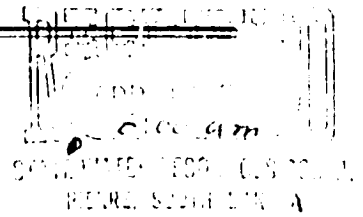


1. Considered 5-22, 1968 1566-3
2. Name of Applicant HARRY H. JONES
3. Post Office Address ABERDEEN
4. Amount of water claimed .07
5. Source of water supply GROUND WATER
6. Water to be used for SUBURBAN HOUSING
- Acres to be irrigated _____
7. Water to be diverted and used in BROWN county
about SE EDGE miles _____ of ABERDEEN
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. **1566-3**Water Division No. **3** **JAMES RIVER** District
(Blanks to be filled by the Engineer for the W. R. C.)

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

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

1. Name of applicant Harry F. Jones Melody Lane, Rt. 1
Postoffice address Abundeen, County Beaumont, 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 with Seidel and Rehfeld Drilling Company
(b) Cash on hand, \$ 4,000 (c) Treasury stock, \$ —
(d) Bonds to be issued, \$ — (e) Other resources, \$ —

2. Name of diversion work Artesian Well
3. Amount of water claimed .07 cubic feet per second
4. Source of water supply ARTESIAN SPRING WATER
5. Location of point of diversion See Map Enclosed
N1046' E W920' FROM THE S 1/4 CORNER,
SECTION 14, T123N R63W on Beaumont County.
6. Annual period or periods during which water is to be used CONTINUOUSLY
7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?
(a) Number of acres to be irrigated — 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.) To serve households as described
on enclosed map.

- 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 1158-3

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.)

Well - See attached form PA

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 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 3 weeks after receipt of permit

11. Time required for complete application of water to the proposed beneficial use same as above years.

12. Choice of newspaper for publication of notice of intention to appropriate
Aberdeen American News, Aberdeen, S. D. 57401

STATE OF SOUTH DAKOTA

County of Brown } 83.

I, Harry A. Jones, 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 Harry A. Jones

Subscribed and sworn to before me this 17th day of April 1968

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Remarks by State Water Resources Commission:

----- The irrigation well approved under this Permit is located near ...
domestic wells which may obtain water from the same aquifer.
----- The irrigation well owner, under this Permit, shall control his ...
irrigation withdrawals so there is not a reduction of needed ...
----- water supplies in existing domestic wells. ...

STATE OF SOUTH DAKOTA } ss.
County of HUGHES }

Pierre, South Dakota, MAY 27, 1968

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
9 m. upon the 18TH day of APRIL, 1968

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Number of permit 1566-3

Date of first receipt of application APRIL 18, 1968

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 APRIL 18 1968

Approved 1044 22 1968, Recorded In Book 10 Page 195

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 3, 1968

2nd. The whole of said work is to be completed on or before JUNE 12, 1968

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

JUNE 12, 1968

4th. The water appropriated shall be used for the purpose of SUBURBAN HOUSING

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 here-
in provided shall not exceed _____ cfs
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 has
y hereafter indicate as necessary for the production of crops
in the course of the best husbandry and fur-
thered appropriation must be limited to not more than one
and of time for each acre of land on which water is actually

USED FOR SUBURBAN HOUSING

and beneficially ~~applied for~~ used on or before JUNE 12, 1968; said water to be used during the following described annual period:

CONTINUOUSLY

Witness my hand this 27TH day of MAY, 1968.

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 24, 1969

Water License Issued SEPTEMBER 26, 1969

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications Artesian Well

(a) Hole and casing

Size of drill hole or excavation 4 1/2, Depth 1100 feet
Type of casing Copperoid Steel
(wood, concrete, steel, etc.)
Size of casing 2", Thickness of casing _____
Length of casing 100' - 3" and 1000' - 2"
If collection gallery, length, size and depth of
gallery _____

(b) Screens

Type of perforated screen 3/8 drilled
Size of perforated screen 2"
(diameter) (length)
Thickness of gravel pack as required, length of gravel pack as required

(c) Water Bearing Materials

Distance to water _____ Character of water bearing materials _____
Dakota sand stone
Lakota Sand Stone
Thickness of water bearing material _____

(d) Pump and Motor

Type of pump Flowing Well - No Pump
(centrifugal, propeller, mixed flow, etc.)
Name of pump _____, size _____
Kind of motor _____
(gasoline, electric, diesel, etc.)
Horsepower _____, Name of Motor _____

(e) Complete well

Capacity 10 to 30 G.P.M. at drawdown of _____ Estimated cost \$2200.00

(f) Owner of land upon which well is located Harry H. Jones
Name
Melody Lane, Rt. 1, Aberdeen, S. D. 57401
Address

(g) Distance to nearest existing wells

On same owner's property _____ rods. On property owned by others 40 rods

Form 15.

Permit No. 1566-3

Water Diversion No. 3 James River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Melody Lane

_____ the holder _____ of
Permit No. 1566-3, issued upon Application No. 1566-3, bearing date of priority of April 17,
1968 authorizing the diversion of .07 cu. ft. per second of the waters of _____
ground water County of Brown, State of South Dakota at _____
a point N 1046 feet and W. 920 feet from the SE Corner, Section 19, T1.3N, R63W

_____, 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 .07 cu. ft. per second of water.

Date September 26, 1969

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1566-3

(1) WHEREAS, On the 18th day of April, A. D. 1968
Melody Lane
 made Water Right Application No. 1566-3 for a permit to use .07 cubic feet per second of the waters
 of ground water
 County of Brown, State of South Dakota, for Suburban Housing
 purposes; and
 (2) WHEREAS, On the 9th day of May, A. D. 1968
 Permit No. 1566-3 with a date of priority of April 18, 1968
 was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
 supply system there described on or before the 12th day of June, A. D. 1968 and for the
 application to beneficial use of said water on or before the 12th day of June, A. D. 1968

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 .07 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,

to be used for suburban housing development in Melody Lane located in the
W $\frac{1}{2}$ SE $\frac{1}{2}$ SW $\frac{1}{2}$, Section 19, T123N, R63W

(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 McLuddy Love

_____ of Aberdeen
the holder _____ and owner _____ of said permit No. 1566-3 a water right, dating from April 18, 1968
to use of .07 cubic feet per second of the waters
of ground water
in the County of Brown and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point N 1046 feet and W. 920 feet from the SE
Corner, Section 19, T123N, R63W

and conduct ~~irrigation~~ through the water distribution system

for the purpose of suburban housing development use.

Subject to any limitations listed in Water Right Permit No. 1566-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 26th day of September A. D.
Nineteen Hundred and Sixty-nine

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

on or before
(First Publication April 25, 1968)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., April 18, 1968

Notice is hereby given that Harry H. Jones whose postoffice address is Aberdeen 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 .07 cubic feet of water per second of time from the Artesian ground water through the Melody Lane well #1, the point of diversion of which is to be located on the SE 1/4 of the SW 1/4 of Section 10 Twp. 123N Range 63W. Said water to be used for the purpose of providing irrigation on the following described land:
domestic supplies for suburban housing area

and for XXXXXX

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 22nd day of May, 1968 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.

cc: Harry Jones, Aberdeen, S.D.

State Water Resources Commission

By:

Chief Engineer, Executive Officer

BURTON F. JONES

Water Rights Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Brown } ss.

Judy Holler being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Aberdeen American-News 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 Aberdeen County of Brown and State of South Dakota; that the said notice was published in said newspaper on the following dates:

April 22-29-May 6-13 1968

in each and every issue of the full number thereof, the first publication being made on the 22nd day of April 1968 and the last publication on the 13th day of May 1968, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was principal clerk, the printer, and publisher of the said newspaper.

Judy Holler

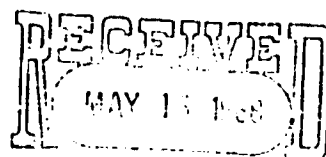
Subscribed and sworn to before me this 13th day of May A. D. 1968

Golda K. K. K.

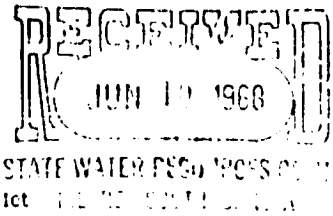
Notary Public Brown County, S. D.

Daily Circulation 21, 271

(No. 515—Apr. 22 to May 6-13-1968)
APPROPRIATION OF WATER
Office of State Water Resources Commission, Pierre, S. Dak., April 18, 1968.
Notice is hereby given that Harry H. Jones whose postoffice address is Aberdeen, 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 167 cubic feet of water per second of time from Artesian ground water through the Moleby Lane Well No. 1, the point of diversion of which is to be located in the S21/4 of the SW1/4 of Section 19, Twp. 122N, Range 63W. Said water to be used for the purpose of providing domestic supplies for suburban housing area.
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 22nd day of May, 1968, 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.
cc: Harry Jones, Aberdeen, S.D.
State Water Resources Commission
By: BURTON F. JONES,
Water Rights Specialist



STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

Permit No. 1566-3Water Division No. 3 Jones
Abbe's Water District

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

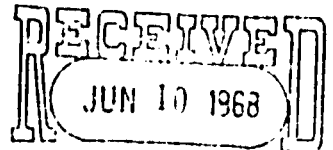
(P. O.) Abbe's, S.D.(Date) June 6, 1968

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the 12 day of June
1968, at Melody Lane, Aberdeen County of Brown State of South Dakota,
before _____ proof will be submitted of the application to beneficial use
(Examining Engineer or Officer)
of .07 cubic feet per second of the waters of Jones Well (Melody
lane Well #1) in accordance with the terms and conditions of Permit No. 1566-3
heretofore issued by the Water Resources Commission of South Dakota.

- The name and postoffice address of the person or corporation holding said permit are Harry H. Jones, Melody Lane, Aberdeen, South Dakota 57401
- The use to which said water has been applied is domestic use in suburban housing
- The amount applied to beneficial use is .07 cubic feet per second
- The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) Melody lane suburban housing area, Aberdeen, South Dakota
- The name of the canal or ditch or other works by which said water is conducted to such place of use is underground piping system to be installed to individual residences
- The right to take the water from such works is based upon permit No. 1566-3
- The source of supply from which such water is diverted is artesian ground water
- The date of priority which said user is prepared to establish is April 10, 1968

(Sign) Harry H. Jones

Permit No. 1566-3Water Division No. 3JonesState Water Resources Comm.
Water District PIERRE, SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) Abbeeden, South Dakota(Date) June 6, 1968

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of _____

_____ .07 cu. ft. per second of the waters of the state from _____
through the Jones Well (artesian) (Melody Lane Well #1)
for _____ domestic household purposes

_____ in accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is Harry H. Jones

2. The postoffice address of such person or the place of business of such corporation is Melody Lane, Abbeeden
County of Brown State of South Dakota

3. The number of such permit is 1566-3 and the date set for the completion of such work is _____

4. Said water to be used for domestic household purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is _____ .07 cubic feet per second.

6. The amount of land for which said water is available is _____ acres,
particularly described as follows: water is not intended for irrigation
purposes

I hereby certify that the facts set forth in the above notice are true.

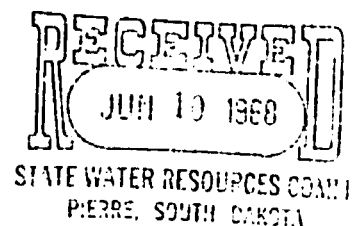
Harry H. Jones

(Signature of Owners) _____

1566-3

Melody Lane,
Aberdeen, South Dakota
June 6, 1968

Mr. J. W. Grimes,
Chief Engineer and Executive Officer,
South Dakota Water Resources Commission,
State Office Building,
Pierre, South Dakota 57501



Dear Mr. Grimes:

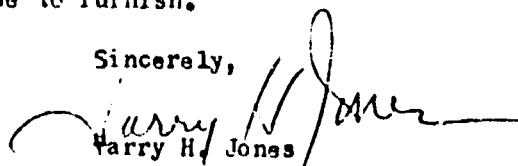
I am returning your forms #16 and #17 completed to the best of my ability.

The well being constructed by Seidel and Rehfeld Drilling Company is nearing completion; it is flowing with what seems to be ample capacity. The cement grout was applied Wednesday, June 5. Perhaps from that information you may be able to estimate the progress of the work.

The system for distributing the water to the various residences is to be installed by the Dahme Construction Company, Aberdeen, South Dakota. This part of the work will be completed as soon as possible, depending upon the availability of materials and the contractor's work schedule. Mr. Howard Dahme has notified me that he has ordered the materials and expects to begin in a very short time. It appears to me that the distribution system is not particularly vital and that you may inspect the well at your convenience. Of course, all maps and specifications of the system will be available to you at any time and it is entirely possible that Dahme Construction may have completed the excavations and pipe-laying by the time you choose to make the inspection.

At all times, we have attempted to follow cautious and orderly procedures in the planning of this suburban project. We certainly appreciate the courteous attention we have received from your office. Please let me know if we have failed to follow proper procedures or if there is any further information you would like us to furnish.

Sincerely,


Harry H. Jones

Form 14 - Notification of Water License
Ready for Issuing

No. 1566-3

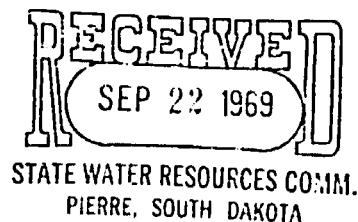
SOUTH DAKOTA
Water Resources Commission

STATE OFFICE BUILDING
PIERRE, SOUTH DAKOTA
57501

September 4, 1969

Mr. Phil Braunstein
Box 1175
Aberdeen, S.D. 57401

Dear Mr. Braunstein:



The inspection of your water use system and inspection of the extent of your application of water to beneficial use, as developed under your Water Right Permit No. 1566-3 has been completed. Your final water right document, Water License No. 1566-3 can now be issued to you.

Statutes require that we charge a \$12.00 fee for the inspection and issuing of the Water License. Upon receipt of this \$12.00 fee from you, Water License No. 1566-3 will be sent to you.

You will also receive the Certificate of Construction No. 1566-3 as required by statute.

As issued the Permit is in the name of Harry H. Jones. In what name should the water license be issued?

MELODY LANE WELL No. 1 ASSA.

BY:

Sincerely,

WATER RESOURCES COMMISSION

Burton F. Jones
BURTON F. JONES
Water Rights Specialist

BFJbw

Water Rights Division - DWR
Conversation or File Documentation

File No. 1566-3

NAME OF PERSON OR FILE: Melody Lane Subdivision Larry Jones

ADDRESS: Aberdeen, SD 57401 COUNTY Brown

DATE: August 25, 1988 TELEPHONE 225-8931

RE: status of w.right for Melody Lane Subdivision

COMMENTS:

The "validation" letter for vested water right claims sent to Melody Lane Subdivision

Harry Jones was returned by the Post Office. The Brown County Assessor indicated

the person to contact would be Larry Jones-Aberdeen, SD

I called Mr. Jones, he indicated they just sealed the well last month. The subdivision has now hooked up to the WEB. He indicated he did not think they would reopen the well for suburban housing purposes since the WEB water was such good quality water. I explained to him about the "three year" period as it pertains to validity of a permit. He indicated they would like to keep their options open concerning the well for those three years.

He stated the people to send correspondence to concerning the water right would be

Shirley Haffeman, President

1521 Melody Lane

Aberdeen, SD 57401

and

Phil Braunstein, Secretary-Treasurer

Melody Lane

Aberdeen, SD 57401

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.

4/82

NAME:

Larry McMath