

LOCATION NOTICE

KNOW ALL MEN BY THESE PRESENTS:

✓
146-2
THAT William J. Fisher whose post office is
Ordmore, South Dakota, a citizen of the United States, above the age of
21 years, being in possession of the following described land, to-wit: 1/2 Sec 5, H&E 6, SE 4 section
Fifteen township Twelve south range Four East B. H. M.
In Fall River County, South Dakota. Said lands comprising Desert Entry No. 11512
Rapid City Land District, availing himself of the right granted 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 SW 1-4 section Twelve
township Twelve south range Four 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 100 cubic feet of water per second during the following
described annual periods March 1st to May 1st inclusive, each year.

Said location was made on the 21st day of March 1912

Witness my hand and seal this 27th day of March 1912

William J. Fisher

Locator.

STATE OF SOUTH DAKOTA } ss
COUNTY OF Fall River

On the 15th day of May 1912, before me

Notary Public in and for the County and State aforesaid, personally
appeared William J. Fisher 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.

Notary Public.

Pierre, South Dakota, July 23rd 1912

This is to certify that the foregoing location notice was received at this office at 2 o'clock P. M.,
upon the 23rd day of July 1912, and after examination it was filed

LOCATION NOTICE

State Publishing Co., Pierre, S. D.

521

KNOW ALL MEN BY THESE PRESENTS:

THAT George C. Linker whose post office is Ordinore, South Dakota, a citizen of the United States, above the age of 21 years, being in possession of the following described land, to-wit: N¹/₂, N¹/₄, N³/₄ E¹/₄ Sec 28 section 13 township 12 range 14 E B. H. M. in Fall River County, South Dakota. Said lands comprising Desert Entry No. 021443 Land District, availing him self 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 1-4 of the 1-4 section 13 township 12 range 14 E B. H. M. 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 2 cubic feet of water per second during the following described annual periods whenever available inclusive each year.

The location of the point of diversion of the reservoir is as follows:

From the S¹/₂ Cor Sec 14 T12 R14E LHP the head gate Sec 14 N 66° 25' E 16-4 feet distant

The ditch will run in a northwesterly & easterly direction to and on said land for a distance of 3450 feet.

Said location was made on the 5th day of November 1912

Witness my hand and seal this 8th day of November 1913

George C. Linker
Locator.

State of South Dakota, }
County of Fall River }

On the 8th day of November 1912, before me J. B. Wallace, a notary public in and for the County and State aforesaid, personally appeared Geo. C. Linker 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.

J. B. Wallace
Notary Public.

Pierre, South Dakota, February 11 1914

This is to certify that the foregoing location notice was received at this office at 9 o'clock A. M., upon the 9th day of February 1914, and after examination it was Filed for record

State of South Dakota

LOCATION NOTICE Water License No. 146-2

(1) William J. Linker
of Ardmore, South Dakota located and filed Location Notice No. 146-2

made Application No. _____, July 23, 1909 right for a water permit to appropriate

2.0 cubic feet per second of water from a dry draw

Fall River County, South Dakota for irrigation purposes.

Location Notice
Permit No. 146-2, with a priority date of July 23, 1909

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

water supply system. The system was completed on or before and the water placed and for the application to beneficial use of said

water on or before

The applicable portions of Location Notice No. 521-2 have been incorporated into Location Notice Water License No. 146-2. Location Notice No. 521-2 was located and filed November 5, 1912 and was essentially an additional diversion point. Since the lands being irrigated and sufficient water for current use was filed for under Location Notice No. 146-2, the priority date for Location Notice No. 146-2 of July 23, 1909 will be retained for this water license.

William J. Linker originally located and filed Location Notice No. 146-2. On August 27, 1985, Location Notice 146-2 was transferred to Charis Fleming.

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 0.8 cubic feet per second of water for beneficial use. The location of the diversion point(s) is N 62°E 540 feet and N 67°E 1630 feet from the SW Corner of Section 14, T12S, R4E

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 land all in T12S, R4E

Section 15	NE $\frac{1}{4}$ SE $\frac{1}{4}$	21 Acres
	Lot 4	5 Acres
Section 14	NW $\frac{1}{4}$ SW $\frac{1}{4}$	23 Acres
	Lot 1	2 Acres
TOTAL		56 Acres

(4) Pursuant to §16-5-30.1 Charis Fleming
of Box 263, Ardmore, South Dakota 57715
the holder(s) and/or owner(s) of Location Notice Water Permit No. 146-2 is issued a license to appropriate water, the right to use 0.8 cubic feet per second of water from a dry draw with a priority date of July 23, 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. 146-2 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 521-2
Permit No. LN 146-2

Water District

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

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

I have this day made a thorough examination of the water use system constructed by Charis Fleming of Box 263, Ardmore, SD 57715 holder of Permit No. LN 146-2, bearing the priority of ~~March 27~~ July 23 1909 authorizing the diversion of 2 cu. ft. per second of the waters of dry draw 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: Two dikes, 8-10' high, constructed across the channels of two dry draws.
- B. Works used to transport water to place of use: a connecting ditch between the two dikes.
- C. Works used to apply water to beneficial use: water over tops the ditch and floods the adjoining grassland.

The system is in the following condition poor

The point of diversion is located N62°E. 540 feet and N67°E. 1630 feet from the SW corner of section 14, T12S, R4E.

The works are capable of diverting and conveying to the place of use 2 cu. ft. per second of water which is to be used for irrigation - water-seeding.

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

NE 1/4 SE 1/4, Sec. 15, T12S, R4E - 26 ac.
Lot 2, " " " - 5
NW 1/4 SW 1/4, Sec. 14, " " - 23
Lot 1, " " " - 2

comprising a total of 35.56 acres of land and the license should be issued for 0.8 cfs

Applicable permit qualifications have been complied with Yes ☒ Yes ☐ No

Exceptions to compliance are: _____ Date Sept. 2, 1985

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

LN 520-2
LH 146-2

WATER RIGHTS DIVISION
(605) 773-3352

August 18, 1986

Charis Fleming
Box 263
Ardmore, South Dakota 57715

Dear Mr. Fleming:

I am contacting you regarding two water spreading systems located in Fall River County. These systems covered under Location Notice Nos. 146-2 and 520-2 were inspected September 4, 1985. This was done in order to update and license the location notices. Transfer forms were sent to you October 22, 1985 to transfer the names on the Location Notices to you. To date, we have not received transfer notices from you.

Enclosed is an additional transfer form for each location notice. Please date and sign these in the presence of a notary. The forms should then be returned to our office with a \$2.50 filing fee for each (total of \$5.00). Upon receipt of the completed forms and filing fees, the location notices can be transferred to you and then licensed.

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

Sincerely,

Genny McMath
Natural Resources Analyst

GH:ms
Enc.

WATER RIGHTS DIVISION
(605) 773-3352

October 22, 1985

Charis Fleming
Box 263
Ardmore, South Dakota 57715

Dear Mr. Fleming:

Enclosed are two "Notice of Transfer of Permit" forms. These forms are for the two small water spreading systems that I discussed with you on October 2, 1985.

Please date and sign these in the presence of a Notary. The forms should then be returned to our office with a filing fee of \$5.00 (\$2.50 for each form).

The copies of the map and location notices are yours to keep. If I can answer any questions, please contact me.

Sincerely,

Delvin D. Brosz, P.E.
Hydrologist

DDB:ms
Enc.

NO. LN 146-2
LN 521-2

NOTICE OF TRANSFER OF WATER PERMIT

T0: Water Rights
Foss Building
Pierre, SD 57501

Date: Aug 25



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

NE $\frac{1}{4}$ SE $\frac{1}{4}$ and Lot 4, Section 15, T12S, R4E

NW $\frac{1}{4}$ SW $\frac{1}{4}$ and Lot 1, Section 14, T12S, R4E

formerly owned by George C. Linker and William J. Linker

has been transferred to Charis Fleming, Box 263, Ardmore, SD 57501

(please include complete mailing address)

LN 146-2

Water Right Permit No. LN 521-2 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 ^{Nebraska} SOUTH DAKOTA)
) ss.
County of ^{Dawson})

1. Charles M. Fleming 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.

Charlton F. Leming
(Signed)

Subscribed and sworn to before me this 25 Day of August, 1986

GENERAL NOTARY - State of Nebraska
DIXIE D. EATON
My Comm. Exp. 1-2-2-47

Deputy Notary
(Notary Public)



**Department of
Water & Natural Resources**

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

Water Rights Division
605 773-3352

No. 146-2
520-2

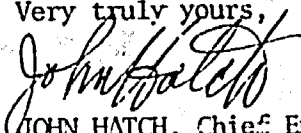
DEC 1 1986

Charis Fleming
Box 263
Ardmore, South Dakota 57715

Dear Mr. Fleming:

Enclosed is Location Notice Water License Nos. 146-2 & 520-2. 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

Receipt No. 410536 in the amount of \$2.50 for transferring Location Notice Nos. 146-2 and 521-2; and receipt No. 410537 in the amount of \$2.50 for transferring Location Notice No. 520-2 are enclosed.

RECEIPT

Division of Water Rights

419505

South Dakota Department of Water and Natural Resources

Pierre, August 27, 19 86

RECEIVED OF Charis Fleming, Box 203, Ardenmore SD 57501

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 <u>for Location Notice No. 146-2 & 521-2</u>	2	50
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

By

John Hatch

Chief Engineer

JOHN HATCH (RS)

Department of Water & Natural Resources

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

March 23, 1990

LN620-2
LN146-2

NOTICE

TO: Charis Fleming
BOX 263
ARDMORE, SD 57715

FROM: *for 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 mean 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 Location Notice Nos. 146-2 and 520-2 have priority dates that is senior to the April 11, 1941 priority for Angostura Irrigation Water Right No. 579-2, your permits are 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 rights. 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).

T12S, R4E

4
N
—

Approximate
Scale: 1" = 660'

NE¹SE⁴
26 ac.

NW¹SW⁴
23 ac.

ditch

ditch

Lot 4
5 ac.

Lot 1
2 ac.

N 62° E
540'

N 67° E
1630'

15 14
Neb

LN 146-2

NE¹SE⁴
11 ac.

ditch

Lot 4
2 ac.

N 80° W
990'

14 13
Neb

LN 520-2
LN 146-2

Map Prepared By:
Delvin D. Berg, P.E.
Hydrologist
Division of Water
Rights