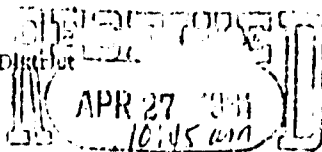


700-2

1. Considered July 19, 1961
2. Name of Applicant Edward Buchholz
3. Post Office Address Milwaukee
4. Amount of water claimed 3.31
5. Source of water supply Chippewa River
6. Water to be used for irrigation
Acres to be irrigated 232.3
7. Water to be diverted and used in Washburn County about
10E 10N miles of .
8. Proof of Publication Received 1st
Not Received
9. Application Approved ✓
Subject to 6 cfs per Harrison R.R.
Not Approved
Action deferred
10. Remarks:

No. 700-2Water Division No. 2 EAST CHEYENNE RIVER
(Blanks 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.)

TRANSFERD 10-16-70

1. Name of applicant ~~EDWARD BUCHHOLZ~~ W. A. HICKMAN
Postoffice address Milleville KIRLEY, County HARCON, State So. Dak.

I. If a corporation Not 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.

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

2. Name of diversion work BUCHHOLZ IRR. PROJ. #1
3. Amount of water claimed 3.319 cubic feet per second
4. Source of water supply Cheyenne River
5. Location of point of diversion See Remarks Section
_____ on _____ bank _____ County.
6. Annual period or periods during which water is to be used 1 Mar. -- Oct. 15
7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity(a) Number of acres to be irrigated 232.3 acres.(b) Legal subdivisions to be irrigated See Remarks Section

(NOTE--A list of lands to be irrigated, giving each subdivision and fraction, with acreage thereof, should be written out, 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, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use Irrigation
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 N° 610-2

Remarks by the Applicant:

LOCATION OF LANDS TO BE IRRIGATED					
AREA	LOCATION	SEC.	T'SHP	RANGE	ACRES
1	SE 1/4 NW 1/4	5	7N	22E	1.3
2	SW 1/4 NE 1/4	5	7N	22E	7.1
3	NW 1/4 SW 1/4	5	7N	22E	0.6
4	NE 1/4 SW 1/4	5	7N	22E	20.5
5	NW 1/4 SE 1/4	5	7N	22E	36.8
6	NE 1/4 SE 1/4	5	7N	22E	22.2
7	NW 1/4 SW 1/4	4	7N	22E	6.6
8	SW 1/4 SW 1/4	5	7N	22E	0.3
9	SE 1/4 SW 1/4	5	7N	22E	38.3
10	SW 1/4 SE 1/4	5	7N	22E	37.0
11	SE 1/4 SE 1/4	5	7N	22E	14.1
12	SW 1/4 SW 1/4	4	7N	22E	0.1
13	SW 1/4 SW 1/4	5	7N	22E	1.0
14	NW 1/4 NW 1/4	8	7N	22E	15.8
15	NE 1/4 NW 1/4	8	7N	22E	25.0
16	NW 1/4 NE 1/4	8	7N	22E	2.6
17	SW 1/4 NW 1/4	8	7N	22E	3.0
TOTAL ACRES					<u>232.3</u>

The points of diversion are as follows:

D-1 being a point 169 rods from the East $\frac{1}{4}$ corner of sec. 5 on a bearing of N 56 50' W.

D-2 being a point 34 rods from the West $\frac{1}{4}$ corner of sec. 8 on a bearing of N 43 30' W.

All points being in T7N, R22E, B.H.M. Haakon Co., So. Dak. Diversion of water will be between these two points.

Address any Engineering corrections to: Giegear Surveying
1054 Park Street
Sturgis, So. Dak.

8. Estimated cost of work: Still in planning stage

(a) Head Gates, \$..... (b) Pumping plant, \$.....
 (c) Fluming, \$..... (d) Canal earth, \$..... Rock, \$.....
 (e) Other structures \$..... Total, \$.....

9. Description of diversion works:

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

PORTABLE PUMP & SPREADERS

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 filledacre feet. Surface area at high water mark.....acres.

DEPTH AT OUTLET—FEET	SURFACE AREA AT EACH DEPTH AT OUTLET—ACRES	FEET	ACRE-FOOT CAPACITY

(c)* Head gate: Width.....feet; heightfeet;
 Material
 (d) Canal: Total lengthmiles.

LOCATION BELOW HEADGATE	DEPTH AT OUTLET—FEET	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 work5.....years.
 11. Time required for complete application of water to the proposed beneficial use5.....years.
 12. Choice of newspaper for publication of notice of intention to appropriate
Philip Pioneer Review Philip So. Dak.

STATE OF SOUTH DAKOTA

County of Haskell } ss.

I, Edward Buchholz

....., 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.

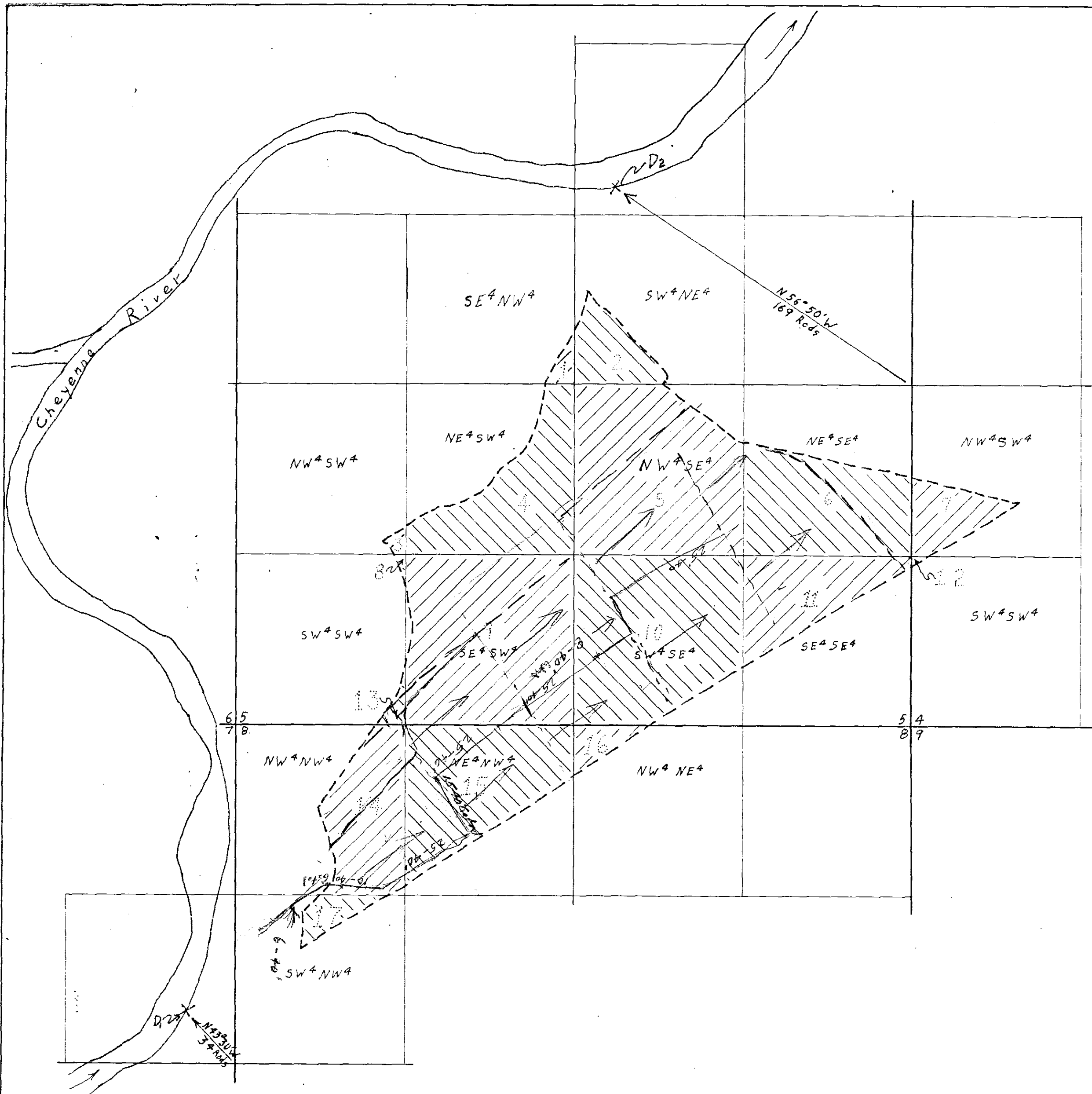
Signed

Edward Buchholz

Subscribed and sworn to before me this 19th day of April 1961

My commission expires 12/7/68

James B. Bramey
 Notary Public (or other qualified officer.)



Location of Lands to be Irrigated					
Area	Location	Sec.	Tshp.	Range	Acres
1	SE ⁴ NW ⁴	5	7N	22E	1.3
2	SW ⁴ NE ⁴	5	7N	22E	7.1
3	NW ⁴ SW ⁴	5	7N	22E	0.6
4	NE ⁴ SW ⁴	5	7N	22E	20.5
5	NW ⁴ SE ⁴	5	7N	22E	36.8
6	NE ⁴ SE ⁴	5	7N	22E	22.2
7	NW ⁴ SW ⁴	4	7N	22E	6.6
8	SW ⁴ SW ⁴	5	7N	22E	0.3
9	SE ⁴ SW ⁴	5	7N	22E	38.3
10	SW ⁴ SE ⁴	5	7N	22E	37.0
11	SE ⁴ SE ⁴	5	7N	22E	14.1
12	SW ⁴ SW ⁴	4	7N	22E	0.1
13	SW ⁴ SW ⁴	5	7N	22E	1.0
14	NW ⁴ NW ⁴	8	7N	22E	15.8
15	NE ⁴ NW ⁴	8	7N	22E	25.0
16	NW ⁴ NE ⁴	8	7N	22E	2.6
17	SW ⁴ NW ⁴	8	7N	22E	3.0
TOTAL					232.3

BUCHHOLD IRRIGATION PROJECT #1

ALL LANDS DESCRIBED HEREIN ARE OWNED BY EDWARD BUCHHOLD

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA) ss
COUNTY OF MEADE)

I, Merle D. Sigler, Registered Land Surveyor, do hereby certify that this map, made from field notes and aerial photographs of the area, and that to the best of my knowledge, it correctly represents the lands involved and the location indicated.

IN WITNESS WHEREOF I have hereunto set my hand and official seal on this 25th day of April, 1961.

Merle D. Sigler
Registered Land Surveyor #1007

STATE OF SOUTH DAKOTA) ss
COUNTY OF MEADE)

On this 25th day of April, 1961, before me, James E. Alney, the undersigned officer, personally appeared Merle D. Sigler, known to me to be the person whose name is subscribed to the above written instrument, and acknowledged that he executed the same for the purpose therein contained.

IN WITNESS WHEREOF I have hereunto set my hand and official seal.

My commission expires 12/7/61. *James E. Alney*
James E. Alney, County Clerk

MAP No 610-2

(APPL No 700-2)

Remarks by State Water Resources Commission:

This permit is granted allowing individuals or water
whenever 10 cfs or more is flowing past upper
diversion point. Additional restrictions may be made
by the Commission during extremely low flow periods.

STATE OF SOUTH DAKOTA
County of Hughes ss.

Pierre, South Dakota, October 16, 1961

This is to certify that the foregoing application was received by the Commission at 10:45 o'clock
6 a.m. upon the 27th day of April, 1961.

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Number of permit 700-2

Date of first receipt of application April 27, 1961

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 April 27, 1961

Approved July 19, 1961, Recorded in Book 7 Page 1

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 _____

January 19, 1964

2nd. The whole of said work is to be completed on or before July 19, 1966

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

July 19, 1969 EXT APP'D 7-20-66

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 3.31 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 July 19, 1966, said water to be used during the following described annual period:

March 1 to October 15

Witness my hand this 16th day of October, 1961

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued JANUARY 4, 1971

Water License Issued JANUARY 4, 1971

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 700-2

(1) WHEREAS, On the 27th day of April A. D. 1961 Edward Buchholz

made Water Right Application No. 700-2 for a permit to use 3.31 cubic feet per second of the waters of the Cheyenne River County of Haakon State of South Dakota, for irrigation

purpose; and (2) WHEREAS, On the 16th day of October A. D. 1961 Permit No. 700-2 with a date of priority of April 27, 1961 was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 19th day of July A. D. 1966 and for the application to beneficial use of said water on or before the 19th day of July A. D. 1969

and Whereas, on the 16th day of October, 1970, the Permit was transferred to W.A. Hickman,

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 2.29 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent, for irrigating the following land in T7N, R22E:

		Acres
Section 5	NE 1/4 SE 1/4	16.8
	NW 1/4 SE 1/4	24.8
	SW 1/4 SE 1/4	37.0
	SE 1/4 SE 1/4	13.8
	NE 1/4 SW 1/4	2.1
Section 8	SE 1/4 SW 1/4	28.6
	NW 1/4 NE 1/4	2.6
	NE 1/4 NW 1/4	25.0
	NW 1/4 NW 1/4	10.2
Total		160.9 Acres

(3) 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 W.A. Hickman

_____ of Kirley, South Dakota

the holder _____ and owner _____ of said permit No. 700-2 a water right, dating from April 27, 1961

_____ to use of 2.29 cubic feet per second of the waters

of the Cheyenne River

in the County of Hooker and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point North 43° 30' West, 34 rods from the E $\frac{1}{2}$ Corner, Section 7, T7N, R22E

and conduct to and upon the portions of Sections 5 and 8, T7N, R22E, described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 700-2 and subject to the laws of the State of South Dakota.

WITNESS. My hand and seal of our office at Pierre, South Dakota
this 4th day of January A. D.
Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Permit No. 700-2

Water Diversion No. 2 EAST CHEYENNE RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That W.A. Hickman

_____ the holder _____ of
Permit No. 700-2, issued upon Application No. 700-2, bearing date of priority of April 27,
1961 authorizing the diversion of 3.31 cu. ft. per second of the waters of _____
the Cheyenne River County of Haakon, State of South Dakota at _____
a point North 43° 30' West, 34 rods from the E½ Corner, Section 7, T7N, R22E
_____, for irrigation

purposes, has 8 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 3.35 cu. ft. per second of water.

Date January 4, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

*portion of this land
covered under
194-2. ~~was~~*

*194-2 cancelled
1/23/80*

*name of
Vas Borthin*

Form 15.

Permit No. 700-2

Water Diversion No. 2 EAST CHEYENNE RIVER Water District

CERTIFICATE OF COMPLETION

This is to Certify, That W.A. Hickman

_____ the holder _____ of
Permit No. 700-2, issued upon Application No. 700-2, bearing date of priority of April 27,
1961 authorizing the diversion of 3.31 cu. ft. per second of the waters of _____
the Cheyenne River County of Haskell, State of South Dakota at _____
a point North 43° 30' West, 34 rods from the E½ Corner, Section 7, T7N, R22E

_____, for irrigation

purposes, has _____ 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 3.35 cu. ft. per second of water.

Date January 4, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

*portion of this land
covered under
144-2. ~~was~~*

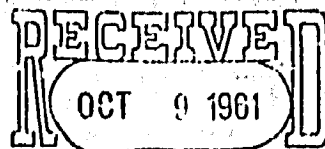
*144-2 cancelled
1/23/80
Name of _____*

Was Borthin

PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA
COUNTY OF HAAKON

ss.



STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

----- Roy H. McKown -----, of said County and State, being
duly sworn, on oath says: THE PIONEER-REVIEW is a weekly newspaper of gen-
eral circulation, printed and published in PHILIP, in said County and State and
has been such newspaper during the times hereinafter mentioned; that the said
PIONEER-REVIEW is a legal newspaper and has been in existence for more than
one year immediately preceding the first publication herein mentioned; and has
more than 200 bona fide subscribers; that I, the undersigned, am ----- editor -----
----- of said newspaper, and in charge of the advertising department
thereof, and have personal knowledge of all facts stated in this affidavit; and
that the advertisement headed Appropriation of Water
-----, a printed copy of which is hereto attached, was print-
ed, and published in said newspaper for ----- successive issues, the first
publication being on the 22 day of June, 1961 and the last
publication on the 13 day of July, 1961; that \$ 17.42 being
the full amount of the fee for publication of the annexed notice insures solely to
the benefit of the publishers of the said newspaper; that no arrangement or un-
derstanding for a division thereof has been made with any person, and that no
part thereof has been agreed to be paid to any other person whomsoever.

Subscribed and sworn to before me this 7 day of August,
19 61.

Rail E. Henderson
Notary Public, Haakon County

No. 700-
APPROPRIATION OF WATER
Office Of State
Water Resources Commission
Pierre, S. Dak., June 19, 1961
Notice is hereby given that Edward
Buchholz, whose postoffice address
is Millerville, 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 3.31 cubic feet of
water per second of time from the
Cheyenne River through the Buch-
holz Irrigation Project No. 1, a
point of diversion of which is to be
located on the right bank of said
stream between a point in the SE 1/4
NE 1/4, Section 7, and a point in the
NW 1/4 of the NE 1/4 of Section 8, Twp.
7 N, Range 23 E. Said water to be
used for the purpose of providing ir-
rigation on portions of the following
described land:
NW 1/4, NE 1/4, W 1/2, NW 1/4, and NE 1/4,
NW 1/4, Section 8; SW 1/4, SE 1/4, SE 1/4,
NW 1/4, and SW 1/4, NE 1/4, Section 5, W 1/2
SW 1/4, Section 4; all in T 7 N, R 23 E.
This application will be taken up by
the State Water Resources Commis-
sion at their office at Pierre for con-
sideration upon the 19th day of July,
1961, at 2 p. m. All interested per-
sons 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 infor-
mation presented.
State Water Resources Commission
By: Burton F. Jones
Water Right Specialist
(Publish June 22, 29, July 6 & 13)

APPLICATION FOR EXTENSION OF TIME FOR COMPLETING WORKS

To the State Water Resources Commission
Pierre, South Dakota

June 20, 1966
(date)

Dear Sirs:

I hereby request that an extension of time from _____
to _____ be granted me for the completion of works to be done under Permit No.

700-2 and that the time for proof of beneficial use of water be extended to July 19, 1969

Said works are located in Harmon County and are described as follows:

Location of headworks: In the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$
of Section 7 Township 7N Range 22E

E., B.H.M.

The water is to be used for the purpose of IRRIGATION

The extension of time for the completion of these works is requested for the following reasons:

HAVE THE SYSTEM IN, BUT WANT TO
DO SOME MORE LEVELLING

APPROVED:

7-20-66

State Water Resources Commission

By:

Burton Jones
Chief Engineer, Executive Officer

Eduard Buchholz

Holder of Permit No.

700-2

NOTICE OF TRANSFER OF WATER PERMIT

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

Date October 8, 1970

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

Portions of Sections 4, 5 and 8, T7N, R22E, described in Water Permit No. 700-2

formerly owned by Edward Buchholz

has been transferred to W.A. Hickman

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 700-2 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.

Texas
STATE OF ~~SOUTH DAKOTA~~)
County of Nolan) ss.

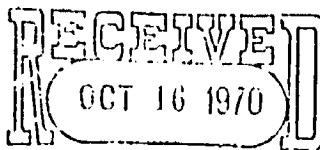
I, W. A. Hickman being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

W. A. Hickman
(Signed)

Subscribed and sworn to before me this 13th day of October, 19 70

Michael J. Berg
(Notary Public)

My Commission expires June 1, 1971.



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Permit No. 700-2Water Division 2 EAST CHEYENNE RIVER Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

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

I have this day made a thorough examination of the water use system constructed by Edward Buchholz
of Milesville, S.D. Transferred to W.A. Hickman, Kirley, S.D. holder

of Permit No. 700-2, bearing date of priority of April 27, 1961

authorizing the diversion of 3.31 cu. ft. per second of the waters of Cheyenne River

for irrigation purposes, in Haakon County.

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

The Water Use System consists of,

A. Works used to divert the water:

Rain Flow pump 6" Mod 1 6NHBW62B43, Serial 11381-11 3/4, Powered by Chrysler Industrial Engine V-8. Model HT 413201, Ser. 348823. Fueled by Propane Gas Suction Line 10" aluminum pipe discharge line 10" aluminum pipe Unit Trailer mounted

B. Works used to transport water to place of use,

116 pieces 10" aluminum pipe, 40' long

C. Works used to apply water to beneficial use.

66 pieces 10" gated pipe 1½" nozzels, 30' long

33 pieces 10" gated pipe 1½" nozzels, 40' long

Main line laid on dykes, fields at end of runs ditched to drain off excess water.

The system is in the following condition: excellent

The point of diversion is located N. 43° 30W, 34 rods from E½ Corner, Sec. 7, T7N, R22E

The works are capable of diverting and conveying to the place of use 3.35

cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows: see attached sheet

comprising a total of 160.9 acres of land.

Date December 9, 1970

Marvin T. Knecht
(Signature)

MARVIN T. KNECHT, Engineer, W.R.C.

Water Right 700-2, Edward Buchholz, Attachment for Form 12

Water has been put to beneficial use to the maximum extent as follows:

			<u>Acres</u>
Area 16	NW $\frac{1}{4}$ NE $\frac{1}{4}$	Section 8, T7N, R22E	2.6
Area 15	NE $\frac{1}{4}$ NW $\frac{1}{4}$	Section 8, T7N, R22E	25.0
Area 6	NE $\frac{1}{4}$ SE $\frac{1}{4}$,	Section 5, T5N, R22E	16.8
Area 5	NW $\frac{1}{4}$ SE $\frac{1}{4}$	Section 5, T7N, R22E	24.8
Area 10	SW $\frac{1}{4}$ SE $\frac{1}{4}$	Section 5, T7N, R22E	37.0
Area 11	SE $\frac{1}{4}$ SE $\frac{1}{4}$,	Section 5, T7N, R22E	13.8
Area 14	NW $\frac{1}{4}$ NW $\frac{1}{4}$	Section 8, T8N, R22E	10.2
Area 4	NE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 5, T7N, R22E	2.1
Area 9	SE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 5, T7N, R22E	28.6

Total 160.9 acres

700-2

March 6, 1975

Mr. P.C. Hamilton
Box 79
Pierre, South Dakota 57501

Dear Mr. Hamilton:

Enclosed for your information is a copy of the recorded flows of the Cheyenne River at the Plainview stream gaging station. This station is located in Section 31, T7N, R18E, the actual location being at the old Highway 34 bridge. The flows shown are the average monthly flows in cubic feet of water per second. The flows shown at the bottom of the columns are the average flows for the 24 year period of record. One cubic foot per second of water is equal to 449 gallons per minute.

Following are water rights on the Cheyenne River below the Plainview gaging station,

No.	Name	Diversion Rate C.F.S.	Acreage	Priority Date
550-2	Kirby Briggs	2.20	154	8/25/59
572-2	Ike McQuiston	1.15	81	1/29/60
647-2	P.C. Hamilton	3.00	210	12/13/60
658-2	Boyd Person	9.17	642	6/10/61
700-2	V.A. Hickman	2.29	161	4/27/61
1212-2	Billie Person	17.30	1212	6/10/61 8/24/70
1217-2	R. & J. Blair	5.10	356	10/16/74

Billie Person's system has not been completed and the diversion rate and acreage may be reduced after final inspection.

There was a mistake in the land description of acreage in Robert and James Blair's 1217-2 Permit. This will be re-advertised with an increase in acreage. It is anticipated that existing Permit No. 1217-2 will be cancelled.

Sincerely,

DONALD DRISCOLL
Chief Engineer
DD/lw
Encl: as stated



100-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 17, 2003

NOTICE

TO: W A HICKMAN, RT 69 BOX 630, MIDLAND, SD 57552

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2002 Irrigation Questionnaire

Our records indicate that the 2002 Irrigation Questionnaire has not been submitted for Permit No(s) 700-2. The request for the Questionnaire was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 5, 2003, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 700-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing 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.

If the questionnaire(s) is(are) received in this office on/or before February 28, 2003, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



700-2

Track & Confirm

Delivery Status

You entered 2301 0370 0000 7540 5881

Your item was delivered at 7:57 am on January 18, 2003 in MIDLAND, SD 57552. The item was signed for by W HICKMAN.

[Request Delivery Record >](#)

Track & Confirm

Enter label number:

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W A HICKMAN
RT 69 BOX 630
MIDLAND SD 57552

SIGNATURE CONFIRMATION NUMBER:
2301 0370 0000 7540 5881

Postmark
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POSTAL CUSTOMER:
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PS Form 153, February 2001

(See Reverse)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2003

700-2

W A Hickman
RR 69 Box 630
Midland SD 57552

Dear Mr. Hickman:

I am writing to acknowledge receipt of your 2002 irrigation questionnaire. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Right No. 700-2.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352



DEPARTMENT of ENVIRONMENT
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www.state.sd.us/denr

July 18, 2006

NOTICE OF SHUTOFF ORDER

TO: W A HICKMAN
18660 ROBBS FLAT RD
MIDLAND SD 57552

FROM: GARLAND ERBELE, Chief Engineer
Water Rights Program

SUBJECT: Cheyenne River Shutoff Order for Junior Priority Date Water Rights

Shutoff Order for Water Right Nos. 700-2

To protect the senior priority water rights, the department is issuing additional shutoff orders to junior water right holders with priority dates between January 1, 1960 and December 31, 1969 for the river reach between the Angostura Dam to Belle Fourche River confluence. Effective immediately, no diversions of water from the Cheyenne River and tributaries will be allowed for those permits with a priority date after January 1, 1960. Shutoff orders were issued previously to Cheyenne River water rights junior to December 31, 1969.

Flow in the Cheyenne River continues to decline to the point where domestic use of water, which includes livestock watering from the river, has become a concern. This order will be rescinded as soon as conditions improve. If conditions do not improve, this order will remain in effect until the end of the calendar year.

The USGS maintains a website where you can view real-time stream flow measurements at several sites along the river, the web address is:

<http://waterdata.usgs.gov/sd/nwis/rt>

I am asking for your cooperation in complying with this shutoff order. The ongoing drought is creating hardship for all the water right holders along the river.

If you have any questions, please contact Mark Rath or Lynn Beck with the Water Rights Program at (605) 773-3352. Thank you.



**DEPARTMENT of ENVIRONMENT
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www.state.sd.us/denr

August 9, 2006

W A HICKMAN
18660 ROBBS FLAT RD
MIDLAND SD 57552

700-2

Dear Mr.Hickman:

This letter is in regards to your Water Right No. 700-2 from the Cheyenne River. The Chief Engineer recently issued you a shutoff order due to low flows in the Cheyenne River. Recently a rainstorm over the Rapid Creek drainage is causing flows to for the short term increase downstream on the Cheyenne River. The Chief Engineer is going to temporarily allow you pump under this water right for a period of 48 hours starting when flows increase, due to this increased runoff, past your diversion point. After the 48 hour period, the shutoff order of July 18, 2006 will go back into effect.

If you have any additional questions, please contact me at phone (605) 773-3352.

Sincerely,

Mark D. Rath
Natural Resources Engineering Specialist
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

September 5, 2006

700-2

W A HICKMAN
18660 ROBBS FLAT RD
MIDLAND SD 57552

Dear Sir:

This letter is to inform you that until further notice pumping **will be allowed** to continue under your junior priority water right(s) from the Cheyenne River. Due to recent rains and cooler temperatures, flow in the Cheyenne River has improved and appears to holding steady.

We will continue to monitor the daily stream flows. If flow conditions worsen and domestic use flow is again being impacted, DENR may be forced to again limit pumping.

The USGS maintains a website where you can view real-time stream flow measurements at several sites along the Cheyenne River and it's tributaries at the following web address:

<http://waterdata.usgs.gov/sd/nwis/rt>

If you have any questions, please contact Mark Rath or Lynn Beck with the Water Rights Program at (605) 773-3352. Thank you.

GARLAND ERBELE, Chief Engineer
Water Rights Program

GARLAND,

This needs to be
changed to our name
What do we need to
do? After Jan. 1, 2010
the property will be
owned by 2 trusts of
which I will be the
trustee. Of course we
will be the operators.

Thanks,
Shirley



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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November 18, 2009

700-2

Shirley Halligan
18660 Robbs Flat Rd
Midland SD 57552

Dear Ms. Halligan:

Thank you for the return of the 2009 irrigation questionnaire for Water Right No. 700-2. The water right is currently listed in the name of W A Hickman.

In reference to your note about the pending ownership change, enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please complete the form with the appropriate ownership information and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

If you wish to have the water right divided and reissued once the two trusts are set up, let me know and I can send an additional form. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

RECEIVED

JUL 21 2010

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 700-2

Date: 7-15-10

I/We request that Water Right No. 700-2

formerly owned by: W A Hickman

be transferred to: (name & address) Shirley Hickman Halligan Trustee
50% ownership Shirley H. Halligan JSH Non-GS TRUST
50% ownership Shirley H Halligan WAH Non-GS TRUST Telephone No. (605) 567-3611
24387 Robbs Flat Rd
MIDLAND, SD 57552

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

160.9 acres - SE 1/4, E 1/2 SW 1/4 Section 5; NW 1/4 NE 1/4, N 1/2 NW 1/4 Section 8, T7N, R22E

I/We understand that the validity of Water Right No. 700-2 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 Fifty Dollars (\$50.00) 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 Shirley H. Halligan, the new owner, certify that the above information is true and correct.

Shirley Hickman Halligan
(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 7/21, 2010

RECEIVED OF Shirley Halligan 24387 Robbs Flat Rd Midland SD 57552

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	50	00
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>700-2</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	50 00

No. **04592**

By *Lalal Echele*
Chief Engineer

700-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 23, 2010

700-2
801-1

Shirley Halligan
24387 Robbs Flat Rd
Midland SD 57552

Dear Ms. Halligan:

I am writing to acknowledge receipt of the ownership change you filed for Water Right No. 700-2. The transfer has been completed. The water right formerly listed in the name of W.A. Hickman is now listed as follows:

- (50% ownership) Shirley H Halligan JJH Non-GS Trust
- (50% ownership) Shirley H Halligan WAH Non-GS Trust

Enclosed is your Receipt No. 04592 in the amount of \$50.00 which you paid for filing the ownership change. You may keep this for your records.

When completing the transfer of ownership, I found another water permit listed in the name of W A Hickman. The land described in this water permit is in Ziebach County. This water permit (copy enclosed) does not have an annual reporting requirement since it is for a water spreading system.

Do you know if the spreader system is still in existence for the land in Ziebach County? I have enclosed a transfer form for this property in the event ownership should be changed. Upon completion, please sign and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

If you do not own the property, please disregard the transfer form and contact me so that I can update our records accordingly. 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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www.denr.sd.gov

October 29, 2013

700-2

Frank & Shirley Halligan
Halligan Land Company LLLP
24387 Robbs Flat Rd
Midland SD 57552

Dear Mr. & Mrs. Halligan:

Thank you for the prompt return of the 2013 irrigation questionnaire for Water Right No. 700-2.

I note from the form that you have changed ownership of the ranch. Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. 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,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosure

RECEIVED

NOV - 5 2013

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 700-2

Date: _____

I/We request that Water Right No. 700-2

formerly owned by: Shirley H Halligan JJH Non-GS Trust and Shirley H Halligan WAH Non-GS Trust

be transferred to: (name & address) Halligan Land Company LLLP, Frank and Shirley Halligan
General Partners, 24387 Robbs Flat Rd, Midland SD 57552

Telephone No. 605 567-3611

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

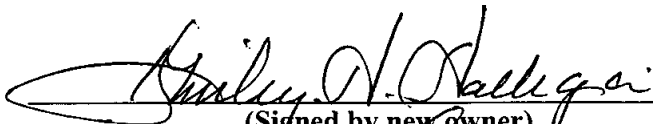
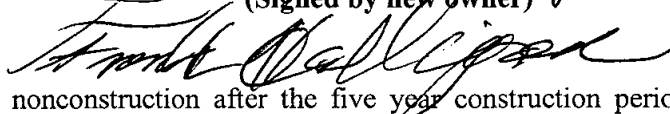
160.9 acres – SE ¼, E ½ SW ¼ Section 5; NW ¼ NE ¼, N ½ NW ¼ Section 8, T7N, R22E

I/We understand that the validity of Water Right No. 700-2 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 Fifty Dollars (\$50.00) 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 FRANK Halligan
Shirley Halligan
Gen Partners of Halligan
Land Company LLLP, the new owner, certify that the above information is true and correct.


(Signed by new owner)


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

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

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 11/5, 20 13

RECEIVED OF Halligan Land Company LLLP 24387 Robbs Flat Rd Midland Sd 57552

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	50	00
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>700-2</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. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No. **06474**

By James Soderman
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

November 6, 2013

700-2

Frank & Shirley Halligan
Halligan Land Company LLLP
24387 Robbs Flat Rd
Midland SD 57552

Dear Mr. & Mrs. Halligan:

I am writing to acknowledge receipt of the transfer form and filing fee submitted for changing ownership on Water Right No. 700-2.

The ownership change has been completed. Water Right No. 700-2 is now listed in the name of "Halligan Land Company LLLP". Enclosed for your records is Receipt No. 06474 in the amount of \$50.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosure