

Water Division No. 2 White River District
(Blanks to be filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES COM. **S. D.**
MERRILL, SOUTH DAKOTA

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

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

1. Name of applicant ~~Walter Dennis~~ Rodney Sharp

Postoffice address ~~Kadoka~~ Belvidere, County Jackson, State 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)

Already Accomplished

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work Walter Dennis Water Spreader Project number 1

3. Amount of water claimed 3.17 cubic feet per second 666 Ac.Ft.

4. Source of water supply Surface runoff from local watersheds dry draws.

5. Location of point of diversion See attached sheet #1

on both banks Jackson County.

6. Annual period or periods during which water is to be used When ever available during annual period of use.

7. To be used for:

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

(a) Number of acres to be irrigated 222.0 acres.

(b) Legal subdivisions to be irrigated See attached sheet #2

(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.) Stockwater at dam sites. See

Question 5 above

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

(a) Nature of use Stockwatering

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, \$

(c) Pumping, \$

(e) Other structures

(d) Canal-earth, \$

(b) Pumping plant, \$

Rock, \$

Total, \$

9. Description of diversion works:

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

Plugs and Diversion Dikes divert water into ditches that convey water to area that water is spread on.

II. Dimensions of works.

(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 OUTLET, FEET	SURFACE AREA AT EACH DEPTH AT OUTLET—ACRES	FEET	ACRE-FOOT 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.)

Time required for completion of work Already completed years.

11. Time required for complete application of water to the proposed beneficial use Water being applied.

12. Choice of newspaper for publication of notice of intention to appropriate No advertising necessary since this is a vested water right.

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 Walter R. Smith

Subscribed and sworn to before me this 9 day of March 1960

Shirley H. H. H.
Notary Public (or other qualified officer.)

Remarks by State Water Resources Commission:

Wasted 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, May 13, 1960

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
a m. upon the 11th day of March, 1960

State Water Resources Commission
By: Arthur J. Jones
for Chief Engineer, Executive Officer

Number of permit 586-2

Date of first receipt of application March 11, 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, 1948

Approved May 13, 1960, Recorded in Book 6 Page 48

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 _____

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

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

Completed, 1955
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 3.17 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 on time for each acre of land to which water was actually

and beneficially applied for irrigation on or before June 30 55, 19____; said water to be used during the following described annual period:

whenever available during annual irrigation season

Witness my hand this 13th day of May, 1960

State Water Resources Commission

By: Arthur J. Jones

Chief Engineer, Executive Officer

Certificate of Construction issued May 13, 1960

Water License issued May 13, 1960

SUBDIVISIONS THAT HAVE BEEN IRRIGATED

Lot 2,	Section 16-----	27.2 Acres
SE 1/4 SW 1/4	Section 10-----	3.2 Acres
NE 1/4 NW 1/4	Section 15-----	37.2 "
NW 1/4 NW 1/4	" "	30.4 "
Lot 1	" "	49.2 "
Lot 2	" "	32.4 "
SW 1/4 NE 1/4	" 14-----	8.0 "
SE 1/4 NE 1/4	" "	29.2 "
Lot 2	" 13-----	5.2 "
Total Acres		222.0 Acres

All above acres are located in Township 3 South and Range 23 East, BHM

LOCATION OF POINTS OF DIVERSION

Point #1-- 23 Rods North 55 degrees and 45 minutes East of the South west Corner of Section 10-T3S-R23E, BHM.

Point # 2- 130 Rods North 87 degrees and 15 Minutes East of the Southwest Corner of Section 10-T3S-R23E, BHM.

Point #3-- 129 Rods South 65 degrees and 15 minutes west of the Northeast Corner of Section 14-T3S-R23E, BHM.

STATE OF SOUTH DAKOTA

WATER LICENSE No. 586-2

WHEREAS, On the 11th day of March A. D. 1960

Walter Dennis

of Kadoka County of Jackson and State of South Dakota duly made application (No. 586-2) to us for a vested right permit to use 3.17 cubic feet per second of the waters of dry draws County of Jackson, State of South Dakota, for irrigation purposes; and

WHEREAS, On the 11th day of May A. D. 1960 vested right recognizing Permit No. 586-2 was issued to said applicant for the diversion of said water, and ~~XXXXXX~~ for the completion of the works of diversion therein described ~~XXXXXXXXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ and for the application to beneficial use of said water ~~XXXXXXXXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ and,

WHEREAS, On the 11th day of March A. D. 1960 vested right the holder of said permit duly made proof of the completion of adequate works for the diversion of 3.17 cubic feet per second of said waters, as evidenced by our Certificate No. 586-2 dated May 13, 1960 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.17 cubic feet per second of water, with date of priority of 1948 ~~XXXX~~ and,

WHEREAS, On the 11th day of March A. D. 1960 proof was duly made of the application to beneficial use of 3.17 cubic feet per second of said water; to irrigate portions of Sections 10, 13, 14, 15 and 16 in T 3S. R23E

Permit No. 586-2Water Division No. 2 White River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Walter Dennie

of Kadoka, County of Jackson, and State of South Dakota, the holder of vested right Permit No. 586-2, Issued upon Application No. 586-2, bearing date of priority of 1948, authorizing the diversion of 3.17 cu. ft. per second of the waters of dry draws County of Jackson, State of South Dakota, at points in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 14; and in the SW $\frac{1}{4}$ E $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 10, all in T3S R 23E 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 **recognized as** ~~satisfactory~~

~~for~~ for diverting and conveying to the place of intended use 3.17 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

Lot 2 Sec 16 27.2 acres

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 10 3.2 acres

NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 15 27.2 acres

NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 15 30.4 acres

Lot 1 Sec 15 49.2 acres

Lot 2 Sec 15 32.4 acres

SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 14 8.0 acres

SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 14 29.2 acres

Lot 2 Sec 13 5.2 acres

Witness my hand this 13th day of May A. D. 19 60

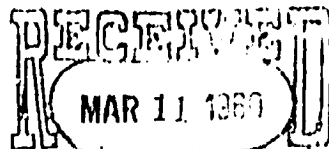
State Water Resources Commission

By:

J.W. GRIMES, Chief Engineer, Executive Officer

Location No. _____

Water Division No. _____ Water District _____

STATE WATER RESOURCES COMM
MORRIS, SOUTH DAKOTA

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

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

Ans. Walter Dennis, Jackson county, Kadoka, S. Dak. Rancher

~~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. Application for Permit to use water is being prepared and submitted along with this
Form 24.

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

Ans. Surface runoff from local water sheds-dry draws. See attached sheet #1 for

exact location of pts. of diversions.

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. Main supply Canals are capable of conveying the maximum allowable of water
permitted. Date of Completion- 1948

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. Water used for irrigation (waterspreading) For place of use see attached
sheet #2.

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

Ans. No.

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

Ans. The minimum amount of water required is the maximum allowable of 3.17 CFS or the
equivalent of 666.0 Ac. 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. Whenever available for waterspreading on hayland and pasture in the amount
available to the extent of the maximum allowable of 3.17 cfs or the equivalent of
666.0 Acre Feet.

(Sign) Walter Dennis

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 Wichita, County of Johnson
State of South Dakota, on this 9 day of March A. D. 19 60

~~Witnesses~~ Walter Dennis
County Judge
Notary Public

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.

Witnesses Walter Dennis
Harry Mirakhor

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 -----

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8508

PIERRE, October 7, 19 81

RECEIVED OF Podney Sharp, Belvidere, SD 57521

the following amount in fees for services rendered as provided for by L.W:

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# 586-2		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL		2 50

WATER RIGHTS COMMISSION

By (John Hatch)
Chief Engineer, Executive Officer
JOHN HATCH / SD

NO. 586-2

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: October 12, 1981

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

all in T3S, R23E -- Lot 2, Sec 16-27.2 ac; SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 10-3.2 ac; NW $\frac{1}{4}$ Sec 15-67.6 ac; Lot 1, Sec 15-49.2 ac; Lot 2, Sec 15-32.4 ac; S $\frac{1}{2}$ NW $\frac{1}{4}$, Sec 14-37.2 ac; Lot 2, Sec 13-5.2 ac.

formerly owned by Walter Dennis, Kadoka SD

has been transferred to Rodney Sharp, Belvidere SD 57521

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

Water Right Permit No. 586-2 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)
County of Jackson) ss.

I, Walter Dennis 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.

Walter Dennis
(Signed)

Subscribed and sworn to before me this 12 Day of October, 1981.

D. J. Thomas
(Notary Public)



SOUTH DAKOTA
Department of
Water & Natural Resources

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

September 21, 1988

NOTICE

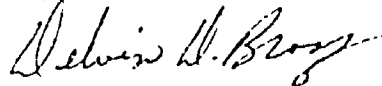
Rodney Sharp
Belvidere SD 57521

Dear Mr. Sharp:

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). 586-2 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.

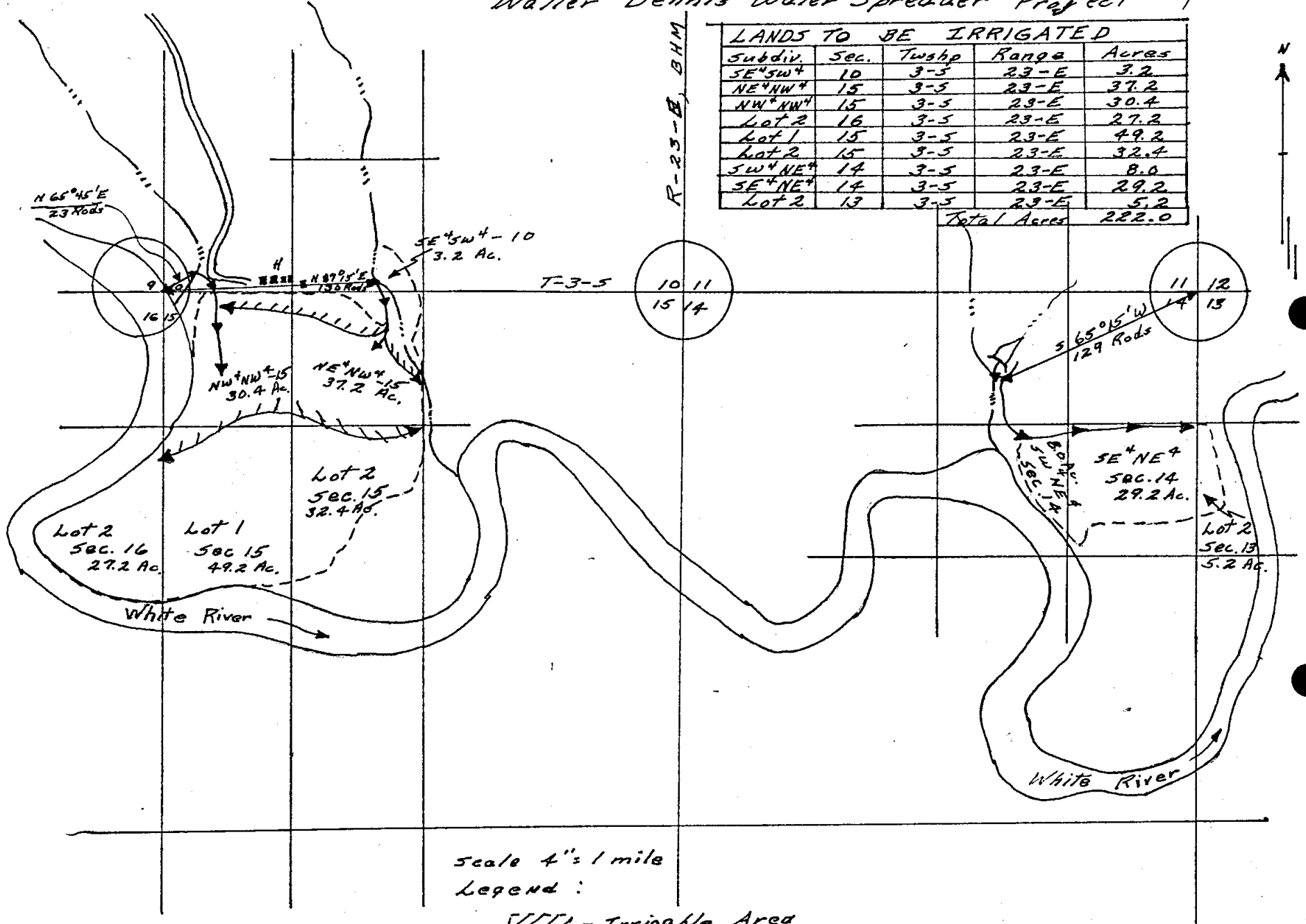
Very truly yours,

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



Walter Dennis Water Spreader Project #1

LANDS TO BE IRRIGATED				
Subdiv.	Sec.	Twp	Range	Acres
SE ⁴ SW ⁴	10	3-5	23-E	3.2
NE ⁴ NW ⁴	15	3-5	23-E	37.2
NW ⁴ NW ⁴	15	3-5	23-E	30.4
Lot 2	16	3-5	23-E	27.2
Lot 1	15	3-5	23-E	49.2
Lot 2	15	3-5	23-E	32.4
SW ⁴ NE ⁴	14	3-5	23-E	8.0
SE ⁴ NE ⁴	14	3-5	23-E	29.2
Lot 2	13	3-5	23-E	5.2
Total Acres				222.0



Scale 4" = 1 mile

Legend:

- Irrigable Area
- Public road
- Supply Ditch
- Spreader Ditch

(#586-2)