

#1
Considered: _____

WATER PERMIT NO. 1316-1

MAP No. 1316-1

Name of Applicant Donald McPherson

Post Office Address Hereford Rt. Box 24, Sturgis 57785

Amount of Water Claimed 1.04 Total Acres 73.00

Source of Water Supply Dry Draws which are small tributaries to Alkali Creek

Water to be used for IRR County Meade

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received OCT. 22, 1984 Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F.& C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received Aug 23, 1984 Fee 225.00 Remarks _____

8-23-84

Corrected Application Received 9/24/84 ^{ADD'L Fee} Period of Annual Use 3/15 thru 10/15

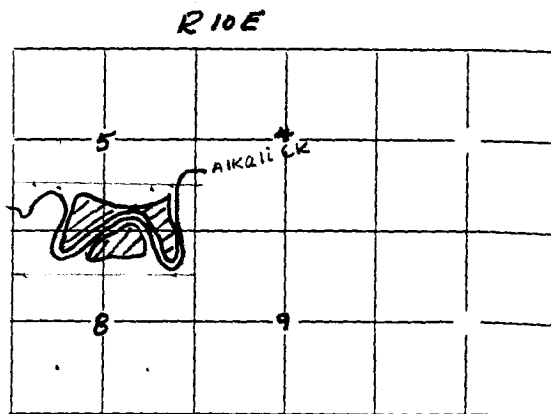
WATER QUALITY APPROVAL RECEIVED 9-17-84 APPROVED CONDITIONAL (Circle one)

WI-1 Description same as Application YES X NO _____ REMARKS _____

Diversion Point Dry draws #1 located in the
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5 and #2 located in the

NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8 both in T4N R10E

Land to be Irrigated SE $\frac{1}{4}$ SW $\frac{1}{4}$ & 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



Well Log: Driller _____ Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map _____ PREPARED BY Darrell Vig SCS Reviewed and the Number _____

assigned on Sept. 24, 1984

By Betty Westlund
BETTY WESTLUND NRA III

cc-nelson

#2
Considered: _____

WATER PERMIT NO. 1317-1

MAP No. 1317-1

Name of Applicant donald mc pherson

Post Office Address Hereford Rt. Box 24, Sturgis 57785

Amount of Water Claimed 0.47 Total Acres 33

Source of Water Supply dry draws small tributaries to Alkali Creek

Water to be used for IRR WS County Meade

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received Oct 22, 1984 Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received 8/23/84 Fee 150.00 Remarks _____
8/23/84

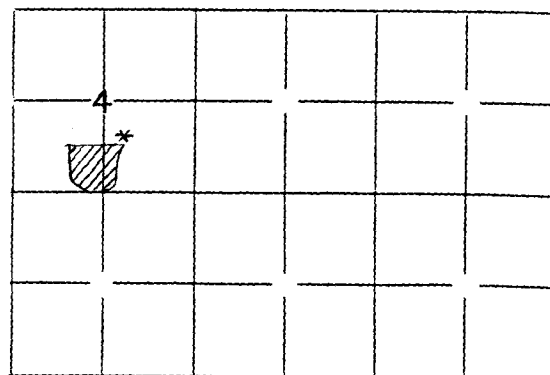
Corrected Application Received _____ Period of Annual Use 03/15 thru 10/15

WATER QUALITY APPROVAL RECEIVED 9-17-84 APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES ☒ NO _____ REMARKS _____

Diversion Point _____
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4-T4N-R10E

Land to be Irrigated _____
SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4-T4N-R10E



Well Log: Driller _____ Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map Drawn PREPARED BY Darrell Vig DC-SCS Reviewed and the Number _____

assigned on Sept 24, 1984 By Betty Westlund
BETTY WESTLUND NRA III

cc Nelson



No. 1317-1
 Map No. 1317-1 Water Division No. 1 BE District
 Above for Office Use 10120202

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

Check one of the following:

New X 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 #2 (east)4. Amount of water claimed (cubic feet per second) Maximum useage per runoff - 8.25 ac. ft. .4115. Source of water supply Dry-draws which are small tributaries to Alkali Creek.

6. Location of point of diversion See map attached, Point #3 1650' N and 2100' W of the SE
corner Sec. 4 - T4N - R10E NWSE

County Meade7. 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 33

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 $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 4 - T4N - R10E	22.0
SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 4 - T4N - R10E	11.3

Land Description	No. Acres Irr.

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 Bx 69

12. Principal Features of the Proposed Water Supply System.

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

Diversion dike and ditches.

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

Ditches.

C. Works proposed to apply water to beneficial use.

Level-lip ditches.

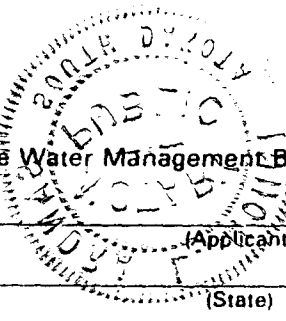
Estimated Total Cost \$ 6,600.00

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)
) ss.
 County of Meade)

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 McPherson
20th day of August, 1984
Sandra S. McPherson
 Notary Public (or other qualified officer)



WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1317-1
Donald McPherson Hereford RT. Box 24 Sturgis
(Applicant) (Post Office Address)
S.D. With the following qualifications.
(State)

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. 1317-1

The Water Management Board hereby grants and issues this Water Right Permit No. 1317-1 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 0.47 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____

Locations of Diversion Points for Permit Nos.1316-1 and 1317-1

#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.

#3: 2100 feet west, 1650 feet north from the Southeast corner of Section 4.

All in T4N-R10E.

See also the map.

RECEIPT

Division of Water Rights

No 4 9737

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>1317-1</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 John Hatch
Chief Engineer JOHN HATCH (ms)

#4108 4100

CONDITIONAL APPROVALSOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATION

NAME OF APPLICANT: Don McPhearson

LEGAL DESCRIPTION: SE $\frac{1}{4}$ SW $\frac{1}{4}$ 4; SW $\frac{1}{4}$ SE $\frac{1}{4}$ 4-4-10 = 33.3 acres - #4108
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 - #4108

SOIL RESTRICTIONS:THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:RECOMMENDED MANAGEMENT:

In a review of the soils of the waterspreading project areas it was noted that the mixed 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 small areas or runs.

Don McPhearson
SIGNATURE9-13-84
DATE

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Division of Conservation

Office Use Only

WR#

OWNERS NAME: Don McPhersonOWNERS ADDRESS Harford St., Box 74
Sturgis, South Dakota 57783COUNTY LAND LOCATED IN: MeadePHONE: 605-347-2269TENANT'S NAME AND ADDRESS: N/A

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

1. WELL LOCATION N/A

Depth _____

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: Big Horn which are small tributaries to Alkali CreekDiversion Location: Point #3- 1650' N and 2100' W of the SE corner Sec 4-74E-210E

Legal Description	Acres	Legal Description	Acres
<u>SE1/4 SW1/4 of Sec 4-74E-210E</u>	<u>22.0</u>		
<u>SW1/4 SE1/4 of Sec 4-74E-210E</u>	<u>11.5</u>		

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

LEGAL DESCRIPTION: N/AIN WHAT NAME: N/A4. 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: water spreading6. CROPS TO BE IRRIGATED: Native grass

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

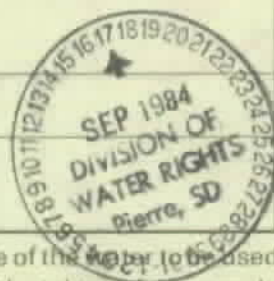
7. WATER SAMPLE NUMBER: _____

10. ADJUSTED (SAR): _____

8. SALINITY (EC X 10⁶): _____

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.

WP or WR No. 1317-1

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

NOTICE OF HEARING on Application No. 1317-1 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 0.47 cubic feet per second of water from dry draws, which are small tributaries to Alkali Creek. The point of diversion will be located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4-T4N-R10E. The water will be used to irrigate 33 acres of land located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4, T4N-R10E.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends

APPROVAL of Application No. 1317-1 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) 46-5-30.4, 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.

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Meade) ss.

Jackie Allison hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Meade County Times

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 Sturgis

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

October 17, 1984
October 24, 1984

Jackie Allison
(Signature)

Billing Clerk
(Title)

October 17, 1984
(Date Signed)

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
24, 1984.

Publ. Oct. 17 and 24, 1984
Meade County Times-Tribune



NOTICE OF HEARING
On Application No. 1317-1
to Appropriate Water

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 0.47 cubic feet
per second of water from dry draws,
which are small tributaries to Alkali
Creek. The point of diversion will be
located in the NW 1/4 SE 1/4, Section 4-
T4N-R10E. The water will be used to
irrigate 33 acres of land located in the
SE 1/4 SW 1/4 and SW 1/4 SE 1/4, Section 4,
T4N-R10E.

Pursuant to SDCL 46-2A-2 the Chief
Engineer of the Water Rights Division
recommends APPROVAL of
Application No. 1317-1 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 a.m.

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.

The 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 46-5-10,
46-5-24, 46-5-25, 46-5-30.2, 46-5-31, 46-2A-1
thru 46-2A-10, 46-2A-12; and Board
Rules ARSD 74:02:01:01 thru
74:02:01:15.

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.

REPORT ON APPLICATION NOS.
1316-1 and 1317-1 for Donald McPherson

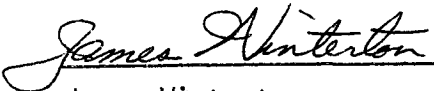
October 4, 1984

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.


James Winterton
Water Resources Engineer

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT

APPLICATION NO. 1317-1, 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. 1317-1, Donald McPherson, Hereford Rt, Box 24, Sturgis SD.

The Chief Engineer is recommending APPROVAL of Application No. 1317-1 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 that attached report for additional information.

A handwritten signature in cursive script, reading "John Hatch".

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



Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

1317-1

January 3, 1985

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

Dear Mr. McPherson:

Enclosed herewith is your Water Permit No. 1317-1 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. 1317-1.

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,

A handwritten signature in cursive script that reads "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



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1317-1

November 16, 1988

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

Dear Mr. McPherson:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 1317-1 has been completed. Your final water right document, the Water License, can now be issued.

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

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

Sincerely,

Maxine Stirling
Secretary

NOTE: On check or money order, please indicate the number of the water permit. This insures proper handling of the fee.

21C 75 Box 184
Sturgis, S.D. 57785

Dept. of Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, S.D. 57501



Dear Sue:

Enclosed is a copy of our cancelled check sent you Dec. 27, 1988, for our Water Right No. 1317-1.

In a letter of Nov 16, 1988, you stated, "Upon receipt of the \$50 fee from you, your Water License will be sent to you."

As of today we haven't heard any word from your office.

Please notify us of the problem.
Thank you.

Sincerely,
Hon. Ed Person

SEVEN CROSS RANCH, INC.

935

HC-75 BOX 384
STURGIS, SD 57785

11-27-88 1988 78-666/914

PAY TO THE
ORDER OF

S.D. of Dept. of Water Resources
Fifty and 00/100

\$ 50.00

DOLLARS

**FIRST WESTERN
BANK**

1200 MAIN STREET, STURGIS, SD 57785

MEMO

Permit No. 1317-1

Donald M. Phelan

⑆091406668⑆ ⑈585360⑈ 0935

⑈0000005000⑈



ENDORSE HERE

X

FOR DEPOSIT ONLY
DEPT. OF WATER &
NATURAL RESOURCES

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE

RESERVED FOR DEPARTMENT OF WATER & NATURAL RESOURCES

SD ST. TREASURER
⑆091409348⑆

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FEDERAL RESERVE BOARD OF GOVERNORS REG. CC

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

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411574

Pierre, _____, January 4, _____, 19 ⁸⁸~~89~~

RECEIVED OF Donald McPherson, Seven Cross Ranch, Inc., ^{HC}~~Box~~ 75, Box 184, Sturgis SD 57705

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>1317-1</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 /KS

Water District

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

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. 1317-1, bearing the priority of August 23 1984 authorizing
the diversion of 0.47 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 3 dykes are used to catch and spread water on the field. Total length of the dykes approximately 1760 feet. Height: 2-5 feet.

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

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 #3: 2100 feet west, 1650 feet north from the Southeast corner
of Section 4, T4N-R10E.

The works are capable of diverting and conveying to the place of use 0.47⁺
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 4

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 22.0 ac

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 11.3 ac

comprising a total of 33.3 acres of land and the license should be issued for 0.47 cfs

Applicable permit qualifications have been complied with X Yes No

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

(signature)

RioE

5

4

1 3
9 10

5 4
8 9

6 5
7 8

T4N

Alkali Creek

2100'

1650'

#3

#1

610'

850'

105'

119'

2350'

#2

211'

133'

118'

139'

1316-1

1317-1

- Land being irrigated
- Driveway Points
- Dikes

North
Natural Resources Group
10/7/88

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 1317-1

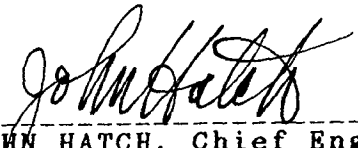
(1) Donald McPherson of HC 75, Box 184, Sturgis, SD 57785 made Application No. 1317-1, August 23, 1984 for a water permit to appropriate 0.47 cubic feet of water per second from dry draws (tributaries to Alkali Creek), Meade County, South Dakota for irrigation purposes. Permit No. 1317-1 with a priority 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 0.47 cubic feet of water per second for beneficial use. The location of the diversion point is: 2100 feet west and 1650 feet north of the SE corner of Section 4, T4N, R10E (NW1/4 SE1/4).

(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 4	SE1/4 SW1/4	22.0 acres
	SW1/4 SE1/4	11.3 acres
	Total	33.3 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. 1317-1 is issued a license to appropriate water, the right to use 0.47 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. 1317-1 and subject to South Dakota State Law.



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

AUG 25 1989

 **Department of
Water & Natural Resources**

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

1317-1

AUG 25 1989

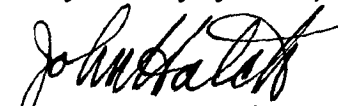
Donald McPherson
HC 75, Box 184
Sturgis, SD 57785

Dear Mr. McPherson:

Enclosed is Water License No. 1317-1. This is the final water right document completing your process of obtaining a water right. Enclosed is Receipt No. 411574 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

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

Very truly yours,



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

enclosures

