

WATER PERMIT NO. 1389A-1

Name of Applicant: Cook Ditch Company

Address: 2350 Dairy Lane, Spearfish SD 57783 Phone: 605 642-2275

Amount of Water Claimed: no add'l Total Acres: no add'l

Source of Water Supply: Spearfish Creek

Water to be used for: irrigation County: LA

Type of Waste Disposal System:

Location: north of Spearfish

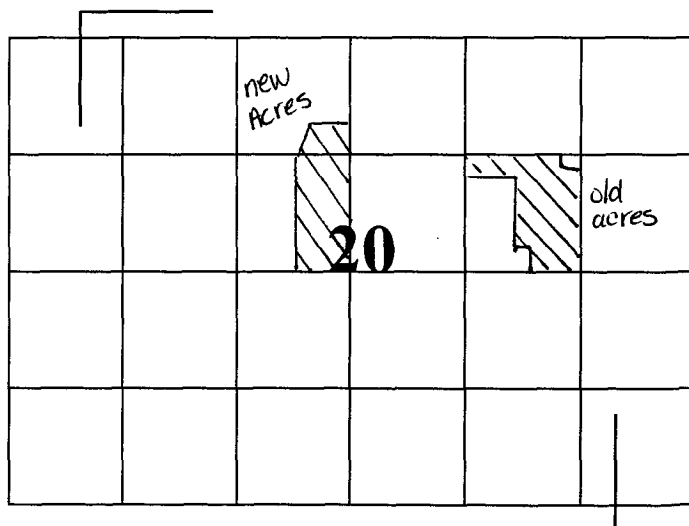
PRIORITY Date Received: 5-7-2002 Fee: \$50

Corrected Application Received: Period of Annual Use: April 1 – October 31

Remarks:

Diversion Point: NW ¼ SW ¼ Sec 34-T7N-R2E

Land to be Irrigated: E ½ NW ¼ Sec 20-T7N-R2E



Depth of Well: NA

Well Driller: : NA

Remarks:

Type of Map: aerial

Prepared by: Butte Co. Extension Educator

Reviewed and the Number Assigned on: 5-7-2002

By: Karen Schlaak

Notice of Hearing - date to intervene: _____

FORM 2: Application for irrigation in South Dakota
(type or print)

Mail to: Water Rights Program Joe Foss Building 523 E. Capitol Pierre, SD 57501-3181 (605) 773-3352	No. <u>1389 A-1</u> (office use only)
	Hydrologic Unit <u>10120203</u>
	Basin <u>Belle Fourche River</u>
	Newspaper <u>Black Hills Pioneer, Spearfish</u>

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MAY 07 2002
WATER RIGHTS
PROGRAM

Application For Permit To Appropriate Water For Irrigation

Type of Application: New Vested Right X Amendment/Correction to Permit No. 1389-1
(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.) Transfer of water
Right from E 1/2 of SE 1/4 of NE 1/4 of section 20 to E 1/2 of SE 1/4 of NW 1/4 of section 20

1. Name of Applicant Cook Ditch Company Phone 605-642-2275
(check one) Owner Tenant/lessee
Mailing Address 2350 Dairy Lane Spearfish State SD 57783
(Street, RR, or Box and City) (Zip Code)

2. Amount of water claimed NO Add'l *CFS or ***GPM ***AF Total Acreage NO Add'l
(*Cubic Feet per Second) (**Gallons per Minute) (***)Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Spearfish Creek Via Cook Ditch

4. Location of point of diversion (example - 3 wells in SW1/4 NE1/4 section 12-T104N-R53W)
Diversion Authorized Under W.R. # 1389-1
NW 1/4 SW 1/4 Sec 34 - T7N - R2E County Lawrence

5. County or counties where water will be used Lawrence

6. Annual period during which water is to be used Same as 1389-1 April 1 - October 31

7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
<u>E 1/2 of SE 1/4 of NW 1/4 of section 20</u>	<u>23.5</u>		
<u>T7N-R2E</u>			

8. Give a description of the project. (Attach sheet if more space is needed)
Propose to Change the Location of 23.5 acres that is Impractical to irrigate.
move to new 23.5 acres to accomodate Irrigation By Center Pivot.

STATE OF SOUTH DAKOTA) SS
County of Lawrence

Attachments: Attach Form 2A if diversion is from a well or dugout, or if storage of water is proposed. Attach map and any other technical information. (see instructions)

I, Michael McGrigan, the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.

Applicant's signature Michael McGrigan

Subscribed and sworn to before me this 6th day of May 20 02

Jamario D. Burke
Notary Public signature

**SOUTH DAKOTA
WATER PERMIT NO. 1389A-1**

Date of first receipt of application May 7, 2002.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1389A-1 to Cook Ditch Company, 2350 Dairy Lane, Spearfish SD 57783 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 1389A-1 changes the location of 23.5 acres irrigated under Vested Water Right No. 1389-1. Vested Water Right No. 1389-1 appropriates 21.6 cubic feet of water per second (cfs) from Spearfish Creek via the Cook Ditch located in the NW ¼ SW ¼ Section 34-T7N-R2E to irrigate 780.4 acres. The acreage relocation is to accommodate the installation of a center pivot irrigation system. The 23.5 acres previously irrigated located in the SE ¼ NE ¼ Section 20-T7N-R2E will no longer be irrigated. The irrigation of those 23.5 acres will be transferred to the E ½ NW ¼ Section 20-T7N-R2E. No increase in the diversion rate or number of acres irrigated is authorized by this permit.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 – October 31.
3. The dates from which applicant may claim right is May 1, 1876 (1.2 cfs) and June 10, 1877 (20.4 cfs).
4. The date of approval of Permit No. 1389A-1 is June 3, 2002.
5. One-fifth of the construction is to be completed on or before December 3, 2004.
6. All construction is to be completed on or before June 3, 2007.
7. Water is to be put to beneficial use on or before June 3, 2011.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

JUN 13 2002

date



Supplemental Information

(type or print in ink)

1. Well Information - Proposed Construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:

On applicants property _____ On property owned by others _____

2. Wastewater Disposal System Information

- a) Type of System (i.e. septic tank, drain field) _____
- b) System Capacity (gallons) _____ Year Constructed _____
- c) Connected to the City of _____ Sanitary System _____

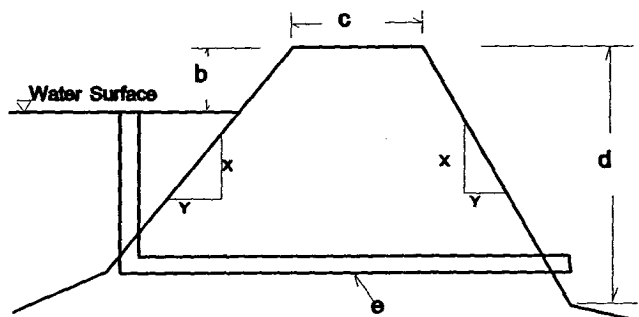
3. Dugout Information

- a) Surface Dimensions 100' x 150' Depth 8'
- b) Depth to water (ground surface to water level) 25'

4. Water Storage Dams

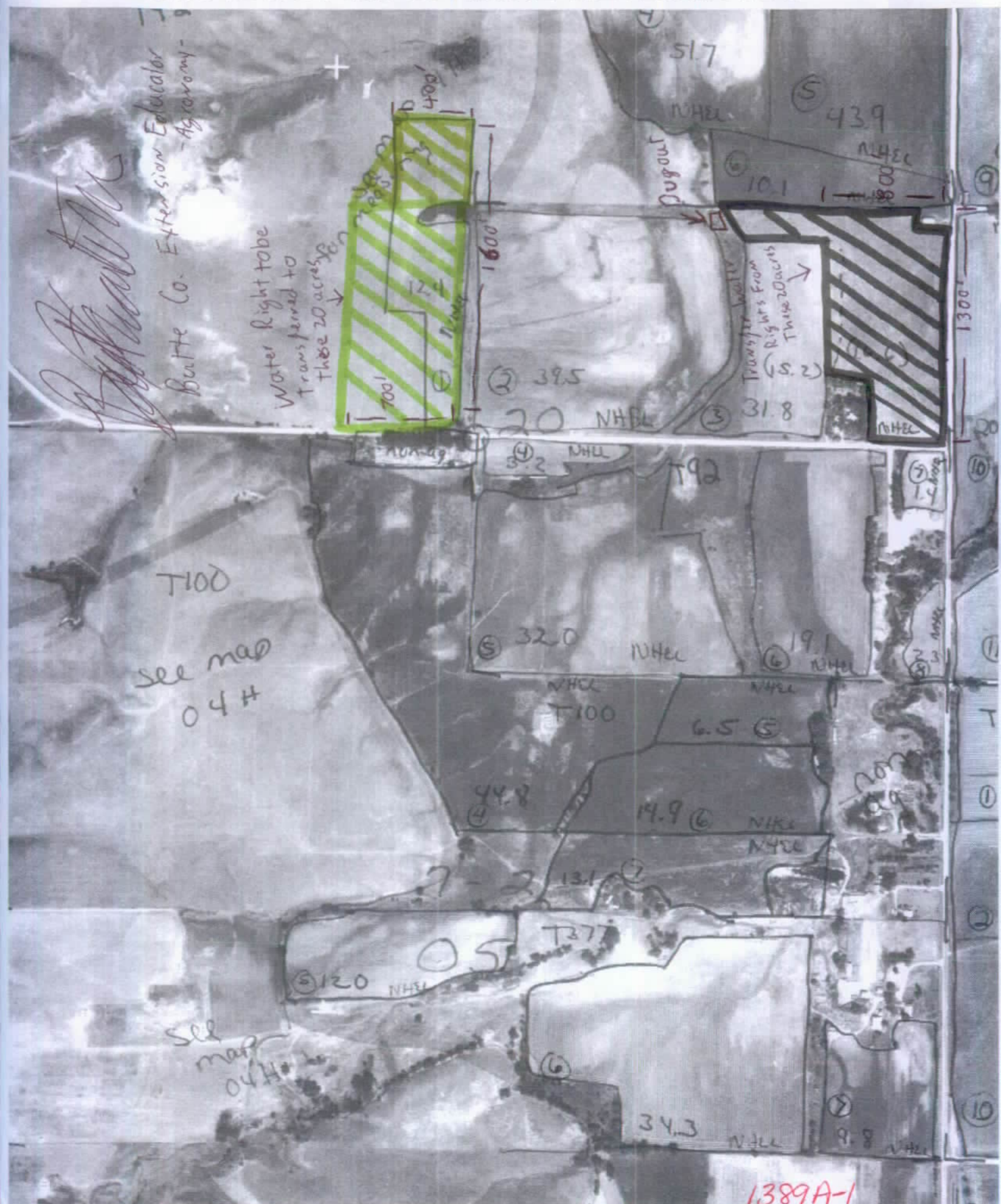
If the proposed water use system contains one or more storage dams, please furnish the information requested below for each dam. The locations of the dams need to be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam, please give their name and address:



- b) Freeboard _____
- c) Crest Width _____
Crest Length _____
- d) Height _____
- e) Primary Outlet Capacity _____
If pipe, diameter _____
- f) Secondary Spillway Capacity _____
Spillway Width _____
- g) X & Y Slope _____
Upstream _____
Downstream _____
- h) Surface Area of Impoundment _____
- i) Storage _____ Acre Feet
- j) Drainage Area Above Dam _____ Acres

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP



RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NR 417160

Pierre, MAY 7, 20 02

RECEIVED OF BART KRAUTSCHUN, PO Box 157, Spearfish SD 57783

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

Fee for Application for Permit No. 1389A-1 to Appropriate Water, to construct
and to put water to beneficial use _____

50 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. 1389A-1 _____

50 00

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

100 00

By

Darland Erbe

Chief Engineer

gm

Bart Krautschun
19481 Creekside Loop
Spearfish, SD 57783

May 6, 2002

Dear Mark:

Following our recent discussion regarding amendment of water rights, my father Harvey and I have decided to proceed with our appeal for an amendment to the water rights for Cook Ditch Company near Spearfish. We are proposing to reassign the water right from one piece of land to another piece of land all located in Section 20, T7N, R2E. (See map provided)

The reason we would like to amend the water right is the field currently under irrigation is extremely impractical to irrigate due to topography and an enormous amount of rocks. We want to reassign water rights to another field to facilitate the use of a center pivot sprinkler and increase production on our operation. The land we would like to reassign water rights to is currently adjacent to and above Cook Ditch. It is highly productive land that will be more beneficial to us under irrigation. Both pieces of land are approximately 23.5 acres. No additional acreage will be irrigated.

We are in urgent need of approval for this project due to drought conditions and the loss of summer grazing for our cattle. Putting this land under irrigation will more than double our forage production and enable us to maintain our existing cow herd.

If you have further questions or need additional details, please call me at my office at 892-3371, cell 641-3092, or at home 644-9050. Thank you for your consideration and we hope to hear from you soon.

Sincerely,



Bart Krautschun

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MAY 07 2002

WATER RIGHTS
PROGRAM

REPORT WATER PERMIT APPLICATION NO. 1389A-1

Cook Ditch Company

May 8, 2002

Application No. 1389A-1, Cook Ditch Company, requests a change in the location of 23.5 acres authorized by Vested Water Right No. 1389-1. Vested Water Right No. 1389-1 appropriates 21.6 cubic feet of water per second (cfs) from Spearfish Creek via Cook Ditch located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 34 T7N-R2E to irrigate 780.4 acres. The proposed acreage location is to accommodate the installation of a center Pivot irrigation system. The 23.5 acres are to be relocated from the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 20 to the E $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 20 all in T7N-R2E. No increase in the diversion rate or number of acres is requested. The project is located just north of the city of Spearfish in Lawrence County.

Review of the Surface Water Source, Existing Water Rights and Water Availability

The source of surface water for the proposed project is Spearfish Creek. Spearfish Creek is a tributary to the Redwater River and the Redwater River is a tributary to the Belle Fourche River (Spearfish-Redwater-Belle Fourche River complex) all within approximately 18 stream miles downstream of the proposed project.

There are 12 existing senior water rights/permits appropriating 226.75 cfs on the Spearfish-Redwater-Belle Fourche River complex downstream of the proposed project to the Belle Fourche Irrigation District's diversion dam on the Belle Fourche River. In addition, the US Bureau of Reclamation (USBOR) holds Water Right Filing 0377-1, with a diversion rate of up to 1440 cfs bearing a priority date of August 5, 1904, for the diversion of Belle Fourche River water. (Table.1).

Table 1 - Existing water rights/permits located downstream from the proposed project.

Right No	Name	Source	Amount	Priority
1416-1	Richard Cundy	Spearfish Creek	0.2 cfs	4/01/1920
1388-1	Bowman Ditch	Spearfish Creek	8.0 cfs	6/11/1877
1394-1	Kemper Ditch	Spearfish Creek	24.0 cfs	7/31/1885
1399-1	Cook-Burns Ditch	Spearfish Creek	17.8 cfs	6/15/1881
1395-1	Concordia Ditch	Redwater River	17.0 cfs	6/24/1879
1390-1	McClure Ditch	Redwater River	2.38 cfs	5/12/1879
1390A-1	Carlson	Redwater River	0.38 cfs	5/12/1879
1390B-1	Crago	Redwater River	0.80 cfs	5/12/1879
1391A-1	Redwater Land Company	Redwater River	1.04 cfs	5/28/1876
1417-1	Redwater Irrigation Company	Redwater River	151.70 cfs	12/2/1885
291-1	False Bottom Livestock	Redwater River	1.86 cfs	6/24/1879
1250-1	Budmayr	Belle Fourche River	1.59 cfs	6/27/1958
0377-1	US Bureau of Reclamation	Belle Fourche River	1440 cfs	8/5/1904
TOTAL			1666.75 cfs	

The applicant is requesting to move the irrigated acres from the SE ¼ NE ¼ of Section 20 to the E ½ NW ¼ of Section 20; all in T7N-R2E. South Dakota Codified Laws (SDCL) 46-5-34 allows a change in acres if it becomes impracticable to use the water beneficially on the original acres. There cannot be an increase in the number of irrigated acres with this type of request. The request is to accommodate the installation of a center pivot irrigation system. This application does not request any additional appropriation of water from the river complex. Adverse impacts on existing water rights would not be expected.

Conclusions

1. This application requests a change in the location of 23.5 acres authorized by Vested Water Right No. 1389-1.
2. South Dakota Codified Laws (SDCL) 46-5-34 allows a change in acres if it becomes impracticable to use the water beneficially on the original acres. There cannot be an increase in the number of irrigated acres with this type of request. The request is to accommodate the installation of a center pivot irrigation system.
3. There are 12 existing senior water rights/permits appropriating 226.75 cfs plus the US Bureau of Reclamation is authorized to divert up to 1440 cfs from the Belle Fourche River for the Belle Fourche Irrigation District.
4. This application does not request any additional appropriation of water from the river complex. Adverse impacts on existing water rights would not be expected.



Mark D. Rath

Natural Resources Engineering Specialist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1389A-1, Cook Ditch Company**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 1389A-1, Cook Ditch Company, c/o Michael McGuigan, 2350 Dairy Lane, Spearfish SD 57783.

The Chief Engineer is recommending APPROVAL of Application No. 1389A-1 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) it is in the public interest.

See report on application for additional information.

Garland Erbele, Chief Engineer
May 13, 2002



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

May 14, 2002

Black Hills Pioneer
PO Box 7
Spearfish SD 57783-0007

ATTENTION: Legal Public Notice

Enclosed is a Notice of Hearing on Application No. 1389A-1 to be published twice. Please publish the first notice on May 17, 2002 with the second publication 7 days later.

The applicant must verify to you that the notice is to be published, before you make the first publication. **Please BILL the APPLICANT for the cost of publication.** The APPLICANT is Cook Ditch Company, c/o Michael McGuigan, President, 2350 Dairy Lane, Spearfish SD 57783 (Ph # 642-2275) or Bart Krautschun, 19481 Creekside Loop, Spearfish SD 57783 (Phone # 644-9050).

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, **please send us an affidavit or use the enclosed Proof of Publication form.** The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CU T HERE-----

No. 1389A-1

TO: Eric Gronlund
Water Rights Program
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of May 14th enclosing Notice of Hearing to Appropriate Water by Application No. 1389A-1 which was first published in our issue of _____. **ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.**

Name

Black Hills Pioneer
Newspaper



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

May 14, 2002

Michael McGuigan, President
Cook Ditch Company
2350 Dairy Lane
Spearfish SD 57783

Dear Mr. McGuigan:

Water Permit Application No. 1389A-1 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Black Hills Pioneer printed at Spearfish, SD (Ph # 642-2761). You will need to contact the newspaper and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. Upon receiving authorization, the publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
(605) 773-3352

cc: Bart Krautschun, 19481 Creekside Loop, Spearfish SD 57783

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.

Instruction to Newspaper - Publish first Notice on May 17, 2002 with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF APPLICATION NO. 1389A-1 to Amend Water Right No. 1389-1

Notice is given that the Cook Ditch Company, 2350 Dairy Lane, Spearfish SD 57783 has filed an application for a water permit to change the location of 23.5 acres irrigated under Vested Water Right No. 1389-1. Vested Water Right No. 1389-1 appropriates 21.6 cubic feet of water per second from Spearfish Creek via the Cook Ditch located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34-T7N-R2E to irrigate 780.4 acres. The proposed acreage relocation is to accommodate the installation of a center pivot irrigation system. The 23.5 acres previously irrigated located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 20-T7N-R2E will no longer be irrigated. The irrigation of those 23.5 acres will be transferred to the E $\frac{1}{2}$ NW $\frac{1}{4}$ Section 20-T7N-R2E. No increase in the diversion rate or number of acres irrigated is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1389A-1 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 3, 2002.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application. Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF LAWRENCE

Stewart Huntington of said County and State being first duly sworn, on his oath says: That the BLACK HILLS PIONEER is a legal daily newspaper of general circulation, printed and published in the City of Spearfish, in said County and State by Stewart Huntington, and has been such a newspaper during the times hereinafter mentioned; and that said newspaper has a bonafide circulation of at least 200 copies weekly, and has been published within said County in the English language for at least one year prior to the first publication of the notice herein mentioned, and is printed in whole or in part in an office maintained at the place of publication; and That I, Stewart Huntington, the undersigned, am the Publisher of said newspaper and have personal knowledge of all the facts stated in this affidavit; and that the advertisement headed:

Notice of Application

a printed copy of which is hereto attached, was printed and published in said newspaper for 2 successive and consecutive weeks, the first publication being made on the 17th day of May, 2002, and the last publication on the 24th day of May, 2002, that the full amount of fees charged for publishing same, to-wit: The sum of \$ 42.34, insures solely to the benefit of the publisher of the BLACK HILLS PIONEER, that no agreement or understanding for a division thereof has been made with any person and that no part thereof has been agreed to be paid to any other person whomsoever.

Stewart Huntington

Subscribed and sworn to before me this 24th day of May, 2002

Quentin Johnson

Notary Public, Lawrence County, South Dakota

My commission expires: 10-24-2004

NOTICE OF APPLICATION NO. 1389A-1 to Amend Water Right No. 1389-1

Notice is given that the Cook Ditch Company, 2350 Dairy Lane, Spearfish SD 57783 has filed an application for a water permit to change the location of 23.5 acres irrigated under Vested Water Right No. 1389-1. Vested Water Right No. 1389-1 appropriates 21.6 cubic feet of water per second from Spearfish Creek via the Cook Ditch located in the NW 1/4 SW 1/4 Section 34-T7N-R2E to irrigate 780.4 acres. The proposed acreage relocation is to accommodate the installation of a center pivot irrigation system. The 23.5 acres previously irrigated located in the SE 1/4 NE 1/4 Section 20-T7N-R2E will no longer be irrigated. The irrigation of those 23.5 acres will be transferred to the E 1/2 NW 1/4 Section 20-T7N-R2E. No increase in the diversion rate or number of acres irrigated is authorized by this application.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1389A-1 because 1) existing rights will not be unlawfully impaired, 2) it is a beneficial use of water, and 3) it is in the public interest. In accordance with SDCL 46-2A-23, the Chief Engineer will act on the application, as recommended, unless a petition is filed opposing the application or the applicant files a petition contesting the Chief Engineer's recommendation. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider the application. Notice of the hearing will be given to the applicant and any person filing a petition.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, Foss Building, 523 E Capitol, Pierre SD 57501 (605-773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by June 3, 2002.

The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained. Contact Eric Gronlund at the above Water Rights Program address to request copies of information pertaining to this application: Steven M. Pirner, Secretary, Department of Environment and Natural Resources.

#414
May 17, 24

RECEIVED
MAY 29 2002
WATER RIGHTS
PROGRAM





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

JUN 13 2002

Michael McGuigan, President
Cook Ditch Company
2350 Dairy Lane
Spearfish, SD 57783

Dear Mr. McGuigan:

Enclosed is Water Permit No. 1389A-1 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Cook Ditch

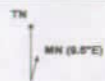
Flume

Flume

 Diversion Point
 N44.52215°
 W103.87010°

 Well
 N44.52276°
 W103.86938°

Scale 1 : 19,200



Don Stroup
 30 DENR WR
 Ronald E. Stroup
 3/25/05

1389A-1

Cook Ditch

Don Stroup Donald C. Stroup
SD DENR WR 8/25/05

