

No. 1316-1Map No. 1316-1 Water Division No. 1 District BFAbove for Office Use 10120202

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 Donald McPherson Phone No. 605-347-2269
 Post Office Address Hereford Rt. Box 24, Sturgis State South Dakota 57785
 (Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation N/A

2. Method of accomplishing work (contract, employment of others, or by direct labor) Contract and direct labor3. Name of diversion work Don McPherson Waterspreading project #1 (west)4. Amount of water claimed (cubic feet per second) Maximum useage per runoff - 18.25 Ac. Ft. 1.04 cfs5. Source of water supply Dry-draws which are small tributaries to Alkali Creek.

6. Location of point of diversion See map attached. Point #1 - 860' N and 660' W of the SE corner of Sec. 5 - T4N - R10E; Point #2 - 590' S and 2250' W of the NE corner of Sec. 8 - T4N - R10E.
 County Meade

7. Annual period or periods during which water is to be used March 15 through October 158. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation - Waterspreading9. For irrigation use, Total number of acres to be irrigated 73

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.
SE 1/4 SW 1/4 of Sec. 5 - T4N-R10E	11.9
SW 1/4 SE 1/4 of Sec. 5 - T4N-R10E	9.3
SE 1/4 SE 1/4 of Sec. 5 - T4N-R10E	10.5
NE 1/4 NW 1/4 of Sec. 8 - T4N-R10E	15.9

Land Description	No. Acres Irr.
NW 1/4 NE 1/4 of Sec. 8 T4N-R10E	13.3
NE 1/4 NE 1/4 of Sec. 8 T4N-R10E	11.9

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 45 years. Additional time required to complete application of water to the proposed beneficial use 4 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Meade County Times-Tribune
Sturgis, SD 57785

12. Principal Features of the Proposed Water Supply System.

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

Diversion dikes and ditches

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

Ditches and dikes

C. Works proposed to apply water to beneficial use.

Level-lip ditches and dikesEstimated Total Cost \$ 15,000.00

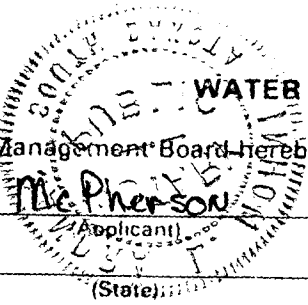
Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (see instructions concerning preparation.)

STATE OF SOUTH DAKOTA)
 County of Meade) ss.

I, Donald McPherson 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 Donald McPhersonSubscribed and sworn to before me this 20th day of August, 1984

Notary Public (or other qualified officer)



WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1316-1

Donald McPherson
Applicant

Hereford RT. Box 24 Sturgis
(Post Office Address)

S. D.
(State)

With the following qualifications

Date of first receipt of application August 23, 1984

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

Date of receipt of corrected application , 19

Approved December 5, 1984, Recorded in Book Page

WATER RIGHT PERMIT NO. 1316-1

The Water Management Board hereby grants and issues this Water Right Permit No. 1316-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is August 23, 1984

2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JUNE 5, 1987

3. The whole of said work is to be completed on or before December 5, 1989

4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is December 5, 1993

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 1.04 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 December 5, 1993; said water to be used during the following described

annual period: March 15 To October 15

Witness my hand this 3rd day of January, 1985

THE WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer, Water Rights JOHN HATCH

Certificate of Construction Issued , 19

Water License Issued , 19

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Division of Conservation

Office Use Only

WR#

OWNERS NAME: Don Hollingsworth OWNERS ADDRESS: Sumner St., Box 74
Sturgis, South Dakota 57701

COUNTY LAND LOCATED IN: Beade PHONE: 605-347-2266

TENANT'S NAME AND ADDRESS: N/A Project 27

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

1. WELL LOCATION: N/A

Depth: N/A

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: Drainage which are small tributaries to Little Creek

Diversion Location: Point #1- 550' E and 550' N of the NE corner of Sec 5-T4S-R10E

Point #2- 390' E and 390' N of the NE corner of Sec 5-T4S-R10E

Legal Description	Acres	Legal Description	Acres
<u>NE 1/4 NW 1/4 of Sec 5-T4S-R10E</u>	<u>11.3</u>	<u>SW 1/8 NE 1/4 of Sec 5-T4S-R10E</u>	<u>15.3</u>
<u>SW 1/4 NE 1/4 of Sec 5-T4S-R10E</u>	<u>5.3</u>	<u>NE 1/4 NE 1/4 of Sec 5-T4S-R10E</u>	<u>11.3</u>
<u>SW 1/4 NE 1/4 of Sec 5-T4S-R10E</u>	<u>10.3</u>		
<u>NE 1/4 NW 1/4 of Sec 5-T4S-R10E</u>	<u>15.3</u>		

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

LEGAL DESCRIPTION: N/A

IN WHAT NAME: N/A

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: Active Grass Waterproof and 1/2

WATER QUALITY (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)	
7. WATER SAMPLE NUMBER: _____	10. ADJUSTED (SAR): _____
8. SALINITY (EC X 10 ⁶): _____	11. PERCENT SODIUM: _____
9. SODIUM (SAR): _____	

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)

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.



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 • Pierre, South Dakota 57501

Phone 605/773-3258

August 24, 1984

Don McPhearson
Hereford Rt, Box 24
Sturgis, SD 57785

Dear Mr. McPhearson:

In reviewing your soil and water compatibility applications for the SE $\frac{1}{4}$ SW $\frac{1}{4}$ 4; SW $\frac{1}{4}$ SE $\frac{1}{4}$ 4-4-10 = 33.3 acres and SE $\frac{1}{4}$ SW $\frac{1}{4}$ 5; SW $\frac{1}{4}$ SE $\frac{1}{4}$ 5; SE $\frac{1}{4}$ SE $\frac{1}{4}$ 5; NE $\frac{1}{4}$ NW $\frac{1}{4}$ 8; NW $\frac{1}{4}$ NE $\frac{1}{4}$ 8; NE $\frac{1}{4}$ NE $\frac{1}{4}$ 8-4-10 = 73.8 acres, the irrigation staff is recommending a Conditional Approval of your applications to the State Conservation Commission at their September 13, 1984 meeting. The Conditional recommendation is based on the clay content of some of the soils, and the water sources are dry draws. The Management Recommendations are as follows:

MANAGEMENT RECOMMENDATIONS:

In a review of the soils of the waterspreading project areas it was noted that the varied soil textures may make spreading water uniformly over large areas very difficult. This difficulty would occur primarily in the Lohmiller, and Glenberg soil channeled (Lh). Should this be a problem, you may wish to reduce the area covered in one spreading operation by dividing it into two or more smaller areas or runs.

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

Sincerely,

Jim Stukel
Irrigation Program Administrator

cf



RECEIPT

Division of Water Rights

No 4 9761

South Dakota Department of Water and Natural Resources

Pierre, September 24, 1984

RECEIVED OF Donald McPherson, Hereford Route, H.C. 75 Box 184, Sturgis, SD 57785
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. 1316-1 to Appropriate Water, to construct works and to put water to beneficial use	75	00
Fee for Application for Permit No. to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No.		
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	75 00

By John Hatch
Chief Engineer JOHN HATCH ms

RECEIPT

Division of Water Rights

No 4 9736

South Dakota Department of Water and Natural Resources

Pierre, August 24, 1984

RECEIVED OF Donald McPherson, Hereford Rt., Box 24, Sturgis, SD 57785

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

Fee for Application for Permit No. <u>1316-1</u> to Appropriate Water, to construct works and to put water to beneficial use _____	150	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
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	150 00

By

Chief Engineer

JOHN HATCH/ms

WATER RIGHTS DIVISION

(605) 773-3352

August 24, 1984

Donald McPherson
Hereford Rt., Box 24
Sturgis, South Dakota 57785

Dear Mr. McPherson:

We are in receipt of your two water permit applications and your \$300.00 filing fee. The filing fee structure for irrigation permits is as follows:

first 60 acres or portion thereof	\$150.00
second 60 acres or portion thereof	\$ 75.00
each additional 60 acres or portion thereof	\$ 25.00

Therefore the filing fees for your two applications are:

Project #1	73 acres	\$225.00
Project #2	33 acres	\$150.00
TOTAL		<u>\$375.00</u>

We will receipt your \$300.00 and hold the applications until we receive the additional \$75.00. If you have any questions please contact this office.

Thank you,

Kevin C. Larson
Natural Resources Engineer

KCL:ms

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION NO. 1316-1, Donald McPherson

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 1316-1, Donald McPherson, Hereford Rt, Box 24, Sturgis SD.

The Chief Engineer is recommending APPROVAL of Application No. 1316-1 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest.

See the attached report for additional information.

A handwritten signature in cursive script, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division
October 11, 1984

REPORT ON APPLICATION NOS.

1316-1 and 1317-1 for Donald McPherson

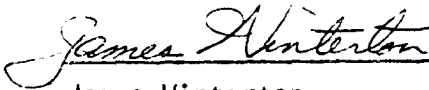
October 4, 1984

Application Nos. 1316-1 and 1317-1 for Donald McPherson are to appropriate water from dry draws for two water spreading systems to irrigate native grass. The dry draws are small tributaries to Alkali Creek. No. 1316-1 proposes to divert 1.04 cfs to irrigate 73 acres in Sections 5 and 8 of T4N, R10E. No. 1317-1 proposes to divert 0.47 cfs to irrigate 33 acres in Section 4 of T4N, R10E.

The applications do not propose any storage. Dikes will be placed in the channel of the dry draw to divert water to a series of ditches for spreading the water during snow melt and spring rains. Excess water will be returned to Alkali Creek. The draws are usually dry during the summer.

Soil and Water Compatibility approval has been received from the State Conservation Commission. All requirements for making application for a water permit have been met.

The review of the proposed works, indicated that the project will not adversely affect existing water rights. The applications can be approved with no qualifications.

A handwritten signature in cursive script, reading "James Winterton", is written over a horizontal line.

James Winterton
Water Resources Engineer

WP or WR No. 1316-1

Instruction to Newspaper - Publish first publication of the following Notice on or before October 17, 1984 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1316-1 to Appropriate Water and/or to Amend Water Permit or Water Rights No. _____

Notice is hereby given that Donald McPherson whose mailing address is Hereford Route, Box 24, Sturgis, South Dakota has made an application for a permit

to appropriate 1.04 cubic feet per second of water from dry draws, which are small tributaries of Alkali Creek. The point of diversion will be located in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5, and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8, both in T4N-R10E. The water is to be used to irrigate 73 acres of land located in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 5; NE $\frac{1}{4}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 8 all in T4N-R10E.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends APPROVAL of Application No. 1316-1 because 1) unappropriated water is available, 2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and 4) is in the public interest.

This application will be considered by the Water Management Board at Joe Foss Building, Room 216, 523 E. Capitol, Pierre, South Dakota, December 5, 1984 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to make a determination on this application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by November 23, 1984. The petition may be informal, but it must include a statement describing the petitioners interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; (ground) ~~46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14; (future use) 46-5-38 thru 46-5-40; (transfer lands) 46-5-30.1, 46-5-33 thru 46-5-35; (10,000 AFA) 46-5-20.1, 46-5-8.1; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25; (10,000 AFA) 74:02:01:15:02 thru 74:02:01:15:05.~~

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNR, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by November 23, 1984.

South Dakota Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

1316-1

January 3, 1985

Donald McPherson
Hereford Route, Box 24
Sturgis, South Dakota 57785

Dear Mr. McPherson:

Enclosed herewith is your Water Permit No. 1316-1 as approved by the Water Management Board authorizing you to construct your water diversion system and the water to beneficial use, not exceeding the limits as specified in said Water Permit No. 1316-1.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that your Water License may be issued to you, thus completing your acquisition of a Water Right.

Very truly yours

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

enclosure

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period-i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

WNR-809-5/83

**SOUTH Dakota Department of
Water & Natural Resources**

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

March 15, 1989

1316-1
1317-1

Donald McPherson
HC 75, Box 184
Sturgis SD 57785

Dear Mr. McPherson:

I am writing in response to your recent letter in which you inquired about issuance of Water License No. 1317-1. You have met all the requirements and paid the necessary fees. The intervening time between your payment of the \$50.00 fee and the actual issuance of Water License No. 1317-1, has no bearing on your permit.

Water Permit No. 1316-1, listed in your name, was inspected for licensing purposes at the same time as Permit No. 1317-1. However, a review of the file found we neglected to bill you for the \$50.00 due for inspection and issuance of Water License No. 1316-1.

Please remit a fee of \$50.00 for inspection and issuance of Water License No. 1316-1. The water license for Permit No. 1317-1 will be written up and sent to you in the near future.

If you have any questions, please contact me.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
605 773-3352



Department of Water & Natural Resources

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

August 8, 1989

SECOND NOTICE

Permit No. 1316-1

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Donald McPherson
HC 75 Box 184
Sturgis, SD 57785

Dear Mr. McPherson:

March 15, 1989 you were notified the final inspection fee of \$50.00 is due before Water License No. 1316-1 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

Delvin D Brosz, PE
Hydrologist
for John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352



● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.

3. Article Addressed to:

Donald McPherson
HC 75, Box 184
Sturgis SD 57785

4. Article Number

P 501 738 934

Type of Service:

☒ Registered
☐ Certified
☐ Express Mail

☐ Insured
☐ COD

Always obtain signature of addressee or agent and **DATE DELIVERED**.

5. Signature - Addressee

X *Cheryl Cross*

6. Signature - Agent

X

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

No fee paid

7. Date of Delivery

FEB 14 1995

PS Form 3811, Feb. 1994

DOMESTIC RETURN RECEIPT

RECEIPT

411890

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, August 24, 19 89

RECEIVED OF Seven Cross Ranch, Inc., HC 75 Box 184, Sturgis, SD 57785
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. <u>1316-1</u>	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 John Hatch
Chief Engineer

Aug. 23, 1989

March 15, 1989 we received a letter stating our water license for permit No 1317-1 would be written up and sent us in the near future.

So far we have never received any more word or a license on it.

Enclosed is \$50 for Permit No. 1316-1. Perhaps you might write and send them at the same time.

Very truly yours,
Donald McSherson

R 10E

5

4

Alkali Creek

2100'

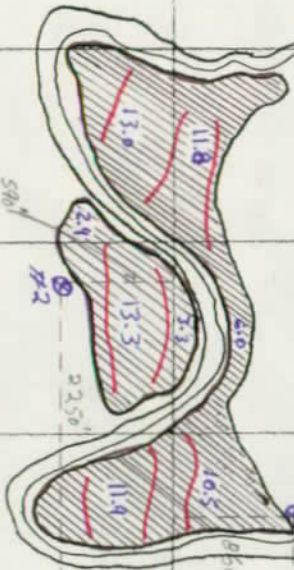
N

T4N

6.5
7.8

5.4
8.9

4.3
9.10



1316-1

1317-1

Land being irrigated
Diversification Points
Dikes

North

Natural Resources Group

10/7/88

Water District

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

I have this day made a thorough examination of the water use system constructed by Donald McPherson
_____ of Hereford Rt. Box 24, Sturgis, S.D. holder of
57785
Permit No. 1316-1, bearing the priority of August 23 1984 authorizing
the diversion of 1.04 cu. ft. per second of the waters of Dry Draws, tributaries to Alkali Creek
for irrigation purposes, in Meade County.

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

A. Works used to divert the water: A total of 8 dykes are used to catch and spread water on the field.

B. Works used to transport water to place of use: Total length of the dykes: approximately 1 mile, with heights of 2-5 feet.

C. Works used to apply water to beneficial use:

Gravity system of irrigation

The system is in the following condition good

The point of diversion is located #1: 860 feet north, 660 feet west from the Southeast corner of
Section 5. #2: 2250 feet west, 590 feet south from the Northeast corner of Section 8,
T4N-R10E

The works are capable of diverting and conveying to the place of use 1.04⁺
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 T4N-R10E

Section 5 _____ Section 8 _____

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 11.8 ac NE $\frac{1}{4}$ NW $\frac{1}{4}$ 15.9 ac

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 9.3 ac NE $\frac{1}{4}$ NE $\frac{1}{4}$ 11.9 ac

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 10.5 ac NW $\frac{1}{4}$ NE $\frac{1}{4}$ 13.3 ac

comprising a total of 72.7 acres of land and the license should be issued for 1.04 cfs

Applicable permit qualifications have been complied with X Yes No

Exceptions to compliance are: _____ Date 9/12/88

(signature)

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 1316-1

(1) Donald McPherson of HC 75, Box 184, Sturgis SD made Application No. 1316-1, August 23, 1984 for a water permit to appropriate 1.04 cubic feet of water per second from dry draws (tributaries to Alkali Creek), Meade County, South Dakota for irrigation purposes. Permit No. 1316-1 with a priority date of August 23, 1984 was approved December 5, 1984 and issued to applicant(s) for diversion of water with construction of the described water supply system to be completed on or before December 5, 1989 and for the application to beneficial use of said water on or before December 5, 1993.

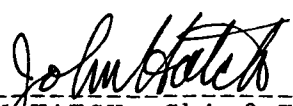
(2) It is certified that the applicant has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.04 cubic feet of water per second for beneficial use. The location of the diversion points are: 1) 860 feet North and 660 feet West of the SE corner of Section 5, 2) 2250 feet West and 590 feet South of the NE corner of Section 8, T4N, R10E.

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

T4N, R10E Section 5	SE 1/4 SW 1/4	11.8	acres
	SW 1/4 SE 1/4	9.3	"
	SE 1/4 SE 1/4	10.5	"
Section 8	NE 1/4 NW 1/4	15.9	"
	NE 1/4 NE 1/4	11.9	"
	NW 1/4 NE 1/4	13.3	"

TOTAL 72.7 acres

(4) Pursuant to Section 46-5-30.1 Donald McPherson of HC 75, Box 184, Sturgis SD 57785 the holder(s) and/or owner(s) of Water Permit No. 1316-1 is issued a license to appropriate water, the right to use 1.04 cubic feet of water per second from dry draws (tributaries to Alkali Creek) with a priority date of August 23, 1984 from the location specified in (2) of this license. The water is 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. 1316-1 and subject to South Dakota State Law.



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

SEP 14 1989



Department of Water & Natural Resources

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

SEP 14 1989

Donald McPherson
HC 75, Box 184
Sturgis SD 57785

Dear Mr. McPherson:

Enclosed is Water License No. 1316-1. This is the final water right document completing your process of obtaining a water right.

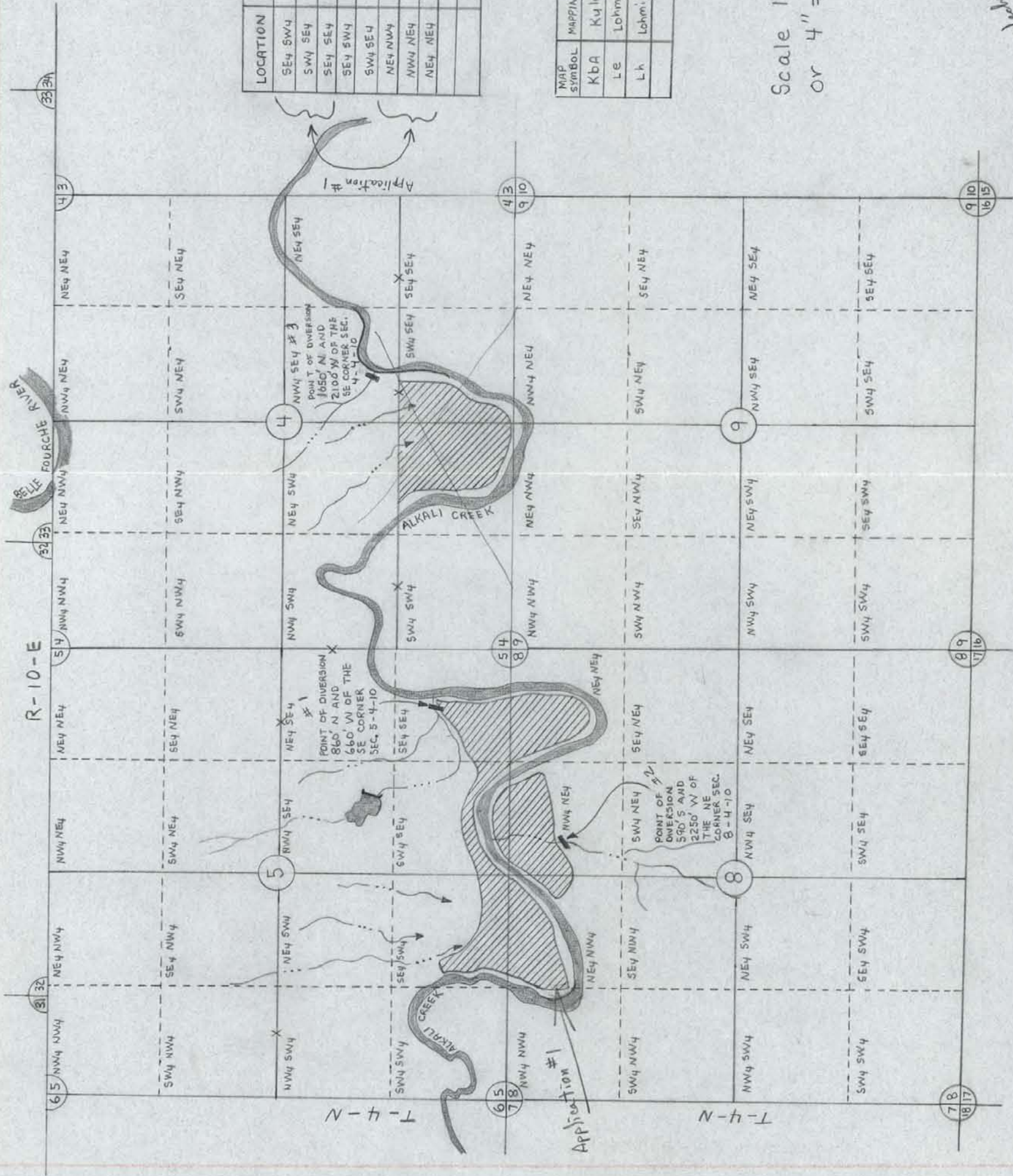
As long as you use the water beneficially, as stated in the Water License, the State Water Law provides that you have a continuing right to use the water.

Very truly yours,

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

enclosures





LOCATION	SECTION	TOWNSHIP	RANGE	ACERS
SE4 SW4	5	4	10	11.9
SW4 SE4	5	4	10	9.3
SE4 SE4	5	4	10	10.5
SE4 SW4	4	4	10	22.0
SW4 SE4	4	4	10	11.3
NE4 NW4	8	4	10	15.9
NW4 NE4	8	4	10	13.3
NE4 NE4	8	4	10	11.9
Total				106.0

MAP SYMBOL	MAPPING UNIT NAME	SLOPE	CAPABILITY UNIT	EROSION GROUP
KbA	Kyle Clay	0-2%	IVs-3	I
Le	Lohmiller silty clay loam	0-2%	IIIc-2	II
Lh	Lohmiller & Glenberg	0-2%	IIIw-1	II & 22

Scale 1" = 1320'
or 4" = 1 mile

Checked Don Miller's survey

DON McPHERSON
WATER RIGHT MAP
MEADE CO. S. DAK

APPLICATION #1
(West - 73 acres)

DRAWN: GERALD T MILLER
SOIL CONS. TECHNICIAN

1316-1