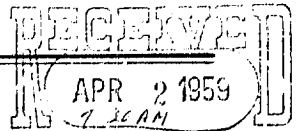


1. Considered June 17, 1959 Appl. No. 129-34
2. Name of Applicant Ralph N. Bales
3. Post Office Address 1404 Ohio SW, Huron, S. Dak.
4. Amount of water claimed no additional over 129-3
5. Source of water supply James River
6. Water to be used for irrigation
Acres to be irrigated 181.3
7. Water to be diverted and used in Beadle County ~~about~~
~~miles~~ at the SE corner of No.
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☐
Subject to ☐
Not approved ☐
Action deferred ☐

10. Remarks:

Actually no additional acreage
or water over 129-3. This is
a change in location of lands to
the extent of 80-85 acres. The other
Application will be reduced by this much.



No. 122-3A Division James River
 Water Division No. 3 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 Ralph O. Bales Transferred to 154 E. 5600 acres
60th Plains, Huron 535 18th S.W.
 Postoffice address Huron, S.D., County Beadle, 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
- (b) Cash on hand, \$ _____ (c) Treasury stock, \$ _____
- (d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work Ralph O. Bales, Irrigation Project #1
3. Amount of water claimed 2.59 cubic feet per second
4. Source of water supply James River
5. Location of point of diversion #1, #2, #3 (See back of application)
 _____ on _____ bank _____ County.
6. Annual period or periods during which water is to be used May 15 to Oct. 15
7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity
- (a) Number of acres to be irrigated 181.3 acres.

(b) Legal subdivisions to be irrigated _____
 (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 _____

No. 102-3A
 Map

8. Estimated cost of work:
- | | |
|----------------------|-----------------------|
| (a) Head Gates, \$ | (b) Pumping plant, \$ |
| (c) Fluming, \$ | Rock, \$ |
| (d) Canal-earth, \$ | Total, \$ |
| (e) Other structures | |

9. Description of diversion works:

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

II. Dimensions of works:

- (a) Dam: Height _____ feet; length at bottom _____ gth at top _____ feet; thickness at bottom _____ feet; thickness at top _____ feet; slope at front water face _____; slope at back face _____ material used in construction _____
- (b) Reservoir: Capacity when filled _____ acre feet. Surface area at highwater mark _____ acres.

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

- (c)* Head gate: Width _____ feet; height _____ feet,
Material _____
- (d) Canal: Total length _____ miles.

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work _____ 1959 _____ years.
11. Time required for complete application of water to the proposed beneficial use _____ this _____ years.
12. Choice of newspaper for publication of notice of intention to appropriate _____ Huronite and _____ Daily Plainsman _____

STATE OF SOUTH DAKOTA

County of _____

I, Raymond B. Bower, 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 _____

Subscribed and sworn to before me this _____

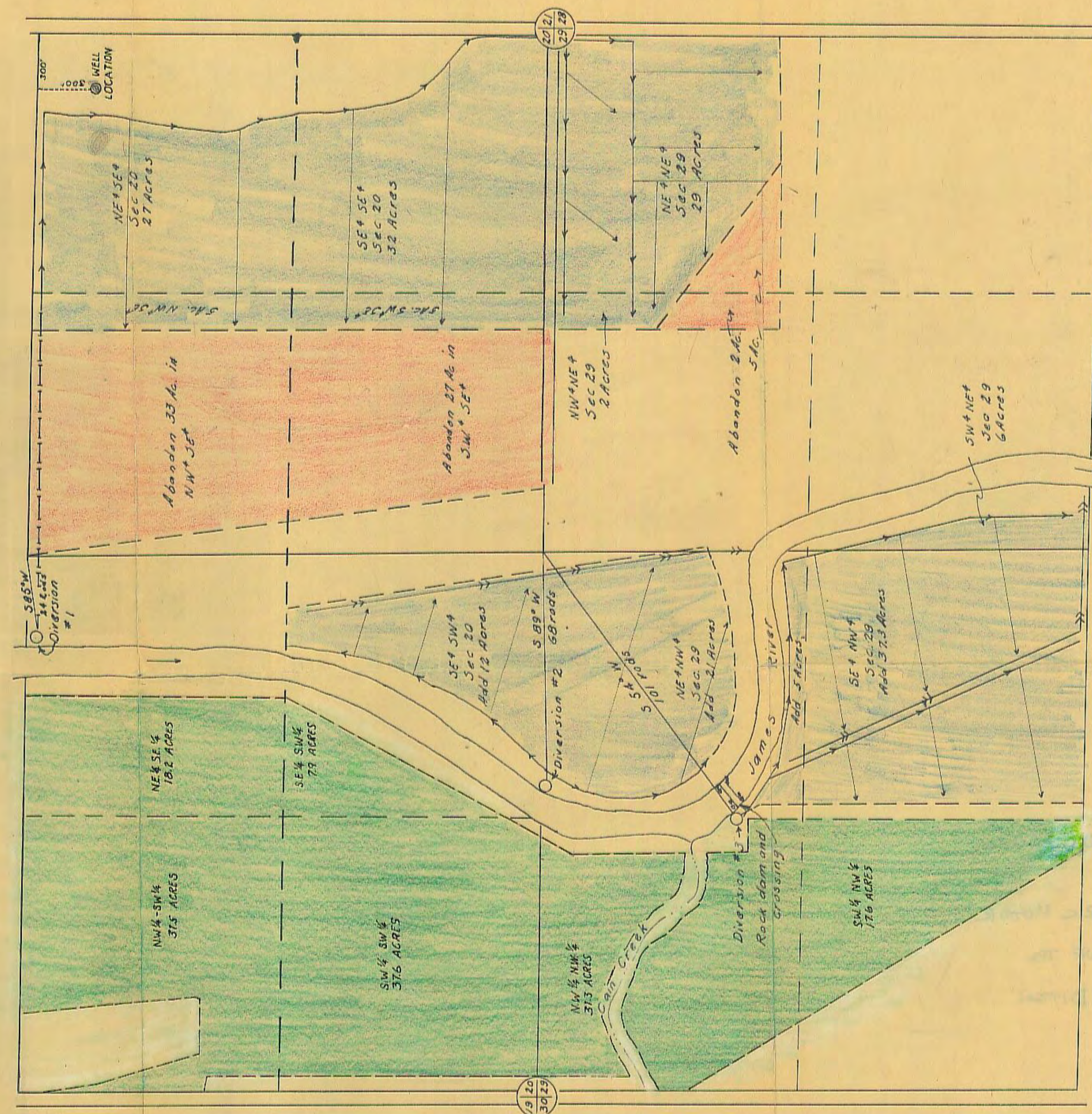
_____ day of _____ 1959

Notary Public (or other qualified officer.)

LANDS TO BE IRRIGATED				Range	Area
Location	Section	Township	Range	Area	Acres
NW 1/4	20	110N	61W	50.0	33.0
NE 1/4	20	110N	61W	27.0	12.0
SE 1/4	20	110N	61W	32.0	6.0
SW 1/4	20	110N	61W	5.0	27.0
NE 1/4	29	110N	61W	23.0	5.0
NW 1/4	29	110N	61W	2.0	2.0
SE 1/4	29	110N	61W	12.0	26.0
SW 1/4	29	110N	61W	27.3	6.0
Total				181.3	85.0

LANDS TO BE IRRIGATED - B & O ASSOCIATES NO. 1				
Location	Section	Township	Range	Area
NW 1/4-SW 1/4	20	110N	61W	31.5
NE 1/4-SW 1/4	20	110N	61W	18.2
SE 1/4-SW 1/4	20	110N	61W	7.9
SW 1/4-SW 1/4	20	110N	61W	37.6
NW 1/4-NW 1/4	29	110N	61W	31.3
SW 1/4-NW 1/4	29	110N	61W	17.6
TOTAL				144.1

NOTE: Additional lands to be irrigated shown in green



Scale: 1" = 400'

→ Irrigation ditch
→ Drainage ditch

— Pipe line
--- Intermitent stream
○ Pump Sites

B. & O. Associates Irrigation Project No. 1

SURVEYOR'S CERTIFICATE
I, Harlan W. Meyer, do hereby certify that this map identifies the land of B. & O. Associates, Alfred R. Barnes and Robert K. Osborn, partners and owners of B & O ASSOCIATES IRRIGATION PROJECT NO. 1

Harlan W. Meyer
Registered land surveyor

Subscribed and sworn to before me this 27th day of July 1961 A.D.

My commission expires September 29, 1967

Lorraine C. Lane
Notary Public

SURVEYOR'S CERTIFICATE

I, Maxwell M. Fink DO HEREBY CERTIFY THAT THIS MAP IDENTIFIES THE LAND OF THE RALPH O. BALES IRRIGATION PROJECT #1

SIGNATURE: Maxwell M. Fink
TITLE: AREA ENGINEER
U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBSCRIBED AND SWORN TO before me this 20th day of March, 1962 A.D.

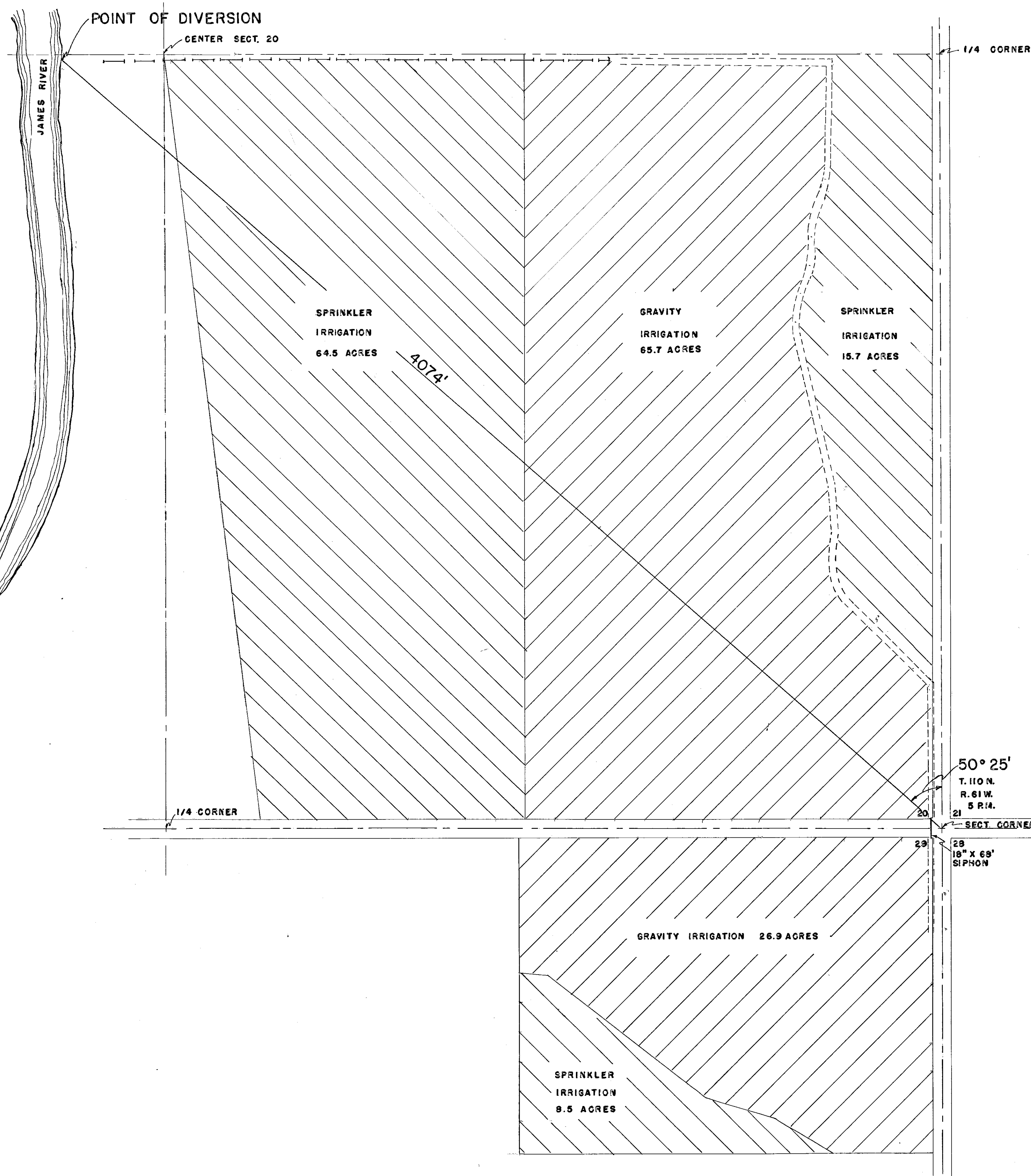
Maxwell M. Fink
Notary Public

RALPH O. BALES IRRIGATION PROJECT #1

Beadle County, South Dakota

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed by M. M. F.	Date	Approved by
Drawn by M. M. F.	Title	
Traced by	Sheet	Project No. W.C. # 128-3
Checked by	of	



AREAS BY LEGAL SUBDIVISION

SE. 1/4, SECT. 20, T. 110 N., R. 61 W.:
 SPRINKLER IRRIGATION 80.2 ACRES
 GRAVITY IRRIGATION 65.7 ACRES
 N.E. 1/4, SECT. 29, T. 110 N., R. 61 W.:
 SPRINKLER IRRIGATION 8.5 ACRES
 GRAVITY IRRIGATION 26.9 ACRES
 TOTAL 181.3 ACRES

LENGTH OF DITCH 3900 FEET

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA) SS
 COUNTY OF BEADLE)
 I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR IN AND FOR THE
 STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT, AT THE REQUEST
 OF RALPH O. BALES, SOLE OWNER, I SURVEYED THE TRACTS OF IRRIGABLE
 LAND WITHIN HIS OWNERSHIP BOUNDRIES ON OCTOBER 15, 1955 FOR WHICH
 APPLICATION FOR APPROPRIATIVE WATER RIGHT IS MADE AND THIS MAP IS
 A TRUE REPRESENTATION THEREOF.

WITNESS MY HAND AND SEAL THIS 15TH DAY OF OCTOBER 1955

Harlan W. Meyer
 REGISTERED LAND SURVEYOR

STATE OF SOUTH DAKOTA) SS
 COUNTY OF BEADLE)
 ON THIS DAY, BEFORE, THE UNDERSIGNED, A NOTARY PUBLIC WITHIN AND
 FOR SAID COUNTY AND STATE, PERSONALLY APPEARED HARLAN W. MEYER,
 KNOWN TO ME TO BE THE PERSON WHO EXECUTED THE FOREGOING SURVEYORS
 CERTIFICATE AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

WITNESS MY HAND AND NOTARY SEAL THIS 15TH DAY OF OCTOBER 1955.

Herman H. Rauder
 NOTARY PUBLIC

MY COMMISSION EXPIRES June 13, 1957

SCALE 1" = 200'

Obsolete
Amended by
Map No. 102-3A
App. No. 129-3A

MAP

SHOWING AREA AND POINT ON JAMES RIVER WHERE
 WATERS WILL BE DIVERTED-FOR PERMIT TO
 APPROPRIATE WATER
 RALPH O. BALES, OWNER
 HARLAN W. MEYER - SURVEYOR

Map No. 102-3
 App. No. 129-3A

Remarks by State Water Resources Commission:

Irrigation withdrawals under this Permit are subject to 15 cfs or more flowing over the dam at Hi on. This Permit is a transfer of land from 129-3, plus abandonment of certain portions and addition of other areas for better utilization of the water.

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, August 2, 1960

This is to certify that the foregoing application was received by the Commission at 9:30 o'clock a.m. upon the 2nd day of April, 1959

State Water Resources Commission

By: Burtin Jones
for Chief Engineer, Executive Officer

Number of permit 129-3A

Date of first receipt of application April 2, 1959

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 October 20, 1955

Approved June 17, 1959, Recorded in Book 6 page 104

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

June 17, 1959

2nd. The whole of said work is to be completed on or before June 17, 1959

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

Completed, 19—

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 2.59 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 June 17, 1960; said water to be used during the following described annual period:

May 15 to October 15, inclusive

Witness my hand this 13th day of August, 1960

State Water Resources Commission

By: John J. Jones
Chief Engineer, Executive Officer

Certificate of Construction issued October 16, 1962

Water License issued October 16, 1962

Remarks by the Applicant:

Diversion #1

From center of Sec. 20 T-110N R-61W S85° W 21 rods

Diversion #2

From SW corner SE $\frac{1}{4}$ 20 T-110N R-61W S89° W 68 rods

Diversion #3

From SW corner SE $\frac{1}{4}$ 20 T-110N R-61W S54° W 101 rods

lands Irrigated on 129-3 Revised

NW $\frac{1}{4}$	SE $\frac{1}{4}$	20	110N	R61W	5.0 Acres
NE $\frac{1}{4}$	SE $\frac{1}{4}$	20	110	61W	27.0
SE $\frac{1}{4}$	SE $\frac{1}{4}$	20	110	61	32.0
SW $\frac{1}{4}$	SE $\frac{1}{4}$	20	110	61	5.0
NE $\frac{1}{4}$	NE $\frac{1}{4}$	29	110	61	29.0
NW $\frac{1}{4}$	NE $\frac{1}{4}$	29	110	61	2.0
SE $\frac{1}{4}$	SW $\frac{1}{4}$	20	110	61	12.0
NE $\frac{1}{4}$	NE $\frac{1}{4}$	29	110	61	26.0
SW $\frac{1}{4}$	NE $\frac{1}{4}$	29	110	61	6.0
SE $\frac{1}{4}$	NW $\frac{1}{4}$	29	110	61	37.3
TOTAL					161.3 Acres

STATE OF SOUTH DAKOTA

WATER LICENSE No. 129-3A . . .

WHEREAS, On the 2nd day of April A. D. 1959

Ralph O. Bales

of Huron County of Beadle and State of
South Dakota duly made application (No. 129-3A) to us for a permit to use 2.59
cubic feet per second of the waters of the James River
County of Beadle, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 17th day of June A. D. 1959
Permit No. 129-3A was issued to said applicant for the diversion of said water, and providing for the
completion of the works of diversion therein described ~~XXXXXXXXXX~~ ~~XXXX~~

~~XXXXXX~~ and for the application to beneficial use of said
water on or before the 17th day of June A. D. 1960

and, WHEREAS, on the 29th day of August, 1961, said permit was trans-
ferred to B & O Associates, Huron, South Dakota, and

WHEREAS, On the 29th day of August A. D. 1962
the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.59

cubic feet per second of said waters, as evidenced by our Certificate No. 129-3A
dated October 16, 1962 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 2.59 cubic feet per second of water, with date of
priority of October 20, 1955 ~~XX~~ and,

WHEREAS, On the 29th day of August A. D. 1962
proof was duly made of the application to beneficial use of 2.59 cubic feet per second of said water;
for irrigating 181.3 acres in Sections 20 and 29, T110N, R61W

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 R. E. O. Associates
of Huron the holder ^S and owner ^S of said permit No. 129-3A
a water right, dating from October 20, 1955 to the use of 2.59
cubic feet per second of the waters of the James River
in the County of Beadle and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted at _____

and conducted to and upon 181.3 acres in Sections 20 and 29, T110N, R61W,
more specifically described in the Certificate of Completion of Works

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 16th day of October A. D. Nineteen
Hundred and Sixty-Two

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. GRIMES

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. **129-3A**Water Division No. **3** **James River** Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That **B & O Associates**

of **Huron**, County of **Beadle**, and State of **South Dakota**, the holder of Permit No. **129-3A**, issued upon Application No. **129-3A**, bearing date of priority of **October 20, 1955**, authorizing the diversion of **2.59** cu. ft. per second of the waters of **the James River** County of **Beadle**, State of South Dakota, at

for **irrigation**

purposes, have 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 **2.59** 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 T 110N, R61W**

Section 20	NW$\frac{1}{4}$ SE$\frac{1}{4}$	5.0 acres
	NE$\frac{1}{4}$ SE$\frac{1}{4}$	27.0 "
	SE$\frac{1}{4}$ SE$\frac{1}{4}$	32.0 "
	SW$\frac{1}{4}$ SE$\frac{1}{4}$	5.0 "
	SE$\frac{1}{4}$ SW$\frac{1}{4}$	12.0 "
Section 29	NE$\frac{1}{4}$ NE$\frac{1}{4}$	29.0 "
	NW$\frac{1}{4}$ NE$\frac{1}{4}$	2.0 "
	NE$\frac{1}{4}$ NW$\frac{1}{4}$	26.0 "
	SW$\frac{1}{4}$ NE$\frac{1}{4}$	6.0 "
	SE$\frac{1}{4}$ NW$\frac{1}{4}$	37.3 "
	Total....	181.3 "

Witness my hand this **16th** day of **October** A. D. 19**62**

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. GRIMES

(First Publication before May 26, 1959)

APPROPRIATION OF WATER

Office of State Water Resources Commission
Pierre, S. Dak., May 19, 1959

Notice is hereby given that Ralph O. Balcer whose postoffice address is 1407 Ohio SW., Huron S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to abandon lands proposed for irrigation in parts of the NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, all in Sec. 20, T 110 N, R 61 W; NE $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 29, T 110 N, R 61 W previously approved under Permit No. 129-3 and change the location to lands in parts of the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20; the NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 29 all in T 110 N, R 61 W.

Two new points of diversion to be located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 29 T 110 N, R 61 W are requested under this application.

No additional water is requested above that previously granted under Permit No. 129-3.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of June 1959, at 2:00 PM. 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:

Les Wyborny, Water Rights Engineer

cc Robert D. Lusk, Publisher
The Huronite and Daily Plainsman
Huron, South Dakota

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Bendle } ss.

I, Grace LeGrand being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Daily Plainsman 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 Huron County of Bendle and State of South Dakota; that the said notice was published in said newspaper on the following dates:

May 25, June 1, 2, 15

in each and every issue of the full number thereof, the first publication being made on the 25 day of May 1952 and the last publication on the 15 day of June 1952, 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 publisher of the said newspaper.

Subscribed and sworn to before me this 15 day of June A. D. 1952

G. J. [Signature]
Notary Public Bendle County, S. D.

FP 5-23-52 LP 6-15-52
No. 129-3A

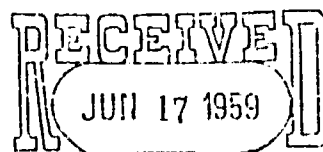
APPROPRIATION OF WATER
Office of State Water Resources
Commission
Pierre, S. Dak., May 12, 1952.

Notice is hereby given that Ralph O. Bales whose post office address is 1467 Ohio SW., Huron, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to abate in lands proposed for irrigation in parts of the SE 1/4, NE 1/4, SE 1/4, and NW 1/4, all in Sec. 20, T 110 N. R. 61 W; NE 1/4, and NW 1/4, Sec. 29, T 110 N. R. 61 W proposed approved under Permit No. 129-3A and change the location to lands in parts of the SE 1/4, SW 1/4, SE 1/4, and NW 1/4, Sec. 29 all in T 110 N. R. 61 W.

Two new points of diversion are to be located in the NE 1/4, SE 1/4, and NW 1/4, T 110 N. R. 61 W. Under this application the water is to be taken up in the NE 1/4, SE 1/4, and NW 1/4, T 110 N. R. 61 W. for a period of 17th day of June 1952. All interested parties are to appear and be heard.

Appropriation 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: Les Wyborny
Water Rights Engineer.
No. 193 (adv.)



STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

RELATIONSHIP BETWEEN 129-3, 129-3A & 559-3

Permit 129-3 was issued to Ralph O. Bales on December 19, 1955, bearing a priority date of October 20, 1955, and called for the use of 2.59 cfs of water from the James River to irrigate 181.3 acres which included 145.9 acres in the SE $\frac{1}{4}$ of Sec 20 and 35.4 acres in the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 29, all in T110N R61W.

On December 3, 1958, Mr. Bales submitted application 559-3, which requested a permit to irrigate 349.5 acres including portions of Sections 17, 20 and 29. Included in the lands to be irrigated were 92.6 acres already covered by Permit 129-3. Upon notification of this duplication Mr. Bales requested they be deleted from Application 559-3, leaving a total of 256.9 acres. The initial hearing on this Application 559-3 was held by the Water Resources Commission on February 4, 1959. Several objectors appeared in protest to granting the Permit, and the Commission deferred action until further investigations could be conducted.

On April 2, 1959 revised applications 559-3 and 129-3A were received from Mr. Bales. The revised Application 559-3 proposed the abandonment of 85 acres, bringing the lands to be irrigated under 559-3 to 171.9. At the same time Application 129-3A requested a transfer of lands to be irrigated under 129-3 to different lands and a total of 81.3 acres be transferred from 559-3 to the new application 129-3A. The recompilation of acreage indicated an additional 3.7 acres were lost in the transfers, bringing the total acreage requested under 559-3 to 168.2.

The reconsideration of these applications, 129-3A and 559-3, was held June 17, 1959, and both were approved subject to the restrictive clause that "irrigation withdrawals are not to be made when there is less than 15 cfs flowing over the dam at Huron."

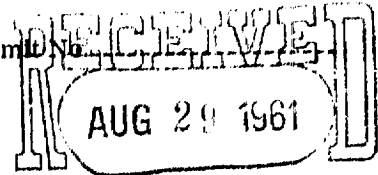
Approval of the two new applications cancelled Permit 129-3, with its priority transferred to 129-3A.



PERMIT 129-3 WAS ISSUED FOR
UNAPPROPRIATED WATERS MADE
AVAILABLE BY THE CANCELLATION
OF U.S. WITHDRAWAL 552-3.

PERMIT 129-3A REQUESTED A
CHANGE IN LANDS TO BE
IRRIGATED — HOWEVER THE
SAME ACREAGE IS UNDER 129-3.
PERMIT 129-3A CANCELS 129-3
& RETAINS THE PRIORITY OF
PERMIT 129-3.

Permit No.



NOTICE OF TRANSFER OF WATER PERMIT

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

_____ Aug 15 _____, 19 61

TO: Office of State Water Resources Commission
Pierre, South Dakota

This is to notify you that _____

Ralph O. Bales

who previously owned the land described below has sold his interests to _____

B & O Associates

together with any rights to the beneficial use of water thereon as evidenced by State Water Permit No. 129-3A
and as provided for in section 61.0141 of the SDC of 1939 and elsewhere _____

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 55.1806 of the SDC of 1939.

STATE OF SOUTH DAKOTA

County of _____

SS.

I, Alfred R. Barnes & Robert K. Osborn being first duly sworn on my
B & O Associates
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.

Signed _____

Subscribed and sworn to before me this 15th day of Aug 19 61

Notary Public

Josephine Zartman

Notary Public

Beauregard County, South Dakota
My commission expires 3/31/62

Permit No. 129-3A

Water Division No. 3 James R. 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 _____
Trans. to B&O Associates, of _____
Beadle County, South Dakota, holder of Permit No. 129-3A, issued
upon Application No. 129-3A, bearing date of priority of Oct. 20, 1955, authorizing the
diversion of 2.59 cu. ft. per second of the waters of James River for Irrigation
purposes. I have to report on the condition of the same as follows:

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

The diversion works comprise Fairbanks Metals Pomona turbine pump, ^{div. # 1} Ser. # SP361 run by a U.S. Electric Motor Ser. # 890330
1000' of 8" gated pipe, 1500' of 6", 5" & 4" pipe combined.
Berkeley Pump Ser. # 6008402, run by a Newman Electric motor
Ser. # E197102

and the system is in the following condition: Fair

The point of diversion

The works are expected

which is to be used for ...

The legal subdivisions

The domestic use intended

The utilization for power, 1

Witness my hand, this 29th day of August, A. D. 1962

~~SEAL~~

Examining Engineer.

NOTICE OF TRANSFER OF WATER PERMIT

TO: ~~WATER RIGHTS COMMISSION~~State Office Building No. 2
Pierre, South Dakota 57501Date May 6, 1974

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

formerly owned by R. K. Osborn

has been transferred to Richard Flanery

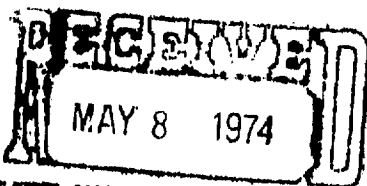
together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. s. 129-3A, 559-3A and 808-3 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of ~~Water Resources Commission~~ as evidence of the change of ownership.**WATER RIGHTS COMMISSION**

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)
) ss.
County of Beadle)I, R. K. Osborn 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.R. K. Osborn
R. K. Osborn (Signed) individually and as
President of Osborn Clothing CompanySubscribed and sworn to before me this 6th day of May, 1974Delores R. Biske
(Notary Public)

Delores R. Biske

My commission expires Sept. 18, 1979

STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

Water Rights Division - DWNR
Conversation or File Documentation

559-3
File No. 129-3A

NAME OF PERSON OR FILE: Richard Flanery

ADDRESS: P.O. Box 1378, Huron SD, 57350 COUNTY Beadle

DATE: 12/26/85 TELEPHONE _____

RE: Spike to Dick Flanery regarding licenses.

COMMENTS:

License Nos. 129-3A and 559-3 were inspected on May 1, 1985 for the purpose of updating records regarding James River diversions. The total acreage irrigated under License No. 129-3A has been reduced by 95.2 acres and the acreage covered by License No. 559-3 has not changed. Part of the irrigated acreage is covered by both licenses and both are irrigated with the same equipment; therefore, the licenses shall be incorporated. The total acreage currently being irrigated is 113.8 acres with a diversion rate of 1.62 cfs.

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: Ron Duvall



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

559-3
129-3A

NOV 6 1986

Richard Flanery
PO Box 1378
Huron, South Dakota 57350

Dear Mr. Flanery:

Enclosed is your Water Right License No. 559-3. The water license has been reissued to the extent of what is actually being used. The relicense is based on a May 1, 1985 inspection of your water use system.

If you have any questions concerning the enclosed Water License, please contact us.

Very truly yours,

A handwritten signature in cursive script that reads "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

enclosure

Applicable portions of Water Right No. 129-3A are being incorporated into this reissued Water License No. 559-3.

Conversation or File Documentation

NAME OF PERSON OR FILE: Albert Haskell, Jr.ADDRESS: PO Box 1368, Huron COUNTY DATE: April 18, 1989 TELEPHONE 352-4228RE:

COMMENTS:

On April 5, 1989, Mr. Haskell stopped by the office and completed "Notice of Transfer" forms for 559-3, 808-3 and 129-3A.

A review of the files found 129-3A had been incorporated into 559-3 upon licensing. A transfer for 129-3A was not necessary. I telephoned Mr. Haskell and explained the situation to him and indicated the filing fee of \$2.50 would be refunded to him.

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: Sunny McMath

