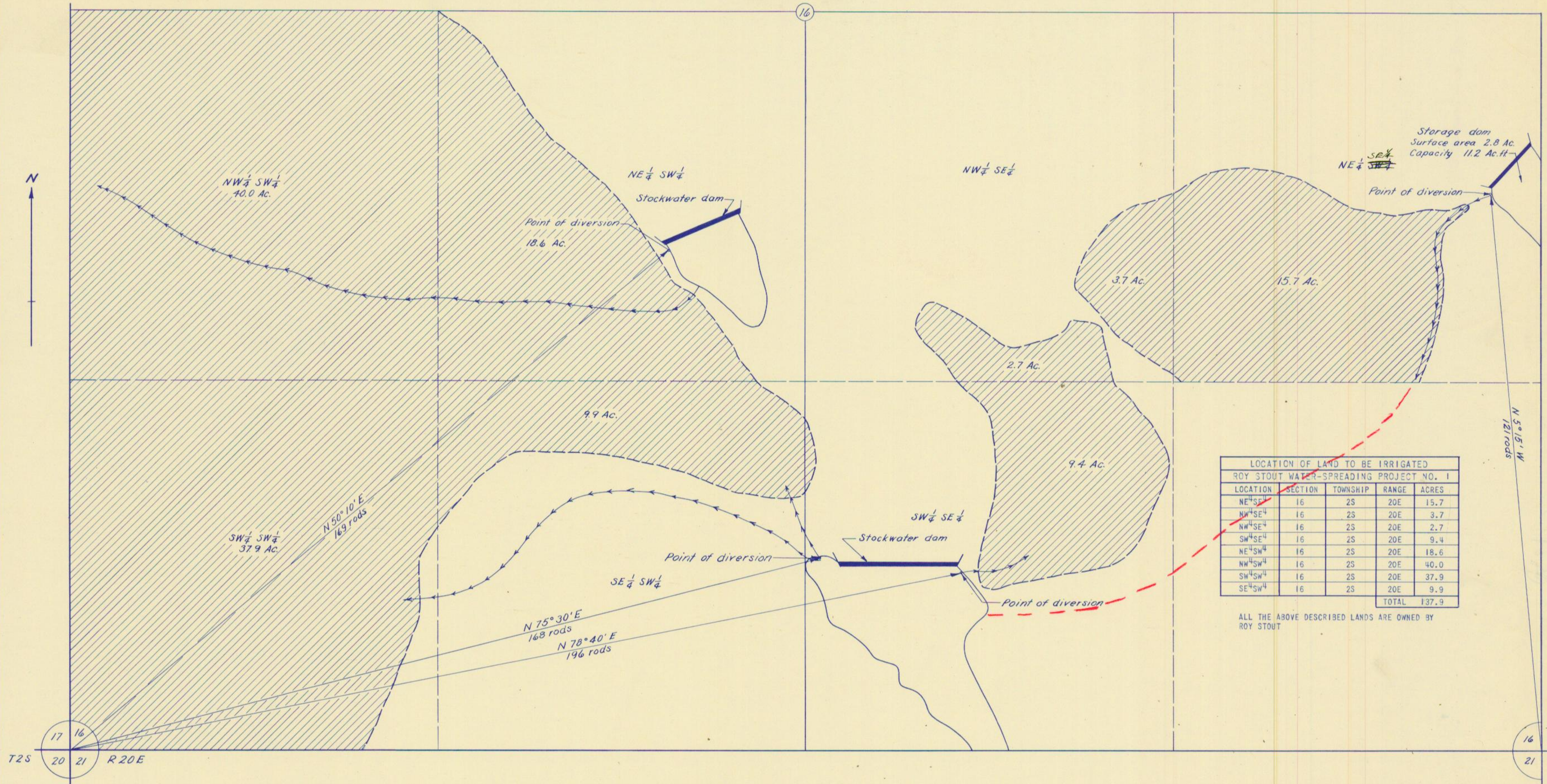
ss.

I, Bert Stover, 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, 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 Bert Stover

Subscribed and sworn to before me this 15 day of September 1958

Shirley Helmer
Notary Public (or other qualified officer)



LOCATION OF LAND TO BE IRRIGATED ROY STOUT WATER-SPREADING PROJECT NO. 1				
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
NE 1/4 SE 1/4	16	2S	20E	15.7
NW 1/4 SE 1/4	16	2S	20E	3.7
NW 1/4 SE 1/4	16	2S	20E	2.7
SW 1/4 SE 1/4	16	2S	20E	9.4
NE 1/4 SW 1/4	16	2S	20E	18.6
NW 1/4 SW 1/4	16	2S	20E	40.0
SW 1/4 SW 1/4	16	2S	20E	37.9
SE 1/4 SW 1/4	16	2S	20E	9.9
TOTAL				137.9

ALL THE ABOVE DESCRIBED LANDS ARE OWNED BY ROY STOUT

I, Harlan G. Collins DO HEREBY CERTIFY THAT
THIS MAP IDENTIFIES THE LAND OF THE ROY STOUT
WATER SPREADING PROJECT NO. 1
SIGNATURE: Harlan G. Collins
TITLE: Civil Engineer
U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
SUBSCRIBED AND SWORN TO BEFORE ME THIS 3rd DAY OF
November, 1958, A.D.
Edward O. K. Rader
NOTARY PUBLIC

Scale: 1" = 200'

ROY STOUT WATER SPREADING PROJECT NUMBER 1			
Jackson County, South Dakota			
U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE			
Designed	Date	Approved by	Title
Drawn			
Traced	Sheet	Drawing No.	
Checked	No	of	

Map No. 498-2 (Appl. No. 505-2)

Remarks by State Water Resources Commission:

"Vested Right" claimed

The diversion rate limitation of 1 cubic foot per second for each 70 acres irrigated shall not apply to this Dry Draw irrigation diversion during periods of flood flows, when such flows are in excess of the amount of water required to satisfy domestic use requirements and other water rights.

STATE OF SOUTH DAKOTA

County of

Hughes

Pierre, South Dakota,

November 15, 1958

This is to certify that the foregoing application was received by the Commission at 9:30 o'clock

on the 5th day of November, 1958

State Water Resources Commission

By:

J. W. Rimmer

Chief Engineer, Executive Officer

Number of permit 505-2

Date of first receipt of application

November 5, 1958

Date of return to applicant for correction, amendments or changes required as follows:

Date of receipt of corrected application

Date from which applicant may claim right

November 5, 1958

Approved February 4, 1959 Recorded in Book 57 Page 101

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we 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

February 4, 1960

2nd. The whole of said work is to be completed on or before

February 4, 1961

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

February 4, 1963

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

irrigation

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

6th. The amount of the appropriation herein granted shall not exceed 1.97 cubic feet per second; 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 4, 1963; said water to be used during the following described period:

April to October inclusive

Witness my hand this

19

day of

February, 1959

State Water Resources Commission

By:

J. W. Rimmer

Chief Engineer, Executive Officer

Certificate of Construction issued

SEPTEMBER 1, 1962

Water License issued

SEPTEMBER 6, 1962

LOCATION OF POINTS OF DIVERSION

121 rods, N $5^{\circ} 15'$ W of the SE Cor., Sec. 16, T 2S, R 20E
 196 rods, N $78^{\circ} 40'$ E of the Sw Cor., Sec. 16, T 2S, R 20E
 168 rods, N $75^{\circ} 30'$ E of the Sw Cor., Sec. 16, T 2S, R 20E
 169 rods, N $50^{\circ} 10'$ E of the Sw Cor., Sec. 16, T 2S, R 20E

LOCATION OF LAND TO BE IRRIGATED

NE $\frac{1}{4}$	SE $\frac{1}{4}$	)	15.7 acres
NW $\frac{1}{4}$	SE $\frac{1}{4}$	)	6.4 acres
SW $\frac{1}{4}$	SE $\frac{1}{4}$	)	9.5 acres
NE $\frac{1}{4}$	SW $\frac{1}{4}$	)	13.6 acres
NW $\frac{1}{4}$	SW $\frac{1}{4}$	)	40.0 acres
SW $\frac{1}{4}$	SW $\frac{1}{4}$	)	37.9 acres
SE $\frac{1}{4}$	SW $\frac{1}{4}$	)	9.9 acres
TOTAL			137.9 acres

all in Sec. 16, T 2S, R 20E

Permit No. 505-2Water Division No. 2 Bad River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Roy Stoutof Kadoka, County of Jackson, and State of South Dakotathe holder of Permit No. 505-2, issued upon Application No. 505-2, bearing date or priority of November 5, 1958authorizing the diversion of 1.97 cu. ft. per second of the waters of dry drawsCounty of Jackson, State of South Dakota, at points in the NE $\frac{1}{4}$ SE $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$ & NE $\frac{1}{4}$ SW $\frac{1}{4}$ All in Section 16, T2S, R20Efor irrigationpurposes, has fully 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 1.97 cu. ft.per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: All in Section 16, T2S, R20ENE $\frac{1}{4}$ SE $\frac{1}{4}$ 15.7 acresNW $\frac{1}{4}$ SE $\frac{1}{4}$ 6.4 "SW $\frac{1}{4}$ SE $\frac{1}{4}$ 9.4 "NE $\frac{1}{4}$ SW $\frac{1}{4}$ 18.6 "NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 "SW $\frac{1}{4}$ SW $\frac{1}{4}$ 37.9 "SE $\frac{1}{4}$ SW $\frac{1}{4}$ 9.9 "Total.... 137.9 "Witness my hand this 6th day of September A. D. 1962

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. GRIMES

STATE OF SOUTH DAKOTA

WATER LICENSE No. 505-2

WHEREAS, On the 5th day of November A. D. 1958

 of Kadoka County of Jackson and State of
 South Dakota duly made application (No. 505-2) to us for a permit to use 1.97
 cubic feet per second of the waters of dry grass
 County of Jackson, State of South Dakota, for Irrigation
 purposes; and

WHEREAS, On the 4th day of February A. D. 1959
 Permit No. 505-2 was issued to said applicant for the diversion of said water, and providing for the
 completion of the works of diversion therein described on or before the 4th day of
 February A. D. 1961 and for the application to beneficial use of said
 water on or before the 4th day of February A. D. 1963
 and,

WHEREAS, On the 30th day of August A. D. 1962
 the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.97
 cubic feet per second of said waters, as evidenced by our Certificate No. 505-2
 dated September 6, 1962 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 1.97 cubic feet per second of water, with date of
 priority of November 5, 1958 and,

WHEREAS, On the 30th day of August A. D. 1962
 proof was duly made of the application to beneficial use of 1.97 cubic feet per second of said water;
 for irrigating 137.9 acres in the S $\frac{1}{4}$ Section 16, T2S, R20E

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 Roy Stout
of Kadoka the holder and owner of said permit No. 505-2
a water right, dating from November 5, 1962 58 to the use of 1.97
cubic feet per second of the waters of dry draws
In the County of Jackson and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinbelow mentioned, to be diverted at points in the NE 1/4 SE 1/4; SW 1/4 SE 1/4
and NE 1/4 SW 1/4, Section 16, T2S, R20E
and conducted to and upon portions of the S 1/2 Section 16, T2S, R20E more specifically
described in the Certificate of Completion of Works

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 seal of our office at Pierre, South Dakota,
this 6th day of September A. D. Nineteen
Hundred and Sixty-Two

State Water Resources Commission
By:

Chief Engineer, Executive Officer
J. W. GRIMES

STATE OF SOUTH DAKOTA

Water License No.	
To	
Source of Supply	
County	
Am't	c. f. s.
Point of Diversion	
Place of Use	
Purpose	
Date of Priority	
Recorded	
In Book	of Page

(First Publication ~~before December 19 1958~~)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., November 18-----, 1958-----

Notice is hereby given that Roy Stout----- whose postoffice address is Kadoka----- S. Dak. has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.97----- cubic feet of water per second of time from the dry draws----- through the Stout Project #1-----, the point of diversion of which is to be located on the in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ and----- the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section----- 16----- Twp. 2 S----- Range 20 E----- . Said water to be used for the purpose of providing irrigation on part of the following described land:

SW $\frac{1}{4}$; N $\frac{1}{2}$ and SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Sec. 16, T 2 S, R 20 E-----

~~XXXXX~~----- purposes.
~~XXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 4th day of February-----, 1959-----, at 2:00-p---M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

~~XXXXX~~----- Chief Engineer, Executive Officer

Les Wyborny, Water Rights Engineer

cc Orville J. Rock, Publisher
The Kadoka Press
Kadoka, South Dakota

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Jackson } ss.

Orville J. Rock being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the -----

THE KADOKA PRESS 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 Kadoka County of

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

November 27, 1958

December 4, 1958

December 11, 1958

December 18, 1958

in each and every issue of the full number thereof, the first publication being made on the 27 day of Nov.

1958 and the last publication on the 18 day of December

1958, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was Editor the printer and publisher of the said newspaper.

Orville J. Rock

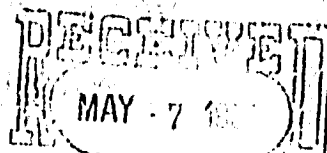
Subscribed and sworn to before me this 20 day of December A. D. 1958

Arlin W. Anderson

Notary Public Jackson County, S. D.

No. 505-2
APPROPRIATION OF WATER
Office of State Water Resources
Commission,
Pierre, S. Dak., November 18, 1958
Notice is hereby given that Roy
Stout, whose postoffice address is
Kadoka, S. Dak., has made an ap-
plication in accordance with the
provisions of the water laws of
South Dakota for a permit to ap-
propriate for beneficial use 1.97
cubic feet of water per second of
time from dry draws through the
Stout Project no. 15 in the NE 1/4
of SW 1/4, SE 1/4 and NE 1/4 of the
SE 1/4 of Section 10, Twp. 2 S Range
20 E. Said water to be used for the
purpose of providing irrigation on
part of the following described
land: SW 1/4, N 1/2 and SW 1/4 of the
SE 1/4, Sec. 16, T. 2 S., R. 20 E.
This application will be taken
up by the State Water Resources
Commission at the office at
Pierre for consideration upon the
4th day of February, 1959, at 2:00
P.M. All interested persons may
appear and be heard.
Appropriate action will be taken
by the Water Resources Commis-
sion after suitable time has elapsed
for the consideration of any
or all information presented.
State Water Resources Commission
By: Les Wybohy
Water Rights Engineer
Publish Nov. 27, Dec. 4, 11 & 18

RECEIVED
DEC 22 1958
STATE WATER RESOURCES COMM
PIERRE, SOUTH DAKOTA

Permit No. 505-2Water Division No. 2 Pack River Water DistrictSTATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit, and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) Madison S. Pak.(Date) May 5th 1960

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the _____ day of _____

19____, at _____ County of _____ State of South Dakota,

before _____ proof will be submitted of the application to beneficial use

(Examining Engineer or Officer)

of 1.97 cubic feet per second of the waters of Redwater of Little Buffaloin accordance with the terms and conditions of Permit No. 505-2

heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are _____

Roy S. Pak Madison S. Pak.2. The use to which said water has been applied is to spread water on pastureland.3. The amount applied to beneficial use is 11 acre feet plus flood water of 1.97 cfs. as long as storage lasts.

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated)

NE ⁴	SE ⁴	15.7 acres
NW ⁴	SE ⁴	6.4
SW ⁴	SE ⁴	9.4
NE ⁴	SW ⁴	18.6
NW ⁴	SW ⁴	40.0
SW ⁴	SW ⁴	37.7
SE ⁴	SW ⁴	9.9
		<u>137.9 acres total</u>

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is

S. Pak Project No. 16. The right to take the water from such works is based upon permit No. 505-2.7. The source of supply from which such water is diverted is dry draw8. The date of priority which said user is prepared to establish is Nov. 5 1958(filing date)(Sign) Roy S. Pak

Permit No. 505-2
 Water Division No. 2 BAD RIVER Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated _____ 19____, I have this day made a thorough examination of the diversion works constructed by Roy Stout of KADOKA JACKSON County, South Dakota, holder of Permit No. 505-2, issued upon Application No. 505-2, bearing date of priority of NOVEMBER 5, 1958, authorizing the diversion of 1.97 cu. ft. per second of the waters of a dry draw for irrigation purposes. I have to report on the condition of the same as follows:

The diversion works comprise: The system is comprised of one storage reservoir & two check dams with approximately 1 mile of ditch & short dikes which spread the water over meadows & creek bottoms.

and the system is in the following condition: good

The point of diversion is located in the NE¹SE⁴; SW⁴SE⁴, and NE⁴SW⁴, Section 16, T2S, R20E

The works are capable of diverting and conveying to the place of use 1.97 cu. ft. per second of water, which is to be used for irrigation

The legal sub-divisions to be irrigated are: NE⁴SE⁴, 15.7 ac.; NW⁴SE⁴, 62.4 acres; SW⁴SE⁴, 9.4 ac.; NE⁴SW⁴, 18.6 ac.; NW⁴SW⁴, 40.0 ac.; SW⁴SW⁴, 37.9 ac.; and SE⁴SW⁴, 9.4 ac., all in Section 16, T2S, R20E

comprising a total of 137.9 acres of land.

The domestic use intended comprises stock watering

The utilization for power, mining, or other beneficial uses comprises: NONE

Witness my hand, this 30th day of August A.D. 1962

—SEAL—

Dwight Jones
Examining Engineer

Officer

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8230

PIERRE, May 26, 19 81

RECEIVED OF Jerome Stout, Kadoka, SD 57543

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

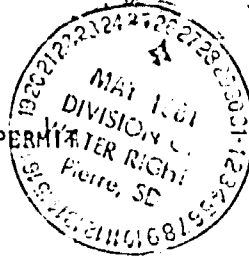
Fee for Application for Permit to appropriate Water No. _____ (examination, processing, recording and filing) _____	
Fee for inspecting Construction, and issuing Cert. of Construction No. _____	
Fee for inspecting Beneficial Use, and issuing Water License No. _____	
Fee for issuing Location Certificate-Dry Draw, No. _____	
Fee for filing transfer of WR# 505-2	.50
Fee for certified copy of _____	
Fee for Print copy of map _____	
Fee for Certifying _____	
Fee for _____ (any other work as provided by law)	
TOTAL	1.50

WATER RIGHTS COMMISSION

By *(Signature)*
Chief Engineer, Executive Officer
JOHN WATSON / *de*

NO. 505-2

NOTICE OF TRANSFER OF WATER PERMIT



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: May 3, 1981

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

137.9 acres in Sec. 16, T2S, R20E; SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

formerly owned by Roy Stout, Kadoka

has been transferred to Jerome Stout, Kadoka, SD 57543

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

Water Right Permit No. 505-2 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.

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

I, Jerome Stout 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.

Jerome M. Stout
(Signed)

Subscribed and sworn to before me this 15th Day of May, 19 81.

Patricia L. Poreh
(Notary Public)
Patricia L. Poreh

My commission expires 3-13-87