

LOCATION NOTICE

A 139.2

KNOW ALL MEN BY THESE PRESENTS:

THAT Matthias J. Waldner and Anna Kiefer whose post office is
Edgemont, South Dakota, a citizen of the United States, above the age of
21 years, being in possession of the following described land, to-wit: Section 14
Desertion township North range 101 East B. H. M.
Hall County, South Dakota. Said lands comprising Desert Entry No.

14 Land District, availing himself of the right granted him under the provisions
of Section 31 of Chapter 180 of the Session Laws of South Dakota of 1907, has located and claims the right to
construct a certain dam across a dry draw situated in the SW 1/4 of the Section 14 of the Desertion
township North range 101 East and has located and claims the right to construct ditches and
flumes for the purpose of directing flood waters from said dam for irrigation of the land first above described, and
claims the right of way across any land for the purpose of conveying said waters for said purpose.

Said locator claims for the above purpose four cubic feet of water per second during the following
described annual periods when water available inclusive, each year.

Said location was made on the 4th day of June 1912
Witness my hand and seal this 4th day of June 1912

Matthias J. Waldner and Anna Kiefer Locator.

STATE OF SOUTH DAKOTA } ss
COUNTY OF Hall

On the 4th day of June 1912, before me
James R. Stewart, Notary Public, a Notary Public in and for the County and State aforesaid, personally
appeared Matthias J. Waldner and Anna Kiefer to me personally known to be the person who executed
the foregoing instrument and acknowledged that he executed the same for the uses and purposes therein set forth.

Witness my hand and official seal, the day and date above written.

James R. Stewart, Notary Public
Notary Public.

Pierre, South Dakota, July 5th 1912

This is to certify that the foregoing location notice was received at this office at 7 o'clock P. M.,
upon the 28th day of June 1912, and after examination it was filed for
record

State of South Dakota

LOCATION NOTICE Water License No. 139-2

(1) Matthius J. Waldner and Anna Kieper

of Edgemont, South Dakota located and filed Location Notice No. 139-2

made Application No. June 4, 1909 for a ^{right} ~~water~~ permit to appropriate

25.0 cubic feet per second of water from dry draws

Fall River County, South Dakota for irrigation purposes.

Location Notice 139-2 with a priority date of June 4, 1909

was approved located & filed by the applicant(s) for diversion of water with construction of the described

water supply system to be completed on or before and the water placed for the application to beneficial use and

on or before

Matthius J. Waldner & Anna Kieper originally located and filed Location Notice No. 139-2.
In September 23, 1986, Location Notice No. 139-2 was transferred to Lawrence Danks.

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 2.1 cubic feet per second of water

for beneficial use. The location of the diversion point(s) is between the following two points-N8°E

1050 ft from the SW Corner Section 17, T9S, R1E and N14°W 3750 ft from the SE Corner,

Section 17, T9S, R1E

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following lands:

T 9S-R1E	Section 17	NW 1/4 SE 1/4	25 Acres
		NE 1/4 SE 1/4	39 Acres
		SW 1/4 SE 1/4	40 Acres
		SE 1/4 SE 1/4	40 Acres
		TOTAL	144 ACRES

(4) Pursuant to §46-5-30.1 Lawrence Danks
of Box 22, Edgemont, South Dakota 57735

Location Notice

the holder(s) and/or owner(s) of Water Permit No. 139-2 is issued a license to appropriate water, the right to use 2.1 cubic feet per second of water from dry draws with a priority date of June 4, 1909 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation

Location Notice

This license is subject to any limitations or qualifications listed in Water Permit No. 139-2 and subject to South Dakota State Law.

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

JOHN HATCH

DEC 1 1986

LN
Permit No. 139-2

Upper Cheyenne Water District
10120106

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Lawrence

Danks of Edgemont, S.D., holder of

Permit No. LN 139-2, bearing the priority of June 8, 1909 authorizing

the diversion of 25 cu. ft. per second of the waters of dry draws

for irrigation purposes, in Fall River County.

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

A. Works used to divert the water: A 12' high, 300' long dike with a 10' top and 2:1 side slopes
diverts the water from one draw. A long canal across Section 17 intercepts
water and transports it to the irrigated field.

B. Works used to transport water to place of use: canals transport the water to the upper
end of the irrigated field. Water is released from the canals onto
the field through 5" ungated pipes.

C. Works used to apply water to beneficial use: spreader dikes and level benches.

The system is in the following condition good

The point of diversion is located Between the following two points - N 8° E 1050 ft from
the SW corner Sec. 17, T9S, R1E and N 14° W 3750 ft from the SE corner, Sec. 17,
T9S, R1E.

The works are capable of diverting and conveying to the place of use 5

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: NW 1/4 Sec 4 - 25 acres.

NE 1/4 Sec 4 - 39 acres, SW 1/4 Sec 4 - 20 acres and SE 1/4 Sec 4 - 20 acres

all in Section 17, T9S, R1E

comprising a total of 144 acres of land and the license should be issued for 2.1 cfs

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: _____

Date Nov. 1, 1987

William H. Bragg, P.E.
(signature) Hydrologist

NOTICE OF TRANSFER OF WATER PERMIT



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Sept 20, 1986

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

SE 1/4 Section 17, T9S, R1E

formerly owned by Matthus J. Waldner and Anna Kieper

has been transferred to Lawrence Danks Box 22 Edgemont S.D. 57725

(Please include complete mailing address)

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

Water Right Permit No. LN 139-2 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 Fall River) ss.

I, Lawrence Danks 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.

Lawrence Danks

(Signed)

Subscribed and sworn to before me this 20 Day of September, 1986.

Virginia L. Nelson
(Notary Public)

WATER RIGHTS DIVISION
(605) 773-3352

November 13, 1984

Lawrence Danks
Box 22
Edgemont, South Dakota 57735

Dear Mr. Danks:

Enclosed is a Notice of Transfer of Water Permit Form. Please sign this form in the presence of a Notary and return it to this office with a filing fee of \$2.50. Upon receipt of the enclosed form and the filing fee, Location Notice 139-2 will be transferred to your name. We will then also issue you a Water License for this Location Notice. Your Irrigation project will then be completely updated.

I have also enclosed a map of your project and a copy of the original Location Notice. You may keep these for your files.

If you have any questions, please contact me.

Sincerely,

Delvin D. Brosz, P.E.
Hydrologist

DDB:ms
Enc.

LN 139-2

WATER RIGHTS DIVISION
(605) 773-3352

September 15, 1986

Mr. or Mrs. Lawrence Danks
Box 22
Edgemont, South Dakota 57735

Dear Mr. & Mrs. Danks:

I am contacting you in regard to the transfer and licensing of Location Notice No. 139-2. On November 1, 1984 your water spreading system was inspected by Delvin Brosz, Staff Hydrologist. November 13, 1984, a letter was sent to you outlining what needed to be done to up-date your water right. To date, we have not heard from you regarding this matter.

I am enclosing a partially completed transfer form. The form should be signed by the owner in the presence of a Notary and then returned to this office with a \$2.50 filing fee. Upon receipt of the completed form and a \$7.50 fee, Location Notice No. 139-2 will be transferred to your name. As soon as the transfer is completed, a water license will be issued for the location notice. This will completely update your water right.

If I can answer any questions for you, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms
Enc.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, September 23, 1936

410574

RECEIVED OF Lawrence Danks, Box 22, Edgemont, SD 57735

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 LN 339-2 _____

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

Chief Engineer

JOHN HATCH

ms



**Department of
Water & Natural Resources**

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

Water Rights Division
605 773-3352

No. 139-2

DEC 1 1986

Lawrence Danks
Box 22
Edgemont, South Dakota 57735

Dear Mr. Danks:

Enclosed is Location Notice Water License No. 139-2. As long as the water is used beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms
enclosure

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

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

March 23, 1990

LN139-2

NOTICE

TO: Lawrence Danks
BOX 22
EDMONT, SD 57735

FROM: *William D. Brosz*
JOHN HATCH, CHIEF ENGINEER
Water Rights Division
(605) 773-3352

SUBJECT: Low Water Levels in Angostura Reservoir

The water level in Angostura Reservoir on March 6, 1990 was at 3171.1 feet above near sea level (msl). This is approximately 16 feet below the full elevation of 3187.2 msl. The present estimates are that the Angostura Irrigation District will be able to deliver less than 50% of full service water to project lands during the 1990 irrigation season. We are contacting you to advise you of the actions we have taken due to the low water situation in Angostura Reservoir. Junior Water Right owners above Angostura have been ordered not to use water until Angostura fills.

Since your Water Right No. LN139-2 has a priority date that is senior to the April 11, 1941 priority for Angostura Irrigation Water Right No. 579-2, your permit is not directly affected by the Junior Priority Order. However, I am requesting that all Senior Water Right holders comply with any qualifications and limitations as stated on their water right. With the existing low runoff conditions, we expect to monitor all water rights above Angostura Reservoir.

I want to thank all Water Right Holders above Angostura for the cooperation that we have received up to this time. If you have any questions, please contact Del Brosz (605 773-3352).

