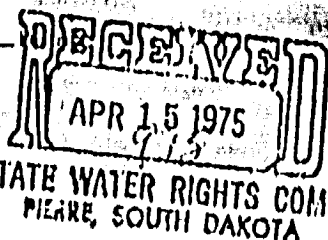


Water Right Number 2251-3

1. Considered MAY 21, 19 75
2. Name of Applicant LOWELL D. WEST
3. Post Office Address PIERRE
4. Amount of Water claimed 7.5
5. Source of Water supply MISSOURI RIVER
6. Water to be used for IRRIGATION
Acres to be irrigated 525
7. Water to be diverted and used in SULLY County
about 18W, 6N miles 13 of ONIDA
8. Proof of Publication
Received 13
Not Received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks:

No. 2251-3Map No. 164B-3 Water 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

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

1. Name of Applicant Lowell D. West - Sully Butte Irr Assoc
 Postoffice address Port A, Pierre, S. D., State 57501
Star Pl' N, Box 98
 If corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) contract
3. Name of diversion work _____
4. Amount of water claimed (cubic feet per second) 7.5
5. Source of water supply Missouri River
6. Location of point of diversion Pump Station No. 1 121 rods N of S.W. Corner Sec. 10-115-80
Pump Station No. 2 25 rods W. of S.W. corner Sec. 10-115-80
 _____ County Sully
7. Annual period or periods during which water is to be used June, July, August, September
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
9. For irrigation use, _____ Total number of acres to be irrigated 525 A

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
SE 1/4 Sec. 10-115-80	149		
SW 1/4 Sec. 11-115-80	160		
SE 1/4 Sec. 11-115-80	136		
N 1/2 NW 1/4 Sec. 14-115-80	80		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication The Ouida Watchmen
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

pump - motor or engine.

B. Works proposed to transport water to place of use.

mainline pipe

C. Works proposed to apply water to beneficial use.

pivot sprinkler systemEstimated Total Cost \$ 70,000Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of HughesI, Lowell D. West the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed Lowell D. WestSubscribed and sworn to before me this 15th day of April, 1975

Notary Public (or other qualified officer)

W. W. Clark

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 2251-3
LOWELL D. HIER WEST STATE PART A" 78 PIERRE
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57501 With the following modification:
 (State)

Date of first receipt of application APRIL 15 19 75
 Date of return to applicant for correction, amendments or changes required _____ 19 ____
 Date of receipt of corrected application _____ 19 ____
 Approved MAY 22 19 75 Recorded in Book 13 Page 321

WATER RIGHT PERMIT NO 2251-3

The Water Rights Commission hereby grants and issues this Water Right Permit No. 2251-3 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is APRIL 15 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 22 19 77
3. The whole of said work is to be completed on or before MAY 22 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 22 19 84
5. The water appropriated shall be used for the purpose of IRRIGATION
6. 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.
7. The amount of the appropriation herein granted shall not exceed 7.5 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and 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 MAY 22 19 84; said water to be used during the following described annual period: JUNE THRU SEPTEMBER

Witness my hand this 23RD day of JUNE 19 75

WATER RIGHTS COMMISSION

By: Lowell D. Hier
 Acting Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 ____

Water License Issued _____ 19 ____

2251-3Publish first publication, on or before May 8, 19 75NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 17, 19 75Notice is hereby given that Lowell D. Westwhose post office address is Pierre, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use7.5 cubic feet of water per second of time from the Missouri River through theWila West Irrigation Project, the point of diversion of which is to be located in the _____between points in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, and in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, Twp. 115N, Range 80W. Said water to be used for the purpose
of providing irrigation on all or portions of the following described land:SE $\frac{1}{4}$, Section 10; S $\frac{1}{2}$ Section 11; NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 14, all in T115N, R80WThis application No. 2251-3 will be considered by the Water Resources Commission at their office at
Pierre upon the 21st day of May, 19 75, at 2:30 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
WATER RIGHTS SPECIALIST

BFJ/bw

cc: Lowell D. West, Part A., Pierre, S.D. 57501

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Sully) ss.

I, Allice Olson hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Onida Watchman

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 Onida

County of Sully and State of South Dakota;
that the said notice was published in said newspaper on the following
two dates:

Thursday, May 1, 1975

Thursday, May 8, 1975

Allice Olson
(Signature)

Publisher
(Title)

June 2, 1975
(Date Signed)

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501
April 17, 1975

Notice is hereby given that
Lowell D. West whose post office
address is Pierre, South Dakota,
has made an application in
accordance with the provisions of
the water laws of South Dakota for
a permit to appropriate for
beneficial use 7.5 cubic feet of
water per second of time from the
Missouri River through the West
Irrigation Project, the point of
diversion of which is to be located
between points in the NE $\frac{1}{4}$ SE $\frac{1}{4}$,
and in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9,
Twp. 115N, Range 80W. Said
water to be used for the purpose of
providing irrigation on all or
portions of the following
described land: SE $\frac{1}{4}$, Section 10;
S $\frac{1}{2}$, Section 11; N $\frac{1}{2}$ NW $\frac{1}{4}$, Section
14, all in T116N, R80W.

This application No. 2551-3
will be considered by the Water
Resources Commission at their
office at Pierre upon the 21st day
of May, 1975, at 2:30 P.M. All
interested persons may appear and
be heard.

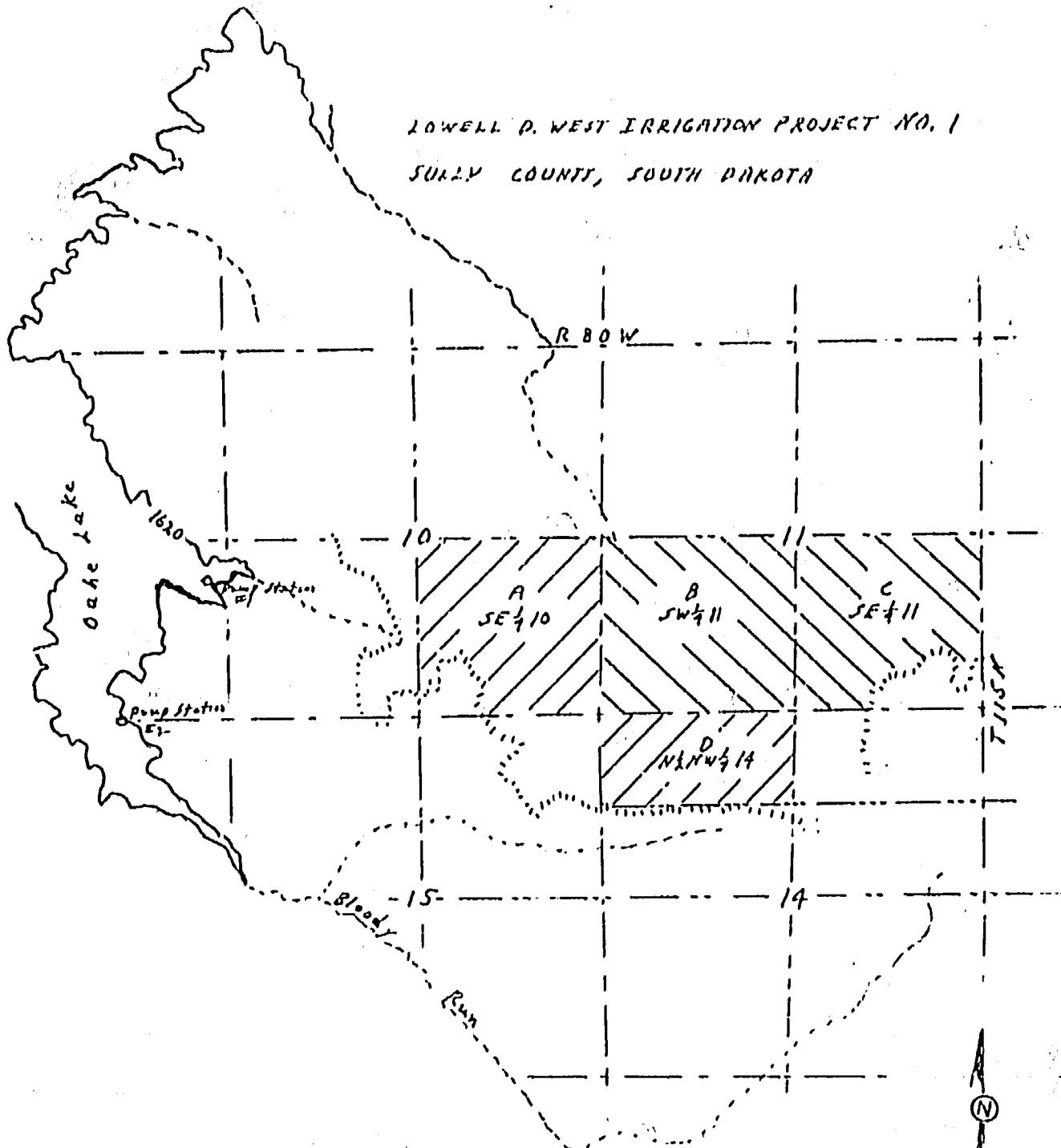
WATER RESOURCES COMMISSION

Burton F. _____

Water Rights Specialist

-12-13

LOWELL D. WEST IRRIGATION PROJECT NO. 1
SULLY COUNTY, SOUTH DAKOTA



Land Owned by Lowell D. West to be Irrigated

Area	Location	Acres
A	SE 1/4 Section 10 - T115N - R80W	149
B	SW 1/4 Section 11 - T115N - R80W	160
C	SE 1/4 Section 11 - T115N - R80W	136
D	N 1/2 NW 1/4 Section 14 - T115N - R80W	80
Total		525

Scale 1 inch = 2000 feet

Pump Station No. 1, 1 1/2 Rods N. of S.W. Corner Section 10 - T115N - R80W
Pump Station No. 2, 85 Rods W. of S.W. Corner Section 10 - T115N - R80W

I, R.V. Summerside, Registered Land Surveyor, State of South Dakota, do hereby certify that, at the direction of Lowell D. West, I have surveyed the tract of land as shown, and that the above drawn plat is a reasonably accurate description of the land of the proposed irrigation project. In witness whereof I have set my hand and seal this 10th day of March, 1925, A.D.

R.V. Summerside
Registered Land Surveyor

COPY

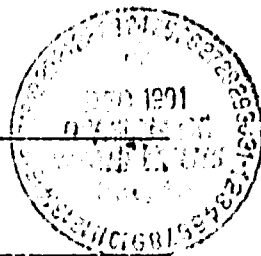
MAP NO 1643-3 APPL NO 2251-3

NOTICE OF TRANSFER OF OWNERSHIP

No. 2251-3

TO: Chief Engineer
Water Rights Division, DWR
623 East Capitol
Pierre, SD 57501-2181

Date: _____



I/We request that Water Permit/Right No. 2251-3

formerly owned by: Sully Buttes Irrigation

be transferred to: (name & address) Lowell or Catherine West, HCR 37 Box 98, Pierre, SD

(telephone No.) _____

Title to the following described land(s)/property has been transferred as described above:

SE 1/4 Section 10, S 1/2 Section 11, N 1/2 NW 1/4 Section 14, T115N, R30W

I/We understand that the validity of Water Permit/Right No. 2251-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)

County of Hughes)

I/We Lowell West 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 that I know of my own personal knowledge that the information herein stated is true.

Lowell West
Catherine West (Signed)

Subscribed and sworn to before me this 24 day of December, 19 91.

BRENDA ANDERSON, Notary Public
Brenda Anderson
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, December 24, 1901

RECEIVED OF Lowell or Catherine West, HFR 37, Box 98, Pierre, SD 57501
the following amount in fee of _____

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 Water Permit No. 2251-3

Fee for Filing Extension Request

Fee for Certified Copy of

Fee for Print Copy of Map

Fee for Certifying.

Free for

(Any Other Work Provided by Law)

Total

2 | 50

By [Signature]
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JGE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

June 11, 1992

2251-3

Dale Kastner
Corps of Engineers
Real Estate Project Office
PO Box 670
Pierre, SD 57501-0670

Dear Mr. Kastner:

Enclosed is a copy of a "Notice of Transfer" submitted in December, 1991 for land irrigated under Water Permit No. 2251-3 from the Missouri River. The permit was formerly in the name of Sully Buttes Irrigation and was transferred to Lowell or Catherine West. You may have already been aware of the change.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 733-3352

enclosure

2251-3



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3191

SEP 26 1993

5040-3

Lowell D. and Catherine West
HCR 37, Box 98
Pierre, SD 57501

Dear Mr. and Ms. West:

Enclosed is Water License No. 5040-3 and Receipt No. 410221 for \$50.00 which was assessed for an inspection and issuance of the license. Water License No. 5040-3 is the final document which completes the process of obtaining a water right.

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

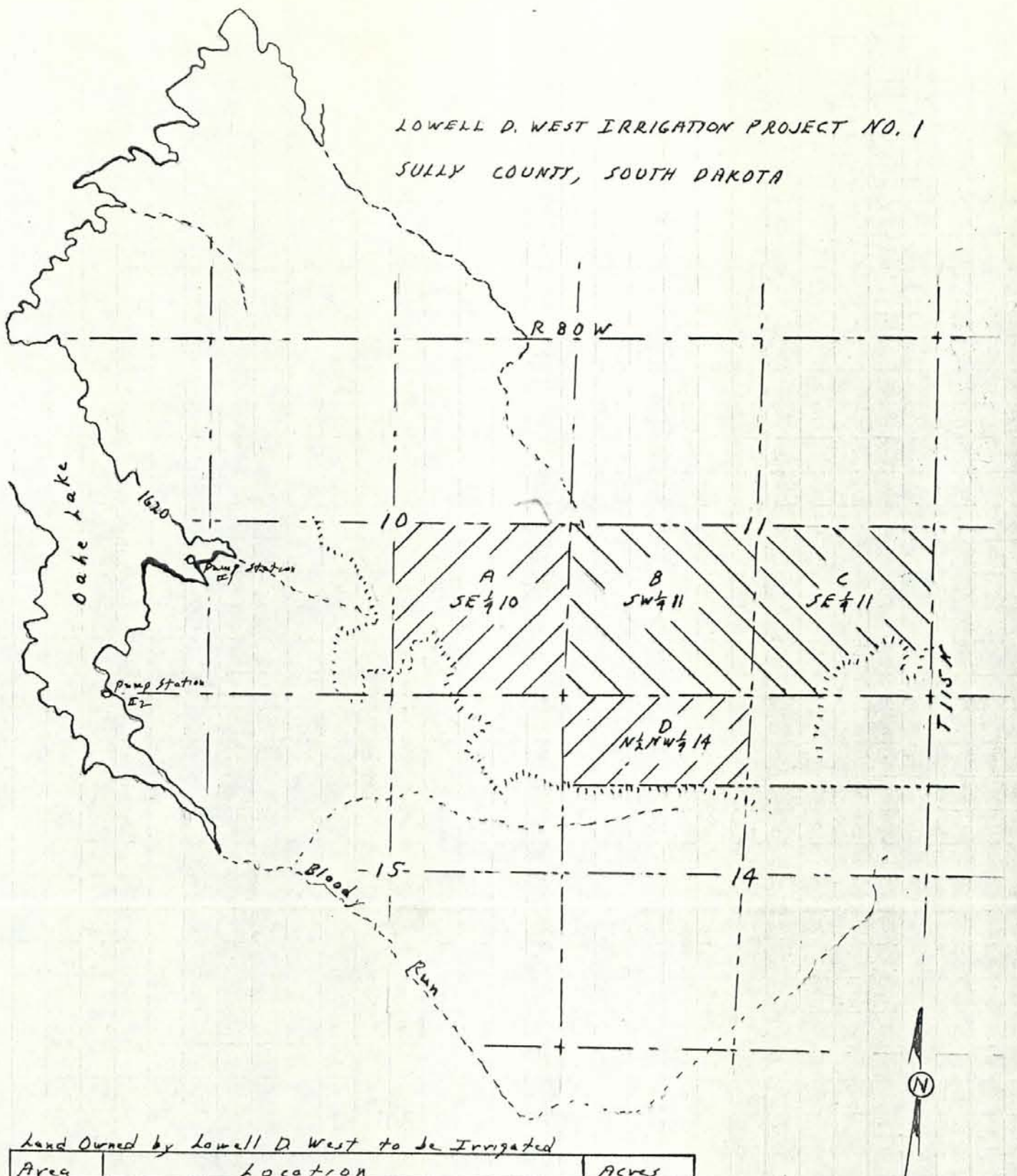
Very truly yours,

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

gm
enclosures

NOTE: The applicable portions of Nos. 2251-3 and 3003A-3 have been incorporated in to this Water License No. 5040-3.

LOWELL D. WEST IRRIGATION PROJECT NO. 1
SULLY COUNTY, SOUTH DAKOTA



Land Owned by Lowell D. West to be Irrigated

Area	Location	Acres
A	SE $\frac{1}{4}$ Section 10 - T11S N - R80W	149
B	SW $\frac{1}{4}$ Section 11 - T11S N - R80W	160
C	SE $\frac{1}{4}$ Section 11 - T11S N - R80W	136
D	N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 14 - T11S N - R80W	80
Total		525

Scale ~ 1 inch = 2000 feet

Pump Station No. 1, 121 Rods N. of S.W. Corner Section 10 - T11S N - R80W
Pump Station No. 2, 85 Rods W. of S.W. Corner Section 10 - T11S N - R80W

I, R.V. Summerside, Registered Land Surveyor, State of South Dakota, do hereby certify that, at the direction of Lowell D. West, I have surveyed the tract of land as shown, and that the above drawn plat is a reasonably accurate description of the land of the proposed irrigation project. In witness whereof I have set my hand and seal this 10th day of March, 1925, A.D.

R.V. Summerside
Registered Land Surveyor

COPY

MAP NO. 1643.3 APPC NO. 2251.3