

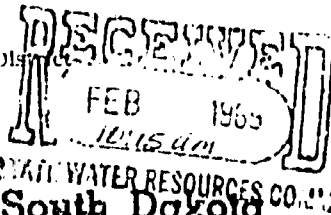
1. Considered 3-26, 1969 985.2
2. Name of Applicant HARRY PERRY, JR.
3. Post Office Address PRESHO
4. Amount of water claimed 1.1
5. Source of water supply ARTESIAN GROUND WATER
6. Water to be used for SAND & GRAVEL WASHING
Acres to be irrigated _____
7. Water to be diverted and used in LYMAN county
about 155 SW miles _____ of PRESHO
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

REDUCED
FLOW WHEN
NOT IN USE
APPL. TO FRESHWATER
WASTE.

895-2298

No. 983-2

Water Division No. 2 WHITE 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.)

Harry Perry, Jr.

1. Name of applicant _____
Postoffice address Presho, County Lyman, State So. Dak.

- 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) _____

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

2. Name of diversion work Perry Sand Washing Plant
3. Amount of water claimed 1.1 cubic feet per second
4. Source of water supply Artesian Well
5. Location of point of diversion 2300' S. and 990' E. of NW Corner, Section 30,
T103N, R78W on _____ bank Lyman County.
6. Annual period or periods during which water is to be used March thru November
7. To be used for:

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

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

(b) Legal subdivisions to be irrigated _____

(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.) _____

Used for gravel and sand washing

11. 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 _____

SEE MAP NO 711-2

8. Estimated cost of work:

(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.)

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- FEET CAPACITY

(c)* Head gate: Width-----feet; height -----feet;
Material -----
(d) Canal: Total length -----miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet

(Give dimensions where reductions in size are made.)

five

10. Time required for completion of work ----- years.
11. Time required for complete application of water to the proposed beneficial use ----- four ----- years.
12. Choice of newspaper for publication of notice of intention to appropriate -----
Lyman County Herald, Presho, S.D.

STATE OF SOUTH DAKOTA

County of Hughes } ss.

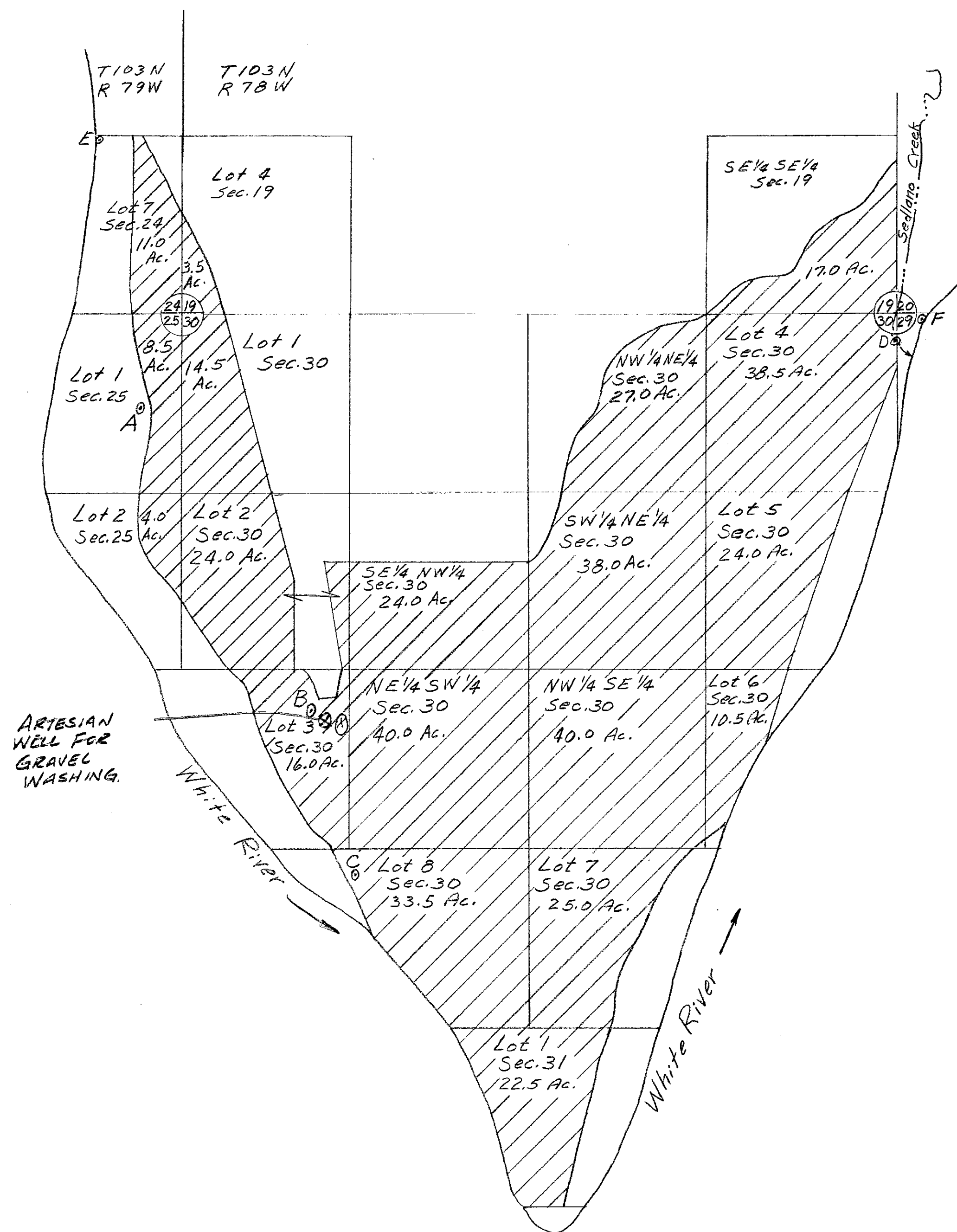
I, Harry Perry Jr., being first duly sworn
on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have
read the above foregoing statement, examined the map accompanying the same, and that I know of my own
personal knowledge that the matters therein stated and shown are true.

Signed

Subscribed and sworn to before me this 5th day of February 1969

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



LOCATION OF LANDS TO BE IRRIGATED				
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
Lot 7	24	103N	79W	11.0
Lot 1	25	103N	79W	8.5
Lot 2	25	103N	79W	4.0
Lot 4	19	103N	78W	3.5
SE 1/4 SE 1/4	19	103N	78W	17.0
Lot 1	30	103N	78W	14.5
NW 1/4 NE 1/4	30	103N	78W	27.0
Lot 4	30	103N	78W	38.5
Lot 2	30	103N	78W	24.0
SE 1/4 NW 1/4	30	103N	78W	24.0
SW 1/4 NE 1/4	30	103N	78W	38.0
Lot 5	30	103N	78W	24.0
Lot 3	30	103N	78W	16.0
NE 1/4 SW 1/4	30	103N	78W	40.0
NW 1/4 SE 1/4	30	103N	78W	40.0
Lot 6	30	103N	78W	10.5
Lot 8	30	103N	78W	33.5
Lot 7	30	103N	78W	25.0
Lot 1	31	103N	78W	22.5
Total				420.5

Scale: 8" = 1 mile
 HARRY PERRY JR.
 IRRIGATION PROJECT NUMBER ONE
 Lyman County, South Dakota
 U. S. DEPARTMENT OF AGRICULTURE
 SOIL CONSERVATION SERVICE

Designed by <i>Harry W. Perry</i>	Date 4-10-64	Approved by
Drawn by <i>Agricultural Engineer</i>		Title
Traced	Sheet No	Drawing No.
Checked	of	

Remarks by State Water Resources Commission:

THE WELL APPROVED UNDER THIS PERMIT, MUST
BE VALVED, AND THE FLOW REDUCED WHEN NOT
IN USE

STATE OF SOUTH DAKOTA
County of HUGHES }

Pierre, South Dakota, JUNE 23, 1972

This is to certify that the foregoing application was received by the Commission at 10:15 o'clock
a.m. upon the 5TH day of FEBRUARY, 1969.

State Water Resources Commission

By:

[Signature]
for Chief Engineer, Executive Officer

Number of permit 953-2

Date of first receipt of application FEBRUARY 5, 1969

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 FEBRUARY 5, 1969

Approved MARCH 26, 1969, Recorded in Book 12 Page 110

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 SEPTEMBER 26, 1971

2nd. The whole of said work is to be completed on or before MARCH 26, 1974

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

MARCH 26, 1978

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

COMMERCIAL USE - SAND & GRAVEL WASHING

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 1.1 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 MARCH 26, 1978; said water to be used during the following described annual period:

MARCH THRU NOVEMBER
Witness my hand this 23RD day of JUNE, 1972

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued JUNE 23, 1972

Water License Issued JUNE 23, 1972

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation _____, Depth 1250
 Type of casing 6" STEEL CEMENTED FOR 250'
(wood, concrete, steel, etc.)
 Size of casing 3", Thickness of casing STANDARD
 Length of casing _____. If collection gallery, length, size and depth of
 gallery DAKOTA FORMATION

(b) Screens

Type of perforated screen _____
 Size of perforated screen _____ (diameter) _____ (length)
 Thickness of gravel pack _____, length of gravel pack _____

(c) Water Bearing Materials

Distance to water FLOW 240 GPM Character of water bearing materials _____
(WELL WILL BE VALVED & CLOSED DOWN
WHEN NOT IN USE.)
 Thickness of water bearing material _____

(d) Pump and Motor

Type of pump _____
(centrifugal, propeller, mixed flow, etc.)
 Name of pump _____, size _____
 Kind of motor _____
(gasoline, electric, diesel, etc.)
 Horsepower _____, Name of Motor _____

(e) Complete well

ANTICIPATED Capacity 500 GPM. at drawdown of _____ Estimated cost _____

(i) Owner of land upon which well is located HARRY PERRY, JR.
Name
DRESHO, S. DAK.
Address

(g) Distance to nearest existing wells

On same owner's property 2 MILES On property owned by others 4 MILES

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 983-2

(1) WHEREAS, On the 5th day of February A. D. 19 69
Harvey Perry, Jr.

made Water Right Application No. 983-2 for a permit to use 1.1 cubic feet per second of the waters of Artesian Ground Water

County of Lyman, State of South Dakota, for gravel and sand washing purposes; and

(2) WHEREAS, On the 23rd day of June A. D. 19 72
Permit No. 983-2 with a date of priority of February 5, 1969

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 26th day of March A. D. 19 74 and for the application to beneficial use of said water on or before the 26th day of March A. D. 19 78

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 .53 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,

Used for Gravel and Sand washing purposes

Permit No. 983-2

Water Diversion No. 2 WHITE RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Harry Perry, Jr.

_____ the holder _____ of
Permit No. 983-2, issued upon Application No. 983-2, bearing date of priority of February 5, 1969
_____ authorizing the diversion of 1.1 cu. ft. per second of the waters of _____
Artesian Ground Water County of Lyman, State of South Dakota at _____
a point 2300 ft. South and 990 Ft. East of NE Corner, Section 20, T103N, R78W
_____, for gravel and sand washing

_____ 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 .53 cu. ft. per second of water.

Date June 23, 1972

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

on or before
(First Publication February 29, 1969.)

APPROPRIATION OF WATER

Office of State Water Resources Commission.

Pierre, S. Dak., February 19, 1969.

Notice is hereby given that Harry Perry, Jr. whose postoffice address is Presho S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.1 cubic feet of water per second of time from the artesian ground water through the Perry Sand Washing Plant, the point of diversion of which is to be located on the bank of said stream in the Lot 3 of Section 30 Twp. 103N Range 78W. Said water to be used for the purpose of providing irrigation on the following described land:
of operation of a sand and gravel washing plant.

XXXXX XXXXX

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 26th day of March, 1969, at 2:00 P.M. All interested persons may appear and be heard.

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

cc: Harry Perry Jr., Presho, S.D.

State Water Resources Commission

By:

Chief Engineer, Executive Officer

XXXXX
Burton F. Jones
Water Rights Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA } ss.
 County _____

_____ Robert C. Cameron, _____ being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____ Lyman County Herald _____ a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the _____ City _____ of _____ Presho _____ County of _____ Lyman _____ and State of South Dakota; that the said notice was published in said newspaper on the following dates:

_____ Feb. 13, 1969 _____

_____ Feb. 20, 1969 _____

_____ Feb. 27, 1969 _____

_____ Mar. 6, 1969 _____

in each and every issue of the full number thereof, the first publication being made on the _____ 13 _____ day of February _____ 1969 _____ and the last publication on the _____ 6 _____ day of _____ March _____ 1969, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was _____ editor _____ the printer _____ and publisher _____ of the said newspaper.

Subscribed and sworn to before me this _____ 7th _____ day of _____ March _____ A. D. 19 _____

Notary Public _____ _____ County, S. D.

No. 983-2

Notice of Intention to Appropriate Water

APPROPRIATION OF WATER
 Office of State Water
 Resources Commission,
 Pierre, South Dakota,
 February 10, 1969

Notice is hereby given that Harry Perry, Jr. whose postoffice address is Presho, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.1 cubic feet of water per second of time from artesian ground water through the Perry Sand Washing Plant, the point of diversion of which is to be located in the Lot 3 of Section 30 Twp. 103N Range 78W. Said water to be used for the purpose of operation of a sand and gravel washing plant.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 28th day of March, 1969, at 2:00 p. m. All interested persons may appear and be heard.

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

State Water Resources
 Commission

By: Burton F. Jones,
 Water Rights Specialist.
 Feb. 13, 20, 27 - March 6

Permit No. 983-2Water Division 2 WHITE RIVER Water District

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

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

I have this day made a thorough examination of the water use system constructed by Harry Perry, Jr.
 _____ of _____ P esho _____ holder _____
 of Permit No. 983-2 , hearing date of priority of February 5, _____, 19 69
 authorizing the diversion of 1.1 cu. ft. per second of the waters of an artesian well
 for gravel and sand washing put, as, in Lyman _____ County
 I have report on the condition of the same as follows:

The Water Use System consists of,

A. Works used to divert the water:

Artesian well, 1250 feet deep, 3" and 6" casing, Dakota formation flow, 240 g.p.m.
 Dredged pool 200' x 380' x 16' adjacent to but diked from White River, filled with
 ground water. This pool will get larger as it is the source of sand, however waste
 material is washed back into this pool. Spitz foundary pump and 30 HP Fairbank
 electric motor. Two 2 inch centrifugal pumps with two 20 H.P. electric motors.
 floating turbine pump. Floating dredge.

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

Miscell. steel pipe and hoses

C. Works used to apply water to beneficial use.

Eagle and Wimco sand washers, 100 ton per hour. Cedar Rapids screen, numerous
 conveyors. Jig for removing shale. Classifying tank for size gradation.

The system is in the following condition: goodThe point of diversion is located 2300 feet S. and 990 feet E of NW Corner, Section 30, T103N, R78W

_____ Artesian water - 0.53 c.f.s.
 The works are capable of diverting and conveying to the place of use Shallow ground water - 4.22 c.f.s.
 _____ (non consumptive)
 cu. ft. per second of water which is to be used for sand and gravel washing

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

Washed sand and gravel are being produced and water has been used to the
extent shown above.

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Date September 16, 1969

Donald Driscoll

 Donald Driscoll, (Signature) Chief Engineer
 Water Resources Commission

WATER USE FOR 1990

983-2

HARRY PERRY, JR
PRESHO, SD 57568



SOURCE OF WATER (PLEASE CHECK):

GROUND WATER _____, NUMBER AND DEPTH OF WELLS _____
3 Wells 1230' - 1250' - 1300'
(Flowing) 15 gals. per minute - Average

SURFACE WATER _____, NAME OF STREAM OR LAKE _____
White River

TYPE OF WATER USE (PLEASE CHECK):

INDUSTRIAL _____ COMMERCIAL _____ INSTITUTIONAL _____
GEOTHERMAL ☒ POWER _____ MINING _____

ESTIMATED TOTAL 1990 WATER USE _____ GALLONS

NAME OF CONTACT PERSON _____ Harry Perry, Jr.

TELEPHONE NO. _____ 895-2298

ADDRESS CORRECTION _____ HCR 80 Box 16
Presho S.D. 57568

I Filled out Irrigation reports past year.
Perhaps these would be helpful to you -
I don't know what to estimate,

January 17, 2001

To:

HARRY PERRY, JR
HCR 80 BOX 16
PRESNO SD 57568

Address correction requested:

Doug Perry
Box 52
Vivian SD 57576

One questionnaire is being provided for each permitted water source. The following information is based on Water Permit\Right No. 983-2. If you have other permits\righs in the same water source, also include water use under those permits\righs on this questionnaire.

Water Source: GROUNDWATER
Aquifer: DAKOTA FORMATION
Management Unit: NOT APPLICABLE

County: LYMAN
Pumping Pt. Legal: SEC 30-T103N-R78W
Type of Water Use: COMMERCIAL

1) Please estimate your year 2000 water use from the above water source: 540000.00 gallons

2) If no water use in 2000, please list the reason(s) why in the comments section.

Comments:

We pumped 600 hrs at 1500 gals.
per minute.

Contact Person:

Telephone No:

Doug Perry
605 895 2305

Questions? Please call Mark Rath or Ron Duvall at 605 773-3352 for assistance.

Thank you for completing the 2000 water use questionnaire.

Water Rights on the Web: www.state.sd.us/denr/wr





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 29, 2001

No. 983-2

Doug Perry
Box 52
Vivian SD 57576

Dear Mr. Perry:

Based on information submitted on the 2000 SD Water Use Questionnaire, enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 983-2. The water right is currently listed in the name of Harry Perry, Jr.

The transfer form should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

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.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosure

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NE 416818

Pierre, April 6, 2001

RECEIVED OF Doug Perry, PO Box 52, Vivian, SD 57676
the following amount in fees for services rendered as provided for by law:

(Harry Perry Jr.)

Fee for Application for Permit No. _____ to Appropriate Water, to construct
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 Wa-
License No. _____

Fee for Filing Transfer Form 983-2 _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

21 50

By Douglas E. Eide

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 983-2

Date: April 2, 2001

I/We request that Water Right No. 983-2

formerly owned by: Harry Perry, Jr.

be transferred to: (name & address) Doug Perry, Box 52, Vivian SD 57576

Telephone No. 605 895 2305

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

one well located in the SW 1/4 NW 1/4 Section 30-T103N-R79W

I/We understand that the validity of Water Right No. 983-2 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 attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Lynn)

I/We Doug Perry 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 that I know of my own personal knowledge that the information herein stated is true.

Doug Perry
(Signed)

Subscribed and sworn to before me this 2nd day of April, 20 01.

Gerrit J. L. L. L.
(Notary Public) Comm. Expires 12-12-2004

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. 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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 6, 2001

983-2

Doug Perry
Box 52
Vivian, SD 57576

Dear Mr. Perry:

Thank you for following up on the ownership change for Water Right No. 983-2. The transfer has been completed. The water permit formerly listed in the name of Harry Perry Jr. is now listed in your name.

Enclosed is your Receipt No. 416818 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

Glenda Marks
Secretary
Water Rights Program
(605) 773-3352

enclosure