

1259.3

1. Considered 5-18, 1966
2. Name of Applicant Joyce Back
3. Post Office Address Prine
4. Amount of water claimed 1.05
5. Source of water supply Missouri River
6. Water to be used for irrigation

Acres to be irrigated 73.2

7. Water to be diverted and used in Hughes County about
20 E 65 miles _____ of Prine

8. Proof of Publication Received ✓

Not Received _____

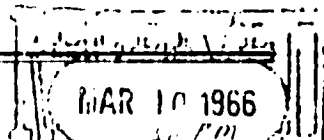
9. Application Approved _____

Subject to _____

Not Approved _____

Action deferred _____

10. Remarks;

No. 1259-3Water Division No. 3 MISSOURI RIVER District
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
MERCER COUNTY, 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 ~~JOHN S. SACK~~ RODA HEIRS c/o ERMA BRONEMAN
Postoffice address ~~Box 3~~ PIERRE, County HUGHES, State S. DAK. 57836

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) _____

(b) Cash on hand, \$ ADEQUATE (c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work RODA IRRIGATION PROJECT3. Amount of water claimed 1.05 cubic feet per second4. Source of water supply MISSOURI RIVER5. Location of point of diversion A POINT IN THE SW⁴ NW⁴ SECTION 2,
TIONN, R. 16W on left bank HUGHES County.6. Annual period or periods during which water is to be used APRIL THRU OCTOBER

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? GRAVITY(a) Number of acres to be irrigated 73.75 acres(b) Legal subdivisions to be irrigated NW⁴ NW⁴ 40 AC ALL IN SEC 2
SW⁴ NW⁴ 33.75 AC TIONN, R. 16W

(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 _____
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 876-3

8. Estimated cost of work:

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

9. Description of diversion works:

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

PUMP & GATED PIPE

II. Dimensions of works.

(a) Dam: Height.....feet; length at bottom feet; length at topfeet; thickness at bottomfeet; thickness at topfeet; slope at front water face; slope at back face material used in construction
 (b) Reservoir: Capacity when filledacre feet. Surface area at highwater mark.....acres.

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

(c) Head gate: Width.....feet; heightfeet; Material
 (d) Canal: Total lengthmiles.

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 work5.....years.
 11. Time required for complete application of water to the proposed beneficial use5..... years.
 12. Choice of newspaper for publication of notice of intention to appropriateCAPITOL JOURNAL, PIERRE, S. DAK......

STATE OF SOUTH DAKOTA
 County of HUGHES ss.

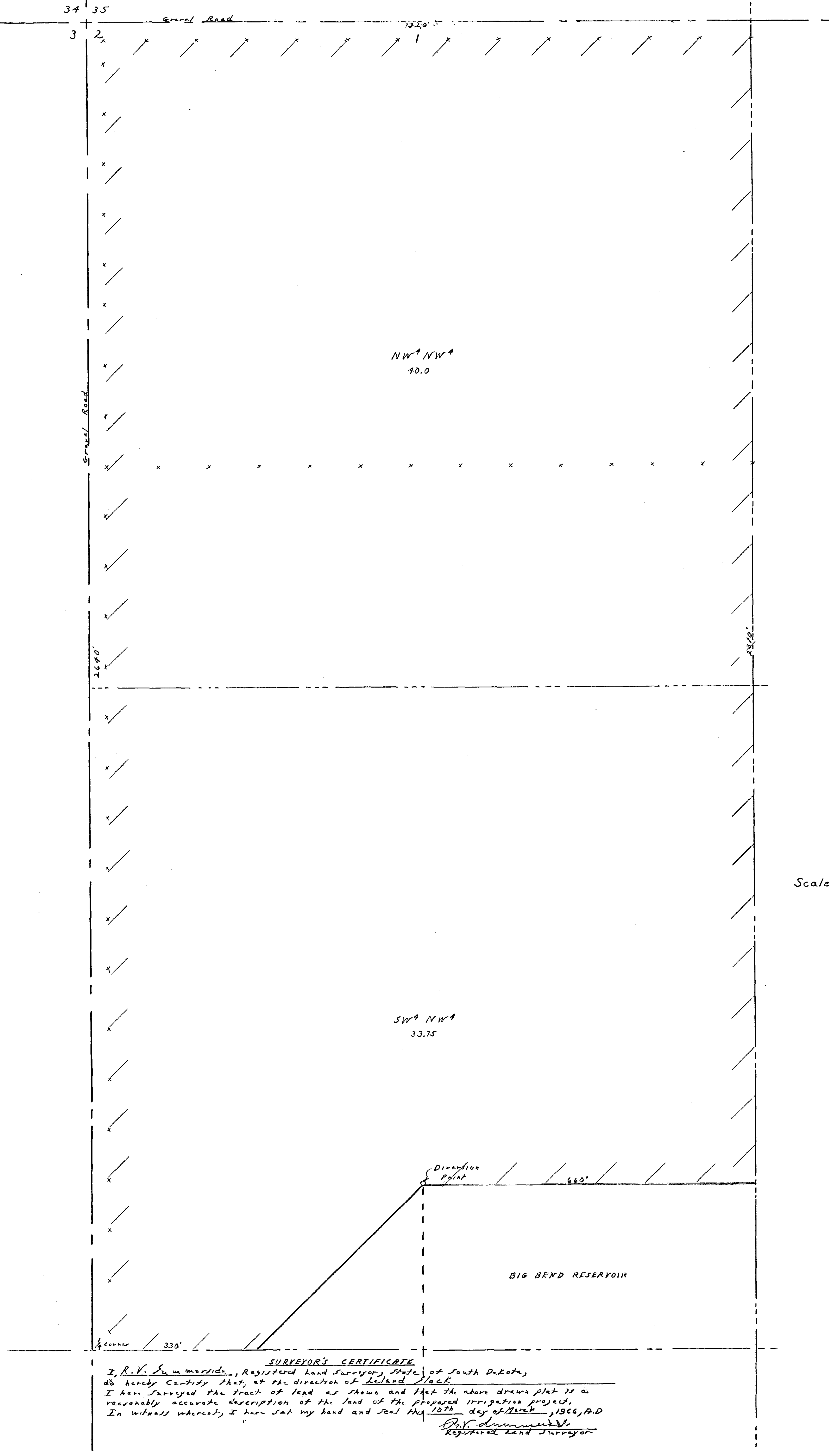
I, JOYCE SACK, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed Joyce Sack By Leland M. Luck

Subscribed and sworn to before me this 10TH day of MARCH 1966

Alvin H. Hauer
 Notary Public (or other qualified officer.)

RODA IRRIGATION PROJECT
E 1/2 NW 1/4 SECTION 2, T109N-R76W
HUGHES COUNTY



SURVEYOR'S CERTIFICATE
I, R. V. Sumner, Registered Land Surveyor, State of South Dakota,
do hereby certify that, at the direction of Richard Jack
I have surveyed the tract of land as shown and that the above drawn plat is a
reasonably accurate description of the land of the proposed irrigation project.
In witness whereof, I have set my hand and seal this 10th day of March, 1966, A.D.
R. V. Sumner
Registered Land Surveyor

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, MAY 19, 1966

This is to certify that the foregoing application was received by the Commission at 1:30 o'clock
P.m. upon the 10TH day of MARCH, 1966

State Water Resources Commission

By:

Anton Jones
for Chief Engineer, Executive Officer

Number of permit 1259-3

Date of first receipt of application MARCH 10, 1966

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 MARCH 10, 1966

Approved MAY 18, 1966, Recorded in Book 9 Page 107

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 NOVEMBER 18, 1968

2nd. The whole of said work is to be completed on or before MAY 18, 1971

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

MAY 18, 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 1.05 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 MAY 18, 1971; said water to be used during the following described annual period:

APRIL THRU OCTOBER

Witness my hand this 19TH day of MAY, 1966

State Water Resources Commission

By:

Anton Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued JULY 19, 1966

Water License Issued JULY 19, 1966

STATE OF SOUTH DAKOTA

WATER LICENSE No. 1259-3

WHEREAS, On the 10th day of March A. D. 1966
 of Joyce Sack

of Pierre County of Hughes and State of
 South Dakota duly made application (No. 1259-3) to us for a permit to use 1.05
 the Missouri River
 cubic feet per second of the waters of
 County of Hughes, State of South Dakota, for irrigation
 purposes; and

WHEREAS, On the 19th day of May A. D. 1966
 Permit No. 1259-3 was issued to said applicant for the diversion of said water, and providing for the
 completion of the works of diversion therein described on or before the 16th day of
 May A. D. 1971 and for the application to beneficial use of said
 water on or before the 18th day of May A. D. 1971
 and,

WHEREAS, On the 18th day of July A. D. 1966
 the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.5
 cubic feet per second of said waters, as evidenced by our Certificate No. 1259-3
 dated July 19, 1966 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 2.5 cubic feet per second of water, with date
 priority of March 10, 1966 and,

WHEREAS, On the 18th day of July A. D. 1966
 proof was duly made of the application to beneficial use of 1.05 cubic feet per second of said water;
 for irrigating 73.75 acres in the W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 2, T109N, R76W

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 Joyce Sack
of Pierre the holder and owner of said permit No. 1259-3
a water right, dating from March 10, 1966 to the use of 1.05
cubic feet per second of the waters of the Missouri River
in the County of Hughes and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinbelow mentioned, to be diverted at a point 660' E and 330' N of the
W $\frac{1}{2}$ corner, Section 2, T109N, R76W
and conducted to and upon 73.75 acres in the W $\frac{1}{2}$ NW $\frac{1}{4}$, Section 2, T109N, R76W

for the purpose of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 19th day of July A. D. Nineteen
Hundred and Sixty-Six

State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 1259-3Water Division No. 3 Missouri River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Joyce Sack

of Pierro, County of Hughes, and State of South Dakota, the holder of Permit No. 1259-3, issued upon Application No. 1259-3, bearing date of priority of March 10, 1966, authorizing the diversion of 1.05 cu. ft. per second of the waters of the Missouri River County of Hughes, State of South Dakota, at a point 660'E and 330' N of the W $\frac{1}{4}$ corner, Section 2, T109N, R76W for irrigation

purposes, has fully 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 2.5 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: all in Section 2, T109N, R76W

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 33.75 acres

Total - 73.75 acres

Witness my hand this 19th day of July A. D. 1966

State Water Resources Commission

By:

J. W. GRIMES

Chief Engineer, Executive Officer

on or before April 24
(First Publication66
, 1966)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., March 29, 1966

Joyce Sack

Notice is hereby given that _____ 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 1.65

cubic feet of water per second of time from the Missouri River through the
Boda Irrigation Project _____ left_____ the point of diversion of which is to be located on the
bank of said stream in the SW ¼ of the NW ¼ of Section 2

Twp. 109N Range 76W. Said water to be used for the purpose of providing irrigation on the fol-

lowing described land:

W½ NW¼, Section 2, T109N, R76W

This application will be taken up by the State Water Resources Commission at their office at Pierre for
consideration upon the 18th day of May, 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:

CC: R. E. Hipple, Publisher
Capital Journal
Pierre, S.D.BURTON F. JONES
Water Right Specialist

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:

4-1, 4-8, 4-15, 4-22

in each and every issue of the full number thereof, the first publication being made on the 1 day of April 1966 and the last publication on the 22 day of April 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 Business Mgr. the printer and publisher of the said newspaper.

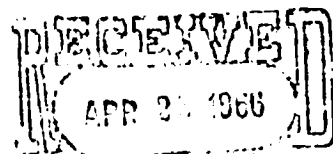
John H. Hipple

Subscribed and sworn to before me this 22 day of April A. D. 1966

Notarial Commission of
 Fernal Gorchs
 Expires March 28, 1972

Notary Public Stephen County, S. D.

No. 11496, 40 Daily, Apr. 1-8-15-22.
 No. 1279-3
 APPROPRIATION OF WATER
 Office of State Water Resources
 Commission,
 Pierre, S. Dak., March 29, 1966
 Notice is hereby given that Joyce Sack 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 1.05 cubic feet of water per second of time from the Missouri River through the Roda Irrigation Project, the point of diversion of which is to be located on the left bank of said stream in the SW 1/4 of the NW 1/4 of Section 2 Twp. 109N Range 76W. Said water to be used for the purpose of providing irrigation on the following described land: W 1/2 NW 1/4, Section 2, T109N, 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 May, 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 E. JONES
 Water Right Specialist



STATE WATER RESOURCES COM.

Permit No. 1259-3
3 MISSOURI
 Water Division No. 3 RIVER Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated _____
 19____, I have this day made a thorough examination of the diversion works constructed by _____
JOYCE SACK of PIERRE
HUGHES County, South Dakota, holder of Permit No. 1259-3, issued
 upon Application No. 1259-3, bearing date of priority of MARCH 10, 1966, authorizing the
 diversion of 1.05 cu. ft. per second of the waters of MISSOURI RIVER for IRRIGATION
 purposes. I have to report on the condition of the same as follows:

The diversion works comprise: 6" BERKELEY PUMP MODEL B6JR.CCW,
POWERED BY 50HP M.M. DIESEL TRACTOR.
2740' OF 8" MAINLINE - 630' OF 8" GATED PIPE
WITH 30" GATES.

and the system is in the following condition: EXCELLENT

The point of diversion is located 660' E & 330' N OF THE W 1/4 CORNER,
SECTION 2, T109N, R76W

The works are capable of diverting and conveying to the place of use 2.5 cu. ft. per second of water,
 which is to be used for IRRIGATION

The legal subdivisions to be irrigated are: NW 1/4 NW 1/4 - 40 AC, SW 1/4 NW 1/4 - 33.75 AC.
ALL IN SECTION 2, T109N, R76W

comprising a total of 73.75 acres of land.

The domestic use intended comprises _____

The utilization for power, mining, or other beneficial uses comprises: _____

Witness my hand, this 18TH day of JULY, 1966

--SEAL--

System 28 me
 Examining Engineer
 OFFICER

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

ON BIG BEND DAM AND LAKE SHARPE PROJECT

DACWH5 67 050hh

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

Joyce Sack
Route 3
Pierre, South Dakota

hereinafter designated as the grantee, for a period not exceeding coextensive with State Water Permit,
() years from the date hereof, an easement for a right of way for
portable pipeline and portable pump unit

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

A parcel of land in the NW 1/4 of Section 2, Township 109 North, Range 76 West of the 5th Principal Meridian, Hughes County, South Dakota, more particularly described as follows: A strip of land 66 feet in width, lying 33 feet on either side of the following described line: commencing at the Northwest corner of the SW 1/4 NW 1/4 of said Section 2; thence South parallel to the West line of said Section 2 to the shoreline of the Lake Sharpe reservoir containing 2.15 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 Eighty Five Dollars (\$ 85.00) payable in advance. Compensation shall be made payable to the Treasurer of the United States and forwarded by the grantee to

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 United States reserves to itself the right to flood the premises when and as required.

16. The grantee shall not discharge waste or effluent from the right-of-way easement in such a manner that such discharge will contaminate streams or other bodies of water or otherwise become a public nuisance.

17. That this easement and right-of-way for a water pipeline and pumping unit 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 Conditions Nos. 15, 16 and 17 were added prior to execution.

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

IN WITNESS WHEREOF I have hereunto set my hand this
day of 15 September 19 66



DALE EGAN
Chief, Real Estate Division
Omaha District, Corps of Engineers

Form 20.

N 1259-3

NOTICE OF TRANSFER OF WATER PERMIT

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

Date February 26, 1975

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

W¹ NW¹, Section 2, T109N, R76W

leased
formerly owned by Joyce Sack, Pierre, S.D.

has been transferred to Roda Heirs, % Erma Bronemann, Harold, S.D.

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 1259-3 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.

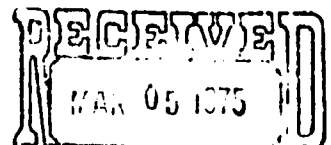
STATE OF SOUTH DAKOTA)
County of Hughes) ss.

I, Erma Bronemann (Agt) - Roda Heirs 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.

Erma Bronemann (Agt) - Roda Heirs
(Signed)

Suscribed and sworn to before me this 27 day of Feb, 19 75

Thomas Barnett
(Notary Public)



STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

Form 20.

No. 1259-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
Foss Building
Pierre, South Dakota 57501

Date: August 22, 1977

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

73.75 acres in the W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 2, T109N, R76W

formerly owned by Roda Heirs c/o Erma Broneman, Harrold

has been transferred to Vern A. Roda, 2615 Som. Ct. N. Rd, Willoughby Hills, Ohio, 44094

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

Water Right Permit No. 1259-3 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 Rights Commission 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 Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939..

STATE OF SOUTH DAKOTA)
) SS.
County of Hughes)

I, Vern A. Roda 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 foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Vern A. Roda
(Signed)

Subscribed and sworn to before me this 22 day of August

19 77.

James E. Winter
(Notary Public)
Water Rights Specialist