

No. 071-1

Office of State Engineer
DOCUMENT FILE

Name: Chouteau, R.B.
Harrison, W.J.

Date: Dec. 3, 1885

Filed: Dec. 4, 1885

County: Butte #589

Location: Redwater Creek

Location of Water.

Know all men by these presents:

That we, the undersigned, C.E. ChoctEAU and D.T. Harrison have located, claimed and appropriated and do hereby claim, locate and appropriate Four thousand (4000) inches of the waters of Redwater Creek to be taken out about twelve hundred feet South of the Northwest quarter stone in Section 36 of Township 8 North of Range 2 East B.H.M. on the East side of said Redwater Creek, for mining, milling, manufacturing, agricultural and domestic purposes.

December 2nd. 1885.

C.E. ChoctEAU.

D.T. Harrison.

Location of Water.

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December 2 nd 1885.

C.B. Chouteau.

D.T. Harrison.

COPY

No. 071-1

Water Right

Located by

A. C. B. Chuteau.

D. T. Harrison.

Dec. 12, 1885.

Butte, County.

Notified T. T.

Notified T. T.

STATE OF SOUTH DAKOTA
COUNTY OF HUGHES.

I hereby certify that the within and foregoing instrument is a true, correct and complete transcript of the instrument which it purports to be, as the same was filed for record in the office of the State Engineer.

Witness my hand and official seal, done at my office in Pierre, S. D., this 21st day of November, 1908.

Samuel H. Lee
State Engineer.

By B. B. Lee

Richard A. Lee

RECORDED IN 1885

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SOUTH DAKOTA**VESTED WATER RIGHT NO. 1417-1 FOR IRRIGATION**

Date of Receipt of Claim May 15, 1987.

Date of Validation May 7, 1992.

The Water Management Board validated Vested Water Right Claim No. 1417-1 for irrigation purposes for Redwater Irrigation Association, PO Box 351, Belle Fourche SD 57717 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1417-1 is validated for 149.0 cubic feet of water per second (cfs) to irrigate 5,215.9 acres for the Redwater Irrigation Association portion of the claim and 2.7 cfs to irrigate 95.1 acres for the "Jones" portion of the claim with priority dates of February 1, 1879 (44 cfs), December 2, 1885 (80 cfs) and August 7, 1889 (25 cfs) for the Redwater Irrigation portion of the claim; and May 28, 1876 (1.37 cfs) and December 2, 1885 (1.33 cfs) for the "Jones" portion of the claim.

The Redwater diversion point is located in the SW 1/4 NE 1/4 Section 36-T8N-R2E. The irrigated acreage is located in the NW 1/4 NE 1/4 Section 36; W 1/2 SE 1/4, NE 1/4 SE 1/4, NE 1/4 Section 25; SE 1/4, E 1/2 SW 1/4, NE 1/4, E 1/2 NW 1/4 Section 24; W 1/2 SE 1/4, NE 1/4 SW 1/4, N 1/2 NW 1/4 Section 13; SW 1/4, NW 1/4, NW 1/4 NE 1/4 Section 12; N 1/2 SE 1/4, NE 1/4 Section 11; SE 1/4, Section 2; SW 1/4, SE 1/4, SE 1/4 NW 1/4, NE 1/4 Section 1; all in T8N-R2E: N 1/2 SW 1/4, NW 1/4, NW 1/4 SE 1/4, NE 1/4 Section 6; N 1/2 SW 1/4, N 1/2 SE 1/4, NW 1/4, NE 1/4 Section 5; Section 4; NW 1/4, SW 1/4, S 1/2 SE 1/4, W 1/2 NE 1/4 Section 3; NE 1/4 NW 1/4, N 1/2 NE 1/4 Section 9; N 1/2 NW 1/4, N 1/2 NE 1/4, E 1/2 SE 1/4, SW 1/4 SE 1/4, Section 10; W 1/2 NW 1/4, SW 1/4, SE 1/4, S 1/2 NE 1/4 Section 11; W 1/2 SW 1/4 Section 12; NW 1/4, W 1/2 NE 1/4, SE 1/4 NE 1/4, SW 1/4, SE 1/4 Section 13; NE 1/4, SE 1/4, E 1/2 SW 1/4, N 1/2 NW 1/4, SE 1/4 NW 1/4 Section 14; N 1/2 NE 1/4 Section 23; Section 24; all in T8N-R3E: SW 1/4, SW 1/4 NW 1/4 Section 18; N 1/2 NE 1/4, SE 1/4 NE 1/4, E 1/2 SE 1/4 Section 19; W 1/2 SW 1/4, NE 1/4 SW 1/4, W 1/2 NW 1/4 Section 20; all in T8N-R4E: SE 1/4 SE 1/4 Section 25; NE 1/4, N 1/2 SE 1/4, SE 1/4 NW 1/4 Section 36; all in T9N-R2E: NW 1/4, N 1/2 SW 1/4, S 1/2 NE 1/4, SE 1/4 Section 31; S 1/2 SW 1/4 Section 30, S 1/2 NW 1/4, SW 1/4, S 1/2 SE 1/4 Section 32; S 1/2 SW 1/4, W 1/2 SE 1/4, Section 33; all in T9N-R3E.

2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. The water is to be used during the following annual period: April 1- October 31.
3. The priority dates of the Vested Water Right are listed above.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water Rights obtained in compliance with the laws of the State of South Dakota must not be unlawfully impaired by this appropriation.

(continued)

QUALIFICATIONS

1. That Vested Right No. 1417-1 is subject to domestic use rights. Diversion of water under Water Right No. 1417-1 is contingent upon supplies being available first to domestic users.
2. That the flow measuring device on Redwater Ditch continue to be maintained and records of diversion be kept as directed by the Chief Engineer and reported to the Chief Engineer annually.
3. That the applicable portions of Water Right Filing Nos. 071-1, 0160-1, 0294-1, 0392-1 and 261-1 be incorporated into 1417-1 and that the abandoned portions of Nos. 071-1, 0160-1, 0294-1, 0392-1 and 261-1 be canceled.
4. Water for the "Jones" claim is delivered through the Redwater Irrigation Association Ditch. Permanent measuring devices must be installed to measure diversion from the Redwater Irrigation Association Ditch to the "Jones" claim. These measuring devices must be installed as soon as possible but not later than the beginning of the 1993 irrigation season.

WATER MANAGEMENT BOARD

By: _____

John Hatch, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

AUG 18 1994

date