

1002-3

1. Considered 11-14, 19 67
2. Name of Applicant Robert Hirsch
3. Post Office Address Vine
4. Amount of water claimed 4.0
5. Source of water supply Missouri River
6. Water to be used for Irrigation
Acres to be irrigated 262.4
7. Water to be diverted and used in Hughes County
4W 75S miles of Indian
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☐
Subject to ☐
Not Approved ☐
Action deferred ☐
10. Remarks:

No. 1007-3Water Division No. 3 Missouri River District
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTAAPPLICATION FOR PERMIT
To Appropriate Water within the State of South Dakota

JEROLD (NOTE—Draw a line through items not applicable.)

1. Name of applicant Robert Hirsch
Postoffice address Box 426 Pierre, County Hughes, State S. D.

- I. If a corporation
- (a) Name of same
- (b) Date and place of incorporation
- (c) Amount of capital stock
- (d) Amount paid in
- (e) Names and addresses of directors

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

Employment by others

- (b) Cash on hand, \$
- (c) Treasury stock, \$
- (d) Bonds to be issued, \$
- (e) Other resources, \$ sufficient

2. Name of diversion work Robert Hirsch
3. Amount of water claimed 4.0 cubic feet per second
4. Source of water supply Missouri River
5. Location of point of diversion S. 27° 30' W., 222 rods from the NE corner section 22, T 108 N R 75 W on left bank Hughes County.
6. Annual period or periods during which water is to be used April 1 to Nov 1
7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?
- Combination

- (a) Number of acres to be irrigated
- 282.4
- acres.

- (b) Legal subdivisions to be irrigated
- see attached map of NE 1/4

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

- (c) Statement as to domestic use (giving location, etc.)
- Incidental livestock watering

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

- (a) Nature of use

Name any of the above uses claimed

- (b) Amount of power to be generated

horse power.

Amount claimed for engine cooling

- (c) Location of plant

- (d) Method of developing power

- (e) Point where water will be returned to stream

MAP No 646-3

8. Estimated cost of work:

(a) Head Gates, \$..... (b) Pumping plant, \$.....
 (c) Plumbing, \$..... (d) Canal-earth, \$..... Rock, \$.....
 (e) Other structures \$25,000.00 \$..... Total, \$.....

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

Pump, Pipeline, sprinklers & ditch

II. Dimensions of works.

(a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....
 material used in construction.....

(b) Reservoir: Capacity when filled.....acre feet. Surface area at highwater mark.....acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET—ACRES	FEET	ACRE-Feet CAPACITY

(c)* Head gate: Width.....feet; height.....feet;
 Material.....

(d) Canal: Total length.....miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work Five years.

11. Time required for complete application of water to the proposed beneficial use Nine years.

12. Choice of newspaper for publication of notice of intention to appropriate Capitol Journal

STATE OF SOUTH DAKOTA

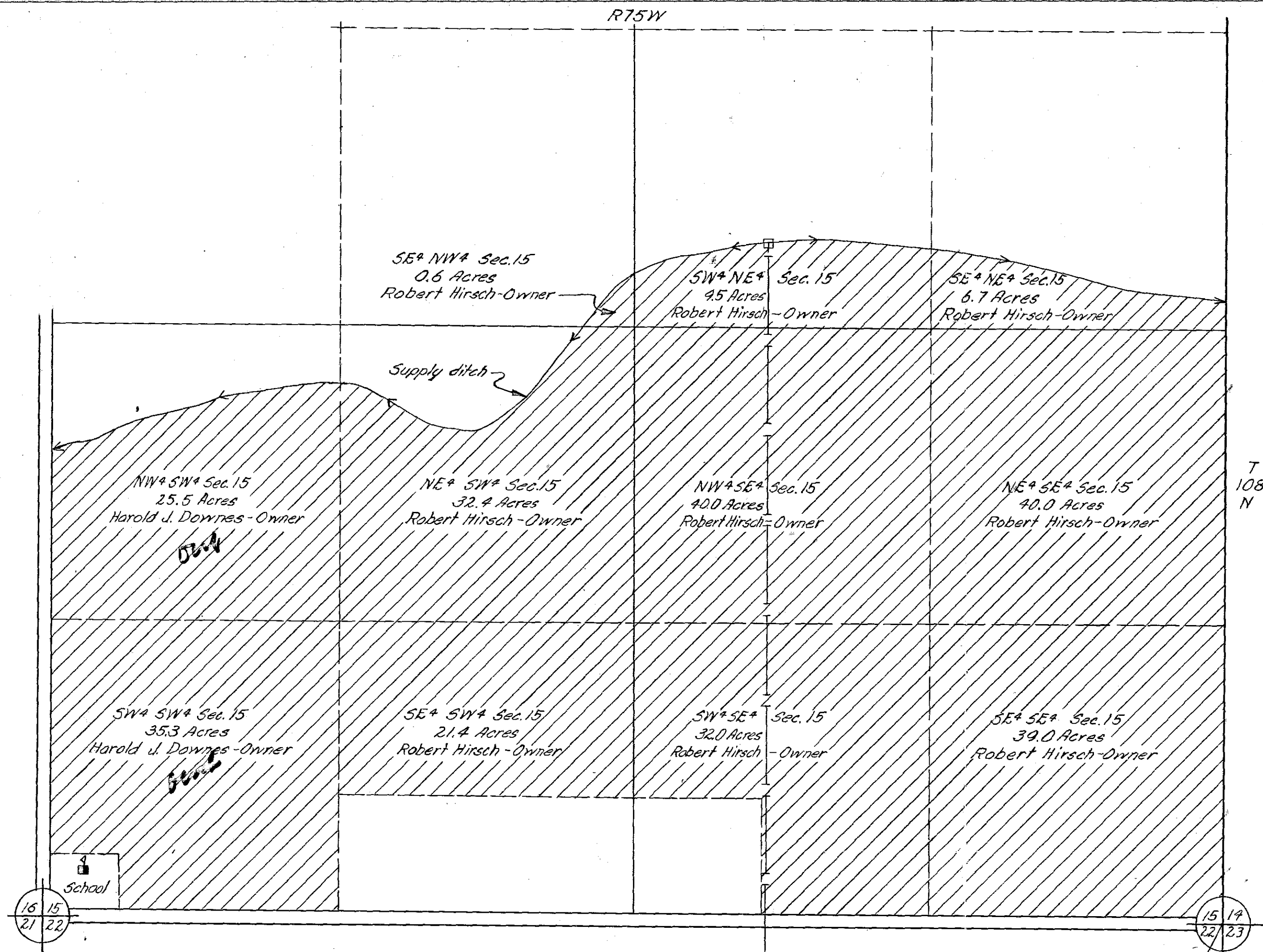
County of Beauregard ss.

I, Robert H. Hines, 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, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed Robert H. Hines

Subscribed and sworn to before me this 30th day of August 1962

Walter H. Hines
 Notary Public (or other qualified officer.)



Land to be irrigated

Pipe line

Pumping station
Missouri River
Elev. 1430.0

327.30' W
272.00' S

LOCATION OF LAND TO BE IRRIGATED				
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
SE ¹ NW ¹	15	108N	75W	0.6
SW ¹ NE ¹	15	108N	75W	9.5
SE ¹ NE ¹	15	108N	75W	6.7
NW ¹ SW ¹	15	108N	75W	25.5
NE ¹ SW ¹	15	108N	75W	32.4
NW ¹ SE ¹	15	108N	75W	40.0
NE ¹ SE ¹	15	108N	75W	40.0
SW ¹ SW ¹	15	108N	75W	35.3
SE ¹ SW ¹	15	108N	75W	21.4
SW ¹ SE ¹	15	108N	75W	32.0
SE ¹ SE ¹	15	108N	75W	39.0
TOTAL				282.4

SURVEYOR'S CERTIFICATE

I, LESLIE S. THOMAS, DO HEREBY CERTIFY THAT THIS MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND OF THE ROBERT HIRSCH IRRIGATION PROJECT NUMBER 1 AND HAS BEEN PREPARED BY THE SOIL CONSERVATION SERVICE FOR THE HUGHES COUNTY SOIL AND WATER CONSERVATION DISTRICT.

SIGNATURE: LESLIE S. THOMAS
TITLE: REGISTERED PROFESSIONAL SURVEYOR

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBSCRIBED AND SWORN TO BEFORE ME THIS 1ST DAY OF AUGUST, 1962, A.D.

LESLIE S. THOMAS
NOTARY PUBLIC

MY COMMISSION EXPIRES 10-2-65, 1965.

Scale: 1" = 400'

**ROBERT HIRSCH
IRRIGATION PROJECT
NUMBER 1**

Hughes County, South Dakota

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed	Date	Approved by
Drawn		Title
Traced		Title
Checked	7-62	Sheet No. 1 of 1

MAP N° 646-3 (APR N° 1002-3)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, NOVEMBER 19, 1962

This is to certify that the foregoing application was received by the Commission at 10:00 o'clock
a.m. upon the 30TH day of AUGUST, 1962.

State Water Resources Commission
By: Burton Hume
for Chief Engineer, Executive Officer

Number of permit 1002-3

Date of first receipt of application AUGUST 30, 1962

Date of return to applicant for correction, amendments or changes required as follows: —, 19—

Date of receipt of corrected application —, 19—

Date from which applicant may claim right AUGUST 30, 1962

Approved NOVEMBER 2 14, 1962, Recorded in Book 7 Page 202

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 14, 1965

2nd. The whole of said work is to be completed on or before NOVEMBER 14, 1967

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is

NOVEMBER 14, 1971

4th. The water appropriated shall be used for the purpose of IRRIGATION

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 0 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually

and beneficially applied for irrigation on or before November 14, 1971; said water to be used during the following described annual period:

APRIL 1 to November 1

Witness my hand this 19TH day of November, 1962.

State Water Resources Commission

By: W. Hume
Chief Engineer, Executive Officer

Certificate of Construction Issued MARCH 4, 1971

Water License Issued MARCH 4, 1971

Remarks by the Applicant:

<u>LOCATION</u>	<u>SECTION</u>	<u>TOP</u>	<u>Rate</u>	<u>ACRES</u>
SE ⁴ NW ⁴	15	108N	75W	0.6
SW ⁴ NE ⁴				4.5
SE ⁴ NE ⁴				6.7
NW ⁴ SW ⁴				25.5
NE ⁴ SW ⁴				32.4
NW ⁴ SE ⁴				40.0
NE ⁴ SE ⁴				40.0
SW ⁴ SW ⁴				35.3
SE ⁴ SW ⁴				21.4
SW ⁴ SE ⁴				32.0
SE ⁴ SE ⁴	15	108N	75W	39.0

TOTAL 282.4

Form 15.

Permit No. 1002-3

Water Diversion No. 3 Missouri River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Robert Hirsch

_____ the holder _____ of
Permit No. 1002-3, issued upon Application No. 1002-3, hearing date of priority of August 30,
1962 authorizing the diversion of 4.0 cu. ft. per second of the waters of _____
Missouri River County of Hughes, State of South Dakota at _____
a point South 27° 30' West, 272 rods from the NE Corner, Section 22,
T108N, R75W
_____, for irrigation

_____ purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 5.0 cu. ft. per second of water.

Date March 4, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1002-3

(1) WHEREAS, On the 30th day of August A. D. 19 62
Robert Hirsch

made Water Right Application No. 1002-3 for a permit to use 4.0 cubic feet per second of the waters of Missouri River
 County of Hughes, State of South Dakota, for irrigation

purpose; and
 (2) WHEREAS, On the 19th day of November A. D. 19 62
 Permit No. 1002-3, with a date of priority of August 30 1962
 was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 14th day of November A. D. 19 67 and for the application to beneficial use of said water on or before the 14th day of November A. D. 19 71

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 3.16 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,

for irrigating the following land in Section 15, T102N, R75W

	Acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$	0.6
SW $\frac{1}{4}$ NE $\frac{1}{4}$	9.5
SE $\frac{1}{4}$ NE $\frac{1}{4}$	6.7
NE $\frac{1}{4}$ SW $\frac{1}{4}$	32.4
SE $\frac{1}{4}$ SW $\frac{1}{4}$	21.4
NW $\frac{1}{4}$ SE $\frac{1}{4}$	40.0
NE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0
SW $\frac{1}{4}$ SE $\frac{1}{4}$	32.0
SE $\frac{1}{4}$ SE $\frac{1}{4}$	39.0
Total	221.6 Acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Robert Hirsch

_____ of Pierre, South Dakota
the holder _____ and owner _____ of said permit No. 1002-3 a water right, dating from August 10, 1962
_____ to use of 3.16 cubic feet per second of the waters
of Missouri River
in the County of Hughes and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point South 27° 30' West, 272 rods from the NE
Corner, Section 22, T106N, R75W

and conduct to and upon portions of Section 15, T108N, R75W, described on the face of
this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1002-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 4th day of March A. D.
Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

on or before October 20, 1962
(First Publication)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., October 2, 1962

Notice is hereby given that Robert Hirsch whose postoffice address is Pierre S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 4.0 cubic feet of water per second of time from the Missouri River through the Hirsch Diversion, the point of diversion of which is to be located on the left bank of said stream in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 22 Twp. 108N Range 75W portions of said water to be used for the purpose of providing irrigation on the following described land:
SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ and SE $\frac{1}{4}$, Section 15, 1108N, R75W

and for

purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 14th day of November, 1962, at 2 P. M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

BURTON F. JONES
Water Right Specialist

CC: Mr. R. B. Hipple, Publisher
Daily Capital Journal
Pierre, South Dakota

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County HUGHES } ss.

J. H. HIFFLE being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the -----

DAILY CAPITAL JOURNAL newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the -----

CITY of PIERRE County of -----

HUGHES and State of South Dakota; that the said notice was published in said newspaper on the following dates:

10-11, 10-18, 10-25, 11-1-----

in each and every issue of the full number thereof, the first publication being made on the 11 day of Oct.-----

1962 and the last publication on the 11-1 day of -----

Nov. 19 62, upon which days or times

of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was Business Manager the printer and publisher of the said newspaper.

J. H. Hiffle

Subscribed and sworn to before me this 1 day of November A. D. 19 62

Sarah Gordon
Notary Public Hughes County, S. D.

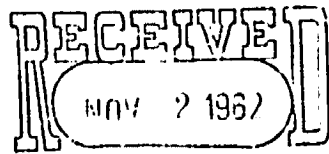
Notarial Commission of
Sarah Gordon
Expires March 26, 1966

No. 10056 It daily Oct. 11-18-25
Nov. 1
No. 1002-2
APPROPRIATION OF WATER
Office of State Water Resources
Commission, Pierre, S. Dak., October 2, 1962

Notice is hereby given that Robert Hirsch whose postoffice address is Pierre, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.9 cubic feet of water per second of time from the Missouri River through the Hirsch Diversion, the point of diversion of which is to be located on the left bank of said stream in the SW 1/4 of the SE 1/4 of Section 22 Twp. 108N Range 75W. Said water to be used for the purpose of providing irrigation on portions of the following described land: SE 1/4, NW 1/4, SE 1/4, NE 1/4, SW 1/4, and SE 1/4, Section 15, T108N, R75W. This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 14th day of November, 1962, at 2 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission
By:
Burton E. Jones
Water Right Specialist



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

DEPARTMENT OF THE ARMY
EASEMENT FOR RIGHT OF WAY
(PIPELINE)

1002-3

ON BIG BEND DAM AND LAKE SHARPE PROJECT - SOUTH DAKOTA

NO. DA-25-066-CIVENG-66-0224

THE SECRETARY OF THE ARMY, under and by virtue of the authority vested in him by Title 10, United States Code, Section 2662, hereby grants to Robert Hirsch of Pierre, S. D. Dakota

hereinafter designated as the grantee, for a period not exceeding Fifty (50) years from the date hereof, an easement for a right of way for construction, operation and maintenance of two water pipelines with pumping units appurtenant thereto, for irrigation purposes

over, across, in, and upon land under the control of the Secretary of the Army at the location shown in red on Exhibit A map entitled Big Bend Dam and Lake Sharpe dtd 4 Apr 1961 attached hereto and made a part hereof, and described as follows:

Strips of land, 33 feet in width and 1650 feet, each, more or less, in length, situated in the :

E1/4SW1/4, W1/4SW1/4 of Section 23; W1/4SE1/4 of Section 22, Township 108, Range 75 West of the 5th Principal Meridian, Hughes County, South Dakota, containing 2.53 acres, more or less.

THIS EASEMENT is granted subject to the following conditions:

1. The grantee shall pay to the United States compensation in the amount of Two-hundred dollars (\$ 200.00) payable ----- in advance. Compensation shall be made payable to the Treasurer of the United States and forwarded by the grantee to District Engineer, U. S. Army Engineer District, Omaha, 215 North 17th Street, 68102 U. S. Post Office and Courthouse, Omaha, Nebraska 68102.

2. The installation and/or operation and maintenance of said line shall be accomplished without cost or expense to the United States under the general supervision and subject to the approval of the officer having immediate jurisdiction over the property. Hereinafter designated as "said officer", and in such manner as not to endanger personnel or property of the United States on the said United States land or obstruct travel on any road thereon. The grantee shall have the right of ingress and egress for such purposes.

3. The use and occupation of said land incident to the exercise of the privileges hereby granted shall be subject to such rules and regulations as the said officer may from time to time prescribe.

4. The grantee shall supervise the said line and cause it to be inspected at reasonable intervals, and shall immediately repair any leaks found therein as a result of such inspection, or when requested by said officer to repair any defects. Upon completion of the installation of said line and the making of any repairs thereto, the premises shall be restored immediately by the grantee, at the grantee's own expense, to the same condition as that in which they existed prior to the commencement of such work, to the satisfaction of the said officer.

5. Any property of the United States damaged or destroyed by the grantee incident to the use and occupation of the said premises, shall be promptly repaired or replaced by the grantee to the satisfaction of the said officer or in lieu of such repair or replacement the grantee shall, if so required by the said officer, pay to the United States money in an amount sufficient to compensate for the loss sustained by the United States by reason of damages to or destruction of Government property.

6. The United States reserves to itself the right to construct, use, and maintain across, over, and/or under the right of way hereby granted, electric transmission, telephone, telegraph, water, gas, gasoline, oil and sewer lines, and other facilities, in such manner as not to create any unreasonable interference with the use of the right of way herein granted.

7. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the use and occupation of the said premises, nor for damages to the property of the grantee, or for injuries to the person of the grantee (if an individual), nor for damages to the property or injuries to the person of the grantee's officers, agents, servants, or employees, or others who may be on said premises at their invitation or the invitation of any one of them, arising from or incident to government activities, and the grantee shall hold the United States harmless from any and all such claims.

8. The United States shall not be responsible for damages to property or injuries to persons which may arise from or be incident to the construction, maintenance, and use of said line.

9. That the grantee shall furnish through said line such service as may be required from time to time for governmental purposes on said land, provided that payment for such service will be made by the United States at rates which shall be mutually agreeable but which shall never exceed the most favorable rates granted by the grantee for similar service.

10. In the event all or any portion of said land occupied by said line shall be needed by the United States, or in the event the existence of said line shall be considered detrimental to governmental activities, the grantee shall, from time to time, upon notice so to do, and as often as so notified, remove said line and related facilities to such other location or locations on said land as may be designated by said officer, and, in the event said line shall not be removed or relocated within ninety (90) days after any aforesaid notice, the United States may cause the same to be done at the expense of the grantee.

11. This easement may be terminated by the Secretary of the Army upon a reasonable notice to the grantee if the Secretary of the Army shall determine that the right of way hereby granted interferes with the use or disposal of said land or any part thereof by the United States, or it may be terminated by the Secretary of the Army for failure, neglect, or refusal by the grantee fully and promptly to comply with any and all of the conditions of this grant, or for nonuse, or for abandonment.

12. Upon the expiration or termination of this grant, the grantee shall, without expense to the United States, and within such time as the Secretary of the Army may indicate, remove the said line from said land and restore the premises hereby authorized to be used and occupied to a condition satisfactory to the said officer. In the event the grantee shall fail, neglect, or refuse to remove the said line and so restore the premises, the United States shall have the option either to take over the said line as the property of the United States, without compensation therefor, or to remove the said line and perform the restoration work as aforesaid at the expense of the grantee, and in no event shall the grantee have any claim for damages against the United States or its officers or agents, on account of the taking over of said line or on account of its removal.

13. The conditions of this instrument shall extend to and be binding upon and shall inure to the benefit of the heirs, representatives, successors, and assigns of the grantee.

14. That it is understood that this instrument is effective only insofar as the rights of the United States in the said property are concerned; and that the grantee shall obtain such permission as may be necessary on account of any other existing rights.

15. That this easement and right of way for water pipelines and pumping units is granted for the exercise of established water rights. It is understood and agreed that no right to use water from the reservoir is created by this grant.

That Condition 15 was added prior to execution of this easement.

This easement is not subject to Title 10, United States Code, Section 2662.

IN WITNESS WHEREOF I have hereunto set my hand this 30th
day of August 1965

/s/ Dale Ross
DALE ROSS
Chief, Real Estate Division
U. S. Army Engineer District, Omaha

Permit No. 1002-3Water Division 3 MISSOURI RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by ROBERT HIRSCH of PIERRE holder of Permit No. 1002-3, bearing date of priority of AUGUST 30, 1962, authorizing the diversion of 4.0 cu. ft. per second of the waters of MISSOURI RIVER for IRRIGATION purposes, in HUGHES County.

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

The Water Use System consists of,

A. Works used to divert the water:

10" CORNELL PUMP MODEL #6NH-2-RP. POWERED BY MINNEAPOLIS-MOLINE PROPANE MOTOR MODEL #ID504-6A (ALSO HAS A CUMMINS #185 PROPANE MOTOR FOR USE ON THIS PUMP)

B. Works used to transport water to place of use,

1 1/2 MILES OF 10" MAINLINE

C. Works used to apply water to beneficial use.

3/4 MILE 10" GATED PIPE W/ 30" SPACING.
150 ACRES HAS BEEN LEVELLED - REMAINDER IS NATURAL SLOPE

The system is in the following condition: GOOD

The point of diversion is located S 27°30' W, 272 RODS FROM THE NE CORNER, SECTION 22, T108N, R75W

The works are capable of diverting and conveying to the place of use 5.0cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: IN SECTION 15, T108N, R75W

<u>SE¹NW⁴</u>	<u>0.6 AC.</u>	<u>SE⁴SW⁴</u>	<u>21.4 AC.</u>	<u>SE⁴SE⁴</u>	<u>39.0 AC.</u>
<u>SW⁴NE⁴</u>	<u>9.5 "</u>	<u>NW⁴SE⁴</u>	<u>40.0 "</u>		
<u>SE⁴NE⁴</u>	<u>6.7 "</u>	<u>NE⁴SE⁴</u>	<u>40.0 "</u>		
<u>NE⁴SW⁴</u>	<u>32.4 "</u>	<u>SW⁴SE⁴</u>	<u>32.0 "</u>		

comprising a total of 221.6 acres of land.

DATE MARCH 3, 1971
Dustin J. [Signature]
(Signature)
WATER RIGHT SPECIALIST
WATER RESOURCES COMMISSION

Form 20.

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Resources Commission
State Office Building No. 2
Pierre, South Dakota 57501

Date 5-17-76

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

SW⁴, Sec. 10; All Sec. 15 Except W² SW⁴; NW⁴,
20 Acres in SW⁴ Above Corps Take Line; Sec. 23; NW⁴ 40 Acres Above
Corps Take Line Sec. 22 all in T103N R75W
formerly owned by Robert Hirsch Sr.

has been transferred to TEROLD D. HIRSCH

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 1002-3 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Resources Commission as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA)
County of Hughes) ss.

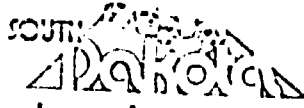
I, TEROLD D. HIRSCH being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Terold D. Hirsch
(Signed)

Suscribed and sworn to before me this 17 day of May, 19 76

Alfred S. Helgerson
(Notary Public)

1002-3, 1107-3, 2705-3



Department of Natural Resource Development

WATER RIGHTS COMMISSION
Joe Foss Building, Pierre, South Dakota 57501
Phone 605/773-3151

December 18, 1978

Raymond Shields
Route 2
Pierre, SD 57501

Dear Mr. Shields:

The enclosed data sheets were returned by Jerold Hirsch indicating that you were now the owner of the land covered under Water Permit Nos. 1002-3, 1107-3 and 2705-3.

Also enclosed is copies of our Form 20 "Notice of Transfer of Water Permit, which you should sign before a notary public and return to this office with a fee of \$2.50 each for a total of \$7.50, so the Permits can be transferred to your name.

Please complete that data sheets for our records.

Sincerely,

Genny Young
Staff Assistant

gy

encl

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

January 19, 1983

1002-3
1107-3
2705-3

Frank Gravatt
Economic Development Officer
Box 616
Crow Creek Agency
Ft. Thompson SD 57339

Dear Mr. Gravatt:

This letter is in regard to Water Right Nos. 1002-3, 1107-3 and Permit No. 2705-3 listed in the name of Jerald Hirsch, Pierre SD. According to the Hughes County Register of Deeds Office, the land is now owned by the Crow Creek Tribe.

The following is a description of what each water right authorizes:

Water Right No. 1002-3 - 3.16 cfs from the Missouri River to irrigate 221.6 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 15, T108N, R75W.

Water Right No. 1107-3 - 2.50 cfs from the Missouri River to irrigate 176 acres in the NW $\frac{1}{4}$, and N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 23, T108N, R75W.

Water Permit No. 2705-3 - 5.28 cfs from the Missouri River to irrigate 370 acres in the SW $\frac{1}{4}$, Section 10, and the N $\frac{1}{2}$ Section 15, T108N, R75W.

In order to keep our records up to date, it will be necessary to have the Water Rights transferred to the new owner. Enclosed please find a partially completed transfer for each of the Water Rights. Please have them checked over, have signed, dated and notarized before returning them to this office with a \$2.50 filing fee for each (total of \$7.50).

If the systems have a specific operator who can be contacted for the yearly irrigation questionnaire, please include the name(s) along with the transfer forms.

If you have any questions, please advise.

Sincerely,

Genny Young
Water Rights Specialist

GY:ks

enclosures

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9137

PIERRE, January 31, 1983

RECEIVED OF ~~Grow Creek Sioux Tribe, P.O. Box 658, Fort Thompson, SD 57339~~
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)	
Fee for inspecting Construction, and Issuing Cert. of Construction No.....	
Fee for inspecting Beneficial Use, and Issuing Water License No.....	
Fee for Issuing Location Certificate-Dry Draw, No.....	
Fee for filing Transfer of WR#1002-3	2 50
Fee for certified copy of	
Fee for Print copy of map	
Fee for Certifying	
Fee for	
(any other work as provided by law)	
TOTAL	2 50

WATER RIGHTS COMMISSION

By John Harch
Chief Engineer, Executive Officer
JOHN HARCH, ms

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 1-24-83

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

221.6 acres - SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 15, T108N, R75W

formerly owned by Jerold Hirsch, Pierre SD

has been transferred to Crow Creek Sioux Tribe, P.O. Box 658, Fort Thompson, SD 57339
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1002-3 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 Office 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 BUFFALO) ss.

I, Robert G. Philbrick being first duly sworn on my oath despose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above forgoing statement, and I know of my own personal knowledge that the information herein stated is true.

Robert G. Philbrick
(Signed)

Robert G. Philbrick - Chairman, Crow Creek Sioux Tribe

Subscribed and sworn to before me this 24th Day of JANUARY, 1983.

Lawrence C. Lake
(Notary Public)
5-6-1990



No. (1002-3)
1107-3
2705-3

 **Department of
Water & Natural Resources**
Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 Phone (605) 773-3352

January 31, 1983

Crow Creek Sioux Tribe
P.O. Box 658
Fort Thompson, South Dakota 57339

Dear Sir:

Enclosed is receipt No.s ^{4 9136}4 9137 & In the amount of \$ 2.50 each which you
^{4 9135}
paid for transfer of Water Right Nos 1002-3, 1107-3 & 2705-3.

Our records now show you as the owner of ^{these}~~this~~ Water Rights.

Sincerely,

Maxine Stirling
Staff Assistant

ms:
Enc.