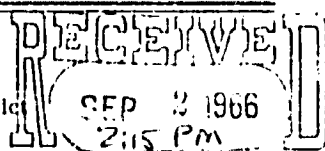


1304-3

1. Considered Mar 15, 1967
2. Name of Applicant Myron Arch
3. Post Office Address Pierre
4. Amount of water claimed 0.66
5. Source of water supply Kassapa River
6. Water to be used for Irrigation & Suburban Housing
 Acres to be irrigated 25
7. Water to diverted and used in Hughes County
 about 25 miles 6E of Pierre
8. Proof of Publication Received Mar 13
 Not Received _____
9. Application Approved ✓
 Subject to _____
 Not Approved _____
 Action deferred _____
10. Remarks:

No. 1304-3Water Division No. 3 MISSOURI RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

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

1. Name of applicant MYRIL J. ARCH
1504-E CAPITAL
 Postoffice address PIERRE, County HUGHES, State S. DAK.

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, \$ ADEQUATE (c) Treasury stock, \$

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

2. Name of diversion work MYRIL ARCH #13. Amount of water claimed 66 cubic feet per second4. Source of water supply MISSOURI RIVER & GROUND WATER5. Location of point of diversion SEE ATTACHMENTon LEFT bank HUGHES County, APRIL THROUGH OCTOBER - IRRIGATION6. Annual period or periods during which water is to be used CONTINUOUSLY FOR HOUSING

7. To be used for:

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? SPRINKLER(a) Number of acres to be irrigated 25 acres.(b) Legal subdivisions to be irrigated SEE ATTACHMENT

(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.)

SUBURBAN HOUSING

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 918-3

POINT OF DIVERSION: BETWEEN A POINT
IN THE NW¹ NW¹ & A POINT IN THE
SW¹ NW¹, SECTION 16, T11N, R78W

LANDS TO BE IRRIGATED:
S²S² SECTION 9, T11N, R78W
APPROX. 25 ACRES

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.)

WELL TO RESERVOIR & PRESSURE SYSTEM FOR
HOUSING UNIT SPRINKLER FOR IRRIGATION

II. Dimensions of works.

(a) Dam: Height.....feet; length at bottomfeet; length at top
.....feet; thickness at bottomfeet; thickness at top
feet; 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 workyears.
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

CAPITAL JOURNAL, PIERRE, S.DAK

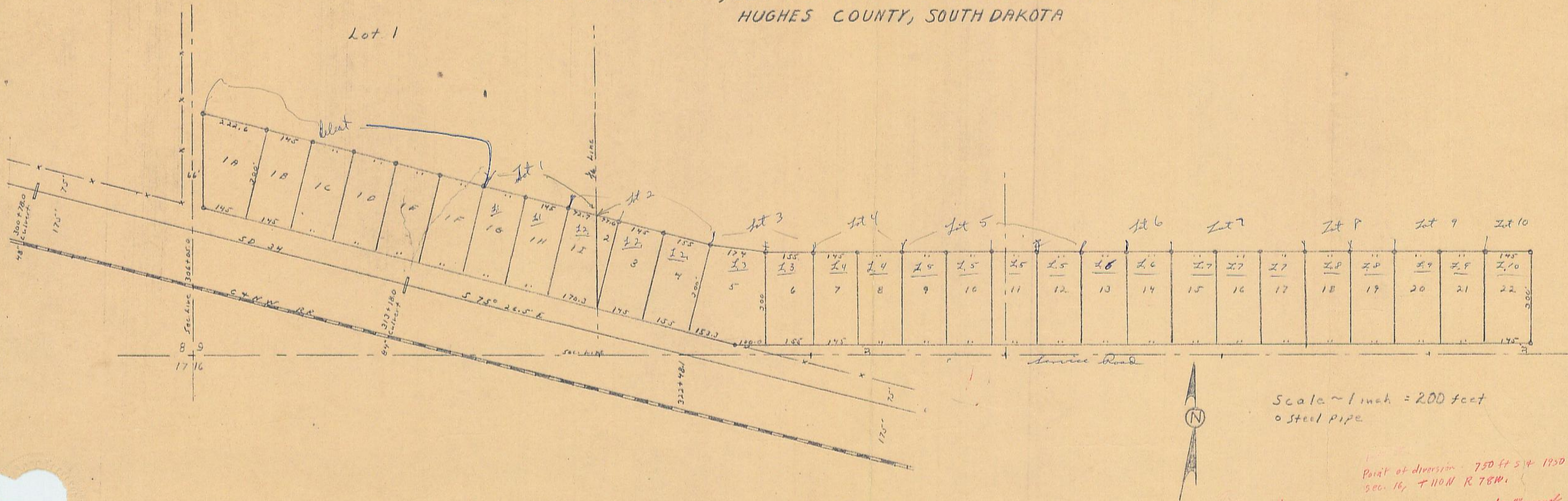
STATE OF SOUTH DAKOTA

County of HUGHES } ss.

I, MYRIL ARCH, 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 Myril J. Arch
Subscribed and sworn to before me this 2ND day of SEPTEMBER 1966
Clarence H. ...
Notary Public (or other qualified officer.)

LAKEVIEW ACRES
 PLAT OF LOTS 1A THROUGH 1I OF LOT 1, SW 1/4 of SW 1/4 SECTION 9-T110N-R78W
 AND LOTS 2 THROUGH 22, SE 1/4 of SW 1/4 and S 1/2 of SE 1/4 SECTION 9-T110N-R78W
 HUGHES COUNTY, SOUTH DAKOTA



SURVEYOR'S CERTIFICATE

I, R.V. Summerside, Registered Land Surveyor for the State of South Dakota, do hereby certify that the direction of My Pl. Arch I have surveyed the tract of land shown on the above plat and each track shall be hereafter known as Lots 1A through 1I, SW 1/4 SW 1/4 Section 9-T110N-R78W and lots 2 through 22, SE 1/4 of SW 1/4 and S 1/2 of SE 1/4 Section 9-T110N-R78W, Hughes County, South Dakota. The location and dimensions are as shown on the plat.
 In witness whereof I have set my hand and seal this 27th day of September, 1966.
R.V. Summerside
 Registered Land Surveyor

STATE OF SOUTH DAKOTA

COUNTY OF Hughes

On this 27th day of September, 1966, before me the undersigned Notary Public, personally appeared as known to me, or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained. In witness whereof, I have set my hand and official seal.

My Commission expires: HAZEL ZWICK
My Comm. Expires 1-4-67, 19 .

CERTIFICATE OF TREASURER

I, , Treasurer of County, South Dakota, do hereby certify that all the taxes which are levied upon the land included in the within drawn plat shown by records of my office have been fully paid.
 Dated this day of , 19 .

 County Treasurer

OFFICE OF REGISTER OF DEEDS

Filed for record this day of , 19 , at A.M. and recorded in Book of Plats on page herein.

 Register of Deeds

LAND OWNERS CERTIFICATE

I, , the absolute and undivided owner of the tract of land called Lots 1A through 1I of Lot 1, SW 1/4 Section 9-T110N-R78W and lots 2 through 22, SE 1/4 of SW 1/4 and S 1/2 of SE 1/4 Section 9-T110N-R78W, Hughes County, South Dakota do hereby certify that this was made at my request and under my direction, for the purposes indicated herein and that the real estate herein described is free from any liens or encumbrances under the laws of the State of South Dakota and that the plat herein drawn and the acreage shown 30.0 acres, more or less, is a true and correct representation of said survey.

Owner

STATE OF SOUTH DAKOTA

COUNTY OF

On this day of , 19 , before me the undersigned Notary Public personally appeared known to me, or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledged that he executed the same for the purposes therein contained. In witness whereof I have set my hand and official seal.

My Commission Expires: , 19 .

Notary Public

RESOLUTION OF HUGHES COUNTY COMMISSIONERS

Be it resolved by the Board of Hughes County Commissioners, that Plat of lots 1A through 1I of Lot 1, SW 1/4 Section 9-T110N-R78W and lots 2 through 22, SE 1/4 of SW 1/4 and S 1/2 of SE 1/4 Section 9-T110N-R78W Hughes County, South Dakota, be hereby granted and approved.

Dated this day of , 19 .

Chairman

CERTIFICATE OF DIRECTOR OF EQUALIZATION

I, , Director of Equalization, Hughes County, South Dakota, do hereby certify that I have on record in my office a copy of the above described plat.

Dated this day of , 19 .

Director of Equalization

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, March 17, 1967

This is to certify that the foregoing application was received by the Commission at 2:15 o'clock
P.m. upon the 2 day of September, 1966.

State Water Resources Commission

By: Richard D Schnoyen
For Chief Engineer, Executive Officer

Number of permit 1304-3

Date of first receipt of application September 2, 1966

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

Date of receipt of corrected application Maps Received January 20, 1967

Date from which applicant may claim right January 20, 1967

Approved March 16, 1967, Recorded in Book 9 Page 229

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 1969

2nd. The whole of said work is to be completed on or before March 16, 1972

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

March 16, 1972

4th. The water appropriated shall be used for the purpose of Irrigation and Suburban housing uses.

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

6th. The amount of the appropriation herein granted shall not exceed 0.66 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, 1972; said water to be used during the following described annual period:

CONTINUOUS

Witness my hand this 17 day of March, 1967

State Water Resources Commission

By: Richard D Schnoyen
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

Permit No. 1304-3

Water Diversion No. 3 Missouri River Water District
10140101

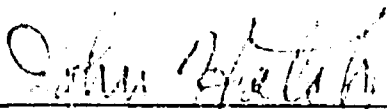
CERTIFICATE OF CONSTRUCTION

This is to Certify, That Myril Arch

_____ the holder _____ of
Permit No. 1304-3, issued upon Application No. 1304-3, bearing date of priority of January 20, 1967
_____ authorizing the diversion of .66 cu. ft. per second of the waters of _____
groundwater (one well) County of Hughes, State of South Dakota at a
point 750 ft. South and 1950 ft. west of the NE corner of Section 16 -
T110N - R78W
_____, for suburban housing

_____ 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 .02 cu. ft. per second of water.

Date August 22, 1980



JOHN HATCH, Chief Engineer
Water Rights Division

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1304-3

(1) WHEREAS, On the 2nd day of September A. D. 19 66

Myril Arch

made Water Right Application No. 1304-3 for a permit to use .66 cubic feet per second of the waters of the Missouri River and groundwater

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

(2) WHEREAS, On the 16th day of March A. D. 19 67

Permit No. 1304-3, with a date of priority of January 20, 1967

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. 19 72 and for the application to beneficial use of said water on or before the 16th day of March A. D. 19 72

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 .02 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,

water to be used in place for Suburban Housing uses.

(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 Myril Arch

_____ of Pierre, South Dakota

the holder _____ and owner _____ of said permit No. 1304-3 a water right, dating from January 20, 1967

_____ to use of .02 cubic feet per second of the waters of groundwater (cave well)

in the County of Hughes and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 750 ft. South and 1950 ft. West of the NE corner of Section 16-T110N-R78W

and conducted ~~to and from~~ thru the distribution system

for the purpose of suburban housing

Subject to any limitations listed in Water Right Permit No. 1304-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 22nd day of August A. D.
Nineteen Hundred and Eighty

WATER MANAGEMENT BOARD

By:



Chief Engineer, Executive Officer **John Hatch**

On or before February 16
(First Publication _____, 1967)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., January 27, 1967

Notice is hereby given that **Myril J. Arch** 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 **0.66** cubic feet of water per second of time from the **Missouri River** through the **Myril Arch #1** the point of diversion of which is to be located on the **1 1/2** ft between a point in the NW 1/4 NW 1/4 and a point in bank of said stream in the **SW** 1/4 of the **NW** 1/4 of Section **16** portions of Twp. **110N** Range **78W** Said water to be used for the purpose of providing irrigation on the following described land:

8 1/2 S 1/2 Section 9, T110N, R78Wand for **suburban housing** purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the **15th** day of **March**, 19**67**, 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:

~~XXXXXXXXXXXXXXXXXXXX~~
RICHARD D. SCIRLOVER
Water Right Specialist

CC: Mr. R. B. Hipple, Publisher
Daily Capital Journal
Pierre, S.D.

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 itme 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:

1-31-, 2-7, 2-14, 2-21-1967

in each and every issue of the full number thereof, the first publication being made on the 31 day of Jan. 1967 and the last publication on the 21 day of Feb. 1967, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was Business Manager the printer and publisher of the said newspaper.

John H. Hipple

Subscribed and sworn to before me this 21 day of Feb. A. D. 1967

Notary Public HUGHES County, S. D.

No. 103, 4t daily, Jan. 31, Feb. 7-14-21.

No. 1304-3
 APPROPRIATION OF WATER
 Office of State Water Resources
 Commission,

Pierre, S. Dak., January 27, 1967
 Notice is hereby given that Myril J. Arch 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 0.66 cubic feet of water per second of time from the Missouri River through the Myril Arch 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 $\frac{1}{4}$ NW $\frac{1}{4}$ and a point in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 16 Twp. 110N Range 78W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

S $\frac{1}{2}$ S $\frac{1}{2}$ Section 9, T110N, R78W and for suburban housing purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of March, 1967, 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:
 RICHARD D. SCHMOYER
 Water Right Specialist

Notarial Commission of
 David G. Gentry
 Expires March 28, 1974
 FEB 24 1967
 STATE WATER RESOURCES COMMISSION
 PIERRE, SOUTH DAKOTA

134-3

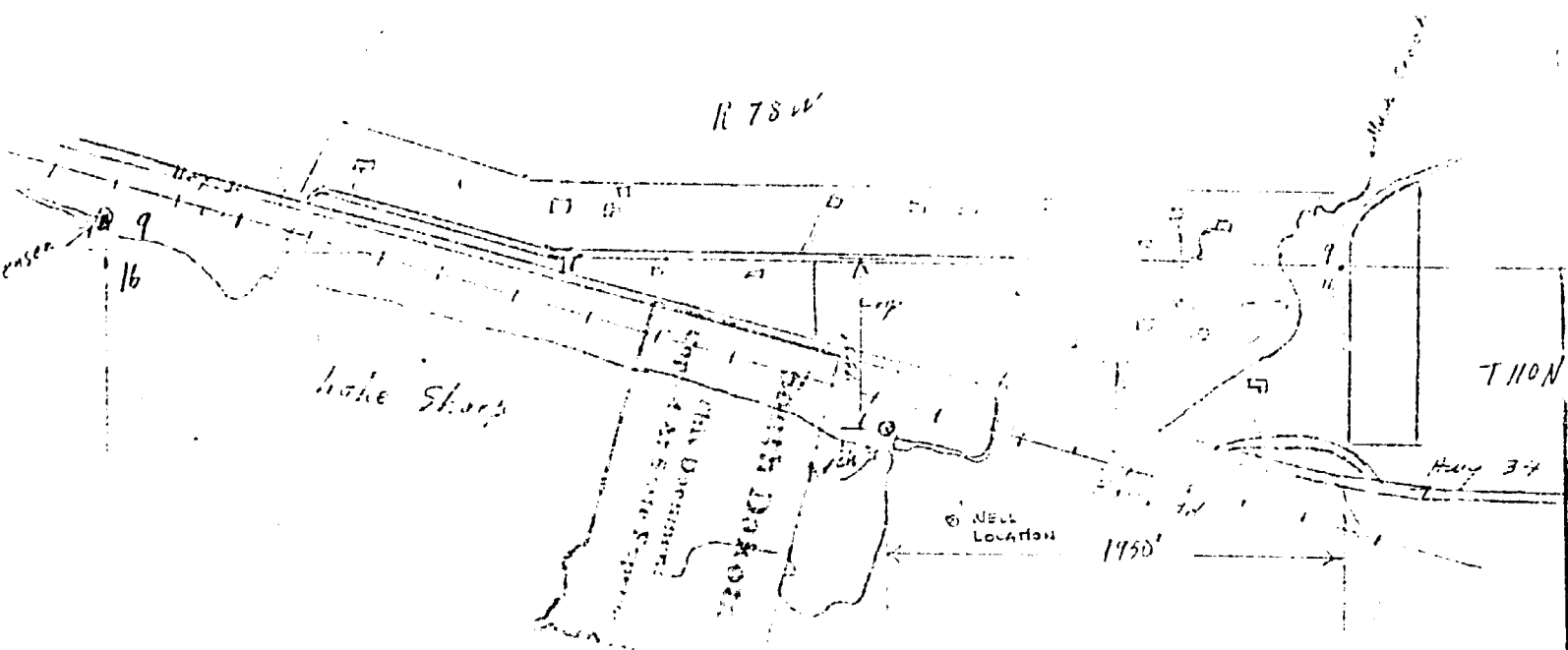
5-16-79

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12-11-79

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Point of Diversion

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7641

PIERRE, August 15, 1980

RECEIVED OF Myril J. Arch, RR 3, Pierre, SD 57501

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No. 1301-3	12	00
Fee for inspecting Beneficial Use, and issuing Water License No. 1304-3		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filling		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	12	00

WATER RIGHTS COMMISSION

By: (J. H.) 11/25/81
Chief Engineer, Executive Officer
JOHN HARTER / CH

Permit No. 1304-3Water Division B Missouri River Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / POSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Myril Arzlu
 of RL # 3, Pierre, South Dakota, 57501 holder
 of Permit No. 1304-3, bearing date of priority of January 20, 1967
 authorizing the diversion of .66 cu. ft. per second of the waters of Missouri River, Grand
 for Irrigation & Suburban Housing 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 - HP. Jacuzzi. Submersible Pump.

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

8000 ft. underground Pipeline.

C. Works used to apply water to beneficial use.

1500 gallon Cistern at each house for household purposesThe system is in the following condition: GoodThe point of diversion is located 750 ft S + 1950 ft W of the NE cor of
Sec. 16, T110N R 78W.The works are capable of diverting and conveying to the place of use .02
 cu. ft. per second of water which is to be used for Suburban Housing.

Water has been put to beneficial use to the maximum extent as follows:

comprising a total of _____ acres of land.

Well data.

borehole for 200 ft.

Depth 30 ft.Static 6 ftPumping 10 gpm

Date May 16 1974
LeRoy J. McLaughlin
 (Signature)

January 17, 2001

2000 South Dakota Water Use Questionnaire

To:

Address correction requested:

MYRIL J ARCH
RR-3 BOX 102
PIERRE SD 57501

20856 Shady Place

One questionnaire is being provided for each permitted water source. The following information is based on Water Permit/Right No. 1304-3. If you have other permits/rights in the same water source, also include water use under those permits/rights on this questionnaire.

Water Source: GROUNDWATER

County: HUGHES

Aquifer: MISSOURI

Pumping Pt. Legal: SEC 16-T110N-R78W

Management Unit: PIERRE

Type of Water Use: SUBURBAN HOUSING
DEVELOPMENT1) Please estimate your year 2000 water use from the above water source: 90,000,000 gallons

2) If no water use in 2000, please list the reason(s) why in the comments section.

Comments:

The project under permit No. 1304-3
has not been developed at this time, but
is still being considered.

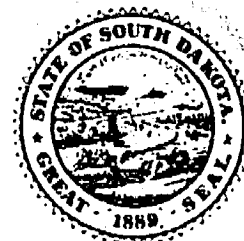
Contact Person:

Myril J. Arch

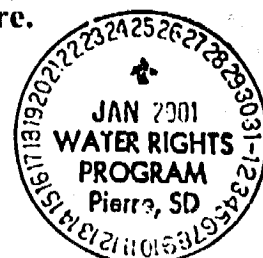
Telephone No:

224-5600

Questions? Please call Mark Rath or Ron Duvall at 605 773-3352 for assistance.



Thank you for completing the 2000 water use questionnaire.

Water Rights on the Web: www.state.sd.us/denr/wr

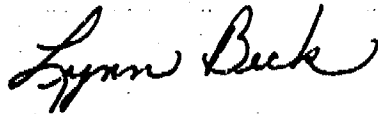
Water Rights Division - DENR

Conversation or File Documentation

Name of Person: Myril J. Arch File No. License No. 1304-3
Address: 20856 Shady Place, Pierre, SD 57501 County: Hughes
Date: October 17, 2001 Telephone: (605)224-5600
RE: Development of SHD.

Comments:

The well under License No. 1304-3 is developed and used, though the suburban housing development was not constructed. The well is used for domestic needs and Mr. Arch wants to keep it licensed.



Lynn Beck
Natural Resources Engineer Specialist