

LOCATION NOTICE

#47

KNOW ALL MEN BY THESE PRESENTS:

THAT Gust W. Turner 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: NE section
deserted township Ten range Three B. H. M.
in Fall River County, South Dakota. Said lands comprising Desert Entry No. 11
Land District, availing him self 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 1-1 of the NE 1-1 section deserted
township Ten South range Three 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 Three cubic feet of water per second during the following
described annual periods when needed on the land inclusive, each year.

Said location was made on the 8th day of July 1907

Witness my hand and seal this 8th day of July 1907

Gust W. Turner
Locator.

STATE OF SOUTH DAKOTA }
COUNTY OF Fall River } ss

On the 8th day of July 1907, before me
William S. Brownbaugh Notary Public in and for the County and State aforesaid, personally
appeared Gust W. Turner 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.

William S. Brownbaugh
Notary Public.

Pierre, South Dakota, 191

This is to certify that the foregoing location notice was received at this office at 10 o'clock AM,
upon the 8th day of July 1907, and after examination it was

State of South Dakota

LOCATION NOTICE Water License No. 47-2

(1) Gust W. Warner
of Edgemont, South Dakota, located and filed Location Notice No. 47-2
made Application No. July 8, 1908 for a right ~~water permit~~ to appropriate
3.0 cubic feet per second of water from dry draws
Fall River County, South Dakota for Irrigation purposes.
Location Notice 47-2, with a priority date of July 8, 1908
Permit No. 47-2, by the
was approved located and filed and issued to applicant(s) for diversion of water with construction of the described
water supply system The system was ~~to be completed on or before~~ and the water placed and for the application to beneficial use of said
~~water on or before~~

Gust W. Warner originally located and filed Location Notice No. 47-2. December 7, 1984,
Location Notice No. 47-2 was transferred to Nell E. Lolley, Star Route, Box 3, Provo,
South Dakota.

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 1.31 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is are #1 - S38°W2940 feet, (AC), #2 - S37°
W 1580 feet (AA), #3 S77°W2050 feet (AB), all from the NE Corner of Section 17, T10S,
R3E

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 T10S, R3E

Section 17	NW $\frac{1}{4}$ NE $\frac{1}{4}$	22 Acres	(AD)
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	23 Acres	(AA)
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	23 Acres	(AC)
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	24 Acres	(AD)
	TOTAL	92 ACRES	

(4) Pursuant to §46-5-30.1 Nell E. Lolley
of Star Route, Box 3, Provo, South Dakota 57774
the holder(s) and/or owner(s) of Location Notice 47-2 is issued a license to appropriate water, the right to use
1.31 cubic feet per second of water from dry draws with a priority date
of July 8, 1908 from the location specified in (2) of this license. The water to be
conducted to an 1 upon lands specified in (3) of this license for the purpose of irrigation

This license is subject to any limitations or qualifications listed in Location Notice 47-2 and subject
to South Dakota State Law.

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

JOHN HATCH

December 11, 1984

Permit No. LN47-2Upper Cheyenne Water District
10/20/08**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 Neil E Lolley of Star Route, Box 3, Proulx, S.D. holder of Permit No. LN47-2, bearing the priority of July 8 1908 authorizing the diversion of 3 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: Dike #1 - 10' high & 200' long across a small draw pushes the water into two small canals extending from both ends of the dike.
Dike #2 - 10' high & 200' long across same draw as dike #1. It catches excess water from dike #1 and pushes the water around the ends onto the field. Dike #3 is a very small dike across a small draw. It pushes the water around the east end of the dike onto the field.
 B. Works used to transport water to place of use: Dike #1 diverts the water into small canals that run across the top edge of the field.

- C. Works used to apply water to beneficial use: Flood irrigation. The water overtops the canals and also flows out the ends. Water also flows around the ends of the dikes and floods the field.

The system is in the following condition FairThe point of diversion is located #1 - S38°W 2940 ft., #2 - S37°W 1580 ft., #3 - S77°W 2060 ft. all from the NE corner of Section 17, T10S, R3EThe works are capable of diverting and conveying to the place of use 3 cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: NW & NE - 22 acres, NE & NE - 23 acres, SW & NE - 23 acres and SE & NE - 24 acres all in Section 17, T10S, R3Ecomprising a total of 92 acres of land and the license should be issued for 1.31 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date: OCT. 11, 1984

Devin D. Brown, P.E.
 (signature) Hydrologist

WATER RIGHTS DIVISION
(605) 773-3352

November 14, 1984

Neil E. Lolley
Star Route, Box 3
Provo, South Dakota 57774

Dear Mr. Lolley:

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 47-2 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.

Sincerely,

Delvin D. Brosz, P.E.
Hydrologist

DDB:ms
Enc.

NO. LN--47-2

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

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

NE 1/4 Section 17, T10S, R3E

_____ formerly owned by Gust W. Werner

has been transferred to Neil E. Lolley, Star Route, Box 3, Provo, South Dakota 57774
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. LN 47-2 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 _____) ss.

I, Neil E. Lolley 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.

Neil E. Lolley
(Signed)

Subscribed and sworn to before me this 03 Day of December, 1984.

Debra L. Eberle
(Notary Public)

WNR-820-9/83
Notice of Transfer of Water Permit



RECEIPT

No 4 9852

Division of Water Rights
South Dakota Department of Water and Natural Resources

Pierre, December 7, 1984

RECEIVED OF Will E. Lolley, SR Box 3 Provo, SD 57774
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. _____	2 50
Fee for Filing Transfer Form <u>for XARE LU#47-2</u>	
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 MS



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

LN No. 47-2

December 13, 1984

Nell E. Lolley
SR, Box 3
Provo, South Dakota 57774

Dear Mr. Lolley:

Enclosed herewith is ^{Location Notice} Water License No. 47-2. This is the final water right document completing your process of obtaining a water right.

As long as you use the water 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

Enclosures

Receipt No. 4 9852 is enclosed for transfer of Location Notice No. 47-2.
The Water License is now listed in your name.

WNR-817 3/83
Transmittal of Water License



Department of Water & Natural Resources

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

March 23, 1990

NOTICE

LN47-2

TO: Neil E Lolley
ST RT BOX 3
PROVO, SD 57774

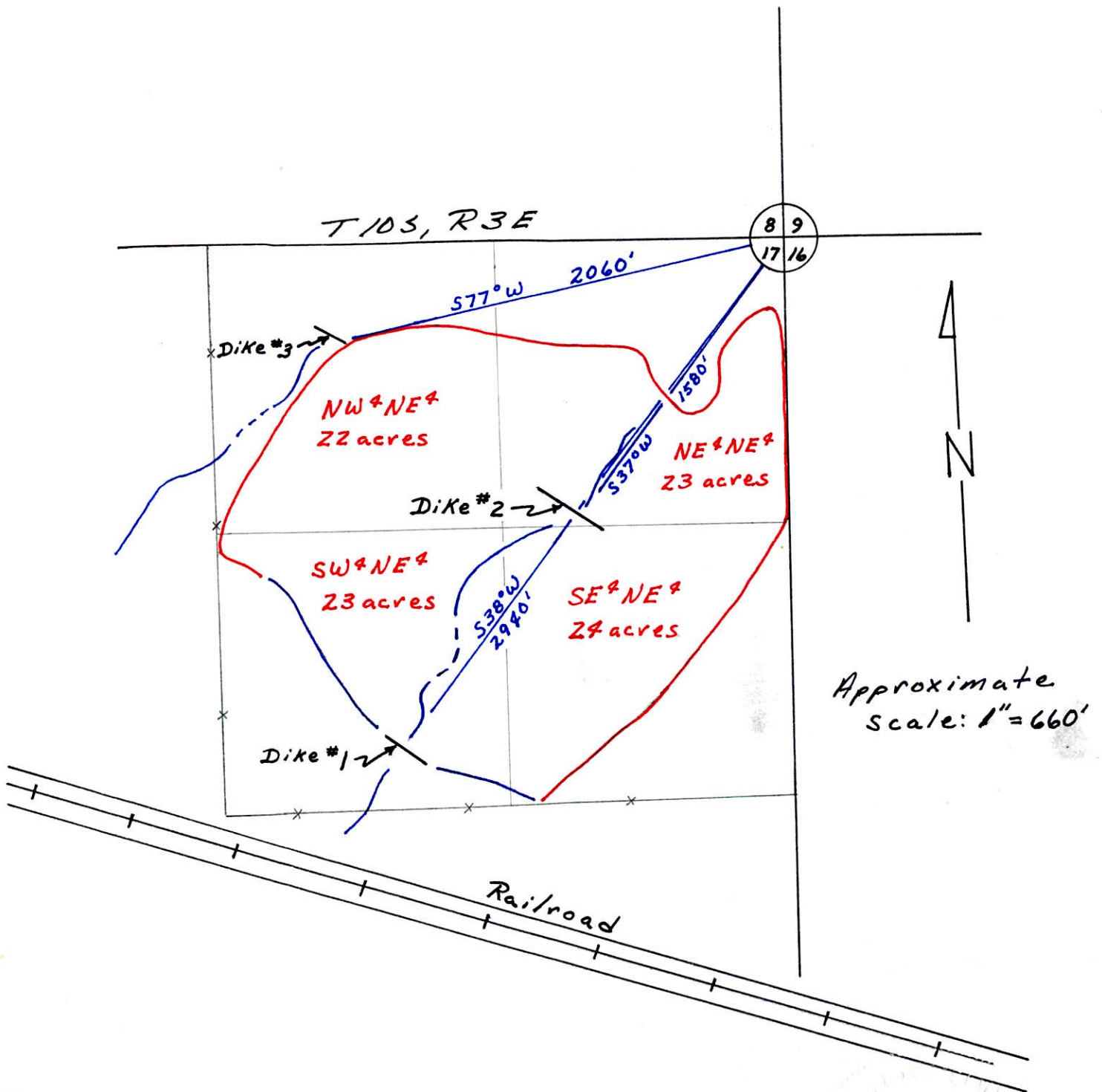
FROM: *for Delvin W. Brosz*
JOHN HATCH, CHIEF ENGINEER
Water Rights Division
(605)773-3352

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 Right No. LN47-2 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).



Map Prepared By:
Melvin D. Broz, P.E.
Hydrologist
Division of Water
Rights

Location No. 47-2