

LOCATION NOTICE

State Publishing Co. Pierre, S. D.

520

KNOW ALL MEN BY THESE PRESENTS:

THAT Geo. C Linker whose post office is Hudmore, 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 1/4 SW 1/4, N 2 1/2 S 1/4, L 3 & 4 section 14 township 14 S range 4 E B. H. M. in Full 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 135 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 lot 4 1-4 of the 1-4 section 14 township 14 S range 4 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 SW 1/4 Cor. of Sec. 14, T 14 S R 4 E, B. H. M. the headgate

bears N 25° 20' E 1643 feet distant

The ditch will run in a northeasterly direction to and on said land for a distance of 1564 feet.

Said location was made on the 4th day of November 1913

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

George C. Linker
Locator.

State of South Dakota,

County of Full River

On the 8th day of November 1913, before me T. 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.

T. B. Wallace
Notary Public.

Pierre, South Dakota,

Feb. 11th 1914

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

Harmer M. Dore

State of South Dakota

LOCATION NOTICE Water License No. 520-2

(1) George C. Linker
of Ardmore, South Dakota located and filed Location Notice No. 520-2
made Application No. , February 9, 1914 for a ^{right} ~~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
A-Permit No. 520-2, with a priority date of February 9, 1914
located
was ~~approved~~ and filed by the ~~and issued to~~ applicant(s) for diversion of water with construction of the described
The system was
water supply system, to be completed on or before and water placed and for the application to beneficial use of ~~water~~
~~water on or before~~

George C. Linker originally located and filed Location Notice No. 520-2. August 27, 1986,
Location Notice No. 520-2 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 0.19 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is N 80°W 990 ft from the SE 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 14 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 11 Acres

Lot 4 2 Acres

TOTAL 13 ACRES

(4) Pursuant to §46-5-30.1 Charis Fleming

of Box 263, Ardmore, South Dakota 57717

the holder(s) and/or owner(s) of Location Notice Water Permit No. 520-2 is issued a license to appropriate water, the right to use 0.19 cubic feet per second of water from a dry draw

with a priority date of February 9, 1914 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

This license is subject to any limitations or qualifications listed in Location Notice Water Permit No. 520-2 and subject to South Dakota State Law.


Chief Engineer, Water Rights Division
Department of Water and Natural Resources
JOHN HATCH
DEC 1 1986

Permit No. 4N520

Upper 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 Charis

Fleming of Box 263, Ardmore, SD 57715 holder of

Permit No. 41530, bearing the priority of Nov. 2, 1948, ~~1948~~ authorizing

the diversion of 2 cu. ft. per second of the waters of dry draw

for irrigation purposes, in Call River County.

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

- A. Works used to divert the water: 8 to 10' high dike across the channel of the dry draw. Water is diverted around the end of the dike into the ditch.
- B. Works used to transport water to place of use:
open ditch
- C. Works used to apply water to beneficial use: water is released from the ditch and spread over the grassland Flood irrigation.

The system is in the following condition poor

The point of diversion is located N 80° W 990 ft from the SE corner
of Section 18, 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 spreading

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

NESEF, Sec 18, 7125, R4E - 11 ac.

Lot 8, " " " - 2 ac.

comprising a total of 13 acres of land and the license should be issued for 0.19 cfs

Applicable permit qualifications have been complied with ✓ Yes No

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

Edwin L. Bragg, P.E.
 Hydrologist

NO. LN 520

NOTICE OF TRANSFER OF WATER PERMIT



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Aug 1986

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

NE 1/4 Sec 14 and Lot 4 of Section 14, T12S, R4E.

formerly owned by Geo. C. Linker

has been transferred to Charis Fleming, Box 263, Ardmore, South Dakota 57715

(please include complete mailing address)

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

Water Right Permit No. LN 520 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)
County of Dawson) ss.

I, Charis 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.

Charis M Fleming
(Signed)

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

Notary Public - State of Nebraska
DIXIE D. EATON
My Comm. Exp. 12/31/87

Dixie D Eaton
(Notary Public)

RECEIPT

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

410537

Pierre, August 27

1966

RECEIVED OF Charis Fleming, Box 263, Ardmore SD 57715

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 _____ for Location Notice No. 520-2	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

Chief Engineer

JOHN HATCH

(KS)

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building
523 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.

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

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

March 23, 1990

NOTICE

LN520-2
LN146-2

TO: Charis Fleming
BOX 263
ARDMORE, SD 57715

FROM: *for Del 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

N

Approximate
Scale: 1" = 660'

NE¹SE⁴
26 ac.

NW¹SW⁴
23 ac.

ditch

ditch

Lot 4
5 ac.

Lot 1
2 ac.

N62°E
540'

N67°E
1630'

15 14
Neb

LN 146-2

NE¹SE⁴
11 ac.

ditch

Lot 4
2 ac.

N80°W
990'

14 13
Neb

LN 520-2
LN 146-2

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