

1. Considered: February 24 19 83 Water Right No. 1270-1
2. Name of Applicant Jack Mc Clure
3. Post Office Address Camp Crook Route, box 40, Belle Fourche, S.D. 57717
4. Amount of Water Claimed 0.64 maximum acre feet
5. Source of Water Supply Watson Draw
6. Water to be used for IRR acres to be irrigated 45
7. County Butte about 23 N, 5 W miles            of Belle Fourche
8. PROOF OF PUBLICATION: Received 2-9-83 Not Received
- APPLICATION: Approved 2-24-83 Subject to L7
- Not Approved            Action Deferred

PRIORITY 12-8-82 Dated Received 12/6/83 Application complete-yes x no            FEE 150.00

Remarks           

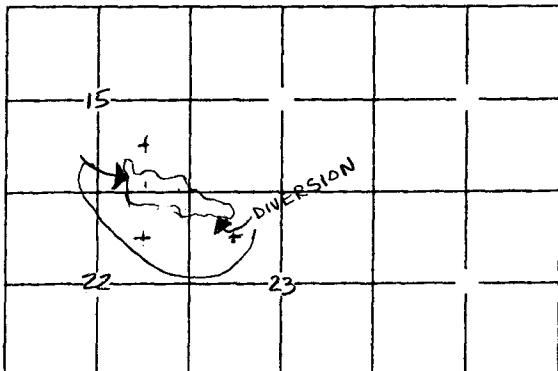
Corrected Application received            Period of Annual Use 3/1 thru 10/31

WATER  
QUALITY

Received yes ✓ no            APPROVED/CONDITIONAL (Circle one)

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

Disapproved            Returned           



Diversion Point between points in the  
S W $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 15 and NE $\frac{1}{4}$  NW $\frac{1}{4}$   
Section 23 both in T12N R1E

Land to be irrigated             
S $\frac{1}{2}$  SE $\frac{1}{4}$  Section 15; N $\frac{1}{2}$  NE $\frac{1}{4}$ , Section  
-22; N $\frac{1}{2}$  NW $\frac{1}{4}$ , Section 23

WELL LOG Driller            Licensed - yes            no           

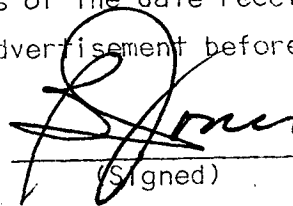
Depth           

Remarks

MAP Map No. 1077-1 Map located in Water Right ✓ Map file \_\_\_\_\_  
 Type of Map drawn - aerial Prepared by LeRoy Mernaugh  
 DWNR

+++++

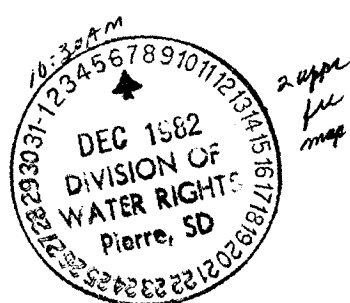
REVIEWED This Application was <sup>reviewed</sup>~~received~~ within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:  
1-17-83

  
 (Signed)

+++++

PROTESTS Letters/Petitions in File - yes \_\_\_\_\_ no \_\_\_\_\_ Remarks \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

REMARKS Date  
 F.F. & C. Final Decision, including F.F. & C. of Law were adopted \_\_\_\_\_  
 OF LAW, Date  
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision was  
 DECISIONS adopted \_\_\_\_\_  
 ETC. Remarks \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

No. 1270-1Map No. 1077-1 Water Division No. 1 Belle Fourche River District  
Above for Office Use 10120202

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

Check one of the following:

New XX Vested Right \_\_\_\_\_ Future Use \_\_\_\_\_

Change in Diversion \_\_\_\_\_ Additional Diversion \_\_\_\_\_

Change in Acreage \_\_\_\_\_ Additional Acreage \_\_\_\_\_

1. Name of Applicant Jack McClure or NeRoma McClure Phone No. 892-3207  
 Post Office Address Camp Crook Rt, Box 40, Belle Fourche State SD 57717  
 (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) completed3. Name of diversion work McClure Irrigation Project #14. Amount of water claimed (cubic feet per second) 0.645. Source of water supply Watson Draw

6. Location of point of diversion On Watson Draw between points #1-270'N and 1750'W of the SE corner Section 15 (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ) and Point #2-1150'S and 1750'E of the NW corner, Section 23 (NE $\frac{1}{4}$  NW $\frac{1}{4}$ ) all in T12N, R1E  
 \_\_\_\_\_ County Butte

7. Annual period or periods during which water is to be used March thru October8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation9. For irrigation use, Total number of acres to be irrigated 45

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. |
|-----------------------------------------------------|----------------|
| SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 15, T12N, R1E | 6              |
| SE $\frac{1}{4}$ SE $\frac{1}{4}$ "                 | 7              |
| NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 22, T12N, R1E | 1              |
| NE $\frac{1}{4}$ NE $\frac{1}{4}$ "                 | 9              |

| Land Description                                    | No. Acres Irr. |
|-----------------------------------------------------|----------------|
| NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 23, T12N, R1E | 13             |
| NE $\frac{1}{4}$ NW $\frac{1}{4}$ "                 | 9              |

Attach sheet if more space is needed

10. Time required to complete construction of water supply system completed years. Additional time required to complete application of water to the proposed beneficial use \_\_\_\_\_ years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water DAILY POST12. Principal Features of the Proposed Water Supply System. Belle Fourche SD

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

Diversion Dams

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

Creek Channel

C. Works proposed to apply water to beneficial use.

Diversion dikes to flood irrigate

Estimated Total Cost \$ \_\_\_\_\_

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map. (see instructions concerning preparation.)

STATE OF SOUTH DAKOTA )  
County of \_\_\_\_\_ ) ss.I, Jack McClure 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 Jack McClure  
 Subscribed and sworn to before me this 3 day of December, 1982  
Elizabeth J. Benson  
 Notary Public (or other qualified officer)  
 Notary Public, BUTTE COUNTY, S. DAK.  
 My Commission Expires SEPT. 19, 1985

# WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1270-1

Jack McClure

(Applicant)

Camp Crook RT. Box 40 Belle Fourche

(Post Office Address)

South Dakota 57717

(State)

With the following qualifications

This application proposes storage of water for purposes other than domestic use. Water available for such storage is only the amount which is in excess of needed amounts for stockwater and other domestic uses. If flows are insufficient to meet downstream stockwater or other domestic use requirements, water releases past the dam covered by this permit will be required.

Date of first receipt of application December 6, 1982

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

Date of receipt of corrected application       , 19  

Approved February 24, 1983, Recorded in Book        Page       

WATER RIGHT PERMIT NO. 1270-1

The Water Management Board hereby grants and issues this Water Right Permit No. 1270-1 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 December 6, 1982
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before       , 19
3. The whole of said work is to be completed on or before Completed, 19
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is       , 19
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 .64 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       , 19  ; said water to be used during the following described

annual period: March — October

Witness my hand this 9<sup>th</sup> day of March, 1983

THE WATER MANAGEMENT BOARD

By:

John H. H. H.  
Chief Engineer, Water Rights

Certificate of Construction Issued       , 19  

Water License Issued       , 19

WATER LICENSE NO. 1270-1

(1) WHEREAS, On the 6th day of December A. D. 1982  
Jack McClure

made Water Right Application No. 1270-1 for a permit to use 0.64 cubic feet per second of the waters of Watson Draw  
County of Butte, State of South Dakota, for Irrigation purposes; and

(2) WHEREAS, On the 24th day of February A. D. 1983  
Permit No. 1270-1, with a date of priority of December 6, 1982

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the day of A-13-19 and for the application to beneficial use of said water on or before the day of A-13-19

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 0.64 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent,  
to irrigate the following land all in T12N, R1E;

|            |        |          |      |
|------------|--------|----------|------|
| Section 15 | SW¼SE¼ | 6 Acres  | (DC) |
|            | SE¼SE¼ | 7 Acres  | (DD) |
| Section 22 | NW¼NE¼ | 1 Acre   | (AB) |
|            | NE¼NE¼ | 9 Acres  | (AA) |
| Section 23 | NW¼NW¼ | 13 Acres | (BB) |
|            | NE¼NW¼ | 9 Acres  | (BA) |
| TOTAL      |        | 45 ACRES |      |

(5) NOW, THEREFORE. By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Jack McClure

\_\_\_\_\_ of Camp Crook Route, Box #40, Belle Fourche, SD 57717

the holder \_\_\_\_\_ and owner \_\_\_\_\_ of said permit No. 1270-1 a water right, dating from December 6, 1982

\_\_\_\_\_ to use of 0.64 cubic feet per second of the waters

of Watson Draw

in the County of Butte and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at on Watson Draw between Pt#1 - 270'N and 1750'W of

the SE Corner Section 15 (DC) and Pt#2 - 1150'S and 1750'E of the NW Corner Section 23

(BA) T12N, R1E

and conducted to and upon portions of Sections 15, 22 and 23, T12N, R1E more fully  
described on the face of this License.

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 1270-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota  
this 5th day of April A. D.  
Eighty-Three  
Nineteen Hundred and \_\_\_\_\_

WATER MANAGEMENT BOARD

By:

John Hatch  
Chief Engineer, Executive Officer JOHN HATCH

Permit No. 1270-1Water Division 1 Belle Fourche River Water District  
10120202REPORT OF EXAMINATION OF WORKS  
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Jack McClure  
Camp Creek Rt. Box 40  
of Belle Fourche, S.D. 57717 holder \_\_\_\_\_  
of Permit No. 1270-1, bearing date of priority of December 6, 1982  
authorizing the diversion of 0.64 cu. ft. per second of the waters of Watson Draw  
for Irrigation purposes, in Butte County.

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

The Water Use System consists of,

## A. Works used to divert the water:

Main Diversion Dam, 7.0 ft high, 3:1 + 2:1 SS.  
12' Top Width, 200 ft long - 3.0 ft Freeboard.  
One 10" CMP can be controlled with a board for head gate

## B. Works used to transport water to place of use,

Creek Channel:

## C. Works used to apply water to beneficial use.

Diversion Dikes to Flood Irrigate

The system is in the following condition: Good

The point of diversion is located on Watson Draw Between Pt #1 = 270' N & 1750' W  
of the SE Cor Sec 15 and Pt #2 = 1150' S and 1750' E of the NW Cor Sec. 23  
T12N R1E

The works are capable of diverting and conveying to the place of use 20 (est)  
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 T12N R1E

|                                                                                        |                                                                                       |
|----------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| <u>Section 15 - SW<math>\frac{1}{4}</math> SE<math>\frac{1}{4}</math> - 6 Ac. (DD)</u> | <u>Section 23 NW<math>\frac{1}{4}</math> NW<math>\frac{1}{4}</math> - 10 Ac. (BB)</u> |
| <u>SE<math>\frac{1}{4}</math> SE<math>\frac{1}{4}</math> - 7 Ac. (DD)</u>              | <u>NE<math>\frac{1}{4}</math> NW<math>\frac{1}{4}</math> 9 Ac. (BA)</u>               |
| <u>Section 22 NW<math>\frac{1}{4}</math> NE<math>\frac{1}{4}</math> - 1 Ac. (AB)</u>   |                                                                                       |
| <u>NE<math>\frac{1}{4}</math> NE<math>\frac{1}{4}</math> - 9 Ac. (AA)</u>              |                                                                                       |

comprising a total of 45 acres of land.

$$45 \div 70 = 0.64$$

License for 0.64 CFS

Date July 21, 1982  
L. Roy J. McNaugh  
(Signature)

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Division of Conservation

Office Use Only

WR#

OWNERS NAME: Jack McClure OWNERS ADDRESS: Camp Crook Rt., Box 40

COUNTY LAND LOCATED IN: Butte PHONE: Belle Fourche, SD 57717

TENANT'S NAME AND ADDRESS:

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

1. WELL LOCATION

Depth

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: South Indian Creek - Waterspreading

Diversion Location

| Legal Description                          | Acres | Legal Description                          | Acres |
|--------------------------------------------|-------|--------------------------------------------|-------|
| SW $\frac{1}{4}$ SW $\frac{1}{4}$ 11-12-2  | 8     | SW $\frac{1}{4}$ SE $\frac{1}{4}$ 15-12-1✓ | 7     |
| SE $\frac{1}{4}$ SE $\frac{1}{4}$ 10-12-1  | 3     | NE $\frac{1}{4}$ NE $\frac{1}{4}$ 22-12-1✓ | 9     |
| NW $\frac{1}{4}$ NW $\frac{1}{4}$ 14-12-1  | 14    | NW $\frac{1}{4}$ NE $\frac{1}{4}$ 22-12-1✓ | 1     |
| NW $\frac{1}{4}$ NW $\frac{1}{4}$ 15-12-1  | 1     | NW $\frac{1}{4}$ NW $\frac{1}{4}$ 23-12-1✓ | 13    |
| SE $\frac{1}{4}$ SE $\frac{1}{4}$ 15-12-1✓ | 7     | NE $\frac{1}{4}$ NW $\frac{1}{4}$ 23-12-1✓ | 9     |

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED

LEGAL DESCRIPTION:

IN WHAT NAME:

4. LOCATION OF AREA TO BE IRRIGATED NOTE: **SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)**

5. TYPE OF IRRIGATION: GRAVITY: TOWLINE: CENTER PIVOT: GUN: OTHER: (Specify)

6. CROPS TO BE IRRIGATED:

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

7. WATER SAMPLE NUMBER: S Indian Creek 10. ADJUSTED (SAR): 2.65 (1.85)

8. SALINITY (EC X 10<sup>6</sup>): 1250 11. PERCENT SODIUM 18.48

9. SODIUM (SAR): 1.17

I hereby certify that I personally obtained or that I personally observed that 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: \_\_\_\_\_

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.

Signature

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (40-5-6.4)

SUBSCRIBED AND SWORN BEFORE ME THIS

DAY OF \_\_\_\_\_, 19\_\_\_\_.

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

Date

APPROVED

DISAPPROVED

☒ CONDITIONALLY APPROVED

**IMPORTANT**  
Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER RIGHT must be obtained from the Board of Water Management, Foss Building, Pierre.

Conditional soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

CONDITIONAL APPROVAL

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE  
DIVISION OF CONSERVATION

NAME OF APPLICANT: Jack McClure

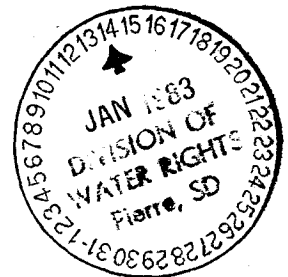
LEGAL DESCRIPTION: Portions of Sec's 10, 11, 14, 15, 22, & 23-T12-R1 - 82 acres

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

12

12



THE SOILS(S) LISTED BELOW CAN BE IRRIGATED  
WITH THE FOLLOWING RESTRICTIONS:

Both projects must be maintained in grass and/or alfalfa to prevent erosion  
of Stetter soil due to flooding.

RECOMMENDED MANAGEMENT:

A water sample should be taken when possible from Watson Draw for analysis.

Jack M. Lippell  
SIGNATURE

1-13-83  
DATE



# Department of Agriculture

## DIVISION OF CONSERVATION

Anderson Building, Room 322

Pierre, South Dakota 57501

Phone 605/773-3258

Hold  
Reviewed 11/19/82  
Bur

November 18, 1982

Jack McClure  
Camp Crook Rt., Box 40  
Belle Fourche, SD 57717

Dear Mr. McClure:

We have been notified by the Division of Water Rights that you are intending to irrigate (waterspreading) portions of Sec's 10,11,14,15,22, & 23-T12-R1 without soil and water compatibility approval.

It will be necessary for you to complete the attached WI-1 and forward it, along with the correct soils information to our office for processing.

If you have any questions please feel free to contact this office.

Sincerely,

Jim Stukel  
Irrigation Program Director

cf

cc: Water Rights Division

Water Rights Division  
605 773-3352

December 7, 1982

Jack McClure  
Camp Crook Route  
Box 40  
Belle Fourche SD 57717

Dear Mr. McClure:

Your applications dated December 3, 1982 for permits to appropriate water from South Indian Creek and Watson Draw through the McClure Irrigation Projects No. 1 and 2 were received December 6, 1982.

We have not, as of this date, received the soil/water compatibility approval from the State Conservation Commission. Your WI-1 and soils information received with your application has been forwarded to the State Conservation Commission office.

When this information is received further processing of your application will proceed.

To maintain your priority date on your application for permit to appropriate water, in accordance with SDCL 46-5-16, you will now have sixty days from the date of this letter to have the above information submitted to this office.

Your receipts No. 4-9059 and 4-9060 in the amount of \$150 each are on file with your applications.

Sincerely,

BETTY WESTLUND  
Water Rights Specialist

BW:ks



# Department of Agriculture

## DIVISION OF CONSERVATION

Anderson Building, Room 322      ●      Pierre, South Dakota 57501  
Phone 605/773-3258

December 7, 1982

Jack McClure  
Camp Crook, Rt., Box 40  
Belle Fourche, SD 57717



Dear Mr. McClure:

In reviewing your soil and water compatibility application for:  
SW $\frac{1}{4}$  SW $\frac{1}{4}$  11; SE $\frac{1}{4}$  SE $\frac{1}{4}$  10; NW $\frac{1}{4}$  NW $\frac{1}{4}$  14; NW $\frac{1}{4}$  NW $\frac{1}{4}$  15; SE $\frac{1}{4}$  SE $\frac{1}{4}$  15; SW $\frac{1}{4}$  SE $\frac{1}{4}$  15;  
NE $\frac{1}{4}$  NE $\frac{1}{4}$  22; NW $\frac{1}{4}$  NE $\frac{1}{4}$  22; NW $\frac{1}{4}$  NW $\frac{1}{4}$  23; NE $\frac{1}{4}$  NW $\frac{1}{4}$  23; all in T12-R1 = 82 acres  
the Irrigation Staff is recommending a Conditional Approval of your  
application to the State Conservation Commission at their  
January 13, 1983 meeting.

The Conditional recommendation is based on the following:

South Indian Creek project is based on the soils.

Watson Draw project is based on the soils and the dry draw policy.

The restrictions and management recommendations are as follows:

### RESTRICTIONS:

That both projects be maintained in grass and/or alfalfa to prevent  
erosion of Stetter soil due to flooding.

### MANAGEMENT RECOMMENDATIONS:

That a water sample be taken from Watson Draw, when possible for analysis.

If you have any questions concerning your application please feel free to  
contact this office.

Sincerely,

Jim Stukel  
Irrigation Program Director

cf

# RECEIPT

## WATER RIGHTS COMMISSION

State of South Dakota

No 4 9060

PIERRE, December 6, 1982

RECEIVED OF Jack McClure, Camp Crook Route, Box #40, Belle Fourche, SD 57717

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

|                                                                                                                |     |    |
|----------------------------------------------------------------------------------------------------------------|-----|----|
| Fee for Application for Permit to Appropriate Water No. 1270-1 (examination, processing, recording and filing) | 150 | 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                                                                                                          | 150 | 00 |

WATER RIGHTS COMMISSION

By John Hatch  
Chief Engineer, Executive Officer  
JOHN HATCH

# RECEIPT

## WATER RIGHTS COMMISSION

State of South Dakota

No 4 9209

PIERRE, March 28, 1993

RECEIVED OF Jack McClure, Camp Crook Star Route, Box 40, Belle Fourche, SD 57717  
the following amount in fees for services rendered as provided for by law:

|                                                                                                                       |    |    |
|-----------------------------------------------------------------------------------------------------------------------|----|----|
| Fee for Application for Permit to Appropriate Water No. .... (examination,<br>processing, recording and filing) ..... |    |    |
| Fee for inspecting Construction, and issuing Cert. of Construction No. <u>1270-1</u> .....                            | 50 | 00 |
| Fee for inspecting Beneficial Use, and issuing Water License No. <u>1270-1</u> .....                                  |    |    |
| 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                                                                                                                 | 50 | 00 |

WATER RIGHTS COMMISSION

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

Publish first publication, on or before February 3, 1983NOTICE OF HEARING ON  
APPLICATION TO APPROPRIATE WATER

Pierre, South Dakota 57501

January 18, 1983Notice is hereby given Jack McClure whose post officeaddress is Camp Crook Rt, Box 40, Belle Fourche, South Dakota, has made an application in accordance with the provisions of SDCL 46-1-1 thru 46-1-9; 46-1-12 thru 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, 46-5-25, 46-5-41 (ground) ~~46-6-3 thru 46-6-5, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, (future use) 46-5-38; (transfer lands) 46-5-33 thru 46-5-35 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, (future use) 74:02:01:23 thru 74:02:01:26 (10,000 AFA) 74:02:07:01 thru 74:02:07:03~~, for a permit to appropriate for beneficial use0.64 cubic feet of water per second of time from Watson Drawthrough the McClure Irrigation Project #1, the point (s) of diversion which ~~is~~ (are) to be located between points SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 15, and in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ of Section 23, Twp. 12N, Range 1E. Said water to be used for purpose of providing irrigation on portions of the following described land:S $\frac{1}{2}$  SE $\frac{1}{4}$ , Section 15; N $\frac{1}{2}$  NE $\frac{1}{4}$ , Section 22 and N $\frac{1}{2}$  NW $\frac{1}{4}$ , Section 23 all in T12N, R1EThis Application No. 1270-1 will be considered by the Water Management Board at Joe Foss Building, Room 216, 523 E Capitol, Pierre SD upon the 24th day of February, 1983

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 Circuit Court and the State Supreme Court as provided by law.

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

For the Water Management Board

cc: applicant

WNR-806-2/82

BURTON F JONES ~~XXXXXXXXXXXXXX~~ BETTY WESTLUND, Water Rights Specialist

No. 1270-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA )  
County Butte ) ss.

I, Marion Lucca hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Belle Fourche 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:

January 27, 1983

February 3, 1983

Marion Lucca  
(Signature)

Editor  
(Title)

Feb 7, 1983  
(Date Signed)

forfeited if they are not exercised  
at the hearing. Decisions of the  
Board may be appealed to the  
Circuit Court and the State  
Supreme Court as provided by  
law.

Any handicapped person wish-  
ing to attend this hearing can  
contact the Water Rights Di-  
vision, DWRN, Joe Foss Build-  
ing, Pierre, S.D. prior to the hear-  
ing date for assistance to assure  
access to the hearing.

For the Water  
Management Board  
Burton F. Jones.  
Water Rights Specialist  
2/1/27-2/3



No. 1270-1

NOTICE OF HEARING  
ON APPLICATION TO  
APPROPRIATE WATER

Pierre, South Dakota 57501  
January 18, 1983

Notice is hereby given Jack  
McClure whose post office  
address is Camp Crook Rt., Box  
40, Belle Fourche, South Dakota,  
has made an application in ac-  
cordance with the provisions of  
SDCL 46-1-1 thru 46-1-9; 46-1-12  
thru 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, 46-5-25,  
46-5-41 and Board Rules ARSD  
74:02:01:01 thru 74:02:01:15, for  
a permit to appropriate for  
beneficial use .64 cubic feet of  
water per second of time from  
Watson Draw through the Mc-  
Clure Irrigation Project #1, the  
points of diversion which are to  
be located between points in the  
SW 1/4 SE 1/4, Section 15, and in  
the NE 1/4 NW 1/4 of Section 23,  
Twp. 12N, Range 1E. Said water  
to be used for purpose of pro-  
viding irrigation on portions of  
the following described land:  
S 1/4 SE 1/4, Section 15; NW 1/4  
NE 1/4, Section 22 and NW 1/4 NW 1/4,  
Section 23 all in T12N, R1E.

This Application No. 1270-1  
will be considered by the Water  
Management Board at Joe Foss  
Building, Room 216, 523 E.  
Capitol, Pierre, S.D. upon the  
24th day of February, 1983 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 de-  
cision who desires to present  
evidence or cross-examine wit-  
nesses 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 repre-  
sented by a lawyer. These and  
other due process rights will be



WATER RIGHTS DIVISION  
(605) 773-3352

July 27, 1983

Butte County Register of Deeds  
839 5th Avenue  
Belle Fourche, South Dakota 57717

Attention: Paula Walker

Dear Ms. Walker:

Enclosed for your records is a certified copy of Water Right No. 1270-1  
for Jack McClure.

Sincerely,

Genny McMath  
Water Rights Specialist

GM:ms

Enc.

cc: Jack McClure



No. 1270-1

# Department of Water & Natural Resources

Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501

WATER RIGHTS DIVISION  
Phone (605) 773-3352

April 5, 1983

Jack McClure  
Camp Crook Route, Box 40  
Belle Fourche, South Dakota 57717

Dear Mr. McClure:

Enclosed herewith is, Water License No. 1270-1. 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

1270-1  
1271-1

June 7, 1984

NeRoma McClure  
Camp Crook Route, Box 40  
Belle Fourche, South Dakota 57717

Dear Mrs. McClure:

Enclosed are two transfer forms for transferring Water Right Nos. 1270-1 and 1271-1 from Jack McClure to Jack or NeRoma McClure. These are being sent to you in regard to our telephone conversation of June 6, 1984.

Please check over the transfer forms, date, sign before a notary and return them to our office with a required fee of \$2.50 each (total \$5.00). The water rights will then be transferred to the proper names.

If you have any questions, feel free to contact use.

Sincerely,

Genny McMath  
Natural Resources Specialist

GM:ms  
Enc.

*Equal Opportunity Employer*

## NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights  
Foss Building  
Pierre, SD 57501

Date: \_\_\_\_\_

This is to notify you that the title to the lands described as follows:

45 Acres - S $\frac{1}{2}$ SE $\frac{1}{4}$  Section 15; N $\frac{1}{2}$ NE $\frac{1}{4}$  Section 22; N $\frac{1}{2}$ NW $\frac{1}{4}$  Section 23, T12N, R1E.

formerly owned by Jack McClure

has been transferred to Jack or NeRoma McClure, Camp Crook Route, Box 40, Belle Fourche, SD  
(please include complete mailing address) 57717  
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1270-1 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA )  
County of Butte ) ss.

I, Jack McClure being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Jack McClure  
(Signed)

Subscribed and sworn to before me this 8 Day of June, 19 84.

[Signature]  
(Notary Public)

Notary Public, BUTTE COUNTY, S. DAK.  
My Commission Expires OCT. 3, 1984



# RECEIPT

Division of Water Rights

No 4 9683

South Dakota Department of Water and Natural Resources

Pierre, June 11, 1984

RECEIVED OF Jack or NeRoma McClure, Camp Crook Route, Box 40, Belle Fourche, SD 57717  
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. _____                        |       |      |
| Fee for Filing Transfer Form <u>1270-1</u>                                                                                 | 2     | 50   |
| 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 | 2 50 |

By John Hatch  
Chief Engineer JOHN HATCH/ms

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

June 11, 1984

Jack or NeRoma McClure  
Camp Crook Route, Box 40  
Belle Fourche, South Dakota 57717

Dear Mr. & Mrs. McClure:

Enclosed is receipt Nos. 4 9683 in the amount of \$2.50 each, which you  
paid for transfer of Water Right Nos. 4 9684 1270-1 & 1271-1  
both <sup>these</sup> ~~this~~ Water Rights.

Our records now show you <sup>both</sup> as the owners of ~~this~~ Water Rights.

Sincerely,

Genny McMath  
Natural Resources Specialist

GM:ms  
Enc.



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

May 11, 1994

1270-1  
1271-1

Alan Vankley  
HCR 62 Box 40  
Belle Fourche, SD 57717

Dear Mr. Vankley:

I am contacting you in regard to ownership of Water Right Nos. 1270-1 and 1271-1. We were notified by the Division of Conservation, that you had purchased the land from Jack and NeRoma McClure.

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change with each of the water rights. Please review the forms for accuracy and complete where necessary. The forms must be signed in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 for each transfer (total of \$5.00 due).

Once the forms and filing fees are submitted, Water Right Nos. 1270-1 and 1271-1 will be transferred to your name. I have enclosed a copy of the water rights for your review. You may keep these copies for your files.

If you have any questions, please contact me.

Sincerely,

Genny McMath  
Environmental Scientist  
Water Rights Divisions  
(605) 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

July 14, 1994

SECOND NOTICE  
Permit No. 1270-1  
1271-1

Alan Vankley  
HCR 62, Box 40  
Belle Fourche, SD 57717

Dear Mr. Vankley:

On May 11, 1994, notice was sent to you concerning the transfer of Water Right Nos. 1270-1 and 1271-1 in the name of Jack or NeRoma McClure. To date, we have not heard from you on this matter.

Transfer forms were previously sent to you, enclosed are additional forms. Please sign, have notarized and return the forms to this office with the required filing fee of \$2.50 per transfer, a total of \$5.00. The water rights can then be transferred to your name. If you are not the present owner of the land covered under these water rights, please notify this office. It is very important that ownership records be kept current. 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, (605) 773-3352.

Very truly yours,

RON DUVALL  
Natural Resources Engineer  
for John Hatch, Chief Engineer  
Water Rights Division

enclosure

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

1270-1

1271-1

Alan Vankley  
HCR 62, Box 40  
Belle Fourche, SD 57717

4a. Article Number

P 318 052 669

4b. Service Type

- ☐ Registered ☐ Insured  
☒ Certified ☐ COD  
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

7-16-94

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

6. Signature (Agent)

PS Form 3811, December 1991

★U.S. GPO: 1992-323-402

**DOMESTIC RETURN RECEIPT**

Thank you for using Return Receipt Service.

# NOTICE OF TRANSFER OF OWNERSHIP

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



No. 1270-1

Date: 7-26-94

I\We request that Water Right No. 1270-1

formerly owned by: Jack or NeRoma McClure

be transferred to: (name & address) ALAN K + Debbie E. VAN KLEY  
ACR 62 Box 40 Belle Fourche SD 57717 (Telephone No) 605-892-4620

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

45 acres - S½ SE¼, Section 15; N½ NE¼ Section 22; and the N½ NW¼ Section 23, all in T12N, R1E

I\We understand that the validity of Water Right No. 1270-1 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 at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

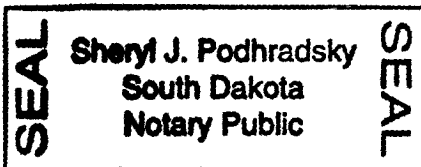
STATE OF SOUTH DAKOTA )

County of Butte )

I\We Alan + Debbie Van Kley being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Alan K. Van Kley Debbie E. Van Kley  
(Signed)

Subscribed and sworn to before me this 26<sup>th</sup> day of July, 19 94.



Sheryl J. Podhradsky  
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. 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.

# RECEIPT

## Division of Water Rights

414245

### South Dakota Department of Environment and Natural Resources

Pierre, \_\_\_\_\_ August 10, 19 94

RECEIVED OF Debbie Van Kley, HCR 62 Box 40, Belle Fourche, SD 57717

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 _____ |       |      |
| 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>Water Right No. 1270-1</u>                                                           | 2     | 50   |
| Fee for Filing Extension Request _____                                                                               |       |      |
| Fee for _____                                                                                                        |       |      |
| _____                                                                                                                |       |      |
| _____                                                                                                                |       |      |
| (Any Other Work Provided by Law)                                                                                     | Total | 2 50 |

By John Hatch  
Chief Engineer



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

August 17, 1994

No. 1270-1  
1271-1

Alan K. and Debbie E. VanKley  
HCR 62, Box 40  
Belle Fourche, SD 57717

Dear Mr. and Ms. VanKley:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 1270-1 and 1271-1.

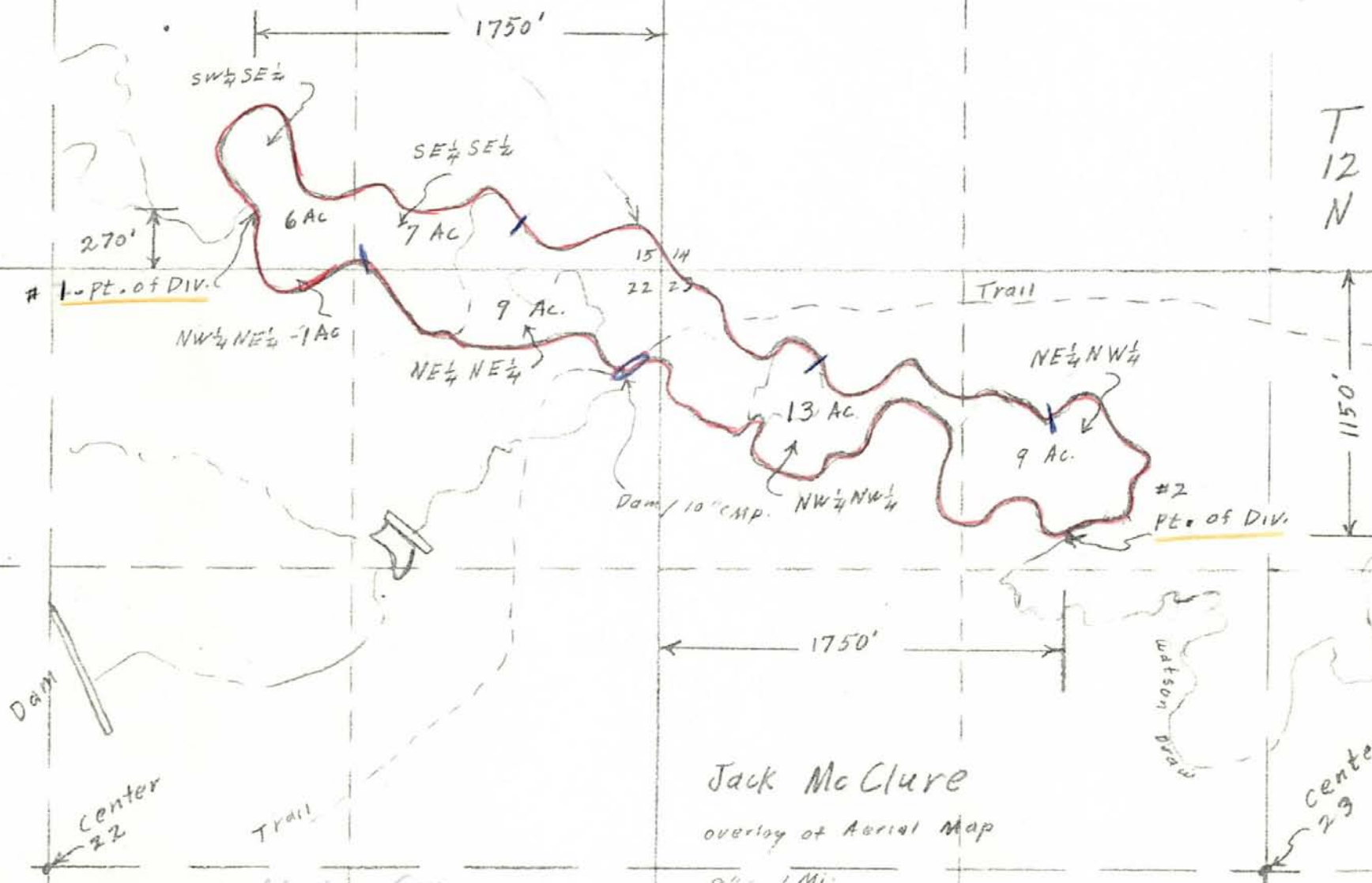
Our records now show you as the owner of Water Right Nos. 1270-1 and 1271-2.

Sincerely,

Cheryl F. Frost  
Secretary  
Water Rights Division  
(605) 773-3352

enclosure

R I E



Jack McClure  
overlay of Aerial Map  
8" = 1 Mi.  
By Leroy J. Mernagh

Office Copy

~~MAR 10 1971~~ APPL NO 1270-1