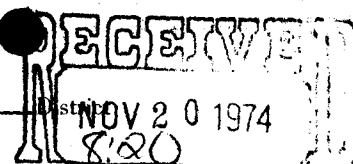


Water Right Number 1034-1

1. Considered JANUARY 22, 19 75
2. Name of Applicant HAROLD & JOAN ROSS
3. Post Office Address DUPREE
4. Amount of Water claimed .55
5. Source of Water supply DRY DRAWS
6. Water to be used for IRRIGATION
- Acres to be irrigated 38.4
7. Water to be diverted and used in ZIEBACH County
about 6W, 15 miles of DUPREE
8. Proof of Publication Received 1-13-75
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

INVOLVES CANCELLATION OF 848-1

No. 1034-1Map No. 708-1 Water Division No. 1 Moreau River
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RIGHTS DIVISION
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 Harold and Joan Ross
Postoffice address Dupree, State South Dakota
If a corporation show date and place of incorporation N/A
2. Method of accomplishing work (contract, employment of others, or by direct labor) Employment of Others
3. Name of diversion work Ross Conservation Project - Spreader System
4. Amount of water claimed (cubic feet per second) .55
5. Source of water supply Dry Draws and Unnamed Creek
6. Location of point of diversion 1980 Feet East of SW Corner of SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35, T13N, R19E, B.H.M.
County Ziebach
7. Annual period or periods during which water is to be used When Available
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 38.4

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.
NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35, T13N, R19E, B.H.M.	22.1		
SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35, T13N, R19E, B.H.M.	16.3		

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 West River Progress
Dupree, South Dakota
12. Principal Features of the Proposed Water Supply System.

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

dikes with control gates & spillways

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

dikes with control gates & spillways

C. Works proposed to apply water to beneficial use.

dike with control gates & spillwaysEstimated Total Cost \$ 16,000.00Attachments: 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 ZiebachI, Harold Ross 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 Harold RossSubscribed and sworn to before me this 19th day of November 1974Beverly Ann Berthel
Notary Public (or other qualified officer)

10130

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1034-1

HAROLD & JOAN ROSS

(Applicant)

DUPREE

(Post Office Address)

SOUTH DAKOTA 57623

(State)

With the following modifications:

The diversion rate limitation of 1 cubic foot per second for each 70 acres irrigated shall not apply to this Dry Draw irrigation diversion during periods of flood flows, when such flows are in excess of the amount of water required to satisfy domestic use requirements and other water rights.

Date of first receipt of application NOVEMBER 20, 19 74

Date of return to applicant for correction, amendments or changes required —, 19 —

Date of receipt of corrected application —, 19 —

Approved JANUARY 23, 19 75, Recorded in Book 13 Page 130

WATER RIGHT PERMIT NO. 1034-1

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1034-1 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 NOVEMBER 20, 19 74
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 23, 19 77
3. The whole of said work is to be completed on or before JANUARY 23, 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 23, 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 .55 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 JANUARY 23, 19 84; said water to be used during the following described annual period: WHEN AVAILABLE

Witness my hand this 23RD day of JANUARY, 19 75

WATER RIGHTS COMMISSION

By:

Donald Driscoll

Chief Engineer, Executive Officer

Certificate of Construction Issued —, 19 —

Water License Issued —, 19 —

No. 1034-1

Publish first publication, on or before January 8, 19 75

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

~~December 2~~, 19 ~~74~~

Notice is hereby given that Harold and Joan Ross

whose post office address is Dupree, 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

.55 cubic feet of water per second of time from the dry draws and un-named creek through the

Ross Spreader System, the point of diversion of which is to be located in the

SE 1/4 NW 1/4

of Section 35, Twp. 13N, Range 19E. Said water to be used for the purpose

a portion of
of providing irrigation on the following described land:

E 1/4 NW 1/4, Section 35, T13N, R19E

This application No. 1034-1 will be considered by the Water Rights Commission at its office at Pierre upon the 22nd day of January, 19 75, at 2:30 P. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

**BURTON F. JONES
Water Rights Specialist**

BFJ/bw

cc: Harold Ross, Dupree, S.D. 57623

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Of Ziebach) ss.

I, William R. Owens hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the West River Progress

A newspaper which during the whole time of publication of said notice
herein after stated, has been and is printed and published in the _____

Town _____ of Dupree

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

Jan. 2, 1975

Jan. 9, 1975

William R. Owens
(Signature)

Publisher
(Title)

Jan. 9, 1975
(Date Signed)

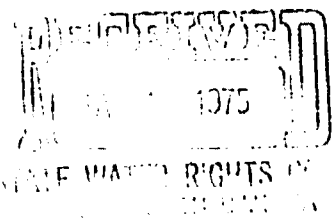
NOTICE
Intent to

Appropriate Water
Pierre, S. D. 57501
December 2, 1974

Notice is hereby given that
Harold and Joan Ross whose
post office address is
Dupree, South Dakota, have
made an application in
accordance with the
provisions of the water laws
of South Dakota for a permit
to appropriate for beneficial
use .55 cubic feet of water
per second of time from dry
draws and un-named creek
through the Ross Spreader
System, the point of diver-
sion of which is to be located
in the SE 1/4 NW 1/4 of Section
35, Twp. 13N, Range 19E.
Said water to be used for the
purpose of providing
irrigation on a portion of the
following described land:
E 1/2 NW 1/4, Section 35, T13N,
R19E.

The application No. 1034-1
will be considered by the
Water Rights Commission at
its office at Pierre upon the
22nd day of January, 1975, at
2:30 p.m. All interested
persons may appear and be
heard.

By: Water Rights Com-
mission
Burton F. Jones
Water Rights Specialist
(Jan. 2, 9, 1975)



1034-1

NOTICE OF COMPLETION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE

Post Office Dupree, S.D. 5745
Date 1-28-1975TO: **WATER RIGHTS COMMISSION**
State Office Building No. 2
Pierre, South Dakota 57501

Dear Sirs:

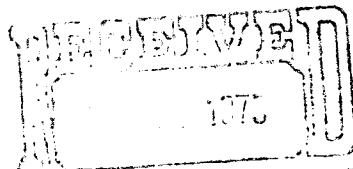
This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 1034-1.

Water Right Permit No. 1034-1 states that the diversion system is to be constructed by 12-4, 1974 and that the water is to be put to beneficial use by April, 1975.

The diversion system was completed on Dec-4, 1974. Applying the water to beneficial use was completed on whenever runoff water is available, 1975.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

Harold Ross
(Signature)
Joan Ross



THE WATER RIGHTS COMMISSION
SOUTH DAKOTA