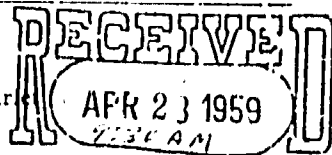


No. 573-2Water Division No. 2 Bad River Distr.
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

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

1. Name of applicant ~~Frank Hawk~~ George E Hawk Trsfed 9-15-64
 Postoffice address Cottonwood, 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)

Completed(b) Cash on hand, \$ N/A (c) Treasury stock, \$ 0(d) Bonds to be issued, \$ _____ (e) Other resources, \$ 0

1. Name of diversion work Hawk Spreader System #1
3. Amount of water claimed 4.56 cubic feet per second
4. Source of water supply 2 dry draws (Dirty Woman Creek and 1 branch)
5. Location of point of diversion Dam #1 - SE $\frac{1}{4}$ NW $\frac{1}{4}$ and Dam #2 - SW $\frac{1}{4}$ NW $\frac{1}{4}$, both in Sec. 29, T 3N R 18E on both bank^s Haakon County.
6. Annual period or periods during which water is to be used April to October inclusive
7. To be used for:

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? combination(a) Number of acres to be irrigated 319.7 acres.(b) Legal subdivisions to be irrigated see attachment

(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. Stockwatering, bathing, milling, power, fire 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. 576-2

8. Estimated cost of work:

(a) Head Gates \$ 100 1 mile spreader dikes (b) Pumping plant, \$ 500
 (c) Fluming, \$ 350 Rock, \$
 (e) ~~3300000000~~ 1' CUP \$ 250 Total, \$ 1200

9. Description of diversion works:

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

II. Dimensions of works: see attachment

(a) Dam: Height _____ feet; length at bottom _____ feet; length at top _____ feet; thickness at bottom _____ feet; thickness at top _____ feet; slope at front water face _____, slope at back face _____ material used in construction _____
 (b) Reservoir: Capacity when filled _____ acre feet. Surface area at highwater mark _____ acres.

DEPTH AT CUTLET- FEET	SURFACE AREA AT EACH DEPTH AT OUTLET- ACRES	FEET	ACRE- FEET CAPACITY

(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 _____ 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 dimensions where reductions in size are made.)

10. Time required for completion of work completed years.
 11. Time required for complete application of water to the proposed beneficial use completed years.
 12. Choice of newspaper for publication of notice of intention to appropriate D/A

STATE OF SOUTH DAKOTA
 County of Hand ss.

I, Frank A. Frank, 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, Frank A. Frank

Subscribed and sworn to before me this 10th day of April 1957

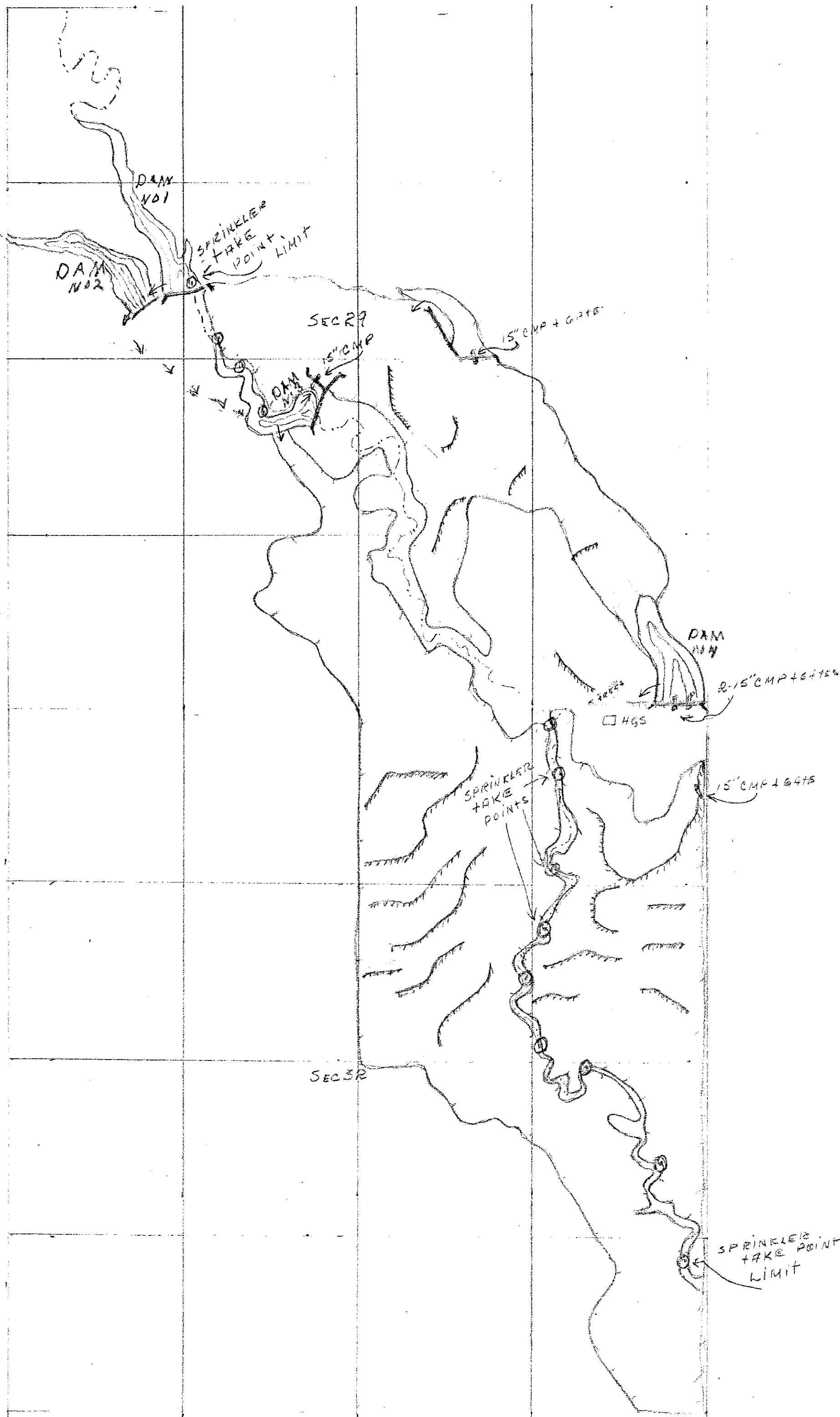
J. J. J. J. J.
 Notary Public (or other qualified officer.)

FRANK HAUKE IRRIGATION SYSTEM

(WATER SPREADING)

HAakon COUNTY SO. DAK.

SCALE 1" = 660'



LOCATION	ACRES	SECTION	TOWNSHIP	RANGE
SE 1/4 NW 1/4	15.0	29	3N	18E
SW 1/4 NE 1/4	10.4	29	3N	18E
NE 1/4 SW 1/4	10.6	29	3N	18E
SE 1/4 SW 1/4	13.2	29	3N	18E
NW 1/4 SE 1/4	28.2	29	3N	18E
NE 1/4 SE 1/4	9.7	29	3N	18E
SW 1/4 SE 1/4	17.7	29	3N	18E
SE 1/4 SE 1/4	13.1	29	3N	18E
NW 1/4 NE 1/4	38.0	32	3N	18E
NE 1/4 NE 1/4	23.5	32	3N	18E
SW 1/4 NE 1/4	39.0	32	3N	18E
SE 1/4 NE 1/4	38.8	32	3N	18E
NW 1/4 SE 1/4	7.5	32	3N	18E
NE 1/4 SE 1/4	34.0	32	3N	18E
SE 1/4 SE 1/4	21.0	32	3N	18E

319.7 TOTAL ACRES

OWNER OF THE ABOVE LANDS, FRANK HAUKE

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

ss.

Pierre, South Dakota,

April 23, 1959

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

9 a.m. upon the 23 day of April, 1959

State Water Resources Commission

By:

Geo. R. Brinner

Chief Engineer, Executive Officer

Number of permit 533-2

Date of first receipt of application April 23, 1959

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 1937

Approved April 23, 1959 Recorded in Book 5 Page 144

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

Completed, 1959

2nd. The whole of said work is to be completed on or before Completed, 1959

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

Completed, 1959

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 4.56 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 June 30, 1957, said water to be used during the following described annual period:

April to October inclusive

Witness my hand this 12 day of May, 1959

State Water Resources Commission

By:

Geo. R. Brinner

Chief Engineer, Executive Officer

Certificate of appropriation issued

May 12, 1959

Water License issued

May 12, 1959

Location of Lands Irrigated:

Description	Acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$)	15.0
SW $\frac{1}{4}$ NE $\frac{1}{4}$)	10.4
NE $\frac{1}{4}$ SW $\frac{1}{4}$)	10.6
SE $\frac{1}{4}$ SW $\frac{1}{4}$) all in Sec. 29, T 3N, R 18E	13.2
NW $\frac{1}{4}$ SE $\frac{1}{4}$)	28.2
NE $\frac{1}{4}$ SE $\frac{1}{4}$)	9.7
SW $\frac{1}{4}$ SE $\frac{1}{4}$)	17.7
SE $\frac{1}{4}$ SE $\frac{1}{4}$)	13.1
NW $\frac{1}{4}$ NE $\frac{1}{4}$)	38.0
N $\frac{1}{2}$ NE $\frac{1}{4}$) all in Sec. 32, T 3N, R 18E	23.5
SW $\frac{1}{4}$ NE $\frac{1}{4}$)	39.0
SE $\frac{1}{4}$ NE $\frac{1}{4}$)	38.8
NW $\frac{1}{4}$ SE $\frac{1}{4}$)	7.5
NE $\frac{1}{4}$ SE $\frac{1}{4}$)	34.0
SE $\frac{1}{4}$ SE $\frac{1}{4}$)	31.0
Total	9.7 Acres

Location and Description of Dams.

Dam #1:

SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T 3N, R 18E
Height: 28 ft.
Length at Bottom: 60 ft.
Length at Top: 200 ft.
Thickness at Bottom: 150 ft.
Crown width: 17ft.
Front Slope: 3:1
Back Slope: 2:1
Material used in Construction: earth
Capacity when filled: 30 Ac. ft.
Surface area at High water: 3 $\frac{1}{2}$ acres
FB: 5 ft.
Year constructed - 1937

Dam #2

SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29, T 3N, R 18E
Height: 16ft.
Length at Bottom: 40 ft.
Length at Top: 100 ft.
Thickness at Bottom: 90 ft.
Crown width: 12 ft.
Front Slope: 3:1
Back Slope: 2:1
Material used in Construction: earth
Capacity when filled: 5 acre ft.
FB: 4 ft.
Year Constructed: 1940
surface area: 1 acre

Dam #3

NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 29, T 3N, R 18E
Height: 17ft.
Length at Bottom: 70 ft.
Length at Top: 150 ft.
Thickness at Bottom: 100ft.
Crown width: 12ft.
Front Slope: 3:1
Back Slope: 2:1
Material used in Construction: earth
Capacity when filled: 11 acre ft.
Surface area: 2 $\frac{1}{4}$ acres
FB: 5 ft.
Year constructed: 1947

Dam #4

SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29, T 3N, R 18E
This is principally a road fill with pipes through it. Used only as an additional control for water and not a storage structure.

All of the land has been irrigated since Dam #1 was built. Dam #2 was only built for additional storage to give added assurance of a water supply. Dam #3 was only built to provide added control for the water but no new lands were brought under irrigation. Dam or Will #4 likewise is for added control of the water only and to add more efficiency to the system.

The Sprinkler system has a total capacity of about 250 - 300 g.p.m. It is only used to provide a better spread on the lower part of the system.

Permit No. 533-2Water Division No. 2 Mad River Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Frank Hawk

of Cottonwood, County of Haskell, and State of South Dakota, the holder of Vested Right Permit No. 533-2, issued upon Application No. 533-2, bearing date of priority of 1937, authorizing the diversion of

4.56 cu. ft. per second of the waters of two dry draws

County of Haskell, State of South Dakota, in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 29, T 3 N, R 18 E

for irrigation purposes, 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 4.56 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: <u>SE$\frac{1}{4}$NW$\frac{1}{4}$</u>)	<u>15.0 acres</u>
<u>SW$\frac{1}{4}$NE$\frac{1}{4}$</u>)	<u>10.4 acres</u>
<u>NE$\frac{1}{4}$SW$\frac{1}{4}$</u>)	<u>10.6 acres</u>
<u>SE$\frac{1}{4}$SW$\frac{1}{4}$</u>) all in Sec. 29	<u>13.2 acres</u>
<u>NW$\frac{1}{4}$SE$\frac{1}{4}$</u>) T 3 N, R 18 E	<u>28.2 acres</u>
<u>NE$\frac{1}{4}$SE$\frac{1}{4}$</u>)	<u>9.7 acres</u>
<u>SW$\frac{1}{4}$SE$\frac{1}{4}$</u>)	<u>17.7 acres</u>
<u>SE$\frac{1}{4}$SE$\frac{1}{4}$</u>)	<u>13.1 acres</u>
<u>NW$\frac{1}{4}$NE$\frac{1}{4}$</u>)	<u>38.0 acres</u>
<u>NE$\frac{1}{4}$NE$\frac{1}{4}$</u>)	<u>23.5 acres</u>
<u>SW$\frac{1}{4}$NE$\frac{1}{4}$</u>) all in Sec. 32	<u>39.0 acres</u>
<u>SE$\frac{1}{4}$NE$\frac{1}{4}$</u>) T 3 N, R 18 E	<u>38.8 acres</u>
<u>NW$\frac{1}{4}$SE$\frac{1}{4}$</u>)	<u>7.5 acres</u>
<u>NE$\frac{1}{4}$SE$\frac{1}{4}$</u>)	<u>34.0 acres</u>
<u>SE$\frac{1}{4}$SE$\frac{1}{4}$</u>)	<u>21.0 acres</u>
Total	319.7 acres

Witness my hand this 12th day of May A. D. 1959

State Water Resources Commission

By:

J. W. GRIMES, Chief Engineer, Executive Officer

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 Frank Hauk Vested Right
 of Cottonwood, South Dakota the holder... and owner... of saly/permit No. 533-2
 a water right, dating from 1937 to the use of 4.56
 cubic feet per second of the waters of two dry draws
 In the County of Haakon and State of South Dakota, or so much thereof as may be
 necessary for the purposes hereinbelow mentioned, to be diverted in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$
of Sec. 29, T 3 N, R 18 E
 and conducted to and upon the SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$, Sec. 29; NE $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32 all in T 3 N, R 18 E, more particularly
described in Certificate of Completion of Works No.533-2
 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 12th day of May A. D. Nineteen
 Hundred and fifty-nine

State Water Resources Commission

By:

J. W. GRIMES, Chief Engineer, Executive Officer

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 _____

STATE OF SOUTH DAKOTA

WATER LICENSE No. 533-2

WHEREAS, On the 23rd day of April A. D. 1959

Frank Hawk

of Cottonwood County of Jackson ~~Vested Right~~ and State of

South Dakota duly made application (No. 533-2) to us for a permit to use 4.56

cubic feet per second of the waters of two dry draws

County of Haakon, State of South Dakota, for irrigation

purposes; and

WHEREAS, On the 12th day of May A. D. 1959
Vested Right / Permit No. 533-2 was issued to said applicant for the diversion of said water, and ~~recognizing~~ **recognizing**

completion of the works of diversion therein described on or before the 30th day of

June A. D. 1957 and for the application to beneficial use of said

water on or before the 30th day of June A. D. 1957

and,

WHEREAS, On the 23rd day of April A. D. 1959

the holder of said permit duly made proof of the completion of adequate works for the diversion of 4.56

cubic feet per second of said waters, as evidenced by our Certificate No. 533-2

dated May 12, 1959 confirming the completion of works of sufficient capacity for

diverting and conveying to the place of intended use 4.56 cubic feet per second of water, with date of

priority of 1937 and,

WHEREAS, On the 23rd day of April A. D. 1959

proof was duly made of the application to beneficial use of 4.56 cubic feet per second of said water;

on 319.7 acres located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$, Sec.

29; the NE $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32 all in T 3 N, R 18 E, more

particularly described in Certificate of Completion of Works No. 533-2

NOTICE OF TRANSFER OF WATER PERMIT

September 8, 1964

TO: Office of State Water Resources Commission
Pierre, South Dakota

This is to notify you that

Frank Hauke

who previously owned the land described below has sold his interests to

George E. Hauke

together with any rights to the beneficial use of water thereon as evidenced by State Water Permit No. 533-2
and as provided for in section 61.0141 of the SDC of 1939 and elsewhere

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 55.1806 of the SDC of 1939.

STATE OF SOUTH DAKOTA

County of

Hauke

ss.

I

George E. Hauke

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.

Signed

George E. Hauke

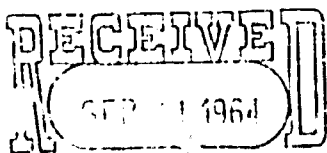
Subscribed and sworn to before me this

4 day of

August, 1964

Notary Public

BASIL E. HENDERSON, NOTARY PUBLIC
HAUKON COUNTY, SOUTH DAKOTA
C. KRISTEN HENDERSON, CLERK



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Water Resources Commission

July 29, 1964

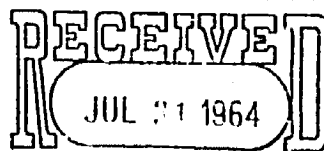
Dear Sirs:

I called your office the 29th of July and asked about a water right issued to Frank Hauk for the N E $\frac{1}{4}$ & N W $\frac{1}{4}$ of section 29-3-18 in Haakon County. I was informed that there was a right filed for the S W $\frac{1}{4}$ & S E $\frac{1}{4}$ of 29. Do you have any record of any rights in Section 32-3-18 in Haakon County? I have purchased the land from my Father, Frank Hauk. Would it be necessary for me to have these rights changed to my name.

Thank you.

Yours truly,

George E Hauk



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Location No.

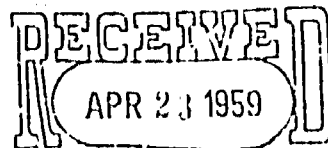
533-2

Water Division No.

2

Bad
River

Water District

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

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

Ans. Frank Hawk, owner, Cottonwood, South Dakota

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.

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans.

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

Ans. 2 dry draws. Dam #1 - SE $\frac{1}{4}$ NW $\frac{1}{4}$ and Dam #2 SW $\frac{1}{4}$ NW $\frac{1}{4}$ both in Sec. 29, T. 3N, R. 18E.

Ques. 5. Describe your works of diversion giving length and height of each dam 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, and date of completion of same.

Ans.

see attachment

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.

see attachment

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

Ans.

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

Ans.

5 c.f.g.

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.

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

Ans. Dam #1 was constructed in 1937 and provided irrigation on the entire acreage to the extent that water was available. The rest of the structures were only built to assure the water supply and provide better control and a more efficient spread of water.

(Sign) Frank H. Hark

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 Sioux, County of Hughes

State of South Dakota, on this 23rd day of April A. D. 1937

Witnesses. J. E. [Signature]
Harry [Signature]

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

Location No. -----

**PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE**

PETITION OF HOLDER

Amount of Water ----- c. f. s.

Source -----

County -----

Purpose -----

Place of Use -----

Date of recording -----

Received and filed -----

Location of Lands Irrigated:

Description	Acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$)	15.0
SW $\frac{1}{4}$ NE $\frac{1}{4}$)	10.4
NE $\frac{1}{4}$ SW $\frac{1}{4}$)	10.6
SE $\frac{1}{4}$ SW $\frac{1}{4}$)	13.2
NW $\frac{1}{4}$ SE $\frac{1}{4}$)	20.2
NE $\frac{1}{4}$ SE $\frac{1}{4}$)	9.7
SW $\frac{1}{4}$ SE $\frac{1}{4}$)	17.7
SE $\frac{1}{4}$ SE $\frac{1}{4}$)	13.1
NW $\frac{1}{4}$ NE $\frac{1}{4}$)	38.0
NE $\frac{1}{4}$ NE $\frac{1}{4}$)	23.5
SW $\frac{1}{4}$ NE $\frac{1}{4}$)	39.0
SE $\frac{1}{4}$ NE $\frac{1}{4}$)	38.8
NW $\frac{1}{4}$ SE $\frac{1}{4}$)	7.5
NE $\frac{1}{4}$ SE $\frac{1}{4}$)	34.0
SE $\frac{1}{4}$ SE $\frac{1}{4}$)	21.0
Total	319.7 Acres

All of the land has been irrigated since Dam #1 was built. Dam #2 was only built for additional storage to give added assurance of a water supply. Dam #3 was only built to provide added control for the water but no new lands were brought under irrigation. Dam or Fill #4 likewise is for added control of the water only and to add more efficiency to the system.

The Sprinkler system has a total capacity of about 250 - 300 g.p.m. It is only used to provide a better spread on the lower part of the system.

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3161

September 21, 1988

NOTICE

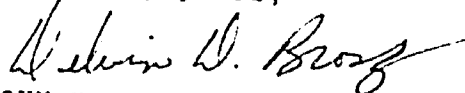
George E. Hauk
Cottonwood SD 57728

Dear Mr. Hauk:

I am writing to notify you that pursuant to the Notice of Intent to Validate Vested Water Right Claims dated June 20, 1983 that I intend to oppose validation of your water right claim No(s). 533-2 until a field inspection has been completed. The claim has either never been inspected or an inspection was conducted so long ago that a new inspection is needed. An inspection is needed to determine the current state of your vested water right claim.

A staff member from the Division of Water Rights will be contacting you and scheduling an inspection of your water project. If we can answer any questions, please contact us.

Very truly yours,



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



File No. 533-2

**Water Rights Division
File Documentation**

NAME OF PERSON OR FILE: George Hauk

ADDRESS: Cottonwood, SD COUNTY: Haakon

DATE: October 27, 1993 TELEPHONE:

RE: Inspection of Vested Right Claim 533-2

COMMENTS:

On June 10, 1992, I met with Mr. George Hauk. Together we inspected the irrigation system developed under Vested Right Claim #533-2. It appears the Application for Permit, the Certificate of Completion of Works, and Water License No. 533-2 accurately describes this system.



Ken Buhler
Natural Resources Engineer

SOUTH DAKOTA

VESTED WATER RIGHT NO. 533-2 FOR IRRIGATION

Date of Receipt of Claim April 23, 1959.

Date of Validation April 6, 1994.

The Water Management Board validated Vested Water Right Claim No. 533-2 for irrigation purposes for George E. Hauk, Cottonwood SD 57728 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 533-2 appropriates 4.56 cubic feet of water per second from dry draws located in the SE 1/4 NW 1/4, SW 1/4 NW 1/4 Section 29 to irrigate 319.7 acres located in the SE 1/4 NW 1/4, SW 1/4 NE 1/4, E 1/2 SW 1/4, SE 1/4 Section 29; NE 1/4, N 1/2 SE 1/4 and SE 1/4 SE 1/4 Section 32; all in T3N-R18E.
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: April 1 - October 31.
3. The priority date of the Vested Water Right is January 1, 1937.
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.

QUALIFICATION

The diversion rate limitation of 1 cubic feet 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.

WATER MANAGEMENT BOARD

By: _____

John Hatch
John Hatch, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

NOV 14 1994

date



533-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOV 14 1994

George E. Hawk
Cottonwood SD 57728

Dear Mr. Hawk:

The Water Management Board has validated the enclosed Vested Water Right No. 533-2. 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