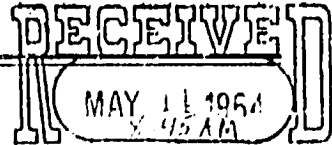


1102-3

1. Considered 7-15, 1960
2. Name of Applicant Raymond Shields
3. Post Office Address Pierre
4. Amount of Water Claimed 6.49
5. Source of water supply Missouri River
6. Water to be used for Irrigation
Acres to be irrigated 454
7. Water to be diverted and used in Hughes County about
16E 6S Miles of Pierre
8. Proof of Publication Received ✓
Not Received
9. Application Approved
Subject to
Not Approved
Action deferred
10. Remarks:

No. 1102-3
 Water Division No. 3 Missouri River District STATE WATER RESOURCES COMM:
 (Blanks to be Filled by the Engineer for the W. R. C.) PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

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

1. Name of applicant Raymond Shields
 Postoffice address Route 3, Pierre, County Hurbon, State South Dakota

- 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)
Contract & Direct Labor
 (b) Cash on hand, \$ 2,000 (c) Treasury stock, \$ _____
 (d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work Ray Shields #1
 3. Amount of water claimed 6.49 cubic feet per second
 4. Source of water supply L. Bank Missouri (Lake Sharpe)
 5. Location of point of diversion See Map
 _____ on Left bank Hurbon County.
 6. Annual period or periods during which water is to be used May 1 to October 1
 7. To be used for:

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

(a) Number of acres to be irrigated 454 acres.(b) Legal subdivisions to be irrigated See Map

(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.) _____

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

(a) Nature of use Stockwater To be pumped into Sec. 30-110-76
 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 735-3

8. Estimated cost of work:

(a) Head Gates, \$-----

(b) Pumping plant, \$2,000-----

(c) Fluming, \$-----

(d) Canal earth, \$-----

Rock, \$-----

(e) Other structures Pipeline-----\$ 8,400

Total, \$10,400-----

9. Description of diversion works:

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

Pumping Plant, 12" to 14" Main, Gated Pipe-----

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	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-----5-----years.

11. Time required for complete application of water to the proposed beneficial use-----5-----years.

12. Choice of newspaper for publication of notice of intention to appropriate-----
Pierre Capital Journal-----

STATE OF SOUTH DAKOTA

County of HUGHES

32.

I, RAYMOND SHIELDS, 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

Raymond Shields

Subscribed and sworn to before me this

8th

day of

May

1961

Notary Public (or other qualified officer.)



All lands described owned by Ray Shields

LOCATION OF LAND TO BE IRRIGATED

LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
NW 1/4 NW 1/4	31	110N	76W	15
SW 1/4 NE 1/4	31	110N	76W	16
NW 1/4 NW 1/4	32	110N	76W	38
NE 1/4 NW 1/4	32	110N	76W	39
SE 1/4 NW 1/4	32	110N	76W	40
NW 1/4 SW 1/4	32	110N	76W	39
NE 1/4 SW 1/4	32	110N	76W	40
SE 1/4 SW 1/4	32	110N	76W	39
SW 1/4 SW 1/4	32	110N	76W	37
NW 1/4 NE 1/4	32	110N	76W	39
NE 1/4 NE 1/4	32	110N	76W	34
SE 1/4 NE 1/4	32	110N	76W	38
SW 1/4 NE 1/4	32	110N	76W	40
TOTAL				45.4

SCALE 1" = 400 FT

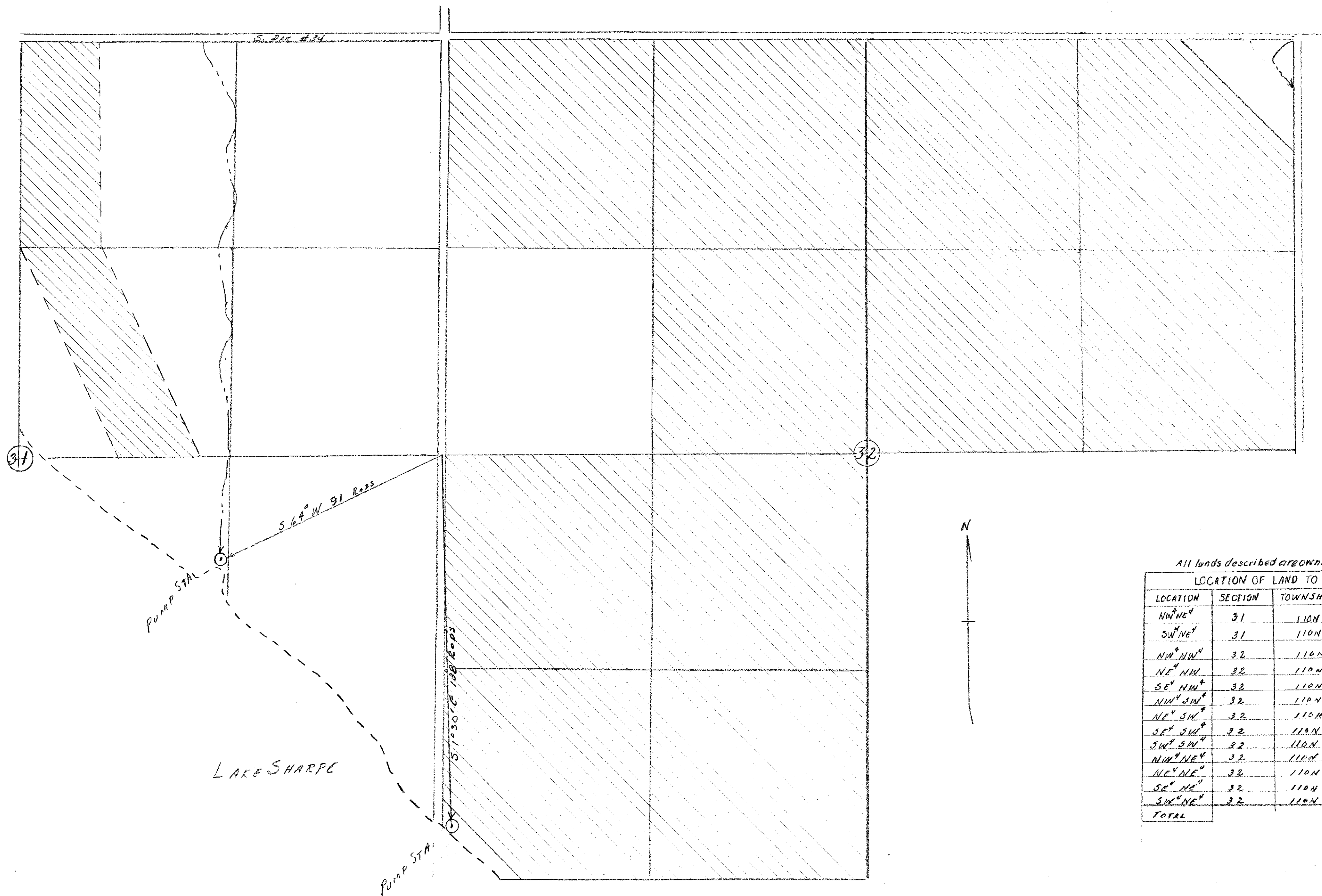
RAY SHIELDS IRRIG. PROJECT #1

SEC 31 & 32 110-76

HUGHES Co. S. DAK

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed _____	Date <u>4/1/63</u>	Approved by _____
Drawn _____		Title _____
Traced _____		Title _____
Checked _____		Sheet No. _____ of _____
		Drawing No. _____



All lands described are owned by Ray Shields

LOCATION OF LAND TO BE IRRIGATED				
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
NW ¹ NE ⁴	31	110N	76W	15
SW ¹ NE ⁴	31	110N	76W	16
NW ¹ NW ⁴	32	110N	76W	38
NE ¹ NW ⁴	32	110N	76W	39
SE ¹ NW ⁴	32	110N	76W	40
NW ¹ SW ⁴	32	110N	76W	39
NE ¹ SW ⁴	32	110N	76W	40
SE ¹ SW ⁴	32	110N	76W	39
SW ¹ SW ⁴	32	110N	76W	37
NW ¹ NE ⁴	32	110N	76W	39
NE ¹ NE ⁴	32	110N	76W	39
SE ¹ NE ⁴	32	110N	76W	38
SW ¹ NE ⁴	32	110N	76W	40
TOTAL				454

SCALE 1" = 400 FT

RAY SHIELDS IRRIG. PROJECT #1			
NE 1/4 SEC 31 & 32 110-76			
HUGHES Co. S. DAK			
U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE			
Designed by _____	Date _____	Approved by _____	
Drawn _____		Title _____	
Traced _____		Title _____	
Checked _____		Sheet _____	Drawing No. _____
		No _____	
		of _____	

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Hughes ss.

Pierre, South Dakota,

July 17, 1964

This is to certify that the foregoing application was received by the Commission at 2:15 o'clock
a.m. upon the 14th day of May, 1964

State Water Resources Commission

By:

Burton Jones
for Chief Engineer, Executive Officer

Number of permit 1102-3

Date of first receipt of application

May 14, 1964

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

Date of receipt of corrected application _____, 19____

From which applicant may claim right May 14, 1964

Approved July 15, 1964, Recorded in Book 8 Page 219

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 _____

January 15, 1967

2nd. The whole of said work is to be completed on or before July 15, 1969

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

July 15, 1969

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 6.49 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 July 15, 1969; said water to be used during the following described annual period:

May 1 to October 1

Witness my hand this 17th day of July, 1964

State Water Resources Commission

By:

W. E. Grimes
Chief Engineer, Executive Officer

Certificate of Construction issued OCTOBER 15, 1971

Water License issued OCTOBER 15, 1971

Diversion points: between a point $S 61^{\circ} W, 91$ rods,
and a point $S 1^{\circ} 30' E, 128$ rods, both from
the $W \frac{1}{4}$ corner, Section 32, T110N, R76W.

Lands to be irrigated: all in T110N, R76W

Section 31	NW ⁴ NE ⁴	15 acres
	SW ⁴ NE ⁴	16 acres
Section 32	NW ⁴ NW ⁴	38 acres
	NE ⁴ NW ⁴	39 acres
	SE ⁴ NW ⁴	40 acres
	NW ⁴ SW ⁴	39 acres
	NE ⁴ SW ⁴	40 acres
	SE ⁴ SW ⁴	39 acres
	SW ⁴ SW ⁴	39 acres
	NW ⁴ NE ⁴	39 acres
	NE ⁴ NE ⁴	34 acres
	SE ⁴ NE ⁴	38 acres
	SW ⁴ NE ⁴	40 acres
Totals		454 acres

Form 15.

1102-3

Permit No. _____

3

MISSOURI RIVER

Water Diversion No. _____ Water District

CERTIFICATE OF CONSTRUCTION

Raymond Shields

This is to Certify, That _____

_____ the holder _____ of
Permit No. **1102-3**, issued upon Application No. **1102-3**, bearing date of priority of **May 14, 1964**
_____ **6.49** cu. ft. per second of the waters of _____
Missouri River authorizing the diversion of _____ **Hughes**
_____ County of _____, State of South Dakota at _____
at points South 64° West 91 rods and South 1°30' East, 138 rods from the
NE Corner, Section 32, T110N, R75W
_____, for **Irrigation**

_____ 8 _____
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 _____ **6.50** cu. ft. per second of water.
October 15, 1971

Date _____

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

WATER LICENSE NO. 1102-3

(1) WHEREAS, On the 14th day of May A. D. 1964
Raymond Shields

made Water Right Application No. 1102-3 for a permit to use 6.49 cubic feet per second of the waters of Missouri River

County of Hughes State of South Dakota, for irrigation purposes; and

(2) WHEREAS, On the 17th day of July A. D. 1964
Permit No. 1102-3, with a date of priority of May 14, 1964
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 15th day of July A. D. 1969 and for the application to beneficial use of said water on or before the 15th day of July A. D. 1969

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 6.49 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 T110N, R76W

Section 31	NW $\frac{1}{4}$ NE $\frac{1}{4}$	15 acres
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	16 acres
Section 32	NW $\frac{1}{4}$ NW $\frac{1}{4}$	38 acres
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	39 acres
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	40 acres
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	39 acres
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40 acres
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	39 acres
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	37 acres
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	39 acres
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	34 acres
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	38 acres
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40 acres
	Total	454 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 Raymond Shields

_____ of Pierre, South Dakota
the holder _____ and owner _____ of said permit No. 1102-3 a water right, dating from May 14, 1964
_____ to use of 6.49 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 at points South 64° West 91 rods and South 1° 30'
East, 138 rods from the W½ Corner, Section 32, T110N, R76W

_____ and conduct to and upon portions of Sections 31 and 32, T110N, R76W, more fully described
on the face of this License

_____ for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1102-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 15th day of October A. D.
Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer J.W. GRIMES

on or before June 18
(First Publication) 1964

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak, June 5, 1964

Notice is hereby given that Raymond Shields 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 6.49 cubic feet of water per second of time from the Missouri River through the Ray Shields #1, 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 SW $\frac{1}{4}$ of Section 32 portions of Twp. 110N Range 76W. Said water to be used for the purpose of providing irrigation on the following described land:

W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 31; NW $\frac{1}{4}$, NE $\frac{1}{4}$ AND SE $\frac{1}{4}$, Section 32, all in T110N, R76W

~~XXXXXX~~

~~purpose~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of July, 1964, 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 consideration of any or all information presented.

State Water Resources Commission

By:
BURTON F. JONES
Water Right Specialist

CC: R. B. Hipple, Publisher
Capital-Journal
Pierre, S. Dak.

DATE MICROFILMED

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County HUGHES } ss.

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

_____ DAILY CAPITAL JOURNAL _____ a 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:

_____ June 9-16-23-30, 1964 _____

_____ in each and every issue of the full number thereof, the first publication being made on the _____ 9 _____ day of _____ June 19⁶⁴ and the last publication on the _____ 30 _____ day of _____ June 19⁶⁴, 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 Mgr. the printer and publisher of the said newspaper.

John H. Hipple

Subscribed and sworn to before me this _____ 30 _____ day of _____ June _____ A. D. 19⁶⁴

Sarah L. Gordon
Notary Public _____ HUGHES _____ County, S. D.

No. 10688

1st daily, June 9-16-23-30

No. 1102-3

APPROPRIATION OF WATER
Office of State Water Resources
Commission, Pierre, S. Dak., June 5, 1964.

Notice is hereby given that Raymond Shields 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 6.49 cubic feet of water per second of time from the Missouri River through the Ray Shields No. 1, the point of diversion of which is to be located on the left bank of said stream between a point in the NW $\frac{1}{4}$ Sec. 31, and a point in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 32 Twp. 110N Range 76W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

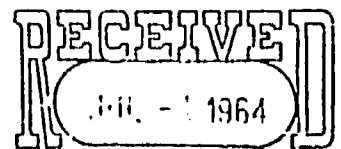
W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 31; NW $\frac{1}{4}$, NE $\frac{1}{4}$ and SW $\frac{1}{4}$, Section 32, all in T110N. R76W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of July, 1964, 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: HURTON F. JONES
Water Right Specialist



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Notarial Commission of
Sarah Gordon
Expires March 25, 1966

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

ON BIG BEND DAM, LAKE SHARPE PROJECT, SOUTH DAKOTA

No. DACW45-2-68-5180

THE SECRETARY OF THE ARMY, under and by virtue of the authority vested in him by Title 10, United States Code, Section 2669, hereby grants to

Raymond O. Shields
Route 3
Pierre, South Dakota

hereinafter designated as the grantee, for a period ~~XXXXXX~~ ^{extensive with State Water Permit No. 1102-3}
~~XXXXXX~~
an easement for a right of way for the installation, operation and maintenance of portable irrigation water pipelines and portable pump units,

over, across, in, and upon land under the control of the Secretary of the Army at the location shown in red on Exhibit "A" entitled Big Bend Dam and Lake Sharpe, Segment "6" attached hereto and made a part hereof, and described as follows:

Strip No. 1 A parcel of land in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ and Lot 7, Section 31, Township 110 North, Range 76 West of the Fifth Principal Meridian, Hughes County, South Dakota, more particularly described as follows: A strip of land 66 feet wide lying 33 feet on each side of the following described line; beginning at the SE corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ thence West parallel to the south line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ to the shoreline of Lake Sharpe. Contains 0.60 acres, more or less.

Strip No. 2 A parcel of land in Lot 7, Section 31, Township 110 North, Range 76 West of the Fifth Principal Meridian, Hughes County, South Dakota, more particularly described as follows: A strip of land 66 feet wide lying 33 feet on each side of the following described line; commencing at the NE corner of said Lot 7; thence South along the east line of said Lot 7 for a distance of 330 feet; thence west parallel to the north line of said Lot 7 for a distance of 33 feet to the point of beginning; thence south parallel to the east line of Lot 7 to the shoreline of Lake Sharpe. Contains 0.75 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 one hundred and no/100 dollars - - - - - \$100.00)
for the term, payable in advance. Compensation shall be made payable to the Treasurer of the United States and forwarded by the grantee to the District Engineer, Omaha District, Corps of Engineers, 6012 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 the grantee shall not discharge waste or effluent from the granted property in such a manner that such discharge will contaminate streams or other bodies of water or otherwise become a public nuisance.

16. That this easement and right of way for a water pipeline and pumping plant is granted for the exercise of water rights granted by the State of South Dakota. It is understood and agreed that no right to use water from the reservoir is created by this grant. It is further understood by the grantee that the granting of this easement does not preclude the Secretary of the Interior from requiring the grantee to enter into an appropriate water service contract in consideration of such irrigation benefits as may, in the opinion of the Secretary of the Interior, be derived from the withdrawal of irrigation water from the reservoir.

Prior to the execution of this easement Conditions Nos. 15 and 16 were added.

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

IN WITNESS WHEREOF I have hereunto set my hand this 10th
day of May 19 68.

/s/ Dale Kent

DALE KENT

Chief, Real Estate Division
Omaha District, Corps of Engineers

PRELIMINARY

STATE OF SOUTH CAROLINA

OWA-1-A

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TRANSPORTATION FACILITIES

TRANSPORTATION FACILITIES

1. NAME
 2. DATE
 3. TIME

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DECLARATION

THAT BOARD AS A

NAME: _____

ABSTRACT

CDM Focus Unit

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SEGMENT 3

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Columa 2157467 7 2008 (13

REALISAT

BIG BIRD DA

NAME SHARF

VICINITY OF 32ND STREET BRIDGE AND 34TH STREET BRIDGE

33RD STREET BRIDGE

32ND STREET BRIDGE

34TH STREET BRIDGE

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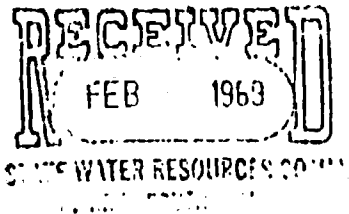
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98TH STREET BRIDGE

99TH STREET BRIDGE

100TH STREET BRIDGE

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Permit No. 1102-3Water Division No. 3 Pierre Water District

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) Pierre, S. Dakota RR 3(Date) January 10, 1969

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the 10th day of January 1969, at Pierre County of Hughes State of South Dakota, before J. W. Grimes (Examining Engineer or Officer) proof will be submitted of the application to beneficial use of 6.49 cubic feet per second of the waters of L. Bank Missouri (Lake Sharpe) in accordance with the terms and conditions of Permit No. 1102-3 heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are

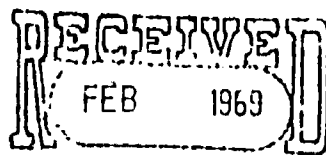
Raymond Shields
RR 3 Pierre South Dakota

2. The use to which said water has been applied is Irrigation3. The amount applied to beneficial use is 6.49 cubic ft per sec4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) T110" R76W

<u>Sec. 31</u>	<u>NE 1/4 NE 1/4</u>	<u>15 acres</u>	
<u>Sec. 32</u>	<u>SW 1/4 NE 1/4</u>	<u>16 acres</u>	
	<u>NE 1/4 NW 1/4</u>	<u>38 acres</u>	<u>SE 1/4 NE 1/4</u> <u>38 acres</u>
	<u>SE 1/4 NW 1/4</u>	<u>40 acres</u>	<u>SW 1/4 NE 1/4</u> <u>40 acres</u>
	<u>NW 1/4 SW 1/4</u>	<u>39 acres</u>	
	<u>NE 1/4 SW 1/4</u>	<u>40 acres</u>	
	<u>SE 1/4 SW 1/4</u>	<u>39 acres</u>	
	<u>SW 1/4 SW 1/4</u>	<u>37 acres</u>	
	<u>T110" R76W</u>	<u>NE 1/4 NE 1/4</u>	<u>34 acres</u>

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is

pipeline6. The right to take the water from such works is based upon permit No. 1102-37. The source of supply from which such water is diverted is L. Bank Missouri (Lake Sharpe)8. The date of priority which said user is prepared to establish is May 17, 1964(Sign) Raymond Shields

Permit No. 1102-3Water Division No. 3

Missouri

River Water District

STATE WATER RESOURCES COMMISSION

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) Pierre, So Dakota R.R. 3(Date) January 10, 1969

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of _____

_____ 6.49 _____ cu. ft. per second of the waters of the state from LeBart ^{Missouri} ~~River~~
through the Ray Shields #1 diversion work
for Irrigation purposes
_____ completed _____ in accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is Raymond Shields

2. The postoffice address of such person or the place of business of such corporation is Pierre
County of Hughes State of South Dakota

3. The number of such permit is 1102-3 and the date set for the completion of such work is
^{Limit of Time -} Sec 32 July 15, 1969 (completed - August 1, 1968)

4. Said water to be used for Irrigation purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 6.49 cubic feet per second.

6. The amount of land for which said water is available is 4.54 acres,
particularly described as follows: ^{T110N R76W} Sec 31 NW 1/4 NE 1/4 15 ac SW 1/4 NE 1/4 16 ac Sec 32 NW 1/4 NW 1/4 38 ac
NE 1/4 NW 1/4 39 ac SE 1/4 NW 1/4 40 ac NW 1/4 SW 1/4 39 ac NE 1/4 SW 1/4 40 ac SE 1/4 SW 1/4 39 ac SW 1/4 SW 1/4
37 ac NW 1/4 NE 1/4 37 ac NE 1/4 NE 1/4 38 ac SE 1/4 NE 1/4 38 ac SW 1/4 NE 1/4 40 ac

I hereby certify that the facts set forth in the above notice are true.

Raymond Shields

(Signature of Owners) _____

Permit No. 1102-3Water 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 RAYMOND SHIELDS of PIERRE holder of Permit No. 1102-3, bearing date of priority of MAY 14, 1964 authorizing the diversion of 6.49 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:

- 1-BERKLEY PUMP (MODEL B4EYRBM-CW) 10" INLET 10" OUTLET POWERED BY FORD INDUSTRIAL #534 INDUSTRIAL PROPANE MOTOR
- 1-BERKLEY PUMP (MODEL B4JRBI-CW) 6" INLET & 6" OUTLET POWERED BY FORD INDUSTRIAL #300 INDUSTRIAL PROPANE MOTOR

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

2640' OF 10" MAINLINE
3000' OF 8" "
4000' OF 6" "

C. Works used to apply water to beneficial use.

14 TOWER VALLEY SYSTEM - 3 PIVOTS
2 - 1/4 MILE TOWNLINES W/ RAINBIRD #14600
SPRINKLER HEADS W/ 7/32 NOZZLES

The system is in the following condition: VERY GOOD

The point of diversion is located AT POINTS S 61° W 91 RODS AND S 1° 30' E, 138 RODS FROM THE W 1/4 CORNER, SECTION 32, T110N, R76W

The works are capable of diverting and conveying to the place of use 6.5cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN T110N, R76W

SECTION 31	SECTION 32		
NW ¹ NE ¹ 15 ACRES	NW ¹ NW ¹ 38 AC	NE ¹ SW ¹ 40 AC.	
SW ¹ NE ¹ 16 "	NE ¹ NW ¹ 39 "	SE ¹ SW ¹ 39 "	
	SE ¹ NW ¹ 40 "	SW ¹ SW ¹ 37 "	
	NW ¹ SW ¹ 39 "	NW ¹ NE ¹ 39 "	
		NE ¹ NE ¹ 34 "	
		SE ¹ NE ¹ 38 "	
		SW ¹ NE ¹ 40 "	

comprising a total of 454 acres of land.Date OCTOBER 14, 1971

Austin Jones
(Signature)

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

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

April 15, 1985

Raymond Shellids
RR 3
Pierre SD 57501

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s). 1102-3. The request for the Questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 1102-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Sincerely,

John Hatch
John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

NOTE: If the questionnaire(s) is received in this office before the May 15th hearing date, your name will be deleted from the agenda for the hearings.



Department of Water & Natural Resources

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

June 12, 1985

Notice of Amendment to Water Permit(s)

To: Raymond Shields
RR #3
Pierre, SD 57501

FROM: John Hatch, Chief Engineer
Water Rights Division 773-3352 *John Hatch*

SUBJECT: Amendment to Water Permit No(s). 1102-3.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 1102-3 to add the following qualification:

"This permit is subject to the Irrigation Water Use Questionnaire being submitted each year."

The addition of this qualification to your Permit means that failure to submit the required Irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

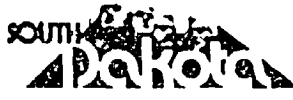
SOUTH DAKOTA
Department of
Water & Natural Resources

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

Attachment to Water Permit No(s). 1102-3

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 1102-3 to add the following qualification:

"This permit is subject to the Irrigation Water Use Questionnaire being submitted each year."



Department of Water & Natural Resources

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

March 26, 1986

NOTICE

Raymond Shields
RR 3
Pierre, SD 57501

Re: Violation of Water Permit No(s). 1102-3

Our records indicate that the 1985 Irrigation Questionnaire has not been received for Water Permit No(s). 1102-3. The request for the Questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1102-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing(s) will be at 2:00 p.m., May 14, 1986, Joe Foss Building, Room 216, Pierre, South Dakota. The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s) the Water Management Board can:

1. Suspend Permit No(s). 1102-3 until either the 1985 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Sincerely,

John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

Note: If the questionnaire(s) is received in this office before the May 14 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

 **Department of
Water & Natural Resources**

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

May 16, 1986

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: Raymond Shields
RR 3
Pierre SD 57501

FROM: John Hatch, Chief Engineer *John Hatch*
Water Rights Division *by Del Hatch*
605 773-3352

SUBJECT: One Year Suspension of Water Permit No(s). 1102-3
If the 1985 Irrigation Questionnaire Is Not Received By
June 1, 1986

Pursuant to the provisions of the notice dated March 26, 1986 and following the Hearing May 14, 1986, the Water Management Board ordered:

That Water Permit No(s). 1102-3 be suspended until December 31, 1986, unless the required 1985 Irrigation Water Use Questionnaire is received by June 1, 1986.

Suspension of a permit means water may not be pumped during the 1986 irrigation season. Decisions of the Board may be appealed to the Circuit Court and the Supreme Court as provided by law.

Equal Opportunity Employer



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181
May 26, 1986

Permit No. 1102-3

Raymond Shields
RR 3
Pierre SD 57501

Dear Mr. Shields:

I am writing to acknowledge receipt of your 1985 Irrigation Questionnaire. A notice was sent to you May 16, 1986 regarding the Board action taken May 14, 1986 to suspend your permit(s) if the 1985 irrigation questionnaire was not received before June 1, 1986.

You may disregard the May 16 notice. With receipt of your 1985 questionnaire(s), your permit(s) will not be suspended.

If you have any questions, please contact us.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352



Department of Water & Natural Resources

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

March 23, 1987

RAYMOND SHIELDS
RR #3
PIERRE, SD 57501

NOTICE

Re: Violation of Water Permit No(s). 1102-3

Our records indicate that the 1986 Irrigation Questionnaire has not been received for Permit No(s). 1102-3. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1102-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

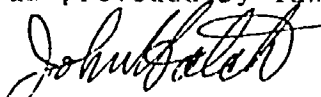
The hearing(s) will be at 2:00 pm, May 6, 1987, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s) the Water Management Board can:

1. Suspend Permit No(s). 1102-3 until either the 1986 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.


JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

NOTE: If the questionnaire(s) is received in this office before the hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

 **Department of
Water & Natural Resources**

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

May 4, 1987

1102-3

Raymond Shields
RR #3
Pierre, SD 57501

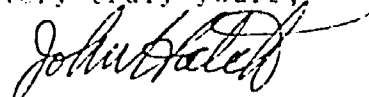
Dear Mr. Shields:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Right No. 1102-3 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352



Department of Water & Natural Resources

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

January 29, 1988

RAYMOND SHIELDS
RR #3
PIERRE, SD 57501

NOTICE

Re: Violation of Water Permit No(s). 1102-3

Our records indicate that the 1987 Irrigation Questionnaire has not been received for Permit No(s). 1102-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1102-3 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing(s) will be at 9:00 am, March 2, 1988, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s) the Water Management Board can:

1. Suspend Permit No(s). 1102-3 until either the 1987 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

 **Department of
Water & Natural Resources**

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

February 25, 1988

1102-3

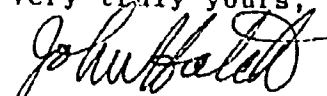
Raymond Shields
RR 3
Pierre SD 57501

Dear Mr. Shields:

I am writing to acknowledge receipt of your 1987 Irrigation Questionnaire(s). A notice was sent to you January 29, 1988 regarding the requirement to submit the Irrigation Questionnaire(s) for Water Permit No. 1102-3 and the hearing date before the Water Management Board.

Since your questionnaire was received prior to the March 2, 1988 Water Management Board Meeting, your name has been deleted from the Board Meeting agenda. If you have any questions, please contact us.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

John Hancock Mutual Life Insurance Company

Upper Midwest Regional Office

1030 Badgerow Building
(712) 252-4323

Mail Address:
PO Box 3609
Sioux City, IA 51102

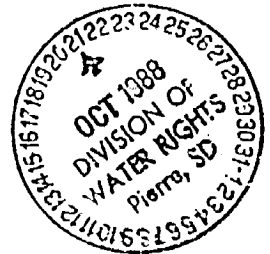
Mike S. Huber
Agricultural Investment Analyst

1102-3

John Hancock
Financial Services

October 19, 1988

Ms. Maxine Stirling
Department of Water & Natural Resources
Water Rights Division
Joe Foss Bldg - 523 East Capitol
Pierre, South Dakota 57501-3181



Dear Ms. Stirling:

RE: FA 16065 Bisson

Thank you for sending the transfer of water permit forms on the former Lester Bisson land. Please find enclosed the completed forms and the \$5.00 filing fee for the two permits.

I don't recall having any sort of transfer done on the former Ray Shields land that we now own. There should be water permits to transfer there also. Could you check your records and send me what ever is needed to have the permits on our name in that case also. The legal is the N $\frac{1}{2}$, and SW $\frac{1}{4}$ of Section 32, Township 110, Range 76 in Hughes County.

Yours truly,

Mike S. Huber
Mike S. Huber

SOUTH



Department of Water & Natural Resources

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

October 25, 1988

1102-3

Mike S Huber
John Hancock Mutual Life Ins Company
PO Box 3009
Sioux City, IA 51102

RE: Water Right No. 1102-3, Raymond Shields

Dear Mr. Huber:

Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Right No. 1102-3. You indicated in your letter of October 19, 1988, that John Hancock Mutual Life Insurance Company now owns the land covered under this water right.

The form should be checked over, completed, and signed in the presence of a notary public by a representative of your company. Upon completion of the form, return it to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Also enclosed is the 1988 irrigation questionnaire pertaining to the former Ray Shields property. This should be completed and returned to us by December 20, 1988. If you have any questions, please contact us.

Sincerely,

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



CAMERA OPERATOR



Department of Water & Natural Resources

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

February 17, 1989

Raymond Shields - OP John Hancock Insurance Co
RR 3
Pierre, SD 57501

Dear Mr. Shields:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;



Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified. If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,

John H. Hatch
for JOHN HATCH, Chief Engineer
Water Rights Division

John Hancock Mutual Life Insurance Company

Upper Midwest Regional Office

1030 Badgerow Building
(712) 252-4323

Mail Address:
PO Box 3009
Sioux City, IA 51102

Mike S. Huber
Agricultural Investment Analyst



November 1, 1988

Ms. Genny McMath
Department of Water & Natural Resources
Joe Foss Building - 523 E. Capitol
Pierre, South Dakota 57501-3181



Dear Ms. McMath:

RE: FA 16088 Shields
Water Right # 1102-3

I am enclosing the Notice of Transfer that you recently sent to me. Please note that the land in Section 31 is being purchased by Ray Shields from us on a Contract For Deed so I have crossed off that Section. I also added the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32 as there is land that gets a little irrigation also.

If the Section 31 land needs to be handled differently let me know.

Yours truly,

Mike S. Huber

Mike S. Huber

Water Rights Division - DWR

File No. 1102-3

Conversation or File Documentation

NAME OF PERSON OR FILE: John Hancock Ins. Co - Mike HuberADDRESS: Sioux City, Iowa COUNTY DATE: March 16, 1989 TELEPHONE 712 252-4323RE: transfer of Water Permit No. 1102-3

COMMENTS:

I called Mr. Huber concerning the transfer he submitted in November, 1988 on behalf of John Hancock Ins Co. On the form, he had crossed out a portion of the legal description and added a different description.

He indicated that Raymond Shields was purchasing part of the land (the part he crossed off) on a contract for deed. The part he included on the form he took off of a map of the area. He thought it looked like it was being irrigated along with the rest of the acreage.

After visiting with Mr. Huber, he decided to go ahead and transfer the part Raymond Shields was purchasing, to John Hancock. At such time as ^{the} contract for deed is paid off, then transfer the W $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 31 to Mr. Shields.

Concerning the portion of land in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 32 he added to the transfer form: I told him if the land was being irrigated, a permit would have to be obtained for this. He could not add it to the transfer form. He stated that the land was in the process of being sold to Dakota Research Farms. He would make them aware of the permit that was needed.

I told him I could not change the transfer form he submitted, but would send him a new form to sign and notarize.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Senny Mcmeth

SOUTH DAKOTA
Department of
Water & Natural Resources

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



March 17, 1989

1102-3

Mike Huber
John Hancock Mutual Life Ins Co
PO Box 3009
Sioux City, IA 51102

Dear Mr. Huber:

In followup to our March 16th telephone conversation, enclosed is the original transfer form you submitted and a new form. Please sign the transfer form in the presence of a notary public and return it to us as soon as possible. We have the \$2.50 filing fee you submitted, an additional fee will not be needed.

If you have any questions, please contact me.

Sincerely,

Genny McMath

GENNY MCMATH
Natural Resources Analyst

enclosures

3-20-89

Genny - Enclosed is the new form as requested

Huber

**Dakota Department of
Water & Natural Resources**

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

JUN 6 1989

1102B-3

Mike S Huber
John Hancock Mutual Life Ins. Co.
PO Box 3009
Sioux City, IA 51102

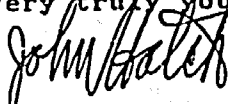
Dear Mr. Huber:

Enclosed is Receipt No. 411478 in the amount of \$2.50 which you paid for the transfer of Water Right No. 1102-3 from Raymond Shields to John Hancock Mutual Life Insurance Company. An additional transfer has been filed by Dakota Lakes Research Farm, to transfer a portion of the water right (the land in Section 32, T110N, R76W) to their name.

The transfer and division of Water Right No. 1102-3 has been completed. The water license has been divided and reissued as No. 1102A-3, Dakota Lakes Research Farm, a South Dakota nonprofit corporation and No. 1102B-3, John Hancock Mutual Life Insurance Company.

Enclosed is a copy of Water License No. 1102B-3. If you have any questions concerning the water license, please contact us.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

enclosures

