

1. Considered: 2-24, 19 83 Water Right No. 1271-*
2. Name of Applicant JACK McCLURE
3. Post Office Address CAMP CROOK RT, Box 40, BEULIE FOURCATE
4. Amount of Water Claimed .37 maximum acre feet
5. Source of Water Supply SOUTH INDIAN CREEK
6. Water to be used for IRRIGATION acres to be irrigated 26
7. County BUTTE about 24N 5W miles of Beulie Fourcate
8. PROOF OF PUBLICATION: Received 2-9-83 Not Received _____
- APPLICATION: Approved 2-24-83 Subject to L7
- Not Approved _____ Action Deferred _____

PRIORITY 12-6-82 Dated Received 12-6-82 Application complete-yes ☒ no _____ FEE 150⁰⁰

Remarks _____

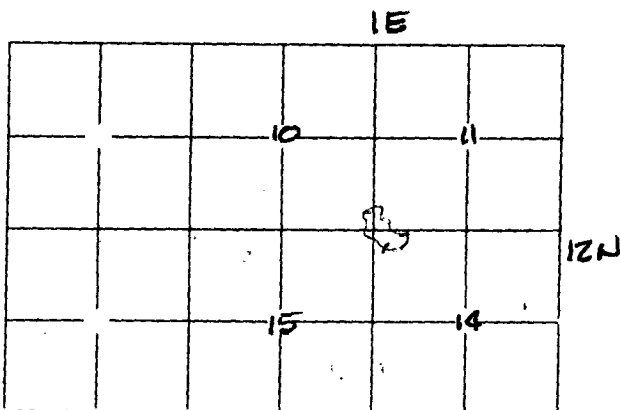
Corrected Application received _____ Period of Annual Use MAR THRU OCT

WATER
QUALITY

Received yes ☒ no _____ APPROVED/CONDITIONAL (Circle one)

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

Disapproved _____ Returned _____



Diversion Point _____

NW¹ NW⁴, SEC 14, T12N, R1E

Land to be irrigated _____

SESE-SEC 10; SW¹ SW⁴, SEC 11;
NE¹ NE⁴, SEC 15; NW¹ NW⁴, SEC 14,
all in T12N, R1E

WELL LOG Driller _____ Licensed - yes _____ no _____

Depth _____

Remarks _____

MAP Map No. 1078-1 Map located in Water Right ☒ Map file _____
 Type of Map Drawn Prepared by Merranagh

+++++

REVIEWED This Application was ^{reviewed}~~received~~ within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:

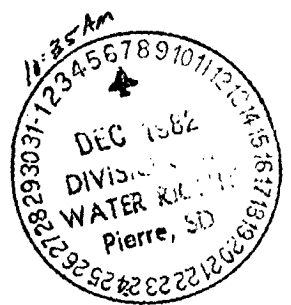
1-17-83

[Signature]
(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. 1271-1Map No. 1078-1 Water Division No. 1 Belle Fourche R 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 #24. Amount of water claimed (cubic feet per second) 0.375. Source of water supply South Indian Creek6. Location of point of diversion Point #1-650'S and 700'E of the NW corner Section 14,
T12N, R1E (NW¼NW¼)County Butte7. 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 26

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.
SE¼ SE¼ Sec 10, T12N, R1E	3
SW¼ SW¼ Sec 11, "	8
NW¼ NW¼ Sec 14, "	14
NE¼ NE¼ Sec 15, "	1

Land Description	No. Acres Irr.

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 SDA. Works proposed to divert water from its natural source.
diversion dams with tubesB. Works proposed to transport water to place of use.
creek channelC. 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
Colby J. Brown
 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. 1271-1

Jack McClure

Camp Crook Rt, Box 40

(Applicant)

Belle Fourche, South Dakota 57717

(Post Office Address)

(State)

With the following qualifications.

Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be by-passed.

Date of first receipt of application 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. 1271-1

The Water Management Board hereby grants and issues this Water Right Permit No. 1271-1 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~~ 19____.
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is ~~completed~~ 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 0.37 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 9th day of March, 1983

THE WATER MANAGEMENT BOARD

By:

Chief Engineer, Water Rights
JOHN HATCH

Certificate of Construction Issued 4-27, 1983

Water License Issued 4-27, 1983

By-
7/25/83

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9059

PIERRE, December 6, 1902

RECEIVED OF Jack McClure, Camp Crook Route, Box #40, Belle Fourche, SD 57712

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

1271-1		
Fee for Application for Permit to Appropriate Water No. (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 Chief Engineer, Executive Officer

JOHN HATCHER

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Division of Conservation

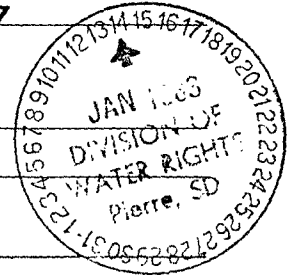
Office Use Only

WR#

OWNERS NAME: Jack McClure OWNERS ADDRESS: Box 40

COUNTY LAND LOCATED IN: Butte PHONE: _____

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
<u>SW 1/4 SW 1/4 11-12-</u>	<u>8</u>	<u>SW SE 15-12-1</u>	<u>7</u>
<u>SE 1/4 SE 1/4 10-12-1</u>	<u>3</u>	<u>NE NE 22-12-1</u>	<u>9</u>
<u>NW 1/4 NW 1/4 14-12-1</u>	<u>14</u>	<u>NW NE 22-12-1</u>	<u>1</u>
<u>NW 1/4 NW 1/4 15-12-1</u>	<u>1</u>	<u>NW NW 23-12-1</u>	<u>13</u>
<u>SE 1/4 SE 1/4 15-12-1</u>	<u>7</u>	<u>NE NW 23-12-1</u>	<u>9</u>

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)

OTHER:

5. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ (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 10⁶): 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. (46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

_____ DAY OF _____, 19_____.

(NOTARY PUBLIC)

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, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

SOIL RESTRICTIONS:

THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:



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.

John M. Stetter
SIGNATURE

1-13-68
DATE

No. 1271-1

Publish first publication, on or before February 3, 1983

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 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 use

0.37 cubic feet of water per second of time from South Indian Creek

through the McClure Irrigation Project #2, the point ~~(s)~~ of diversion which is ~~(are)~~ to be located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 14, Twp. 12N, Range 1E. Said water to be used for purpose of providing irrigation on portions of the following described land:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 10; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 11; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 14 and NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15

all in T12N, R1E

This Application No. 1271-1 will be considered by the Water Management Board at Joe Foss Building
523 E Capitol, Room 216, 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, DWRN, 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

BURTON F JONES ~~XXXXXXXXXXXX~~, Water Rights Specialist

WNR-806-2/82

No. 1271-1

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)

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

Any handicapped person wish-
ing to attend this hearing can con-
tact the Water Rights Division,
DWNRR, Joe Foss Building,
Pierre, S.D. prior to the hearing
date for assistance to assure
access to the hearing.

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

21.82



Public Notice

No. 1271-1

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 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 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15, for a permit to appropriate for beneficial use 0.37 cubic feet of water per second of time from South Indian Creek through the McClure Irrigation Project #2, the point of diversion which is to be located in the NW 1/4 NW 1/4 of Section 14, Twp. 12N, Range 1E. Said water to be used for purpose of providing irrigation on portions of the following described land: SE 1/4 SE 1/4, Section 10; SW 1/4 SW 1/4, Section 11; NW 1/4 NW 1/4, Section 14 and NE 1/4 NE 1/4 Section 15 all in T12N, R1E.

This application No. 1271-1 will be considered by the Water Management Board at Joe Foss Building, 523 E. Capitol, Room 216, 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 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



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

1271-1

March 9, 1983

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

Dear Sir:

Enclosed herewith is your Water Permit No. 1271-1 as approved by the Water Management Board authorizing your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said water Right Permit No. 1271-1.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount, the final papers will be sent to you.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

enclosure

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

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9210

PIERRE, March 28, 1983

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, processing, recording and filing) _____		
Fee for inspecting Construction, and issuing Cert. of Construction No. 1271-1	50	00
Fee for inspecting Beneficial Use, and issuing Water License No. 1271-1		
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)

Permit No. 1271-1Water 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 Crook Rt Box 40
 of Belle Fourche, S.D. 57717 holder
 of Permit No. 1271-1, bearing date of priority of December 6, 1982
 authorizing the diversion of .37 cu. ft. per second of the waters of South Indian Creek
 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:

Diversion Dam - with 2 each 12" Pipes. with boards
for Hedd gates. ; Dam = 7.0' high. 150' Long. 3:1 ss.

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 IrrigateThe system is in the following condition: Good

The point of diversion is located 650 ft South and 700 ft East of the
North west corner of section 14, T 12 N R 1 E

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 T 12 N R 1 E

Section 10 - SE 1/4 SE 1/4 - 3 Ac.
Section 11 - SW 1/4 SW 1/4 - 8 Ac
Section 14 - NW 1/4 NW 1/4 - 14 Ac.
Section 15 - NE 1/4 NE 1/4 - 1 Ac.

comprising a total of 26 acres of land.

$$26 \div 70 = .37$$

License for 0.37 cfs

Date July 24, 1982
LeRoy McManagh
 (Signature)

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1271-1

(1) WHEREAS, On the 6th day of December A. D. 19 82

~~Jack McClure~~

made Water Right Application No. 1271-3 for a permit to use .37 cubic feet per second of the waters

of South Indian Creek

County of Butte, State of South Dakota, for Irrigation

purposes; and

(2) WHEREAS, On the 24th day of February A. D. 1983

Permit No. 1271-1, 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.D. 19____ and for the

application to beneficial use of said water on or before the _____ day of _____, A.D. 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 37 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 10 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 3 Acres (DD)~~

Section 11 SW¹/₄SW¹/₄ 8 Acres (CC)

Section 14 NW1NW1 14 Acres (BB)

Section 15 NE $\frac{1}{4}$ NE $\frac{1}{4}$ 1 Acre (AA)

TOTAL 26 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. 1271-1 a water right, dating from December 6, 1982
_____ to use of .37 cubic feet per second of the waters
of South Indian Creek

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 a point 650' South and 700' East of the
NW Corner of Section 14, T12N, R1E (BB)

and conducted to and upon portions of Section 10, 11, 14 and 15, 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. 1271-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 27th day of April A. D.
Nineteen Hundred and Eighty-Three

WATER MANAGEMENT BOARD

By:

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



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

No. 1271-1

April 27, 1983

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

Dear Mr. McClure:

Enclosed herewith is, Water License No. 1271-1. 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,

A handwritten signature in cursive script that reads "John Hatch".

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:

26 Acres - SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10; SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 11; NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14, NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 15; 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)
together with any rights to the beneficial use of water thereon as evidenced by 57717

Water Right Permit No. 1271-1 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, 1984.

Kenneth L. Schan
(Notary Public)
Notary Public, BUTTE COUNTY, S. DAK.
My Commission Expires OCT. 3, 1984



RECEIPT

Division of Water Rights

No 4 9684

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 1271-1 _____	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 (ins)

SOUTH Dakota Department of
Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

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
4 9684 in the amount of \$2.50 each, which you
paid for transfer of Water Right Nos. 1270-1 & 1271-1.

Our records now show you ^{both} as the owners of ^{these} ~~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

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 1271-1

Date: 7-26-94

I\We request that Water Right No. 1271-1

formerly owned by: Jack or NeRoma McClure

be transferred to: (name & address) ALAN K + Dobbie E. VAN Kley
HC 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:

26 acres - SE 1/4 SE 1/4 Section 10; SW 1/4 SW 1/4 Section 11; NW 1/4 NW 1/4 Section 14; NE 1/4 NE 1/4 Section 15, T12N, R1E

I\We understand that the validity of Water Right No. 1271-1 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.

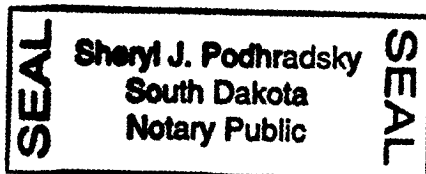
A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Butte)

I Alan K. 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
(Signed)

Subscribed and sworn to before me this 26th 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

414246

Division of Water Rights

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. 1271-1</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John H. H. H. H.
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 1 E

center 11

MAP NO. 1078-1 ADD. NO. 1271-1

T
12
N

SE $\frac{1}{4}$ SE $\frac{1}{4}$
3 AC

SW $\frac{1}{4}$ SW $\frac{1}{4}$
8 AC

Dugout

NW $\frac{1}{4}$ NW $\frac{1}{4}$
14 AC

1 AC

NE $\frac{1}{4}$ NE $\frac{1}{4}$

#1 - Pt. of Div.
Dam.

700'

{ 1- 12" CMP in dam
1- 12" PVC in dam.
covers with board.

Jack. McClure

South Indian Creek

Center 14

Overlay of Aerial map
8" = 1 Mile

by Leroy J. Mernough

R 1 E

center 11

MAP ~~1078-1~~ 1078-1 APPL NO 1271-1

T
12
N

SE $\frac{1}{4}$ SE $\frac{1}{4}$
3 Ac

8 Ac

NW $\frac{1}{4}$ NW $\frac{1}{4}$
14 Ac

10 11
15 14

#1 - Pt. of Div.
Dam

700'

{ 1- 12" CMP in dam
1- 12" PVC in dam.
covers with board.

NW $\frac{1}{4}$ NW $\frac{1}{4}$
BW

Jack. McClure

South Indian Creek

Center 14

Overlay of Aerial map
8" = 1 mile

by Leroy J. Mernagh

Office Copy