

No. 570-2

JAN 12 1939

11:15 AM

Water Division No. 2White RiverDistrict No. 1

(Blanks to be filled by the Engineer for the W.R.C.)

Vested Right

APPLICATION FOR PERMIT

To appropriate Water within the State of South Dakota

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

1. Name of applicant

~~Allen Smith~~ JOHN DUNN

Postoffice address

KadokaCounty JacksonState S.D.

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)

Contract-Direct Labor

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work Irrigation Dam & Dikes (Project No. 3)3. Amount of water claimed 48-Ac.-Ft. cubic feet per second 1854. Source of water supply Dry Draw5. Location of point of diversion From Pt. Diversion NENW Sec 18, T38-R23E, N82°E, 2370'0" to NE Cor. Sec. 18-T38-R23Eon Jackson County.

6. Annual period or periods during which water is to be used

Spring-Summer-Fall

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity(a) Number of acres to be irrigated 72.0 acres.(b) Legal subdivisions to be irrigated See attached sketch

(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.) none

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

8. Estimated cost of work:

(a) Head Gates, \$ 250.00

(b) Pumping plant, \$ _____

(c) Fluming, \$ 000.00

(d) Canal-earth, \$ _____

concrete, ~~\$000.00~~ \$300.00(e) Other structures Dikes (10000.00) \$ 1200.00Total, \$ 2650.00

9. Description of diversion works:

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

Dam-Dikes

II. Dimensions of works.

- (a) Dam: Height 24 feet; length at bottom 100 feet; length at top 300 feet; thickness at bottom 152 feet; thickness at top 12 feet; slope at front water face 3:1; slope at back face 2:1; material used in construction Clay - loan
- (b) Reservoir: Capacity when filled 48 acre feet. Surface area at highwater mark 6.0 acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET ACRE-Feet CAPACITY
20'	6.0x20.0x0.4	48

(c)* Head gate: Width 36" feet; height 36" feet;Material Concrete(d) ~~Flume~~ Total length 1.6 miles.

Dike

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 1948 years.

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

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

STATE OF SOUTH DAKOTA

County of _____ } ss.

I, _____, 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

Subscribed and sworn to before me this

21

day of

January1940

Notary Public (or other qualified officer.)

Remarks by State Water Resources Commission:

The diversion rate limitation of 1 cubic foot per second for each 70 acres irrigated shall not apply to this Dry Drain 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, February 2, 1960

This is to certify that the foregoing application was received by the Commission at 11:15 o'clock
A.m. upon the 22nd day of January, 1960

State Water Resources Commission

By: [Signature]

Chief Engineer, Executive Officer

Number of permit 570-2

Date of first receipt of application January 22, 1960

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right 1948, 19____

Approved February 2, 1960, Recorded in Book 5 Page 311

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 _____, 19____

2nd. The whole of said work is ~~to be~~ completed on or before _____, 19____

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is 1948

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 1.0 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 used

and beneficially applied for irrigation on or before June 30, 1955, said water to be used during the following described annual period:

During annual growing season

Witness my hand this 2nd day of February, 1960.

State Water Resources Commission

By: [Signature]

Chief Engineer, Executive Officer

Certificate of Construction Issued February 2, 1960

Water License Issued February 2, 1960

Remarks by the Applicant:

The Dam and Dikes were constructed in 1948 by Contractor and Direct Labor, for the purpose of Irrigating 72 Acres of Alfalfa and Hayland.

The Flume with Head Gate is constructed to divert surplus water into the White River. This is primarily used to divert excess water to White River during Haying operations.

Due to the large drainage area the Flume is unable to handle all the water during a heavy rainfall, resulting in the flooding of the Hayland.

However, this Project as a whole has proved very beneficial over the years.

STATE OF SOUTH DAKOTA

WATER LICENSE No. 570-2

WHEREAS, On the 22nd day of January A. D. 1960

Allen Smith

of Kadoka County of Jackson and State of
South Dakota duly made application (No. 570-2) to us for a vested right
 permit to use 1.0
 cubic feet per second of the waters of dry draws
 County of Jackson, State of South Dakota, for irrigation
 purposes; and

WHEREAS, On the 2nd day of February A. D. 1960
~~vested~~ right permit No. 570-2 was issued to said applicant for the diversion of said water, and recognising
 the completion of the works of diversion therein described on or before the 1948
~~XXXXXX~~ and for the application to beneficial use of said
 water on or before the 1948
 and,

WHEREAS, On the 22nd day of January A. D. 1960
 the holder of said vested right permit duly made proof of the completion of adequate works for the diversion of 1.0
 cubic feet per second of said waters, as evidenced by our Certificate No. 570-2
 dated February 2, 1960 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 1.0 cubic feet per second of water, with date of
 priority of 1948 and,

WHEREAS, On the 22nd day of January A. D. 1960
 proof was duly made of the application to beneficial use of 1.0 cubic feet per second of said water;
for irrigating 72.0 acres as noted in the permit

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 Allen Smith of Kadoka the holder and owner of said ^{vested right} permit No. 570-2 a water right, dating from 1948 to the use of 1.0 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 necessary for the purposes hereinbelow mentioned, to be diverted at a point N 82 degrees E 2970' to NE corner Sec 18, T 3S, R 23E and conducted to and upon portions of Sections 17 and 18, T 3S, R 23E, more specifically described in 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 25th day of February A. D. Nineteen Hundred and sixty

State Water Resources Commission
By:

J.W. CRIMES,

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 _____

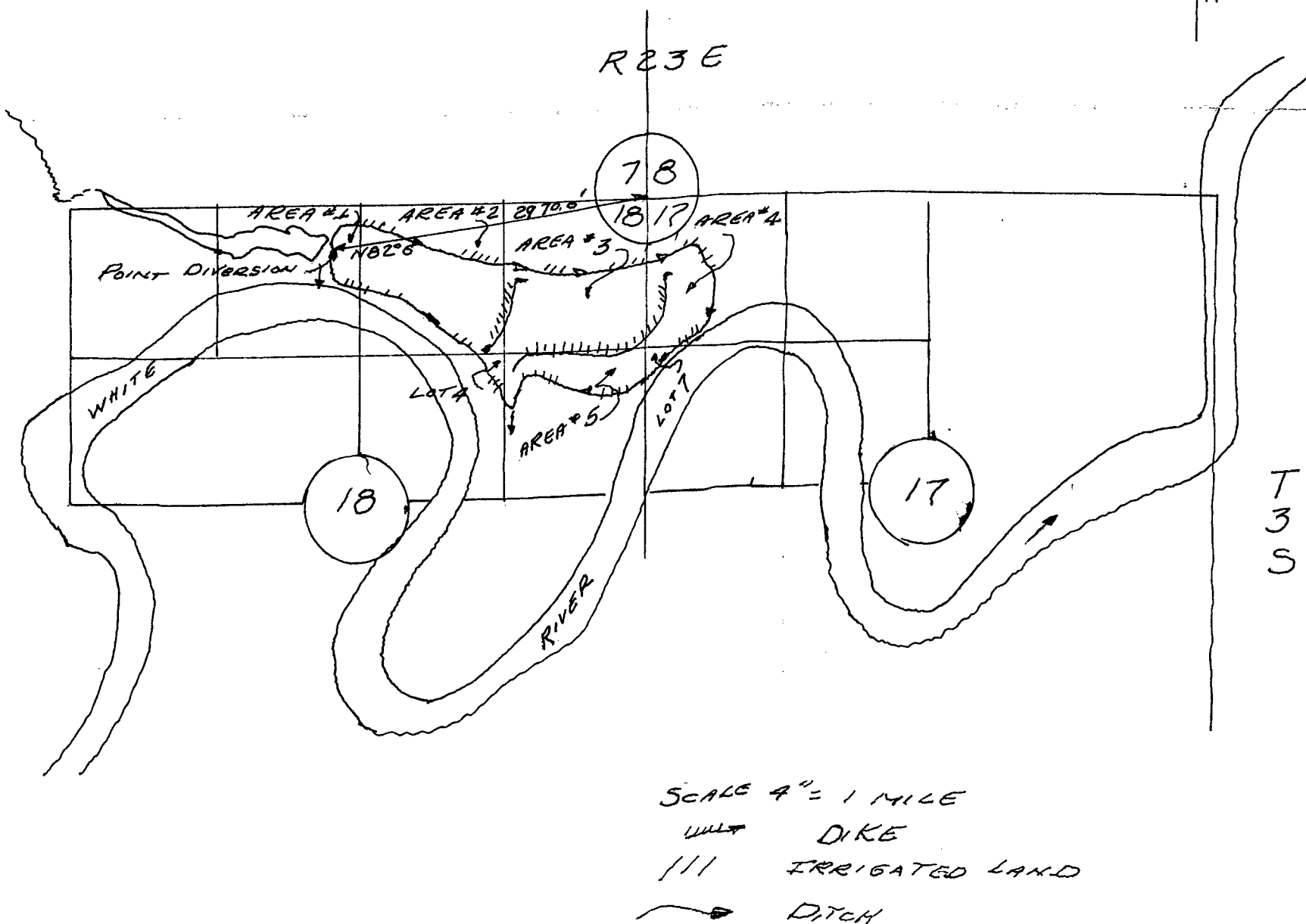
Date of Priority _____

Recorded _____

in Book _____ of _____ Page _____

ALLEN SMITH
IRRIGATION PROJECT #3
JACKSON COUNTY

AREA	SECTION	TWP	RANGE	ACRES
#1	NE ¹ NW ⁴ SEC 18	3S	23E	6.0
#2	NW ⁴ NE ⁴ SEC 18	3S	23E	20.0
#3	NE ⁴ NE ⁴ SEC 18	3S	23E	21.0
#4	NW ⁴ NW ⁴ SEC 17	3S	23E	11.0
#5	SE ⁴ NE ⁴ SEC 18	3S	23E	11.0
LOT 4	SW NE SEC 18	3S	23E	1.0
LOT 7	SW NW SEC 17	3S	23E	2.0
				72.0



11/17/20

(1224)

Permit No. 570-2.

Water Division No. 2 White River Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Allen Smith

of Kadoka, County of Jackson, and State of South Dakota, the holder of vested right Permit No. 570-2, Issued upon Application

vested right 570-2, bearing date of priority of 1918, authorizing the diversion of

1.0 cu. ft. per second of the waters of dry draws

County of Jackson, State of South Dakota, at a point N 82 degrees E

2970' to NE Corner, Sec 18, T 3S, R 23E for irrigation purposes

~~for~~
~~purposes~~ has ~~g~~ 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 vested right Permit, that said works are recognized as ~~for~~ satisfactory condition for diverting and conveying to the place of intended use 1.0 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 T-3S, R-23E
NE 1/4 NW 1/4 Sec 18 6.0 acres
NW 1/4 NE 1/4 Sec 18 20.0 acres
NE 1/4 NE 1/4 Sec 18 21.0 acres
SE 1/4 NE 1/4 Sec 18 11.0 acres
Lot 4 Sec 18 1.0 acres
NW 1/4 NW 1/4 Sec 17 11.0 acres
Lot 7 Sec 17 2.0 acres

Witness my hand this 25th day of February A. D. 1960

State Water Resources Commission

By:

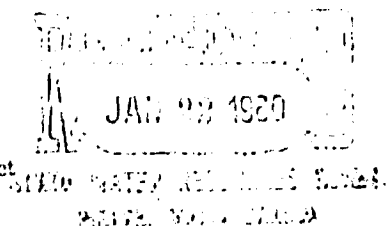
J.W. GRIFFS,

Chief Engineer, Executive Officer

Location No. _____

Water Division No. _____

Water District _____



Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

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

Ans. Allen Smith, Kadoka S.D. Rancher, Kadoka S.D.

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. 1948

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

Ans. Dry Draw- From Pt. Diversion in NENW Sec 18, T3S-R23E, N82° E 2970.0' to NE COR
SEC 18 T3S R23E

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. Dam 300' Long- 24' Deep, Holding 48 Acre Ft. water. Water spread by Diked.

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. Irrigating Alfalfa and Hayland (See attached Sketch)

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. 48 Acre Ft.

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 used to Irrigate Alfalfa and Hayland since 1948. Water can be Diverted to White River by Flume and Gate during Haying season, or when Irrigating is not necessary.~~

(Sign) *William E. Smith*

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 *Redfield*, County of *Butte*

State of South Dakota, on this *21* day of *January* A. D. 19*60*

Witnesses. *Walter D. ...*
Charles J. ...

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.

Walter D. ...
W. E. Woodruff

Location No. -----	PROOF OF APPLICATION OF WATER TO BENEFICIAL USE	PETITION OF HOLDER	Amount of Water <i>123</i> c. f. s.	Source <i>Dry Dam</i>	County <i>Jackson</i>	Purpose <i>Irrigating</i>	Place of Use <i>N¹/₂ SEC 18, NW¹/₄ SEC 17,</i>	<i>TWP 3 S-R 23 E</i>	Date of recording -----	Received and filed -----
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NOTICE OF TRANSFER OF WATER PERMIT

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

Date March 2, 1971

This is to notify you that title to the lands described as follows:
Portions of Sections 17 and 18, T3S, R23E described in Water Permit No. 570-2

formerly owned by Allen Smith, Kadoka, S.D.

has been transferred to John W. Dunn, Kadoka, S.D.

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 570-2 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

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

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

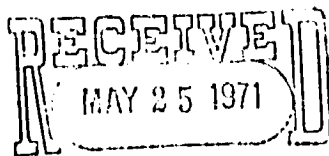
STATE OF SOUTH DAKOTA)
County of Jackson) ss.

I, John W. Dunn, 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.

John W. Dunn
(Signed)

Suscribed and sworn to before me this 6 day of April, 19 71

William F. Carlisle (Notary Public) South Dakota
Commission expires April 17, 1971



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

SOUTH DAKOTA
Department of
Water & Natural Resources

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

January 29, 1988

JOHN DUNN
KADOKA RANCHES
KADOKA, SD 57543

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 570-2. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 570-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

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

NOTE: If the questionnaire(s) is received in this office before the March 2, hearing date, your name will be deleted from the agenda for the hearing.

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3781

March 14, 1988

NOTICE OF AMENDMENT TO WATER PERMIT(S)

TO: JOHN DUNN
KADOKA RANCHES
KADOKA, SD 57543

FROM: John Hatch, Chief Engineer
Water Rights Division
773 6352

SUBJECT: Amendment to Water Permit No(s). 570-2

Pursuant to the provisions of the notice dated January 29, 1988 and following the Hearing March 2, 1988, the Water Management Board has amended Water Permit No(s). 570-2 to add the following qualification to each:

"This permit is subject to the Irrigation Water Use Questionnaire being submitted each year."

The addition of this qualification to your Permit(s) means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.



Department of Water & Natural Resources

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

Attachment to Water Permit No(s). 570-2

Pursuant to the provisions of the notice dated January 29, 1988 and following the Hearing March 2, 1988, the Water Management Board has amended Water Permit No(s). 570-2 to add the following qualification to each:

"This Permit is subject to the Irrigation Water Use Questionnaire being submitted each year."

South Dakota Department of
Water & Natural Resources

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

September 21, 1988

NOTICE

John Dunn
Box 1357
Woodward OK 73801

Dear Mr. Dunn:

I am writing to notify you that pursuant to the Notice of Intent to Validate Vested Water Right Claims dated June 20, 1988 that I intend to oppose validation of your water right claim No(s).

570-2, 583-2, 584-2 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,

for Delvin W. Brown
JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352





Department of Water & Natural Resources

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

570-2

October 12, 1988

John Munn
Box 1357
Woodward, OK 73801

Dear Mr. Dunn:

The Water Management Board, during their October 5 and 6, 1988 meeting, deleted the irrigation questionnaire qualification from your vested water right claim. The qualification was placed on your vested right at the March 2, 1988 Board Meeting due to nonreturn of your 1987 irrigation questionnaire.

The action to remove the qualification was initiated by the Division after a review of the file found the water use system described in Vested Water Right Claim No. 570-2 was a waterspreading system. Irrigation questionnaires are not supposed to be sent to permit holders with spreader systems.

If you have any questions concerning the Board action, please contact us.

Very truly yours,

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





Department of Water & Natural Resources

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

February 22, 1989

303-2
570-2
583-2
584-2

Richard Williams
HCR 4 Box 24
Philip, SD 57567

Dear Mr. Williams:

Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Right No. 303-2. Farm Credit Services notified our office that you now own the land described in the water right (copy enclosed).

Please check over the form and sign in the presence of a notary public. Upon completion of the form, return it to our office with a required filing fee of \$2.50. The water right will then be transferred to your name.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

The land you purchased under Water Right No. 303-2 was originally owned by John Dunn, Woodward, Oklahoma. I have enclosed a copy of Vested Water Right Claim Nos. 570-2, 583-2 and 584-2 also listed under John Dunn. If you own the land described under the claims, they should also be transferred to your name. Transfer forms are available upon request.

If you have any questions, please contact me.

Sincerely,

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosures

NO. 570-2

NOTICE OF TRANSFER OF WATER PERMIT



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

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

NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Lot 4 Section 18, NW $\frac{1}{4}$ NW $\frac{1}{4}$ and Lot 7, Section 17,

T3S, R23E

formerly owned by John Dunn

has been transferred to Dick Williams, HCR 4, Box 24, Philip, SD 57567

(please include complete mailing address)

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

Water Right Permit No. 570-2 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.

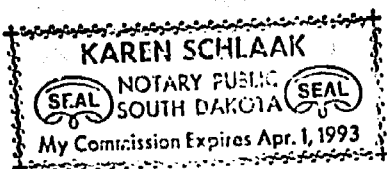
A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Hughes) ss.

I, Dick Williams 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.

Dick Williams
(Signed)

Subscribed and sworn to before me this 3rd Day of April, 1989.



Karen Schlaak
(Notary Public)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, April 3

1989

RECEIVED OF Dick Williams, RCR 4, Box 24, Philip, SD 57567

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 Permit No. 570-2

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

John Hatch
Chief Engineer

570-2

 **Department of
Water & Natural Resources**

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

May 2, 1989

Dick Williams
HCR 4, Box 24
Philip, SD 57567

Dear Mr. Williams:

Enclosed are Receipt Nos. 411718, 411719, 411720, 411721 and 411722 in the amount of \$2.50 each which you paid for transfer of Water Right Nos. 570-2, 583-2, 584-2, 303-2, and 745-2.

Our records no reflect you as the owner of this Water Right.

Sincerely,

Marie R. Arthur

MARIE R. ARTHUR
Secretary
Water Rights Division
(605) 773-3352

enclosure





570-2

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 1, 2006

Kay Williams
HCR 4 Box 24
Philip SD 57567

RE: Water Right/Vested Water Right Nos. 303-2, 570-2, 583-2, 584-2, 945-2

Dear Mrs. Williams:

I am contacting you in regard to the 2005 irrigation questionnaire for Water Right No. 303-2. I received a call this morning from your son indicating no irrigation took place in 2005. A form was completed for you based on this information. You may **disregard** the January 24, 2006, "Notice" concerning reporting requirements for Water Right No. 303-2. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

It is my understanding that any water rights held by Dick Williams should be transferred to your name. I found 5 water rights and vested water rights listed in his name (copies enclosed). The reason you only get one irrigation questionnaire each year is because our records show the other four water rights are for diversion of water from dry draws through water spreading systems.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for filing ownership changes. Please review the forms and complete as needed. Upon completion, please sign the forms and return them to our office with a required filing fee of \$2.50 each (total of \$12.50). The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED
FEB 22 2006
WATER RIGHTS
PROGRAM

No. 570-2

Date: _____

I/We request that Vested Water Right No. 570-2

formerly owned by: Dick Williams

be transferred to: (name & address) Kay Williams, PO Box 422, Philip SD 57567

Telephone No.

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

72 acres – NE ¼ NW ¼, NE ¼, Lot 4 all in Section 18; NW ¼ NW ¼ & Lot 7 Section 17, T3S, R23E

I/We understand that the validity of Vested Water Right No. 570-2 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.

I/We Kay Williams, the new owner, certify that the above information is true and correct.

Kay Williams
(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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date February 22, 20 06

RECEIVED OF Kay Williams, PO Box 422, Philip SD 57567

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>570-2</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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

02250

By

Darland Ebel
Chief Engineer *gm*

570-2



**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 1, 2006

Kay Williams
PO Box 422
Philip SD 57567

RE: Water Right/Vested Water Right Nos. 303-2, 570-2, 583-2, 584-2, 945-2

Dear Mrs. Williams:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" forms and filing fees you submitted for transferring water rights and vested water rights held by Dick Williams. The ownership changes have been completed. Water Right Nos. 303-2, 945-2 and Vested Water Right Nos. 570-2, 583-2 and 584-2 are now listed in your name.

Enclosed are your Receipt Nos. 02298, 02299, 02300, 02301 and 02302 in the amounts of \$2.50 each which you paid for filing the ownership changes. You may keep these for your records.

If you have any questions, please contact me.

Sincerely,

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

enclosures