

772-3

1. Considered 8-3, 1920
2. Name of Applicant Donat J. Jach
3. Post Office Address Washington
4. Amount of water claimed 2.08
5. Source of water supply Big Spring River & Ground water
6. Water to be used for Irrigation
Acres to be irrigated 146
7. Water to be diverted and used in Condover County about
2.5 30 miles of Washington.
8. Proof of Publication Received 1-25
Not Received _____
9. Application Approved W
Subject to DM
Not Approved _____
Action deferred _____

10. Remarks:

ok

10.000

10.0081

No.

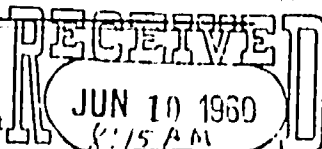
722-3

Water Division No. 3

Big Sioux River

District

(Blanks to be filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

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

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

1. Name of applicant Bert Tesch
Postoffice address RED 3, Watertown, County Codington, 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)
Purchasing of above ground sprinkling system

(b) Cash on hand, \$ Adequato (c) Treasury stock, \$
(d) Bonds to be issued, \$ (e) Other resources, \$

2. Name of diversion work Bert Tesch Irrigation system
3. Amount of water claimed 2.08 cubic feet per second
4. Source of water supply Sioux River and underground aquifer
5. Location of point of diversion from Sioux River anywhere in the S $\frac{1}{4}$ of 15-116-52
and dug well 3500 feet East of West $\frac{1}{4}$ quarter corner.
on bank County.
6. Annual period or periods during which water is to be used June 1 thru Sept. 1
7. To be used for:

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

(a) Number of acres to be irrigated 146 acres.

(b) Legal subdivisions to be irrigated in South $\frac{1}{2}$ of Section as shown on map

(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 No 549-3

8. Estimated cost of work:

(a) Head Gates, \$.....

(b) Pumping plant, \$ 300.00

(c) Fluming, \$.....

(d) Canal-earth, \$.....

Rock, \$.....

(e) Other structures Piping and nozzles \$1500.00

Total, \$ 1800.00

9. Description of diversion works:

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

Pumping plant and piping from Sioux River and Well #1

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 one years.11. Time required for complete application of water to the proposed beneficial use one years.12. Choice of newspaper for publication of notice of intention to appropriate Watartown Public Opinion, Watartown, S. Dak.

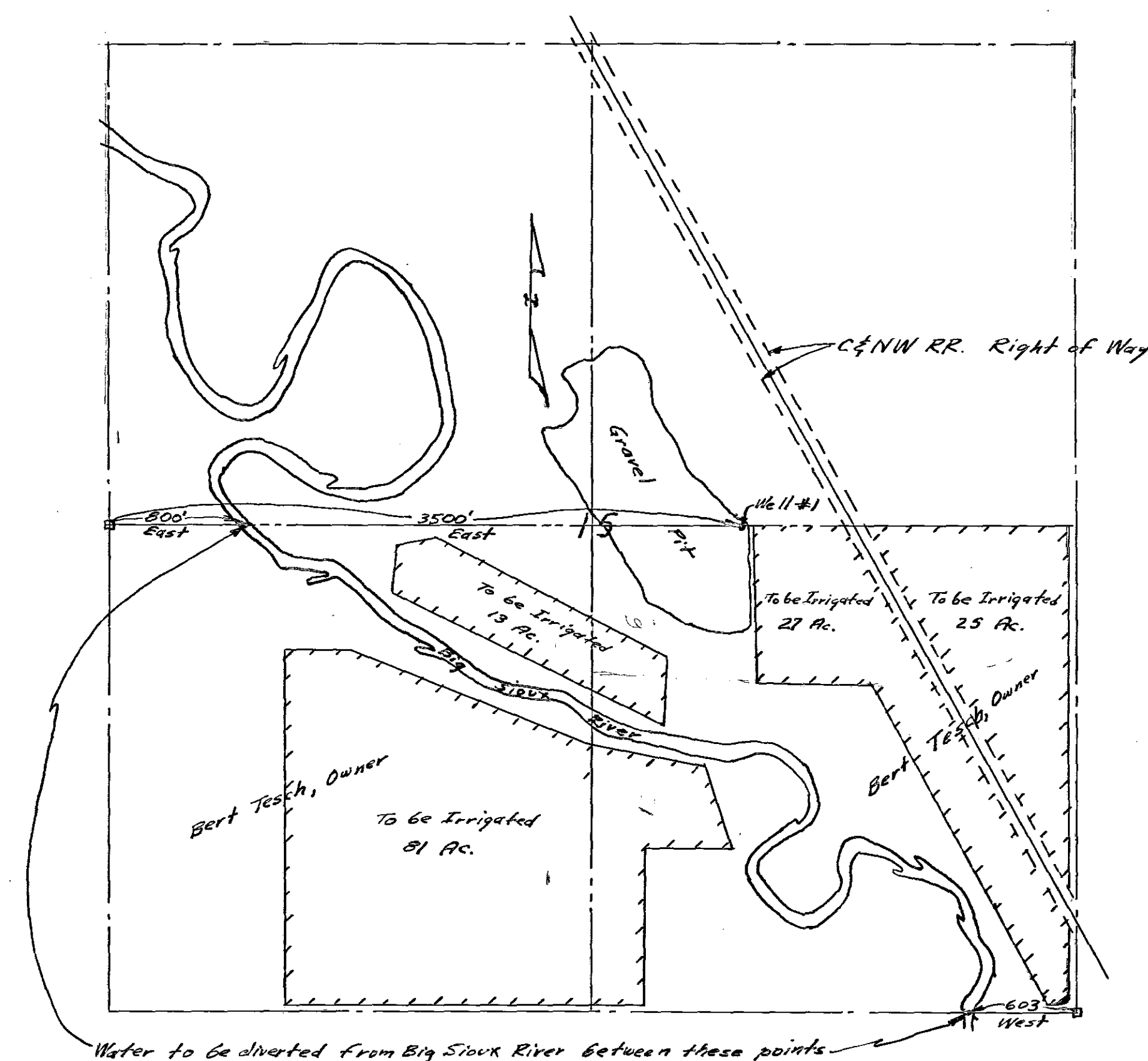
STATE OF SOUTH DAKOTA

County of Codington } ss.

I, Bert T. Lorch, 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 Bert T. LorchSubscribed and sworn to before me this 2 day of June 1960Walter H. Hays
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



SECTION 15, T 116 N, R 52 W of the Fifth P.M.
1" = 660'
□ Indicates Corners Used for Measuring

Surveyor's Certification

I, John O. Babcock, a Reg. Prof. Eng. & Land Surveyor of Watertown, S. Dak. do hereby certify that, at the instance and request of Bert Tesch, Owner of the South 1/2 of Section 15, Township 116 North, Range 52 West of the Fifth P.M., less C & NW Railway Right of Way, I did on or prior to the 12th day of April 1960, locate by course and distance the points of diversion of Water for Irrigation Purposes on the above described Property.

I hereby certify that the adjoining Plat shows the points of diversion.

In Witness Whereof, I have hereunto Set my hand & Seal this 12th day of April 1960

John O. Babcock
Reg. Prof. Eng. & Land Surveyor

STATE OF SOUTH DAKOTA } ss.
COUNTY OF CODINGTON }

On this 12th day of April 1960, before me the undersigned officer, personally appeared John O. Babcock, a duly Registered Professional Engineer and Land Surveyor in the State of South Dakota, known to me to be the person described in the foregoing instrument and acknowledged that he executed the same in the capacity therein stated and for the purpose therein contained.

In Witness Whereof, I have hereunto set my hand and seal.

Hazel Blum
Notary Public

My Commission Expires March 1967

WATER RIGHTS APPLICATION
FOR BERT TESCH
Section 15, T116N, R 52W of the 5th P.M.
Codington County, S. Dak.
PREPARED BY
JOHN O. BABCOCK
Reg. Prof. Eng. & Land Surveyor
Watertown, South Dakota
April 12, 1960
Scale 1" = 660'

Map No 549-3
(Appl No 722-3)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, OCTOBER 26, 1962

This is to certify that the foregoing application was received by the Commission at 5:15 o'clock
8 a.m. upon the 10TH day of JUNE, 1962

State Water Resources Commission

By: Paul H. Quinn

Chief Engineer, Executive Officer

Number of permit 722-3

Date of first receipt of application JUNE 10, 1962

Date of return to applicant for correction, amendments or changes required as follows: JUNE 19, 1962

Date of receipt of corrected application JUNE 20, 1962

Date from which applicant may claim right JUNE 10, 1962

Approved AUGUST 3, 1962, Recorded in Book 6 Page 130

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

FEBRUARY 3, 1961

2nd. The whole of said work is to be completed on or before AUGUST 3, 1961

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

AUGUST 3, 1962

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 2.08 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 AUGUST 3, 1962; said water to be used during the following described annual period:

JUNE TO AUGUST, INCLUSIVE

Witness my hand this 26TH day of OCTOBER, 1962

State Water Resources Commission

By: Paul H. Quinn

Chief Engineer, Executive Officer

Certificate of Construction Issued JULY 1, 1970

Water License Issued JULY 1, 1970

Form 15.

Permit No. 722-3

Water Diversion No. 3 BIG SIOUX RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Bert Tesch

_____ the holder _____ of
Permit No. 722-3, issued upon Application No. 722-3, bearing date of priority of June 10, 1960
_____ authorizing the diversion of 2.03 cu. ft. per second of the waters of _____
ground water County of Codington, State of South Dakota at _____
a point 3500' East of the W $\frac{1}{2}$ Corner, Section 15, T116N, R52W
_____, for Irrigation

purposes, has ^s 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 2.2 cu. ft. per second of water.

Date July 1, 1970

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 722-3

(1) WHEREAS, On the 10th day of June A. D. 19 60
Bert Tesch

made Water Right Application No. 722-3 for a permit to use 2.08 cubic feet per second of the waters
of ground water

County of Codington, State of South Dakota, for Irrigation

purpose; and

(2) WHEREAS, On the 25th day of October A. D. 19 60

Permit No. 722-3, with a date of priority of June 10, 1960

was issued to said applicant _____ for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 3rd day of August A. D. 19 61 and for the
application to beneficial use of said water on or before the 3rd day of August A. D. 19 62

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 2.08 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 146 acres in the S $\frac{1}{2}$, Section 15, T116N, R52W

(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 Bert Teach

_____ of Watertown, South Dakota

the holder _____ and owner _____ of said permit No. 722-3 a water right, dating from June 10, 1960

_____ to use of 2.08 cubic feet per second of the waters

of ground water

in the County of Codington and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at a point 3500' East of the W $\frac{1}{2}$ Corner, Section 15,

T116N, R52W

and conduct to and upon portions of the S $\frac{1}{2}$, Section 15, T116N, R52W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 722-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 1st day of July A. D.
Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer , J.W. GRIMES

9. (Continued)

Well #1

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation Gravel Pit, Depth 20'

Type of casing None
(wood, concrete, steel, etc.)

Size of casing, Thickness of casing

Length of casing If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen None. Screen on Pumping equipment

Size of perforated screen
(diameter) (length)

Thickness of gravel pack, length of gravel pack

(c) Water Bearing Materials

Distance to water 8 feet Character of water bearing materials Coarse gravel in underground aquifer

Thickness of water bearing material 25 feet

(d) Pump and Motor

Type of pump Propeller
(centrifugal, propeller, mixed flow, etc.)

Name of pump Deming, size 5"

Kind of motor Gasoline
(gasoline, electric, diesel, etc.)

Horsepower Approx 10, Name of Motor Chevrolet

(e) Complete well

Capacity capacity of pump
Capacity More than/ at drawdown of negligible. Estimated cost None

(f) Owner of land upon which well is located Bert Tesch
Name

RFD 3, Watertown, S. Dak.
Address

(g) Distance to nearest existing wells

On same owner's property 140 rods. On property owned by others 100 rods

On or before
(First Publication July 9, 1960)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., June 21, 1960

Notice is hereby given that Bert Tesch whose postoffice address is Watertown 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 2.08 cubic feet of water per second of time from the Big Sioux River & Ground Water through the Bert Tesch Irrigation System ^s the point of diversion of which ~~is~~ ^{are} to be located on ~~xx~~ both between a point in the NW 1/4 SW 1/4 and a point in the SE 1/4 SE 1/4, and from a bank of said stream/in the NW 1/4 of the SE 1/4 of Section 15 portions of well located Twp. 116N Range 52W. Said water to be used for the purpose of providing irrigation on the following described land:

SE 1/4 and SW 1/4 Sec 15, T116N R52W

~~XXXXXX~~ ~~XXXXXXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 3rd day of August, 1960, at 2 P. M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

cc: **Kenneth B. Way, Manager**
Watertown Public Opinion
Watertown, South Dakota

State Water Resources Commission

By: **BURTON F. JONES**

~~STATE WATER RESOURCES COMMISSION~~
Water Right Specialist

PROOF OF PUB

STATE OF SOUTH DAKOTA }
County Codington } SS.Bert Tesch being
sworn, deposes and says the annexed printed copy of N

of Intention to Appropriate Water was taken from the --

Watertown Public Opinion, a newspaper w
during the whole itme of publication of said notice he
after stated, has been and is printed and published inCity of Watertown CountCodington and State of South Dak

that the said notice was published in said newspaper on

following dates:

June 24
July 1, 8, 15, 1960

in each and every issue of the full number thereof, the first

publication being made on the 24 day of June1960 and the last publication on the 15 day ofJuly 1960, upon which days or times

of publication aforesaid the newspaper was regularly pub-

lished, and that during the whole time of said publication he

was the the printer and publisher of

the said newspaper.

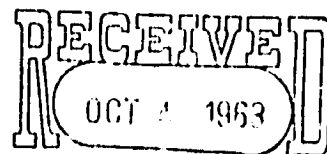
Bert TeschSubscribed and sworn to before me this 17 day of August A. D. 1960Notary Public Wm. H. Jones County, S. D.

LEGAL NOTICE

APPROPRIATION OF WATER
Office of State Water Resources
Commission,

Pierre, S. Dak., June 21, 1960

Notice is hereby given that Bert
Tesch whose postoffice address is
Watertown, S. Dak., has made an
application in accordance with the
provisions of the Water laws of
South Dakota for a permit to ap-
propriate for beneficial use 2.08
cubic feet of water per second of
time from the Big Sioux River &
Ground Water through the Bert
Tesch Irrigation System, the points
of diversion of which are to be
located on both bank of said stream
between a point in the NW 1/4 SW 1/4
and a point in the SE 1/4 SE 1/4, and
from a well located in the NW 1/4 of
the SE 1/4 of Section 15 Twp. 116N,
Range 52W. Said water to be used
for the purpose of providing irriga-
tion on portions of the following
described land:
SE 1/4 and SW 1/4 Sec. 15, T116N
R52W.This application will be taken up
by the State Water Resources Com-
mission at their office at Pierre for
consideration upon the 3rd day of
August, 1960, at 2 P. M. All interest-
ed 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 in-
formation presented.State Water Resources
Commission
By: Burton F. Jones
Water Right Specialist
(June 21, July 1, 8, 15, 1960)RECEIVED
OCT 18 1960WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Permit No. 722-3STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTAWater Division No. 3 Big Sioux River Water District

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.) RF D 3 Water Town(Date) October 1, 1963

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 2.03

_____ cu. ft. per second of the waters of the state from June 1
through the 30 Mph. Diversion
for above ground sprinkling irrigation purposes
as per 1961 in accordance with the terms and con-
ditions 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 Paul Teach

2. The postoffice address of such person or the place of business of such corporation is RF D 3 Water Town
County of Codington State of South Dakota

3. The number of such permit is 722-3 and the date set for the completion of such work isJuly 1 - 19614. Said water to be used for above ground sprinkling irrigation 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 ac-
companying the application for such permit, is 2.03 cubic feet per second.

6. The amount of land for which said water is available is 146 acres,
particularly described as follows: from Sioux River anywhere in T-54
of 15-116-52 and 146 well 350 feet East of well
quarter Section.

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

(Signature of Owners)

Paul Teach
Water Town, SD

REPORT OF INVESTIGATION

Unlicensed Water Permits Authorized before January 1, 1964

Water Permit No. 222-3 Approval Date Aug 3, 1960

This Permit authorized the diversion of 2.08 cubic feet
per second of water from Well + Sioux River to irrigate

146 acres in Section 15, Township 116,
Range 52, County Codington.

Name and Address shown on Permit Pert Tesch.
RED 3 Watertown, S.D.

Name and Address of present owner of land Same

WATER PERMITS NOT CONSTRUCTED WITHIN THE FIVE YEAR PERIOD ARE
SUBJECT TO CANCELLATION BY ACTION OF THE WATER RESOURCES COMMISSION

Indicate the following:

1. The irrigation system was never started nor was not completed.
The present landowner has been informed that cancellation of
Water Permit No. _____ will be considered by the Water
Resources Commission and he will be notified of the date, time
and place of such consideration. _____
2. Some questions exists and further consideration is advisable.

- ✓ 3. The irrigation system was completed within the five year period
and is being used. A final inspection should be scheduled.

REMARKS:

*Have used every year since started 10 yrs
ago*

Date 7-10-69

Signature W^m H. Ellsworth

Permit No. 722-3Water Division 3 Big Sioux River Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

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

I have this day made a thorough examination of the water use system constructed by BERT TESCH
 of WATERTOWN holder
 of Permit No. 722-3, bearing date of priority of JUNE 10, 1960
 authorizing the diversion of 2.08 cu. ft. per second of the waters of GROUND WATER
 for IRRIGATION purposes, in CODINGTON 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:

40' DEEP WELL W/ 18" STEEL CASING
FAIRBANKS-MORSE 6" PUMP MODEL # 6957
POWERED BY FAIRBANKS-MORSE 30 H.P. ELECTRIC
MOTOR

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

1200' OF 5" MAINLINE

C. Works used to apply water to beneficial use.

1400' OF 4" SPRINKLER LINE W/ RAINBIRD #30
SPRINKLER HEADS W/ 5/32 NOZZLES - HAND MOUNT
1 VERMEER 140 Boom

The system is in the following condition: GOOD

The point of diversion is located A POINT 3500' E OF THE W 1/4
CORNER, SECTION 15, T116N, R52W

The works are capable of diverting and conveying to the place of use 2.08
 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:

PORTIONS OF THE S², SECTION 15, T116N, R52Wcomprising a total of 14.6 acres of land.

DATE JUNE 22, 1970
[Signature]
 (Signature)
 WATER RIGHTS SPECIALIST
 WATER RESOURCES COMMISSION

722. 3

(1) WELL CONSTRUCTION

Location of well: 1/4 1/4 SW Section 15 Township 116 Range 53

Well owner Hal Pasch Watertown, SD. 57201
(Name) (Address)

Date well drilling completed April 1975 Purpose of well irrigation
(domestic, irrigation, municipal, industrial, other)

Layers, top to top in feet	Description of layer
0-2	top soil
2-8	sandy clay
8-40	sand & gravel
40-	clay

Depth to top of water producing aquifer 35 ft.
Depth to static water level _____ ft.
Name of producing aquifer (if known) gkall
Total depth of drill hole 40 ft.
Depth to bottom of casing 40 ft.

Casing Information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.

0 - 20 16" Fiberglass

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

20-40 16" fiberglass

If a flowing well, flow of completed well _____ G.P.M.

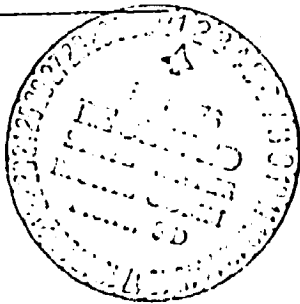
Empire Irrigation Drilling
Name of Drilling Contractor Co. Inc.

(2) PUMP INSTALLATION
Company name and size of pump Not done by Empire HP _____
Type of pump _____ Capacity of installed pump _____ G.P.M.
Depth of pump placement _____ ft., Date of pump installation _____

(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.40B of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____



Name of Pump Installation Contractor

SOUTH Dakota Department of
Water & Natural Resources

Joe Foss Building Water Rights, Water Management Division
 Pierre, South Dakota 57501 (605) 773-3352



May 21, 1981

Bert Tesch
 RR #4
 Watertown, SD 57201

Mr. Tesch:

Please find enclosed a copy of our Form 20, Notice of Transfer of Water Permit. This must be signed by the owner before a notary public and returned to this office with a fee of Two Dollars and Fifty Cents (\$2.50).

Upon receipt of the Form 20 and the \$2.50 filing fee the permit will be transferred to the proper name.

Please advise this office if you have any questions.

Sincerely,

Genny Young
 GENNY YOUNG
 Staff Assistant

gy

encl

NOTE: This transfer form is being sent to you in regard to your recent letter indicating that you were selling the land to your son. The water rights go with the land.

Gentlemen!
 We had made definite plans to sell the land to our son - but had to re-consider. The high priced money market makes it almost impossible to raise a family of 7 children, raise them 15 yrs and run a farm - plus buying land with today's high interest as well as price per acre, so we shall continue to rent it to him for the present. Thanks for the reminder that the water rights go with the land. We have had our permit quite a while, and had almost forgotten that fact. We are a good farm they couldnt take any water rights.

WNR-B20A-7179

Transmittal of Transfer of Water Permit

DIVISION OF NO. 722-3 into No. 722-3A and No. 722-3B

Land irrigated under Water License No. 722-3 has been split and part transferred to a new owner.

Water License No. 722-3 is being divided and re-issued as No. 722-3A, Emil Wiese and No. 722-3B, Bert Tesch.

Water License No. 722-3A is being re-issued for irrigation of 45 acres in the SE $\frac{1}{4}$ of Section 15, T116N, R52W and authorizes diversion of 0.64 cfs.

Water License No. 722-3B is being re-issued for irrigation of 101 acres in S $\frac{1}{2}$ Section 15, T116N, R52W and authorizes diversion of 1.44 cfs.