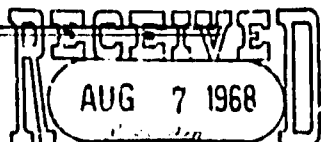


No. 1608-3Water Division No. 3 JAMES RIVER District  
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMMISSION  
PIERRE, SOUTH DAKOTA

# **VESTED RIGHT** **APPLICATION FOR PERMIT**

## **To Appropriate Water within the State of South Dakota**

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

1. Name of applicant Morris E. Mortimer  
Route 3  
Postoffice Address Hitchcock, County Beadle, 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)  
Has been completed
- (b) Cash on hand, \$
- (c) Treasury stock, \$
- (d) Bonds to be issued, \$
- (e) Other resources, \$

2. Name of diversion work Mortimer System #1
3. Amount of water claimed 1.46 cubic feet per second
4. Source of water supply Groundwater
5. Location of point of diversion Center of the SE $\frac{1}{4}$ , Section 5, T113 N, R62 W.  
on Beadle County.
6. Annual period or periods during which water is to be used Mar thru October
7. To be used for:

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

(a) Number of acres to be irrigated 160 acres.

(b) Legal subdivisions to be irrigated SE $\frac{1}{4}$ , Section 5, T113N, R62W

(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.)

incidental livestock watering

### 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

SEE MAP NO 83-3

8. Estimated cost of work: (a) Head Gates, \$ (b) Pumping plant, \$ (c) Fluming, \$ (d) Canal-earth, \$ (e) Other structures \$ Total, \$18,000.00

9. Description of diversion works: 1. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.) Well, pump gearhead motor with Trimatic distribution system

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 | 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 completed years. 11. Time required for complete application of water to the proposed beneficial use completed years. 12. Choice of newspaper for publication of notice of intention to appropriate not applicable

STATE OF SOUTH DAKOTA } ss. County of Beadle } I, Morris E. Mortimer, 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 Morris E. Mortimer Subscribed and sworn to before me this 30th day of Dec 1968 Notary Public (or other qualified officer.)

\*Each diversion must have a headgate or measuring device

"VESTED RIGHT" CLAIMED

STATE OF SOUTH DAKOTA

County of HUGHES ss.

Pierre, South Dakota, SEPTEMBER 26, 1968

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock  
9 a.m. upon the 7<sup>TH</sup> day of AUGUST, 1968

State Water Resources Commission  
 By: Burtin [Signature]  
 for Chief Engineer, Executive Officer

Number of permit 1608-3

Date of first receipt of application AUGUST 7, 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 JUNE 1, 1953

Approved SEPTEMBER 24, 1968, Recorded in Book 10 Page 259

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 —

2nd. The whole of said work is ~~to be~~ completed on or before —

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

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 1.46 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 is

and beneficially applied for irrigation on or before JUNE 30, 1953; said water to be used during the following described annual period:

MAY THRU OCTOBER

Witness my hand this 26<sup>TH</sup> day of SEPTEMBER, 1968

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 26, 1968

Water License Issued SEPTEMBER 26, 1968

## STATE OF SOUTH DAKOTA

## WATER LICENSE No. .... 1608-3.

WHEREAS, On the 7th day of August A. D. 1968

Morris E. Mortimer

of Hitchcock County of Beadle and State of  
South Dakota duly made application (No. 1608-3) to us for a Vested Right permit to use 1.46

cubic feet per second of the waters of ground water

County of Beadle, State of South Dakota, for irrigation  
purposes; and

WHEREAS, On the 26th day of September A. D. 1968  
Vested Right recognizing  
Permit No. 1608-3 was issued to said applicant... for the diversion of said water, and ~~and for the~~ for the  
completion of the works of diversion therein described ~~on 1/1/1968~~ ~~day of~~

XZBZ10 and for the application to beneficial use of said  
water ~~on 1/1/1968~~ XZBZ10 ~~day of~~  
and,

WHEREAS, On the 7th day of August A. D. 1968  
the holder... of said permit duly made proof of the completion of adequate works for the diversion of 1.48  
cubic feet per second of said waters, as evidenced by our Certificate No. 1608-3  
dated September 26, 1968 confirming the completion of works of sufficient capacity for  
diverting and conveying to the place of intended use 1.48 cubic feet per second of water, with date of  
priority of June 1, 1953 ~~and~~ and,

WHEREAS, On the 7th day of August A. D. 1968  
proof was duly made of the application to beneficial use of 1.48 cubic feet per second of said water;  
for irrigating the SE 1/4, Section 5, T113N, R62W

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 Morris E. Mortimer  
of Hitchcock the holder and owner of said Vested right permit No. 6108-3

a water right, dating from June 1, 1953 to the use of 1.48

cubic feet per second of the waters of ground water

In the County of Beadle and State of South Dakota, or so much thereof as may be

necessray for the purposes hereinabelow mentioned, to be diverted at a point in the center SE $\frac{1}{4}$ , Section 5, T113N, R62W

Section 5, T113N, R62W

and conducted to and upon the SE $\frac{1}{4}$ , Section 5, T113N, R62W

for the purpose of irrigation, subject to any limitations listed in the

Permit to Appropriate Water, and

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

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

Hundred and Sixty-eight

State Water Resources Commission

By:

T. E. GRINES  
Chief Engineer, Executive Officer

Permit No. 1608-3

Water Division No. 3 JAMES RIVER Water District

## Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Morris E. Mortimer

of Hitchcock, County of Beadle, and State of South Dakota, the holder of Permit No. 1608-3, issued upon Application

No. 1608-3, bearing date of priority of June 1, 1953, authorizing the diversion of

1.46 cu. ft. per second of the waters of ground water

County of Beadle, State of South Dakota, at a point in the

center of the SE $\frac{1}{4}$ , Section 5, T113N, R62W

, for irrigation

purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are recognized as

adequate for diverting and conveying to the place of intended use 1.46 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows.

to-wit: SE $\frac{1}{4}$ , Section 5, T113N, R62W

Witness my hand this 26th day of September A. D. 1968

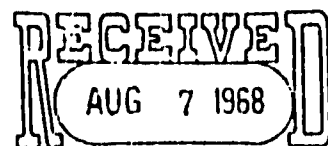
State Water Resources Commission

By:

J. W. GRIMES  
Chief Engineer, Executive Officer

Location No. \_\_\_\_\_

Water Division No. \_\_\_\_\_ Water District \_\_\_\_\_

STATE WATER RESOURCES COMMISSION  
PIERRE, SOUTH DAKOTA

# Proof of Application of Water to Beneficial Use

## PETITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Morris E. Mortimer, Farmer, Route 3, Highcock, S. Dak.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans. \_\_\_\_\_

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans. June 1, 1953

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Sixty-five foot well at the center of the SE $\frac{1}{4}$ , Section 5,

T113N, R 62W

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. 18" dia. concrete casing well, Berkeley 8" pump, 50hp gearhead, 413  
Chrysler Ind butane motor,  $\frac{1}{4}$  mile Trimatic System,  $\frac{1}{4}$  mile 6" aluminum mainline  
Pumps 650 gpm. Completed in 1953.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. Used for irrigation of SE $\frac{1}{4}$ , Section 5, T113N, R62W.

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans. \_\_\_\_\_

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 650gpm

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. \_\_\_\_\_

sand-gravel layer 21 to 65 foot depth  
normal static water level 21 feet.

Ques 10. State when, how, in what amount and to what extent, the water diverted under above mentioned permit has been used.

Ans. Constructed in 1953, and has been used each year since as  
stated above.

(Sign) *Morris E. Mortimer*

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in *Hitchcock*, County of *Beadle*

State of South Dakota, on this *30th* day of *July* A. D. 19*68*

*David Gilchrist*

~~RECORDED~~

Location No.-----

**PROOF OF APPLICATION OF  
WATER TO BENEFICIAL USE**

**PETITION OF HOLDER**

Amount of Water ----- c. f. s.

Source -----

County -----

Purpose -----

Place of Use -----

Date of recording -----

Received and filed -----

## NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights  
Foss Building  
Pierre, SD 57501

Date: July 27, 1982

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

SE 1/4 Section 5, T112N, R62W

formerly owned by Morris Mortimer

has been transferred to Jack Heimbuch, RR Box 124, Hitchcock SD

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

Water Right Permit No. 1608-3 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 Hughes ) ss.

I, Jack Heimbuch 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.

Jack Heimbuch  
(Signed)

Subscribed and sworn to before me this 27th Day of July, 1982.

Henry Young  
(Notary Public)  
Water Rights Specialist

**South Dakota Department of  
Water & Natural Resources**

Joe Foss Building  
Pierre, South Dakota 57501

Water Rights Division  
605 773-3352

July 27, 1982

Jack Heimbuch  
RR, Box 124  
Hitchcock SD 57348

Dear Mr. Heimbuch:

Enclosed are receipt Nos. 8915 thru 8920 in the amount of \$2.50 each which you paid for the transfer of Water Permit Nos. ~~4603-3~~, 4722-3, 4722-3A, 4723-3, 4723-3A, 4794-3.

Our records now show you as the owner of these Water Permits.

Sincerely,

KAREN SCHLAAR  
Administrative Secretary

enclosures

# RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8915

July 27

82

PIERRE, \_\_\_\_\_, 19\_\_\_\_

RECEIVED OF Helmhub Farms, Hitchcock SD 57345

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

|                                                                                                                 |   |    |
|-----------------------------------------------------------------------------------------------------------------|---|----|
| for Application for Permit to appropriate Water No. _____ (examination, processing, recording and filing) _____ |   |    |
| for inspecting Construction, and issuing Cert. of Construction No. _____                                        |   |    |
| for inspecting Beneficial Use, and issuing Water License No. _____                                              |   |    |
| for issuing Location Certificate-Dry Draw. No. _____                                                            |   |    |
| for filing <u>transfer of Permit No. 1602-3</u>                                                                 | 2 | 50 |
| for certified copy of _____                                                                                     |   |    |
| for Print copy of map _____                                                                                     |   |    |
| for Certifying _____                                                                                            |   |    |
| for _____                                                                                                       |   |    |
| (any other work as provided by law)                                                                             |   |    |
| TOTAL                                                                                                           | 2 | 50 |

WATER RIGHTS COMMISSION

By John Hatch  
Chief Engineer, Executive Officer  
JOHN HATCH      Clerk

1608-3  
1608-4  
1608-5  
1608-6  
1608-7  
1608-8

WATER RIGHTS DIVISION  
Conversion of File Documented Log

NAME OF PERSON OR FIRM: Jack Heimbuch

ADDRESS: RR# 1 Box 129 Hitchcock  
COUNTY: Box 116

DATE: 7-2-56

FILED: 7-2-56

RE: Suspended W.R. & Transfer

COMMENTS:

Inspection of Jack Heimbuch's suspended water rights was done at 12:30 P.M., 7-2-56. At this time none of the land on the permits mentioned above were being irrigated. Upon further investigation it was discovered that Mr. Heimbuch's land had been sold to Larry Lovett and Thomas B. Tobin. It is also believed that Mr. Lovett and Mr. Tobin are irrigating the land.

NAME:

Michael Jensen

Improper notice - permits not suspended.

1608-3

- Jack Heimbuch is also owned by Lovett & Tobin  
Permit not amended



# Department of Water & Natural Resources

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

WATER RIGHTS DIVISION  
(605) 777-3352

1608-3  
4722-3  
4722-3A  
4723-3  
4723-3A  
4794-3

July 31, 1986

Thomas Tobin, Attorney  
P.O. Box 1456  
Aberdeen, South Dakota 57401

Dear Mr. Tobin:

Please find enclosed copies of a Notice of Transfer of Water Permit form. These forms must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50 for each, total of \$15.00.

Upon receipt of the enclosed forms and the \$2.50 filing fee for each, total of \$15.00 the permits will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

Maxine Stirling  
Secretary

ms/  
Enc.6



# Department of Water & Natural Resources

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

April 2, 1986

Jack Heimbuch  
RR 1, Box 124  
Hitchcock, SD 57348

## NOTICE

Re: Violation of Water Permit No(s). 4723-3 A, 4722-3 A, 4723-3, 1608-3, 4794-3, and 4722-3 and 1985 Irrigation Questionnaire Requirements.

Our records indicate that the 1985 Irrigation Questionnaire has not been submitted for Water Permit No(s). 4723-3 A, 4722-3 A, 4723-3, 1608-3, 4794-3, and 4722-3. The request for the questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearing(s) will be held to determine action to be taken by the Board of violation of Water Permit No(s). 4723-3 A, 4722-3 A, 4723-3, 1608-3, 4794-3, and 4722-3 qualification:

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

The hearing will also be to determine if Permit No(s). 4723-3 A, 4722-3 A, 4723-3, 4794-3, and 4722-3 should be amended with the qualification to require the Questionnaire to be submitted each year.

The hearing(s) will be at 2:00 p.m., May 14, 1986, in Room 216, Joe Foss Building, Pierre, South Dakota.

The hearing(s) 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:

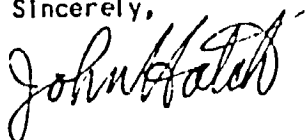
1. Suspend Permit No(s). 4723-3 A, 4722-3 A, 4723-3, 1608-3, 4794-3, and 4722-3 until either the 1985 Questionnaire is submitted or for the period of up to one year;

Jack Helmbuch  
April 2, 1986  
Page 2

2. Amend Permits No(s). 4723-3 A, 4722-3 A, 4723-3, 4794-3, and 4722-3 also held by Jack Helmbuch to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action;
4. 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.

Sincerely,



John Hatch, Chief Engineer  
Water Rights Division  
(605) 773-3352

Note: If the questionnaire(s) are received in this office before the May 14th hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

032403KS.WR



# Department of Water & Natural Resources

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

May 20, 1986

## NOTICE OF AMENDMENT TO WATER PERMIT(S)

To: Jack Heimbuch  
RR 1 Box 124  
Hitchcock SD 57348

FROM: John Hatch, Chief Engineer  
Water Rights Division  
605 773-3352

SUBJECT: Amendment to Water Permit No(s). 1608-3

Pursuant to the provisions of the notice dated April 1, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No(s). 1608-3 to add the following qualification:

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

The addition of this qualification to your Permit 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.

*Equal Opportunity Employer*

**SOUTH DAKOTA** Department of  
**Water & Natural Resources**

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

Attachment to Water Permit No. 1608-3

Pursuant to the provisions of the notice dated May 20, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No. 1608-3 to add the following qualification:

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

*Equal Opportunity Employer*

August 19, 1986

Water Rights  
Foss Building  
Pierre, SD 57501

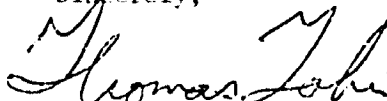
Dear Sirs:

Enclosed herein please find six Notice of Transfer of Water Permits for the enclosed titled land. Also find enclosed a check in the amount of Fifteen Dollars (\$15.00) to cover the cost of said permits.

Should you have any questions, please do not hesitate in contacting me in regards to this.

Thanking you for your cooperation in this matter, I remain

Sincerely,

  
Thomas M. Tobin

TMT:js

Enclosures (6) and (Check)



## NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights  
Foss Building  
Pierre, SD 57501

Date: August 19, 1986

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

SE 1/4 Section 5, T113N-R62W

formerly owned by Jack Heimbuch, RR#1, Box 124, Hitchcock, SD

has been transferred to Thomas M. Tobin and Larry Lovett 1208 Apollo Ave., Aberdeen SD  
(please include complete mailing address) 57401  
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1608-3 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 )  
 ) ss.  
County of Brown )

I, Thomas M. Tobin being first duly sworn on my oath despose 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.

Thomas M. Tobin  
(Signed)

Subscribed and sworn to before me this 19<sup>th</sup> Day of August, 1986

Jim Schweitzer  
(Notary Public)  
320-94



# RECEIPT

Division of Water Rights  
South Dakota Department of Water and Natural Resources

410525

Pierre, August 20, 19 86

RECEIVED OF Thomas Tobin, 1208 Apollo Ave., Aberdeen, SD 57401

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 <u>1600-3</u>                                                                                 |       | 2.50 |
| 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 |

By John Hatch  
Chief Engineer JOHN HATCH MS



# Department of Water & Natural Resources

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

WATER RIGHTS DIVISION  
(605) 773-3352

1608-3

4722-3

4723-3

4723-3A

4794-3

4722-3A

August 21, 1986

Thomas M. Tobin  
1208 Apollo Avenue  
Aberdeen, South Dakota 57401

Dear Mr. Tobin:

Enclosed are receipt Nos. 410525, 410526, 410527, 410528, 410529 and 410530 in the amount of \$2.50 each total of \$15.00 which you paid for transfer of Water Right Nos. 1608-3, 4722-3, 4723-3, 4723-3A, 4794-3 and 4722-3A.

Our records now show Thomas M. Tobin and Larry Lovett as the owners of these Water Rights.

Sincerely,

Maxine Stirling  
Secretary

ms/  
Enc.6



No. 4794-3

# Department of Water & Natural Resources

Joe Foss Building  
523 East Capitol

Pierre, South Dakota 57501

WATER RIGHTS DIVISION  
Phone (605) 773-3352

NOV 4 1987

Larry Lovett & Thomas Tobin  
PO Box 1766  
Aberdeen, South Dakota 57401

Dear Mr. Lovett & Mr. Tobin:

Enclosed herewith is, Water License No. 4794-3. 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:ms

Enclosures

Applicable portions of Water Permit Nos. 4722-3, 4722-3A and Vested Water Right No. 1608-3 have been incorporated into this Water License No. 4794-3.