

Sept 14, 1979

Water' ht Number 1190-1  
To be considered 1st 32,000  
County Lincoln about 3E, 4 miles  
South of Wickland

APPLICATION Name Neil D. Smith Address Wickland, SD  
Date \_\_\_\_\_  
Priority Received Dec 15 1979 Complete-yes ☒ no \_\_\_\_\_ reason \_\_\_\_\_  
8-15-79  
Fee Received-yes ☒ amount 300.00 no \_\_\_\_\_ reason \_\_\_\_\_  
\_\_\_\_\_ received \_\_\_\_\_  
Map Received-yes ☒ no \_\_\_\_\_ reason \_\_\_\_\_  
\_\_\_\_\_ received \_\_\_\_\_  
Log Received-yes \_\_\_\_\_ no \_\_\_\_\_ reason \_\_\_\_\_  
N/A \_\_\_\_\_ received \_\_\_\_\_

REMARKS

WATER QUALITY Date Received 9-7-79 Approved/Conditional (Circle one)  
Disapproved \_\_\_\_\_ reason \_\_\_\_\_  
Date Disapproved \_\_\_\_\_  
Application returned \_\_\_\_\_  
Description - same as Application-yes ☒ no \_\_\_\_\_ remarks \_\_\_\_\_

APPLICATION INFORMATION

+++++  
Use Irrigation acres 247 c.f.s. 5.53  
Acre-feet \_\_\_\_\_ Division Location \_\_\_\_\_  
SOURCE Whitewater Creek NW<sup>4</sup> NE<sup>4</sup> Sec. 34-8N-5E  

|  |  |  |  |  |
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Land to be Irrigated 1/2 Sec. 34-8-5

period of annual use Apr 11-1-1980 to 1-1-81  
HAP Type of Map As in 1 Prepared by SCS  
Map No. \_\_\_\_\_ Map located in W/R ☒ Map file \_\_\_\_\_  
Driller \_\_\_\_\_ Licensed in SD-yes \_\_\_\_\_ no \_\_\_\_\_  
Depth and Formation \_\_\_\_\_

Bill, Joe  
R.

OTHER  
INFORMATION  
FILED  
WITH  
WATER RIGHT

1190-1

## REVIEWED

This application was reviewed within 30 days of receipt, accepted as complete, number assigned, and written up for advertisement before the Board on

9-27-79R. J. Fordham  
(Signed)

This application was unable to be completed - Reason \_\_\_\_\_

## PUBLICATION

Reviewed: ☒

Dates published - 1st \_\_\_\_\_ 2nd \_\_\_\_\_

Date

Affidavit received 8-26-79 remarks \_\_\_\_\_

## PROTESTS

Letters/Petitions in File yes \_\_\_\_\_ no \_\_\_\_\_ remarks \_\_\_\_\_

Lawrence M. Miller Post - 2000 Franklin 57717STAFF REC-  
COMMENDATIONS

## BOARD ACTION

Date Approved 9-27-79Qualifications See House andAugust 15th cutoff

Deferred - date \_\_\_\_\_

reason \_\_\_\_\_

Denied - date \_\_\_\_\_

reason \_\_\_\_\_

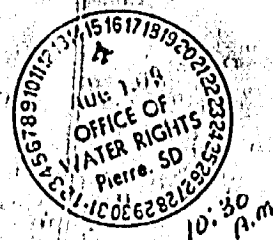
REMARKS  
F.F. & C. OF  
LAW, FINAL  
DECISIONS,  
ETC.

Sent with info rec to D. W. ...  
8-15-79

Form 2 - Application for Permit to Appropriate Water - Original (Includes Approval and Permit)

No. 1190-1

Map No. 1001-1 Water Division No. 1 BELLE FOURCHE RIVER District  
Above for Office Use



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

Check one of the following:

New ☒ Vested Right ☐ Future Use

Change in Diversion ☐ Additional Diversion ☐

Change in Acreage ☐ Additional Acreage ☐

1. Name of Applicant Neil Shuck Phone No. 456-2540

Post Office Address RR #2, Box 98 Vale State South Dakota 57288  
(Street, RR, or Box) (Town) (Zip Code)

If a corporation show date and place of incorporation

2. Method of accomplishing work (contract, employment of others, or by direct labor) direct labor

3. Name of diversion work Shuck #1

4. Amount of water claimed (cubic feet per second) 4 cfs (3.53 MAX ALLOWABLE)

5. Source of water supply White Wind Creek

6. Location of point of diversion 180' West, 500' South of

NE corner sec 34, 8-5 County Butte

7. Annual period or periods during which water is to be used April 1 - 1980 - 1981 AUG. 15<sup>TH</sup>

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 47

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 1/4 / SE 1/4 Sec 34 | 40             | NE 1/4 / NE 1/4 Sec 34 | 9              |
| SE 1/4 / SE 1/4 Sec 34 | 40             | SE 1/4 / NE 1/4 Sec 34 | 37             |
| NW 1/4 / SE 1/4 Sec 34 | 40             | NW 1/4 / NE 1/4 Sec 34 | 11             |
| SW 1/4 / SE 1/4 Sec 34 | 40             | SW 1/4 / NE 1/4 Sec 34 | 30             |

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 2 years. Additional time required to complete application of water to the proposed beneficial use, 0 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Belle Fourche  
Daily Post

12. Principal Features of the Proposed Water Supply System.

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

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

C. Works proposed to apply water to beneficial use.  
Traveling gun

Estimated Total Cost \$ 30,000

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 Butte

I, Neil Shuck, 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 Neil Shuck

Subscribed and sworn to before me this 18<sup>th</sup> day of August, 1979

Paul Mike - Notary Public  
Notary Public (or other qualified officer)

# WATER RIGHT APPLICATION APPROVAL

The Board of Water Management hereby approves Water Right Application No. 1190-1

NEIL SHUCK

(Applicant)

VALE

RR #2, Box 93

(Post Office Address)

SOUTH DAKOTA 57788

(State)

With the following qualifications.

Diversions of water under this Permit are contingent upon supplies being first available to prior water rights on Whitewood Creek. This Permit does not authorize diversions of water from Whitewood Creek after August 15th of each calendar year, nor at any time when the river flow is obviously low, unless written orders have been so issued by the Water Management Board, or its legally appointed representative. Diversions under this Permit shall be in accordance with any written orders by the Board or its representative.

Date of first receipt of application AUGUST 15, 1979  
 Date of return to applicant for correction, amendments or changes required AUGUST 16, 1979  
 Date of receipt of corrected application SEPTEMBER 7, 1979  
 Approved SEPTEMBER 27, 1979, Recorded in Book 21 Page 52

WATER RIGHT PERMIT NO. 1190-1

The Board of Water Management hereby grants and issues this Water Right Permit No. 1190-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is AUGUST 15, 1979
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 27, 1980
3. The whole of said work is to be completed on or before SEPTEMBER 27, 1981
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 27, 1981
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 3.53 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 irrigation purposes: said appropriation must be limited to not more than 2 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 SEPTEMBER 27 1981; said water to be used during the following described annual period: APRIL 1<sup>st</sup> To AUGUST 15<sup>th</sup>

Witness my hand this 9<sup>th</sup> day of OCTOBER, 1979

THE BOARD OF WATER MANAGEMENT

By:

John H. H. H.  
 Civil Engineer, Water Rights

Certificate of Construction Issued \_\_\_\_\_, 19\_\_\_\_

Water License Issued \_\_\_\_\_, 19\_\_\_\_

STATE CONSERVATION COMMISSION  
DIVISION  
WATER 41

1190-1

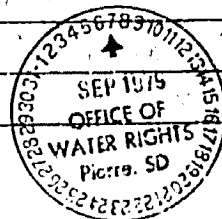
STATE CONSERVATION COMMISSION  
SUPPORTING INFORMATION  
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE  
WITH SDCL 46-6-3 AS AMENDED  
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION)



NAME Neel Shukla

ADDRESS 1201 S. 1st St. Pierre, SD 57501

COUNTY H. S. D.



LEGAL DESCRIPTION

1. WELL LOCATION Section 1, T. 123 N., R. 123 E., S. 123 S.
2. LOCATION OF AREA TO BE IRRIGATED SW 1/4, Sec. 12, T. 123 N., R. 123 E., S. 123 S.

TYPE OF IRRIGATION

3. GRAVITY                      TOWLINE                      CENTER PIVOT                      GUN X
4. CROPS TO BE IRRIGATED corn, soybeans, alfalfa

WATER QUALITY

5. SAMPLE NUMBER 79-539
6. SALINITY (EC X 10<sup>6</sup>) 944
7. SODIUM (SAR) 0.55 Adj. SAR = 1.40
8. RESIDUAL SODIUM CARBONATE (meq/l.) 0.0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and: the soils information has been acquired from                      Conservation District, County Extension office or Soil Conservation Service.

and: that the legal description for the location of the well and land to be irrigated is true and correct.

Neel Shukla  
APPLICANT'S SIGNATURE

SUBSCRIBED AND SWORN BEFORE ME THIS  
1st DAY OF Sept 1979.

                      
(TITLE OR SEAL)

                      
COMMISSIONER APPROVED/NOT APPROVED

(SOILS INFORMATION ON REVERSE SIDE)

FORM

CONDITIONAL

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE  
DIVISION OF CONSERVATION

NAME OF APPLICANT Hall Shuck, Vale, South Dakota

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

RECOMMENDED MANAGEMENT:

1. Water should not be applied more than 11A times during the irrigation season.
  2. Each uninterrupted application (one rotation of center pivot) should be of at least 11A inches of water.
  3. ☒ Yes      ☐ No      Surface drainage suggested on any area that tends to pond water.
  4. ☐ Yes      ☐ No      Subsurface drainage suggested on \_\_\_\_\_
  5. ☒ Deep tillage (for the purpose of aiding movement of water through dense subsoils.
- COMMENTS: Beneficial on sandy soils that have a claypan.
- ☐ Heavy fall application of irrigation water.
- Type of irrigation system recommended for use on this application gun or side roll.

GENERAL COMMENTS:

Some of your soils are greatly reduced in permeability in the substratum to the extent of becoming water logged if they are over-irrigated.

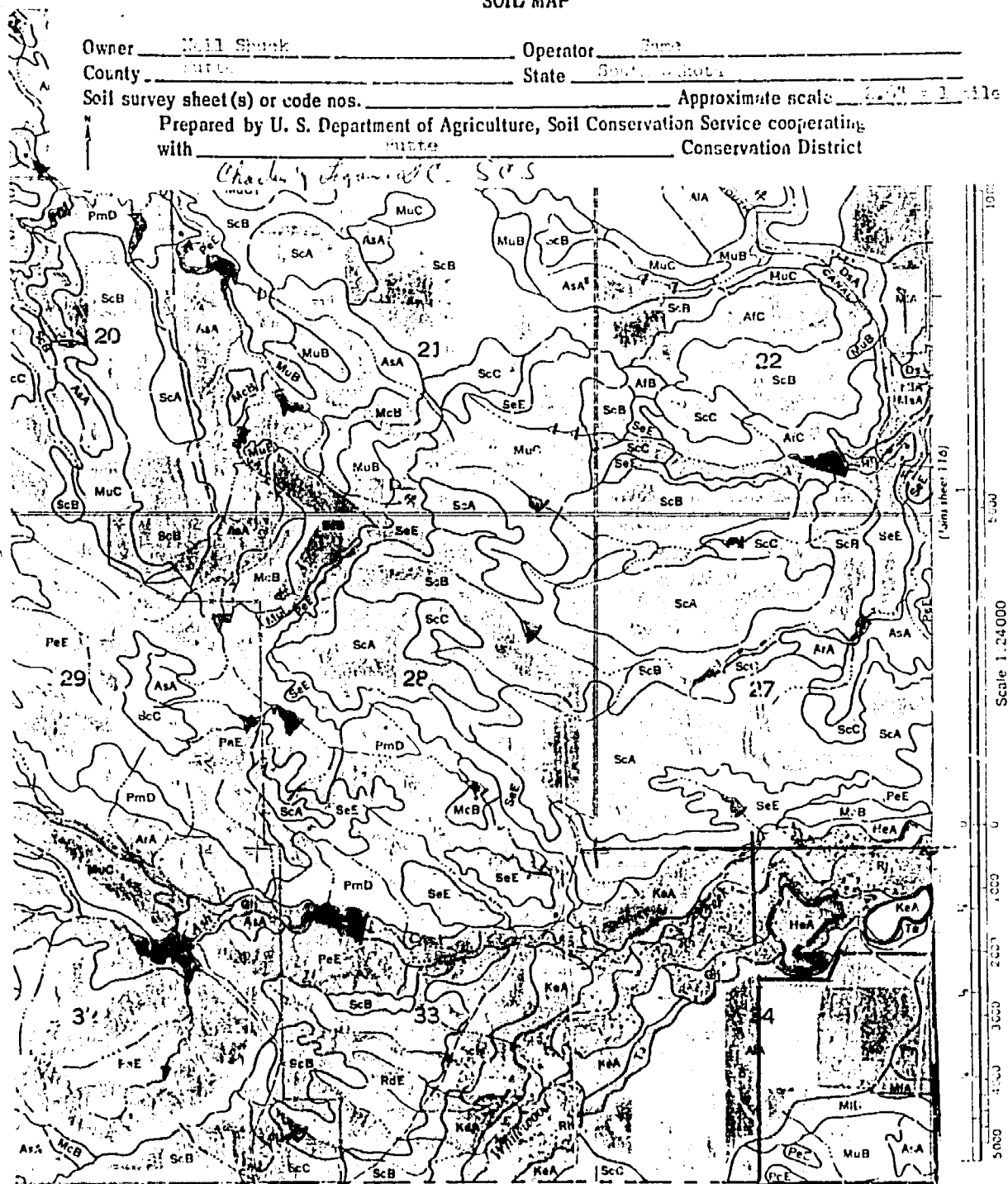
Some of your other soils have a rapid permeability of the subsoils.

With a gun system, you can select the areas of irrigation as to time and frequency.

Copy to applicant  
Copy to Water Rights  
Copy on File

U. S. DEPARTMENT OF AGRICULTURE  
SOIL CONSERVATION SERVICE

Owner Neil Shuck Operator Same  
County Butte State South Dakota  
Soil survey sheet(s) or code nos. \_\_\_\_\_ Approximate scale 1.5" = 1 mile  
Prepared by U. S. Department of Agriculture, Soil Conservation Service cooperating  
with Butte Conservation District



**REPORT OF ANALYSIS**  
 Water Quality Laboratory  
 Water Resources Research Institute  
 South Dakota State University  
 Brookings, South Dakota 57007

Submitted by: Will Shack  
 Address: Valle, SD 57788

Date Rec'd August 16, 1979  
 Sample No. 79-539  
 Identification Whitewood Creek  
Box, Sec. 34, T. 8N, R. 5E

**WATER ANALYSIS**

|                                       |       |                             |      |         |
|---------------------------------------|-------|-----------------------------|------|---------|
| Calcium (Ca)                          | 144   | ppm*                        | 7.20 | me/l**  |
| Magnesium (Mg)                        | 48    | ppm                         | 3.94 | me/l    |
| Sodium (Na)                           | 30    | ppm                         | 1.32 | me/l    |
| Potassium (K)                         | 10    | ppm                         | 0.27 | me/l    |
| Sulfate (SO <sub>4</sub> )            | 352   | ppm                         | 7.32 | me/l    |
| Nitrate (as N)                        |       | ppm                         |      | me/l    |
| Chloride (Cl)                         | 21    | ppm                         | 0.59 | me/l    |
| Bicarbonate (HCO <sub>3</sub> )       | 268   | ppm                         | 4.40 | me/l    |
| Carbonate (CO <sub>3</sub> )          |       | ppm                         |      | me/l    |
| Iron (Fe)                             |       | ppm                         |      | me/l    |
| Fluoride (F)                          |       | ppm                         |      | me/l    |
| Hardness (EDTA as CaCO <sub>3</sub> ) |       | ppm                         |      | 8.12*** |
| Alkalinity (Methyl Orange)            | 220   | ppm (as CaCO <sub>3</sub> ) |      |         |
| Alkalinity (Phenolphthalein)          | 0     | ppm (as CaCO <sub>3</sub> ) |      |         |
| Electrical Conductivity               | 944   | micromhos per cm at 25° C   |      |         |
| Sodium Adsorption Ratio               | 0.55  | Adjusted SAR                | 1.40 |         |
| Sodium                                | 10.35 | % of cations                |      |         |
| Residual sodium carbonate             | 0.00  | me/l                        |      |         |
| pH                                    | 7.92  |                             |      |         |
| Others:                               |       |                             |      |         |

\*ppm==parts per million  
 \*\*me/l==millequivalents per liter

\*\*\*g.p.g.=grains per gallon

COMMENTS: Total cations 12.73 me/l  
 Total anions 12.31 me/l

By: Shirley Mitten

Service Performed

Amount Due

Irrigation Analysis

\$15.00

Make checks payable to: Water Quality Laboratory

Cut along dotted line and return the lower portion with payment

Sample No. 79-539

Amount Enclosed \$

Signed

Copy on File

No. 1190-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County Butte ) ss.

I, Myron Shuck hereby

certify that the annexed printed copy of Notice of Intent to Appropriate  
Water was taken from the The Daily Post

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 Belle Fourche

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

Sept. 12, 1979

Sept. 15, 1979

Myron Shuck  
(Signature)

Editor  
(Title)

Sept. 15, 1979  
(Date Signed)



**The Daily Post** 15  
Wednesday, September 19, 1979  
Belle Fourche, S. D.

**Public Notice**

**NOTICE OF HEARING  
ON APPLICATION TO  
APPROPRIATE WATER**  
Pierre, South Dakota 57501  
September 7, 1979  
No. 1190-1

Notice is hereby given Neil Shuck whose post office address is Vale, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-9 thru 46-2-11, 46-2-13; 46-5-1 thru 46-5-8, 46-5-10 thru 46-5-22, 46-5-41, and Board Rules ARSD 52:01:01:01 thru 52:01:01:13, for a permit to appropriate for beneficial use 3.53 cubic feet of water per second of time from Whitewood Creek through the Shuck #1, the point of diversion of which is to be located in the NW 1/4, NE 1/4 of Section 34, Twp. 8N, Range 5E. Said water to be used for the purpose of providing irrigation on portions of the following described land: E 1/4, Section 34-T8N-R5E.

This Application No. 1190-1 will be considered by the Water Management Board at Community Room, City Hall, 222 E. Dak., Pierre, S.D. upon the 27th day of September at 10 A.M. The Board is authorized to make a determination on this application at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross-examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Courts as provided by law.

**WATER MANAGEMENT BOARD**  
Betty Westlund,  
Water Rights Specialist  
219/12-19

No. 1190-1

Publish first publication on or before September 14, 1979

NOTICE OF HEARING ON  
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

September 7, 1979

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of Section 34, Twp. BN, Range 5R. Said water to be used for the purpose of providing irrigation on portions of the following described land:

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WATER MANAGEMENT BOARD

Betty Westlund,  
Water Rights Specialist

BW:plh

cc: Neil Shuck  
Vale, SD 57788

# RECEIPT

WATER RIGHTS COMMISSION

No 4 6997

State of South Dakota

PIERRE, August 13, 1979

RECEIVED OF Neil or Faith Shuck, Rural Route, Vol 19, SD 57788

the following amount in fees for services rendered as provided for by law:

Fund 290

|                                                                                                                |            |           |
|----------------------------------------------------------------------------------------------------------------|------------|-----------|
| Fee for Application for Permit to Appropriate Water No. 1190-1 (examination, processing, recording and filing) | 300        | 00        |
| Fee for inspecting Construction, and issuing Cert. of Construction No.                                         |            |           |
| Fee for inspecting Beneficial Use, and issuing Water License No.                                               |            |           |
| Fee for issuing Location Certificate-Dry Draw, No.                                                             |            |           |
| Fee for filing                                                                                                 |            |           |
| Fee for certified copy of                                                                                      |            |           |
| Fee for Print copy of map                                                                                      |            |           |
| Fee for Certifying                                                                                             |            |           |
| Fee for (any other work as provided by law)                                                                    |            |           |
| <b>TOTAL</b>                                                                                                   | <b>300</b> | <b>00</b> |

WATER RIGHTS COMMISSION

By *John Hatch*  
 Chief Engineer, Executive Officer  
 JOHN HATCH plh

Form 10.

No. 1190-1

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

Post Office Vale, S.D.

Date Sept. 2, 1981

TO: Water Rights Commission  
Joe Foss Building  
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. 1190-1.

Water Right Permit No. 1190-1 states that the diversion system is to be constructed by Sept. 27, 1981 and that the water is to be put to beneficial use by Sept. 27, 1981.

The diversion system was completed on June 19, 1980.  
Applying the water to beneficial use was completed on June 19, 1980.

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.

Neil Shuck  
(Signature)



**Department of  
Water & Natural Resources**  
Joe Foss Building Water Rights Division (605) 773-2252  
Pierre, South Dakota 57501

June 10, 1981

Nell Shuck  
Vale, SD 57728

Mr. Shuck:

The rules adopted by the Water Management Board for establishing a water use control area on the Belle Fourche River, Whitewater Creek and Owl Creek require that the water right holder be assessed a fee of ten dollars for each cubic foot per second or portion thereof of the diversion capability of the diversion works plus twenty-five cents for each acre irrigated as shown by the water rights of record in the Division of Water Rights. These fees are required to be paid to the Division of Water Rights by July 1, 1981.

Permits for which fees have not been paid by July 1, 1981 shall be refused the right to divert water for the remainder of the year. The fees paid may be used to defray the costs of providing water master services within the water use control areas. The following is a tabulation of your assessment.

| <u>Permit No.</u> | <u>Diversion Rate</u> | <u> acreage</u> | <u>Fee</u> |
|-------------------|-----------------------|-----------------|------------|
| 1190-1            | 3.53 cfs              | 297.0           | \$101.75   |
| TOTAL             |                       |                 | \$101.75   |

Please make check or money order payable to the Dept. of Water and Natural Resources and send to the Division of Water Rights, Joe Foss Building, Pierre, SD 57501.

If you have any questions, do not hesitate to contact this office.

Very truly yours,

*John Hatch*  
JOHN HATCH, Chief Engineer  
Water Rights Division

JH/JW/gy

*Equal Opportunity Employer*

# RECEIPT

WATER RIGHTS COMMISSION  
State of South Dakota

NO 4 8332

PIERRE, June 25, 19 31

RECEIVED OF Neil Shuck, FR 2, Box 98, Vale, SD 57788

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)

Fee for inspecting Construction, and issuing Cert. of Construction No.

Fee for inspecting Beneficial Use, and issuing Water License No.

Fee for issuing Location Certificate-Dry Draw, No.

Fee for filing

Fee for certified copy of

Fee for Print copy of map

Fee for Certifying

Fee for water master services on WRS 1100-1

(any other work as provided by law)

101.75

TOTAL

101.75

WATER RIGHTS COMMISSION

By

Chief Engineer, Executive Officer  
JOHN HATCH

Belle Fourche River and Tributaries  
Water Use Control Area  
Financial Report  
1981  
Summary of Receipts and Expenditures  
June, 1981 - July, 1981

|                                  | <u>Receipts</u>   | <u>Disbursements</u> | <u>Balance</u>    |
|----------------------------------|-------------------|----------------------|-------------------|
| Collections (Water User's fees)  | \$7,379.37        | \$                   | \$                |
| Watermaster (Salary and Mileage) |                   | 2,028.62             | 5,350.75          |
|                                  | <u>\$7,379.37</u> | <u>\$2,028.62</u>    | <u>\$5,350.75</u> |

Detailed Report of Receipts

| No.    | Name                       | Diversion<br>Rate | Acreage | Receipts<br>(total fee) | Amount<br>Returned |
|--------|----------------------------|-------------------|---------|-------------------------|--------------------|
| 789-1  | Louis Budnary              | 0.90              | 95.50   | \$ 34.00                | \$ 30.10           |
| 429-1  | Ed Brunner & Son           | 1.43              | 106.00  | 46.50                   | 41.16              |
| 429-1A | Mel Pittman                | 1.07              | 79.00   | 40.00                   | 35.41              |
| 506-1  | Bob Bartels                | .23               | 17.00   | 14.25                   | 12.61              |
| 92-1   | Bob Bartels                | 1.00              | 70.00   | 27.50                   | 24.34              |
| 417-1A | Quinten & Karen Watson     | .53               | 78.00   | 29.50                   | 26.11              |
| 417-1B | Clarence Anderson          | 1.43              | 206.00  | 64.00                   | 56.65              |
| 417-1  | Mrs. Eddie(Vivian)Anderson | 1.15              | 69.00   | 69.50                   | 61.52              |
| 531-1  | Ruby Dillinger             | 1.27              | 89.29   | 42.50                   | 37.62              |
| 1162-1 | Charles & Dorothy Shaykett | 4.61              | 324.70  | 131.00                  | 115.96             |
| 1210-1 | Charles & Dorothy Shaykett | 1.80              | 128.30  | 52.00                   | 46.03              |
| 1132-1 | Ezra Pauley                | 4.00              | 285.00  | 111.25                  | 98.48              |
| 1204-1 | Art Heitz, Jr.             | 2.19              | 153.00  | 68.25                   | 60.41              |
| 1205-1 | Harlan K Schnell           | 1.88              | 132.00  | 53.00                   | 46.91              |
| 1215-1 | H L & Mildred Brunner      | 3.00              | 264.50  | 96.12                   | 85.08              |
| 418-1  | Alex Miller                | 1.67              | 117.00  | 49.25                   | 43.59              |
| 1213-1 | Robert W Grant             | 1.43              | 100.00  | 45.00                   | 39.83              |
| 419-1  | Herman Star'               | 2.50              | 179.00  | 74.75                   | 66.17              |
| 421-1  | Lee Dutton                 | 2.50              | 175.00  | 73.75                   | 65.28              |
| 1049-1 | Thorval Jensen             | 1.47              | 103.00  | 45.75                   | 40.50              |
| 1122-1 | Thorval Jensen             | 4.88              | 324.14  | 135.75                  | 120.16             |
| 1160-1 | Thorval Jensen             | 1.90              | 133.49  | 53.50                   | 47.36              |
| 1029-1 | Homestake Mining           | 1.35              | 97.00   | 44.25                   | 39.17              |
| 910-1  | Donald Halbmaier           | 2.50              | 175.00  | 73.75                   | 65.28              |
| 1165-1 | Tom Bowen                  | 2.85              | 200.00  | 80.00                   | 70.81              |
| 722-1  | Edith Anderson & Tom Bowen | 2.80              | 196.00  | 79.00                   | 65.93              |
| 1148-1 | Homestake Mining           | 13.50             | 948.00  | 377.00                  | 333.71             |
| 430-1  | Gerald Wetz                | 1.65              | 116.00  | 49.00                   | 43.37              |
| 432-1  | Roy Casteel                | 4.30              | 307.00  | 126.75                  | 112.20             |
| 414-1  | Mary Ann Schummer          | 3.40              | 239.00  | 99.75                   | 88.30              |
| 411-1  | Edward Poss                | 5.10              | 452.00  | 173.00                  | 153.13             |
| 440-1  | David A Richards           | 5.00              | 416.00  | 154.00                  | 136.32             |
| 1149-1 | Homestake Mining           | 3.20              | 226.00  | 96.50                   | 85.42              |
| 1150-1 | Homestake Mining           | 7.60              | 534.00  | 213.50                  | 188.98             |
| 437-1  | McNenny Ranch Inc.         | 5.90              | 418.00  | 164.50                  | 145.61             |
| 1151-1 | Homestake Mining           | 5.50              | 390.00  | 157.50                  | 139.41             |
| 821-1  | George Levin & Sons        | 7.00              | 490.00  | 192.50                  | 170.40             |
| 1136-1 | George Levin & Sons        | 3.07              | 215.00  | 93.75                   | 82.98              |

Detailed Report of Receipt. Cont.

| No.    | Name                         | Diversion<br>Rate | Acreage  | Receipts<br>(total fee) | Amount<br>Returned |
|--------|------------------------------|-------------------|----------|-------------------------|--------------------|
| 1152-1 | Homestake Mining             | 6.60              | 462.00   | \$ 155.50               | \$ 164.20          |
| 449-1  | George Wurnig                | 5.00              | 365.00   | 171.25                  | 151.59             |
| 1153-1 | Homestake Mining             | 6.10              | 428.00   | 177.00                  | 156.68             |
| 311-1  | Lester Clark                 | 16.61             | 1,163.60 | 461.00                  | 408.06             |
| 310-1  | Lester Clark                 | 6.76              | 473.20   | 188.50                  | 166.85             |
| 248-1  | Lawrence Burke               | 0.90              | 64.00    | 26.00                   | 23.01              |
| 1077-1 | Charles M Arneson            | 1.44              | 131.00   | 52.75                   | 46.69              |
| 165-1  | Trigg Ranches Inc.           | 4.30              | 301.00   | 275.00                  | 243.42             |
| 122-1  | Trigg Ranches Inc.           | 3.75              | 263.00   |                         |                    |
| 1146-1 | Trigg Ranches Inc.           | 1.89              | 336.00   |                         |                    |
| 928-1  | Charles Wennberg             | 2.20              | 155.00   | 68.75                   | 60.86              |
| 912-1  | Gilbert Alan                 | 1.46              | 101.80   | 45.50                   | 40.28              |
| 926-1  | Donald Berger                | 2.04              | 143.00   | 65.75                   | 58.20              |
| 1176-1 | Arthur J Odekoven            | 2.30              | 163.00   | 70.75                   | 62.63              |
| 1190-1 | Neil Shuck                   | 3.53              | 247.00   | 101.75                  | 50.07              |
| 611-1  | Alex Miller                  | 3.35              | 235.00   | 98.75                   | 87.41              |
| 569-1  | Ramona McFarland             | 0.97              | 68.00    | 27.00                   | 23.90              |
| 870-1  | Eugene C Bishop              | 0.70              | 49.00    | 22.25                   | 19.70              |
| 401-1  | Kenneth & Dorothy Aker       | 1.38              | 132.00   | 53.00                   | 46.91              |
| 135-1  | Walter Hoffman               | 3.11              | 220.00   | 95.00                   | 84.09              |
| 408-1  | James A Mickelson            | 3.10              | 218.00   | 94.50                   | 83.65              |
| 469-1  | Raymond Garness              | 1.30              | 91.00    | 42.75                   | 37.84              |
| 1218-1 | William Dillinger            | .40               | 42.70    | 25.75                   | 18.37              |
| 1222-1 | John Ismay(Norman)           | 1.11              | 79.00    | 39.75                   | 35.19              |
| 1154-1 | Homestake Mining             | 4.50              | 319.00   | 129.75                  | 114.35             |
| 285-1  | Edgar Colin Smart            | 1.42              | 150.00   | 67.50                   | ---                |
| 331-1  | Anna Stetta (Louis Budmayr)  | 1.87              | 131.00   | 52.75                   | ---                |
| 472-1  | Timothy Reich                | 2.00              | 167.84   | 62.00                   | ---                |
| 275-1  | John Durr                    | 1.90              | 133.00   | 53.25                   | ---                |
| 271-1  | Herbert Clarkson             | .06               | 43.00    | 20.75                   | ---                |
| 296-1  | Robert Helmer                | 2.50              | 179.00   | 74.75                   | ---                |
| 308-1  | Lewis Bertolotto             | .61               | 45.00    | 21.25                   | ---                |
| 282-1  | James Jeffrey                | 1.05              | 73.70    | 38.50                   | ---                |
| 1182-1 | George Leach                 | 1.60              | 108.00   | 47.00                   | ---                |
| 228-1  | Thornton Vallery             | .72               | 54.17    | 23.75                   | ---                |
| 290-1  | Thornton Vallery             | 5.50              | 386.00   | 156.50                  | ---                |
| 264-1  | Thornton Vallery             | .22               | 15.30    | 14.00                   | ---                |
| 321-1  | Clarence & Lawrence Foos     | 1.64              | 115.00   | 48.75                   | ---                |
| 962-1  | Ione A Shevling              | 3.00              | 251.00   | 92.75                   | ---                |
| 960-1  | Thornton & Gwenivere Vallery | .50               | 35.00    | 18.75                   | ---                |
| 289-1  | Thornton & Gwenivere Vallery | 1.02              | 75.00    | 38.75                   | ---                |
| 273-1  | Ruben & Esther Kling         | .46               | 32.60    | 18.25                   | ---                |
| 273-1A | Ruben & Esther Kling         | 1.54              | 108.40   | 47.25                   | ---                |
| 1177-1 | Ruben & Esther Kling         | 3.30              | 231.00   | 97.75                   | ---                |
| 416-1  | Creta & Leslie Miner         | 2.66              | 198.00   | 79.50                   | ---                |
| 865-1  | Solonn Stark                 | 2.14              | 150.00   | 67.50                   | ---                |
| 287-1  | David G Rathbun              | 2.20              | 154.00   | 68.50                   | ---                |
| 1126-1 | John Lewis                   | 2.11              | 339.00   | 124.75                  | ---                |

STATE OF SOUTH DAKOTA

## DIRECT VOUCHER

Do not use this space.

| AGENCY VOUCHER No. | DATE |
|--------------------|------|
|                    |      |

PAYEE

DEPT.

STAPLE  
HERENeil Shuck  
Vale SD 57700DWR, Water Rights Division  
Joe Foss Bldg.  
Pierre SD 57501

AGENCY

ADDRESS

| Agency  | Fund | Sub Fund | Prog. Act. | Obj. Sub. Obj. | Agency Coding | Amount | Contract No. |
|---------|------|----------|------------|----------------|---------------|--------|--------------|
| 200:001 | 699  | 01       | 0000       | 0501           |               | 90.07  | 1            |
|         |      |          |            |                |               |        | 2            |
|         |      |          |            |                |               |        | 3            |
|         |      |          |            |                |               |        | 4            |
|         |      |          |            |                |               |        | 5            |
|         |      |          |            |                |               |        | 6            |
|         |      |          |            |                |               |        | 7            |
|         |      |          |            |                |               |        | 8            |
|         |      |          |            |                |               |        | 9            |
|         |      |          |            |                |               |        | 10           |
| TOTAL   |      |          |            |                |               | 90.07  |              |

Warrant # 82079265  
AC # 077366  
date 11/10/81

NOTE: Vendors invoice must be attached.

| Invoice No.(s) | Date Delivered | QUAN. | DESCRIPTION OF SERVICE OR COMMODITY                                                                                    | UNIT PRICE | AMOUNT | MEMO |
|----------------|----------------|-------|------------------------------------------------------------------------------------------------------------------------|------------|--------|------|
|                |                |       | Refund of unexpended funds collected from the Belle Fourche River and Tributaries Water Use Control Area Permit Owners |            |        |      |
|                |                |       | 1190-1 Neil Shuck                                                                                                      |            | 90.07  |      |
| TOTAL          |                |       |                                                                                                                        |            | 90.07  |      |

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Equal Rights Act of 1964 and regulations issued thereunder relating to non-discrimination in federally assisted programs.

Claimant Signature

Date

## AGENCY VERIFICATION

I hereby certify that this claim has been examined by me, and to the best of my knowledge and belief is in all things true and correct and the same is hereby approved.

DIVISION APPROVAL

DATE

APPROVAL SIGNATURE

DATE

Permit No. 1190-1

Water Rights Division  
605 773-3352

August 7, 1981

Neil Shuck  
Vale,  
South Dakota 57700

Dear Mr. Shuck:

In response to your request by telephone on August 7, 1981, the Water Rights Division hereby authorizes continuation of irrigation under Permit No. 1190-1 from Whitewood Creek until October 15, 1981.

This authorization is subject to flows remaining available for downstream domestic users and prior water rights.

If there are any questions, do not hesitate to contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer  
Water Rights Division

JH:JW:kw

11-90-1 Neil Luck.

10-29-91 Motor GE 50 H.P. 3555 RPM

Model 5R 324 J L 156 A.

Pump. Berkeley Model 53558

Ser. # 8145839, 3600 RPM.

700 GPM.

90mm and  
pump  
drive side for  
and pumping water

8" PVC Pipes

C.P. Terminator - Model 507

Ser # 12522

# RECEIPT

WATER RIGHTS COMMISSION

No 4 8849

State of South Dakota

PIERRE, May 31, 1922, 19

RECEIVED OF Neil Shuck, RR#2, Box 98, Vale, SD 57788  
the following amount in fees for services rendered as provided for by law:

|                                                                                                         |   |    |
|---------------------------------------------------------------------------------------------------------|---|----|
| Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing) |   |    |
| Fee for inspecting Construction, and issuing Cert. of Construction No.                                  |   |    |
| Fee for inspecting Beneficial Use, and issuing Water License No.                                        |   |    |
| Fee for issuing Location Certificate-Dry Draw, No.                                                      |   |    |
| Fee for filing                                                                                          |   |    |
| Fee for certified copy of                                                                               |   |    |
| Fee for Print copy of map                                                                               |   |    |
| Fee for Certifying                                                                                      |   |    |
| Fee for Extension of Time<br>(any other work as provided by law)                                        | 2 | 50 |
| TOTAL                                                                                                   | 2 | 50 |

WATER RIGHTS COMMISSION

By John Hatch  
Chief Engineer, Executive Officer  
JOHN HATCH/mc

Form 18.

No. 1190-1

APPLICATION FOR EXTENSION OF TIME

TO: Water Rights Commission  
Foss Building  
Pierre, South Dakota 57501

Date 5-28-1982

Dear Sirs:

In Water Right Permit No. 1190-1 it is specified that the water diversion system is to be completed by September 27, 1981 and that the water is to be put to the limit of beneficial use by September 27, 1981.

I hereby request that the date for completing the diversion system be extended to September 27, 1982 and that the date for putting the water to the limit of beneficial use be extended to September 27, 1982.

The extension of time for the completion of these works is requested for the following reasons: I have completed a water divert system on 12 acres. But because of a short water supply in White and creek the land has been and is still being irrigated. I have not finished all the land because of my present.

Enclosed herewith is a fee of Two Dollars and Fifty Cents (\$2.50) to pay the cost of filing this request for extension of time.

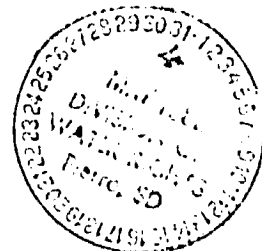
W. P. M. R.  
(Signed)

1190-1  
Permit Number

APPROVED: 6/10/82

WATER RIGHTS COMMISSION  
W. P. M. R.

BY:





# Department of Water & Natural Resources

Joe Foss Building Water Rights Division  
Pierre, South Dakota 57501

Phone (605) 773-3352

June 18, 1982

Nell Schuck  
RR #2, Box 98  
Vale SD 57788

Mr. Mr. Shuck:

This is to inform you that your request for extension of time dated  
May 5, 1982 for Water Right No. 1190-1 has been  
approved by the Water Management Board as follows:

The date for completing construction of the water system has  
been extended to September 27, 1984, and the date for  
putting the water to the limit of beneficial use has been  
extended to September 27, 1984.

Enclosed herewith is Receipt No. 4 8849 for \$2.50 fee for filing  
of this Extension of Time.

Sincerely,

GENNY YOUNG  
Water Rights Specialist

Water Rights Division  
605 773-3352

August 32 1982

Permit No. 1190-1

Neil Shuck  
Vale,  
South Dakota 57788

Dear Mr. Shuck:

In response to your request by telephone on August 3, 1982, the Water Rights Division hereby authorizes continuation of irrigation under Permit No. 1190-1 from Whitewood Creek until October 15, 1982.

This authorization is subject to flows remaining available for downstream domestic users and prior water rights.

If there are any questions, do not hesitate to contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer  
Water Rights Division

JH:ks

DATE MICROFILMED

**Division of Water Rights  
605 773-3352**

**August 9, 1983**

**1190-1**

**Nell Shuck  
Vale,  
South Dakota 57788**

**Dear Mr. Shuck:**

In response to your request by telephone on August 8, 1983, the Water Rights Division hereby authorizes continuation of irrigation under Permit No. 1190-1 from Whitewood Creek until October 15, 1983.

This authorization is subject to flows remaining available for downstream domestic users and prior water rights.

If there are any questions, do not hesitate to contact this office.

**Very truly yours,**

**JOHN HATCH, Chief Engineer  
Water Rights Division**

**ks**

1190-1

WATER RIGHTS DIVISION  
(605) 773-3352

August 14, 1984

Neil Shuck  
Valle,  
South Dakota 57788

Dear Mr. Shuck:

In response to your request by telephone last week, the Water Rights Division hereby authorizes continuation of irrigation under Permit No. 1190-1 from Whitewood Creek until October 15, 1984.

This authorization is subject to flows remaining available for downstream domestic users and prior water rights.

If there are any questions, do not hesitate to contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer  
Water Rights Division

JH:JW:ms

1190-1

August 13, 1985

Neil Shuck  
Vale, South Dakota 57788

Dear Mr. Shuck:

In response to your request by telephone on August 13, 1985, you are hereby authorized to continue irrigation under Permit No. 1190-1 from Whitewood Creek until October 15, 1985.

This authorization is subject to flows remaining available for downstream domestic users and prior water rights.

If there are any questions, do not hesitate to contact this office.

Very truly yours,

John Hatch, Chief Engineer  
Water Rights Division

JH:JW:ms

*Equal Opportunity Employer*

## Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

I have this day made a thorough examination of the water use system constructed by Neil Shuck.

Permit No. 1190-1, bearing the priority of August 15 1979 authorizing

for Irrigation purposes, in Butte County.

**A. Works used to divert the water:**

Motor = 50 HP GE, Model 5K324 JL-  
Pump = Berkeley, Model B4EPBL  
Pumps 750 gpm.

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

8" PVC underground pipe to center pivot from the pump.  
1500' 8" dia Gated Pipe.

C. Works used to apply water to beneficial use:

Works used to apply water to beneficial use:  
 zimmatic Center Pivot, Model. 507, Ser # 12522, covers 132Ac  
 1500 ft 8" Dia Gated Pipe for furrow & Flood irrigation

The system is in the following condition Good

The point of diversion is located 1660 ft West and 580 ft S of NE Corner of  
Section 34, T8N R5E

The works are capable of diverting and conveying to the place of use 1.67

ca. 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: All in Sec. 34, T8N R5E

NW $\frac{1}{4}$  NE $\frac{1}{4}$  = 13 Ac. NW $\frac{1}{4}$  SE $\frac{1}{4}$  = 40 Ac.

$$NE\frac{1}{4} NE\frac{1}{4} = 11 \text{ Ac.} \quad NE\frac{1}{4} SE\frac{1}{4} = 39 \text{ Ac.}$$

$SW\frac{1}{4} NE\frac{1}{4} = 30 \text{ Ac.}$        $SW\frac{1}{4} SE\frac{1}{4} = 19 \text{ Ac.}$

$$SE\frac{1}{4} NE\frac{1}{4} = 34 \text{ Ac.} \quad SE\frac{1}{4} SW\frac{1}{4} = 18 \text{ Ac.}$$

comprising a total of 204 acres of land and the license should be issued for 1.67 cts

Applicable permit qualifications have been complied with   X   Yes        No

Exceptions to compliance are: \_\_\_\_\_ Date August 27, 1985

LeRoy J. Mernaugh  
signature

1190-1 Neil Shuck.  
5/25/82 Motor 50 H.P. GE 3555 RPM  
Model. 5K 324 J.L.

Pump Berkeley Model. B4EP BL, 3600 RPM  
Pumps - 700 gpm @ 200 ft Head  
750 from tables

8" PVC Pipes

Center Pivot = Timmatic Model. 507, Ser. # 12522

5/27/82 7/1/82 11/1/82

24" x 12" x 11" 1500 8" dia.

**State of South Dakota**  
**Water License No. 1190-1**

(1) Neil Shuck  
of RR#1 - Box 98, Vale, South Dakota  
made Application No. 1190-1, August 15, 1979 for a water permit to appropriate  
3.53 cubic feet per second of water from Whitewood Creek  
Butte County, South Dakota for irrigation purposes.  
Permit No. 1190-1, with a priority date of August 15, 1979  
was approved September 27, 1979 and issued to applicant(s) for diversion of water with construction of the described  
water supply system to be completed on or before September 27, 1981 and for the application to beneficial use of said  
water on or before September 27, 1981.

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of  
the construction of the water supply system and is entitled to divert 1.67 cubic feet per second of water  
for beneficial use. The location of the diversion point(s) is 1660 feet West and 580 feet South of  
the NE Corner of Section 34, T8N, R5E (AB)

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in T8N-R5E

|            |                                   |           |      |
|------------|-----------------------------------|-----------|------|
| Section 34 | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | 13 Acres  | (AB) |
|            | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | 11 Acres  | (AA) |
|            | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | 30 Acres  | (AC) |
|            | SE $\frac{1}{4}$ NE $\frac{1}{4}$ | 34 Acres  | (AD) |
|            | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40 Acres  | (DB) |
|            | NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 39 Acres  | (DA) |
|            | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 19 Acres  | (DC) |
|            | SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 18 Acres  | (DD) |
|            | TOTAL                             | 204 ACRES |      |

(4) Pursuant to §46-5-30.1 Reil Shuck

of RR#1, Box 98, Vale, South Dakota 57788

the holder(s) and/or owner(s) of Water Permit No. 1190-1 is issued a license to appropriate water, the right to use 1.67 cubic feet per second of water from Whitewood Creek with a priority date of August 5, 1979 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of Irrigation

This license is subject to any limitations or qualifications listed in Water Permit No. 1190-1 and subject to South Dakota State Law.

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

JOHN HATCH

JAN 24 1986

REPRODUCTION: REDUCTION

25:1

ROLL NO.

2-11

DATE MICROFILMED

7

CAMERA OPERATOR



**Department of  
Water & Natural Resources**

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501

Division of Water Rights  
605 773-3352

No. 1190-1

December 9, 1985

Neil Shuck  
Rt. 2, Box 98  
Vale SD 57788

Dear Mr. Shuck:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 1190-1 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

KAREN SCHLAACK  
Administrative Aide

NOTE: On form of payment, please include the number of the water permit.  
This insures proper handling of the fee.

Dec. 27, 85

Department of Water & Natural Resources.

Enclosed is the \$50.00 for  
the Water License of Water  
Right no. 1190-1.

Thank you

Neil Shuck.

R.R. 1 Box 97

Vale, S. D. 57788

# RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

No 4 10274 -

Pierre, \_\_\_\_\_ December 31, 19 85

Neil Shuck, RR. #, Box 98, Vale, SD 57788

RECEIVED 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 _____ | 50    | 00 |
| 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. 1190-1                       |       |    |
| Fee for Filing Transfer Form _____                                                                                         |       |    |
| Fee for Filing Extension Request _____                                                                                     |       |    |
| Fee for Certified Copy of _____                                                                                            |       |    |
| Fee for Print Copy of Map _____                                                                                            | 50    | 00 |
| Fee for Certifying _____                                                                                                   |       |    |
| Fee for _____<br>(Any Other Work Provided by Law)                                                                          | Total |    |

By

Chief Engineer

JOHN HATCH

(MS)



**Department of  
Water & Natural Resources**

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501

WATER RIGHTS DIVISION  
Phone (605) 773-3352

No. 190-1

JAN 24 1986

Neil Shuck  
RR#1, Box 93  
Vale, South Dakota 57788

Dear Mr. Shuck:

Enclosed herewith is, Water License No. 1190-1. This is the final water right document completing your process of obtaining a water right.

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

Very truly yours,

JOHN HATCH, Chief Engineer  
Water Rights Division

JH:ms

Enclosures

WNR-917 3/83  
Transmittal of Water License

WATER RIGHTS DIVISION  
(605) 773-3352

August 11, 1986

Heil Shuck  
Vale, South Dakota 57788

Dear Mr. Shuck:

In response to your request by telephone on August 11, 1986, you are hereby authorized to continue irrigation under Permit No. 1190-1 from Whitewood Creek until October 15, 1986.

This authorization is subject to flows remaining available for downstream domestic users and prior water rights.

If there are any questions, do not hesitate to contact this office.

Very truly yours,

John Hatch, Chief Engineer  
Water Rights Division

JH:JW:ms

 **Department of  
Water & Natural Resources**

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501-1181

August 9, 1988

1190-1

Neil Shuck  
Vale SD 57788

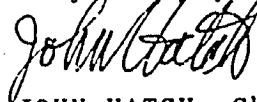
Dear Mr. Shuck:

In response to your request by telephone on August 9, 1988, you are authorized to continue irrigation under Permit No. 1190-1 from Whitewood Creek until September 15, 1988.

This authorization is subject to flows remaining available for downstream domestic users and prior water rights.

If there are any questions, please contact this office.

Very truly yours,



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



 **Department of  
Water & Natural Resources**

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501-3181

August 8, 1989

1190-1

Neil Shuck  
RR 2, Box 98  
Vale SD 57788

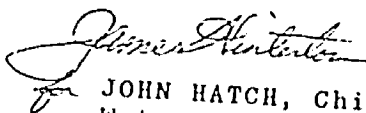
Dear Mr. Shuck:

In response to your request by telephone on August 7, 1989, you are authorized to continue irrigation under Permit No. 1190-1 from Whitewood Creek until September 15, 1989.

This authorization is subject to flows remaining available for downstream domestic users and prior water rights.

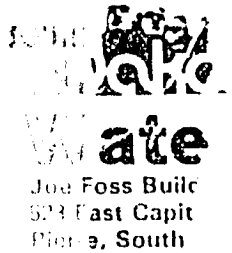
If there are any questions, please contact this office.

Very truly yours,



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





**Department of  
Water & Natural Resources**

Joe Foss Build  
523 East Capit  
Pierre, South

ata 57501-3181

ust 10, 1990

1190-1

ail Shuck  
2, Box 98  
ale, SD 57788

ear Mr. Shuck:

In response to your request by telephone on August 9, 1990, you are authorized to continue irrigation under Permit No. 1190-1 from Whitewood Creek until September 15, 1990.

This authorization is subject to flows remaining available for downstream domestic users and prior water rights.

If there are any questions, please contact this office.

Very truly yours,

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

*South Dakota*

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

August 8, 1991

Neil Shuck  
Vale  
South Dakota 57788

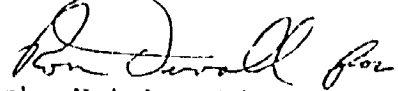
Dear Mr. Shuck:

In response to your request by telephone on August 7, 1991, you are hereby authorized to continue irrigation under Water Right No. 1190-1 from Whitewood Creek until September 15, 1991.

This authorization is subject to flows remaining available for downstream domestic users and prior water rights.

If you have any questions, please do not hesitate to contact this office.

Very truly yours



John Hatch, Chief Engineer  
Water Right Division  
(605) 773-3352

Water Rights Division - DENR  
Conversation File Documentation

NAME OF PERSON OR FILE: Neil Shuck - Water Right No. 1190-1  
ADDRESS: Vale SD COUNTY: Butte  
DATE: 8/7/92 TELEPHONE: \_\_\_\_\_  
RE: Request to continue irrigation past the August 15 shut-off

COMMENTS:

Mr. Shuck called to request authorization to continue irrigation under Water Right No. 1190-1 from Whitewood Creek until September 15, 1992.

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.

NAME: \_\_\_\_\_



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3181

August 10, 1992

Neil Shuck  
RR 2, Box 98  
Vale, SD 57788

Dear Mr. Shuck:

In response to your request by telephone on August 7, 1992, you are hereby authorized to continue irrigation under Water Right No. 1190-1 from Whitewood Creek until September 15, 1992.

This authorization is subject to flows remaining available for downstream domestic users and prior water rights.

If you have any questions, please do not hesitate to contact this office.

Very truly yours,

*John Hatch*  
John Hatch, Chief Engineer  
Water Rights Division  
605 773-3352

1190-1



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3181

August 8, 1994

Neil Shuck  
RR 2, Box 98  
Vale, SD 57788

Dear Mr. Shuck:

In response to your request by telephone on August 5, 1994, you are hereby authorized to continue irrigation under Water Right No. 1190-1 from Whitewood Creek until October 1, 1994.

This authorization is subject to flows remaining available for downstream domestic users and prior water rights.

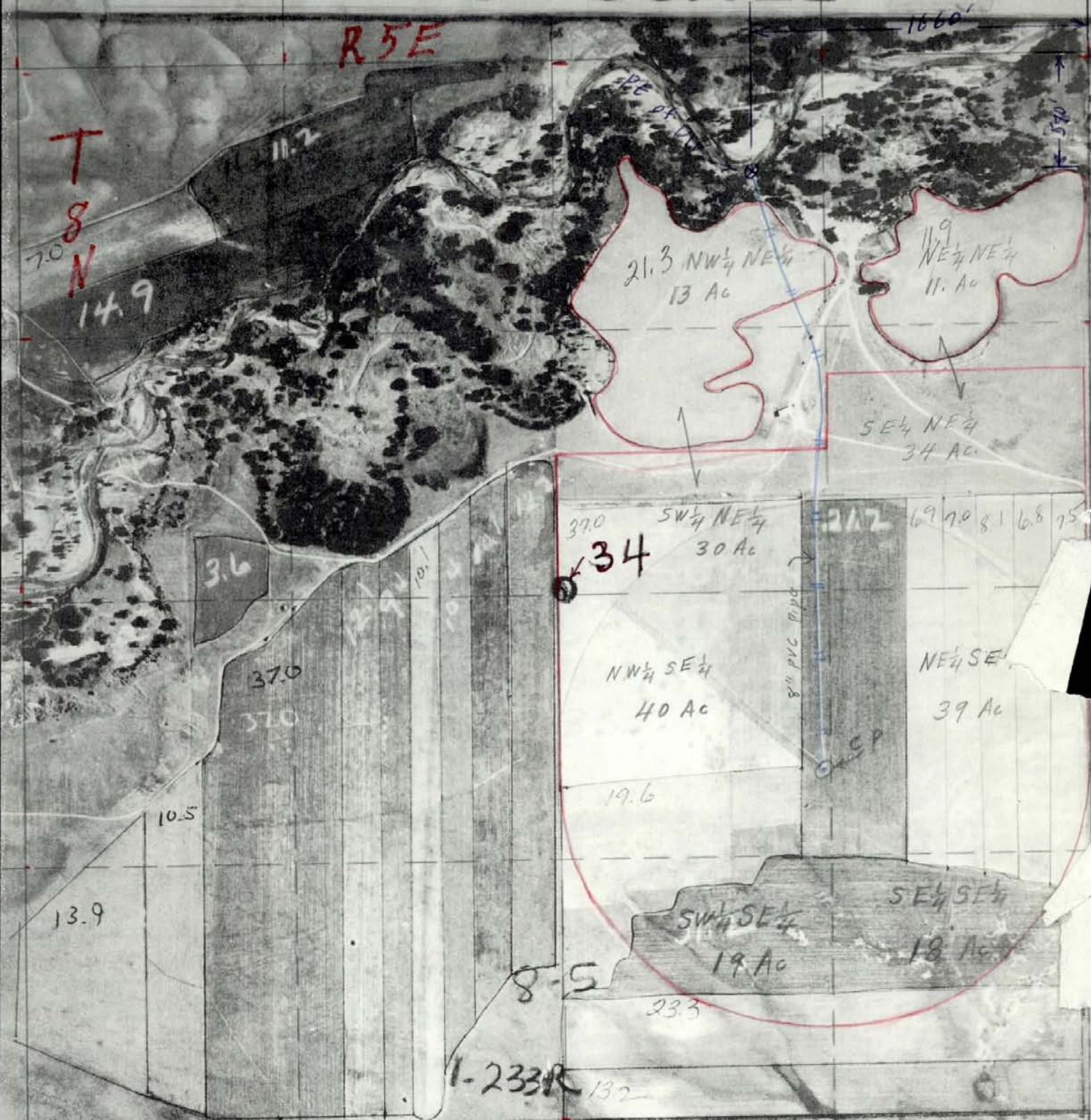
If you have any questions, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John Hatch", is written over the typed name.

John Hatch, Chief Engineer  
Water Rights Division  
(605) 773-3352

NOT TO SCALE



Neil Shuck

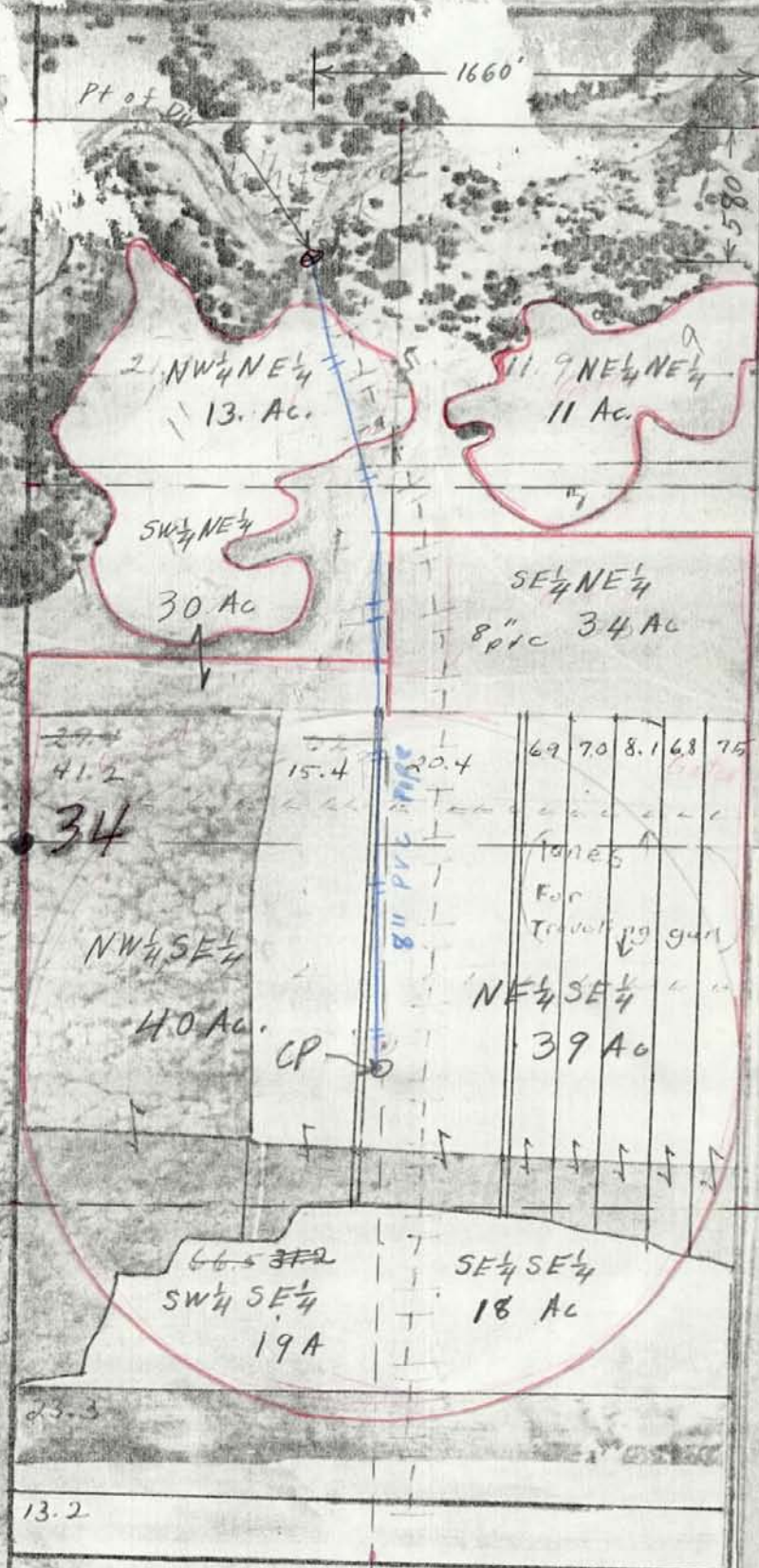
Permit # 1190-1

U. S. DEPARTMENT OF AGRICULTURE  
SOIL CONSERVATION SERVICE

CONSERVATION PLAN MAP

Owner Neil Shuck Operator Same  
County Butte State South Dakota Date 8/79  
Approximate acres 247 Approximate scale 8" = 1 Mile  
Cooperating with Butte Conservation District  
Plan Identification Photo number  
Assisted by Charles J. Logan USDA Soil Conservation Service

SCS-CONS-16  
OCTOBER 1974



Head County

Neil Shuck  
WR # 1190-1

map # 1001-1

WR # 1190-1

1-179R



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

PMB 2020  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE, SOUTH DAKOTA 57501-3182  
[denr.sd.gov](http://denr.sd.gov)

**NOTICE OF SHUTOFF ORDER**

**July 20, 2012**

**TO:** NEIL & FAITH SHUCK  
19269 SHUCK RD  
VALE SD 57788

**FROM:** GARLAND ERBELE, Chief Engineer  
SD DENR Water Rights Program *Garland Erbele*

**SUBJECT:** Shutoff Order for Whitewood Creek Water Rights

**Shutoff Order for Water Right Nos. 611-1(1190-1)**

Flow in Whitewood Creek has dropped to the point where domestic use of water, which includes livestock watering from the river, has become a concern. Therefore to protect domestic use, the department is issuing shutoff orders for Whitewood Creek. Effective immediately, no diversions of water from Whitewood are authorized under your water rights.

This order will be rescinded as soon as conditions improve. If conditions do not improve, this order will remain in effect until **December 31, 2012**.

The USGS maintains a website where you can view real-time stream flow measurements at several sites along the river, the web address is:

**<http://waterdata.usgs.gov/sd/nwis/rt>**

I am asking for your cooperation in complying with this shutoff order. The ongoing drought is creating hardship for all the water right holders along the creek.

If you have any questions, please contact Mark Rath (605- 773-3352) or Aaron Tieman (605-394-2229) with the Water Rights Program. Thank you.

# CERTIFICATION

I hereby certify that on July 20, 2012, I have personally deposited with the United States mail at Pierre, South Dakota, first class postage, prepaid envelope(s) containing a Notice dated July 20, 2012 regarding shutoff orders on Whitewood Creek addressed as stated below:

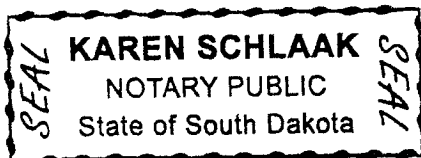
| PERMIT_NO | PNO_2   | LAST_NAME | FIRST_NAME         | ADDRESS2                     | CITY      | STATE | ZIP   |
|-----------|---------|-----------|--------------------|------------------------------|-----------|-------|-------|
| 1176-1    | 1176A-1 | ELLSBURY  | LARRY &<br>DEBBIE  | 327 FARRALL RD               | SUNDANCE  | WY    | 82729 |
| 611-1     | 1190-1  | SHUCK     | NEIL & FAITH       | 19269 SHUCK RD               | VALE      | SD    | 57788 |
| 912-1     |         | ALAN      | COREY              | 20044 WHITEWOOD<br>VALLEY RO | WHITEWOOD | SD    | 57793 |
| 926-1     |         | BERGER    | ROLAND/MARY<br>ANN | 19688 ASPEN PLACE            | WHITEWOOD | SD    | 57793 |
| 928-1     |         | WENNBERG  | CHARLES            | 20164 WHITEWOOD<br>VALLEY RD | WHITEWOOD | SD    | 57793 |

  
Gail Jacobson  
Secretary/Water Rights

STATE OF SOUTH DAKOTA     )  
                                          ) SS  
COUNTY OF HUGHES         )

Sworn to, before me, this 20<sup>th</sup> day of July, 2012.

  
Karen Schlaak  
Notary Public  
My Commission expires April 1, 2013





**DEPARTMENT of AGRICULTURE  
and NATURAL RESOURCES**

JOE FOSS BUILDING  
523 E. CAPITOL AVE  
PIERRE SD 57501-3182  
danr.sd.gov

June 18, 2026

Dear Whitewood Creek Water Right Holder:

I am writing to the water right holders and operators who use water from Whitewood Creek regarding below normal streamflow for this time of year. South Dakota law gives the highest priority to domestic use, including livestock watering. Historically, there has been generally adequate water available to meet both domestic use and other needs at this time of year. However, once water availability reaches critically low levels, water use may begin to interfere with domestic use and senior water rights. If water levels become critically low, the Department may be forced to issue shutoff orders to protect domestic use, including livestock watering, and those water rights that are most senior.

**This is not a shutoff order.** We are only speculating that shutoff orders may become necessary, if severe drought conditions persist. This letter is intended to give you advanced notice shutoff orders may be necessary this year. If shutoff orders are issued, you will receive another letter from the Department. In the meantime, water right holders can help by closely monitoring water usage to minimize use when possible and avoid any waste of water.

If you are interested, the US Geological Survey has an Internet site showing current flows at stream gauging stations across the state, including several gages on Whitewood Creek. To view the latest real-time stream flow, go to: <https://waterdata.usgs.gov/state/south-dakota/>

There is not a set shutoff based on flow in Whitewood Creek. The last time shutoffs orders were issued for Whitewood Creek was in 2012. Discharges from the Whitewood Creek Near Whitewood, SD - USGS-06436190 gage at that time were ranging from 4.5 to 5.0 cfs. However, that is not a guarantee of when a shutoff may occur since flows needed for domestic use and senior water rights can vary over time.

Thank you for your cooperation. If you have any questions, please contact Nakaila Steen at (605) 394-2229, or Whitney Kilts or myself at (605) 773-3352 with the Water Rights Program.

Sincerely,

Adam Mathiowetz, Acting Chief Engineer  
Water Rights Program