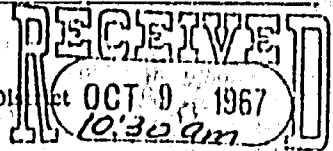


1. Considered Nov. 8, 1967
2. Name of Applicant Philip M. Moore
3. Post Office Address Blount 5.5
4. Amount of water claimed 5.09
5. Source of water supply Ground Water
6. Water to be used for Irrigation
- Acres to be irrigated 3566
7. Water to be diverted and used in Hughes County
about 3N miles 2E of Blount.
8. Proof of Publication Received Nov 8 1967
Not Received _____
9. Application Approved _____
Subject to Classification
Not Approved _____
Action deferred _____

10. Remarks:

g. l. l.

No. 1445-3Water Division No. 3 Missouri River
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

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

1. Name of applicant Virgil Mercer
Postoffice address Blunt, County Hughes, State S.D.

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 & Direct Labor(b) Cash on hand, \$ adequate

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work
- Mercer Irrigation Project No. 1

3. Amount of water claimed
- 5.09 cfs
- cubic feet per second

4. Source of water supply
- We 66's Center NE 1/4 Sec 3 & Center NW 1/4 Sec 2, T112N, R76W

5. Location of point of diversion
- No. 1-1320'S + 1320'W to No. 2-1320'S + 1320'E of NW Corner Sec 2, T112N, R-76W
- on
- Hughes
- County.

6. Annual period or periods during which water is to be used
- April 1st to Nov 1st

7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?
- Combination

- (a) Number of acres to be irrigated
- 343.67
- acres.

- (b) Legal subdivisions to be irrigated
- See Attached Appendix

(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 # 1051-3

8. Estimated cost of work:

(a) Head Dates, \$-----

(c) Flaming, \$-----

(e) Other structures

(b) Pumping plant, \$141,000

Rock, \$-----

Total, \$-----

9. Description of diversion works:

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

Pumpkin Plant

II. Dimensions of works.

(a) Dam: Height _____ feet; length at bottom _____ feet; length 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 filledacre feet. Surface area at highwater

mark-----acres.

[illegible]

(c)* Head gate: (Width _____ feet; height _____ feet;

Material

(d) Canal: Total length -----miles.

[illegible]

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ----- 3 ----- years.

11. Time required for complete application of water to the proposed beneficial use ----- 3 ----- years.

12. Choice of newspaper for publication of notice of intention to appropriate

Choice of newspaper for publication of notice of sale
Weekly Capital Journal

STATE OF SOUTH DAKOTA

County of Hughes } St.

721, X. Virgil Mercer

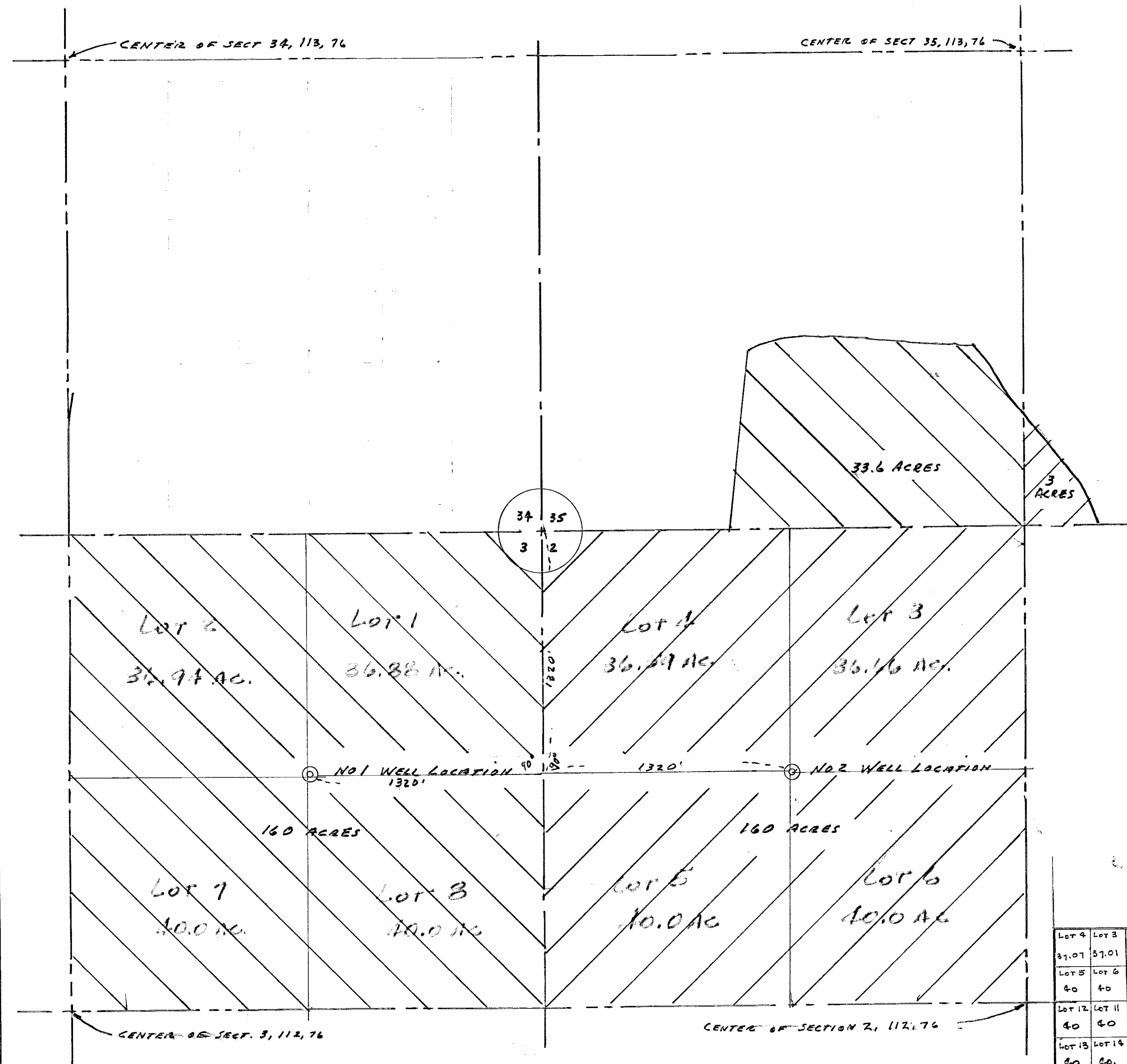
read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed X. J. [illegible]

Subscribed and sworn to before me this 21 day of September 1921

Notary Public (or other qualified officer.)

* Each diversion must have a headgate or measuring device.



AREAS BY LEGAL SUBDIVISION

ACRES	SECTION	TOWNSHIP	RANGE
3.0	SE 1/4 - 35	113	76
33.6	SW 1/4 - 35	113	76
160.0	NW 1/4 - 2	112	76
160.0	NE 1/4 - 3	112	76
356.6	TOTAL		

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA)
COUNTY OF BEADLE) SS
I, HARLAN W. MEYER, A REGISTERED LAND SURVEYOR
IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY
CERTIFY THAT AT THE REQUEST OF VIRGIL MERCER,
SOLE OWNER, I HAVE SHOWN THE LANDS PROPOSED TO BE IRRIGATED
WITHIN HIS OWNERSHIP BOUNDARIES ON OCT 1, 1967 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 1ST DAY OF OCT. 1967

Harlan W. Meyer

REG. LAND SURVEYOR #425

STATE OF SOUTH DAKOTA)
COUNTY OF BEADLE) SS

SUBSCRIBED AND SWORN TO BEFORE ME THIS 1ST DAY
OF OCT. 1967

Carmie Johnson

NOTARY PUBLIC

MY COMMISSION EXPIRES March 10, 1972

Lot 9	Lot 8	Lot 7	Lot 6	Lot 5	Lot 4	Lot 3	Lot 2	Lot 1
37.01	37.01	36.94	36.88	36.59	36.46	36.72	36.79	
40	40	40	40	40	40	40	40	
Lot 12	Lot 11	Lot 10	Lot 9	Lot 8	Lot 7	Lot 6	Lot 5	Lot 4
40	40	40	40	40	40	40	40	40
Lot 13	Lot 14	Lot 15	Lot 16	Lot 17	Lot 18	Lot 19	Lot 20	Lot 21
40	40	40	40	40	40	40	40	40
SEC 3 (947.90 AC) 160				SEC 2 (846.76 AC) 160				

PLOT OF SEC 2 & 3
T 112N, R 76W.

VIRGIL MERCER IRRIGATION PROJECT #1
SHOWING AREA TO BE IRRIGATED AND WELL LOCATIONS.
FOR PERMIT TO APPROPRIATE WATER

OWNER

VIRGIL MERCER

SURVEYOR

HARLAN W. MEYER

OCT 1, 1967

MAP # 1051-3 (APP # 1445-3)

Remarks by State Water Resources Commission:

The well granted under this Permit is located near domestic wells and other irrigation wells which may obtain water from the same aquifer. If the well covered by this Permit depletes the domestic supplies or interferes with prior water rights, restrictions, to the extent necessary, or the capacity of the well or periods of operation or other arrangements will be required to protect these water supplies.

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, DECEMBER 12, 1967

This is to certify that the foregoing application was received by the Commission at 10:30 o'clock a.m. upon the 9TH day of OCTOBER, 1967

State Water Resources Commission

By: Austin Jones

for Chief Engineer, Executive Officer

Number of permit 1445-3

Date of first receipt of application OCTOBER 9, 1967

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 9, 1967

Approved NOVEMBER 8, 1967 Recorded in Book: 10 Page 35

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 8, 1969

2nd. The whole of said work is to be completed on or before NOVEMBER 8, 1970

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 8, 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 4.9 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 8, 1972 said water to be used during the following described annual period:

APRIL 1 TO NOVEMBER 1

Witness my hand this 12TH day of DECEMBER, 1967

State Water Resources Commission

By: Austin Jones

Chief Engineer, Executive Officer

Certificate of Construction issued DECEMBER 31, 1973

Water License issued DECEMBER 31, 1973

SEC 35, T112N, R76W	S ² SW ⁴	33.60 AC.
	SW ⁴ SE ⁴	3.00 AC.
SEC 2, T112N, R76W	LOT 3	36.66 AC.
	LOT 4	36.59 AC.
	LOT 5	40.00 AC.
	LOT 6	40.00 AC.
SEC 3, T112N, R76W	LOT 1	36.88 AC.
	LOT 2	36.94 AC.
	LOT 7	40.00 AC.
	LOT 8	40.00 AC.
	TOTAL	343.67 AC.

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 30", Depth 42'Type of casing Steel
(wood, concrete, steel, etc.)Size of casing 16", Thickness of casing 10 gaugeLength of casing 27' If collection gallery, length, size and depth of gallery _____

(b) Screens

Type of perforated screen Slotted 10 gauge GalvanizedSize of perforated screen 16" (diameter) 15' (length)Thickness of gravel pack 7", length of gravel pack 42'

(c) Water Bearing Materials

Distance to water 14' Character of water bearing materials _____0-3-11 am, 3-25-Sand & 25-42-
GravelThickness of water bearing material 14'

(d) Pump and Motor

Type of pump Turbine
(centrifugal, propeller, mixed flow, etc.)Name of pump Berkeley size 8" Column 10" BowlKind of motor Electric or LP Gas
(gasoline, electric, diesel, etc.)Horsepower 7.5 Name of Motor Mc or Chrysler

(e) Complete well

Capacity 1200 at drawdown of 37' Estimated cost \$800(f) Owner of land upon which well is located Virgil Meron
NameBlunt RD
Address

(g) Distance to nearest existing wells

On same owner's property 90 rods. On property owned by others 170 rods

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1445-3

(1) WHEREAS, On the 9th day of October A. D. 19 67Virgil Mercermade Water Right Application No. 1445-3 for a permit to use 4.9 cubic feet per second of the waters of ground waterCounty of Hazeb State of South Dakota, for irrigationpurposes and(2) WHEREAS, On the 15th day of December A. D. 19 67Permit No. 1445-3 with a date of priority of October 9, 1967was 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 8th day of November A. D. 19 70 and for the application to beneficial use of said water on or before the 8th 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 2.0 cubic feet per second of water for beneficial use and,

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

for irrigating the following land in Section 3, T112N, R73ELot 1 36.9 acresLot 2 36.9 acresLot 7 40.0 acresLot 8 40.0 acresTotal 153.8 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 Virgil Ecker

_____ of Blunt, S.D.

the holder _____ and owner _____ of said permit No. 1445-3 a water right, dating from October 9, 1967

_____ to use of 2.0 cubic feet per second of the waters of ground water

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 1320 feet South and 1320 feet West of the NE Corner, Section 3, T11N, R76W

and conduct to and upon portions of Section 3, T112N, R76W, more fully described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1445-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 31st day of December A. D.
Nineteen Hundred and Seventy-three

WATER RIGHTS COMMISSION

By:

Chief Engineer, Executive Officer DONALD DRISCOLL

Form 15

Permit No. 1445-3

Water Diversion No. 3 MISSOURI RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Virgil Mercer

_____ the holder _____ of
Permit No. 1445-3, issued upon Application No. 1445-3, bearing date of priority of October 9,
1967 authorizing the diversion of 4.9 cu. ft. per second of the waters of _____
ground water County of Hughes, State of South Dakota at _____
a point 1320 feet South and 1320 feet West of the NW Corner, Section 3,
T112N, R76W

_____, for irrigation

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 2.0 cu. ft. per second of water.

Date December 31, 1973

By: _____
WATER RIGHTS COMMISSION

DONALD DRISCOLL, Chief Engineer

On or before
(First Publication -----October-17-----, 19-67-)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., -----October-11-----, 19-67-

Notice is hereby given that Virgil Mercer whose postoffice address is Blunt 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 5.09 cubic feet of water per second of time from the ground-water through the Merger Irrigation Project #1, the point of diversion of which is to be located on the in the center of NE $\frac{1}{4}$, Section 3, and bank of said stream in the center of the NW $\frac{1}{4}$ of Section 2, both in Twp. 112N Range 76E. Said water to be used for the purpose of providing portions of the following described land:

S $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, T113N, R76E; NE $\frac{1}{4}$ Section 3, and NW $\frac{1}{4}$ Section 2; both in T113N, R76E.

and for purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 11th day of November, 1967, 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:

Chief Engineer, Executive Officer
XXXXXX:XXZXXZXXZXXVXX

RICHARD SCHMOYER
Water Rights Specialist

cc: Virgil Mercer, Blunt, 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 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;

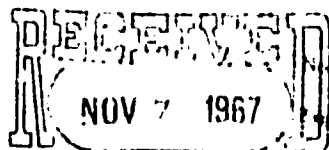
that the said notice was published in said newspaper on the following dates:

XXXXXXXXXXXXXXXXXXXX
10-16, 10-23, 10-30- 11-6-1967

in each and every issue of the full number thereof, the first publication being made on the 16 day of Oct. 1967 and the last publication on the XX-6- day of Nov. 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 Mgr. the printer and publisher of the said newspaper.

J. H. Hipple

Subscribed and sworn to before me this 6 day of Nov. A. D. 1967



STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

Notary Public
HUGHES
County, S. D.

Notary Public HUGHES County, S. D.

No. 429 4t dly Oct. 16-23-30-
Nov. 6
No. 1445.3
APPROPRIATION OF WATER
Office of State Water Resources Commission,
Pierre, S. Dak., October 11, 1967

Notice is hereby given that Virgil Mercer whose postoffice address is Blunt, 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 5.09 cubic feet of water per second of time from ground water through the Mercer Irrigation Project No. 1, the points of diversion of which are to be located in the center of NE $\frac{1}{4}$ Section 3 and in the center of the NW $\frac{1}{4}$ of Section 2, both in Twp. 112N Range 76W, Said water to be used for the purpose of providing irrigation on portions of the following described land:

S $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, T113N, R76W; NE $\frac{1}{4}$ Section 3, and NW $\frac{1}{4}$ Section 2; both in T113N, R76W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 8th day of November, 1967, 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: Richard Schmoyer
Water Rights Specialist

Permit No. 1445-3
 Water Division 3 MISSOURI RIVER Water District

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

Rights
 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 Virgil Mercer
Blunt, S.D. holder
 of Permit No. 1445-3, bearing date of priority of October 9 1967
 authorizing the diversion of 4.9 cu. ft. per second of the waters of ground water
 for irrigation purposes 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:

One well 40 feet deep and cased with 16 inch diameter steel casing
 Berkeley, 6 inch turbine pump
 G.E. Electric motor, 40 H.P., Type K

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

80 rods of 6 inch diameter aluminum mainline

C. Works used to apply water to beneficial use.

Three 80 rods long tow line, 4 inch diameter

The system is in the following condition: very good
 The point of diversion is located 1320 feet due South and 1320 feet due West of the NE
Corner, Section 3, T112N, R76W
 The works are capable of diverting and conveying to the place of use 2.0
 cu. ft. per second of water which is to be used for irrigation
 Water has been put to beneficial use to the maximum extent as follows: All in Sec. 3, T112N, R76W
 Consisting of

Lot 1	36.9 acres
Lot 2	36.9 acres
Lot 7	40.0 acres
Lot 8	40.0 acres

comprising a total of 153.8 acres of land.

Date September 7, 1973

Donald Driscoll
 (Signature)

DONALD DRISCOLL, Chief Engineer, Water Rights Commission

 **Department of
Water & Natural Resources**

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

January 29, 1988

VIRGIL SFRGER
BOX 244
BLUNT, SD 57522

NOTICE

Re: Violation of Requirement To Submit 1987 Irrigation
Questionnaire

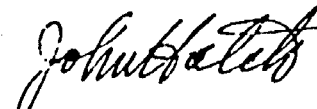
Our records indicate that the 1987 Irrigation Questionnaire has not been submitted for Permit No(s). 1445-3. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:00 am, March 2, 1988 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 1445-3 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.


JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, your name will be deleted from the agenda for the hearing.



Department of Water & Natural Resources

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

March 14, 1988

NOTICE OF AMENDMENT TO WATER PERMIT(S)

TO: VIRGIL MERCER
BOX 244
BLUNT, SD 57522

FROM: John Hatch, Chief Engineer *John Hatch*
Water Rights Division
773 3352

SUBJECT: Amendment to Water Permit No(s). 1445-3

Pursuant to the provisions of the notice dated January 29, 1988 and following the Hearing March 2, 1988, the Water Management Board has amended Water Permit No(s). 1445-3 to add the following qualification to each:

"This permit is subject to the Irrigation Water Use Questionnaire being submitted each year."

The addition of this qualification to your Permit(s) means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

 **Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

Attachment to Water Permit No(s). 1445-3

Pursuant to the provisions of the notice dated January 29, 1988 and following the Hearing March 2, 1988, the Water Management Board has amended Water Permit No(s). 1445 3 to add the following qualification to each:

"This Permit is subject to the Irrigation Water Use Questionnaire being submitted each year."

PS Form 3871, Dec. 1989

● **TENDER:** Complete items 1, 2, 3, and 4. Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☒ Show to whom and date delivered _____

☐ Show to whom, date, and address of delivery _____

VIRGIL MERCER
BOX 244
BLUNT, SD 57522

☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

P200 480 183

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

Virgil Mercer

5. DATE OF DELIVERY
MAR 15 1988

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

7a. *on*

REC-10000
REGISTERED, INSURED, AND CERTIFIED MAIL

NO. 1445-3

NOTICE OF TRANSFER OF WATER



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: April 10, 1988

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

153.6 acres in Lots 1, 2, 7, 8, of Section 3, T112N, R76W

formerly owned by Virgil Mercer, Blunt, SD

has been transferred to Richard A Howard, Box 209, Blunt, SD 57522

(please include complete mailing address)

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

Water Right Permit No. 1445-3 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 Div. of Water Rights, Water Management Board as evidence of the change of ownership.

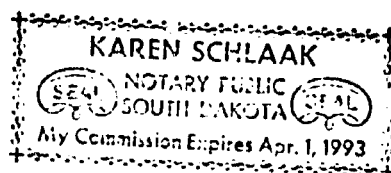
A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Hughes) ss.

I, Richard A Howard 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.

Richard A Howard
(Signed)

Subscribed and sworn to before me this 19th Day of April, 1988.



Karen Schlaak
(Notary Public)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, April 19, 19 54

RECEIVED OF Richard A. Howard, Box 209, 31st St., SD 57522

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____

Fee for Filing Transfer Form 1445-3 _____

Fee for Filing Extension Request _____

Fee for Certified Copy of _____

Fee for Print Copy of Map _____

Fee for Certifying _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By

Chief Engineer

JOHN HATCH

 **Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

April 20, 1988

1445-3

Richard A Howard
Box 209
Blunt SD 57522

Dear Mr. Howard:

I am writing in response to your April 19, 1988 inquiry concerning amendment of Water Right No. 1445-3. March 2, 1988, the Water Management Board amended Water Right No. 1445-3 to require the Irrigation Water Use Questionnaire to be submitted each year.

You indicated when you stopped in our office, that you had just purchased the land from the Federal Land Bank and that they had obtained the land from Virgil Mercer last year. The Federal Land Bank did not notify our office of the ownership change and notices were still being sent to Virgil Mercer.

Since the irrigation questionnaire and all notices were mailed to Virgil Mercer rather than to you, Water Right No. 1445-3 has been deleted from the list of those amended at the March Water Management Board Meeting.

The "Notice of Transfer" you submitted has been filed with the water right and all pertinent records changed to your name. If you have any questions, please contact us.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352