

KNOW ALL MEN BY THESE PRESENTS:

THAT Frank C. McElhane 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: SW 1/4 & NW 1/4 SE 1/4 section 5 township 8 S range 2 E B. H. M. in Full River County, South Dakota. Said lands comprising Deser Entry No. _____ 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 NW 1/4 of the SW 1/4 section 5 township 7 S range 2 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 5 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 E 1/4 Cor. Sec. 32, T 7 S, R 2 E, B. H. M. the headgate bears S. 13° 15' E, 1333 Ft. distant.

The ditch will run in a southerly direction to and on said land for a distance of 3457 feet.

Said location was made on the 9 day of November 1914

Witness my hand and seal this 21 day of November 1914

Frank C. McElhane
Locator.

State of South Dakota, }
County of Full River }

On the 21 day of November 1914, before me L. R. Parkin, a notary public in and for the County and State aforesaid, personally appeared Frank C. McElhane 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.

L. R. Parkin
Notary Public.

Pierre, South Dakota, December 17 1914

This is to certify that the foregoing location notice was received at this office at 9 o'clock PM, upon the 17 day of December 1914, and after examination it was filed for record

Homer M. Lerr
State Engineer.

State of South Dakota

LOCATION NOTICE Water License No. 546-2

(1) Frank C. McElhaney
of Edgemont, South Dakota - located and filed Location Notice No. 546-2
~~made Application No.~~ November 9, 1914 for a ~~water permit~~ right to appropriate
5.0 cubic feet per second of water from a dry draw
Fall River County, South Dakota for Irrigation purposes.
Location Notice
Permit No. 546-2, with a priority date of November 9, 1914
was approved located and filed by the 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 for the application to beneficial use of said
water on or before

Frank C. McElhaney originally located and filed Location Notice No. 546-2. November 15, 1914 was transferred to Effie Gow, Dewey Route, Box 4, Edgemont, 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 2.26 cubic feet per second of water for beneficial use. The location of the diversion point(s) is N 31°E 1400' from the SW Corner of
Section 33, T7S, R2E

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 T8S, R2E

Section 5	*Lot 2	21 Acres	
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	39 Acres	(AC)
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	38 Acres	(AD)
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	21 Acres	(DB)
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	39 Acres	(DA)
	TOTAL	158 ACRES	

*Lot 2 was not described in the location notice, but upon inspection was determined to have been developed at the same time the other lands were developed.

(4) Pursuant to §46-5-30.1 Effie Gow
of Dewey Route, Box 4, Edgemont, South Dakota 57735

the holder(s) and/or owner(s) of Location Notice Water Permit No. 546-2 is issued a license to appropriate water, the right to use 2.26 cubic feet per second of water from a dry draw with a priority date of November 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. 546-2 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

LICENSE FOR PERMIT NUMBER LN 546-2

1. Legal location of wells: _____

dams & structures: SW⁴ SW⁴ Section 33, T7S, R2E

2. Well Information: Well Drilling Firm _____

No. of wells _____ Depth _____

Casing a) diameter _____ Screen a) type _____
b) length _____ b) length _____
c) type _____ Static Water Level _____

Pump a) make _____ Motor a) make _____
b) model _____ b) model no. _____
c) size _____ c) horsepower rating _____
d) capacity _____ GPM d) motor efficiency rating _____
e) turbine pump no. of stages _____

3. Distribution lines:

a) size of lines _____
b) type _____
c) length _____

4. Dam information:

a) height to crest 20'
b) height to spillway 17'
c) crest width 10'
d) crest length 275'
e) spillway length —
f) spillway width 50'
g) approx. storage None

h) Distribution lines or canals:

1) size —
2) type open canal
3) length See map

i) Outlet tubes:

1) diameter 12"
2) type C.M.P.
3) valued (Y/N) Y
4) valve type gate
5) location on structure

Near Center

2.1 downstream
3.1 upstream

5. System Type: a) sideroll:

1) length _____ feet
2) diameter of pipe _____
3) make, model & number of sprinklers _____
4) spacing of sprinklers _____
5) nozzle size _____

b) towline:

1) length _____ feet
2) make, model & number of sprinklers _____
3) spacing of sprinklers _____
4) nozzle size _____

Permit No. LN 546-2Upper Cheyenne Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by EFFIE
GORD of Dewey Rd., Box 4, Edgemont, S.D. 57735 holder of
 Permit No. LN 546-2, bearing the priority of Nov. 9, 1914 authorizing
 the diversion of 5 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: Dam located in SW²SW⁴ section 33, T7S, R2E with a 12" gated CMP that discharges into a delivery canal. This dam is approximately 400' upstream from the original dam described in the notice.
- B. Works used to transport water to place of use:
open canal from the dam to the irrigated fields
- C. Works used to apply water to beneficial use: The water empties from the end of the canal and floods the fields.

The system is in the following condition fairThe point of diversion is located N 31° E 1800' from the SW corner of section 33, T7S, R2EThe works are capable of diverting and conveying to the place of use 4cu. 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: Lot 2 - 21 acres (this parcel is not described in the notice, but ^{as} far as I can determine it was developed at the same time as the rest - Vested Right), SW²NE⁴ - 39 acres, SE²NE⁴ - 38 acres, NW²SE⁴ - 21 acres and NE²SE⁴ - 39 acres, all in section 5, T8S, R2E.

comprising a total of 158 acres of land and the license should be issued for 2.26 ctsApplicable permit qualifications have been complied with Yes ☒ Yes ☐ NoExceptions to compliance are: _____ Date OCT 11, 1984

Delwin B. Boring, P.E.
 (Signature) Hydrologist

WATER RIGHTS DIVISION
(605) 773-3352

November 7, 1984

Effie Gow
Dewey Route, Box 4
Edgemont, South Dakota 57735

Dear Mrs. Gow:

Enclosed is the following material relative to your Water Right.

1. A copy of Location Notice 546-2 filed by F. C. McElhaney
You may keep this for your files.
2. A map of the project. Please review this map and make
any corrections you believe necessary. If you do make
corrections, return the map to this office. If you have
no corrections you may keep it.
3. A Notice of Transfer of Water Permit. This transfers
the Water Right from F. C. McElhaney to you. Please sign
this in the presence of a notary. Then return it to this
office with a fee for filing of \$2.50.

If you have any questions, please contact me.

Sincerely,

Delvin D. Brosz, P.E.
Hydrologist

DDB:ms
Enc.

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Nov 13 1984

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

SW $\frac{1}{4}$ Section 33, T7S, R2E; NE $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 5, T8S, R2E

formerly owned by Frank C. McElhane

has been transferred to Effie Gow, Dewey Route, Box 4, Edgemont, SD 57735

(please include complete mailing address)

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

Water Right Permit No. LN 546-2 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, Effie M. Gow 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.

Effie M. Gow
(Signed)

Subscribed and sworn to before me this 13 Day of November, 1984

Terle Anderson
(Notary Public)



RECEIPT

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

No 4 9823

Pierre, November 15, 1936

RECEIVED OF Effie Gow, Dewey Route, Box 4, 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 for WST LH 546-2	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 John Hatch
Chief Engineer JOHN HATCH/15

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

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

No. _____

LN Water License No. 546-2

December 12, 1984

Effie Gow
Dewey Route, Box 4
Edgemont, South Dakota 57735

Dear Ms. Gow:

Enclosed herewith is, **Location Notice** Water License No. 546-2. 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
JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Enclosures

Receipt No. 4 9823 is enclosed for transfer of Location Notice No. 546-2. The Water License is now listed under your name.

WNR-817 3/83

Transmittal of Water License

South Dakota Department of
Water & Natural Resources

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

March 23, 1990

NOTICE

LN546-1

TO: Effie Gow
DEWEY RT BOX 4
EDGEMONT, SD 57735

FROM: *for* *Delvin L. 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. LN546-1 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).

290-2
LN 546-2

Kenneth P. Gow (310) 699-3501
10944 Loch Lomond FAX (310) 699-5915
Whittier, CA 90606
26 October, 1995

Water Rights Program
Joe Foss Building
523 East Capitol
Pierre SD 57501-9936



Gentlemen:

There might have been 10 acres of alfalfa irrigated by flood water in 1995 on the Gow family ranch (about 7 miles North West of Edgemont) and there might be a maximum of 20 acres in 1996. I cannot predict the weather. There is no equipment for pumped irrigation, nor is any planned in the foreseeable future. The ditches for flood water irrigation were built in the 1920s.

Sincerely,

Ken Gow

Ken Gow

CC Rory & Wanda Brown (lease-holder)
HC 59, Box 8
Edgemont, SD 57735

277570-2
LN546-2

**WATER RIGHTS PROGRAM
FILE DOCUMENTATION**

NAME OF PERSON OR FILE: Ken Gow, Mgr

ADDRESS: 10944 Lock Lomand, Whittier, CA 90606

COUNTY: Fall River

DATE: June 24, 1996

TELEPHONE: (310) 699-3501

FAX: (310) 699-5215

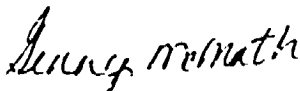
RE: ownership and status

COMMENTS:

I contacted Mr. Gow in reference to the status of Water Right No. 990-2 listed in the name of Effie Gow. He indicated that Effie had passed away in 1993. However, he would like Water Right No. 990-2 and Location Notice No. 546-2 kept in Effie's name for now. He stated he and his sister and brother owned the land.

They no longer use the well authorized under No. 990-2 for irrigation purposes. The dry draw dam described in Location Notice No. 546-2 is still used. The land is flood irrigated.

Send all correspondence to Mr. Gow at the above address. The tenants living on the land are Rory and Wanda Brown - HC 59 Box 8, Edgemont, SD 57735



Genny McMath
Environmental Scientist

