

STATE OF SOUTH DAKOTA,  
COUNTY OF HUGHES.

I hereby certify that the within and foregoing instrument is a true, correct and complete transcript of the instrument which it purports to be, as the same was filed for record in the office of the State Engineer.

Witness my hand and official seal, done at my office in Pierre, State of South Dakota,

this 7th day of July, 1917.  
Homor M. Derr  
State Engineer.

No. 135

Division No. 1

Belle Fourche Water District.

PERMIT

to appropriate water from

Owl Creek

Butte County, South Dakota.

Name of applicant

E. Sorenson -

Name of diversion works

Sorenson Pumping Project

South Diversion

Date of first receipt at office of State Engineer

May 3, 1917.

Returned to applicant for Correction

1917.

Corrected application received

1917.

Date of water right

May 3, 1917.

Recorded in Book 2 Page 314 & 315

One-fifth of work to be completed

January 9, 1920

Whole work to be completed

July 9, 1922

Final proof of use of water

July 9, 1922.

Approved

July 9, 1917.

Homor M. Derr.

State Engineer.

No. 135

Water Division No. 1 Belle Fourche Water District.

(Checks to be filled by the State Engineer.)

Copy

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

(NOTE—Draw a line through items not applicable.)

1. N DAVID CARR  
Hidden Timber Rt  
Poste Valentine NE 59201 Butte State South Dakota.

I. If a corporation:

- (a) Name of same  
(b) Date and place of incorporation  
(c) Amount of capital stock  
(d) Amount paid in  
(e) Names and addresses of directors:

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing the work. (Whether by contract, employment of others, or by direct labor) Direct labor and employment of others.  
(b) Cash on hand, \$ (c) Treasury stock, \$  
(d) Bonds to be issued, \$ (e) Other resources, \$

2. Name of diversion work: Sorenson Pumping Project, South Diversion.

3. Quantity of water claimed: four (4) cubic feet per second.

4. Source of water supply: Owl Creek

5. Location of point of diversion: From the C. C. Section four and five T 8 N.,

R 5 E. N 61° 30' W 3177.6 feet

cu. ft. right bank.  
(All at a 1-ft bank looking down stream.)

6. Annual periods during which water is to be used: April 1st to Nov. 1st.

7. To be used for:

I. Irrigation or domestic use:

(a) Number of acres to be irrigated: 220 acres.

(b) Land subdivisions to be irrigated:

|               |         |            |           |
|---------------|---------|------------|-----------|
| SW 1/4 NE 1/4 | Sec. 32 | T. 9, R. 5 | 5 acres   |
| NW 1/4 SE 1/4 | " 32    | " 9 " 5    | 36 "      |
| SW 1/4 SE 1/4 | " 32    | " 9 " 5    | 40 "      |
| NE 1/4 SE 1/4 | " 32    | " 9 " 5    | 27 "      |
| SE 1/4 SE 1/4 | " 32    | " 9 " 5    | 40 "      |
| NW 1/4 SW 1/4 | " 33    | " 9 " 5    | 30 "      |
| SW 1/4 SW 1/4 | " 33    | " 9 " 5    | 22 "      |
| NW 1/4 NW 1/4 | " 4     | " 8 " 5    | 20 "      |
| Total         |         |            | 220 acres |

8. Estimated cost of works:
- (a) Flood gates, \$ 400.00 (b) Pumping plant, \$ 900.00
- (c) Fluming, \$ 175.00 (d) Canal-earth, \$ 400.00 Rock, \$
- (e) Other structures \$ Total, \$ 1450.00

9. Description of diversion works:

1. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

**Timber and rock dam to store water for pumping.**

2. Dimensions of works:

(a) Dam: Height four (4) feet; length at bottom ten (10) feet; length at top twenty (20) feet; thickness at bottom sixteen (16) feet; thickness at top one (1) feet; slope of front (water) face; slope of back face; material used in construction **Timber and Rock**

(b) Reservoir: Capacity when filled \_\_\_\_\_ acre feet. Surface area at highwater mark \_\_\_\_\_ acres.

| DEPTH AT<br>OUTLET—FEET | SURFACE AREA AT EACH _____ FEET OF<br>DEPTH AT OUTLET—ACRES | CAPACITY<br>ACRE-Feet |
|-------------------------|-------------------------------------------------------------|-----------------------|
|                         |                                                             |                       |
|                         |                                                             |                       |
|                         |                                                             |                       |
|                         |                                                             |                       |
|                         |                                                             |                       |
|                         |                                                             |                       |
|                         |                                                             |                       |

(c) Head gate: Width \_\_\_\_\_ feet: height \_\_\_\_\_ feet;

Material \_\_\_\_\_

(d) Canal: Total length one (1) miles.

| LOCATION BELOW<br>HEADGATE                                                   | DEPTH | BOTTOM WIDTH | WIDTH AT<br>WATER LINE | GRADE PER MILE  |
|------------------------------------------------------------------------------|-------|--------------|------------------------|-----------------|
| At _____ Mile <u>one (1)</u> feet <u>three (3)</u> feet <u>five (5)</u> feet |       |              |                        | <u>5.3</u> feet |
| At <u>1</u> Mile <u>9 inches</u> <u>two (2)</u> feet <u>four (4)</u> feet    |       |              |                        | <u>5.3</u> feet |
| At _____ Mile _____ feet _____ feet                                          |       |              |                        |                 |
| At _____ Mile _____ feet _____ feet                                          |       |              |                        |                 |
| At _____ Mile _____ feet _____ feet                                          |       |              |                        |                 |

(Give dimensions where reductions in size are made.)

10. Time required for completion of work five (5) years.
11. Time required for complete application of water to the proposed beneficial use five (5) years.
12. Choice of newspaper for publication of notice of intention to appropriate \_\_\_\_\_

**Butte County Press, Nisland, South Dakota.**

STATE OF SOUTH DAKOTA,  
County of Butte ss.

I, Hans Sorenson, being first duly sworn  
on my oath depose and say: That my relation to the above described undertaking is that of \_\_\_\_\_  
**Owner**

(Owner, manager, engineer.)

\_\_\_\_\_, that I have read the above and  
foregoing statement, and examined the map accompanying the same, and that I know of my own personal  
knowledge that the matters therein stated and shown are true.

Signed Hans Sorenson

Subscribed and sworn to before me this 24th day of April 1917.

( S E A L )

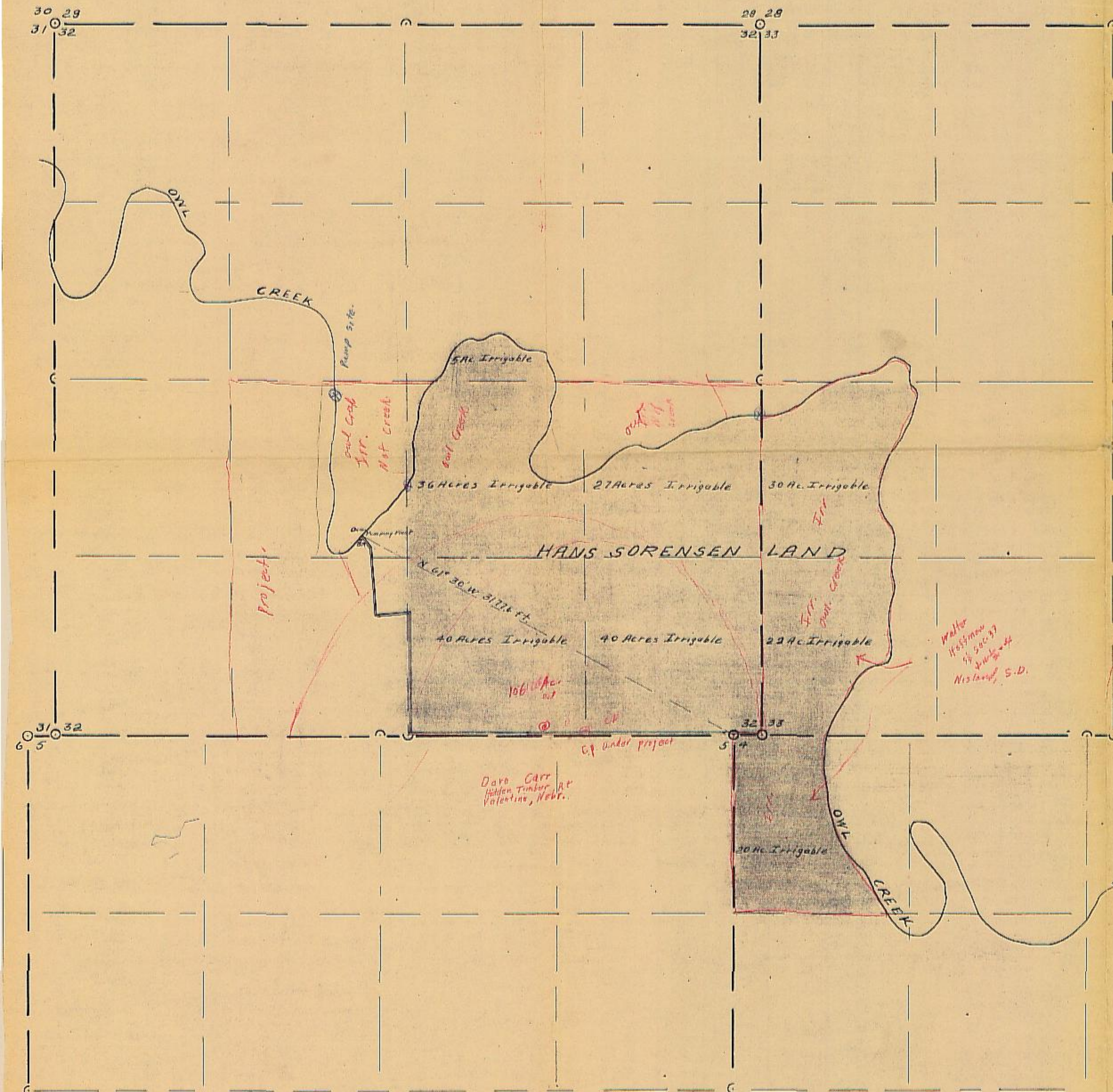
O. H. Juckett

Notary Public (or other qualified officer.)

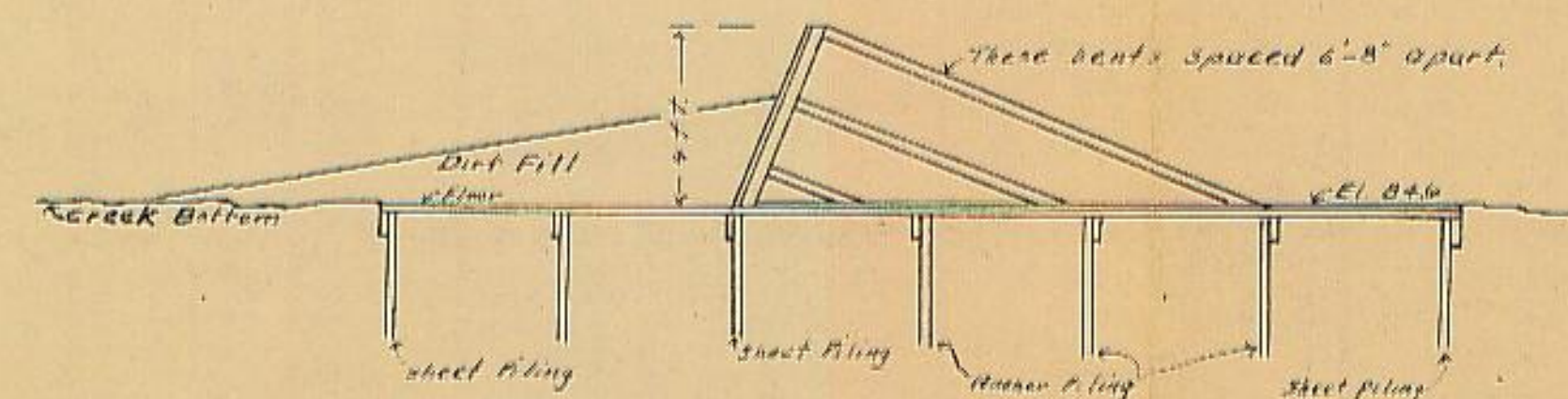
My Commission expires Oct. 31, 1920.

**MAP OF  
SORENSEN PUMPING PROJECT, SOUTH DIVERSION.  
Section 32, T 9 N, R 5 E, Butte Co. S.D.  
Scale 1" = 500'**

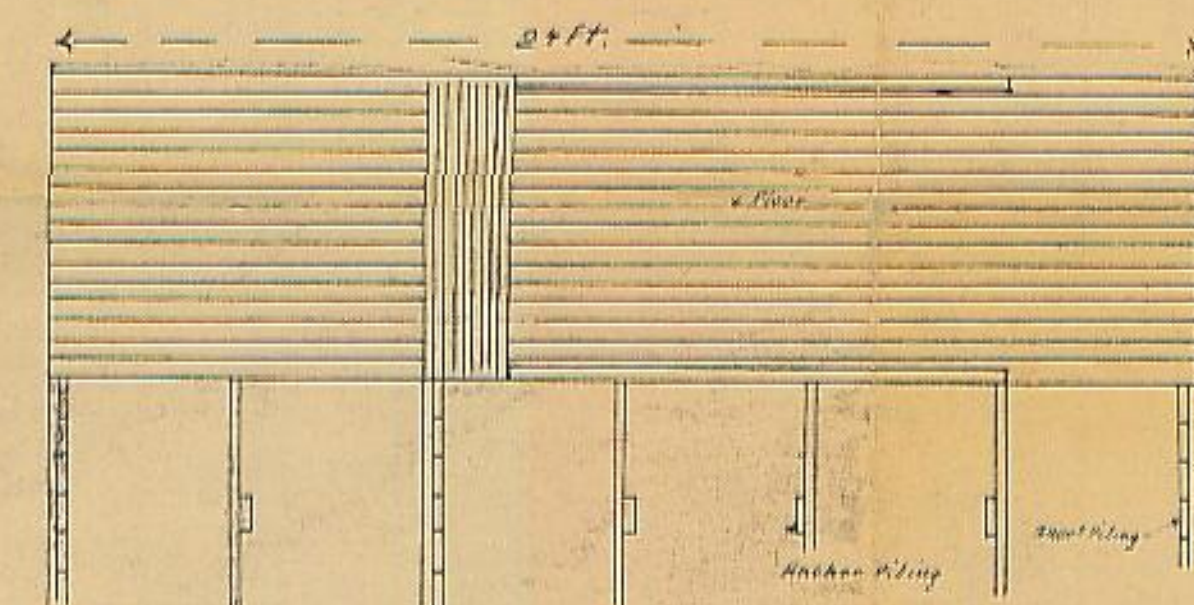
The source of water supply is Owl Creek, a running stream which has a continuous flow of water throughout the year. A timber dam is to be built raising the water level four feet above the creek bottom. From this dam water will be pumped into a flume 18.5 ft. higher than the top of dam. This flume is at the head of the South Canal which is to be one mile in length. All land crossed by this canal is owned by Mr. Hans Sorensen. Land to be irrigated is as shown on the map and is all owned by Mr. Hans Sorensen. Bench Mark has an assumed elevation of 100. and is a nail in a tree at the upper end of flume. Total irrigable area 220 Acres.



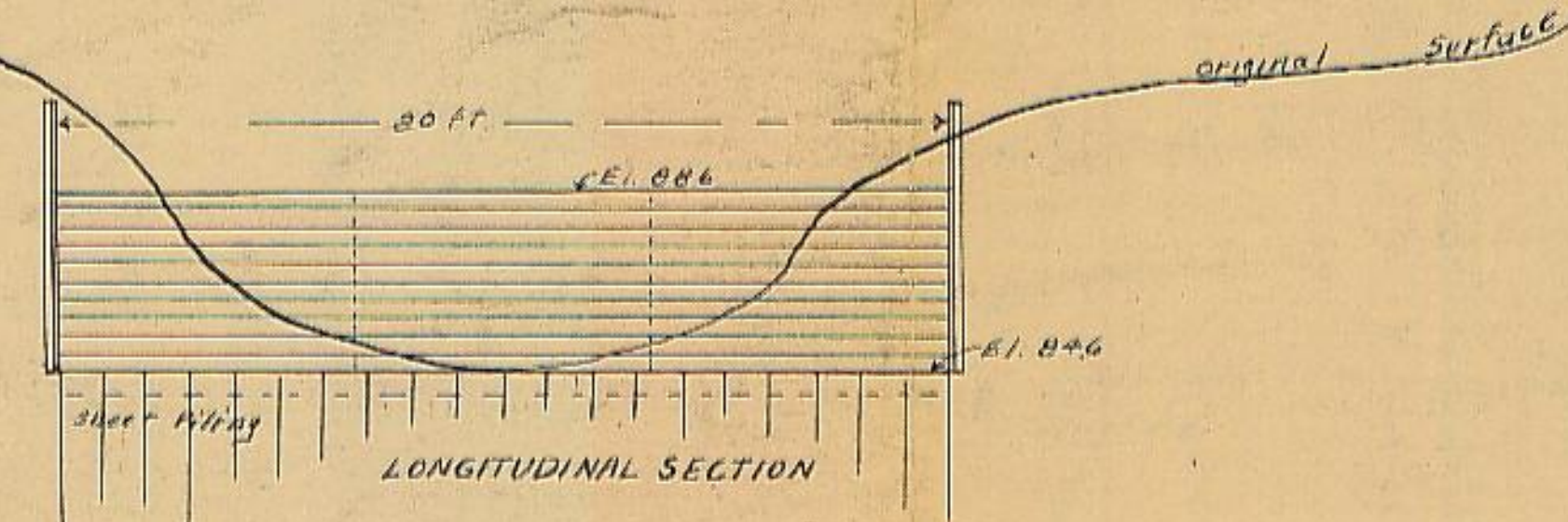
**DIVERSION DAM  
Scale 1" = 4'**



**ELEVATION**



**PLAN**



**LONGITUDINAL SECTION**

State of South Dakota } ss:  
County of Butte }

I, Stephen C. Berry, being duly sworn, upon my oath say, that I am the engineer of the Sorensen Pumping Project, South Diversion; that the survey and map there of were made by me, and that I have read the accompanying statement and know of my own knowledge that the statements therein made are true.

Stephen C. Berry  
DEPUTY STATE SURVEYOR, SOUTH DAKOTA.

Subscribed and sworn to before me this 30th day of April, 1917.

James M. Derr  
COUNTY JUDGE, BUTTE CO., S.D.

Approved July 9, 1917,  
James M. Derr,  
State Engineer.

Permit #135-1

Remarks by State Engineer:

This application is for the right to appropriate for irrigation purposes four (4) second feet of the waters of Owl Creek at the point herein designated in Butte County, diversion to be by means of a pumping plant.

STATE OF SOUTH DAKOTA  
County of Hughes ss.

Pierre, South Dakota, July 9, 1917.

This is to certify that the foregoing application was received at this office at nine o'clock a.m. upon the 3rd day of May 1917 and that after examination it was found to comply with the provisions of the Irrigation Code of South Dakota. Notice of intention to appropriate was published, proof of publication was duly filed, and a hearing was held in this office, July 9, 1917.

*Harmon M. Deer*  
State Engineer.

Number of permit 135-1

Date of first receipt of application May 3, 1917.

Date of return to applicant for correction - - - - - 19

Date of receipt of corrected application - - - - - 19

Date from which applicant may claim right May 3, 1917.

Approved July 9, 1917. Recorded in Book 2 Page 314-315.

This is to certify that I have examined the foregoing application for a permit to appropriate water of the state of South Dakota, and I hereby grant the same as stated herein, subject, however, to the following limitations and conditions.

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before January 9, 1920.

2nd. The whole of said work is to be completed on or before July 9, 1922.

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is July 9, 1922.

4th. The water appropriated shall be used for the purpose of irrigation.

5th. 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.

6th. The amount of the appropriation herein granted shall not exceed four (4) cubic feet of water per second of time; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must 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 July 9, 1922; said water to be used during the following described annual periods

From April 1st to November 1st.

Witness my hand this 9th day of July 1917.

*Harmon M. Deer*  
State Engineer.

**MILWAUKEE**

## STATE OF SOUTH DAKOTA

WATER LICENSE NO. <sup>135-1</sup>.....

(1) WHEREAS, On the 3rd day of May A. D. 19 17  
Hans Sorenson

made Water Right Application No. 135-1 for a permit to use 4.0 cubic feet per second of the waters  
 on Owl Creek

County of Butte, State of South Dakota, for irrigation  
 purposes; and

(2) WHEREAS, On the 9th day of July A. D. 19 17  
 Permit No. 135-1, with a date of priority of May 3, 1917

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 9th day of July A. D. 19 22 and for the  
 application to beneficial use of said water on or before the 9th day of July A. D. 19 22

WHEREAS: on the 21st day of August, 1981, Permit No. 135-1 was transferred to  
David Carr, Valentine, Nebraska

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota  
 relating to completion of the construction of the water supply system and is entitled to divert 0.39 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 Section 32, T9N, R5E

|               |               |
|---------------|---------------|
| NE 1/4 SW 1/4 | 2 acres (CA)  |
| NW 1/4 SE 1/4 | 11 acres (DB) |

|               |               |
|---------------|---------------|
| NE 1/4 SE 1/4 | 11 acres (DA) |
| SE 1/4 SE 1/4 | 3 acres (DD)  |

|       |          |
|-------|----------|
| TOTAL | 27 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 David Carr

\_\_\_\_\_ of Valentine, Nebraska

the holder \_\_\_\_\_ and owner \_\_\_\_\_ of said permit No. 135-1 a water right, dating from May 3, 1977

\_\_\_\_\_ to use of 0.39 cubic feet per second of the waters

of Owl Creek

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

purposes hereinbelow mentioned, to be diverted at on Owl Creek between Point "A" 1400'N and 2800'N of

SE corner Section 32 and Point "B" 1130'N of SE corner Section 32, T9N, R5E

and conducted to and upon portions of Section 32, T9N, R5E more fully described on the

face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 135-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 26th day of February A. D.

Nineteen Hundred and Eighty two

WATER MANAGEMENT BOARD

By:

John Hatch  
Chief Engineer, Executive Officer

JOHN HATCH

Permit No. 135-1

Water Diversion No. 1 Belle Fourche R. Water District

CERTIFICATE OF CONSTRUCTION

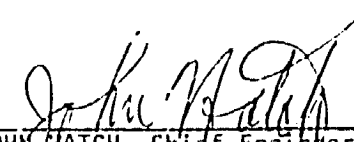
Hans Sorenson

This is to Certify, That \_\_\_\_\_

\_\_\_\_\_ the holder \_\_\_\_\_ of  
Permit No. 135-1, issued upon Application No. 135-1, bearing date of priority of \_\_\_\_\_  
May 3, 1917 authorizing the diversion of 4.0 cu. ft. per second of the waters of \_\_\_\_\_  
Owl Creek County of Butte, State of South Dakota at \_\_\_\_\_  
on Owl Creek between Point "A" 2400'N and 2800'W of the SE corner,  
Section 32 and Point "B" 1130'N of the SE corner Section 32, T9N, R5E  
\_\_\_\_\_, for \_\_\_\_\_ irrigation

\_\_\_\_\_ purposes, has <sup>8</sup> \_\_\_\_\_ complied with the provisions of the laws of the State of South Dakota relating to proof of  
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory  
condition for diverting and conveying to the place of intended use 3.33 cu. ft. per second of water.

Date February 26, 1982

  
\_\_\_\_\_  
JOHN HATCH, Chief Engineer  
Water Rights Division

Permit No 135-1Water Division 1 Belle Fourche River Water DistrictREPORT 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 David Carr  
 of Hidden Timber Rt. Valentine, Neb. holder  
 of Permit No. 135-1, bearing date of priority of May 3, 1917  
 authorizing the diversion of 4.0 cu. ft. per second of the waters of Owl 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.

Home made Crisafulli pump. Pumps 1500 gpm (est)  
Tractor Power Take-off.  
Pump also used for permit # 136-1

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

100 ft Rubber Hose  
Ditches

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

Waterspreading Thru Ditches. for Flood Irrigation

The system is in the following condition, Fair

The point of diversion is located On Owl Creek between Point "A" 2400' N and 2800' W  
of the SE Cor Sec. 32 and Point "B" 1130 ft N of the SE Cor Sec. 32  
T9N R5E

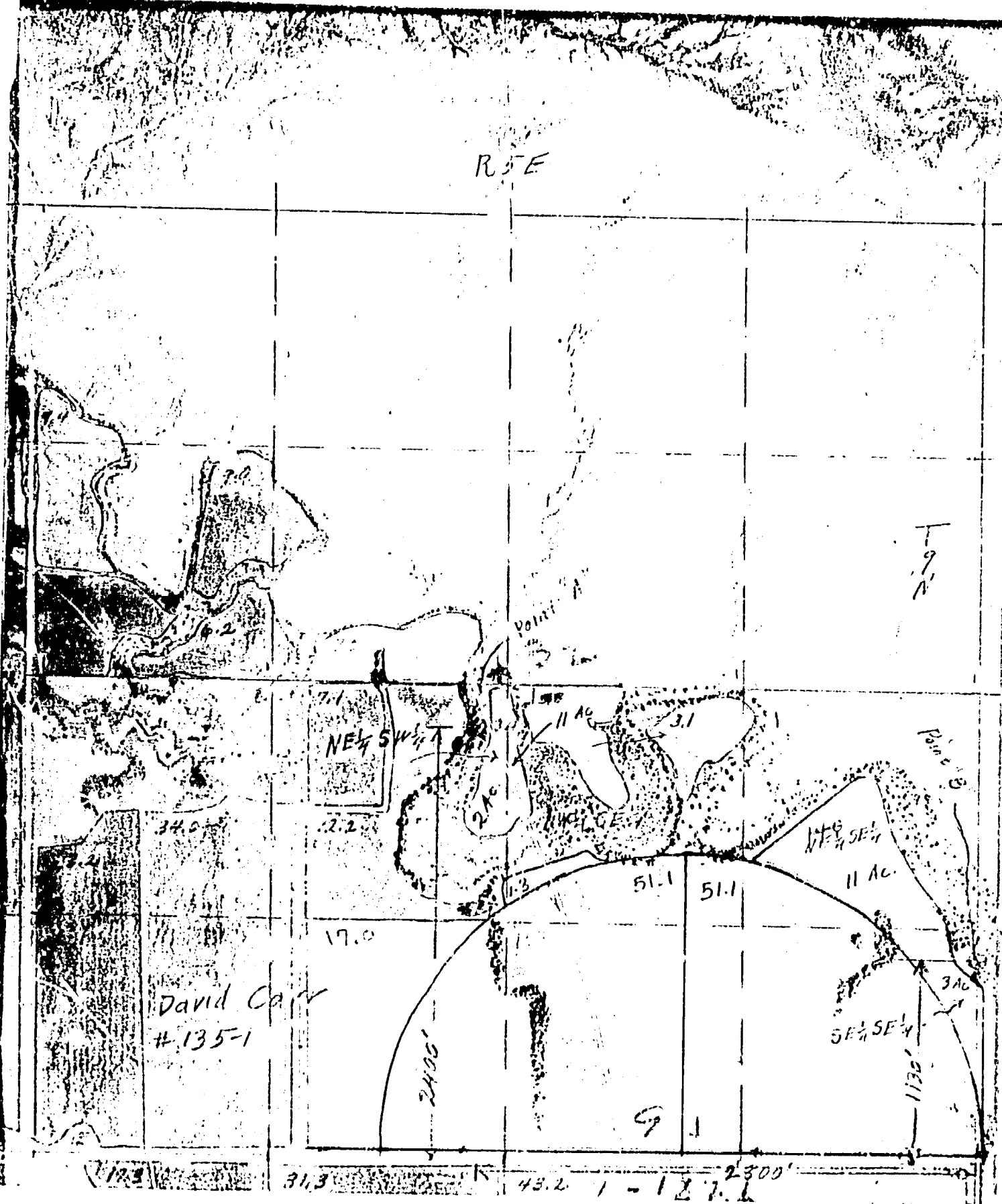
The works are capable of diverting and conveying to the place of use 3.33cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All in Sec. 32, T9N R5E

NE 1/4 Sec. 32 - 2 Ac. NW 1/4 Sec. 32 - 11 Ac. NE 1/4 SE 1/4 - 11 Ac.  
SE 1/4 SE 1/4 - 3 Ac.

comprising a total of 27 acres of landDate August 5, 1981

LeRoy J. Mernagh  
 (Signature)

NOT TO SCALE



# RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8706

PIERRE, February 9, 1982

RECEIVED OF David Carr, Hidden Timber Route, Valentine, NE 60201

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. 135-1                                        | 12            | 00            |
| Fee for Inspecting Beneficial Use, and Issuing Water License No. 135-1                                              | <del>12</del> | <del>00</del> |
| 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: _____<br>(any other work as provided by law)                                                               |               |               |
| TOTAL                                                                                                               | 12            | 00            |

WATER RIGHTS COMMISSION

By *John Hatch*  
Chief Engineer, Executive Officer  
JOHN HATCH/MS

# RECEIPT

## WATER RIGHTS COMMISSION

State of South Dakota

No 4 8358

PIERRE,

July 1, 19 81

RECEIVED OF Waiver G. Hoffman, Star Rt. Hisland, SD 57762

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

|                                                                                                                    |    |    |
|--------------------------------------------------------------------------------------------------------------------|----|----|
| Fee for Application for Permit to Appropriate Water No. .... (examination, processing, recording and filing) ..... |    |    |
| Fee for inspecting Construction, and issuing Cert. of Construction No.....                                         |    |    |
| Fee for inspecting Beneficial Use, and issuing Water License No.....                                               |    |    |
| Fee for issuing Location Certificate-Dry Draw, No.....                                                             |    |    |
| Fee for filing .....                                                                                               |    |    |
| Fee for certified copy of .....                                                                                    |    |    |
| Fee for Print copy of map .....                                                                                    |    |    |
| Fee for Certifying .....                                                                                           |    |    |
| Fee for <u>water master services on WR# 135-1</u> .....                                                            | 95 | 00 |
| (any other work as provided by law) .....                                                                          |    |    |
| TOTAL .....                                                                                                        | 95 | 00 |

WATER RIGHTS COMMISSION

By

John Hatch  
Chief Engineer, Executive Officer  
JOHN HATCH / bt

Do not use this space.

STATE OF SOUTH DAKOTA

# DIRECT VOUCHER

|                    |      |
|--------------------|------|
| AGENCY VOUCHER No. | DATE |
| 1051               |      |

PAYEE

STAPLE  
HERE

Walter Hoffman  
Wall SD 57790

DEPT.

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

AGENCY

ADDRESS

| Agency | Fund | Sub Fund | Prog. Act. | Obj. Sub. Obj. | Agency Coding | Amount   | Contract No. |
|--------|------|----------|------------|----------------|---------------|----------|--------------|
| 200301 | 699  | 01       | 0000       | 0801           |               | 84.09    | 1            |
|        |      |          |            |                |               |          | 2            |
|        |      |          |            |                |               |          | 3            |
|        |      |          |            |                |               |          | 4            |
|        |      |          |            |                |               |          | 5            |
|        |      |          |            |                |               |          | 6            |
|        |      |          |            |                |               |          | 7            |
|        |      |          |            |                |               |          | 8            |
|        |      |          |            |                |               |          | 9            |
|        |      |          |            |                |               |          | 10           |
| TOTAL  |      |          |            |                |               | 22 84.09 |              |

Warrant # 82079259  
AC # 077360  
date 11/10/81

NOTE: Vendors invoice must be attached.

| Invoice No.(s) | Date Delivered | QUAN. | DESCRIPTION OF SERVICE OR COMMODITY                                                                                                                | UNIT PRICE | AMOUNT | MEMO |
|----------------|----------------|-------|----------------------------------------------------------------------------------------------------------------------------------------------------|------------|--------|------|
|                |                |       | Refund of unexpended funds collected from the Belle Fourche River and tributaries Water Use Control Area Permit Owners<br><br>135-1 Walter Hoffman |            | 84.09  |      |
| TOTAL          |                |       |                                                                                                                                                    |            | 84.09  |      |

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federally assisted programs.

Claimant Signature

Date

## AGENCY VERIFICATION

I hereby certify that this claim has been examined by me, and to the best of my knowledge and belief is in all things true and correct and the same is hereby approved.

DIVISION APPROVAL

DATE

APPROVAL SIGNATURE

DATE

Belle Fourche River and Tributaries  
Water Use Control Area  
Financial Report  
1981  
Summary of Receipts and Expenditures  
June, 1981 - July, 1981

|                                  | <u>Receipts</u>   | <u>Disbursements</u> | <u>Balance</u>    |
|----------------------------------|-------------------|----------------------|-------------------|
| Collections (Water User's fees)  | \$7,379.37        | \$                   | \$                |
| Watermaster (Salary and Mileage) |                   | 2,028.62             | 5,350.75          |
|                                  | <u>\$7,379.37</u> | <u>\$2,028.62</u>    | <u>\$5,350.75</u> |

Detailed Report of Receipts

| No.    | Name                         | Diversion<br>Rate | Acreage | Receipts<br>(total fee) | Amount<br>Returned |
|--------|------------------------------|-------------------|---------|-------------------------|--------------------|
| 789-1  | Louis Budmayr                | 0.90              | 95.50   | \$ 34.00                | \$ 30.10           |
| 429-1  | Ed Brunner & Son             | 1.43              | 106.00  | 46.50                   | 41.16              |
| 429-1A | Mel Pittman                  | 1.07              | 79.00   | 40.00                   | 35.41              |
| 506-1  | Bob Bartels                  | .23               | 17.00   | 14.25                   | 12.61              |
| 852-1  | Bob Bartels                  | 1.00              | 70.00   | 27.50                   | 24.34              |
| 417-1A | Quinten & Karen Watson       | .53               | 78.00   | 29.50                   | 26.11              |
| 417-1B | Clarence Anderson            | 1.43              | 206.00  | 64.00                   | 56.65              |
| 417-1  | Mrs. Eddie (Vivian) Anderson | 1.15              | 69.00   | 69.50                   | 61.52              |
| 531-1  | Ruby Dillinger               | 1.27              | 89.29   | 42.50                   | 37.62              |
| 1162-1 | Charles & Dorothy Shaykett   | 4.61              | 324.70  | 131.00                  | 115.96             |
| 1210-1 | Charles & Dorothy Shaykett   | 1.00              | 128.30  | 52.00                   | 46.03              |
| 1132-1 | Ezra Pauley                  | 4.00              | 285.00  | 111.25                  | 98.48              |
| 1204-1 | Art Heitz, Jr.               | 2.19              | 153.00  | 68.25                   | 60.41              |
| 1205-1 | Harlan K Schnell             | 1.88              | 132.00  | 53.00                   | 46.91              |
| 1215-1 | H L & Mildred Brunner        | 3.00              | 264.50  | 96.12                   | 85.08              |
| 418-1  | Alex Miller                  | 1.67              | 117.00  | 49.25                   | 43.59              |
| 1213-1 | Robert W Grant               | 1.43              | 100.00  | 45.00                   | 39.83              |
| 419-1  | Herman Stark                 | 2.50              | 179.00  | 74.75                   | 66.17              |
| 421-1  | Lee Dutton                   | 2.50              | 175.00  | 73.75                   | 65.28              |
| 1049-1 | Thorval Jensen               | 1.47              | 103.00  | 45.75                   | 40.50              |
| 1122-1 | Thorval Jensen               | 4.88              | 324.14  | 135.75                  | 120.16             |
| 1160-1 | Thorval Jensen               | 1.90              | 133.49  | 53.50                   | 47.36              |
| 1029-1 | Homestake Mining             | 1.39              | 97.00   | 44.25                   | 39.17              |
| 910-1  | Donald Halbmaier             | 2.50              | 175.00  | 73.75                   | 65.28              |
| 1165-1 | Tom Bowen                    | 2.85              | 200.00  | 80.00                   | 70.81              |
| 722-1  | Edith Anderson & Tom Bowen   | 2.80              | 196.00  | 79.00                   | 69.93              |
| 1148-1 | Homestake Mining             | 13.50             | 948.00  | 377.00                  | 333.71             |
| 430-1  | Gerald Wetz                  | 1.65              | 116.00  | 49.00                   | 43.37              |
| 432-1  | Roy Casteel                  | 4.30              | 307.00  | 126.75                  | 112.20             |
| 414-1  | Mary Ann Schummer            | 3.40              | 239.00  | 99.75                   | 88.30              |
| 411-1  | Edward Post                  | 5.10              | 452.00  | 173.00                  | 153.13             |
| 440-1  | David A Richards             | 5.00              | 416.00  | 154.00                  | 136.32             |
| 1149-1 | Homestake Mining             | 3.20              | 226.00  | 96.50                   | 85.42              |
| 1150-1 | Homestake Mining             | 7.60              | 534.00  | 213.50                  | 188.98             |
| 437-1  | McNenny Ranch Inc.           | 5.90              | 418.00  | 164.50                  | 145.61             |
| 1151-1 | Homestake Mining             | 5.50              | 390.00  | 157.50                  | 139.41             |
| 821-1  | George Levin & Sons          | 7.00              | 490.00  | 192.50                  | 170.40             |
| 1136-1 | George Levin & Sons          | 3.07              | 215.00  | 93.75                   | 82.98              |

Detailed Report of Receipts Cont.

| No.    | Name                         | Diversion<br>Rate | Acreage  | Receipts<br>(total in \$) | Amount<br>Returned |
|--------|------------------------------|-------------------|----------|---------------------------|--------------------|
| 1152-1 | Homestake Mining             | 6.60              | 462.00   | \$ 185.50                 | \$ 164.20          |
| 449-1  | George Wurnig                | 5.00              | 365.00   | 171.25                    | 151.59             |
| 1153-1 | Homestake Mining             | 6.10              | 428.00   | 177.00                    | 156.68             |
| 311-1  | Lester Clark                 | 16.61             | 1,163.60 | 461.00                    | 408.06             |
| 310-1  | Lester Clark                 | 6.76              | 473.20   | 188.50                    | 166.85             |
| 248-1  | Lawrence Burke               | 0.90              | 64.00    | 26.00                     | 23.01              |
| 1077-1 | Charles M Arneson            | 1.44              | 131.00   | 52.75                     | 46.69              |
| 165-1  | Trigg Ranches Inc.           | 4.30              | 301.00   | 275.00                    | 243.42             |
| 122-1  | Trigg Ranches Inc.           | 3.75              | 263.00   |                           |                    |
| 1146-1 | Trigg Ranches Inc.           | 1.89              | 336.00   |                           |                    |
| 928-1  | Charles Wennberg             | 2.20              | 155.00   | 68.75                     | 60.86              |
| 912-1  | Gilbert Alan                 | 1.46              | 101.80   | 45.50                     | 40.28              |
| 926-1  | Donald Berger                | 2.04              | 143.00   | 65.75                     | 58.20              |
| 1176-1 | Arthur J Odekoven            | 2.30              | 163.00   | 70.75                     | 62.63              |
| 1190-1 | Neil Shuck                   | 3.53              | 247.00   | 101.75                    | 90.07              |
| 611-1  | Alex Miller                  | 3.35              | 235.00   | 98.75                     | 87.41              |
| 569-1  | Ramona McFarland             | 0.97              | 68.00    | 27.00                     | 23.90              |
| 870-1  | Eugene C Bishop              | 0.70              | 49.00    | 22.25                     | 19.70              |
| 401-1  | Kenneth & Dorothy Aker       | 1.88              | 132.00   | 53.00                     | 46.91              |
| 135-1  | Walter Hoffman               | 3.11              | 220.00   | 95.00                     | 84.09              |
| 408-1  | James A Mickelson            | 3.10              | 218.00   | 94.50                     | 83.65              |
| 469-1  | Raymond Garness              | 1.30              | 91.00    | 42.75                     | 37.84              |
| 1218-1 | William Dillinger            | .40               | 42.70    | 20.75                     | 18.37              |
| 1222-1 | John Ismay (Norman)          | 1.11              | 79.00    | 39.75                     | 35.19              |
| 1154-1 | Homestake Mining             | 4.50              | 319.00   | 129.75                    | 114.85             |
| 285-1  | Edgar Colin Smart            | 1.42              | 150.00   | 67.50                     | ---                |
| 331-1  | Anna Stetta (Louis Budmayr)  | 1.87              | 131.00   | 52.75                     | ---                |
| 472-1  | Timothy Reich                | 2.00              | 167.84   | 62.00                     | ---                |
| 275-1  | John Durr                    | 1.90              | 133.00   | 53.25                     | ---                |
| 271-1  | Herbert Clarkson             | .06               | 43.00    | 20.75                     | ---                |
| 296-1  | Robert Helmer                | 2.50              | 179.00   | 74.75                     | ---                |
| 308-1  | Lewis Bertolotto             | .64               | 45.00    | 21.25                     | ---                |
| 282-1  | James Jeffrey                | 1.05              | 73.70    | 38.50                     | ---                |
| 1122-1 | George Leach                 | 1.60              | 108.00   | 47.00                     | ---                |
| 228-1  | Thornton Vallery             | .72               | 54.17    | 23.75                     | ---                |
| 290-1  | Thornton Vallery             | 5.50              | 386.00   | 156.50                    | ---                |
| 264-1  | Thornton Vallery             | .22               | 15.30    | 14.00                     | ---                |
| 321-1  | Clarence & Lawrence Foos     | 1.64              | 115.00   | 48.75                     | ---                |
| 962-1  | Ione A Shevling              | 3.00              | 251.00   | 92.75                     | ---                |
| 960-1  | Thornton & Gwenivere Vallery | .50               | 35.00    | 18.75                     | ---                |
| 289-1  | Thornton & Gwenivere Vallery | 1.02              | 75.00    | 38.75                     | ---                |
| 273-1  | Robert & Esther Kling        | .46               | 32.60    | 18.25                     | ---                |
| 273-1  | Robert & Esther Kling        | 1.54              | 108.40   | 47.25                     | ---                |
| 117-1  | Robert & Esther Kling        | 3.30              | 231.00   | 97.75                     | ---                |
| 416-1  | Creta & Leslie Miner         | 2.66              | 198.00   | 79.50                     | ---                |
| 865-1  | Solomon Stark                | 2.14              | 150.00   | 67.50                     | ---                |
| 287-1  | David G Rathbun              | 2.20              | 154.00   | 68.50                     | ---                |
| 1126-1 | John Lewis                   | 3.11              | 339.00   | 124.75                    | ---                |

NO. 135-1

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:

E 1/2 SW 1/4 Sec. 32, SE 1/4 Sec. 32, All in T 9 N R 52 E

formerly owned by Harris Sorenson

has been transferred to David Carr, Hidden Timber Rt, Valentine, Nebr.

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 135-1 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 Office 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 Hughes ) ss.

I, DAVID CARR 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.

David Carr  
(Signed)

Subscribed and sworn to before me this 21st Day of August, 1981.

Lois L. Rife  
(Notary Public)

LOIS L. RIFE, Notary Public  
My Commission Expires  
February 3, 1983

# RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8432

PIERRE, August 21, 1901

RECEIVED OF David Carr, Hidden Rimbar Rt., Valentine NE

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

|                                                                                                                    |          |           |
|--------------------------------------------------------------------------------------------------------------------|----------|-----------|
| Fee for Application for Permit to Appropriate Water No. .... (examination, processing, recording and filing) ..... |          |           |
| Fee for inspecting Construction, and issuing Cert. of Construction No. ....                                        |          |           |
| Fee for inspecting Beneficial Use, and issuing Water License No. ....                                              |          |           |
| Fee for issuing Location Certificate-Dry Draw, No. ....                                                            |          |           |
| Fee for filing .....                                                                                               |          |           |
| Fee for certified copy of .....                                                                                    |          |           |
| Fee for Print copy of map .....                                                                                    |          |           |
| Fee for Certifying .....                                                                                           |          |           |
| Fee for transfer of Permit No. 135-1 .....                                                                         | 2        | 50        |
| (any other work as provided by law)                                                                                |          |           |
| <b>TOTAL</b>                                                                                                       | <b>2</b> | <b>50</b> |

WATER RIGHTS COMMISSION

By *J. H. Patton*  
Chief Engineer, Executive Officer  
J. H. PATTON

*kw*



# Department of Water & Natural Resources

Joe Foss Building  
Pierre, South Dakota 57501

Water Rights Division (605) 773-3352

June 10, 1981

Walter Hoffman  
Wall, SD 57790

Dear Mr. Hoffman:

The rules adopted by the Water Management Board for establishing a water use control area in the Belle Fourche River, Whitewood Creek and Owl Creek requires that the water right holder be assessed a fee of ten dollars for each cubic foot per second or portion thereof of the diversion capability of the diversion works plus twenty-five cents for each acre irrigated as shown by the water rights of record in the Division of Water Rights. These fees are required to be paid to the Division of Water Rights by July 1, 1981.

Permits for which fees have not been paid by July 1, 1981 shall be refused the right to divert water for the remainder of the year. The fees paid will be used to defray the costs of providing water master services within the water use control area. The following is a tabulation of your assessment.

| <u>Permit No.</u> | <u>Diversion Rate</u> | <u>Acreage</u> | <u>Fee</u> |
|-------------------|-----------------------|----------------|------------|
| 135-1             | 3.11 cfs              | 220.00         | \$95.00    |

---

|       |         |
|-------|---------|
| TOTAL | \$95.00 |
|-------|---------|

Please make check or money order payable to the Dept. of Water and Natural Resources and sent to the Division of Water Rights, Joe Foss Building, Pierre, SD 57501.

If you have any questions, do not hesitate to contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer  
Water Rights Division

JH/JW/gy

*Equal Opportunity Employer*



135-1

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

May 17, 1993

Dean & Julie Brunner  
HC 76 Box 130  
Hisland, SD 57762

Dear Mr. Brunner:

Enclosed, as we discussed, is a partially completed "Notice of Transfer of Ownership" form for Water Right No. 135-1. No. 135-1 is currently listed in the name of David Carr.

I reviewed Water Right Nos. 135-1 and 136-1 and found that they authorize irrigation of different land but utilize the same pump site on Owl Creek.

Please complete the form where needed and sign it in the presence of a notary public. Upon completion, return the form to our office with a \$2.50 filing fee.

I have also enclosed a copy of Water Right No. 135-1 for your records. If you have any questions, please contact me.

Sincerely,

Genny McMath  
Natural Resources Analyst  
Water Rights Division  
(605) 773-3352

enclosures

## NOTICE OF TRANSFER OF OWNERSHIP

No. 135-1

Date: 5/25/93

formerly owned by: David Carr

be transferred to: (name & address) *John J. Deane 110 N 71 St 132*

(Telephone No) 257-2172

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

NE 1/4 SW 1/4, N 1/2 SE 1/4, SE 1/4 SE 1/4, Section 32, T9N, R5E

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 *San Diego*

I, James A. [Signature] 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.

(Signed) James A. Burns

Subscribed and sworn to before me this 25th day of May, 19 23



Krista Brunner  
(Notary Public)

**My Commission Expires  
February 1, 2001**

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.

## Division of Water Rights

135-1  
413780

Pierre, May 27, 1995

740001, RR 76 Box 130, Wisland, SD 57762

10. The fee shall be paid in full in advance of the date of the services rendered as provided for by law.

[illegible]

By A. A. V.  
Chief Engineer

JOHN HATCHER

135-1



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3181

June 3, 1993

No. 135-1  
136-1

Dean and Julie Brunner  
HCP 76, Box 130  
Hiland, SD 57762

Dear Mr. and Ms. Brunner:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 135-1 and 136-1.

Our records now show you as the owner of Water Right Nos. 135-1 and 136-1.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Cheryl F. Frost'.

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

enclosure