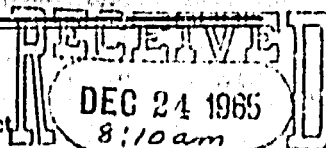


1244-3

1. Considered 3-16, 1966
2. Name of Applicant LEONARD FAWCETT
3. Post Office Address REE HEIGHTS
4. Amount of water claimed 2.0
5. Source of water supply DRY DRAIN
6. Water to be used for IRRIGATION
Acres to be irrigated 12.
7. Water to be diverted and used in HAND County about
2 1/2 miles 95 of REE HEIGHTS
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☐
Subject to ☐
Not Approved ☐
Action deferred ☐
10. Remarks:

No. **1244-3**Water Division No. **3** **MISSOURI RIVER** District
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMMISSION
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 Leonard Fawcett
Postoffice address Red Heights, County HAND, 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 of direct labor

- (b) Cash on hand, \$ Amount (c) Treasury stock, \$ _____
(d) Bonds to be issued, \$ _____ (e) Other resources, \$ Govt. cost-share

2. Name of diversion work Leonard Fawcett water spreading project3. Amount of water claimed 0.2 cubic feet per second 36 ac. ft.4. Source of water supply Surface runoff
A POINT IN THE E23W4, SECTION 22, T11N, R70W5. Location of point of diversion Refer to plan map
_____ on left bank HAND County.6. Annual period or periods during which water is to be used When available

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Water spreading(a) Number of acres to be irrigated 12 acres.(b) Legal subdivisions to be irrigated Refer to plan map E23W4, SEC 22, T11N, R70W

(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. Stock watering, 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 864-3

8. Estimated cost of work:

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

(b) Pumping plant, \$.....

(c) Fluming, \$.....

(d) Canal-earth, \$50.00.....

Rock, \$.....

(e) Other structures gravel dikes \$100.00.....

Total, \$.....

9. Description of diversion works:

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

Small dam will divert water into supply ditch as shown on map.

II. Dimensions of works.

(a) Dam: Height 6 feet; length at bottom 20 feet; length at top100 feet; thickness at bottom 12 feet; thickness at top 12feet; slope at front water face 2:1; slope at back face 2:1material used in construction Earth

(b) Reservoir: Capacity when filledacre feet. Surface area at highwater markacres.

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

(c) Head gate: Widthfeet; heightfeet;
Material Supply ditch: 12' bottom; 1:1 side slopes; 0.6 ft. depth(d) Canal: Total length 0.1 miles.

LOCATION BELOW HEADGATE	DEPTH	BYTOM 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 1/4 years.12. Choice of newspaper for publication of notice of intention to appropriate
Miller Press, Miller, S. Dak.

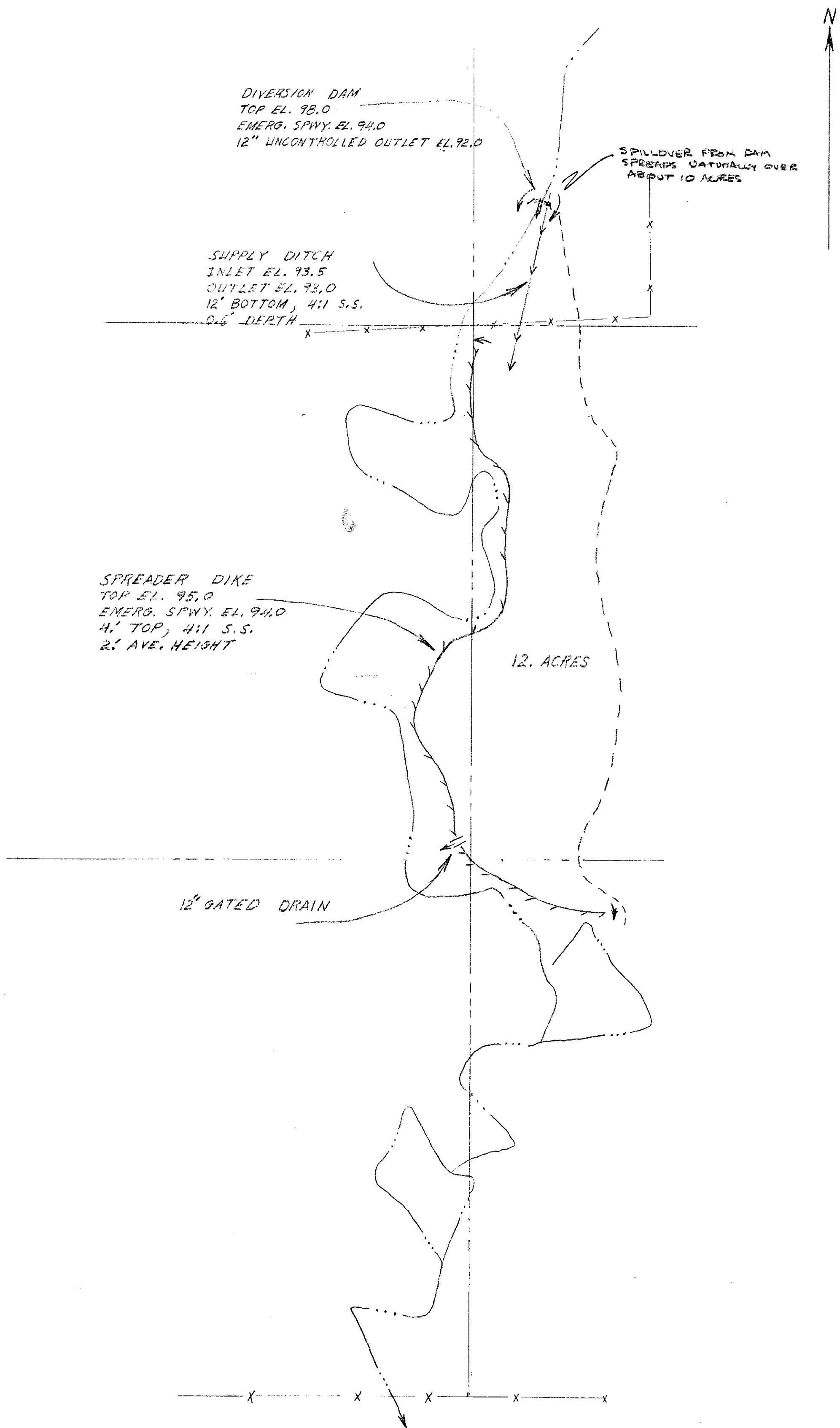
STATE OF SOUTH DAKOTA

County of Hand } ss.I, Leonard Fawcett,

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

Leonard FawcettSubscribed and sworn to before me this 23 day of December 1915W. M. Anderson
Notary Public (or other qualified officer.)



21 22
28 27

WATERSPREADING PLAN MAP

200 0 200 400
SCALE OF FEET

LEONARD FAWCETT
WATERSPREADING PROJECT
SEC. 23, T111N, R70W
HARD CO., S. DAK.
U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed by <i>K. HUBER</i>	Date <i>4/65</i>	Approved by _____
Drawn _____	Title _____	Checked _____
Traced _____	Sheet No. _____	Drawing No. _____

Remarks by State Water Resources Commission:

The diversion rate limitation of 1 cubic foot per second for each 70 acres irrigated shall not apply to this Dry Draw irrigation diversion during periods of flood flows, when such flows are in excess of the amount of water required to satisfy domestic use requirements and other water rights.

STATE OF SOUTH DAKOTA
County of HUGHES ss.

Pierre, South Dakota, MARCH 17, 1966

This is to certify that the foregoing application was received by the Commission at 8:10 o'clock
9 a.m. upon the 24TH day of DECEMBER, 1965

State Water Resources Commission

By:

Denton Jones
for Chief Engineer, Executive Officer

Number of permit 1244-3

Date of first receipt of application MAY DECEMBER 24, 1965

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 DECEMBER 24, 1965

Approved MARCH 16, 1966, Recorded in Book 9 Page 98

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 SEPTEMBER 16, 1968

2nd. The whole of said work is to be completed on or before MARCH 16, 1971

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is MARCH 16, 1975

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 2 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 MARCH 16, 1975, said water to be used during the following described annual period:

WHEN AVAILABLE

Witness my hand this 17TH day of MARCH, 1966.

State Water Resources Commission

By:

J. L. Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued MARCH 23, 1973

Water License Issued MARCH 23, 1973

Form 15.

Permit No. 1244-3

Water Diversion No. 3 JAMES RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Leonard Pawcett

_____ the holder _____ of
Permit No. 1244-3, issued upon Application No. 1244-3, bearing date of priority of December 24, 1965
_____ authorizing the diversion of .20 cu. ft. per second of the waters of _____
local runoff County of Hand, State of South Dakota at _____
a point in the SE 1/4 NW 1/4, Section 22, T11N, R70W
_____, for irrigation

purposes, has B 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 up to 10 cu. ft. per second of water.

Date March 28, 1973

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1244-3

(1) WHEREAS, On the 24th day of December A. D. 1965
Leonard Favcett

made Water Right Application No. 1244-3 for a permit to use .20 cubic feet per second of the waters
 of local runoff

County of Hand State of South Dakota, for irrigation

purposes; and
 (2) WHEREAS, On the 17th day of March A. D. 1966

Permit No. 1244-3, with a date of priority of December 24, 1965

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 16th day of March A. D. 1971 and for the
 application to beneficial use of said water on or before the 16th day of March A. D. 1975

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 .20 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 12 acres in the E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 22, T11N, R70W

(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 Leonard Poverett

_____ of Pierre Heights, South Dakota
the holder _____ and owner _____ of said permit No. 1244-3 a water right, dating from December 24, 1965
_____ to use of .20 cubic feet per second of the waters
of local runoff
in the County of Hand and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point in the SE 1/4, Section 22, T111N, R70W

and conduct to and upon _____
12 acres in the E 1/2 SW 1/4, Section 22, T111N, R70W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1244-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 23rd day of March A. D.
Nineteen Hundred and Seventy-three

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer J.W. GRIBBS

Permit No. 1244-3Water Division 3, JAMES 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 LEONARD FAWCETT of REE HEIGHTS holder of Permit No. 1244-3, bearing date of priority of DECEMBER 24, 1965 authorizing the diversion of .20 cu. ft. per second of the waters of SURFACE RUNOFF for IRRIGATION purposes, in HAND 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:

DIVERSION DAM APPROX 6' HIGH X 100' LONG WITH 12" UNCONTROLLED OUTLET THROUGH DAM

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

C. Works used to apply water to beneficial use.

APPROXIMATELY 1/2 MILE OF SPREADER DIKES, WITH 12" GATED DRAIN INSTALLED IN DIKE

The system is in the following condition: GOODThe point of diversion is located A POINT IN THE SE⁴ NW⁴, SECTION 22, T11N, R70WThe works are capable of diverting and conveying to the place of use UP TO 10cu. 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:

12 ACRES IN THE E² SW⁴, SECTION 22, T11N, R70W

comprising a total of 12 acres of land.

Date MARCH 21, 1973
Avuton 2 Jan 11
(Signature)

WATER RIGHT SPECIALIST
WATER RESOURCES COMMISSION

on or before () February 17, 1966
(First Publication)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., February 1, 1966

Notice is hereby given that Leonard Fawcett whose postoffice address is Rea Heights 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 .2

cubic feet of water per second of time from the a dry draw through the Fawcett Waterspreading Project, the point of diversion of which is to be located on the left

bank of said stream in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 22 Twp. 111N Range 70W a portion of

lowing described land:

E $\frac{1}{2}$ W $\frac{1}{2}$, Section 22, T111N, R70W

~~XXXXXX~~

~~XXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 16th day of March, 1966, 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. H. McFarlane, Publisher
Miller Press
Miller, S.D.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County of Hand } ss.

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

_____ Miller Press _____ 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 _____ Miller _____ County of _____

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

February 10, 1966

February 17, 1966

February 24, 1966

March 3, 1966

In each and every issue of the full number thereof, the first publication being made on the tenth day of February

1966 and the last publication on the third day of

March 1966, upon which days or times

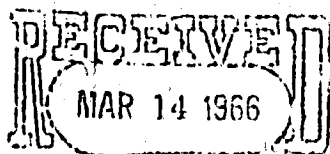
of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was _____ the printer and publisherx of

the said newspaper.

Robert H. McFarlane

Subscribed and sworn to before me this 11th day of March A. D. 1966



STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

Mrs. B. J. Miller

Notary Public Hand _____ County, S. D.

APPROPRIATION OF WATER
 Office of State Water Resources
 Commission, Pierre, S. Dak.
 February 10, 1966, 2:11 PM
 Notice is hereby given that
 Leonard Fawcett, whose postoffice
 address is Red Heights, S. Dak., has
 made an application in accordance
 with the provisions of the water laws
 of South Dakota for a permit to ap-
 propriate for beneficial use 2 cubic
 feet of water per second of time
 from a dry draw through the Faw-
 cett Water Spreading Project at the
 point of diversion of which is to be
 located on the left bank of said
 stream in the SE 1/4 of the NW 1/4 of
 Section 22, Twp. 11 N., Range 70 W.,
 Sd. water to be used for the pur-
 pose of providing irrigation on a por-
 tion of the following described land:
 E 1/2 SW 1/4, Section 22, T11N,
 R70W, 23rd N.P., S.D. 1901.
 This application will be taken up
 by the State Water Resources Com-
 mission at their office at Pierre for
 consideration upon the 16th day of
 March, 1966, 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 in-
 formation presented.
 State Water Resources
 Commission
 By: Burton F. Jones, Notary
 Water Right Specialist
 FPNO19 LPNO22

1244-3

The information below is on permit #1244-3,
if this isn't complete please send me the regular form,
Sharon Stewart

^{discretion}
permit #1244-3 flood - surface water - 12/1/92 - was
flooded 2 times spring of 92

