

1. Considered 3-19, 1975 1050-1
2. Name of Applicant BREIDENBECH RANCH
3. Post Office Address NEWELL
4. Amount of water claimed 6.70
5. Source of water supply WILLOW CREEK
6. Water to be used for IRRIGATION
- Acres to be irrigated 470
7. Water to be diverted and used in BUTTE county
about 6E, 2S miles of NEWELL
8. Proof of Publication Received 3-4-75
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____

3/10/82 10. Remarks:

has been notified
he needs new appl.
to cover lands not in
his permits.

Map No. 864-1 Water Division No. 1 BELLE FOURCHE RIVER District 1
 (Planks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RIGHTS CLERK

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant Breidenbach Ranch
 Postoffice address Newell, State South Dakota
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) _____
3. Name of diversion work Breidenbach #3
4. Amount of water claimed (cubic feet per second) 6.7
5. Source of water supply Willow Creek
6. Location of point of diversion Between points in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 31, T9N, R7E and in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, T8N, R7E
- County Butte
7. Annual period or periods during which water is to be used April thru October
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 470

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
<u>see attachment</u>			

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 Valley Irrigator, Newell, S.D.
12. Principal Features of the Proposed Water Supply System.

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

Pumps and motors

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

Mainline and ditch

C. Works proposed to apply water to beneficial use.

Gravity ditches and dikes

Estimated Total Cost \$ _____

Attachments: 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)

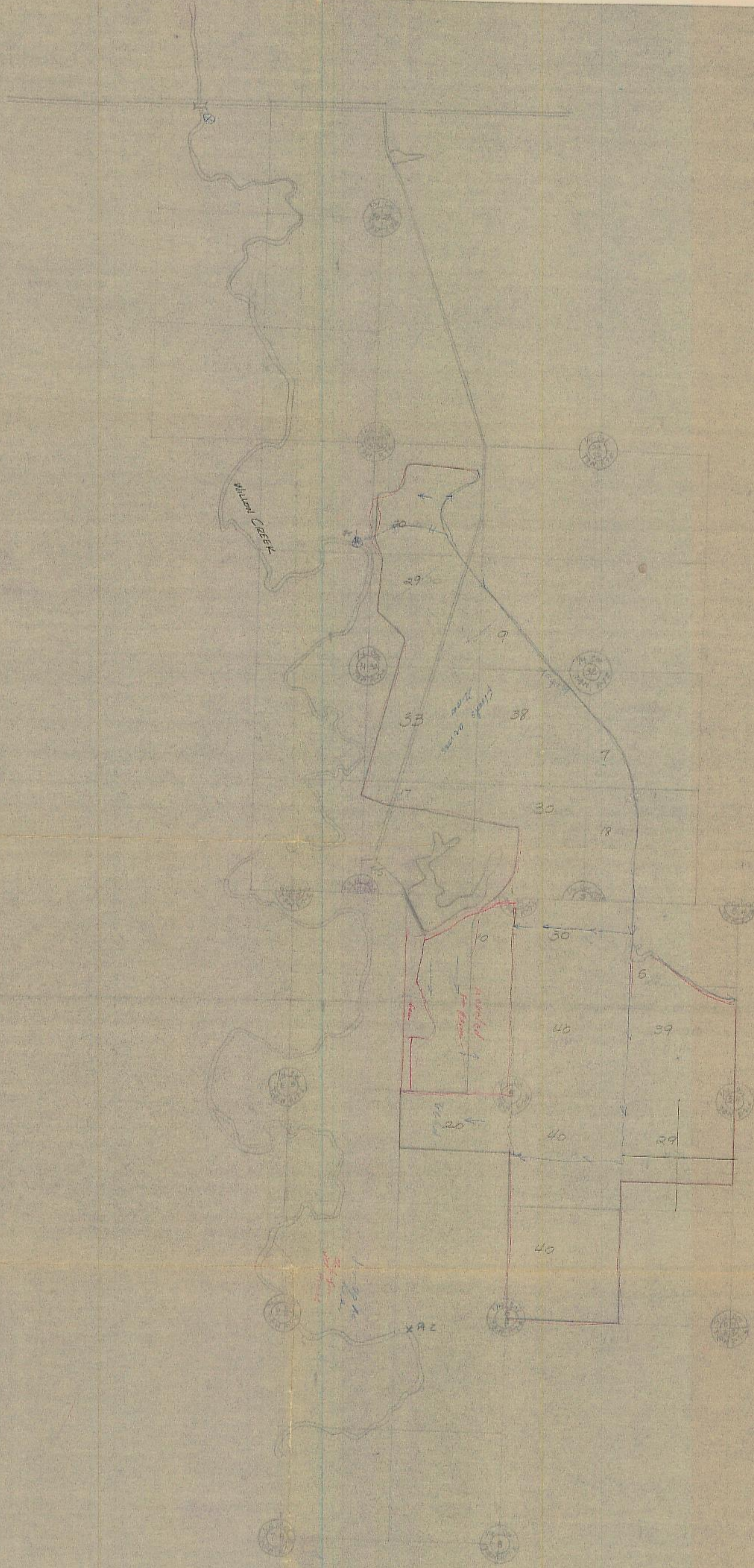
County of Hughes) ss.I, Donald Breidenbach for Breidenbach Ranch

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.

Subscribed and sworn to before me this 4th day of February, 19 75

Notary Public (or other qualified officer)

BETTY "WESTLUND, Land/Water Clerk II



MR. BREIDENBACH INDICATES THAT THE MAP WAS PREPARED BY SOIL CONSERVATION SERVICE. HE ALSO INDICATED THAT ALL OF THE LAND IS B.L.M. LAND, AND THAT HE HAS DISCUSSED THE PROJECT WITH THEM, AND THEY HAVE NO OBJECTIONS.

[Signature]

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1050-1
PREIDENBACH RANCH (Applicant) NEWELL (Post Office Address)
SOUTH DAKOTA 57760 (State) With the following modifications:

**LOW FLOWS AS NEEDED FOR DOWNSTREAM DOMESTIC USE,
 INCLUDING LIVESTOCK WATERING, AND PRIOR WATER RIGHTS.
 MUST BE BY-PASSED.**

Date of first receipt of application FEBRUARY 4 19 75
 Date of return to applicant for correction, amendments or charges required --- 19 ---
 Date of receipt of corrected application --- 19 ---
 Approved MARCH 20 19 75 Recorded in Book 13 Page 189

WATER RIGHT PERMIT NO. 1050-1

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1050-1 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 FEBRUARY 4 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 20 19 71
3. The whole of said work is to be completed on or before MARCH 20 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 20 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 6.7 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 MARCH 20 19 84 said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 20TH day of MARCH 19 75

WATER RIGHTS COMMISSION

By Donell Dainell
 Chief Engineer, Executive Officer

Certificate of Construction Issued --- 19 ---

Water License Issued --- 19 ---

Lands to be irrigated - Breidenbach Ranch, Newell, S.D.

		Acres
Section 32, T9N, R7E	NW $\frac{1}{4}$ NW $\frac{1}{4}$	20
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	29
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	9
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	33
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	38
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	17
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	30
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	7
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	18
Section 5, T8N, R7E	NE $\frac{1}{4}$ NW $\frac{1}{4}$	10
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	16
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	30
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	5
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	39
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	20
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	29
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	40
	Total	<u>470 Acres</u>

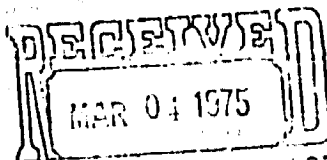
**NOTICE
INTENT TO
APPROPRIATE WATER**

Notice is hereby given that Breidenbach Ranch whose post office address is Newell, 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 6.7 cubic feet of water per second of time from Willow Creek through the Breidenbach No. 3, the point of diversion of which is to be located between points in the NE 1/4, NE 1/4, Section 31, T9N, R7E, and in the NE 1/4 NW 1/4, Section 8, Twp. 8N, Range 7E. Said water to be used for the purpose of providing irrigation on all or portions of the following described land: W 1/2 NW 1/4, SE 1/4 NW 1/4, SW 1/4, W 1/2 SE 1/4, Section 32, T9N, R7E; E 1/2 NW 1/4, NE 1/4, NE 1/4 SW 1/4, N 1/2 SE 1/4, and SW 1/4 SE 1/4, Section 3, T8N, R7E.

This application No. 1050-1 will be considered by the Water Resources Commission at their office at Pierre upon the 19th day of March, 1975, at 2:30 P.M. All interested persons may appear and be heard.

**WATER RESOURCES
COMMISSION**

By: Burton F. Jones
Water Rights Specialist
Publ Feb 20 & 27, 1975



STATE WATER RIGHTS COMMISSION
PIERRE, SOUTH DAKOTA

STATE OF SOUTH DAKOTA)

) ss

COUNTY OF BUTTE)

Vernon J. Allison

of said county being first duly sworn, on oath says that he is the publisher or _____ of THE VALLEY IRRIGATOR, a weekly newspaper published in NEWELL, said COUNTY OF BUTTE, and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for twenty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is published wholly or in part in an office maintained at said place of publication; that the Notice, Intent to Appropriate Water

a printed copy of which, taken from the paper in which the same was published, is attached to this sheet, and is made a part of this Affidavit, was published in said newspaper at least once in each week for two successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

Feb. 20	197 5	197
Feb. 27	197 5	197
	197	197
	197	197
	197	197

that the full amount of the fees for the publication of the annexed notice is \$ 10.67

Subscribed and sworn to before me this 27th day of February, 197 5

Notary Public
County of Butte, South Dakota

Water Rights Division - DWR
Conversation or File Documentation
Breidenbach Ranch

File No. 850-1
571-1
1050-1

NAME OF PERSON OR FILE: _____

ADDRESS: _____ Newell, SD _____ COUNTY Butte _____

DATE: _____ October 22, 1987 _____ TELEPHONE _____

RE: _____ Status of 850-1, 571-1, 1050-1 _____

COMMENTS:

The above permits were incorporated into Water License No. 1284-1 for
Breidenbach Ranch. Water License No. 1284-1 was issued in September, 1984.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

4/82

NAME: _____

Senny McRath