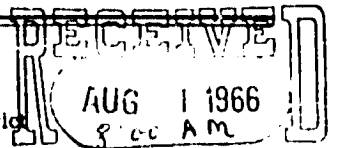


1509-18

1. Considered Nov 9, 1966
2. Name of Applicant Eimer Faulstich
3. Post Office Address Highmore
4. Amount of water claimed 4.50
5. Source of water supply Lake Mitchell
6. Water to be used for Irrigation
Acres to be irrigated 321.7
7. Water to diverted and used in Hyde County
about 10 N miles of Highmore.
8. Proof of Publication Received
Not Received
9. Application Approved
Subject to
Not Approved
Action deferred

10. Remarks:

No. 1309-3Water Division No. 3 MISSOURI RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM
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 Elmer Faulstich, James E
Postoffice address Highmore (RR #1, Box 40) County Hyde 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, \$ _____ (c) Treasury stock, \$ _____
(d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____
2. Name of diversion work Elmer Faulstich Irrigation Project NO. 1
3. Amount of water claimed 4.5 cubic feet per second
4. Source of water supply Lake Mitchell
Anywhere along the Shore line of Lake Mitchell in Section 17 and 18
5. Location of point of diversion where it abutts Elmer Faulstich's property
_____ on _____ bank Hyde County.
6. Annual period or periods during which water is to be used April thru Oct.
7. To be used for:
I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? overhead sprinkling
(a) Number of acres to be irrigated 321.7 acres.
36.2 Acres in the N.E. 1/4, 60 Acres in the S.E. 1/4, Sect 18. 160 Acres in
(b) Legal subdivisions to be irrigated the N.W. 1/4 and 65.5 Acres in the S.W. 1/4, Sect 17
(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.) 114.71
(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 922-3

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.)

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	ACRE-FEET 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 use1.....years.
 12. Choice of newspaper for publication of notice of intention to appropriate

Argentine Herald
 STATE OF SOUTH DAKOTA } ss.
 County of *BEADIE*

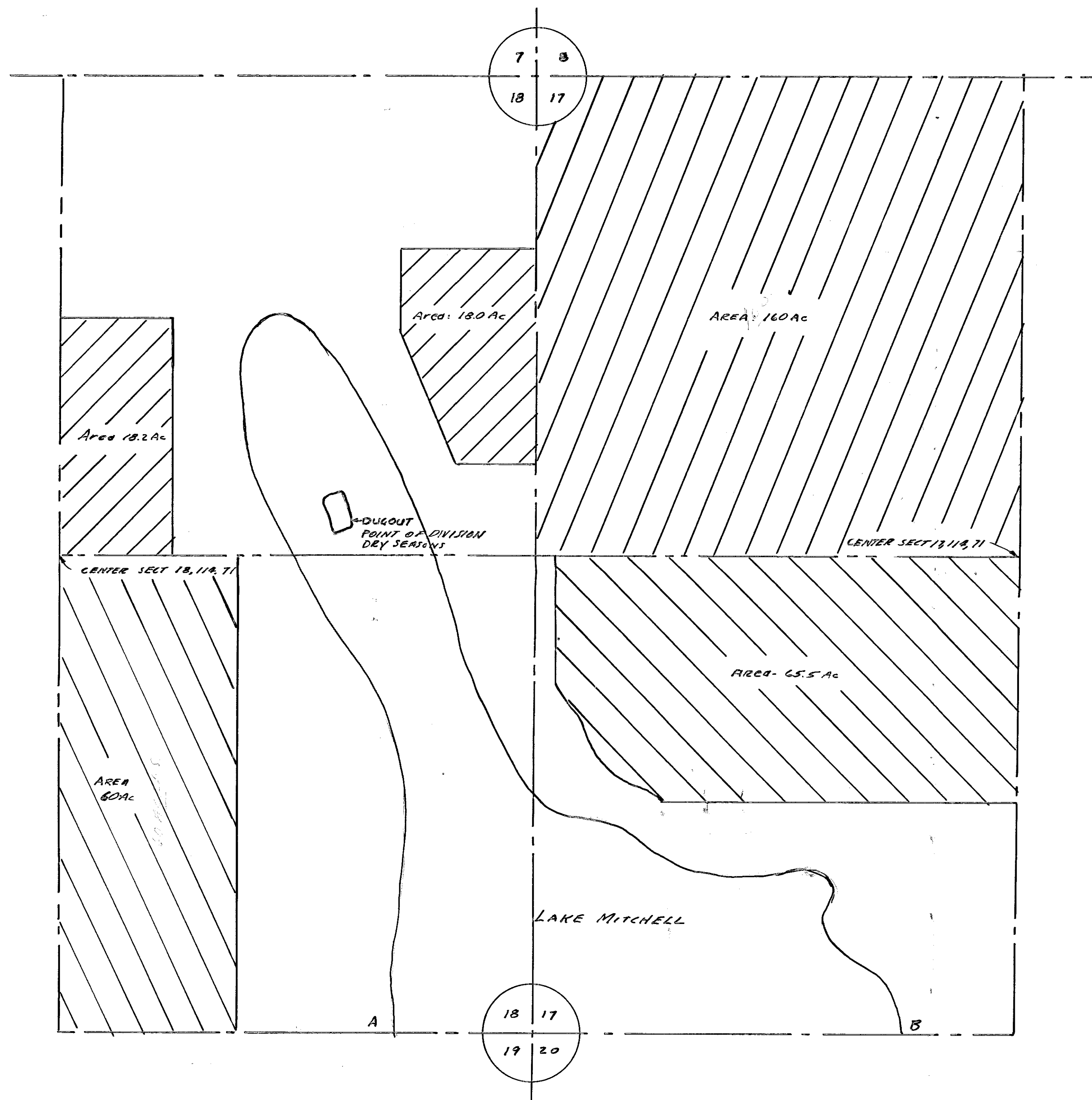
I, *ELMER T. JENSEN*, being first duly sworn
 on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have
 read the above foregoing statement, examined the map accompanying the same, and that I know of my own
 personal knowledge that the matters therein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

Signed *Elmer T. Jensen*

Subscribed and sworn to before me this *28th* day of *July* 19*66*

Carroll Johnson
 Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



NOTE: POINTS OF DIVISION ARE ANYWHERE ALONG LAKE MITCHELL SHORELINE IN SECT 17 & 18 WHERE IT ADJUTS ELMER FAULSTICH'S OWNERSHIP BOUNDARY BETWEEN POINTS A-B

AREAS BY LEGAL SUBDIVISION
600 AC: S.E. 1/4 OF SECTION 18, T.11N, R.71W, 5TH PM
362 AC: N.E. 1/4 OF SECTION 18, T.11N, R.71W, 5TH PM
160 AC: N.W. 1/4 OF SECTION 17, T.11N, R.71W, 5TH PM
65.5 AC: S.W. 1/4 OF SECTION 17, T.11N, R.71W, 5TH PM
721.7 AC. TOTAL

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 ELMER FAULSTICH,
SOLE OWNER, I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED
WITHIN HIS OWNERSHIP BOUNDARIES ON JULY 28, 1966 FOR WHICH APPLICATION
FOR APPROPRIATIVE WATER RIGHT IS MADE AND THAT THIS MAP
IS A TRUE REPRESENTATION THERE OF.
WITNESS MY HAND AND SEAL THIS 28TH DAY OF JULY 1966

Harlan W. Meyer

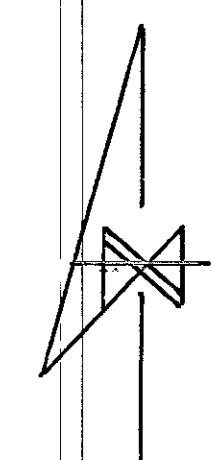
STATE OF SOUTH DAKOTA) SS
COUNTY OF BEADLE) REG. LAND SURVEYOR

SUBSCRIBED AND SWORN TO BEFORE ME THIS 28TH DAY
OF JULY 1966

Corinne Johnson

NOTARY PUBLIC

MY COMMISSION EXPIRES March 10, 1972



SCALE 1"=400'

ELMER FAULSTICH IRRIGATION PROJECT No 1
SHOWING AREAS & POINTS OF DIVERSION WHERE WATERS
WILL BE DIVERTED FOR PERMIT TO APPROPRIATE WATER

ELMER FAULSTICH OWNER

HARLAN W. MEYER SURVEYOR

JULY 1966

MAP NO 922-3 (APPL NO 1309-3)

Remarks by State Water Resources Commission:

This permit is granted, subject to the
applicant obtaining permission of all the
other land owners on the lake.

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, November 10, 1966

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
a.m. upon the 1st day of August, 1966.

State Water Resources Commission

By: Richard D. Schuyler
for Chief Engineer, Executive Officer

Number of permit 1309-3

Date of first receipt of application August 1, 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 August 1, 1966

Approved November 9, 1966, Recorded in Book 9 Page 175

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 _____

May 9, 1969

2nd. The whole of said work is to be completed on or before November 9, 1971

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

November 9, 1972

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 4.5 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 November 9, 1972; said water to be used during the following described annual period:

April through October

Witness my hand this 10th day of November, 1966.

State Water Resources Commission

By: Richard D. Schuyler
Chief Engineer, Executive Officer

Certificate of Construction Issued JULY 3, 1972

Water License Issued JULY 3, 1972

Form 15.

Permit No. 1309-3

Water Diversion No. 3 Missouri River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Elmer P. Faulstich

_____ the holder _____ of
Permit No. 1309-3, issued upon Application No. 1309-3, bearing date of priority of August 1,
1966 authorizing the diversion of 4.5 cu. ft. per second of the waters of _____
Lake Mitchell County of Hyde, State of South Dakota, _____
between points in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18, and in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 17,
T114N, R71W
_____, for irrigation

_____ purposes, he 8 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 3.33 cu. ft. per second of water.

Date July 3, 1972

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1309-3

(1) WHEREAS, On the 1st day of August A. D. 19 66
Elmer P. Faulstich

made Water Right Application No. 1309-3 for a permit to use 4.5 cubic feet per second of the waters
of Lake Mitchell
County of Hyde State of South Dakota, for irrigation

purposes; and
(2) WHEREAS, On the 10th day of November A. D. 19 66
Permit No. 1309-3 with a date of priority of August 1, 1966

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 9th day of November A. D. 19 71 and for the
application to beneficial use of said water on or before the 9th day of November 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 3.33 cubic feet
per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provision of the laws of the State of South Dakota
relating to the application of water to beneficial use of the following extent.

for irrigating the following land in T114N, R71W

		Acres
Section 17	NW $\frac{1}{4}$	160.0
	N $\frac{1}{2}$ SW $\frac{1}{4}$	65.5
Section 18	S $\frac{1}{2}$ NE $\frac{1}{4}$	36.2
	W $\frac{1}{2}$ SE $\frac{1}{4}$	60.0
Total		321.7 Acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Elmer P. Faulstich

_____ of Highmore, S.D.
the holder _____ and owner _____ of said permit No. 1309-3 a water right, dating from August 1, 1966
_____ to use of 3.33 cubic feet per second of the water
of Lake Mitchell

in the County of Hyde and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at between points in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18, and
in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 17, T114N, R71W

and conduct to and upon portions of Sections 17 and 18, T114N, R71W, more fully described on
the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1309-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 3rd day of July A. D.
Nineteen Hundred and Seventy-two

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

on or before
(First Publication October 13 , 19 66)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak, September 23 , 19 66

Notice is hereby given that Elmer Faulstich whose postoffice address is Higmore 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 4.5

cubic feet of water per second of time from the Lake Mitchell through the Faulstich Irrigation Project #1, the point of diversion of which is to be located on the between a point in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 18, and a point bank of said stream in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 17

Twp. 114N Range 71W . Said water to be used for the purpose of providing irrigation on the following described land:

W $\frac{1}{2}$ Section 17, and E $\frac{1}{2}$ Section 18, T114N, R71W.

~~and for~~ purpose:

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 9th day of November, 66, 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. W. J. McDermott, Publisher
Higmore Herald
Higmore, S.D.

PROOF OF PUBLICATION

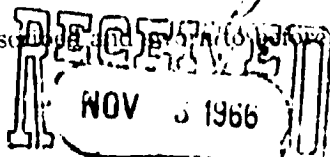
STATE OF SOUTH DAKOTA }
County Hyde } ss.

William J. McDermott being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Highmore Herald 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 Highmore County of Hyde and State of South Dakota; that the said notice was published in said newspaper on the following dates:

October 6-13-20-27, 1966

in each and every issue of the full number thereof, the first publication being made on the 6th day of October 1966 and the last publication on the 27th day of October 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 publisher of the said newspaper.

William J. McDermott
Subscribed and sworn to before me this 27th day of October A. D. 1966
Gal McDermott
Notary Public Hyde County, S. D.
Notary Commission Expires 8-10-70



STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTA

APPROPRIATION OF WATER
Office of State Water Resources Commission
Pierre, S. D., September 28, 1966
Notice is hereby given that Elmer Faustich whose postoffice address is Highmore, 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 4.5 cubic feet of water per second of time from Lake Mitchell through the Faustich Irrigation Project No. 1, the point of diversion of which is to be located between a point in the SE $\frac{1}{4}$, SE $\frac{1}{4}$, Section 18, and a point in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 17 Twp. 114N Range 71W. Said water to be used for the purpose of providing irrigation on the following described land: W $\frac{1}{2}$ Section 17, and E $\frac{1}{2}$ Section 18, T114N, R71W.
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 30th day of November, 1966, at 2:00 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
October 6-13-20-27, 1966

CONDITIONAL ASSIGNMENT OF WATER PERMIT AND LICENSE

Elmer P. Faulstich and Christine Faulstich, husband and wife, hereby transfer and assign to Metropolitan Life Insurance Company of One Madison Avenue, New York, New York, P. O., all their right, title and interest in and to Water Permit No. 1309-3 of November 11, 1966, and Final Water License which may be hereafter issued in connection with such permit for diversion of 4.5 c.f.s. of water from Lake Mitchell for irrigation on 36.2 acres in the Northeast Quarter, 60 acres in the Southeast Quarter of Section 18; 160 acres in the Northwest Quarter and 65.5 acres in the Southwest Quarter of Section 17, all in Township 114 North of Range 71, West of the 5th P.M., Hyde County, South Dakota.

This assignment is made as additional security for indebtedness evidenced by note of April 13, 1972, executed and delivered by the undersigned to Metropolitan Life Insurance Company secured by real estate mortgage upon said premises (and other land) to which said water rights shall be appurtenant and shall become effective upon the occurrence of default under said note and mortgage.

Dated this 13th day of April, 1972.


Elmer P. Faulstich


Christine Faulstich

STATE OF SOUTH DAKOTA)
 : SS
COUNTY OF HYDE)

On this the 3rd day of May, 1972, before me, the undersigned officer, personally appeared Elmer P. Faulstich and Christine Faulstich, husband and wife, known to me or satisfactorily proven to be the persons whose names are subscribed to the within instrument and acknowledged that they executed the same for the purposes therein contained.

- 2 -

IN WITNESS WHEREOF I have hereunto set my hand and official
seal.

J. H. Straight

Notary Public - South Dakota

My Commission Expires: 2/19/76

Permit No. 1309-3Water Division 3 MISSOURI RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by ELMER FAULSTICH of HIGHMOBE holder of Permit No. 1309-3, bearing date of priority of AUGUST 1, 1966 authorizing the diversion of 4.5 cu. ft. per second of the waters of LAKE MITCHELL for IRRIGATION purposes, in HYDE 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:

BERKELEY 841 PBM PUMP - 8" INLET - 8" OUTLET
POWERED BY CENTURY 50 HP ELECTRIC MOTOR

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

3300' OF 8" MAINLINE
1000' OF 6" MAINLINE

C. Works used to apply water to beneficial use.

5 - 1/4 MILE TOWLINE - 4", 2 WITH RAINBIRD
#14600 SPRINKLER HEADS W/ 1 1/4 NOZZLES. 3 - WITH
RAINBIRD #30 NOZZLES W/ 5/8 NOZZLES. ALL RATED @ 300 G.P.M.

The system is in the following condition: VERY GOOD

The point of diversion is located BETWEEN POINTS IN THE SE⁴SE⁴, SEC 18,
AND IN THE SE⁴SW⁴, SEC 17, T 114N, R 71W

The works are capable of diverting and conveying to the place of use 3.33cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN T 114N, R 71W

SECTION 17		SECTION 18	
NW ⁴	160 AC.	S ² NE ⁴	36.2 AC.
N ² SW ⁴	65.5 "	W ² SE ⁴	60.0 "

comprising a total of 321.7 acres of land.Date JUNE 26 1972

[Signature]
(Signature)

WATER RIGHT SPECIALIST
WATER RESOURCES COMMISSION

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8253

June 10

81

PIERRE, _____, 19__

RECEIVED OF James E. Faulstich, RR 1, Box 40, Highmore, SD 57345

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. _____

Fee for inspecting Beneficial Use, and issuing Water License No. _____

Fee for issuing Location Certificate-Dry Draw, No. _____ 2 50
TRANSFER OF WATER RIGHTS

Fee for filing _____

Fee for certified copy of _____

Fee for Print copy of map _____

Fee for Certifying _____

Fee for _____

(any other work as provided by law)

TOTAL

2 50

WATER RIGHTS COMMISSION

By

Chief Engineer, Executive Officer

JOHN HATCH (DEP)

NO. 1309-3

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 6/9/81

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

NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 17; S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 18, T114N, R71W

formerly owned by Elmer Faulstich

has been transferred to James E. Faulstich, RR #1, Box 40, Highmore, SD

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

Water Right Permit No. 1309-3 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Rights, Water Management Board 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 SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Hyde) ss.

I, James E. Faulstich 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.

James E. Faulstich
(Signed)

Subscribed and sworn to before me this 9th Day of June, 1981.

D. G. Matre
(Notary Public)

D. G. MATRE
Notary Public - South Dakota
HYDE COUNTY 7-1-84
My Commission Expires

1309-3
1934-3

August 22, 1985

James E. Faulstich
RR 1, Box 40
Highmore, South Dakota 57345

Dear Mr. Faulstich:

I am contacting you regarding an inspection of your irrigation system completed on July 30, 1985. You informed our office of a plan to improve your system and requested an on-site inspection.

The plan consisted of improving flow access to the existing pumpsite in the S $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 17-T114N-R71W. You stated a channel would be constructed from the pumpsite to an open area in the lake. Flow access to the pumpsite would thereby be greatly improved by removal of cattails and other debris. The construction will be completed in Sections 17, 18 and 19-T114N-R71W.

The Water Rights Division has no objection to the above plan of improving flow access to your existing pumpsite. Thank you for informing us of your proposed plans.

Sincerely,

Ron Duvall
Natural Resources Engineer

RD:ms

Equal Opportunity Employer

1309-3
1934-3

August 23, 1985

James E. Faulstich
RR 1, Box 40
Highmore, South Dakota 57345

Dear Mr. Faulstich:

On July 30, 1985, I visited your farm for the final inspection of Water Permit No. 1934-3. The purpose of the final inspection is to compare the original conditions of the permit with what you have developed. After any necessary corrections are made, the water permit is licensed and becomes a water right.

The lands irrigated under Permit No. 1934-3 are correct; however, some lands are being irrigated which are not covered by License No. 1309-3. The lands listed on the enclosed application are the areas which are not covered. The enclosed application is an amendment to License No. 1309-3 which allows for a transfer of acreage to cover the area which is being irrigated. License No. 1309-3 specified that 60.0 acres were to be irrigated in the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 18; however, 80.0 acres are currently being irrigated in the W $\frac{1}{2}$ SE $\frac{1}{4}$. Approximately 4.0 acres are also being irrigated in the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 18 which I also included on the application. The area outlined in red on the enclosed map are the lands which are listed on the enclosed permit application. An amendment allows for an exchange of acreage. In this case, the NW $\frac{1}{4}$ of Section 17 was licensed for 160.0 acres, but since a pivot was installed the corners are no longer being irrigated. Therefore, the acreage no longer irrigated by the pivot will be transferred by this permit application to cover the additional acreage being irrigated in the SE $\frac{1}{4}$ of Section 18. The priority date will be the same as listed on License No. 1309-3.

Soil and water compatibility approval is also required for the area listed on the enclosed application. Enclosed is a WI-1 form which must be completed to obtain soil and water compatibility approval. Contact the Division of Conservation if you have questions about the WI-1 form (773-3259).

Please answer any questions which have not been completed and correct any errors. Inform our office if any variation exists between the acreage outlined on the enclosed map and what is actually being irrigated. The forms must then be notarized and returned with an application fee of \$50.00.

Thank you for your time and consideration.

Sincerely,

Ron Duvall
Natural Resources Engineer
Equal Opportunity Employer
RD:ms Enc.



**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

No. 1309A-3

MAR 26 1986

James E Faulstich
RR 1, Box 40
Highmore SD 57345

Dear Mr. Faulstich:

Enclosed herewith is, Water License No. 1309A-3. This is the final water right document completing your process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ks

Enclosures

NOTE: The applicable portions of Water right No. 1309-3 and Water Permit No. 1934-3 are being incorporated into this Water License No. 1309A-3.

WNR-817 3/83
Transmittal of Water License