

1. Considered 3/25 1981
2. Name of Applicant H.L. BRUNNER (E MILDRED)
3. Post Office Address RR 1, Box 8, VALE 57788
4. Amount of Water Claimed 3.0
5. Source of Water Supply BELLE FOURCHE RIVER
6. Water to be used for IRR.
7. Acres to be Irrigated 264.5 maximum acre feet
8. Water to be diverted and used in BUTTE County about 2 1/2 E, 2 miles NORTH of VALE
9. PROOF OF PUBLICATION Received 3-20-81
Not Received _____
- APPLICATION Approved 3/25/81
Subject to PEPO TC
Not Approved _____
Action deferred _____

Priority Date Received 3/4/81 Application Complete yes no FEE 3.00

Remarks _____

Date information and/or fee or corrected Application received _____
Period of Annual use APRIL - OCTOBER

WATER
QUALITY

Received yes 3/5/81 no _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application yes _____ no _____ Remarks _____

Disapproved _____

Returned _____

Diversion Point SE⁴ NE⁴

SE⁴ SW⁴ - 24-8N-6E

Lands to be Irrigated _____

E² SW⁴, SE¹ NW⁴, W² NE⁴

SE⁴ NE⁴, NE⁴ SE⁴, & W² SE⁴

24-8N-6E

Remarks _____

Driller _____ Licensed yes _____ no _____

Depth _____

Page 2

Water Right No. _____

MAP

Map No. 1024-1 Map located in Water Right _____ Map file _____

Type of Map Aerial Prepared by SCS - Nancy Wells

REVIEWED

+++++
This Application was reviewed within 30 days of date received, accepted as complete, Number assigned as _____ for advertisement before the Board on 3/25/81

B. J. G. & D. W.
(Signed)

PROTESTS

+++++
Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS

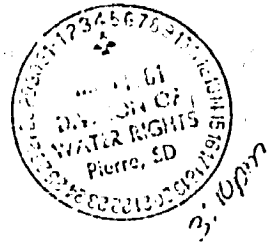
F.F. & C
OF LAW,
FINAL
DECISIONS
ETC.

Date
Final Decision, including F.F. & C of Law were adopted _____
Date
Final Decision mailed to parties and/or parties notified that Final Decision
was adopted _____

Remarks _____

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

Map No. 1024-1 Water Division 1 BELLE FOURCHE RIVER District
 No. 1215-1
 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 H L Brunner or Mildred Brunner Phone No. 605 456-2164
 Post Office Address RR 1, Box 8 Vale State South Dakota 57788
 (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 Brunner Diversion

4. Amount of water claimed (cubic feet per second) 3.0

5. Source of water supply Belle Fourche River

6. Location of point of diversion Point #1 is in the SE 1/4 of NE 1/4 of Sec 24, 8, 6
Point #2 is in the SE 1/4 to NW 1/4 of SW of Section 24, 8, 6

County Butte

7. Annual period or periods during which water is to be used April - 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 264.5

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

Land Description	No. Acres Irr.
SE 1/4 NE sec 24, 8, 6	23.5
Balance of acres	
NW 1/4 of NE, SE NW, NW 1/4 of SE	

Land Description	No. Acres Irr.
SW 1/4 of SE, E 1/4 of SW	241.0
that portion of NW 1/4 SW laying	
E of Belle Fourche River all	
in Sec 24, 8, 6	

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 5 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water DAILY POST

12. Principal Features of the Proposed Water Supply System.

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

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

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ 25,000.00

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) s.

I, H L Brunner 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 H L Brunner

Subscribed and sworn to before me this 4th day of March, 1981.

Karen Bernsman
 Notary Public (or other qualified officer)

KAREN BERNSMANN, Administrative Secretary

WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1215-1

H. L. & MILDEED BRUNNER
(Applicant)

RT #1, Box 8, VALE
(Post Office Address)

SOUTH DAKOTA 57788
(State)

With the following qualifications

Diversion of water under this permit is contingent upon supplies being first available to the prior water rights on the Belle Fourche River.

This permit does not authorize diversions of water from the Belle Fourche River 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 State Water Rights Commission, or its legally appointed representative. Diversions under this permit shall be in accordance with any written orders by the Commission or its representative.

This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application MARCH 4, 1981

Date of return to applicant for correction, amendments or changes required MARCH, 1981

Date of receipt of corrected application MARCH 5, 1981

Approved MARCH 25, 1981 Recorded in Book 22 Page 52

WATER RIGHT PERMIT NO. 1215-1

The Water Management Board hereby grants and issues this Water Right Permit No. 1215-1 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 MARCH 4, 1981
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before SEPTEMBER 25, 1983
3. The whole of said work is to be completed on or before MARCH 25, 1986
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MARCH 25, 1986
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 3.0 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 MARCH 25, 1986 and water to be used during the following described annual period: APRIL - OCTOBER

Witness my hand this 17TH day of APRIL, 1981

THE WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

Conditional

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

1215-1

NAME OF APPLICANT H. L. or Mildred Brunner

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED



RECOMMENDED MANAGEMENT:

Sufficient crop cover should be maintained to prevent wind erosion
due to the sandy condition of the soils

CONSERVATION COMMISSION
WI#1 FORM
3/80

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

STATE CONSERVATION COMMISSION

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE

Office Use Only

OWNERS NAME: HL M. H. Brown OWNERS ADDRESS: RR 1

COUNTY LAND LOCATED IN: B. H. PHONE: 454 2111

TENANT'S NAME AND ADDRESS: (If Other Than Owner) _____

In accordance with State Law SDCL 46-5-6.5, if a water permit is granted with a conditional Soil/Water Compatibility permit, a copy of such conditional soil/water compatibility permit must be filed with the County Register of Deeds. This action must be taken by the holder of a water permit within 6 months of receipt of such water permit.

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION OR DIVERSION POINT: 11 - SE 1/4 Sec 24 # 2 1/2 Sec 24
2. SURFACE WATER SOURCE: Belle Fourche River
3. LOCATION OF AREA TO BE IRRIGATED. NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

Legal Description	Acres	Legal Description	Acres
SE 1/4 Sec 24, T8N-R6E	23.5	SW 1/4 SE 1/4	
W 1/2 NE 1/4 Sec 24 T8N-R6E		E 1/2 SW 1/4	24.0
SE 1/4 NW 1/4 " "		W 1/2 SW 1/4 (East of River)	24.0
N 1/2 SE 1/4 " "			24.0
		Total	

4. TYPE OF IRRIGATION: GRAVITY: X TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: _____ (Specify)
5. CROPS TO BE IRRIGATED: Corn - Alfalfa - Small Grains
6. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED: _____

LEGAL DESCRIPTION: _____
IN WHAT NAME: _____

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: Belle Fourche River
8. SALINITY (EC X 10⁶): _____
9. SODIUM (SAR): _____
10. ADJUSTED (SAR): _____

RECEIVED

MAR 04 1981

South Dakota
Division of Conservation

I hereby certify that I personally obtained or that I personally observed the taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at _____ a.m./p.m., on _____, 19____, at the following location: N/A by _____ (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

I understand that the Division of Conservation or agents thereof may obtain another water sample for the purpose of validating the water sample analysis taken at the time of application (SDCL 46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

4th DAY OF March, 1981.

Wynne Suddeth
(NOTARY PUBLIC)

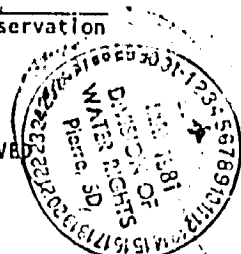
IMPORTANT

L. H. Brown
APPLICANT'S SIGNATURE

John M. Lyle
Director, Division of Conservation

Y APPROVED for CRO
Y DISAPPROVED
Y CONDITIONALLY APPROVED

Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER PERMIT must be obtained from the Board of Water Management.



PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Butte) ss.

I, Martin Lucca hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Daily Belle Fourche 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:

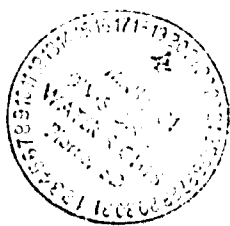
March 11, 1981

March 18, 1981

Martin Lucca
(Signature)

Editor
(Title)

3/18/81
(Date Signed)



No. 1215-1
NOTICE OF
HEARING ON
APPLICATION TO
APPROPRIATE WATER
Pierre, South Dakota 57501
March 4, 1981
Notice is hereby given H.L.
& Mildred Brunner whose post
office address is Vale, South
Dakota, has made an appli-
cation in accordance with the
provisions of SDCL 46-1 thru
46-1-9, 46-1-14; 46-2 thru
46-2-11, 46-2-13; 46-5 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 3.0 cubic feet of
water per second of time from
the Belle Fourche River through
the "Grunner" Diversion, the
point(s) of diversion of which
are to be located between points
in the SE 1/4, NE 1/4 and SE 1/4
SW 1/4 of Section 24, Twp. 8N,
Range 6E. Said water to be used
for the purpose of providing
irrigation on portions of the
following described land:
E 1/4, SW 1/4, SE 1/4 NW 1/4, W 1/4
NE 1/4, SE 1/4 NW 1/4, NE 1/4 SE 1/4,
W 1/4 SE 1/4, Section 24, T8N,
R6E.
This application No. 1215-1
will be considered by the Water
Management Board at the
Holiday Inn, Sandy Shore
Room, Watertown, SD upon the
25th day of March 1981 at 1:00
P.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 pre-
sent evidence or cross-examine
witnesses according to SDCL
1-25 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 hear-
ing. Decisions of the Board
may be appealed to the Courts
as provided by law.
Any handicapped person
wishing to attend this hearing
can contact the Water Rights
Division, UWNH, Joe Foss
Building, Pierre, SD, prior to
the hearing date for assistance
to assure access to the hearing.
WATER MANAGE-
MENT BOARD
Betty Westlund,
Water Rights Specialist
2/3/11-18

No. 1215-1

Publish first publication, on or before March 12, 1981

NOTICE OF HEARING ON
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

March 8, 1981

Notice is hereby given H.L. & Mildred Brunner whose post office address is Valo, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-3, 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 3.0 cubic feet of water per second of time from the Belle Fourche River through the Brunner Diversion, the point(s) of diversion of which xx(are) to be located

XXXXXX between points in the SE 1/4 NE 1/4 and SE 1/4 SW 1/4

of Section 24, Twp. 3N, Range 6E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

E 1/2 SW 1/4, SE 1/4 NW 1/4, NW 1/4 NE 1/4, NE 1/4 SE 1/4, NW 1/4 SW 1/4, Section 21, Twp. 3N, R. 6E

This Application No. 1215-1 will be considered by the Water Management Board at the Holiday Inn, Sandy Shore Room, Watertown, SD upon the 25th day of March 1981

at 4:00 p.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.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

WATER MANAGEMENT BOARD

cc: H. L. Brunner
Rt. 91, Box 6
Valo, SD 57789

BETTY WESTLUND
Water Rights Specialist

WNR-806B-7/79 Notice of Intent to Appropriate Water
SURFACE WATER

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8037

PIERRE,

March 5, 1961

RECEIVED OF

H.L. Brunner, Valer, SD 57783

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

Fee for Application for Permit to Appropriate Water No. 1215-1 (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)	
TOTAL	300.00

WATER RIGHTS COMMISSION

By

Chief Engineer, Executive Officer

JOHN HATCH

SOUTH DAKOTA
Department of
Water & Natural Resources
Joe Foss Building Water Rights Division (605) 773-3352
Pierre, South Dakota 57501

June 10, 1981

H L & Mildred Brunner
Vale, SD 57788

Mr. & Mrs. Brunner:

The rules adopted by the Water Management Board for establishing a water use control area on the Belle Fourche River, Whitewood Creek and Owl Creek requires 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 will be used to defray the costs of providing water master services within the water use control area. The following is a tabulation of your assessment.

<u>Permit No.</u>	<u>Diversion Rate</u>	<u>Acreage</u>	<u>Fee</u>
1215-1	3.0	264.5	\$96.12
TOTAL			\$96.12

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 8289

PIERRE, June 18, 19 81

RECEIVED OF J.L. / Mildred Brunner, Vale, SD 57785
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 WR# 1215-1		96 12
(any other work as provided by law)		
TOTAL		96 12

WATER RIGHTS COMMISSION

By (John Hatch)
Chief Engineer, Executive Officer
(JOHN HATCH / CE)

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	\$ 2,024.62	\$ 5,350.75
Watermaster (Salary and Mileage)	<u>\$7,379.37</u>	<u>\$2,023.62</u>	<u>\$5,350.75</u>

Detailed Report of Receipts

No.	Name	Diversion Rate	Acreage	Receipts (total fee)	Amount Returned
789-1	Louis Bidmayr	0.90	95.50	\$ 34.00	\$ 30.10
429-1	Ed Brunner & Son	1.43	166.00	46.50	41.16
429-1A	Mal Pittman	1.07	79.00	40.00	35.41
506-1	Bob Bartels	.23	17.00	14.25	12.61
892-1	Bob Bartels	1.00	70.00	27.50	24.34
417-1A	Quinten & Karen Watson	.55	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 Heltz, Jr.	2.13	153.00	78.25	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	85.03
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 Scark	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	120.15
1160-1	Thorval Jensen	1.90	133.49	53.50	47.36
1029-1	Homestake Mining	1.39	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	69.93
1148-1	Homestake Mining	13.50	948.00	377.00	333.71
430-1	Gerald Vetz	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 Puss	5.10	452.00	173.00	153.13
440-1	David 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	183.98
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 Receipts Cont.

No.	Name	Diversion Rate	Acreage	Receipts (total fee)	Amount Returned
1152-1	Homestake Mining	6.00	462.00	\$ 115.50	\$ 164.20
442-1	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
243-1	Lawrence Burke	6.00	64.00	26.00	23.01
1077-1	Charles / 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 Wernberg	2.29	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	Eitner J Odeksen	2.30	163.00	70.75	62.63
1196-1	Neil Snuck	3.55	247.00	101.75	90.07
611-1	Alex Miller	3.35	235.00	98.75	87.41
569-1	Ramona McFarland	0.37	68.00	27.00	23.90
270-1	Eugene C Bishop	0.70	49.00	22.25	19.70
401-1	Kenneth & Dorothy Ayer	1.88	132.00	53.00	46.91
135-1	Walter Hoffman	3.11	220.00	95.00	84.09
403-1	Wesley A. Mickelson	3.10	218.00	94.50	83.65
463-1	Raymond Garness	1.30	91.00	42.75	37.84
1218-1	William Dillinger	.40	42.70	20.75	18.37
1222-1	John Ismay (Norman)	1.11	79.00	39.75	35.15
1154-1	Homestake Mining	4.50	313.00	129.75	114.35
285-1	Edgar Colin Smart	1.42	170.00	67.50	---
331-1	Anna Sterra (Louis Budmayer)	1.87	131.00	52.75	---
472-1	Timothy Reich	2.00	167.84	62.00	---
275-1	John Durr	1.00	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	.64	45.00	21.25	---
292-1	James Jeffrey	1.05	73.70	38.50	---
1182-1	George Leach	1.60	108.00	47.00	---
223-1	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. Shovling	3.00	251.00	92.75	---
960-1	Thornton & Gwerivere Vallery	.50	35.00	18.75	---
289-1	Thornton & Gwerivere 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	---
365-1	Solomon Stark	2.14	150.00	67.50	---
287-1	David G. Rathbun	2.20	154.00	68.50	---
1126-1	John Lewis	3.11	339.00	124.75	---

Do not use this space.

STATE OF SOUTH DAKOTA DIRECT VOUCHER

AGENCY	OUCHER No.	DATE
	1	11/1/81

PAYEE
STAPLE
HERE
AGENCY

H.L. & Mildred Brunner
RR #1, Box 8
Vale, SD 57788

DEPT. DWR, Water Rights Division
Foss Bldg.
Pierre, SD 57501

ADDRESS

Agency	Fund	Sub Fund	Prog. Act.	Obj. Sub. Obj.	Agency Coding	Amount	Contract No.
200301	699	01	0000	0001		85.08	1
							2
							3
							4
							5
							6
							7
							8
							9
							10
TOTAL 22						85.08	

Warrant # 82074241
ac # 077392
date 11/16/81

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			
			1215-1 H L & Mildred Brunner		85.08	
TOTAL					85.08	

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 Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination 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. 1215-1Belle Fourche River Water District 10120202**Report Of Examination Of Works And/Or Appl. "on Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by H.L. Brunner or
Mildred Brunner RR #1 & Box 8, Vale, S.Dak. 57708 holder of
 Permit No. 1215-1, bearing the priority of March 4 1981 authorizing
 the diversion of 3.0 cu. ft. per second of the waters of Belle Fourche River
 for Irrigation purposes, in Butte County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

Pump = Berkeley. Model B6 ZRH-CW, Ser # 8146607, Imp
 dia. 8x9. Pumps 1500 gpm
 Engine. Avco Lycoming made by Fiat. 2 cyl. Diesel Model. 1052
 ser # 228598. 2500 RPM

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

3+ miles of 10" Gated Pipe

C. Works used to apply water to beneficial use:

Gated Pipe for Furrow and Flood irrigation

The system is in the following condition Good

The point of diversion is located #1 = 1150' S and 1100' E of W $\frac{1}{4}$ Cor Sec. 24;
 #2 = 1450' S and 1150' W of NE Cor of sec. 24, T8N R6E.

The works are capable of diverting and conveying to the place of use 3.33
 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: All in Sec. 24, T8N R6E

$SE \frac{1}{4} NW \frac{1}{4} = 32$ Ac.	$NE \frac{1}{4} SW \frac{1}{4} = 37$ Ac.	$NW \frac{1}{4} SE \frac{1}{4} = 40$ Ac.
$NW \frac{1}{4} NE \frac{1}{4} = 10$ Ac.	$SW \frac{1}{4} SW \frac{1}{4} = 10$ Ac.	$NE \frac{1}{4} SE \frac{1}{4} = 19$ Ac.
$SW \frac{1}{4} NE \frac{1}{4} = 31$ Ac.	$SE \frac{1}{4} SW \frac{1}{4} = 30$ Ac.	$SW \frac{1}{4} SE \frac{1}{4} = 16$ Ac.
$SE \frac{1}{4} NE \frac{1}{4} = 24$ Ac.		

comprising a total of 244 acres of land and the license should be issued for 3.0 cfsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: Date August 23, 1981

LeRoy J. Mernough
 SIGNATURE

State of South Dakota

Water License No. 1215-1

(1) H. L. Brunner or Mildred Brunner
of Route #1, Box 8, Vale, South Dakota 57758
made Application No. 1215-1, March 4, 1981 for a water permit to appropriate
3.0 cubic feet per second of water from the Belle Fourche River,
Butte County, South Dakota for irrigation purposes.
Permit No. 1215-1, with a priority date of March 4, 1981
was approved March 25, 1981 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before March 25, 1986 and for the application to beneficial use of said
water on or before March 25, 1986.

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 3.0 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is are #1 - 1150'S and 1100'E of W $\frac{1}{4}$ Corner
Section 24 (CB) #2 - 1450'S and 1150'W of NE Corner Section 24 (AD) T8N, R6E

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 T611, R6E

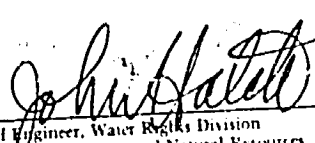
Section 24	SE $\frac{1}{4}$ NW $\frac{1}{4}$	32 Acres	(BD)
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	10 Acres	(AB)
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	31 Acres	(AC)
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	24 Acres	(AE)
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	37 Acres	(CA)
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	10 Acres	(CC)
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	30 Acres	(CD)
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	40 Acres	(DB)
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	19 Acres	(DA)
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	16 Acres	(DC)
TOTAL 249 ACRES			

(4) Pursuant to 846-3-30.1 H. L. Brunner or Mildred Brunner

of RR#1, Box 8, Vale, South Dakota 57785

the holder(s) and/or owner(s) of Water Permit No 1215-1 is issued a license to appropriate water, the right to use 3.0 cubic feet per second of water from the Belle Fourche River with a priority date of March 4, 1981 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 1215-1 and subject to South Dakota State Law.


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

JOHN HATCH

JAN 28 1986

SOUTH DAKOTA Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1215-1

December 17, 1985

H. L. & Mildred Brunner
Route #1, Box 8
Vale, South Dakota 57788

Dear Mr. & Mrs. Brunner:

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. 1215-1 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,

Maxine Stirling
Staff Assistant

ms/

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

DWNR-814 8/83

Department of Water Resources
Pierre, S.D.

You are due \$50.00 for the inspection and testing
of the water license. Permit 1215-1.

N. J. Sumner



RECEIPT

Division of Water Rights

№ 4 10272

South Dakota Department of Water and Natural Resources

Pierre, December 27, 1985

RECEIVED OF H. L. Brunner RR#1, Box 2, Vale, SD 57788

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 _____		
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. 1215-1	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	50	00

By

Chief Engineer

JOHN HUTCHINGS



No. 1215-1

Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

JAN 28 1986

H. L. & Mildred Brunner
Route #1, Box 3
Vale, South Dakota 57736

Dear Mr. & Mrs. Brunner:

Enclosed herewith is, Water License No. 1215-1. 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-817 3/83
Transmittal of Water License



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

November 4, 2004

No. 1215-1
1204-1

Mildred Brunner
19067 136th Ave
Vale SD 57788

Dear Mrs. Brunner:

Thank you for returning the 2004 Irrigation Questionnaires. The form for Water Right No. 1215-1 indicated an ownership change. Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change. The water right is currently listed in the name of H L or Mildred Brunner.

Also, enclosed is a partially completed form for Water Right No. 1204-1 which is listed in the names of H L Brunner & Sons. I am assuming this water right needs to be transferred too. If not, please disregard the form.

The transfer form(s) should be checked over for accuracy and signed by the new owner. Upon completion, return the form(s) to our office with a required filing fee of \$2.50 for each transfer.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact Genny McMath or me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 1215-1

Date: 1/24/05

I/We request that Water Right/Permit No. 1215-1

formerly owned by: H L & Mildred Brunner

be transferred to: (name & address) Mildred Brunner, 19067 136th Ave, Vale SD 57788 or

Brad Brunner, 19024 136th Ave, Vale, SD 57788

Telephone No. 605 456-2656

Title to the following described land(s)/property has been transferred as described above:

249 acres – SE ¼ NW ¼, W ½ NE ¼, SE ¼ NE ¼, E ½ SW ¼, SW ¼ SW ¼, N ½ SE ¼, SW ¼ SE ¼

Section 24-T8N-R6E

I/We understand that the validity of Water Right/Permit No. 1215-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Brad Brunner, the new owner, certify that the above information is true and correct.
Mildred Brunner

Brad Brunner Mildred Brunner
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIVED
JAN 26 2005
WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date JANUARY 26, 20 05

RECEIVED OF Mildred Brunner, Rt 1 Box 8, Vale SD 57788

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2	50
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. _____		
Fee for Filing Transfer Form <u>1215-1</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	2	50
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	
	2.50	

No.

000000

By

Darland Ebel
Chief Engineer
gm



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 1, 2005

1215-1

Mildred Brunner
19067 136th Ave
Vale SD 57788

Brad Brunner
19024 136th Ave
Vale SD 57788

Dear Ms. Brunner and Mr. Brunner:

I am writing to acknowledge receipt of the "Notice of Transfer of Ownership" form you filed for transferring Water Right No. 1215-1. The transfer has been completed. The water right formerly listed in the names of H L & Mildred Brunner is now listed as being held by Mildred and Brad Brunner.

Enclosed is your Receipt No. 001689 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosure (w/letter to Mildred)

NOT TO SCALE



H.L. & Mildred Brunner

