Considered: _____ Vested Right Claim ~~WATER PERMIT~~ NO. 1317-1

MAP No. same

892-3260

Name of Applicant Redwater Irrigation Association

Post Office Address PO Box 351, Belle Fourche SD 57717

Amount of Water Claimed 324 cfs Total Acres 5311.2

Source of Water Supply Redwater River

Water to be used for irrigation County Butte

About _____ miles near of Belle Fourche.

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received May 15, 1987 Fee $15.00 Remarks _____

_____

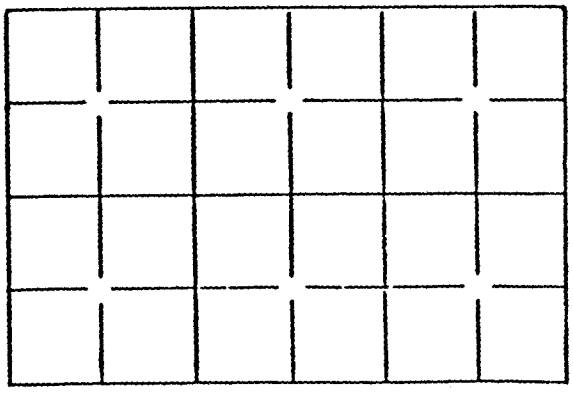
Corrected Application Received _____ Period of Annual Use _____

WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

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

Diversion Point Redwater River: SW¼NE¼ section 36 - T8N - R2E

Land to be Irrigated see application



Well Log: Driller NA Licensed YES ___ NO ___

Depth of Well _____ REMARKS _____

Type of Map plat & aerial photo PREPARED BY Rassool Ahadi Revicwed and the Number assigned on October 5, 1987 By Ron Duvall

FORM 2: Application for irrigation (type or print)

Mail to: Water Rights Div.
DWNR, Foss Bldg.
Pierre, SD 57501
(605) 773-3352

No. 1417-1 Hydrologic Unit 10120202 10120203
Map No. same Basin Belle Fourche R.
Newspaper Belle Fourche Daily Post 1004 5th Ave
Queen City Mail, Box 7, Spearfish (Used)

Application For Permit To Appropriate Water Within The State Of South Dakota

1444

8:45 AM
MAY 1987
DIVISION OF
WATER RIGHTS
Pierre, SD

Type of Application: Check one or more of the following;

New ☐ Vested Right ☒ Future Use ☐

☐ Application to amend Permit No._____ with old priority date retained

☐ Change diversion point(s) ☐ Add diversion point(s) ☐ Change acreage ☐ Other ☐

☐ Application to: ☐ Change use ☐ Change diversion point(s) ☐ Add diversion point(s)

☐ Add Acreage ☐ Increase diversion rate ☐ Other _____ See Permit No._____

☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No._____

1. Name of Applicant Redwater Irrigation Association Phone No. 605-892-3260

   Post Office Address PO Box 351, (Street, RR or Box) Belle Fourche City SD State 57717 Zip Code

2. Amount of water claimed (c.f.s) 324 Total acres irrigated 5311.2

3. Source of Water supply Redwater River

4. Location of point of diversion approximately 1450 ft W and 2300 ft S from the NE corner of section 36 - T8N - R2E County Butte

5. Counties where water will be used Butte

6. Annual period during which water is to be used April 1 through October 31

7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.
   See attached Exhibits 1, 2, 3, 4, 5 and 6

Land Description	No. Acres Irr.

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

   Not applicable.

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

STATE OF SOUTH DAKOTA)
County of Pennington)ss

I, Lyle Ruby, Chairman, Redwater Irrigation Association, the applicant, certify that I have read the foregoing application, 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 Lyle Ruby
Lyle Ruby, Chairman

Subscribed and sworn to before me this 13th day of May 1987

Deborah A. Erickson
Notary Public (or other qualified officer)

5-20-90

MATCH LINE

MATCH LINE

~~28.E~~

See map F-20

8-2

See map F-20

8-2

13 24

13 24

24 25

24 25

25 36

25 36

Land irrigated

Irrigation ditch

This map has been prepared for RWIA based on the information provided by the RWIA.

NDA Head:
Natl. Res. Eng.
8/14/87

No 1417-1
MAP #1

Carried in Laurie Co

8-2

NOT TO SCALE

NOT TO SCALE

REDWATER DITCH

1417-1
MAP #3

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1417-1 FOR IRRIGATION

Date of Receipt of Claim May 15, 1987.

Date of Validation May 7, 1992.

The Water Management Board validated Vested Water Right Claim No. 1417-1 for irrigation purposes for Redwater Irrigation Association, PO Box 351, Belle Fourche SD 57717 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1417-1 is validated for 149.0 cubic feet of water per second (cfs) to irrigate 5,215.9 acres for the Redwater Irrigation Association portion of the claim and 2.7 cfs to irrigate 95.1 acres for the "Jones" portion of the claim with priority dates of February 1, 1879 (44 cfs), December 2, 1885 (80 cfs) and August 7, 1889 (25 cfs) for the Redwater Irrigation portion of the claim; and May 28, 1876 (1.37 cfs) and December 2, 1885 (1.33 cfs) for the "Jones" portion of the claim.

   The Redwater diversion point is located in the SW 1/4 NE 1/4 Section 36-T8N-R2E. The irrigated acreage is located in the NW 1/4 NE 1/4 Section 36; W 1/2 SE 1/4, NE 1/4 SE 1/4, NE 1/4 Section 25; SE 1/4, E 1/2 SW 1/4, NE 1/4, E 1/2 NW 1/4 Section 24; W 1/2 SE 1/4, NE 1/4 SW 1/4, N 1/2 NW 1/4 Section 13; SW 1/4, NW 1/4, NW 1/4 NE 1/4 Section 12; N 1/2 SE 1/4, NE 1/4 Section 11; SE 1/4, Section 2; SW 1/4, SE 1/4, SE 1/4 NW 1/4, NE 1/4 Section 1; all in T8N-R2E: N 1/2 SW 1/4, NW 1/4, NW 1/4 SE 1/4, NE 1/4 Section 6; N 1/2 SW 1/4, N 1/2 SE 1/4, NW 1/4, NE 1/4 Section 5; Section 4; NW 1/4, SW 1/4, S 1/2 SE 1/4, W 1/2 NE 1/4 Section 3; NE 1/4 NW 1/4, N 1/2 NE 1/4 Section 9; N 1/2 NW 1/4, N 1/2 NE 1/4, E 1/2 SE 1/4, SW 1/4 SE 1/4, Section 10; W 1/2 NW 1/4, SW 1/4, SE 1/4, S 1/2 NE 1/4 Section 11; W 1/2 SW 1/4 Section 12; NW 1/4, W 1/2 NE 1/4, SE 1/4 NE 1/4, SW 1/4, SE 1/4 Section 13; NE 1/4, SE 1/4, E 1/2 SW 1/4, N 1/2 NW 1/4, SE 1/4 NW 1/4 Section 14; N 1/2 NE 1/4 Section 23; Section 24; all in T8N-R3E: SW 1/4, SW 1/4 NW 1/4 Section 18; N 1/2 NE 1/4, SE 1/4 NE 1/4, E 1/2 SE 1/4 Section 19; W 1/2 SW 1/4, NE 1/4 SW 1/4, W 1/2 NW 1/4 Section 20; all in T8N-R4E: SE 1/4 SE 1/4 Section 25; NE 1/4, N 1/2 SE 1/4, SE 1/4 NW 1/4 Section 36; all in T9N-R2E: NW 1/4, N 1/2 SW 1/4, S 1/2 NE 1/4, SE 1/4 Section 31; S 1/2 SW 1/4 Section 30, S 1/2 NW 1/4, SW 1/4, S 1/2 SE 1/4 Section 32; S 1/2 SW 1/4, W 1/2 SE 1/4, Section 33; all in T9N-R3E.

2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. The water is to be used during the following annual period: April 1- October 31.

3. The priority dates of the Vested Water Right are listed above.

4. The water use system has been constructed and water has been applied to beneficial use.

5. Water Rights obtained in compliance with the laws of the State of South Dakota must not be unlawfully impaired by this appropriation.

(continued)

QUALIFICATIONS

1. That Vested Right No. 1417-1 is subject to domestic use rights. Diversion of water under Water Right No. 1417-1 is contingent upon supplies being available first to domestic users.

2. That the flow measuring device on Redwater Ditch continue to be maintained and records of diversion be kept as directed by the Chief Engineer and reported to the Chief Engineer annually.

3. That the applicable portions of Water Right Filing Nos. 071-1, 0160-1, 0294-1, 0392-1 and 261-1 be incorporated into 1417-1 and that the abandoned portions of Nos. 071-1, 0160-1, 0294-1, 0392-1 and 261-1 be canceled.

4. Water for the "Jones" claim is delivered through the Redwater Irrigation Association Ditch. Permanent measuring devices must be installed to measure diversion from the Redwater Irrigation Association Ditch to the "Jones" claim. These measuring devices must be installed as soon as possible but not later than the beginning of the 1993 irrigation season.

WATER MANAGEMENT BOARD

By: John Hatch _____ AUG 18 1994

John Hatch, Chief Engineer — date
Water Rights Division
Department of Environment and Natural Resources

Redwater
C: Att #3

Redwater Irrigation Association

Section 36, T8N-R2E			
NWNE	14 Acres	Subtotal	14.0 Acres
Section 25, T8N-R2E			
SWSE	27.0 Acres		
NWSE	30.5 Acres		
NESE	6.0 Acres	Subtotal	63.5 Acres
SWNE	24.5 Acres		
NWNE	23.9 Acres		
NENE	6.0 Acres		
SENE	40.0 Acres	Subtotal	94.4 Acres
Section 24, T8N-R2E			
SWSE	15.0 Acres		
NWSE	40.0 Acres		
SESE	16.5 Acres		
NESE	28.5 Acres	Subtotal	100.0 Acres
NESW	7.6 Acres		
SESW	1.4	Subtotal	9.0 Acres
SWNE	34.4 Acres		
NWNE	25.2 Acres		
SENE	13.6 Acres		
NENE	12.3 Acres	Subtotal	85.5 Acres
SENW	7.0 Acres		
NENW	2.5 Acres	Subtotal	9.5 Acres
Section 13, T8N-R2E			
SWSE	17.0 Acres		
NWSE	14.0 Acres	Subtotal	31.0 Acres
NESW	8.0 Acres	Subtotal	8.0 Acres
NENW	9.7 Acres		
NWNW	1.0 Acres	Subtotal	10.7 Acres
Section 12, T8N-R2E			
SESW	13.0 Acres		
SWSW	18.0 Acres		
NESW	7.0 Acres		
NWSW	40.0 Acres	Subtotal	78.0 Acres
SWNW	39.0 Acres		
SENW	24.0 Acres		
NENW	32.0 Acres		
NWNW	18.0 Acres	Subtotal	113.0 Acres
NWNE	8.0 Acres	Subtotal	8.0 Acres

Section 11, T8N-R2E				
NWSE	3.0	Acres		
NESE	5.0	Acres	Subtotal	8.0 Acres
SWNE	11.0	Acres		
NWNE	11.0	Acres		
NENE	31.0	Acres		
SENE	10.0	Acres	Subtotal	63.0 Acres
Section 2, T8N-R2E				
SWSE	22.5	Acres		
SESE	40.0	Acres		
NESE	38.0	Acres		
NWSE	1.5	Acres	Subtotal	102.0 Acres
Section 1, T8N-R2E				
SWSW	29.0	Acres		
SESW	26.0	Acres		
NWSW	24.0	Acres		
NESW	40.0	Acres	Subtotal	119.0 Acres
NWSE	38.0	Acres		
SWSE	25.4	Acres		
NESE	31.1	Acres		
SESE	6.0	Acres	Subtotal	100.5 Acres
SENW	38.0	Acres	Subtotal	38.0 Acres
SWNE	34.0	Acres		
NWNE	11.5	Acres		
NENE	10.0	Acres		
SENE	40.0	Acres	Subtotal	95.5 Acres
Section 6, T8N-R3E				
NWSW	22.0	Acres		
NESW	27.0	Acres	Subtotal	49.0 Acres
NWNW	10.0	Acres		
NENW	33.0	Acres		
SENW	31.0	Acres		
SWNW	27.0	Acres	Subtotal	101.0 Acres
NWSE	7.0	Acres	Subtotal	7.0 Acres
SWNE	30.5	Acres		
NWNE	27.5	Acres		
NENE	24.0	Acres		
SENE	8.3	Acres	Subtotal	90.3 Acres
Section 5, T8N-R3E				
NWSW	0.6	Acres		
NESW	27.0	Acres	Subtotal	27.6 Acres
NWSE	9.0	Acres		

14345
1425

NESE	28.0 Acres	Subtotal	37.0 Acres
NWNW	28.5 Acres		
SWNW	13.0 Acres		
NENW	31.0 Acres		
SENW	22.5 Acres	Subtotal	95.0 Acres
NENE	23.0 Acres		
NWNE	34.0 Acres		
SENE	40.0 Acres		
SWNE	36.0 Acres	Subtotal	133.0 Acres

Section 4, T8N-R3E

SWSW	6.0 Acres		
SESW	34.0 Acres		
NWSW	38.0 Acres		
NESW	38.4 Acres	Subtotal	116.4 Acres
NWNW	33.0 Acres		
SWNW	34.0 Acres		
NENW	33.0 Acres		
SENW	40.0 Acres	Subtotal	140.0 Acres
SWSE	37.0 Acres		
NWSE	38.0 Acres		
NESE	38.0 Acres		
SESE	40.0 Acres	Subtotal	153.0 Acres
SWNE	40.0 Acres		
NWNE	20.0 Acres		
SENE	34.0 Acres		
NENE	1.0 Acre	Subtotal	95.0 Acres

Section 3, T8N-R3E

NWNW	31.0 Acres		
NENW	31.0 Acres		
SWNW	26.5 Acres		
SENW	39.0 Acres	Subtotal	127.5 Acres
SWSW	39.0 Acres		
SESW	39.0 Acres		
NWSW	28.0 Acres		
NESW	30.0 Acres	Subtotal	136.0 Acres
SWSE	29.0 Acres		
SESE	8.4 Acres		
NWNE	7.5 Acres		
SWNE	9.5 Acres	Subtotal	54.4 Acres

Section 9, T8N-R3E

NENW	3.0 Acres	Subtotal	3.0 Acres
NWNE	2.0 Acres		
NENE	19.0 Acres	Subtotal	21.0 Acres

Section 10, T8N-R3E

NWNW	16.0 Acres		
NENW	40.0 Acres	Subtotal	56.0 Acres
NWNE	35.0 Acres		
NENE	37.0 Acres	Subtotal	72.0 Acres
SESE	12.0 Acres		
NESE	8.7 Acres		
SWSE	0.8 Acres	Subtotal	21.5 Acres

Section 11, T8N-R3E

SWNW	12.5 Acres		
NWNW	10.5 Acres	Subtotal	23.0 Acres
NWSW	16.1 Acres		
SWSW	17.7 Acres		
SESW	26.0 Acres		
NESW	4.3 Acres	Subtotal	64.1 Acres
NWSE	35.0 Acres		
SWSE	29.0 Acres		
NESE	39.0 Acres		
SESE	28.0 Acres	Subtotal	131.0 Acres
SWNE	5.0 Acres		
SENE	14.0 Acres	Subtotal	19.0 Acres

Section 12, T8N-R3E

SWSW	38.0 Acres		
NWSW	7.7 Acres	Subtotal	45.7 Acres

Section 13, T8N-R3E

NWNW	39.0 Acres		
NENW	35.5 Acres		
SWNW	40.0 Acres		
SENW	21.0 Acres	Subtotal	135.5 Acres
SWNE	34.0 Acres		
NWNE	6.0 Acres		
SENE	33.0 Acres	Subtotal	73.0 Acres
SWSW	40.0 Acres		
NWSW	38.0 Acres		
NESW	35.0 Acres		
SESW	35.0 Acres	Subtotal	148.0 Acres
NWSE	40.0 Acres		
NESE	39.0 Acres		
SWSE	34.0 Acres		
SESE	12.0 Acres	Subtotal	125.0 Acres

Section 14, T8N-R3E

NENE	37.5 Acres		
SENE	38.0 Acres		
NWNE	39.0 Acres		

SWNE	19.0 Acres	Subtotal	133.5 Acres
NWSE	19.9 Acres		
SWSE	34.0 Acres		
NESE	38.6 Acres		
SESE	33.0 Acres	Subtotal	125.5 Acres
NESW	20.7 Acres		
SESW	9.0 Acres	Subtotal	29.7 Acres
NWNW	16.0 Acres		
NENW	32.0 Acres		
SENW	15.5 Acres	Subtotal	63.5 Acres

Section 23, T8N-R3E

NENE	13.0 Acres		
NWNE	18.0 Acres	Subtotal	31.0 Acres

Section 24, T8N-R3E

NWNW	6.0 Acres		
SWNW	13.3 Acres		
NENW	36.0 Acres		
SENW	11.5 Acres	Subtotal	66.8 Acres
SWSW	9.0 Acres		
NWSW	13.0 Acres		
NESW	37.0 Acres		
SESW	7.0 Acres	Subtotal	66.0 Acres
NWNE	36.5 Acres		
NENE	3.0 Acres		
SWNE	26.7 Acres		
SENE	24.1 Acres	Subtotal	90.3 Acres
NWSE	35.7 Acres		
SWSE	35.0 Acres		
NESE	17.0 Acres		
SESE	21.4 Acres	Subtotal	109.1 Acres

Section 18, T8N-R4E

SWSW	21.4 Acres		
NWSW	18.5 Acres		
SESW	30.0 Acres		
NESW	20.0 Acres	Subtotal	89.9 Acres
SWNW	11.0 Acres	Subtotal	11.0 Acres

Section 19, T8N-R4E

NENE	35.7 Acres		
NWNE	18.0 Acres		
SENE	17.0 Acre	Subtotal	70.7 Acres

NESE	14.1 Acres		
SESE	5.0 Acres	Subtotal	19.1 Acres
Section 20, T8N-R4E			
SWSW	21.0 Acres		
NWSW	26.7 Acres		
NESW	6.0 Acres	Subtotal	53.7 Acres
NWNW	15.0 Acres		
SWNW	6.8 Acres	Subtotal	21.8 Acres
Section 25, T9N-R2E			
SESE	27.0 Acres	Subtotal	27.0 Acres
Section 36, T9N-R2E			
NENE	35.5 Acres		
NWNE	11.0 Acres		
SENE	39.0 Acres		
SWNE	36.0 Acres	Subtotal	121.5 Acres
NWSE	27.0 Acres		
NESE	29.0 Acres	Subtotal	56.0 Acres
SENW	1.0 Acres	Subtotal	1.0 Acres
Section 31, T9N-R3E			
NWNW	40.0 Acres		
NENW	26.0 Acres		
SWNW	40.0 Acres		
SENW	36.0 Acres	Subtotal	142.0 Acres
NWSW	40.0 Acres		
NESW	34.0 Acres	Subtotal	74.0 Acres
SWNE	19.5 Acres		
SENE	18.0 Acres	Subtotal	37.5 Acres
NWSE	22.0 Acres		
SWSE	34.0 Acres		
NESE	38.0 Acres		
SESE	40.0 Acres	Subtotal	134.0 Acres
Section 30, T9N-R3E			
SWSW	33.0 Acres		
SESW	15.0 Acres	Subtotal	48.0 Acres
Section 32, T9N-R3E			
SENW	27.0 Acres		
SWNW	30.0 Acres	Subtotal	57.0 Acres
SWSW	40.0 Acres		
NWSW	29.0 Acres		
NESW	24.0 Acres		
SESW	12.0 Acres	Subtotal	105.0 Acres

SWSE	9.0 Acres		
SESE	4.0 Acres	Subtotal	13.0 Acres
Section 33, T9N-R3E			
SWSW	13.0 Acres		
SESW	14.0 Acres	Subtotal	27.0 Acres
SWSE	25.5 Acres		
NWSE	10.5 Acres	Subtotal	36.0 Acres

TOTAL ACREAGE FOR REDWATER IRRIGATION ASSOCIATION 5311.2 ACRES

5311.2

Form 2B

Affidavit of Water Use

No. _____

(Type or Print in Ink)



Note: This Form is supplemental to Form 2 and is to be used when an affidavit pertaining to construction and water use already constructed is needed, primarily with vested right claims.

Affidavit Of Construction Of Water Use System And Application Of Water To Beneficial Use

Name of Applicant (Same as Form 2) Redwater Irrigation Association

Post Office Address P. O. Box 351, Belle Fourche (Street, RR or Box) SD (State) 57717 (Zip Code)

A. Notice of Appropriation See attachment Date of Posting _____

Date of recording _____ Recording date _____ (Where) (Book) (Page)

B. Date of start of construction of water supply system _____

C. Date that water was first applied to beneficial use See attachment

D. Name of owner of original water supply system See attachment

E. Amount of water originally applied to beneficial use See attachment

F. Present Use of Water - Amount of water now being used See attachment

Date that this water was first used _____

G. Chronological History of Water Use

See attachment

Attach to this Form 2B any copies of notices, postings, filings, publications, affidavits, or other records that apply. You may also attach any written statement by you, or by others, that you deem pertinent.

State of South Dakota)
ss
County of Pennington)

I, Lyle Ruby, Chairman, Redwater Irrigation Assn. (print or type) the applicant, certify that I have read the foregoing and that the matters therein stated are true.

Signed Lyle Ruby
Lyle Ruby, Chairman

Subscribed and sworn to before me May 13, 19 87

Deborah A. Erickson
Notary Public or other qualified officer My Commission Expires 5-20-90

I, the undersigned do hereby certify that I know about the water use system described above, that I have read the foregoing, and that the matters therein stated are true.

_____ 19____
(Print name)

_____ 19____
(Print name)

Attachment to "AFFIDAVIT OF WATER USE".

Redwater Irrigation Association.

Pertaining to Priority Dates and the Amount of Diversion.

From Book 31,page 55, Butte County Register of Deeds:
Copy of the reconstruction Newland filing claiming 4000 miner's inches dated Feb. 1, 1879(court case RW. Land and Canal vs Keats,Dorsett,et al; 1911). In the Thompson and Reed cases, the court said the Newland filing was entitled to 2200 miner's inches.

A water right filing was found claiming 4,000 miner's inches of the Redwater River, dated Dec.2, 1885 and signed by C.B.Cheateau and D.T.Harrison as Instrument #589 in the Butte County Register of Deeds Office. A filing signed by D.T.Harrison and dated March 24,1884 contains the same wording as Instrument #~~589~~ 166 and is filed as Instrument #166 in the Butte County Register of Deeds Office.

A water right filing was found claiming 10,000 miner's inches of the Redwater River to be carried for thirty miles south of and parallel to the Belle Fourche River, signed by John R. Wilson and dated November 11,1889.
This is Instrument #2127 in the Butte County Register of Deeds Office.

A Circuit Court Decision dated July 27,1904, the Circuit Court Judgement dated August 14,1904, the Supreme Court Opinion filed March 1,1911, and Supreme Court Order remanding the case to the Circuit Court in the case of the Redwater Land & Canal Company vs John R. Jones.

The court said that the riparian land involved was 240 acres in Section 25, T8N-R2E, of which approximately 200 acres could be irrigated and that these riparian lands were settled on May 28,1876(Helmers).Approximately 88.1 acres of these lands are being irrigated from the Redwater Irrigation Association Ditch.

Attachment to "AFFIDAVIT OF WATER USE".

Redwater Irrigation Association.

Pertaining to Priority Dates and the Amount of Diversion.

From Book 31,page 55, Butte County Register of Deeds:
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RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, April 13, 19 87

RECEIVED OF Redwater Irrigation Association, PO Box 351, Belle Fourche, SD 57717

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

Fee for Application for Permit No. 1417-1 to Appropriate Water, to construct works and to put water to beneficial use	15	00	VR
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**	15	00	

By John Hatch
Chief Engineer JOHN HATCH ms

WATER RIGHTS DEC. 1964

Name of Water Right ~~Holder~~ _____

Address _____

Stream _____ Purpose. IRRIGATION

Point of Diversion _____

Maximum Diversion Rate _____ Miners inches (m.i.) = _____ cubic feet per second (cfs)

Maximum Farm Delivery Rate _____ m.i. = _____ cfs.

Priority Date _____

Annual Period of Use. APRIL THROUGH OCTOBER

Acreage Irrigated _____ acres.

Description of Lands Irrigated Acreage

Source of Water Rights

Maximum Farm Delivery Rate is statutory (61.0124, 610126, SDC 1960 Supp)

JAN 1987
DIVISION OF
WATER RIGHTS
SD

DITCH DIVERSION SERVICE

~~DEC. 1964~~

Name of Ditch REDWATER ASSOC. DITCH Stream REDWATER RIVER

Address _____ Purpose IRRIGATION

Location of Diversion Point SW¼ NE¼, Sec. 36, T8N, R2E, B.H.M.

Maximum Diversion Rate 103.60 cubic feet per second (5180.2 miners inches)
(four priorities - May 28, 1876, - May 5, 1879, - Dec. 2, 1885, - Nov. 11, 1889)

Total Irrigated Acreage Served 5180.2 Dec 14, 1961 does not include Helmer (5084.2)

	Description of Lands Served	Acreage		Owner
	T 8 N, R 2 E			Dorothy Umenthum
	Sec. 24			Raymond Helmer
H(HE)	SW¼, SE¼	7	7	LeRoy Helmer
	Sec. 25			Glenn Helmer
G(HE)	NW¼, NE¼	23.6		Larry Helmer
	SW¼, NE¼ *	3	26.6	Gary Helmer
				Mary Lou Hanify (William Helmer Est)
	SE¼, NW¼	.2		Dora Hansen
E(HE)	SW¼, NE¼ *	16.5		?
	NW¼, NE¼ *	.3	17.	[illegible] W. Feeds & C.Co.
I(HE)	SW¼, NE¼ *	2.4	2.4	[illegible]
	SW¼, NE¼ *	2.1		[illegible]
F(HE)	SE¼, NE¼	40	42.1	
			95.1	
(9)	Sec. 36			
	NW¼, NE¼	10	~~10~~ 14	T. Fairchild Doug Johnson
	Sec. 25			
E	SW¼, SE¼ *	26	26	
C	SW¼, SE¼ *	1		
	NW¼, SE¼ *	12	13	
D	NW¼, SE¼ *	9.5	9.5	L. Kimpton
E	NW¼, SE¼ *	9		
	NE¼, SE¼	6	~~15~~ 13.5	
	NE¼, NE¼	6		
F	Sec. 24			
	SE¼, SE¼ *	7.5	13.5	
G	SE¼, SE¼ *	8.5	8.5	W. Fawcett Jeri Weeks
H	SE¼, SE¼ *	.5		
	NE¼, SE¼ *	15.5	16	
			38.	

(Cont. page 2)

	Description of Land Served		acreage		Owner
	T8N, R2E				
	Sec. 24				
I	SW¼, SE¼		8		A. C. Bach Estate
	NW¼, SE¼		40		Gordon Campbell
	NE¼, SE¼		13		
	NE¼, SW¼		7.6		
				68.6	
J	SE¼, NW¼		1		
	SW¼, NE¼	*	30		
	SE¼, NE¼	*	5.3		
	NW¼, NE¼	*	4.5		
				40.8	
K	SE¼, NE¼	*	8.3		
	NE¼, NE¼	*	11.5		
	NW¼, NE¼	*	1		
				20.8	
L	NE¼, NE¼	*	.8		
	NW¼, NE¼	*	2.5		H. Vaver
				3.3	Earl E. and Thelma D. Vaver
M	NW¼, NE¼	*	8		
				8	
	NW¼, NE¼	*	4.2		
N	NE¼, NW¼		2.5		
	SE¼, NW¼	*	1		
				7.7	
	NW¼, NE¼	*	5		
O	SW¼, NE¼	*	4.4		
	SE¼, NW¼	*	5		
				14.4	
				95.	
	Sec. 13				
	SW¼, SE¼		17		
P	NW¼, SE¼		14		
	SE¼, SW¼		1		
	NE¼, SW¼		8		
				40	Keith Powell & Claire Klingler
	NW¼, NW¼		1		
Q	NE¼, NW¼		9.7		
				10.7	
				50.7	

(Cont. page 3)

	Description of Land Sought	Acreage		Owner
	T 7 N, R 2 E.			
	Sec. 12			
	SW¼, SW¼	18		Oliver and Viola Jewett et al
	SE¼, SW¼	13		
R	NW¼, SW¼	40		- Jim Eaton
	NE¼, SW¼	15		
	SW¼, NW¼ *	30		
	SE¼, NW¼ *	10		
			126	
	NW¼, NW¼ *	1		
S	NE¼, NW¼	31		
	N½, NE¼	8		
			40	
	Sec. 11			
	NW¼, SE¼	1.5		
T	SW¼, NE¼	14.6		
	SE¼, NE¼ *	1		
			17.1	
	NE¼, SE¼	5		
U	SE¼, NE¼ *	10.2		Manuel and Evelyn La Vonn Kimpfater
			15.2	
	NW¼, NE¼	9.8		
V	NE¼, NE¼	31		~~U. + I. Sawpipe Co.~~
			40.8	
	Sec. 1			
	SW¼, SW¼	29		
	SE¼, SW¼	6		
A1	Sec. 12			
	NW¼, NW¼ *	17		
	NE¼, NW¼ *	1.8		
			53.8	
	SW¼, NW¼ *	9		
E1	SE¼, NW¼ *	8		
			17	
			183.9	
	Sec. 2			
W	SW¼, SE¼ *	16 27 6		
	SE¼, SE¼ *	6	23 3/2	
	SW¼, SE¼ *	.5		
X	SE¼, SE¼ *	29 ~~12.5~~		
	NE¼, SE¼ *	18	5.2 47.5	Alex and Lydia Kimpfater
Y	NE¼, SE¼ *	10.8 19.1	17.1 10.8	~~U. + I. Sawpipe Co~~
	Sec. 1			
D1	SE¼, NW¼	38 39		
	SW¼, NE¼	26 40		
			79 64	
			~~144.3~~	179.4
			1.2	-35.1 35.2

(cont. page 4)

Field	Description of Farm, Serial		Tonnage		Owner
	T 8 N, R 2 E				
	Sec. 1				
Z	NW¼, SW¼	*	7.1		
				7.1	
	NW¼, SW¼	*	18		
	NE¼, SW¼		40		Marvin and Sharon Kimpton
B1	SE¼, SW¼	*	15.6		
	NW¼, SE¼	*	37		
	SW¼, SE¼	*	4		~~H. F. Supervisor~~
				114.6	
	SW¼, SE¼	*	21.4		
C1	NW¼, SE¼	*	1		
	SE¼, SW¼	*	4		
				26.4	
				148.1	
	Sec. 1				
	NE¼, SE¼	*	17.3		
F1	SE¼, NE¼		40		
	NE¼, NE¼		10		
				67.3	
	SE¼, SE¼				G. Sharon
G1	NE¼, SE¼	*	6		Mrs George Schaus
			13.8		
				19.8	
				87.1	
	T 8 N, R 3 E				
	Sec. 6				
	Lot 4 (NW¼, NW¼)		11		
	Lot 3 (NE¼, NW¼)		33		
	Lot 2 (NW¼, NE¼)		25.5		
	Lot 1 (NE¼, NE¼)		14		
H1	Lot 5 (SW¼, NW¼)		27		
	Lot 6 (NW¼, SW¼)	*	1		
	SE¼, NW¼	*	18		
	SW¼, NE¼	*	2		
				131.5	A. Stark
	Lot 6 (NW¼, SW¼)	*	21		Wayne Stark
	NE¼, SW¼		27		LeRoy Stark
I1	SE¼, NW¼	*	13		Betty Stark
	NW¼, SE¼		7		
	SW¼, NE¼	*	30.5		
	NW¼, NE¼	*	2		
				100.5	
				232	

	Description of Parcel Surveyed	Acreage	Owner
	T 9 N, R 2 E		
	Sec. 36		
J1	NW¼, SE¼	27	
	NE¼, SE¼	40	
		67	
	T 8 N, R 3 E		
	Sec. 4		
	SW¼, SW¼	13	
	SE¼, SW¼	34	D. Kindsfater
K1	NW¼, SW¼	38	
	NE¼, SW¼ *	32	
	Sec. 9		
	NE¼, NW¼ *	5	
		122	
	Sec. 4		
L1	NE¼, SW¼ *	6.4	
		6.4	
		195.4	
	T 9 N, R 2 E		
	Sec. 36		
	SE¼, NW¼	.5	
M1	SW¼, SE¼	35.5	R. Stumpf
	SE¼, SE¼	39	
	NW¼, SE¼	12	
	NE¼, SE¼	40	
		127	
	T 9 N, R 3 E		
	Sec. 31		
	Lot 3 (NW¼, SW¼)	38.40	
	NE¼, SW¼	30.35	
	Lot 2 (SW¼, NW¼)	31.40	
	SE¼, NW¼	30.86	
N1	Lot 1 (NW¼, NW¼)	36.	
	NE¼, NW¼	21	
	Sec. 30		
	SW¼, SW¼	26.3	J. Herman
	SE¼, SE¼	11.5	Lem Reich
		223.8	
	T 9 N, R 2 E		
	Sec. 25		
O1	SW¼, SE¼	1	
	SE¼, SE¼	24	
		25	
		~~248.8~~ 293	

14.3

(cont. page 6)

	Description of Parcels Surveyed	Acreage		Owner
	T 9 N, R 3 E			
	Sec. 31			
	SW¼, SE¼	34		
	SE¼, SE¼	40		
P1	NW¼, SE¼	22		
	NE¼, SE¼	38		~~O. Nelson~~
	SW¼, NE¼ *	4		George Rizardi 1966
	SE¼, NE¼	18		James Mortensen
			156	
Q1	SW¼, NE¼ *	15.5		
			15.5	
			171.5	
	Sec. 32			
	SW¼, SW¼	40		
	SE¼, SW¼	31		
R1	NW¼, SW¼	35		
	NE¼, SW¼	24		
	SW¼, NW¼	26		G. Kindfather
	SE¼, NW¼	30		
	SW¼, SE¼ *	1		
			187	
S1	SW¼, SE¼ *	10		
			10	
	1		197	
	T 8 N, R 3 E			
	Sec. 5			
	Lot 4 (NW¼, NW¼) *	28		Portion T1
T1	Lot 3 (NE¼, NW¼) *	23		20 acres L. A. Davis 1966
	SE¼, NW¼ *	1.5		—
			52.5	
	Lot 4 (NW¼, NW¼) *	.5		
U1	SW¼, NW¼	13		
	SE¼, NW¼ *	20.5		
			34	
	NW¼, SW¼	5.2		Removed (1968)
V1	NE¼, SW¼	26		Clinton Hopson
	NW¼, SE¼ *	1		~~L. Davis~~
			32.2	
	Lot 3 (NE¼, NW¼) *	8		
	SE¼, NW¼ *	.5		
	Lot 2 (NW¼, NE¼)	34		
W1	Lot 1 (NE¼, NE¼)	23		
	SW¼, NE¼ *	16.2		
	SE¼, NE¼ *	26		
			107.7	
X1	NE¼, SW¼ *	1		
	NW¼, SE¼ *	7		
			8	
Y1	NW¼, SE¼ *	4		
			4	
Z1	NW¼, SE¼ *	5		
	NE¼, SE¼	28		
			33	271.4

	Description of Lands Entered	Acreage		Owner
	T 8 N, R 3 E			
	Sec. 5			
A 2	SW¼, NE¼ *	18		
	SE¼, NE¼ *	14		Dr. J. Davis
	Sec. 4			
	SW¼, NW¼ *	2		
			34	
	NW¼, SE¼ *	20		
	NE¼, SE¼ *	10		
	SW¼, SE¼	37		
B 2	SE¼, SE¼	35		Manuel M. Kindopatter Lyle Ruby
	Sec. 9			
	NE¼, NW¼	3		
	NW¼, NE¼	11		
	NE¼, NE¼	9		
			125	
	Sec. 4			
	NW¼, SE¼ *	18		
	NE¼, SE¼ *	28		
C 2	SW¼, NE¼	40		R. Kling
	SE¼, NE¼	34		
	Lot 2 (NW¼, NE¼)	12		
	Lot 1 (NE¼, NE¼)	1		
			133	
	Lot 4 (NW¼, NW¼)	33		
	Lot 3 (NE¼, NW¼)	33		
D 2	SW¼, NW¼	34		
	SE¼, NW¼	40		
			140	
	T 9 N, R 3 E			
E 2	Sec. 33			
	SW¼, SW¼ *	10		Norman Owen 1956 J. Dwyer
			10	
F 2	SW¼, SW¼ *	3		
	SE¼, SW¼	14		
			17	
G 2	NW¼, SE¼	10.5		
	SW¼, SE¼ *	11.5		
			22	
H 2	SW¼, SE¼ *	14		
	SE¼, SE¼	1		
			15	
			204	
	T 8 N, R 3 E			
I 2	Sec. 9			
	NE¼, NE¼ *	6.6		Lyle N. Ruby 1966 P. Brookbank
			6.6	
J 2	NE¼, NE¼ *	1		
			1	
			7.6	

cont. page 8

	Description of Funds Secured	Acreage		Owner
	T 8 N, R 3 E			
	Sec. 3			
	Lot 4 (NW¼, NW¼)	31		
	Lot 3 (NE¼, NW¼)	31		
K2	SW¼, NW¼ *	26		Jeremiah on Estate
	SE¼, NW¼	39		
			127	Chris Prewit
L2	NW¼, SW¼ *	23 38 ?		R.E Prewit
			33	
			160 150	
	SW¼, SW¼ *	27 32.6		
	NE¼, SW¼ *	23		
M2	Sec. 10			
	NW¼, NW¼	13 16		
	NE¼, NW¼	24.4		
			160 87.4	
	Sec. 3			
	SW¼, NW¼	.5		
	NW¼, SW¼ *	10		
N2	NE¼, SW¼	26 30		E. Herber
	SW¼, SW¼ *	.5		Robert Helmer
	SE¼, SW¼ *	11 (13)		
	NW¼, SE¼	.5	56.5 48.5	
	SE¼, SW¼ *	(3)		
O2	SW¼, SE¼ *	11 (12)		
			15 14	
P2	SW¼, SW¼ *	6.5 7.4	7.4 6.5	
			15 6.4	174.9
	SW¼, SE¼ *	12 (14)		
Q2	SE¼, SE¼ *	6 8.4		
			18 14	
	Sec. 10			
R2	NW¼, NE¼	35		
	NE¼, NE¼ *	7.3 8.6	43.6 42.3	T. Helmer
S2	NE¼, NE¼ *	1.5 2.5	2.5 1.5	Robert Helmer
T2	NE¼, NE¼ *	10 12		
			10 12	
			71.8	80.5
	Sec. 11			
U2	SW¼, NW¼	12.5		
			12.5	C. Talley
	Sec. 10			
V2	SE¼, NE¼	3.3		
			3.3	
			15.8	

(cont. page 9)

	Description of Parcels Served		Acreage	Owner
	T 8 N, R 3 E			
	Sec. 14			
	NW¼, NW¼		16	
	NE¼, NW¼		27.5	
W2	SE¼, NW¼	*	3	
	NW¼, NE¼		39	
	SW¼, NE¼		19	
				104.5
	SE¼, NW¼	*	12	
X2	NE¼, SW¼	*	13.7	
				25.7
	NE¼, SW¼	*	1	
Y2	NW¼, SE¼	*	9.6	
				10.6
	NE¼, SW¼	*	6	
Z2	NW¼, SE¼	*	10.3	
				16.3
	Sec. 11			R. Jewett
A3	SW¼, SW¼	*	5	
				5
	Sec. 10			
	SE¼, SE¼		12	
B3	Sec. 11			
	SW¼, SW¼		11.5	
				23.5
	Sec. 10			
	NE¼, SE¼		9.7	
C3	Sec. 11			
	NW¼, SW¼	*	.3	
				10
	NW¼, SW¼	*	1.8	
D3	SW¼, SW¼	*	1.2	
				3
E3	NW¼, SW¼	*	14	
				14
	Sec. 10			
F3	NE¼, SE¼	*	1	
				1
				213.6
	Sec. 11			
	NE¼, SW¼		4.3	
	SW¼, NE¼		3	
G3	NW¼, SE¼		30.5	
	SW¼, SE¼		.5	Fred Schamp for
				38.3 ~~J.E.~~ Enderlow
				(cont. next page)
	SE¼, NE¼		14	
	NE¼, SE¼		37	
H3	SE¼, SE¼	*	21.1	
				72.1

* page (2)

	Description of Lands Served	acreage		owner
	T 8 N, R 3 E			
	Sec. 11			Fred Smith 1960
	SE ¼, SW ¼	26		
I 3	SW ¼, SE ¼	28.3		~~J. E. Erickson~~
	SE ¼, SE ¼ *	7		
			61.3	
			171.7	
	Sec. 12			
	NW ¼, SW ¼	7.7		
J 3	SW ¼, SW ¼	36		
			43.7	
	Sec. 14			
K 3	NE ¼, NE ¼	37.5		J. Slivka
			37.5	
	Sec. 13			
L 3	NW ¼, NW ¼	28		
			28	
			109.2	
	Sec. 14			
	SE ¼, NE ¼	38		
M 3	NE ¼, SE ¼	38.6		
			76.6	
	Sec. 13			
	SW ¼, NW ¼	33		
N 3	NW ¼, SW ¼	40		
	NE ¼, SW ¼ *	10.9		
			83.9	
	NE ¼, NW ¼ *	11		
O 3	SE ¼, NW ¼ *	1		
			12	
	NE ¼, NW ¼ *	8		
	SE ¼, NW ¼ *	20		
	NW ¼, NE ¼	8		A. Magnuson
	SW ¼, NE ¼	34		
	SE ¼, NE ¼	33		
	NE ¼, SW ¼ *	20		
P 3	SE ¼, SW ¼ *	25		
	NW ¼, SE ¼	40		
	NE ¼, SE ¼ *	4		
	T 8 N, R 4 E			
	Sec. 18			
	Lot 2 (SW ¼, NW ¼)	10		
	Lot 3 (NW ¼, SW ¼) *	.5		
			202.5	
			? 171	
Q 3	NE ¼, SW ¼	20		
			20	
			395.0	

	Description of Lands Served	Acreage		Owner
	T 8 N, R 3 E			
	Sec. 14			
R3	SE¼, SW¼	7		
	SW¼, SE¼	34		
	SE¼, SE¼	22		d.
			63	a. Neibert*
	Sec. 13			
S3	SW¼, SW¼			Jerry Olson
	SE¼, SW¼	40		
		15		
			55	
	Sec. 23			
T3	SW¼, NE¼	9.5		
	SE¼, NE¼	12.5		
			22	
			140	
	T 8 N, R 4 E			
	Sec. 18			
U3	Lot 3 (NW¼, SW¼) *	2		
	Lot 4 (SW¼, SW¼) *	16.4		
			18.4	
	T 8 N, R 3 E			
	Sec. 13			
	SW¼, SE¼	34		
V3	SE¼, SE¼	8		
	NE¼, SE¼ *	35		W. Niva
	T 8 N, R 4 E			Delbert Goodwin
	Sec. 18			
	Lot 3 (NW¼, SW¼)	16		
			93	
W3	Lot 4 (SW¼, SW¼)	5		
			5	
			116.4	
	T 8 N, R 3 E			
	Sec. 23			
	NE¼, NW¼	1.5		
X3	NW¼, NE¼	31.5		
	NE¼, NE¼	27		
			60	
	Sec. 24			
	NW¼, NW¼	6		
Y3	NE¼, NW¼ *	17.1		a. Lakson
	SW¼, NW¼ *	18		Jerry Olson
	SE¼, NW¼ *	10		
			51.1	
Z3	NW¼, SE¼ *	19.7		
			19.7	
A4	NE¼, SE¼ *	7		
			7	
B4	NE¼, SE¼ *	4		
			4	
C4	NW¼, SW¼ *	1		
	NE¼, SW¼ *	10.5		
			153.3	

	Description of Lands Served		Acreage		Owner
	T 8 N, R 3 E				
	See. 24				
	SW¼, NW¼	*	14.5		
D 4	SE¼, NW¼	*	1.5		
	NW¼, SW¼	*	7		
	NE¼, SW¼	*	1		
				24	Fardig Estate
E 4	NE¼, SW¼	*	13.1		Jerry Olson
				13.1	
	NW¼, SE¼	*	16		
F 4	NE¼, SE¼	*	6		
				22	
				59.1	
	SW¼, SW¼		9		
G 4	SE¼, SW¼	*	2		
				11	
H 4	SE¼, SW¼	*	6		
				6	J. Palo
	SE¼, SW¼	*	4		
I 4	SW¼, SE¼		35		Jerry Olson
				39	
				56	
	NW¼, NE¼	*	21		
J 4	SW¼, NE¼	*	4		
				25	
	NW¼, NE¼	*	15.5		
K 4	SW¼, NE¼	*	8		
				23.5	
L 4	SW¼, NE¼	*	14.7		
				14.7	
M 4	NE¼, NE¼		3		V. Palo
				3	Jerry Wayne Olson
	T 8 N, R 4 E				
N 4	See. 18				
	SE¼, SW¼		30		
				30	
				96.2	
	T 8 N, R 3 E				
O 4	See. 24				
	SE¼, NE¼		20		
				20	
P 4	SE¼, SE¼	*	8.9		
				8.9	
Q 4	SE¼, SE¼	*	12.5		J. O'Brien
				12.5	
				21.4	

(Cont. page 14)

	Description of Lands Served		Acreage		Owner
	T 8 N, R 4 E				
	Sec. 19				
R4	NW¼, NE¼ *		17		
	NE¼, NE¼ *		15.2		
				32.2	
	NW¼, NE¼ *		1		J. Sopp
S4	NE¼, NE¼ *		20.5		Bob Wilson
	SE¼, NE¼ *		8		
T4	SE¼, NE¼ *		6		
				29.5	
				6	
				67.7	
U4	NE¼, SE¼		14.1		H. Perkins
	SE¼, SE¼		5		M. Salgers
				19.1	
	Sec. 20				
	NW¼, SW¼		26.7		
V4	NE¼, SW¼		6		
	SW¼, SW¼		21		
				53.7	
	NW¼, NW¼ *		5		G. A. Hill
W4	SW¼, NW¼		6.8		Elmer Olson
				11.8	
X4	NW¼, NW¼		10		
				10	
				75.5	
	T 8 N, R 3 E				
	Sec. 24				
Y4	NE¼, NW¼		16.8		Battle Estate
				16.8	Jerry Olson
	Sec. 6				
	Lot 1 (NE¼, NE¼)		10		
DG	SE¼, NE¼		8.3		D. Gaver
				18.3	
			5180.2		5310.8
			8		
			17.6		
			53		

Redwater Irrig. Assoc. Exhibit

Assumes that relocation to duty of lands irrigated is lawful to the same extent as if relocation was made in conformance with 31.0128.

Current holding of Redwater Irrigating Association stock is assumed to be evidence of shares in the Newland filing priority. Such lands, if formerly covered by the Courtean and Harrison filing, have 1885 priority for shares in the Newland filing rights. Lands replaced have Courtean and Harrison filing priority if replaced lands are identifiable in stock transfer; otherwise they have Wilson filing priority provided that the diversion from the Redwater Canal for the replaced lands is upstream from _____.

Diversion Rate - 1 cfs for each 50 acres irrigated.
Farm Delivery Rate - 1 cfs for each 70 acres irrigated.

Priority	Acreage Irrigated	Max. Diversion	Max. Farm Delivery
May 28, 1876 (Helena)	88.1	1.76 cfs	1.25 cfs
May 5, 1878 (Newland)	2200	44 cfs	31.42 cfs
Dec. 2, 1885 (Courtean + Harrison)	151.5	3.03 cfs	2.16 cfs
Nov. 11, 1889 (Wilson)	2740.7	54.81 cfs	39.15 cfs
	5180.3	103.60	

Lands Irrigated ... 151.5 Courtean + Harrison filing. (Subject to change if covered by Redwater Irrig. Assoc. stock)

Fields	Acreage
A	10
B	20
C	13
D	9.5
E	15
F	13.5
G	2.5
H	16
H (HE)	7
Portion I	16
Portion K	15
	151.5

Tanks Irrigated under Newland filing. (Subject to change if covered by Redwater Assoc. stock)

Fields	Average
Portion I	50.6
J	40.8
Portion K	5.8
L	3.3
M	8
N	7.7
O	14.4
P	40
Q	10.7
R	126
S	20
T	17.1
U	15.2
V	~0.8
W	~2
X	47.5
Y	10.8
Z	7.1
A1	53.8
B1	1.4.6
C1	~6.4
D1	64
E1	17
F1	67.3
G1	19.8
H1	131.5
I1	100.5
J1	67.
K1	122
M1	127
N1	223.8
O1	25
Q1	15.5
P1	156.
R1	187
T1	52.5
U1	34
V1	32.2
W1	107.7
	2252.4
X1	8
Z1	13
A2	34
B2	125
C2	133

(Eaton - assumes Eaton has ... Sidwell, under Chamblin & Harrison ... will have ... pay for Newland delivery)

DITCH DIVERSION SERVICE DEC. 1964

Name of Ditch REDWATER ASSOC. DITCH Stream REDWATER RIVER

Address _____ Purpose IRRIGATION

Location of Diversion Point SW¼ NE¼, Sec. 36, T8N, R2E, B.H.M.

Maximum Diversion Rate 103.60 cubic feet per second (5180.2 miners inches)
(from priorities - May 25, 1976, - May 5, 1979, - Dec. 2, 1881, - Nov. 11, 1899)

Total Irrigated Acreage Served 5180.2 Dec 14, 1961 does not include Helmer (5084.2)

	Description of Lands Served	Acreage		Owner
	T 8N, R 2E			
	Sec. 24			
H(HE)	SW¼, SE¼	7	7	
	Sec. 25			
G(HE)	NW¼, NE¼	23.6		
	SW¼, NE¼ *	3	26.6	William Helmer
	SE¼, NW¼	.2		
E(HE)	SW¼, NE¼ *	16.5		(? Upstream water right R.W. Ranch C. Co. or Jones)
	NW¼, NE¼ *	.3	17.	
I(HE)	SW¼, NE¼ *	2.4	2.4	(Some of land gets water from Harrison & Watson ditch) R.W. Land & Cattle Co or Jones)
	SW¼, NE¼ *	2.1		
F(HE)	SE¼, NE¼	40	42.1	
			95.1	
A	Sec. 36 NW¼, NE¼	10	10	T. Broadhurst
	Sec. 25			
B	SW¼, SE¼ *	26	26	
	SW¼, SE¼ *	1		
C	NW¼, SE¼ *	12	13	
D	NW¼, SE¼ *	9.5	9.5	L. Kinghorn
E	NW¼, SE¼ *	9		
	NE¼, SE¼	6	15/13.5	
F	NE¼, NE¼ Sec. 24	6		
	SE¼, SE¼ *	7.5	17.5	
G	SE¼, SE¼ *	8.5	8.5	W. Fasnacht
H	SE¼, SE¼ *	.5		
	NE¼, SE¼ *	15.5	16	
			38.	

(Cont. page 2)

	Description of Land Served		average	Owner
	T8N, R2E			
	Sec. 24			
	SW¼, SE¼	8		A.C. Bach Estate
I	NW¼, SE¼	40		
	NE¼, SE¼	13		
	NE¼, SW¼	7.6		
			68.6	
	SE¼, NW¼	1		
J	SW¼, NE¼ *	30		
	SE¼, NE¼ *	5.3		
	NW¼, NE¼ *	4.5		
			40.8	
	SE¼, NE¼ *	8.3		
K	NE¼, NE¼ *	11.5		
	NW¼, NE¼ *	1		
			20.8	
	NE¼, NE¼ *	.8		
L	NW¼, NE¼ *	2.5		R. Haver
			3.3	Earl E. and
M	NW¼, NE¼ *	8		Thelma D. Haver
			8	
	NW¼, NE¼ *	4.2		
N	NE¼, NW¼	2.5		
	SE¼, NW¼ *	1		
			7.7	
	NW¼, NE¼ *	5		
O	SW¼, NE¼ *	4.4		
	SE¼, NW¼ *	5		
			14.4	
			95.	
	Sec. 13			
	SW¼, SE¼	17		
P	NW¼, SE¼	14		
	SE¼, SW¼	1		
	NE¼, SW¼	8		
			40	Keith Powell
	NW¼, NW¼	1		
Q	NE¼, NW¼	9.7		
			10.7	
			50.7	

(Cont. page 3)

Field	Description of Land Served	Acreage		Owner
	T 8 N, R 2 E			
	Sec. 12			
	SW¼, SW¼	18		Oliver and Verla
	SE¼, SW¼	13		Sewell et al
R	NW¼, SW¼	40		~~Jim Eaton~~
	NE¼, SW¼	15		
	SW¼, NW¼ *	30		
	SE¼, NW¼ *	10		
			126	
	NW¼, NW¼ *	1		
S	NE¼, NW¼	31		
	NW¼, NE¼	8		
			40	
	Sec. 11			
	NW¼, SE¼	1.5		
T	SW¼, NE¼	14.6		
	SE¼, NE¼ *	1		
			17.1	
	NE¼, SE¼			
U	SE¼, NE¼ *	5		Manuel and Evelyn
		10.2		La Vonn Kinafater
			15.2	
	NW¼, NE¼			
V	NE¼, NE¼	9.8		
		31		~~U.S.B. Sugar Co.~~
			40.8	
	Sec. 1			
	SW¼, SW¼	29		
	SE¼, SW¼	6		
A1	Sec. 12			
	NW¼, NW¼ *			
	NE¼, NW¼ *	17		
		1.8		
			53.8	
	SW¼, NW¼ *			
E1	SE¼, NW¼ *	9		
		8		
			17	
			183.9	
	Sec. 2			
W	SW¼, SE¼ *	16		
	SE¼, SE¼ *	6		
			22	
	SW¼, SE¼ *	.5		
X	SE¼, SE¼ *	29		
	NE¼, SE¼ *	18		
			47.5	Alex and Lydia
Y	NE¼, SE¼ *	10.8		Kinafater
			10.8	~~U.S.B. Sugar Co~~
	Sec. 1			
D1	SE¼, NW¼	38		
	SW¼, NE¼	26		
			64	
			144.3	

(cont. page 4)

Field	Description of Lands Served	Acreage		Owner
	T 8 N, R 2 E			
	Sec. 1			
Z	NW¼, SW¼ *	7.1		
			7.1	
	NW¼, SW¼ *	18		
	NE¼, SW¼	40		Marvin and Shanee Kimpfater
B1	SE¼, SW¼ *	15.6		
	NW¼, SE¼ *	37		
	SW¼, SE¼ *	4		~~U. I. T. Sugar Co~~
			114.6	
	SW¼, SE¼ *	21.4		
C1	NW¼, SE¼ *	1		
	SE¼, SW¼ *	4		
			26.4	
			148.1	
	Sec. 1			
	NE¼, SE¼ *	17.3		
F1	SE¼, NE¼	40		
	NE¼, NE¼	10		
			67.3	
	SE¼, SE¼	6		G. Shaub
G1	NE¼, SE¼ *	13.8		
			19.8	
			87.1	
	T 8 N, R 3 E			
	Sec. 6			
	Lot 4 (NW¼, NW¼)	11		
	Lot 3 (NE¼, NW¼)	33		
	Lot 2 (NW¼, NE¼)	25.5		
	Lot 1 (NE¼, NE¼) *	14		
H1	Lot 5 (SW¼, NW¼)	27		
	Lot 6 (NW¼, SW¼) *	1		
	SE¼, NW¼ *	18		
	SW¼, NE¼ *	2		
			131.5	A. Stark
	Lot 6 (NW¼, SW¼) *	21		
	NE¼, SW¼	27		
I1	SE¼, NW¼ *	13		
	NW¼, SE¼	7		
	SW¼, NE¼ *	30.5		
	NW¼, NE¼ *	2		
			100.5	
			232	

	Description of Lands Served	Acreage		Owner
	T 9 N, R 2 E			
	Sec. 36			
J1	NW¼, SE¼	27		
	NE¼, SE¼	40		
			67	
	T 8 N, R 3 E			
	Sec. 4			
	SW¼, SW¼	13		
	SE¼, SW¼	34		D. Kindefater
K1	NW¼, SW¼	38		
	NE¼, SW¼ *	32		
	Sec. 9			
	NE¼, NW¼ *	5		
			122	
	Sec. 4			
L1	NE¼, SW¼ *	6.4		
			6.4	
			195.4	
	T 9 N, R 2 E			
	Sec. 36			
	SE¼, NW¼	.5		
M1	SW¼, SE¼	35.5		R. Stump
	SE¼, SE¼	39		
	NW¼, SE¼	12		
	NE¼, SE¼	40		
			127	
	T 9 N, R 3 E			
	Sec. 31			
	Lot 3 (NW¼, SW¼)	38		
	NE¼, SW¼	30		
	Lot 2 (SW¼, NW¼)	31		
	SE¼, NW¼	30.8		
N1	Lot 1 (NW¼, NW¼)	36		
	NE¼, NW¼	21		
	Sec. 30			
	SW¼, SW¼	26		J. Nerman
	SE¼, SW¼	11		
			223.8	
	T 9 N, R 2 E			
	Sec. 25			
O1	SW¼, SE¼	1		
	SE¼, SE¼	24		
			25	
			248.8	

(cont. page 6)

	Description of lands surveyed	Acreage		Owner
	T 9 N, R 3 E			
	Sec. 31			
	SW¼, SE¼	34		
	SE¼, SE¼	40		
P 1	NW¼, SE¼	22		
	NE¼, SE¼	38		O. Nelson
	SW¼, NE¼ *	4		George Hisaki 1966
	SE¼, NE¼	18		
			156	
Q 1	SW¼, NE¼ *	15.5		
			15.5	
			171.5	
	Sec. 32			
	SW¼, SW¼	40		
	SE¼, SW¼	31		
R 1	NW¼, SW¼	35		
	NE¼, SW¼	24		
	SW¼, NW¼	26		G. Kindfater
	SE¼, NW¼	30		
	SW¼, SE¼ *	1		
			187	
S 1	SW¼, SE¼ *	10		
			10	
	1		197	
	T 8 N, R 3 E			
	Sec. 5			
	Lot 4 (NW¼, NW¼) *	28		Portion T1
T 1	Lot 3 (NE¼, NW¼) *	23		20 acres L. Davis 1966
	SE¼, NW¼ *	1.5		
			52.5	
	Lot 4 (NW¼, NW¼) *	.5		
U 1	SW¼, NW¼	13		
	SE¼, NW¼ *	20.5		
			34	
	NW¼, SW¼	5.2		Remainder (1968)
V 1	NE¼, SW¼	26		Clinton Hoffman
	NW¼, SE¼ *	1		~~L. Davis~~
			32.2	
	Lot 3 (NE¼, NW¼) *	8		
	SE¼, NW¼ *	.5		
	Lot 2 (NW¼, NE¼)	34		
W 1	Lot 1 (NE¼, NE¼)	23		
	SW¼, NE¼ *	16.2		
	SE¼, NE¼ *	26		
			107.7	
X 1	NE¼, SW¼ *	1		
	NW¼, SE¼ *	7		
			8	
Y 1	NW¼, SE¼ *	.4		
			.4	
Z 1	NW¼, SE¼ *	5		
	NE¼, SE¼	28		
		33	271.4	

(cont. page 7)

	Description of Lands Entered	Acreage		Owner
	T8N, R3E			
	Sec. 5			
	SW¼, NE¼ *	18		
A2	SE¼, NE¼ *	14		Dr. J. Davis
	Sec. 4			
	SW¼, NW¼ *	2		
			34	
	NW¼, SE¼ *	20		
	NE¼, SE¼ *	10		
	SW¼, SE¼	37		
B2	SE¼, SE¼	35		Merced M. Kindfater
	Sec. 9			
	NE¼, NW¼	3		
	NW¼, NE¼	11		
	NE¼, NE¼	9		
			125	
	Sec. 4			
	NW¼, SE¼ *	18		
	NE¼, SE¼ *	28		
C2	SW¼, NE¼	40		R. Kling
	SE¼, NE¼	34		
	~~Lot~~ 2 (NW¼, NE¼)	12		
	~~Lot~~ 1 (NE¼, NE¼)	1		
			133	
	Lot 4 (NW¼, NW¼)	33		
	Lot 3 (NE¼, NW¼)	33		
D2	SW¼, NW¼	34		
	SE¼, NW¼	40		
			140	
	T9N, R3E			
E2	Sec. 33			
	SW¼, SW¼ *	10		Norman Dunn 1966 ~~J. Dunn~~
			10	
	SW¼, SW¼ *	3		
F2	SE¼, SW¼	14		
			17	
G2	NW¼, SE¼	10.5		
	SW¼, SE¼ *	11.5		
			22	
	SW¼, SE¼ *	14		
H2	SE¼, SE¼	1		
			15	
			204	
	T8N, R3E			
I2	Sec. 9			
	NE¼, NE¼ *	6.6		Lyle N. Rudy 1966 ~~P. Brookbank~~
			6.6	
J2	NE¼, NE¼ *	1		
			1	
			7.6	

cont. page 8

	Description of Funds Served	acreage		Owner
	T 8 N, R 3 E			
	Sec. 3			
	Lot 4 ($NW\frac{1}{4}$, $NW\frac{1}{4}$)	31		
	Lot 3 ($NE\frac{1}{4}$, $NW\frac{1}{4}$)	31		
K2	$SW\frac{1}{4}$, $NW\frac{1}{4}$ *	26		Jeremiason Estate
	$SE\frac{1}{4}$, $NW\frac{1}{4}$	39		
			127	
L2	$NW\frac{1}{4}$, $SW\frac{1}{4}$ *	33		
			33	
			160	
	$SW\frac{1}{4}$, $SW\frac{1}{4}$ *	27		
	$NE\frac{1}{4}$, $SW\frac{1}{4}$ *	23		
M2	Sec. 10			
	$NW\frac{1}{4}$, $NW\frac{1}{4}$	13		
	$NE\frac{1}{4}$, $NW\frac{1}{4}$	24.4		
			87.4	
	Sec. 3			
	$SW\frac{1}{4}$, $NW\frac{1}{4}$	.5		
	$NW\frac{1}{4}$, $SW\frac{1}{4}$ *	10		E. Herbert
N2	$NE\frac{1}{4}$, $SW\frac{1}{4}$	26		
	$SW\frac{1}{4}$, $SW\frac{1}{4}$ *	.5		
	$SE\frac{1}{4}$, $SW\frac{1}{4}$ *	11		
	$NW\frac{1}{4}$, $SE\frac{1}{4}$	.5		
			48.5	
	$SE\frac{1}{4}$, $SW\frac{1}{4}$ *	3		
O2	$SW\frac{1}{4}$, $SE\frac{1}{4}$ *	11		
			14	
P2	$SW\frac{1}{4}$, $SW\frac{1}{4}$ *	6.5		
			6.5	
			156.4	
	$SW\frac{1}{4}$, $SE\frac{1}{4}$ *	12		
Q2	$SE\frac{1}{4}$, $SE\frac{1}{4}$ *	6		
			18	
	Sec. 10			
R2	$NW\frac{1}{4}$, $NE\frac{1}{4}$	35		
	$NE\frac{1}{4}$, $NE\frac{1}{4}$ *	7.3		
			42.3	T. Helmer
S2	$NE\frac{1}{4}$, $NE\frac{1}{4}$ *	1.5		
			1.5	
T2	$NE\frac{1}{4}$, $NE\frac{1}{4}$ *	10		
			10	
			71.8	
	Sec. 11			
U2	$SW\frac{1}{4}$, $NW\frac{1}{4}$	12.5		
			12.5	C. Talley
	Sec. 10			
V2	$SE\frac{1}{4}$, $NE\frac{1}{4}$	3.3		
			3.3	
			15.8	

(cont. page 9)

	Description of Lands Served	Acreage	Owner
	T 8 N, R 3 E		
	Sec. 14		
	NW¼, NW¼	16	
	NE¼, NW¼	27.5	
W2	SE¼, NW¼ *	3	
	NW¼, NE¼	39	
	SW¼, NE¼	19	
		104.5	
	SE¼, NW¼ *	12	
X2	NE¼, SW¼ *	13.7	
		25.7	
	NE¼, SW¼ *	1	
Y2	NW¼, SE¼ *	9.6	
		10.6	
	NE¼, SW¼ *	6	
Z2	NW¼, SE¼ *	10.3	
		16.3	R. Jewett
	Sec. 11		
A3	SW¼, SW¼ *	5	
		5	
	Sec. 10		
	SE¼, SE¼	12	
B3	Sec. 11		
	SW¼, SW¼	11.5	
		23.5	
	Sec. 10		
	NE¼, SE¼	9.7	
C3	Sec. 11		
	NW¼, SW¼ *	.3	
		10	
	N.W¼, SW¼ *	1.8	
D3	SW¼, SW¼ *	1.2	
		3	
E3	NW¼, SW¼ *	14	
		14	
	Sec. 10		
F3	NE¼, SE¼ *	1	
		1	
		213.6	
	Sec. 11		
	NE¼, SW¼	4.3	
	SW¼, NE¼	3	
G3	NW¼, SE¼	30.5	
	SW¼, SE¼	.5	Fred Schimp 1966
		38.3	~~J.E. Erickson~~
	SE¼, NE¼	14	
	NE¼, SE¼	37	
H3	SE¼, SE¼ *	21.1	
		72.1	

(cont. page 10)

	Description of Lands Served	acreage		owner
	T 8 N, R 3 E			
	Sec. 11			Fred Shimp 1966
	SE¼, SW¼	26		
I 3	SW¼, SE¼	28.3		~~J. E. Erickson~~
	SE¼, SE¼ *	7		
			61.3	
			171.7	
	Sec. 12			
	NW¼, SW¼	7.7		
J 3	SW¼, SW¼	36		
			43.7	
	Sec. 14			
K 3	NE¼, NE¼	37.5		J. Shimp
			37.5	
	Sec. 13			
L 3	NW¼, NW¼	28		
			28	
			109.2	
	Sec. 14			
	SE¼, NE¼	38		
M 3	NE¼, SE¼	38.6		
			76.6	
	Sec. 13			
	SW¼, NW¼	33		
N 3	NW¼, SW¼	40		
	NE¼, SW¼ *	10.9		
			83.9	
	NE¼, NW¼ *	11		
O 3	SE¼, NW¼ *	1		
			12	
	NE¼, NW¼ *	8		
	SE¼, NW¼ *	20		
	NW¼, NE¼	8		A. Magnuson
	SW¼, NE¼	34		
	SE¼, NE¼	33		
	NE¼, SW¼ *	20		
P 3	SE¼, SW¼ *	25		
	NW¼, SE¼	40		
	NE¼, SE¼ *	4		
	T 8 N, R 4 E			
	Sec. 18			
	Lot 2 (SW¼, NW¼)	10		
	Lot 3 (NW¼, SW¼) *	.5		
			202.5	
Q 3	NE¼, SW¼	20		
			20	
			395.0	

(cont. page 12)

	Description of Lands Served	Acreage		Owner
	T 8 N, R 3 E			
	Sec. 14			
R 3	SE ¼, SW ¼	7		
	SW ¼, SE ¼	34		
	SE ¼, SE ¼	22		
			63	d. Neibert
	Sec. 13			
S 3	SW ¼, SW ¼	40		
	SE ¼, SW ¼	15		
			55	
	Sec. 23			
T 3	SW ¼, NE ¼	9.5		
	SE ¼, NE ¼	12.5		
			22	
			140	
	T 8 N, R 4 E			
	Sec. 18			
U 3	Lot 3 (NW ¼, SW ¼) *	2		
	Lot 4 (SW ¼, SW ¼) *	16.4		
			18.4	
	T 8 N, R 3 E			
	Sec. 13			
	SW ¼, SE ¼	34		
	SE ¼, SE ¼	8		
V 3	NE ¼, SE ¼ *	35		W. Niva
	T 8 N, R 4 E			
	Sec. 18			
	Lot 3 (NW ¼, SW ¼)	16		
			93	
W 3	Lot 4 (SW ¼, SW ¼)	5		
			5	
			116.4	
	T 8 N, R 3 E			
	Sec. 23			
	NE ¼, NW ¼	1.5		
X 3	NW ¼, NE ¼	31.5		
	NE ¼, NE ¼	27		
			60	
	Sec. 24			
	NW ¼, NW ¼	6		
Y 3	NE ¼, NW ¼ *	17.1		a. Jakson
	SW ¼, NW ¼ *	18		
	SE ¼, NW ¼ *	10		
			51.1	
Z 3	NW ¼, SE ¼ *	19.7		
			19.7	
A 4	NE ¼, SE ¼ *	7		
			7	
B 4	NE ¼, SE ¼ *	4		
			4	
C 4	NW ¼, SW ¼ *	1		
	NE ¼, SW ¼ *	10.5		
			11.5	153.3

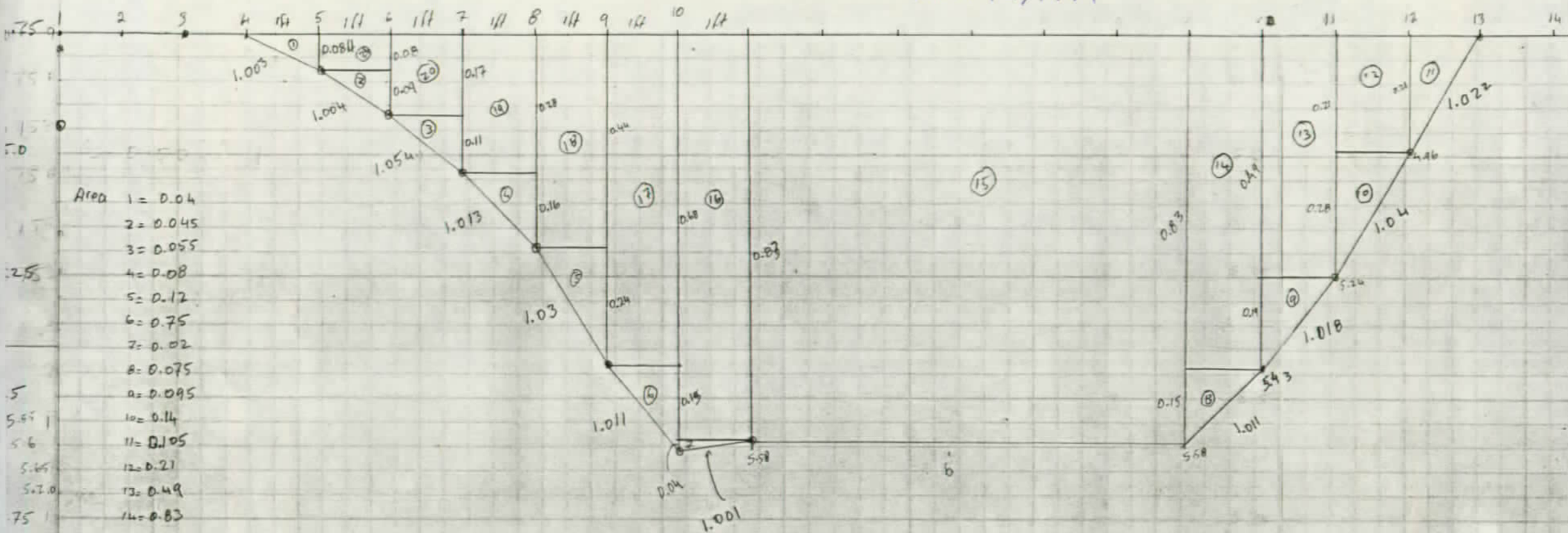
(cont. page 13) ↓

	Description of Lands Served		Acreage		Owner
	T 8 N, R 3 E				
	Sec. 24				
	SW¼, NW¼	*	14.5		
D H	SE¼, NW¼	*	1.5		
	NW¼, SW¼	*	7		
	NE¼, SW¼	*	1		
				24	Fardig Estate
E H	NE¼, SW¼	*	13.1		
				13.1	
	NW¼, SE¼	*	16		
F H	NE¼, SE¼	*	6		
				22	
				59.1	
	SW¼, SW¼		9		
G H	SE¼, SW¼	*	2		
				11	
H H	SE¼, SW¼	*	6		
				6	J. Palo
	SE¼, SW¼	*	4		
I H	SW¼, SE¼		35		
				39	
				56	
	NW¼, NE¼	*	21		
J H	SW¼, NE¼	*	4		
				25	
	NW¼, NE¼	*	15.5		
K H	SW¼, NE¼	*	8		
				23.5	
L H	SW¼, NE¼	*	14.7		
				14.7	
M H	NE¼, NE¼		3		V. Palo
				3	
	T 8 N, R 4 E				
N H	Sec. 18				
	SE¼, SW¼		30		
				30	
				96.2	
	T 8 N, R 3 E				
O H	Sec. 24				
	SE¼, NE¼		20		
				20	
P H	SE¼, SE¼	*	8.9		
				8.9	
Q H	SE¼, SE¼	*	12.5		J. O'Brian
				12.5	
				21.4	

(cont. page 14)

	Description of Lands Served	Acreage		Owner
	T 8 N, R 4 E			
	Sec. 19			
RH	NW¼, NE¼ *	17		
	NE¼, NE¼ *	15.2		
			32.2	
	NW¼, NE¼ *	1		J. Sagge
S4	NE¼, NE¼ *	20.5		
	SE¼, NE¼ *	8		
T4	SE¼, NE¼ *	6		
			29.5	
			6	
			67.7	
U4	NE¼, SE¼	14.1		H. Perkins
	SE¼, SE¼	5		
			19.1	
	Sec. 20			
	NW¼, SW¼	26.7		
V4	NE¼, SW¼	6		
	SW¼, SW¼	21		
			53.7	
	NW¼, NW¼ *	5		G. A. Hill
W4	SW¼, NW¼	6.8		
			11.8	
X4	NW¼, NW¼	10		
			10	
			75.5	
	T 8 N, R 3 E			
	Sec. 24			
Y4	NE¼, NW¼	16.8		Bottle Estate
			16.8	
	Sec. 6			
	Lot 1 (NE¼, NE¼)	10		
DG	SE¼, NE¼	8.3		D. Gover
			18.3	
			5180.2	

Nov. 14, 1991



Area 1 = 0.04
2 = 0.045
3 = 0.055
4 = 0.08
5 = 0.17
6 = 0.75
7 = 0.02
8 = 0.075
9 = 0.095
10 = 0.14
11 = 0.105
12 = 0.21
13 = 0.49
14 = 0.83
15 = 4.98
16 = 0.83
17 = 0.68
18 = 0.44
19 = 0.28
20 = 0.17
21 = 0.08

Total = 10.515 ft²

WP = 17.25 ft.

n = 0.015

S = 0.002 ft/ft

$Q = V \cdot A$; $R = \frac{A}{wp}$

$$V = \frac{1.49}{n}(R)^{2/3}(S)^{1/2} = \frac{1.49}{0.015}\left(\frac{10.515}{17.24}\right)^{2/3}(0.002)^{1/2} = 3.1944 \text{ ft/s}$$

$Q = 3.1944 \times 10.515 = 33.60$ CFS

Redwater Assoc. Title

Assume that relocation to date of lands irrigated is lawful to the same extent as if relocation was made in conformance with 61.0128.

Current holding of Redwater Irrigating Association stock is assumed to be evidence of shares in the Newland filing priority. Such lands, if formerly covered by the Chouteau and Harrison filing, lose 1885 priority for shares in the Newland filing rights. Lands replaced have Chouteau and Harrison filing priority if replaced lands are identifiable in stock transfer, otherwise they have Wilson filing priority provided that the diversion from the Redwater Canal for the replaced lands is upstream from _____.

Diversion Rate - 1 cfs for each 50 acres irrigated.
Farm Delivery Rate - 1 cfs for each 70 acres irrigated.

Priority	Acreage Irrigated	Max. Diversion	Max. Farm Delivery
May 28, 1876 (Helmer)	88.1	1.76 cfs	1.25 cfs
May 5, 1878 (Newland)	2200	44 cfs	31.42 cfs
Dec. 2, 1885 (Chouteau & Harrison)	151.5	3.03 cfs	2.16 cfs
Nov. 11, 1889 (Wilson)	2740.7	54.81 cfs	39.15 cfs
	5180.3	103.60	

Lands Irrigated under Chouteau & Harrison filing. (Subject to change if covered by Redwater Assoc. stock)

Fields	Acreage
A	10
B	26
C	13
D	9.5
E	15
F	13.5
G	8.5
H	16
H (HE)	7
Portion I	18
Portion K	15
	151.5

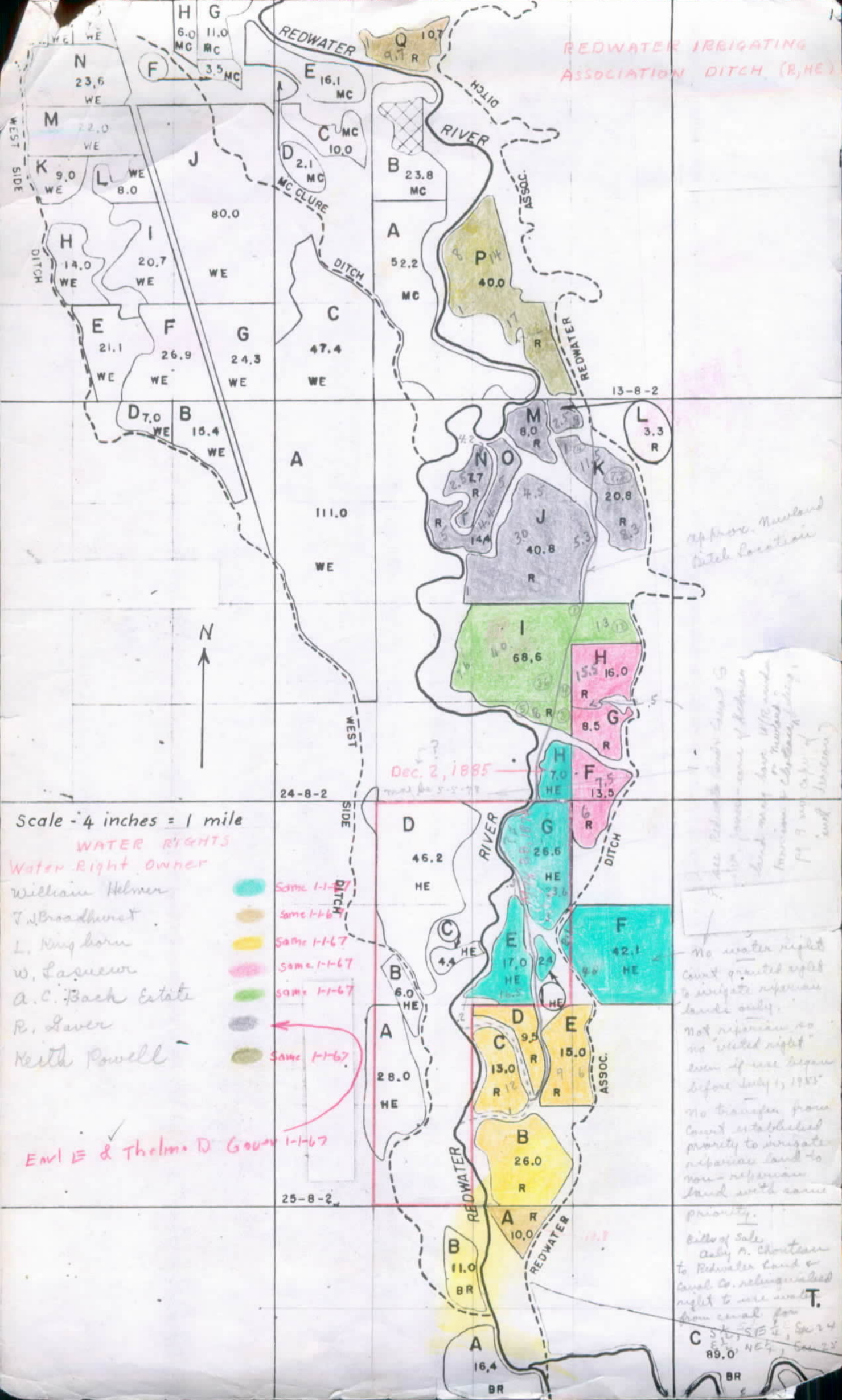
Lands Irrigated under Newland filing. (Subject to change if covered by Redwater Assoc. stock.)

2200 ± Acreage

Fields	Average
Portion I	50.6
J	40.8
Portion K	5.8
L	3.3
M	8
N	7.7
O	14.4
P	40
Q	10.7
R	126
S	20
T	17.1
O	15.2
V	40.8
W	22
X	47.5
Y	10.8
Z	7.1
A1	53.8
B1	114.6
C1	26.4
D1	64
E1	17
F1	69.3
G1	19.8
H1	131.5
I1	100.5
J1	67.
K1	122
M1	127
N1	223.8
O1	25
Q1	15.5
P1	156.
R1	187
T1	52.5
U1	34
V1	32.2
W1	107.7
	2252.4
X1	8
Z1	33
A2	34
B2	125
C2	133
D2	140
	2725.4

(Eaton - assuming Eaton has free delivery under Chouteau & Hauncian W/R but must pay for Nebraska delivery)

2725.4
2200
525.4


REDWATER IRRIGATING ASSOCIATION DITCH (R,HE)
REDWATER DITCH
RIVER
ASSOC.
MC CLURE DITCH
WEST SIDE DITCH
REDWATER
WEST SIDE RIVER DITCH
13-8-2
24-8-2
25-8-2
N
Scale - 4 inches = 1 mile
WATER RIGHTS
Water Right Owner
William Helmer
T. J. Broadhurst
L. Kingborn
W. Lajeunesse
A. C. Bach Estate
R. Sauer
Keith Powell
Same 1-1-67
Same 1-1-67
Same 1-1-67
Same 1-1-67
Same 1-1-67
Same 1-1-67
Earl E & Thelma D Gouer 1-1-67
Dec. 2, 1885
No water right Court granted right to irrigate riparian lands only.
Not riparian so no "vested right" even if use began before July 1, 1955
No transfer from Court established priority to irrigate riparian land to non-riparian land with same priority.
Bills of Sale
Addy A. Chouteau to Redwater Land & Canal Co. relinquished right to use water from canal for
S½ SE¼, Sec 24
E½ NE¼, Sec 25
T.

REDWATER IRRIGATING ASSOCIATION DITCH (R)

R2E

WATER RIGHTS

Water Right Owner

Oliver & Verla Jewett et al — Oliver & Verla Jewett et al H-67

Manuel & Evelyn La Vonn Kinsfater

Alex & Lydia Kinsfater

Marvin & Sharee Kinsfater

G. Shaub — Same 1-1-67

A. Stark — Same 1-1-67

R. Stumpf — Same 1-1-67

D. Kindsfater — Same 1-1-67

J. Herman — Same 1-1-67

Kindsfaters - See map

THIS FIELD HAS NOT BEEN IRRIGATED FOR THE PAST 4 OR 5 YEARS

36-9-2

N

4 inches = 1 mile

RIVER

FOURCHE

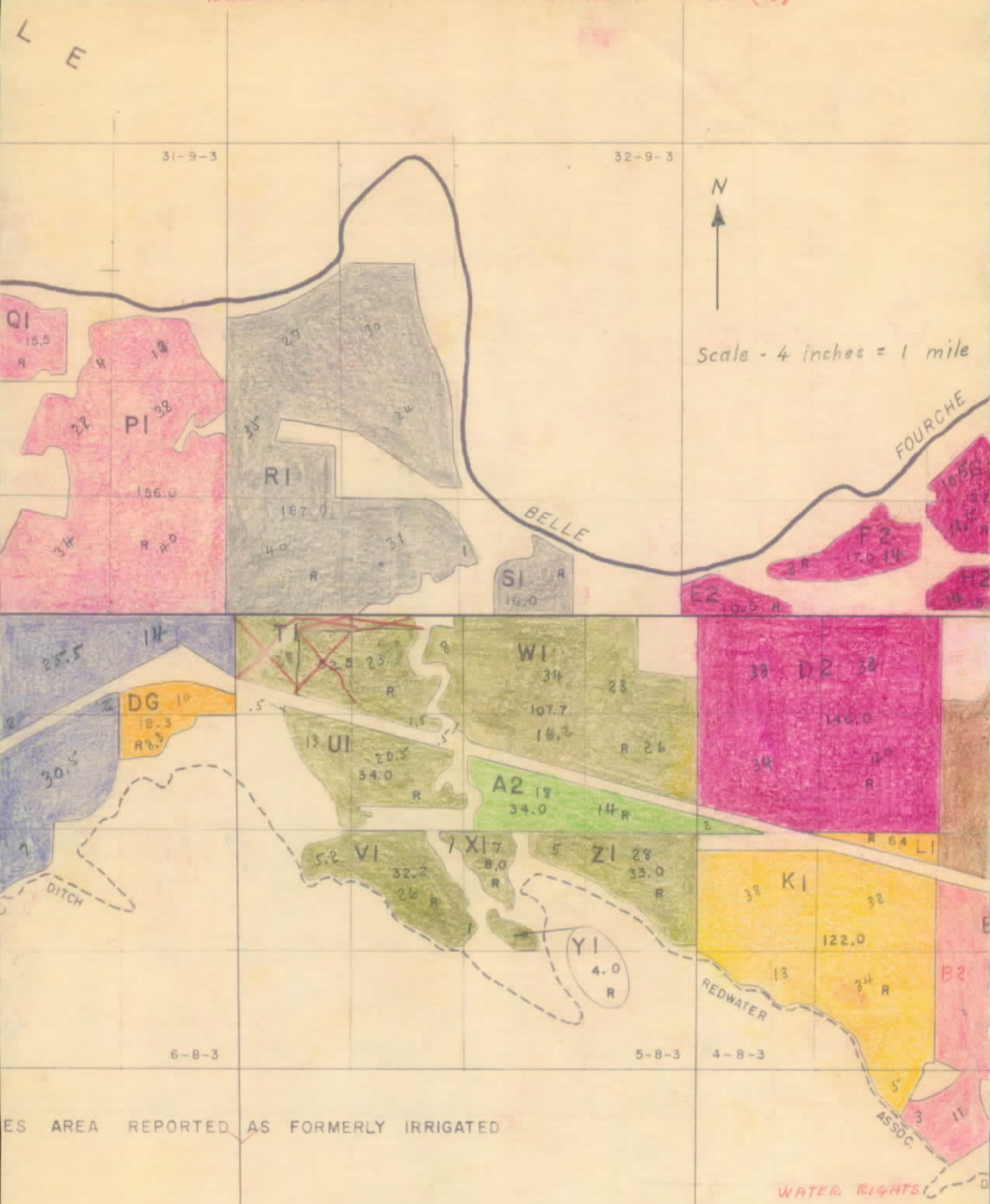
REDWATER ASSOC.

1-8-2

INDICAT

RE

REDWATER IRRIGATING ASSOCIATION DITCH (R)



ES AREA REPORTED AS FORMERLY IRRIGATED

DWATER IRRIGATING ASSOC. DITCH (R)

WATER RIGHTS

Water Right Owner

A. Stark — Same 1-1-67

D. Hindsfater — Same 1-1-67

George Hisashi 1-1-67

O. Nelson

G. Hindsfater — Same 1-1-67

L. Davis 3.54.13 — 1-1-67

O. Karsen — 1-1-67 Clinton Hoffman - R-number of L Davis

Dr. J. Davis — Same 1-1-67

Same 1-1-67

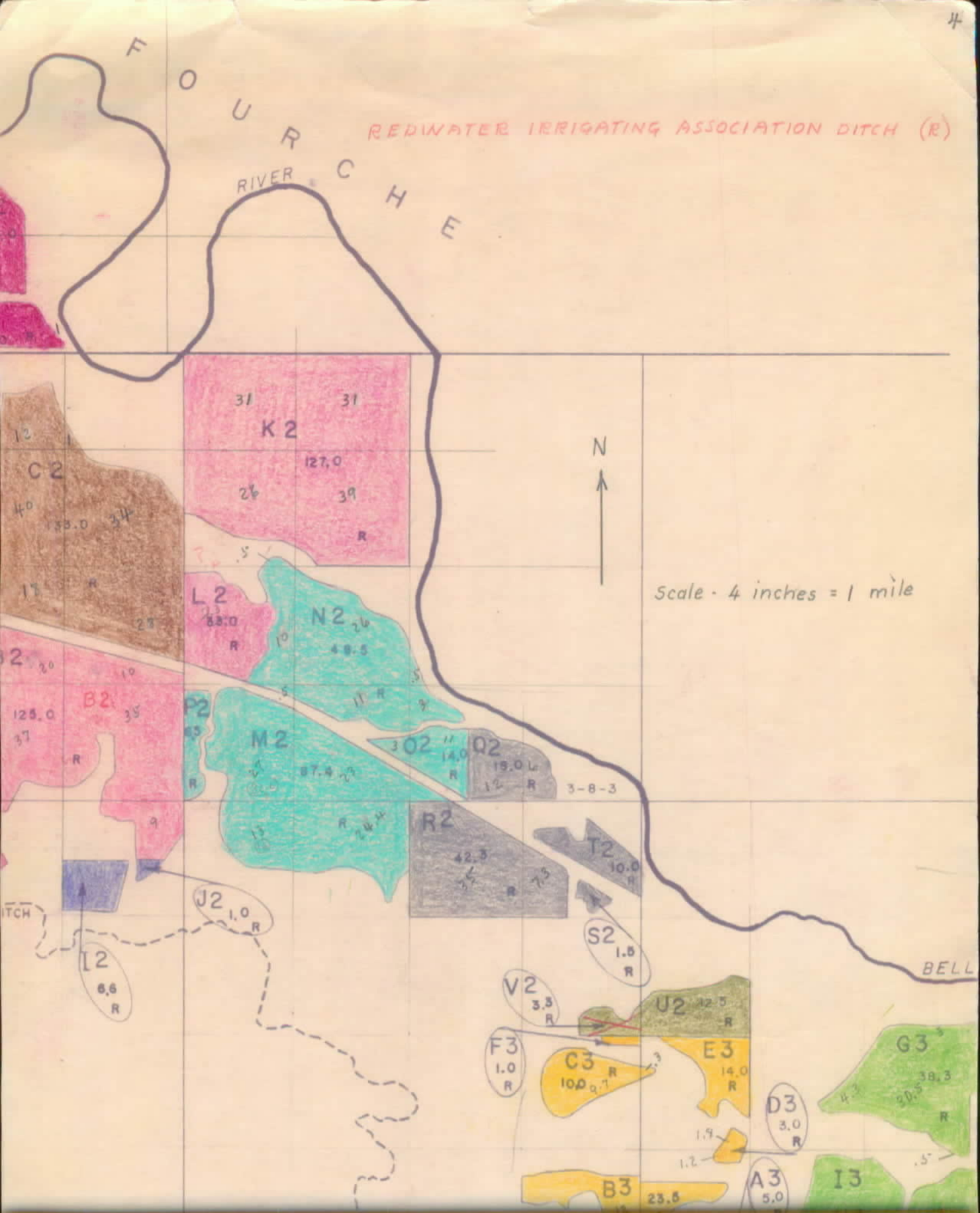
M. Hindsfater

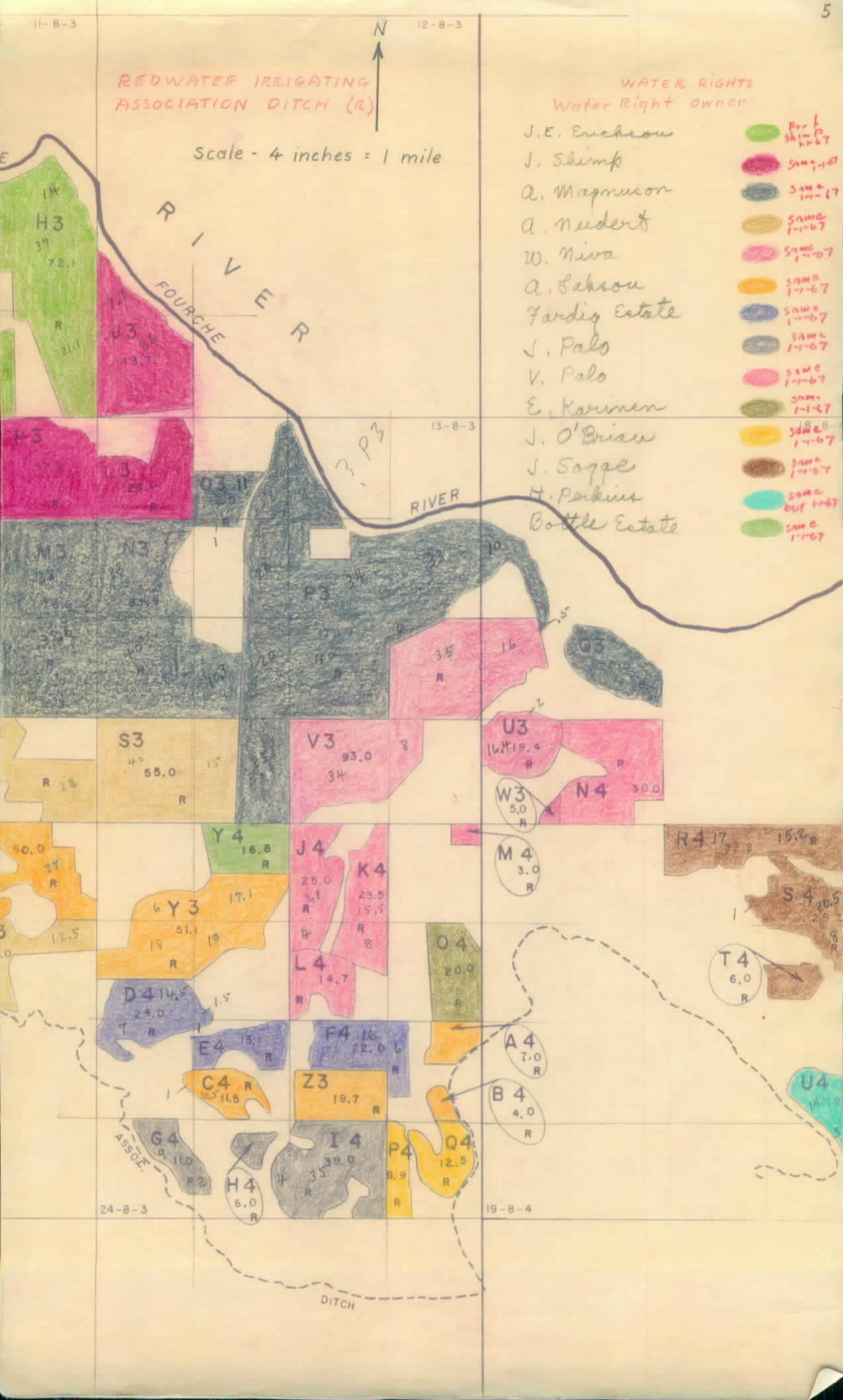
R. Kling — 1-1-67 Same

some plus U & I land

J. Davis — 1-1-67

Norman Dunn


FOURCHE RIVER
REDWATER IRRIGATING ASSOCIATION DITCH (R)
N
Scale - 4 inches = 1 mile
K2
127.0
C2
B2
125.0
L2
88.0
N2
48.5
P2
M2
87.4
O2
14.0
Q2
15.0
R2
42.3
T2
10.0
J2
1.0
I2
6.6
S2
1.5
V2
3.5
U2
12.5
F3
1.0
C3
10.0
E3
14.0
D3
3.0
G3
38.3
B3
23.8
A3
5.0
I3
3-8-3
BELL


REDWATER IRRIGATING ASSOCIATION DITCH (R)
N
Scale - 4 inches = 1 mile
WATER RIGHTS
Water Right Owner
J.E. Erickson
J. Shimp
A. Magnuson
A. Neidert
W. Niva
A. Eakson
Fording Estate
J. Palo
V. Palo
E. Korinen
J. O'Brian
J. Sogge
H. Perkins
Bottle Estate
RIVER
FOURCHE
11-8-3
12-8-3
13-8-3
24-8-3
19-8-4
DITCH
ASSOC.

REDWATER IRRIGATING ASSOCIATION DITCH (R)

R 4 E

Water Rights

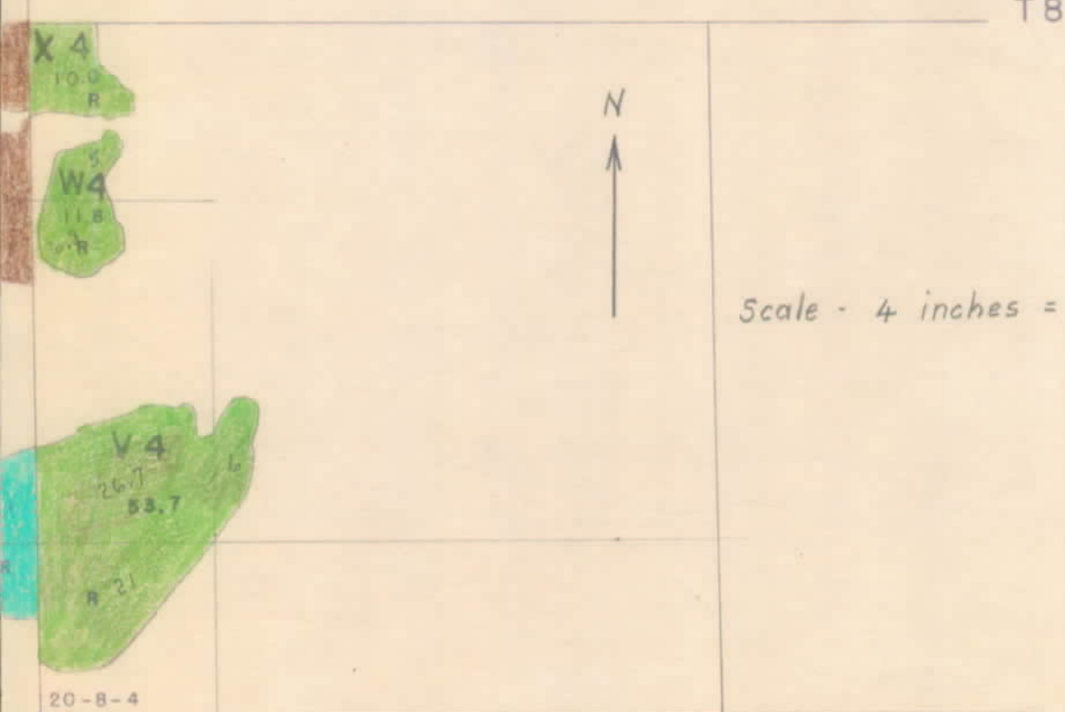
Water Right Owner

J. Sogge — Same 1-1-67

H. Perkins — same 1-1-67

~~G.A. Hill~~ Elmer Alan 1-1-67

T 8 N



2017

0294-1
Redwater Land and
Irrigating Co.

Location of Water

Know all men by these presents:

That the undersigned, Redwater Land & Irrigation Company, hereby locates and appropriates the waters of Redwater Stream Creek or Gulch, to be taken and diverted therefrom at a point on the same near the center of Section Thirty six (36) in Township No. eight (8) North of Range No. two (2) East, in Butte County, Dakota.

Said water to be taken from the right bank of the stream and carried thence by ditch and flume on a line as near as may be about three miles in a northerly direction along the said right bank of the Redwater River thence Easterly south of and parallel with the Belle Fourche River a distance of about thirty miles to a point of intersection with Cottonwood Creek. This water to be used and for use at all points along the line of the ditch. Now this location and claim to be independent of and in addition to all water rights and claims owned or heretofore acquired by the locator.

The number of inches of water claimed and appropriated is ten thousand miner's inches.

The purpose of the appropriation is for agricultural, mining, milling, manufacturing, irrigating and domestic uses.

Date of appropriation, August, 7, 1889.

Date of posting at the head of ditch, August 7, 1889

Date of certificate, August 7 ? 1889.

Redwater Land and Irrigating Company.
By: A.A. Chouteau, Agent.

2127

Location of Water

Know all men by these presents: That the undersigned, John R.Wilson, hereby locates and appropriates the waters of Redwater River Stream, creek or gulch, to be taken and diverted therefrom at a point on the same near the center of Section No. thirty six (36) in Township No. eight (8) North of Range No two (2) in Butte County, Dakota. Said water to be taken from the right bank of the stream and carried thence by ditch and flume on a line as near as may be about three miles in a northerly direction along the said right bank of Redwater River, thence easterly on the southerly side of and parallel with the Belle Fourche River a distance of about fifty miles to a point of intersection with cottonwood creek with further extension when needed, this water to be used and for use at all points along the line of the ditch. This location and claim to be independent of & in addition to all water rights & claims heretofore located, owned or otherwise acquired by the locators or either of them.

The number of inches of water claimed and appropriated is ten thousand miners inches.

The purpose of the appropriation is for mining, milling, manufacturing, irrigation and domestic uses.

Date of appropriation November 11th 1889. Date of posting at the head of ditch November 11, 1889.

Date of certificate November 11, 1889.

John R. Wilson.

s 89

Location of Water

Know all men by these presents:

That we, the undersigned, C.B. Chouteau and D.T. Harrison have located, claimed and appropriated and do hereby claim, locate and appropriate Four thousand (4000) inches of the waters of Redwater Creek to be taken out about twelve hundred feet South of the Northwest quarter stone in Section 36 of Township 8 North of Range 2 East B.H.M. on the East side of said Redwater Creek, for mining, milling, manufacturing, agricultural and domestic purposes.

December 2nd 1885.

C.B. Chouteau

D.T. Harrison

166

Location of Water

Know all men by these presents:

That I, D.T. Harrison of Butte County, Dakota Territory, have claimed, located and appropriated and do hereby claim, locate and appropriate four thousand inches of water of the Redwater Creek to be taken out about twelve hundred feet south of the North quarter stone in Section 36 Township 8 North Range 2 East B.H.M. on the East side of said Redwater for mining, milling, manufacturing, agricultural and domestic purposes.

Dated this 24th day of March 1884.

D.T. Harrison

17740 Bill of Sale.

We, D. T. Harrison and A. A. Chouteau for and in consideration of the sum of Five Hundred Dollars the receipt of which is hereby acknowledged. Do hereby Grant, Sell and Convey unto Peter Brochre of the County of Butte and Territory of Dakota the right and use forever of sufficient water to irrigate his farm described as follows viz: the S½SE¼ of Sec. 24 and the E½ NE¼ of Sec. 25 Town 8 N of Range 2 East B.H.M.; said water to be taken from the ditch running through the farm of the said Peter Brochre and constructed under the location made by said D. T. Harrison and others. In Witness Whereof the said parties of the first part have hereunto set their hands and seals this 24th day of April 1886.

D. T. Harrison (Seal)

A. A. Chouteau (Seal)

Territory of Dakota)
) ss
County of Butte)

Be it Remembered That on this 24th day of April A.D. 1886 before F. T. West County Clerk within and for said County and Territory personally appeared D. T. Harrison, and A. A. Chouteau well known to me to be the persons who are described in and executed the within and foregoing instrument and severally duly acknowledged to me that they executed the same duly. In Witness Whereof, I have hereunto set my hand and official seal at said County the day and year above written.

F. T. West County Clerk

SEAL by E. M. Bowman Deputy

For value received I hereby sell assign and grant unto Azby A. Chouteau all my right title and interest in and to the within described property to which reference is had for description.

Peter Broche

Signed and acknowledged before me this 18 day of June 1890.

Charles H McKibben

SEAL Notary Public

For value received I hereby sell, assign, transfer and relinquish to the Redwater Land and Canal Company all my right, title, and interest, in and to the water right, easement, appurtenance and property in this instrument set forth and described.

Asby A. Chouteau (Seal)

State of Missouri)
)ss
County of St. Louis)

On this 24th day of July 1903, personally appeared before me a Notary Public, Azby A. Chouteau, well known by me to be the person who is described in, and who executed the foregoing instrument and acknowledged to me that he executed the same.

Chas. J. Daly, Notary Public

City of St. Louis, Mo.

SEAL

My term expires Jan. 24-1905

State of South Dakota,)
) ss. Office of Register of Deeds,
County of Butte)

Filed for record 30 day of July A.D. 1903 at 2[20] o'clock P.M., and recorded in Book 13 on page 160-61

Geo. B. Ross
Register of Deeds.

By Pearl Miller
Deputy.

State of South Dakota } ss
County of Butte }

I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT IS A TRUE, CORRECT AND COMPLETE COPY OF THE ORIGINAL INSTRUMENT AS RECORDED IN MY OFFICE ON THE 30 DAY OF July 1903 AT 2:20 O'CLOCK P M. IN BOOK 13 PAGE 160-61 NO. 17740. DATED April 13 1960

Ethel Rosander
Register of Deeds

By _____ Deputy

Fee 60¢

No 761 Bill of Sale

We. D T Harrison and A A Chouteau, for and in consideration of the sum of Five Hundred Dollars the receipt of which is hereby acknowledged do hereby Grant. Sell and Convey unto Peter Brochn of the County of Butte and Territory of Dakota. the right and use forever of sufficient water to irrigate his farm described as follows, viz: the S½ SE¼ of Sec. 24 and the E½NE¼ of Sec. 25 Town. 8 N of Range 2 East B.H.M. said water to be taken from the ditch running through the farm of the said Peter Brochn and constructed under the location made by said D. T. Harrison and others.

In Witness Whereof the said parties of the first part have hereunto set their hands and seals this 24th day of April 1886.

D T Harrison (Seal)

A A Chouteau (Seal)

Territory of Dakota)ss
County of Butte)

Be it Remembered, That on this 24th day of April AD 1886 before F T West County Clerk within and for said County and Territory personally appeared D T Harrison and A A Chouteau well known to me to be the persons who are described in and executed the within and foregoing instrument and severally duly acknowledged to me that they executed the same duly.

In Witness Whereof. I have hereunto set my hand and official seal at said County the day and year above written

Seal

F T West
County Clerk
By E M Bowman Deputy

No 761
Bill of Sale

Register's Office)ss
Butte County Dakota)

Received for record the 24th day of April AD 1886 at 3:50 o'clock P.M. and recorded in Vol 7 of Misc. Insts. page 38.

F T West
Register
by E M Bowman Deputy

State of South Dakota } ss
County of Butte }

I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT IS A TRUE, CORRECT AND COMPLETE COPY OF THE ORIGINAL INSTRUMENT AS RECORDED IN MY OFFICE
ON THE 24 DAY OF April 1886.
AT 3:50 O'CLOCK P M.
IN BOOK 7 PAGE 38 NO. 761.
DATED April 13 1960

Ethel Rosander
Register of Deeds

By _____ Deputy

Fee. 50¢

17728 Bill of Sale.

I, Peter Broche in consideration of the sum of One Dollar, the receipt of which is hereby acknowledged, do hereby Grant, Sell and Convey, and assign unto Azby A. Chouteau all my right, title and interest in the right and use of the water running through the S^2 SE^4 Sec. 24 and E^2 NE^4 Sec. 25 in Town 8 N of R. 2 East B.H.M. which was conveyed to me by deed dated the 24th day of April 1886, made by D. T. Harrison and A. A. Chouteau and recorded in the Office of the Register of Deeds of Butte County, State of South Dakota, in Book 7 at page 38 to which reference is had. In Witness Whereof I have hereunto set my hand and seal this 18th day of April 1890.

Peter Broche

State of South Dakota)
) ss.
County of Butte)

Signed and acknowledged before me this 18" day of June 1890.

Charles H. McKibben

SEAL

Notary Public

State of South Dakota,)
) ss. Office of Register of Deeds,
County of Butte)

Filed for record 28 day of July A.D. 1903 at 2 o'clock P.M., and recorded in Book 13 on page 158

Geo. B. Ross
Register of Deeds.
By Pearl Miller
Deputy.

State of South Dakota } ss
County of Butte }

I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT IS A TRUE, CORRECT AND COMPLETE COPY OF THE ORIGINAL INSTRUMENT AS RECORDED IN MY OFFICE
ON THE 28 DAY OF July 1903
AT 2:00 O'CLOCK P. M.
IN BOOK 13 PAGE 158 NO 17728
DATED April 13 1960

Ethel Rosander
Register of Deeds

By _____ Deputy

Fee 50¢

17729 Bill of Sale.

I, Azby A Chouteau in consideration of One Hundred and Fifty Dollars, the receipt of which is hereby acknowledged, do hereby Grant, Sell, Convey, Assign and Relinquish to the Redwater Land & Canal Company, its successors and assigns, all my right, title and interest in the right and use of the water running through the S^2 of the SE^4 of Section 24 and E^2 of the NE^4 of Section 25 in Township 8 North of Range 2 East of Black Hills Meridian, which was conveyed to me by deed executed by Peter Broche on the 18th day of April 1890, and being the same right, interest and property conveyed by D. T. Harrison and A. A. Chouteau to Peter Broche on the 24th day of April 1886, and which Deed is duly recorded in the Register of Deeds office in Butte County, South Dakota, in Book seven at page 38. In Witness Whereof I have hereunto set my hand and seal this 24th day of July 1903.

Asby A. Chouteau (Seal)

State of Missouri)
) ss
County of St. Louis)

On this 24th day of July 1903 personally appeared, before me a Notary Public, Azby A. Chouteau, well known by me to be the person who is described in, and who executed the foregoing instrument and acknowledged to me that he executed the same.

Chas. J. Daly Notary Public

City of St. Louis Mo.

SEAL My term expires Jan 24-1905

State of South Dakota,)
) ss. Office of Register of Deeds,
County of Butte)

Filed for record 28 day of July A.D. 1903 at 2^{10} o'clock P.M., and recorded in Book 13 on page 159

Geo. B. Ross
Register of Deeds.
By Pearl Miller
Deputy.

State of South Dakota } ss.
County of Butte }

I HEREBY CERTIFY THAT THE WITHIN INSTRUMENT IS A TRUE, CORRECT AND COMPLETE COPY OF THE ORIGINAL INSTRUMENT AS RECORDED IN MY OFFICE
ON THE 28 DAY OF July 1903
AT 2:10 O'CLOCK P. M.
IN BOOK 13 PAGE 159 NO. 17729
DATED April 13 1960
Ethel Rosander
Register of Deeds
By
Deputy
Fee 50¢

SOUTH DAKOTA

State Water Resources Commission

STATE OFFICE BUILDING

PIERRE, SOUTH DAKOTA

December 14, 1961

Mr. Lauren Davis, President
Redwater Irrigation Association
E. Highway 212
Belle Fourche, S. Dak.

Re: Redwater Irrigation Association

Dear Mr. Davis:

The State Water Resources Commission has been making a study of water use pertaining to the surface flows of Redwater River and its tributaries in South Dakota.

As a part of this study, a search has been made for written records and documents which pertain to the diversions of the water. The Commission found the following pertaining to the Redwater Irrigation Association:

Pertaining to Priority Dates

From Book 31, page 55, Butte County Register of Deeds, the following were found:

> Application of Redwater Land and Canal Company, dated May 9, 1908, for a Court order directing the Register of Deeds of Lawrence County to enter in the records a copy of the Newland Filing and Newland's affidavit to replace the original filing which was destroyed in the Lawrence County Courthouse fire on September 26, 1879;
>
> Copy of the reconstruction Newland filing claiming 4000 miner's inches of Redwater Creek, dated May 5, 1878;
>
> Sworn statement of Newland that this was a substantial copy of the original notice and that if he had testified on March 3, 1900 that the notice of the location was made in May, 1879, then he had at that time made a mistake in the year;

The order of the Circuit Court that the copy of the Newland filing be entered in the office of the Register of Deeds, Lawrence County, in lieu of the record destroyed;

A water right filing was found claiming 4000 inches of the waters of Redwater Creek, dated December 2, 1885 and signed by C. B. Chouteau and D. T. Harrison. This is Instrument No. 589 in the Butte County Register of Deeds office. A filing, signed by D. T. Harrison and dated March 24, 1884, contains the same wording as Instrument No. 589 and is filed as Instrument No. 166 in the Butte County Register of Deeds office;

A water right filing was found claiming 10,000 miner's inches of the waters of Redwater Stream Creek or Gulch to be carried for thirty miles south of and parallel to the Belle Fourche River, signed for the Redwater Land and Irrigating Company by A. A. Chouteau, Agent, and dated August 7, 1889. This is Instrument No. 2017 in the Butte County Register of Deeds Office;

A water right filing was found claiming 10,000 miner's inches of the waters of Redwater River to be carried for fifty miles south of and parallel to the Belle Fourche River, signed by John R. Wilson and dated November 11, 1889. This is Instrument No. 2127 in the Butte County Register of Deeds office.

In the Court action of Redwater Land and Canal Company v. Henry Keets, David M. Dorsett and Daniel T. Reed, we found findings of fact and conclusion of law of the Circuit Court dated August 26, 1904, the Supreme Court Opinion, filed November 26, 1910, and the Circuit Court Decree dated January 5, 1911. In these actions the courts considered the priority of the Newland Ditch as February 1, 1879. The Courts did not consider the Chouteau and Harrison Ditch filing and, while not specifically designating a priority date for the Wilson or Redwater Land and Irrigating Company filing, the courts did recognize that enlargement of the ditch started about the same date as these filings were made.

In the Court action of Redwater Land and Canal Company v. D. T. Reed, R. Reed, Pauline Thompson, John H. Burns and Henry Keets, we found the Circuit Court decision dated August 26, 1904, the Circuit Court Decree dated March 10, 1905 and a stipulation dated March 17, 1905, tying this case to the above "Redwater Ditch" v."Reed Ditch" in the appeal to the Supreme Court. In these actions, the Court considered the priority dates exactly the same as in the above mentioned case "Redwater Ditch" v. "Reed Ditch".

In the court action of Redwater Land and Canal Company v. John R. Jones, the Court stated that the Harrison-Chouteau water right location was made on December 2, 1885 and said the Newland water right location was made in the summer of 1878. This court action does not mention the Wilson or Redwater Land and Irrigation Company filings, but does mention the Redwater Land and Canal Company Ditch was enlarged in 1889. Concerning this Court case, we found Circuit Court Decision dated July 27, 1904, the Circuit Court Judgement dated August 13, 1904, the Supreme Court Opinion filed March 1, 1911 and the Supreme Court Order remanding the action to the Circuit Court dated April 4, 1911.

As outlined above, there is some conflict as to the priority date of the Newland filing.

In the Redwater Land and Canal Company v. the "Thompson Ditch" case, the Court said water rights on the following described lands had a water right priority earlier than that of the Newland Ditch:

W½ SW¼	Section 12, T7N,R1E, BHM
E½ SE¼	Section 11, T7N,R1E, BHM

In the Redwater Land and Canal Company v. the "Reed Ditch" case, the Court said water rights on the following described lands had a water right priority earlier than that of the Newland Ditch:

E½ SW¼ and W½ SE¼	Section 12, T7N,R1E, BHM
SE¼ NE¼ and NE¼ SE¼	Section 12, T7N,R1E, BHM
Lot 2 and Lot 3	Section 7, T7N,R2E, BHM
E½ NW¼ and SW¼ NE¼	Section 7, T7N,R2E, BHM
E½ NE¼ and NW¼ NE¼	Section 7, T7N,R2E, BHM

In the Redwater Land and Canal Company v. John R. Jones case the Court said that the following described lands may be irrigated from the Redwater Land and Canal Company Ditch;

> The W½ NE¼, Section 25, T8N, R2E and such portions of the land lying between said eighty acres and the Redwater River as could be irrigated from the Harrison-Choutoau Ditch.

However, while some questions may exist, the water right priority on this land is, apparently, earlier than that of the Newland Ditch. In this case the Court said that the lands irrigated in portions of E½ NW¼ and the E½ SW¼, Section 25, T8N, R2E, lying west of the Redwater River, had a water right priority earlier than that of the Newland Ditch.

Pertaining to Water Right Rates of Diversion

The Newland filing claims 4000 miner's inches.

The Harrison and Chouteau filing claims 4000 miner's inches.

The Redwater Land and Irrigating Company filing claims 10,000 miner's inches.

The Wilson filing claims 10,000 miner's inches.

In the "Thompson" and "Reed" cases, the Court said the Newland filing was entitled to 2200 miner's inches. It is not clear if this 2200 miner's inches was for the Newland water right only or if it included a portion of the Chouteau-Harrison filing. While the Court did not specify a diversion rate for the Redwater Land and Irrigating Company filing or for the Wilson filing, it did mention that the old "Newland Ditch" had been enlarged so that its capacity was about 10,000 miner's inches.

In the "Jones" case the Court mentioned that 4000 miner's inches had been diverted through the Newland Ditch and that the Harrison-Chouteau Ditch has a sufficient capacity to carry 4000 miner's inches of water. No mention was made of the Redwater Land and Irrigating Company filing or the Wilson filing in this case.

There is some question as to how much, if any, of the water which the Court said should be made available to the John R. Jones land, should be considered as a part of the over-all Redwater Irrigating Association water rights.

Miscellaneous

We found the following:

Contract dated October 18, 1889 between James Eaton and John R. Wilson in which Eaton obtains use to 200 inches of water from Redwater and Belle Fourche Milling and Irrigation Company Ditch and the Chouteau and Harrison Ditch;

Warranty Deed, Alfred Grebbin, Trustee, to Redwater Irrigating Association, dated October 5, 1909, conveying:

Chouteau and Harrison Water Right.
Newland Water Right.
Redwater Land and Irrigating Company water right.
John Wilson water right.
At least 2000 miner's inches of the flow of Redwater River.

Any rights which might result in more than the specified 2000 miner's inches.

The responsibility for furnishing water to Eaton and Spaulding (Later Jones, now Helmer) on the east side of Redwater River.

All Ditches, Dams, Flumes, improvements, Right-of-Ways, Etc.

In 1914, members of West Side Ditch Company and other water users in the Redwater River Valley below the mouth of False Bottom Creek, started a series of suits against the Redwater Irrigating Association, claiming damages, and praying that the Redwater Irrigating Association be stopped from taking all of the flow of Redwater River upstream. These cases were removed to Federal Court. Then an agreement was reached between all parties in the suit wherein the Redwater Irrigating Association was to divert the first 2200 miner's inches of Redwater River and the remainder of the flow at the diversion point of the Redwater Irrigating Association was to be divided on a specified basis.

In those series of suits we found:

Complaint dated August 15, 1914.

Order removing case to Federal Court dated September 8, 1914.

Agreement between parties in the suits dated December 14, 1915.

Stipulation of Dismissal from Federal Court dated May 16, 1916.

The agreement, dated December 14, 1915, between the Redwater Irrigating Association and water users downstream from False Bottom Creek, modifies your water right to some extent. This agreement applies only to the water users involved and would not be binding where it conflicts with legal use of water by other water right holders.

Found were Complaint of Redwater Irrigating Association v. W. L. Barbour dated October 12, 1911, wherein the Association claimed that Barbour had lowered Redwater Ditch Company's headgate 5 1/2 inches and then had padlocked the headgate, and the Circuit Court Judgement, dated 21, 1912, in which Barbour was permanently restrained from interferring in any manner with the headgate.

Found were Complaint dated June 17, 1931, Circuit Court Judgment, dated December 8, 1933, and Supreme Court Opinion filed March 21, 1936, in the case of Butte County v. C. Lovinger et al. In this case, Lovinger and others mortgaged

their lands to the State of South Dakota. Upon foreclosure, they did not transfer their shares in the Redwater Irrigating Association to the State. The Courts said that the shares in the Redwater Irrigating Association were owned by C. Lovinger and others.

The Supreme Court Opinion, filed March 21, 1936 in the case Butte County v. Barnett et al, is very similar to the Lovinger case.

A letter dated January 14, 1961 was sent to you enclosing a map showing fields reported to be irrigated and the acreages of these fields. With your help these fields and acreages have been revised. Enclosed, for your information, is a copy of the revised map and the revised list of owners and acreages.

The end of the "Newland Ditch" is presumed to be the east boundary of Section 9, T8N, R3E. This presumption is based on:

Testimony in Redwater Land and Canal Company v. "Thompson Ditch";
1918 Bureau of Reclamation Report;
1909 Affidavit of Frank West;

As mapped by the State Water Resources Commission, 5084.5 acres are reported to be irrigated from the Redwater Irrigation Association Ditch (does not include Helmer's land). Of these 5084.5 acres:

113.6 acres may be considered to be under the Harrison-Chouteau filing.
2867.4 acres may be considered to be under the Newland filing.
2103.5 acres may be considered to be under the Redwater Land and Irrigating Company, or the John Wilson, filings.

The Water Resources Commission would appreciate being informed about any additional data you find that you deem applicable, in order to obtain as complete a record as possible, and would arrange to have a representative meet with you to discuss the information contained in this letter and such additional information as you might find, if you so desire.

Sincerely,

J. W. GRIMES
Executive Officer and
Chief Engineer

REDWATER IRRIGATING ASSOCIATION

Acreages as measured.

Owner -- Irrigator	Acreage of Field			Total Acreage per Owner
T. Broadhurst	10.0			10.0
L. Kinghorn	26.0			
	13.3			
	4.7			
	9.4			53.4
W. Lesueur	13.5			
	8.3			
	16.0			37.8
A. Bach	46.5			
	2.1			
	3.0			51.6
E Gaver	40.8			
	20.8			
	3.3			
	8.0			
	7.7			
	14.4			95.0
K. Powell	40.0			
	10.7			50.7
J. Eaton	97.1			
	3.5			100.6
U. & L. Sugar Co.	3.0	40.8	7.1	
	15.2	25.3	53.8	
	20.0	22.0	114.6	
	20.0	47.5	26.4	
	17.1	10.8	58.4	
	15.2			497.2
G. Shaub	67.3			
	19.8			87.1
A. Stark	82.0			
	101.5			
	18.5			
	29.0			231.0
D. Kindsfater	38.3			
	14.5			
	122.0			
	6.4			181.2

REDWATER IRRIGATING ASSOCIATION cont.

Acreages as measured.

Owner — Irrigator	Acreage of Field	Total Acreage per Owner
R. Stumpf	127.0	127.0
J. Herman	223.8	
	25.0 *	248.8
D. Gaver	16.0	16.0
O. Nelson	156.0	
	15.5	171.5
G. Kindsfater	87.0	
	12.0	
	86.0	185.0
L. Davis	52.5	
	34.0	
	32.2	
	96.8	
	8.7	
	3.5	
	31.4	259.1
J. Davis	30.0	30.0
M. Kindsfater	78.5	
	33.7	112.2
R. Kling	133.3	133.3
J. Durr	140.0	
	15.3	
	2.5	
	19.2	
	15.0	192.0
P. Brookbank	5.0	
	1.0	6.0
I. Jeremiason	121.6	
	6.5	
	9.0	137.1
E. Herber	59.7	
	87.4	
	6.5	
	11.4	165.0

* This field has not been irrigated for the past 4 or 5 years.

REDWATER IRRIGATING ASSOCIATION cont.

Acreages as measured.

Owner — Irrigater	Acreage of Field	Total Acreage per Owner
T. Holmer	9.1 42.3 2.7 5.0 1.5	60.6
C. Talley	3.3 12.5	15.8
R. Jewett	2.8 95.0 20.2 23.9 10.6 16.3	168.8
J. Erickson	38.3 57.3 72.1	167.7
J. Shimp	37.5 43.7 27.2	108.4
A Magnuson	74.6 135.0 90.2 60.8 30.6 83.9 57.0 18.9	551.0
A. Neldesdt	60.0 14.7 23.6	98.3
W. Niva	93.0 18.4	111.4
Bottle Estate	16.8	16.8
A. Laksen	27.5 11.5 19.7	58.7
Fardig Estate	24.0 13.1 22.0	59.1

REDWATER IRRIGATING ASSOCIATION cont.

Acreages as measured.

Owner — Irrigator	Acreage of Field	Total Acreage per Owner
J. Palo	4.0	
	11.0	
	25.0	
	6.4	46.4
V. Palo	25.3	
	23.5	
	2.5	
	14.7	
	19.4	85.4
E. Karinen	20.0	20.0
J. O'Brian	8.9	
	16.1	25.0
J. Sogge	32.2	
	29.5	
	5.3	67.0
H. Perkins	19.1	19.1
G. Hill	10.0	
	11.8	
	53.7	75.5
	TOTAL	4933.6

Notes on Preliminary Investigations
Of the Redwater River in South Dakota

June 24

Arrived at Lauren Davis place about 9:30 AM.

Upon arrival I learned that an inspection trip of the Redwater River and its irrigation system was planned. Trip started immediately. Those making trip were:

Lauren Davis, President of Redwater Ditch Association
Bill Jorgenson, Supt. of Redwater Ditch Association
Raymond Kling, Director of Redwater Ditch Association
Victor Morlin, Manager of Belle Fourche Irrigation District
Donald Driscoll, Representative of State Water Resources Commission

First inspected portions of west side irrigation ditch. Lauren Davis reported that there had been litigation between the Redwater Ditch Association and the West Side Ditch Company. The Court decreed that the Redwater Ditch Association was to provide the West Side Ditch Company with water from Redwater River. As a result of the decree an agreement had been reached wherein the Redwater Association takes the first 2200 inches, the West Side Ditch the next 300 inches. Any excess above 2500 to be divided 4/11 to West Side Ditch Company and 7/11 to the Redwater Ditch Association.

Inspection was then made of the area irrigated by William Helmer. Informal protests of W. Helmers' irrigation were made. Basis of complaint were;

1. Helmer had for several years irrigated on 20 to 30 acres up the slope from West Side Ditch by pumping--no evidence of pumping there this year.

2. That he was using excess water on his land under irrigation just west and adjacent to the Redwater ditch.

3. The main complaint was that he pumped onto a 30-40 acre field above and East of the Redwater ditch and had cut the ditch on a neighbors land to allow water to reach his pump.

A Court decree was agreed to be Mr. W. Helmers' basis for his irrigation methods which differed from those of the people having shares in the Redwater Ditch Association.

While inspecting the Redwater ditch on W. Helmers land, Hans Grimsbolt, ditch rider for Redwater Association drove up. He said water was disappearing from the ditch and he was trying to locate the

area. He reported that 2190 inches of water was going through the Redwater ditch headgate and that this was 100 inches more than was available yesterday.

We then drove past approximately 100 acres of land, located east of the upstream end of Redwater ditch, belonging to Thomas Broadhurst. This land had been irrigated recently.

Informal protests were made that this Broadhurst pumping reduced Redwater supply of water at times to less than 2200 and that the pumping was done when less than 1400 second feet was available to the Belle Fourche Irrigation District at the diversion dam.

The location of the headgates of the Redwater and West Side ditches were pointed out from the road.

We then drove several miles south to the land owned by John Helmer. His son, Don was interviewed by Lauren Davis and gave the following information and estimates. They, (Helmers) irrigated from the Concordia irrigation ditch. The ditch withdraws 1000 inches from Redwater River. Don Helmer said the 1000 inches diverted at the headgate was to provide for 700 inches being available for irrigation. If sufficient water was not available, Montana-Dakota was telephoned and the power company changed their system so that sufficient water to the Concordia Ditch was forthcoming. He reported that land originally to be irrigated from two springs had been irrigated infrequently in the past by pumping from Redwater River on 20 to 30 acres. He reported that they, Helmers, irrigate 15 to 20 acres on the slope above the ditch by pumping. He gave the following estimates and ownership of Land irrigated under the Concordia Ditch:

Dr. Gilbert	50 acres
John Helmer	40 "
Mrs. Kinnaid	135 "
John Widdoes & Sons	90 "

The headgate of the Concordia Ditch was then inspected. This headgate took practically all of the flow of the Redwater River at that point. There was no measuring device at this headgate. The flow was substantial and somewhere in the neighborhood of 1000 inches.

The generating plant of Montana-Dakota in the area was inspected. A diversion ditch carried water to the plant and dumped a substantial flow back into the Redwater River below the Concordia Ditch headgate.

Apparently the diversion ditch was about ½ mile long to the Redwater River. Then a canal ½ mile long connected this diversion ditch and Redwater River to Spearfish Creek. At the south end of the connecting canal, a headgate on Spearfish Creek controlled the amount of water going to Concordia Ditch. Water must go down Spearfish Creek to its mouth on Redwater and thence to the Concordia headgate. At the time of inspection the flow of water in the connecting canal between Spearfish Creek and Redwater River was from Redwater River to Spearfish Creek. There was no measuring device on above-mentioned headgate allowing flow to go down Spearfish to Concordia. (Flow here could be computed fairly easy). When the generating plant was inspected water was being held in the diversion ditch so that the water was within 4 to 6 inches of overtopping spillway at the end of the ditch.

We then traveled to the Murray Irrigation ditch. This ditch starts in Wyoming and runs into South Dakota. Henry Tauck, an irrigator from the ditch thought the Water Right for the ditch was filed in Wyoming and that it allowed for the diversion of 1600 inches. Mr. Tauck and Glen Broadhurst, another irrigator from the ditch gave the following estimates of ownership and acres under irrigation:

Couchoins in Wyoming	100-125 acres
Sager in Wyoming	?
Henry Tauck	50 "
McKay	100 "
Painter	150 "
Broadhurst	50 "
Cunningham	50 "

The Murray ditch near the state line had a water depth of 12" and average width of 4'. The current was smooth-fairly slow.

Inspection was made of the headgate of the Thompson Ditch headgate, located about a mile upstream from the end of the Murray ditch. This headgate took most of the flow of the Redwater River at this point-did allow enough to bypass for domestic purpose. No measuring device on this headgate. Wooden dam across river. Turbulent rapid flow through headgate 45" x 18" cross section.

The Murray ditch ends and feeds into the Thompson ditch on property of Henry Cunningham. Flow at end of Murray ditch at time of inspection, about 20 inches. Mr. Cunningham guessed the Thompson ditch might have a water right for 800 inches. He gave the following estimate of irrigated acres from the Thompson ditch:

	Acres	Horses
Cunningham	50	1
Thompson	150	2
Weir		1
Heisserman		1
Swanson		1
A. Bryan		1.

On Thompson's land we saw another diversion canal leading to a different Montana-Dakota generating plant. Excess water from Thompson's irrigation was running into this canal.

We then contacted one of the Craigo Brothers. He irrigates from a nameless ditch several miles upstream from the Concordia. This ditch is not now operating because of disrepair, but they plan to repair it soon. This ditch diverts water from Spearfish Creek for irrigation in the Redwater River valley. He gave following estimates:

Williams	100 acres
Heller	100 acres
Craigo Brothers	200 acres

It was reported that this ditch had been extended in the last two years.

Mention was made that two other small (?) ditches in this area diverted water from Spearfish Creek into Redwater watershed.

Saw general area where Belle Fourche withdraws water from springs in Spearfish Creek Valley for municipal purposes. Same general area as start of Craigo ditch.

Met with Board of Directors of Redwater Ditch Association at 7:00PM

Mr. Davis gave a report on the days inspection trip. He read section 61.0126 of the water laws pertaining to the 70 acres per second foot allowed for irrigation.

As there had been an indication that upstream users were exceeding this rate, the Board was interested in this point. I was asked if this section applied to the old water rights such as existed on the irrigation ditches we had inspected. I stated I could not give a definite answer on that, that there was some doubt in my mind that the law applied 100% to the old water rights. That I would check at the office on this. Mr. Davis stated an Attorney General's opinion might be needed.

There was a discussion of the desirability to learn the amount of water each ditch and irrigator was entitled to and the desirability of having measuring devices on the ditches.

I commented on the different methods whereby the desired information could be obtained and stated that the extent to which the staff of the Water Resources Commission would participate depended on the desires of the Water Resources Commission.

I was asked what I was going to do about the apparent violations of William Helmer and Thomas Broadhurst. I explained that if it could be proven that W. Helmer and T. Broadhurst were in violation, it would be advisable for the Water Resources Commission to review the matter and decide upon a course of action. I said I intended to visit with Mr. Helmer and Mr. Broadhurst next day about their irrigation.

In answer to my question Mr. Davis said there were 33 share holders in the Redwater Irrigation Ditch Company, having 2200 shares and irrigating about 5000 acres of land.

The Board of Directors decided to have another meeting at 7:30 PM the next day.

June 25

Mr. Lauren Davis and I inspected in more detail the West Side ditch, mouth of False Bottom Creek, Redwater River and Redwater Ditch in the vicinity of Broadhurst's and Helmer's land.

The mouth of False Bottom Creek is on the Redwater River just upstream from the bridge over Redwater River on Highway 24. Just below the mouth of False Bottom Creek, the Redwater Ditch Company diversion dam on Redwater River has been constructed. A short canal leads from the dam to the headgate of the Redwater Irrigation dam. There is a large Parshall Flume to measure flows into the ditch. The bypass allows water to be diverted back into the Redwater River. The headgate of the West Side ditch is located immediately downstream on Redwater River. I did not see this headgate but it appeared that during irrigation season, the amount of water entering West Side Ditch is that amount of water bypassed at the Redwater Ditch headgate. The West Side Ditch irrigation area ends upstream from Belle Fourche.

I studied information available from the minutes of the Redwater Irrigation Ditch Company and obtained a copy of the Court decree applying to William Helmer's irrigation.

I called on William Helmer, introduced myself and said that the Board of Directors of the Redwater Irrigation Ditch Company had called our office and asked that we take part in a preliminary investigation of the Redwater River and its irrigation systems. That I, Mr.

Grimes, Chief Engineer for the Water Resources Commission had instructed me to represent the Water Resources Commission in this preliminary investigation.

I said I had toured the Redwater River Valley from Belle Fourche to the Wyoming line the previous day and that in the course of the preliminary investigation some things regarding his irrigation had come to my attention that I would like to discuss with him.

I said it was reported he was irrigating on the slope above the West Side ditch, just east of the road south of his home. He said he had started to pump irrigate this land in 1951 and had irrigated 8 acres of alfalfa there this year. (I had previously checked this land and found that it was within that land described as being under the Court decree).

I stated that he apparently had been irrigating at a rate higher than 70 acres per cubic foot of water on the field immediately west of the Redwater Irrigation ditch, or on that land irrigated from his headgate on the west side of the Redwater Irrigation Ditch. He said he had irrigated at a higher rate and he believed the Court decree gave him such authority.

I said that he irrigated by pumping water on a 30-40 acre field in the S½ of the S½ of the NW¼ of Section 25 and that this land was not covered by the Court decree.

He said he had started irrigation on that field in 1951. That he did not know it was not covered by the Court decree. That part of the 200 acres allowed to be irrigated under the Court decree had flooded out and was no longer irrigable. That sufficient water was not allowed to flow in the West Side Ditch for his irrigation needs, so he had started irrigation on the land mentioned and his total acres under irrigation does not exceed 200 acres.

I asked him if he thought he had the right to cut the ditch of the Redwater Ditch Company. He replied that he did not cut the ditch. That the ditch had always been open at that little valley to allow runoff water to enter the ditch. That he had pumped out of this little valley since 1951. That the Redwater Association had lowered the level of the water in their ditch by cleaning the ditch with a dozer, and he had just dug out the swale so he could continue to obtain his water in case the water level in the ditch lowered.

I asked him what authority he had to go on another person's land to pump water onto his land. He said Mrs. Evans said she would give him an easement to do so and that her attorney, Mr. Stevens had said

he should obtain such an easement. I asked him if he had the easement. He said he hadn't gotten it yet.

He asked me if I thought they could make him quit pumping on the 6½ of the NW of 25. I told him that if he could prove he had irrigated that land since 1931, he might possibly be able to obtain a vested right on the land. That due to the complication of the water supplies mentioned in the Court decree I could not quickly comment on the amount of water that would be available under such a vested right.

He said he was buying the land from the Federal Land Bank and he thought the Federal Land Bank would continue to protect his water rights.

I pointed out some of the requirements of the 1935 laws pertaining to irrigation and explained that any change of his diversion points would first require approval by the Water Resources Commission.

I explained that any action of the Water Resources Commission that was available to the Redwater Irrigation Association would also be available to him.

I asked how much water his pump pumped and he said 50 to 70 inches.

I called on Thomas Broadhurst and introduced myself and explained my presence there as I had done with Mr. [illegible] Palmer.

I said I had discussed his water right with Mr. Grimes just before starting on my trip to the Redwater River area and it was my understanding that his water right for 1.87 cubic feet with a priority of 1940 did not entitle him to use the water unless there were 1400 second feet of water available to the Belle Fourche Irrigation District at the Belle Fourche River Diversion Dam. That Mr. Morlin, Manager for the Belle Fourche Irrigation District had told me there was no where near 1400 second feet of water available at the diversion dam.

Mr. Broadhurst said that he did not have such an understanding regarding his right to irrigate the field in question only when 1400 second feet were available at the diversion dam and his water rights did not mention this condition.

He said also that he had an agreement with the Evans estate to combine their 25 shares of Redwater ditch water with his 3 shares and alternate the use of the combined shares and he did not know that he was exceeding this combination.

Met with the Gadwater Irrigation Association Directors at 7:30 PM. Discussed my visits with Mr. L. Helmer and Mr. T. Broadhurst.

Mr. Davis said the Association was interested in water from the Gadwater River being allocated on a fair, measured and supervised basis. That the Association was interested in having those irrigators who were in violation of the irrigation laws stopped. That while the Association did not necessarily expect these steps to be taken at once, the Association had now decided to do all it could to bring about the two mentioned steps and would appreciate advice from the staff of the Water Resources Commission as to the best method of starting such steps. That the Association would appreciate a letter or telephone call from the the Water Resources Commission staff as soon as possible.

Arrangements were made to inspect the Gadwater River area from Belle Fourche to the end of the project first one week day.

June 24

Together with Mr. William Bergemann, Manager of the Sugar Plant and Director of the Gadwater Irrigation Association and Mr. [illegible] Director of the Gadwater Irrigation Association, I inspected the Gadwater Irrigation ditch, the sugar plant irrigation and water purification system and the Belle Fourche diversion dam.

The Sugar Plant has completed construction so that all of the water used in the processing can be treated and returned to the Belle Fourche River ahead of the diversion dam. In addition they have completed ditches so that all return irrigation flows together with some run off, in the area of the plant return above the diversion dam. They have also completed a spillway in their property so that overflows from the Gadwater Irrigation district pass over the spillway and enter Belle Fourche River above the dam rather than leaving the ditch downstream from the spillway and entering Belle Fourche River below the diversion dam as was the case previously.

The Gadwater Irrigation Ditch in the vicinity of the plant had a flow roughly estimated at 1200 inches.

The flow through the Belle Fourche diversion dam was a rough estimated 3000 inches. There had been fair rains for the last couple of days and this flow of the dam reportedly had a big increase in the last 24 hours.

Picked up Lauren Davis and Bill Jorgenson and completed inspection of the Lower Gadwater Ditch and Belle Fourche Valley.

The Johnson Lateral had a flow of about 1000 inches.

Hedenter Ditch flows into Maloney Creek, a tributary of the Belle Fourche River about ten miles below Belle Fourche. There was no flow at the end of the ditch.

Donald Driscoll
Groundwater Engineer

Redwater Irrigation Association | X-Section #3 | Ref: Applied Hydraulic in Eng. Morris, Wiggert. 2nd Edition

A)

$Q = V \cdot A$

$V = \frac{1.49}{n}(R)^{2/3}(S)^{1/2}$ $\quad R = \frac{H}{WP} = \frac{73.432}{26.9243} = 2.7162$ ft

$S = .002$ ft/ft

$n = .03$

$V = 4.3255$ FPS

$\therefore Q = 316$ CFS

Ditch Capacity

$Q_A = 316$ CFS

B)

$Q = V A$

$V = \frac{1.49}{n}(R)^{2/3}(S)^{1/2}$ $\quad R = \frac{A}{WP} = \frac{40.67}{21.4546} = 1.893$ ft

$S = .002$ ft/ft

$V = 3.3997$ FPS

$Q = 138.0$ CFS

To HWM

$Q_B = 138$ CFS

The Parshall Flume has a capacity to carry approximately 103 CFS. However it seems that more water is able to go through than the HWM shown on the flume gage. This might be due to the passage of the water underneath the flume.

Redwater Irrigation Association

Gate Capacity:

A - Assume $H_1 = 3$ Ft. (top of the gates)

$Q = C'_d (b - 2nH_1)\sqrt{g}\, H_1^{3/2}$ where: $C'_d = .587$

$b = 4$ Ft.

$n = .2$

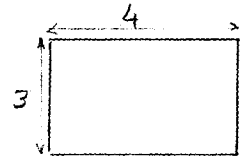
$H_1 = 3$ Ft.

$g = 32.2$ Ft/S²

$Q = .587(4 - .2x2x3)\sqrt{32.2}(3)^{1.5}$

$Q = 48.5$ CFS for one gate. ⇒ Q for 3 gates; ⇒ $Q_{3A} = 145.4$ CFS

B. The gates submerged ½ Ft.



$Q = C_d A_o (\sqrt{2gH})$ where $C_d = .62$

$A_o = 4x3 = 12\,ft^2$ Orifice area

$H = 2$ ft

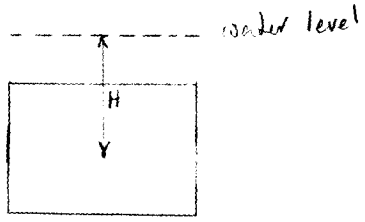
$Q = .62(12)(\sqrt{2(32.2)2})$

$Q = 84.4$ CFS for one gate; for 3 gates Q for 3 gates ⇒ $Q_{3B} = 253.3$ CFS

C - The gates submerged 1 Ft., $H = 2.5'$ ⇒ Q for 3 gates ⇒ $Q_{3C} = 283.2$ CFS

D - The gates submerged 1.5ft ⇒ $H = 3.0'$ ⇒ Q for 3 gates ⇒ $Q_{3D} = 310.2$ CFS

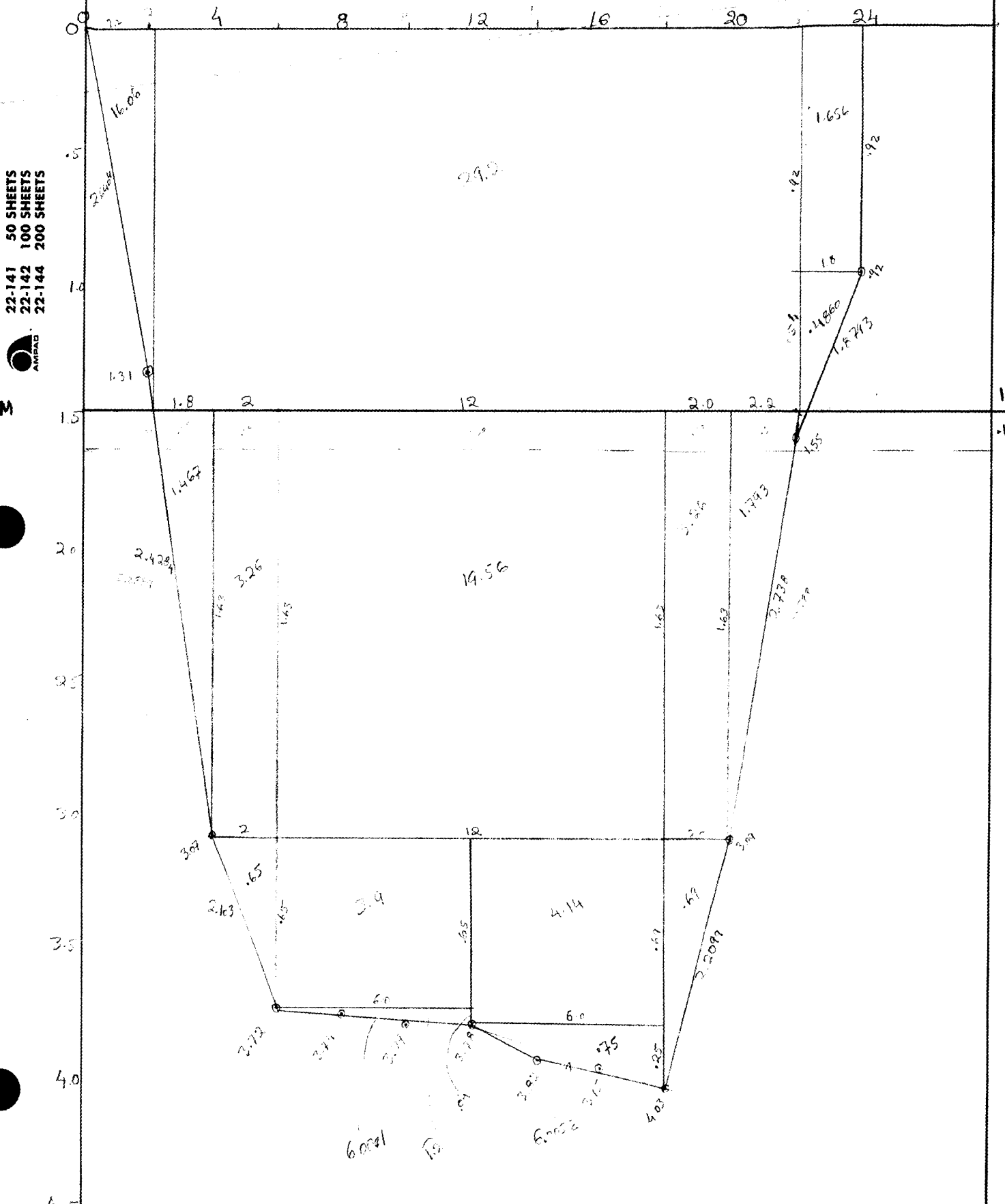
E - The gates submerged 2ft. ⇒ $H = 3.5$ ⇒ Q for 3 gates ⇒ $Q_{3E} = 335.1$ CFS



22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS
AMPAD

Irrigation Association

X-Section #2



22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS
AMPAD

Redwater Ditch Survey.

6/8/88 - 11:00 AM

25° F 10 m.p.h. wind

Sunny

Tim T
Rassul I

Sta.

	Horiz	Vert	Slope	Vert Δ	Elev.
T_1					
Flume wingwall	1005.32	-13.94	1005.34	904743	3122.20
culvert	1210.80	-13.37	1210.85	903808	3122.873
$TBM_{\#1}$					
$TB_{\#2}$	—	-0.69	966.62	900234	3135.1
T_2					
$TB_{\#2}$	4.95	- 3135.55			
div. dam.	20.59	3119.91	3122.9		
T_3					
Flume wingwall	8.02	- 3120.30			
brace top	6.39	3123.93			
top of dam	8.31				
top of culvert	10.99	[illegible]			
wingwall	5.14				
BM B-25	3112.953	-8.98	1242.27	902456	
$TB_{\#1}$	3122.873	+.94	272.11	894803	

.456

-8.98

1242.27

9.01

JULY 1965

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U.S. DEPARTMENT OF COMMERCE
COAST AND GEODETIC SURVEY
WASHINGTON D.C.

VERTICAL CONTROL DATA

by the

Coast and Geodetic Survey

SEA-LEVEL DATUM OF 1929

S. DAK.
LATITUDE 44°30' to 45°00'
LONGITUDE 103°30' to 104°00'
DIAGRAM NL 13-12 RAPID CITY

LINE 101
(First-order)

The original field work (L-1809) was done in 1934 by a party supervised by Curtis Le Fever. The entire line was releveled (L-18947) in August 1962 by a party supervised by D. W. Moncevicz.

These elevations are derived from the latest leveling and are based on a supplementary adjustment of 1963.

Bench Mark	Adjusted Elevation (Meters)	(Feet)
EFS 2	1088.535	3571.302
*W 24	1089.212	3573.523
RV 294 6/7 (C&NW)	1078.531	3538.480
EFS 3	1078.826	3539.448
L 368	1073.051	3520.501
EFS 4	1068.580	3505.833
M 368	1060.167	3478.231
N 368	1057.185	3468.448
EFS 5	1057.818	3470.525
*X 24	1052.000	3451.437
*3428(USGS)	1045.298	3429.448
TT33 WDR (USGS)	1040.948	3415.177
TT 33 WDR (USGS) RESET 1963		3414.972
RV 299 (C&NW)	1029.491	3377.588
Y 24	1029.049	3376.138
P 368	1017.128	3337.027
*3314 (USGS)	1010.566	3315.499
*Z 24	1004.292	3294.915
Q 368	989.300	3245.728
*A 25	977.073	3205.614
R 368	964.392	3164.009
*B 25	948.830	3112.953
S 368	948.485	3111.821
C 25	942.163	3091.080
T 368	931.842	3057.218
*D 25	921.025	3021.729
*E 25	919.443	3016.539
*3036 (USGS)	925.865	3037.609
TT21 WDR (USGS)	928.709	3046.939
BELLE AZ MK	937.670	3076.339
BELLE RM 1	970.626	3184.462
BELLE (1950)	970.923	3185.437
BELLE RM 2	971.588	3187.618
*F 25	934.689	3066.559
U 368	931.752	3056.923
*3076 (USGS)	938.093	3077.727

LINE 101
(Continued)

Bench Mark	Adjusted Elevation (Meters)	(Feet)
KUDLOCK RM 1	963.394	3160.735
KUDLOCK (1962)	964.351	3163.875
KUDLOCK RM 2	964.698	3165.013
*G 25	969.022	3179.200
V 368	979.300	3212.920
DRY AZ MK (1950)	1007.657	3305.955
DRY RM 1	1016.366	3334.527
DRY (1950)	1016.344	3334.455
DRY RM 2	1015.939	3333.127
H 25	995.798	3267.047
W 368	974.846	3198.307
TYE (1962)	979.706	3214.252
TYE RM 2	980.941	3218.304
TYE RM 1	978.535	3210.410
J 25	Destroyed	
X 368	940.599	3085.949
Y 368	930.033	3051.283
K 25	924.481	3033.068
Z 368	921.303	3022.642
A 369	925.261	3035.627
*L 25	924.537	3033.252
B 369	944.774	3099.646
BADLANDS RM 1	1003.658	3292.835
BADLANDS (1950) (USGS)	1004.877	3296.834
BADLANDS RM 2	1003.973	3293.868
C 369	971.427	3187.090
*M 25	924.300	3032.474
D 369	906.174	2973.006
*N 25	914.060	2998.878
E 369	931.633	3056.533
HORMAN RM 2	918.251	3012.628
HORMAN (1962)	918.447	3013.272
HORMAN RM 1	918.228	3012.553
HILDERBRAND (1950)	976.675	3204.308
HILDERBRAND RM 2	976.448	3203.563
HILDERBRAND RM 1	976.687	3204.347
*P 25	969.745	3181.572
F 369	953.493	3128.252
*Q 25	957.164	3140.296
G 369	964.584	3164.639
HOEYE RM 1	985.849	3234.406
HOEYE (1962)	986.054	3235.079
HOEYE RM 2	986.439	3236.342
H 369	988.044	3241.608
R 25	1008.610	3309.081

LINE 102
(Second-order)

The field work (L-18918) was done in November 1962 by a party supervised by R. L. Newsom.

These elevations are based on a supplementary adjustment of 1963.

Bench Mark	Adjusted Elevation (Meters)	(Feet)
J 369	929.243	3048.691
CROW RM 1	941.006	3087.284
CROW RM 2	941.278	3088.176
CROW (1962)	941.510	3088.937
K 369	930.239	3051.959
PEG RM 1	940.432	3085.401
PEG (1962)	940.341	3085.102
PEG RM 2	940.604	3085.965
L 369	945.130	3100.814
M 369	969.389	3180.404
N 369	1005.305	3298.238
P 369	996.976	3270.912
Q 369	994.876	3264.022
SHORT AZ MK (1950)	1002.856	3290.203

SPUR LINE NORTHWEST TO QUADRANGLE 441041

SHORT (1950)	1015.896	3332.985
SHORT RM 1	1015.539	3331.814
SHORT RM 2	1015.341	3331.165
D 390	991.393	3252.595
E 390	993.731	3260.266
F 390	1003.259	3291.526
G 390	1005.034	3297.349

END OF SPUR LINE

R 369	976.238	3202.874
S 369	952.189	3123.973
T 369	941.002	3087.271
U 369	947.698	3109.239
V 369	960.777	3152.149
Y 387	952.136	3123.799

LINE 102
(Continued)

Bench Mark	Adjusted Elevation (Meters)	(Feet)

SPUR LINE NORTH TO QUADRANGLE 451033

NORTH RM 2	955.487	3134.794
NORTH (1962)	956.051	3136.644
NORTH RM 1	955.797	3135.811
Z 387	953.777	3129.183

END OF SPUR LINE

X 387	961.974	3156.076
W 387	956.558	3138.307
V 387	920.601	3020.338
U 387	944.521	3098.816
T 387	945.209	3101.073
S 387	917.661	3010.693
R 387	917.238	3009.305

LINE 103
(Second-order)

The field work (L-19094) was done in March 1963 by a party supervised by G. B. Grimm.

These elevations are based on a supplementary adjustment of 1963.

Bench Mark	Adjusted Elevation (Meters)	(Feet)
A 417	934.022	3064.370
B 417	902.942	2962.402
C 417	898.634	2948.268
D 417	897.855	2945.713
LANE RM 2	900.916	2955.755
LANE	900.955	2955.883
LANE RM 1	901.095	2956.342
E 417	897.962	2946.064
F 417	913.725	2997.779
G 417	945.023	3100.463

*Changed elevation.

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COAST AND GEODETIC SURVEY
WASHINGTON D.C.

DESCRIPTION OF BENCH MARK

Designation P 368 | State South Dakota | County Lawrence | Chief of party D. Moncevicz
Nearest town St. Onge | Leveling date August 1962
Distance and direction from nearest town 2.25 miles northwest | Stamping P 368 1962
Character of mark A C&GS Bench Mark Disk on a Conner/Coated Rod
Established by C&GS
Detailed description About 2.25 miles northwest along the Chicago and North Western Railway trom the post office at St. Onge, at a private road crossing in section 16, T 7 N, R 3 E, 2 poles southeast of mile post 145, 44 feet southwest of the southwest rail, 73 feet west of the center of the road crossing, 14 feet northwest of the center line of a private road, 60 feet northeast of a power pole, 4 feet northeast of a fence, 1.2 feet northeast of a metal witness post, about 1 foot below the level of the rail, and on the top of a 5/8-inch copper coated rod driven to a depth of 16 feet and encased in a 6-inch tile projecting 5-inches.

U.S. DEPARTMENT OF COMMERCE
COAST AND GEODETIC SURVEY

FORM 685A (1-8-58)

RECOVERY NOTE, BENCH MARK

R

Designation 3314 (U.S.G.S.) | State South Dakota | County Lawrence | Chief of Party D. Moncevicz
Nearest town St. Onge | Recovery Date August 1962
Distance and direction from nearest town 2.8 miles northwest | Stamping D W 3314
Character of mark A U.S. Geological Survey Cap
Established by USGS
Present condition Good
Detailed report 2.8 miles northwest along the Chicago and North Western Railway from the post office at St. Onge, at a road crossing in section 9, T 7 N, R 3 E, about midway between mile posts 145 and 146, 30 feet northeast of the northeast rail, 23 feet south of the center line of an east-west road, 53 feet east of the center of a road crossing, 12 feet west of a power pole, 20 feet west of a fence corner, 0.5 feet sout of a metal witness post, about 4 feet above the level of the rail, and riveted on the top of a 3½-inch pipe projecting 12-inches.

U.S. DEPARTMENT OF COMMERCE
COAST AND GEODETIC SURVEY

FORM 685A (1-8-58)

RECOVERY NOTE, BENCH MARK

R

Designation Z 24 | State South Dakota | County Lawrence | Chief of Party D. Moncevicz
Nearest town St. Onge | Recovery Date August 1962
Distance and direction from nearest town 3.35 miles northwest | Stamping Z 24 1934
Character of mark A C&GS Bench Mark Disk
Established by C&GS
Present condition Good
Detailed report 3.35 miles northwest along the Chicago and North Western Railway from the post office at St. Onge, at a private road crossing in section 9, T 7 N, R 3 E, 3/4 of a pole northwest of mile post 146 and across the track, 50 feet northeast of the northeast rail, 23 feet southeast of the center line of a private road and iron gate, 20 feet northeast of a fence, 1.7 feet north-east of a metal witness post, 3 feet above the level of the rail, and set in the top of a concrete post projecting 4-inches.

DESCRIPTION OF BENCH MARK

Designation Q 368 | State South Dakota | County Lawrence | Chief of party D. Moncevicz
Nearest town St. Onge | Leveling date August 1962
Distance and direction from nearest town 4.4 miles northwest | Stamping Q 368 1962
Character of mark A C&GS Bench Mark Disk
Established by C&GS
Detailed description About 4.4 miles northwest along the Chicago and North Western Railway from the post office at St. Onge, in section 4, T 7 N, R 3 E, 2 poles northwest of mile post 147 and at a road crossing, 44 feet northeast of the northeast rail, 66 feet east of the center of the road crossing, 8½ feet west of a power pole, 1½ feet southwest of a fence, 1.3 feet northwest of a metal witness post, about level with the rail, and set in the top of a concrete post projecting 6-inches.

U.S. DEPARTMENT OF COMMERCE
COAST AND GEODETIC SURVEY

FORM 685A (1-8-58)

RECOVERY NOTE, BENCH MARK

R

Designation A 25 | State South Dakota | County Butte | Chief of Party D. Moncevicz
Nearest town St. Onge | County Lawrence | Recovery Date August 1962
Distance and direction from nearest town 5.35 miles northwest | Stamping A 25 1934
Character of mark A C&GS Bench Mark Disk
Established by C&GS
Present condition Good
Detailed report This mark was recovered in good condition with a new detailed description as follows: About 5.35 miles northwest along the Chicago and North Western Railway from the post office at St. Onge, or about 6.1 miles southeast along the Chicago and North Western Railway from the station at Belle Fourche, in section 32, T 8 N, R 3 E, 142 feet northwest and across the track from mile post 148, 40½ feet northeast of the northeast rail, 6½ feet southwest of a fence, 1.0 foot northeast of a metal witness post, about 1 foot below the level of the rail, and set in the top of a concrete post projecting 5-inches.

DESCRIPTION OF BENCH MARK

Designation R 368 | State South Dakota | County Butte | Chief of party D. Moncevicz
Nearest town Belle Fourche | County Butte | Leveling date August 1962
Distance and direction from nearest town 5.1 miles southeast | Stamping R 368 1962
Character of mark A C&GS Bench Mark Disk
Established by C&GS
Detailed description About 5.1 miles southeast along the Chicago and North Western Railway from the station at Belle Fourche, or about 6.35 miles northwest along the Chicago and North Western Railway from the post office at St. Onge, in section 31, T 8 N, R 3 E, 97 feet north and across the track from mile post 149, 46 feet north of the north rail, 1½ feet south of a fence, 1.5 feet west of a metal witness post, about 1 foot below the level of the rail, and set in the top of a concrete post projecting 8-inches.

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WASHINGTON D.C.

VERTICAL CONTROL DATA
by the
Coast and Geodetic Survey
SEA-LEVEL DATUM OF 1929

FORM 685A (1-8-58) U.S. DEPARTMENT OF COMMERCE COAST AND GEODETIC SURVEY

RECOVERY NOTE, BENCH MARK R

Designation B 25 | State South Dakota | County Butte | Chief of Party R.L. Newsom
Nearest town Belle Fourche | County Butte | Recovery Date August 1962
Distance and direction from nearest town 4.05 miles southeast | Stamping B 25 1934
Character of mark A C&GS Bench Mark Disk
Established by C&GS
Present condition Good
Detailed report This mark was recovered in good condition with a new detailed description as follows: About 4.05 miles southeast along the Chicago and North Western Railway from the station at Belle Fourche, in section 25, T 8 N, R 2 E, 2 poles northwest of mile post 150, 0.1 mile southeast of Jolly Junction, 4½ feet northeast of the northeast rail, about 4 feet below the level of the rail, and set in the top of the northeast end of the northwest concrete pier of a bridge over the Red Water Creek.

DESCRIPTION OF BENCH MARK

Designation T 368 | State South Dakota | County Butte | Chief of party D.W. Moncevicz
Nearest town Belle Fourche | County Butte | Leveling date August 1962
Distance and direction from nearest town 1.0 mile southeast | Stamping T 368 1962
Character of mark A C&GS Bench Mark Disk
Established by C&GS
Detailed description About 1.0 mile southeast along the Chicago and North western Railway from the station at Belle Fourche, at a road crossing in section 14, T 8 N, R 2 E, 2 poles northwest of mile post 153, 125 feet northeast of the northeast rail, 35 feet south of the center line of the road, 8 feet south of a power pole, 5½ feet southeast of a fence corner, 2 feet southwest of a fence, 1.8 feet northwest of a metal witness post, about 6 feet above the level of the rail, and set in the top of a concrete post projecting 6-inches.

DESCRIPTION OF BENCH MARK

Designation S 368 | State South Dakota | County Butte | Chief of party D. W. Moncevicz
Nearest town Belle Fourche | County Butte | Leveling date August 1962
Distance and direction from nearest town 3.0 miles southeast | Stamping S 368 1962
Character of mark A C&GS Bench Mark Disk
Established by C&GS
Detailed description About 3.0 miles southeast along the Chicago and North Western Railway from the station at Belle Fourche, in section 25, T 8 N, R 2 E, 16 feet northeast of the northeast rail, about 6 feet below the level of the rail, 3 poles northwest of mile post 151, and set in the top of the southeast end of the northeast headwall of a 36-inch tubular culvert.

FORM 685A (1-8-58) U.S. DEPARTMENT OF COMMERCE COAST AND GEODETIC SURVEY

RECOVERY NOTE, BENCH MARK R

Designation D 25 | State South Dakota | County Butte | Chief of Party D.W. Moncevicz
Nearest town Belle Fourche | County Butte | Recovery Date August 1962
Distance and direction from nearest town At Belle Fourche | Stamping D 25 1934
Character of mark A C&GS Bench Mark Disk
Established by C&GS
Present condition Fair
Detailed report This mark was recovered in fair condition with a new detailed description as follows: About 0.1 mile from the Chicago and North Western Railway Station at Belle Fourche, in section 10, T 8 N, R 2 E, 69 feet south of the center line of Railroad Street, 96 feet east of the center line of 6th Avenue, 89 feet west of mile post 154, 34 feet north of the north rail of the main track, 80 feet north and across the track from the northwest corner of The Lampert Lumber Company, about level with the rail, and set in the top of a concrete post which is flush with the ground.

NOTE: This mark has been hit and a portion of the post was broken off and the mark is leaning about 10 degrees.

FORM 685A (1-8-58) U.S. DEPARTMENT OF COMMERCE COAST AND GEODETIC SURVEY

RECOVERY NOTE, BENCH MARK R

Designation C 25 | State South Dakota | County Butte | Chief of Party D.W. Moncevicz
Nearest town Belle Fourche | County Butte | Recovery Date August 1962
Distance and direction from nearest town 2.0 miles southeast | Stamping C 25 1934
Character of mark A C&GS Bench Mark Disk
Established by C&GS
Present condition Good
Detailed report This mark was recovered in good condition with a new detailed description as follows: About 2.0 miles southeast along the Chicago and North Western Railway from the station at Belle Fourche, at a road crossing in section 23, T 8 N, R 2 E, 3 poles northwest of mile post 152, 44 feet northeast of the northeast rail, 76 feet east of the center of the road crossing, 44 feet south of the center line of the road, 29 feet southwest of a power pole, 2 feet southwest of a fence, 2.0 feet southwest of a metal witness post, about 2 feet below the level of the rail, and set in the top of a concrete post projecting 4-inches.

FORM 685A (1-8-58) U.S. DEPARTMENT OF COMMERCE COAST AND GEODETIC SURVEY

RECOVERY NOTE, BENCH MARK R

Designation E 25 | State South Dakota | County Butte | Chief of Party D.W. Moncevicz
Nearest town Belle Fourche | County Butte | Recovery Date August 1962
Distance and direction from nearest town 0.4 miles northeast | Stamping E 25 1934
Character of mark A C&GS Bench Mark Disk
Established by C&GS
Present condition Good
Detailed report This mark was recovered in good condition with a new detailed description as follows: About 1 block north along U.S. Highway 85 from the Chicago and North Western Railway Station at Belle Fourche, thence 3 blocks east along State Highway 212 (State Street), at the north entrance to the post office, in section 10, T 8 N, R 2 E, 16 feet east of the northwest corner of the post office building, 18 feet west of the west edge of the north post office door, 1.0 feet north of the north wall, about 3 feet above the level of the sidewalk, and set in the top of the west end of the concrete approach to the north entrance of the post office.

DIVERSION RATE RECORD

Ditch Company Red Water ~~Ditch~~ Irrigation Ass. Month May

Ditch President Lyle Berry Year 1988

Type of Measuring Device?

☑ A) Parshall Flume: Throat Width 4 ft.

☐ B) Weir: Crest Length _____ ft. ☐ C) Other: _____



Date May	Time	Head (ft.)	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1					
2					
3				Argel Berry	
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15					
16					
17					
18		46 sec FT	?		
19		46 sec FT	?		Flushing ord. canal
20		46 sec FT	?		
21		60 " "			
22		58 " "			
23		73 " "			
24		73 " "			
25		80 " "			
26		?			overflowed Parshal Flume
27		Off			opened canal
28		72 " "			
29		76 " "			
30		76 " "			
31		76 " "			

DIVERSION RATE RECORD

Ditch Company Redwater Irrig. Assn Month June

Ditch President Leyle Burley Year 1988

Type of Measuring Device?

☑ A) Parshall Flume: Throat Width 6 ft.

☐ B) Weir: Crest Length _____ ft. ☐ C) Other: _____

JUL 1988
DIVISION OF
WATER RIGHTS
Pierre, SD

Date	Time	Head (ft.)	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1		80 Sec. Ft.			
2		76.5 " "		Argyl Burley	
3		62 " "			
4		67 " "			
5		70 " "			
6		67 " "			
7		61 " "			
8		58.5 " "			
9		58.5 " "			
10		52.0 " "			
11		51. " "			
12		56 " "			
13		67 " "			
14		76 " "			
15		78 " "			
16		78 " "			
17		80 " "			
18		82 " "			
19		68 " "			
20		60 " "			
21		50 " "			
22		38 " "			
23		48 " "			
24		40 " "			
25		38 " "			
26		39 " "			40 to 75 cu. ft. heavy rain up stream
27		40 " "			
28		75 " "			
29		44 " "			
30		60 " "			
31					

Old Curtis Ditch Flume Data Sheet

DIVERSION RATE RECORD

Ditch Company Redwater Irr. Assn. Month July

Ditch President Lyle A. Duley Year 1988

Type of Measuring Device?

☑ A) Parshall Flume: Throat Width 6 ft.

☐ B) Weir: Crest Length _____ ft. ☐ C) Other: _____



Date	Time	Head (ft.)	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1		16.3 2616			
2		15.8 2448			
3		16.7 2464			
4		15.3 2365			
5		15.5 2414			
6		15.6 14.6 2185			
7		13.5 1937			
8		15.9 2514			
9		16.0 3064			
10		19.0 3346			
11		18.0 3064			
12		17.0 2797			
13		16.4 2641			
14		14.3 2123			
15		14.5 2147			
16		14.0 2052			
17		15.0 2291			
18		15.0 2291			
19		15.9 2514			
20		14.0 2540			
21		15.7 2464			
22		16 2540			
23		15.7 2464			
24		15.7 2903			
25		15.9 2514			
26		14.4 2147			
27		14.9 2267			
28		14 2074			
29		16.0 2540			
30		16.3 2616			
31					

DIVERSION RATE RECORD

Ditch Company Redvalen Irrigation Co. Month Aug.

Ditch President Lyle Bailey Year 1988

Type of Measuring Device?

☒ A) Parshall Flume: Throat Width 6 ft.

☐ B) Weir: Crest Length _____ ft. ☐ C) Other: _____

SEP 1988
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WATER RIGHTS
Pierre, SD

Date	Time	Head (ft.)	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1		16.6 2693			
2		15.8 2489			
3		15.9 2414			
4		16.2 2590			
5		16.0 2540			
6		15.0 2291			
7		14.2 2100			
8		17.0 2797			
9		16.0 2546			
10		17.0 2797			
11		140 2540			
12		16.0 2540			
13		17.3 2876			
14		17.5 2930			
15		18.0 3064			
16		17.0 2797			
17		16.6 2693			
18		16.0 2540			
19		162 2590			
20		16.4 2641			
21		17.2 2850			
22		17.0 2797			
23		15.4 2438			
24		16.2 2590			
25		14.8 2241			
26		15.0 2291			
27					Shut water off to
28					spray for moss in upper Ditch
29		16.5 2662			
30		16 2540			
31		15.4 2389			

Angie O'Bunny

DIVERSION RATE RECORD

Ditch Company Redwater Irrigation Ass. Month Sept

Ditch President Lyle A Ruby Year 1988

Type of Measuring Device?

☐A) Parshall Flume: Throat Width 6 ft.

☐B) Weir: Crest Length ____ ft. ☐C) Other: ____

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WATER AND NATURAL RESOURCES
OFFICE OF WATER QUALITY

Date	Time	Head (ft.)	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1		16.8 2745			
2		17. 2797			
3		17.5 2930			
4		17.3 2828			
5		18.3 3146			
6		18. 3064			
7		17.3 2878			
8		17.5 2930			
9		18 3064			
10		18.4 3200			
11		18.4 3200			
12		19. 3340			
13		17 2797			
14		17. 2797			
15		17 2797			
16		15 2491			
17		15 2491			
18		15 2491			
19		15.2 2540			
20		14 2052			
21		14.6 2195			
22		14.2 2100			
23		14 2052			
24		14 2052			
25		14.6 2052			
26		10 1200			
27		10 1200			
28		10 1200			
29					Shut Water off for the year
30					
31					

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Pierre, SD

DIVERSION RATE RECORD

Ditch Company Redwater Irrigating Association Month June

Ditch President Wm Kirby Year 1989

Type of Measuring Device?

☐A) Parshall Flume: Throat Width 6 ft.

☐B) Weir: Crest Length _____ ft. ☐C) Other: _____



Date	Time	Head (ft.)	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1		10 = 7300 inst		Virgil Bussy	Bella Tawaka
		Low 396 804 Del			
2		14 = 2029			
		Low 600 1429 Del			
3		14.5 = 2242			
		Low 670 1572 Del			
4		15 = 2291			
		Low 680 1611 Del			
5		14.4 = 2147			
		Low 600 1547 Del			
6		19.0 = 3340 @			
		Low 1000 3340 Del			
7		19.5 = 3481			We [redacted] must to stay on
		Low 1000 3481 Del			22½ to water down but due
8		19.5 = 3481			to temperature change it was
		Low 1000 3481 Del			much higher.
9		20.0 = 3635			
		Low 1000 3635 Del			Available water on Red Water
10		20.0 = 3635			Reservoir by 4 days.
		Low 1000 3635 Del			
11		20.0 = 3635			
		Low 1000 3635 Del			
12		20.0 = 3635			
		Low 1000 3635 Del			
13		19.8 = 3567			
		Low 1000 3567 Del			
14		18.0 = 3064			
		Low 1000 3064 Del			
15		18.3 = 3147			
		Low 1000 3146 Del			
16		18.0 = 3064			
		Low 1000 3064 Del			
17		17.0 = 2797			
		Low 1000 1597 Del			
18		16.0 = 2540			
		Low 210 1750 Del			
19		16.0 = 2540			
		Low 260 1750 Del			
20		14.0 = 2050			
		Low 600 1452 Del			
21		12.0 = 1605			
		Low 480 1125 Del			
22		12.3 = 1669			
		Low 480 1189 Del			
23		12.3 = 1669			
		Low 480 1189 Del			
24		13.3 = 1713			
		Low 500 1213 Del			
25		12.4 = 1691			
		Low 500 1191 Del			
26		12.4 = 1691			
		Low 500 1191 Del			
27		12.4 = 1691			
		Low 500 1191 Del			
28		12.3 = 1669			
		Low 500 1169 Del			
29		15.2 = 2340			
		Low 700 1640 Del			
30					
31					

On 5-30-89 550 inches was turned in Sun ditch & this being a small amount to wash canal off all debree.

DIVERSION RATE RECORD

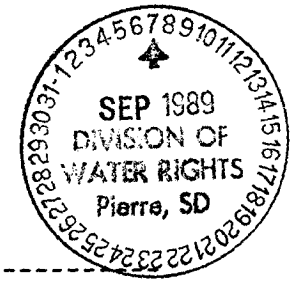
Ditch Company Reclamation Irrigation Association Month July

Ditch President Lyle Busey Year 1989

Type of Measuring Device?

☐A) Parshall Flume: Throat Width 6 ft.

☐B) Weir: Crest Length _____ ft. ☐C) Other: _____



Date	Time	Head (ft.)	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1	Low	12.7 - 3719 800 = 1919		Lyle Busey	
2	Low	17. - 2797 800 = 1197			
3	Low	15. - 2091 680 = 1611			
4	Low	13.8 - 1935 500 - 1437			
5	Low	14.2 - 2123 650 - 1473			
6	Low	12.2 - 1648 480 - 1165			
7	Low	13.0 - 1823 540 - 1283			
8	Low	13.0 - 1605 480 - 1125			
9	Low	12.0 - 1605 480 - 1125			
10	Low	12.2 - 1648 480 - 1148			
11	Low	15.0 - 2291 680 - 1611			Water lawsuit Pierre
12	Low	13.8 - 2006 600 - 1406			
13	Low	14.1 - 2076 680 - 1491			
14	Low	19.8 - 2242 700 - 15-42			
15	Low	19.0 - 3340 1000 - 2340			
16	Low	17.0 - 2797 850 - 1947			
17	Low	16.8 - 2745 850 - 1895			
18	Low	17.8 - 3010 1000 - 2010			
19	Low	19.0 - 3340 1000 - 2340			
20	Low	20.1 - 3625 1200 - 2485			
21	Low	19. - 3340 1000 - 2340			
22	Low	18.4 - 3238 1000 - 2378			
23	Low	18.2 - 3119 1000 - 2119			
24	Low	18.0 - 3064 1000 - 2064			
25	Low	17.2 - 2850 950 - 1900			
26	Low	16.8 - 2745 900 - 1845			
27	Low	16.2 - 2590 840 - 1730			
28	Low	16.0 - 2540 840 - 1700			
29	Low	16.8 - 2745 900 - 1845			
30	Low	19.9 - 3596 1100 - 2496			
31	Low	19.6 - 3510 1100 - 2410			

DIVERSION RATE RECORD

Ditch Company Redwater Irrigation Co. Month Aug.

Ditch President Lyle Ruby Year 1989

Type of Measuring Device?

☐A) Parshall Flume: Throat Width 6 ft.

☐B) Weir: Crest Length _____ ft. ☐C) Other: _____



Date	Time	Head (ft.)	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1	Low	18.8 3284 1100 3184		Angeil Bussy	
2	Low	18.8 3284 1050 3234			
3	Low	19.0 3340 1100 3146			
4	Low	19.0 3046 1100 3240			
5	Low	18.0 3064 1000 3064			
6	Low	18.0 3064 1000 3064			
7	Low	18.2 3119 1000 3119			
8	Low	18.0 3064 1000 3064			
9	Low	15.4 36.93 850 1843			
10	Low	14.8 3142 700 1542			
11	Low	14.4 3147 700 1447			
12	Low	15.0 3291 750 1541			
13	Low	14.8 3242 700 1542			Prism is Vamplane
14	Low	15.0 3291 750 1541			
15	Low	14.8 3242 700 1542			
16	Low	14.0 3052 650 1402			
17	Low	14.6 3195 700 1495			
18	Low	15.8 3489 800 1689			
19	Low	15.8 3489 800 1689			
20	Low	16.1 3565 800 1765			
21	Low	16.8 3745 850 1885			
22	Low	17.0 3797 900 1897			
23	Low	16.6 3693 850 1893			
24	Low	16.6 3693 850 1843			
25	Low	17.0 - 3797 900 1897			
26	Low	16.6 3693 850 1843			
27	Low	16.2 3590 800 1290			
28	Low	16.8 3745 850 1895			
29	Low	16.6 3797 850 1947			
30	Low	17.2 3850 900 1850			
31	Low	17.4 - 3903 800 2003			

DIVERSION RATE RECORD

Ditch Company Redwater IRRIGating ASSOCIATION Month Sept

Ditch President Lyle Ruby Year 1989

Type of Measuring Device?

☐A) Parshall Flume: Throat Width 6 ft.

☐B) Weir: Crest Length _____ ft. ☐C) Other: _____



Date	Time	Head (ft.)	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1	18.0	3064			
	Less 1000	2064			
2	17.8	3010			
	Less 1000	2010			
3	17.8	3010			
	Less 1000	2010			
4	17.4	2954			
	Less 950	2004			
5	18.0	3064			
	Less 1000	2064			
6	18	3064			
	Less 1000	2064			
7	18.2	3119			
	Less 1000	2119			
8	18.2	3119			
	Less 1000	2119			
9	18.6	3224			
	Less 1000	2226			
10	18.8	3284			
	Less 1000	2284			
11	18.4	3226			
	Less 1000	2226			
12	14.4	2147			
	Less 700	1447			
13	14.4	2196			
	Less 700	1496			
14	12.4	1735			
	Less 570	1165			
15	9.4	1124			
	Less 320	754			
16	9.4	1124			
	Less 370	754			
17	11.0	1387			
	Less 460	927			
18	13.0	1605			
	Less 530	1075			
19	12.0	1406			
	Less 530	1075			
20	9.4	1124			
	Less 370	754			
21	9.4	1124			
	Less 320	754			
22	7.0	679			
	Less 225	454			
23	7.0	679			
	Less 225	454			
24	6.8	649			
	Less 214	435			
25	6.8	649			
	Less 214	435			
26	6.8	649			
	Less 214	435			
27	Shut Water off Sept 27.				
28					
29					
30					
31					

DIVERSION RATE RECORD

Ditch Company Redwater Irrigation Co. Month June

Ditch President Lyle Dickey Year 1990

Type of Measuring Device?

☐A) Parshall Flume: Throat Width 6 ft.

☐B) Weir: Crest Length _____ ft. ☐C) Other: _____

Date	Time	Head (ft.)	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1					
2					
3					
4	Turned	10cm	Addition		
5					
6	19 June 1884	1071			
7	1145 1800 June 199	1001			
8	13.8 8 602 June 226	1226			
9	15.4 3389 June 795	1511			
10	10.0 3291 June 526	1091			
11	14.4 3112 June 414	1432			
12	14.4 3116 June 416	1432			
13	18.1 3061 June 1166	2010			
14	18 3021 June 1116	2016			
15	18. 3011 June 1116				
16	19 3011 June 1116				Talked to Lois Smith Lois Rosamond from
17	14.4 June				
18	16 1695 June 634	1021			
19	15. 3155 June 816	1602			
20	15.5 3119 June 801	1610			Given mgr. info
21	19. 3052 June 663	1369			Lauren Lautenschlager
22	13.8 3004 June 465	1332			Water Superintendent
23	13.6 1960 June 1307	1307			and Lauren
24	16. 2546 June 1210	1210			
25	16.5 2616 June 1041	1041			
26	17 3016 June 1114	1114			
27	17 3211 June 1211	1211			
28	17 3211 June 1211	1211			
29	16.5 3086 June 1186	1186			
30	16.0 2991 June 1162	1162			
31					

JUL 1990
DIVISION OF
WATER RIGHTS
Pierre, SD

DIVERSION RATE RECORD

Ditch Company Red Pheasant Irrigation Assn. Month July

Ditch President Ingle Bailey Year 1990

Type of Measuring Device?

☐A) Parshall Flume: Throat Width 6 ft.

☐B) Weir: Crest Length _____ ft. ☐C) Other: _____

AUG 1990
DIVISION OF WATER RIGHTS
Pierre, SD

Date	Time Reading Low Shortage	Head (ft.)	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1	14.6 Low	3185 - 731 = 1464"			
2	13.5 Low	1937 - 645 = 1292"			
3	13.5 Low	1937 - 645 = 1292"			
4	13.5 Low	1937 - 645 = 1292"			
5	13.3 Low	1891 - 630 = 1261"			
6	15.6 Low	2291 - 763 = 1528"			
7	14.0 Low	2052 - 683 = 1369"			
8	14.6 Low	2195 - 731 = 1464"			
9	13.6 Low	1960 - 653 = 1307"			
10	13.1 Low	1846 - 615 = 1231"			
11	13.0 Low	1803 - 601 = 1216"			
12	13.6 Low	1960 - 653 = 1307"			
13	13.6 Low	1966 - 653 = 1307"			
14	14.3 Low	2100 - 700 = 1400"			
15	14.0 Low	2052 - 683 = 1369"			
16	14.9 Low	2287 - 755 = 1512"			
17	14.0 Low	2052 - 683 = 1369"			
18	13.6 Low	1960 - 653 = 1307"			
19	13.3 Low	1891 - 630 = 1261"			
20	15.6 Low	2438 - 812 = 1626"			
21	19.0 Low	3340 - 1111 = 2228"			
22	17.6 Low	2956 - 984 = 1972"			
23	17.0 Low	2797 - 931 = 1866"			
24	15.6 Low	2438 - 812 = 1626"			
25	15.6 Low	2438 - 812 = 1626"			
26	15.6 Low	2438 - 812 = 1626"			
27	15.0 Low	2291 - 763 = 1528"			
28	14.6 Low	2195 - 731 = 1464"			
29	15.0 Low	2291 - 763 = 1528"			
30	15.2 Low	2340 - 779 = 1561"			
31	15.2 Low	2340 - 779 = 1561"			

Ingle Bailey
Bella Mauchle

DIVERSION RATE RECORD

Ditch Company Reed Water Irrigation Ass'n, Month Aug.

Ditch President Lyle Reiby Year 1990

Type of Measuring Device?

☐A) Parshall Flume: Throat Width 6 ft.

☐B) Weir: Crest Length _____ ft. ☐C) Other: _____

SEP 1990
DIVISION OF
WATER RIGHTS
Pierre, SD

Date	Time	Head (ft.)	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1	16.3 Low 796" 15"	3389" 1593" 3291"			
2	Low 763" 15"	1528" 3291"			
3	Low 763" 15.6"	1528" 2438"			
4	Low 815" 16.2"	1634" 2370"			
5	Low 862" 17.6"	1228" 2956"			
6	Low 1544" 17.4"	1942" 2903"			
7	Low 967" 19.4"	1936" 2903"			
8	Low 967" 19.8"	1186" 3027"			
9	Low 1188" 18.7"	2329" 3527"			
10	Low 1086" 18.4"	2176" 3193"			
11	Low 1059" 18.4"	2116" 3173"			
12	Low 1057" 20.0"	2116" 3525"			
13	Low 1207" 19.8"	1416" 3527"			
14	Low 1188" 18.9"	2329" 3193"			
15	Low 1069" 16.0"	2116" 3540"			
16	Low 846" 16.6"	1694" 2793"			
17	Low 997" 16.4"	1996" 2793"			
18	Low 897" 16.8"	1296" 2946"			
19	Low 906" 19.0"	1839" 2997"			
20	Low 931" 16.4"	1866" 2641"			
21	Low 860" 17.0"	1761" 2997"			
22	Low 931" 16.6"	1866" 2693"			
23	Low 897"	1296			
24	off	Had a mass build up on canal. We have found			
25	off	same while on High temperatures to be a			
26	off	solution to our main problem.			
27	off	2997"			
28	Low 931" 16.4"	1866" 2641"			
29	Low 879" 16.0"	1762" 2540"			
30	Low 846" 15.8"	1694" 2489"			
31	Low 839"	1660"			

Roger Burns

DIVERSION RATE RECORD

Ditch Company Redwater Irrigation Assn Month Sept.

Ditch President Lyle Parley Year 1990

Type of Measuring Device?

☒A) Parshall Flume: Throat Width 6 ft.

☐B) Weir: Crest Length _____ ft. ☐C) Other: _____

OCT 1990 DIVISION OF WATER RIGHTS Pierre, SD

Date	~~Time~~	~~Head (ft.)~~	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1	76.8"	2745"			
	Lev 914" 16.8"	1831"			
2		2745"			
	Lev 914" 18.4	1831" 3173"			
3	Lev 1027 17.8"	1116" 3010"			
4	Lev 1002.5 30.5	2008" 3625"			
	Lev 1207" 21.6"	2418" 3918"			
6	Lev 1305" 23.0"	2613" 4530"			
7	Lev 1500" 23.0"	3030" 4530"			
8	Lev 1500" 23.5"	3030" 4684"			
9	Lev 1560" 21.0"	3124" 4068"			
10	Lev 1355" 22.0"	2713" 4220"			
11	Lev 1405" 22.0"	2815" 4250"			
12	Lev 1405" 20.0"	2815" 3633"			
13	Lev 1207" 18.8"	2416" 3064"			
14	Lev 1020" 17.0"	2040" 2794"			
15	Lev 931" 14.0"	1863" 3052"			
16	Lev 683" 14.0"	1369" 2059"			
17	Lev 683" 14.0"	1364" 2053"			
18	Lev 683" 12.0"	1369" 1605"			
19	Lev 534" 12.0"	1071" 1605"			
20	Lev 534" 12.0"	1071" 1605"			
21	Lev 534" 12.0"	1071" 1605"			
22	Lev 534" 12.0"	1071" 1605"			
23	Lev 534" 12.0"	1071" 1605"			
24	Lev 534" 12.0"	1071" 1605"			
25	Lev 514" 15.0"	1071" 1605"			
26	Lev 534" 10.0	1071" 1200"			
27	Lev 400" 10.0	800" 1200"			
28	Lev 400 10"	800" 1200"			
29	Lev 400" 10.0	800" 1200"			
30	Lev 400	800"			
31					

Printed Sept. 1, 1990

Lyle Parley

DIVERSION RATE RECORD

Ditch Company Red Water Irrigation Assn Month May

Ditch President Lyle Ruby Year 1991

Type of Measuring Device?

☐A) Parshall Flume: Throat Width 6 ft.

☐B) Weir: Crest Length _____ ft. ☐C) Other: _____



Date	Reading ~~Time~~	Head (ft.)	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13	Late afternoon. Had some Heavy rain.				846"
14	8.4 840"				
15	4.3 936"	Heavy rain 1.5"			
16	8.8 978"				
17	8.8 928"				
18	8.8 928"				
19	8.8 978"				
20	8.8 978"				
21	8.0 840"				
22	10.0 1200				
23	3.3 200	Heavy Rain 1.4"			
24	8.6 943				
25	10.0 ~~400~~	1200 = 800"			
26	10. 400	1200 = 800"			
27	8.8 325	978 603"			
28	8.8 325	978 653"			
29	8.5 308	926 618"			
30	8.5 308	926 618"			
31	8.3 296	891 595"			

DIVERSION RATE RECORD

Ditch Company Red Water Irrigation Ass'n Month June

Ditch President Lyle Ruby Year 1991

Type of Measuring Device?

☐A) Parshall Flume: Throat Width_____ft.

☐B) Weir: Crest Length_____ft. ☐C) Other:_____



Date	Time	Head (ft.)	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1	8.3 / 296	891 / 595"			
2	7. / 231	695 / 464"			
3	7.0 / 226	679 / 453"			
4	7 / 226	679 / 453"			
5	7 / 226	679 / 453"			
6	7. / 226	679 / 453"			
7	6.8 / 216	649 / 433"			
8	6.8 / 216	649 / 433"			
9	6.8 / 216	649 / 433"			
10	8.0 / 279	840" / 561"			
11	8.0 / 279	840 / 561			
12	10. / 400	1200 / 800			
13	11.6 / 500	1500 / 1000"			
14	10.8 / 450	1352 / 902"			
15	10.8 / 450	1352" / 902"			
16	10.8 / 450	1352 / 902			
17	12 / 534	1605 / 1071			
18	12 / 534	1605 / 1071"			
19	11.8 / 520	1502 / 1042			
20	11.7 / 506	1520 / 1014			
21	11.5 / 500	1500 / 1000"			
22	11.6 / 506	1520 / 1014"			
23	11.6 / 506	1520" / 1014"			
24	11.6 / 506	1520" / 1014			
25	14.0 / 683	2052" / 1369"			
26	15.0 / 263	2291 / 1528"			
27	12.0 / 845	2540 / 1695"			
28	20.0 / 1209	3625 / 2418"			
29	196 / 11.6	3510 / 2342"			
30	19.6 / 1168	3510 / 2942"			Using all Waters that is ~~are~~ Available in Red Water River
31					

DIVERSION RATE RECORD

Ditch Company Red Water Irrigating Associates Month July

Ditch President Lyle Bixby Year 1991



Type of Measuring Device?

☒ A) Parshall Flume: Throat Width 6 ft.

☐ B) Weir: Crest Length _____ ft. ☐ C) Other: _____

Date	~~Time~~ Ready Head Gage ~~Head ft.~~	No. of Acres Being Irrigated	Name of the Gauge Reeder	Remarks
	20.0" — 3625			
1	1207 — 2418			
	19.6" — 3516			
2	1168 — 2342			
	21.0" — 3918			
3	1305 — 2613			
	21.0" — 3918			
4	1305 — 2613			
	21.0" — 3918			
5	1305 — 2605			
	18.6" — 3228			
6	1075 — 2153			
	17.8" — 3010			
7	1002 — 2005			
	18.6" — 3228			
8	1075 — 2153			
	15.0" — 3064			
9	1020 — 2044			
	17.8" — 3010			Reuse Water Short
10	1002 — 2005			
	20.5" — 3771			
11	1256 — 2515			
	16.0" — 3662			Using all Water Available
12	864 — 1798			
	16.4" — 3641			
13 Low	874 — 1751			
	16.6" — 3540			
14 Low	845 — 1695			
	16.0" — 3540			
15	845 — 1695			
	13.0" — 1883			
16	607 — 1218			
	14." — 2052			
17	683 — 1369			
	13.0" — 1833			
18	507 — 1216			
	12.8 — 1799			
19	542 — 1152			
	12.6 — 1235			
20	578 — 1157			
	13." — 1823			
21	607 — 1216			
	13.3" — 1891			
22	630 — 1261			
	13.3" — 1891			
23	630 — 1261			
	13.6" — 1460			
24	853 — 1307			
	13.8" — 2006			
25	670 — 1334			
	13.8 — 2006			
26	670 — 1336			
	15.6 — 2438			
27	678 — 1616			
	15.0 — 2241			
28	963 — 1546			
	14.6" — 2052			
29	683 — 1364			
	13.8 — 2006			
30	670 — 1336			
	13.6 — 1960			
31	653 — 1307			

DIVERSION RATE RECORD

Ditch Company Red Water Irrigating Ass. Month August

Ditch President Lyle Tooley Year 1991

Type of Measuring Device?

☐A) Parshall Flume: Throat Width 6 ft.

☐B) Weir: Crest Length _____ ft. ☐C) Other: _____



Date	~~Time~~	~~Head (ft.)~~	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1	13.8 =	2606			
	-670 =	1336			
2	14.0 =	2052			
	-683 =	1369			
3	13.1 =	1960			
	-653 =	1370			
4	15.1 =	2340			
	-778 =	1561			
5	14.8 =	2242			
	-741 =	1495			
6	16.4 =	2641			
	-880 =	1761			
7	17.0 =	2797			
	-931 =	1866			
8	17.6 =	2956			used all waters that
	-984 =	1972			
9	17.4 =	2903			was available in Red Water
	-967 =	1936			
10	17.8 =	3090			River.
	-1002 =	2088			
11	18.0 =	3064			
	-1020 =	2044			
12	18.6 =	3228			Very Dry Hot
	-1075 =	2153			
13	18.0 =	3064			
	-1020 =	2044			
14	17.0 =	2797			
	-931 =	1866			
15	15.6 =	2391			
	-763 =	1528			
16	16.8 =	2745			
	-914 =	1831			
17	15.1 =	2340			
	-779 =	1561			
18	16.2 =	2340			
	-779 =	1561			
19	16.4 =	2641			
	-879 =	1762			
20	16.1 =	2693			
	-897 =	1796			
21	15.3 =	2346			
	-779 =	1561			
22	16.6 =	2693			
	-897 =	1796			
23	16.0 =	2546			
	-845 =	1695			
24	17.6 =	2797			
	-931 =	1866			
25	16.8 =	2745			
	-914 =	1831			
26	18.0 =	3064			
	-1020 =	2044			
27	18.4 =	3173			
	-1057 =	2116			
28	18.2 =	3119			
	-1039 =	2080			
29	19.0 =	3346			
	-1118 =	2238			
30	18.2 =	3119			
	-1039 =	2080			
31	17.6 =	2797			
	-931 =	1866			

Angela M. Bruce

DIVERSION RATE RECORD

Ditch Company Red Water Irrigating Ass Month Sept

Ditch President Lyle Ruby Year 1991

Type of Measuring Device?

☐A) Parshall Flume: Throat Width 4 ft.

☐B) Weir: Crest Length _____ ft. ☐C) Other: _____



Date	~~Time~~	~~Head (ft.)~~	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1	17.0 = 931 =	2797 1866			
2	18. = 1020 =	3064 2044			
3	18.6 = 1020 =	3064 2044			
4	18.6 = 1075 =	3228 2153			
5	18.4 = 1057 =	3173 2111			
6	19.0 = 1112 =	3340 2228			
7	20.6 = 1267 =	3825 2418			
8	20.0 = 1204 =	3625 2418			
9	17.0 = 931 =	2797 1866			Winding down for
10	17.0 = 931 =	2797 1866			fall to get corn
11	15.0 = 963 =	2291 1518			fields dayed up &
12	14.0 = 863 =	2052 1369			
13	13.0 = 868 =	1823 1215			third cutting of
14	10.0 = 400 =	1206 800			
15	12.8 = 534 =	1665 1071			Hay up.
16	13.0 = 608 =	1823 1215			
17	11.0 = 465 =	1397 932			
18	11.0 = 465 =	1397 932			Leaving Water on
19	11.0 = 465 =	1397 932			longer this fall &
20	11.0 = 465 =	1397 932			some wanted to irrigate
21	11.0 = 465 =	1397 932			some of their hay ground
22	11.0 = 465 =	1397 932			
23	12.0 = 534 =	1605 1071			
24	12.0 = 534 =	1605 1071			
25	12.0 = 534 =	1605 1071			
26	12.0 = 534 =	1605 1071			
27	12.0 = 534 =	1605 1071			
28	12.0 = 534 =	1605 1071			
29	12.0 = 534 =	1605 1071			
30	11.0 = 465 =	1397 932			
31					

Lyle Ruby

DIVERSION RATE RECORD

Ditch Company Reed Wales Irrigating Ass. Month Oct

Ditch President Lyle Perky Year 1991

Type of Measuring Device?

☐A) Parshall Flume: Throat Width_____ft.

☐B) Weir: Crest Length_____ft. ☐C) Other:_____

Date	~~Time~~	~~Head (ft.)~~	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1	11.6 = 465 =	1397 931			
2	11.6 = 465 =	1397 932			
3	11.6 = 465 =	1397 932			
4	11.6 = 465 =	1397 932			
5	11.6 = 465 =	1397 932			
6	11.6 = 465 =	1397 932			
7	11.6 = 465 =	1397 932			
8	11.6 = 465 =	1397 932			
9	11.6 = 465 =	1397 932			
10	Turned Water off for the year				
11					
12					Was a Dry fall
13					
14					
15					
16					
17					
18					
19					
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					

DIVERSION RATE RECORD

Ditch Company Red Water Irrigating Ass'n Month June

Ditch President Lyle Ruby Year 1993

Type of Measuring Device?

☑ A) Parshall Flume: Throat Width 6 ft.

☐ B) Weir: Crest Length _____ ft. ☐ C) Other: _____

JUL 1993 DIVISION OF WATER RIGHTS Pierre, SD

Date	~~Inst.~~ Time	Reading Head (ft.)	~~No. of~~ Acres Being Irrigated (44.850d)	Name of the Gauge Reader	Remarks
1	9 AM	1614 − 337 =	667		First Turn in Date of the year
2	9 AM	1014 − 332 =	667		
3	9.0 AM	1124 − 374 =	750		
4	9.0 AM	1124 − 374 =	750		
5	9.0 AM	1124 − 374 =	750		
6	11.3 AM	1453 − 454 =	969		
7	11.3 AM	1453 − 484 =	969		
8	8.10 AM	840 − 280 =	560		
9	8.0 AM	840 − 280 =	560		
10	9.0 AM	1014 − 338 =	676		
11	9.0 AM	1014 − 338 =	676		
12	8.3 AM	891 − 296 =	595		
13	8.3 AM	891 − 296 =	595		
14	8.0 AM	840 − 280 =	560		
15	8.0 AM	840 − 280 =	560		
16	8.0 AM	840 − 280 =	560		
17	6.6 AM	531 − 177 =	354		
18	6.6 AM	531 − 177 =	354		
19	6.6 AM	531 − 177 =	354		
20	6.6 AM	531 − 177 =	354		
21	6.6 AM	531 − 177 =	354		
22	6.6 AM	531 − 177 =	354		
23	6.6 AM	531 − 177 =	354		
24	6.6 AM	531 − 177 =	354		
25	6.6 AM	531 − 177 =	354		
26	6.6 AM	531 − 177 =	354		
27	8.0 AM	840 − 280 =	560		
28	8.0 AM	840 − 280 =	560		
29	10.0 AM	1200 − 400 =	800		
30	10.6 AM	1317 − 438 =	879		
31					Late of Rain as Year The Ground has been frozen to in

DIVERSION RATE RECORD

Ditch Company Redwater Irrigating Ass. Month July

Ditch President Lyle Ruby Year 1993

Type of Measuring Device?

☐A) Parshall Flume: Throat Width 6 ft.

☐B) Weir: Crest Length _____ ft. ☐C) Other: _____



Date	Time	Head (ft.)	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1	10.6 1317 − 438	= 879"			
2	10.0 679 − 226	= 453"			
3	10.0 679 − 226	= 453"			
4	10.0 679 − 226	= 453"			
5	8.8 846 − 326	= 520"			
6	14.1 1479 − 492	= 987			Year has been Good
7	10.0 1200 − 400	= 800			
8					Everyone now is turning on.
9	turned water off				Commenced water.
10	Hello Mom				
11					
12	Sandra	= 840"			
13	26 1324 − 357	= 517"			
14	9.8 523 − 161	= 336"			
15	9.8 523 − 161	= 336"			
16	5.8 503 − 167	= 336"			
17	5.7 488 − 161	= 388"			
18	5.7 488 − 161	= 388"			
19	10.0 679 − 226	= 453"			
20	10.0 679 − 226	= 453"			
21	6.6 619 − 206	= 413"			
22	6.6 619 − 206	= 413"			
23	7.6 774 − 258	= 516"			
24	7.5 758 − 252	= 506"			
25	4.5 2361 − 1137	= 224"			
26	6.0 531 − 177	= 354"			
27	6.0 531 − 177	= 354"			
28	6.0 531 − 177	= 354"			
29	6.0 531 − 177	= 354"			
30	6.0 531 − 177	= 354"			
31	6.0 531 − 177	= 354"			

DIVERSION RATE RECORD

Ditch Company Redwater Irrigating Co. Month August

Ditch President Ray C. Daily Year 1993

Type of Measuring Device?

☐A) Parshall Flume: Throat Width 6 ft.

☐B) Weir: Crest Length _____ ft. ☐C) Other: _____

Total Laps = Total Irrigated Acres

Date	Time	Head (ft.)	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1	6.0"	5.33"	3511"		
2	6.0"	5.31"	3514"		
3	6.0"	5.31"	3514"		
4	11.4"	11.94"	516"		
5	5.6"	5.43"	629"		
6	10.0"	12.00"	800"		
7	11.6"	15.26"	1014"		
8	11.6"	15.26"	1014"		
9	11.6"	15.26"	1014"		
10	11.4"	14.74"	957"		
11	10.0"	12.00"	800"		
12	14.6"	20.34"	1369"		
13	12.0"	17.97"	1866"		
14	15.0"	20.64"	2044"		
15	15.0"	20.64"	2044"		
16	12.6"	19.06"	1922"		
17	12.6"	19.06"	1922"		
18	15.0"	20.64"	2044"		
19	15.0"	20.64"	2044"		
20	15.6"	21.25"	2153"		
21	22.0"	24.20"	2520"		
22	22.0"	24.20"	2520"		
23	22.0"	24.20"	2520"		
24	23.0"	25.32"	3022"		
25	23.0"	25.32"	3022"		
26	23.0"	25.32"	3022"		
27	23.5"	25.89"	3128"		
28	23.5"	25.89"	3120"		
29	23.5"	25.89"	3126"		
30	23.0"	25.32"	3128"		
31	23.5"	25.89"	3125"		

DIVERSION RATE RECORD

Ditch Company Redwater Irrigating Assn. Month Sept

Ditch President Fred Berg Year 1923

Type of Measuring Device?

☐A) Parshall Flume: Throat Width 4 ft.

☐B) Weir: Crest Length _____ ft. ☐C) Other: _____

Total Acres = 275 Irrigated

Date	~~Time~~ Reading	~~Head (ft.)~~	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1	9.5 =	1.375" =	2915"		
	20.0" =	1605"			
2	18.0" =	1201" =	2416"		
		3064"			
3	18.0" =	1020" =	2044"		
		3064"			
4	18.0" =	1020" =	2044"		
		3064"			
5	18.0" =	1020" =	2044"		
		2797"			
6	17.0" =	931" =	1866"		
		2797"			
7	17.0" =	931" =	1866"		
		2291"			
8	15.0" =	763" =	1528"		
		1823"			
9	13.0" =	666" =	1223"		
		1823"			
10	13.0" =	666" =	1223"		
		1605"			
11	12.0" =	534" =	1071"		
		1605"			
12	12.0" =	534" =	1071"		
		1062"			
13	11.5" =	536" =	1042"		
		1562"			
14	11.5" =	536" =	1042"		
		1200"			
15	10.0" =	400" =	800"		
		978"			
16	8.5" =	325" =	653"		
		943"			
17	8.0" =	314" =	629"		
		679"			
18	7.0" =	226" =	453"		
		679"			
19	7.0" =	226" =	453"		
		679"			
20	7.0" =	226" =	453"		Stock Holiday Reading same
		840"			Late Irrigation because
21	8.0" =	280" =	560"		of frozen ditches
		840"			
22	8.0" =	280" =	560"		
		840"			
23	8.0" =	280" =	560"		
		840"			
24	8.0" =	280" =	560"		
		840"			
25	8.0" =	280" =	560"		
		840"			
26	8.0" =	280" =	560"		
		840"			
27	8.0" =	280" =	560"		
		840"			
28	8.0" =	280" =	560"		
		840"			
29	8.0" =	280" =	560"		
		840"			
30	8.0" =	280" =	560"		
31					

DIVERSION RATE RECORD

Ditch Company Redvale Irrigating Ass Month Oct

Ditch President Leslie Ruby Year 1993

Type of Measuring Device?

☐A) Parshall Flume: Throat Width 6 ft.

☐B) Weir: Creet Length ____ ft. ☐C) Other: ____



Date	Reading Time	Total Sec. Head (ft.)	Total Inch Dels. No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1	9.6 =	TOTAL =	677"		
	" =	337" =			
2	8.0 =	840" =	560"		
	" =	280" =			
3	7.8 =	807" =	539"		
	" =	268" =			
4	7.8 =	807" =	539"		
	" =	268" =			
5	7.8 =	807" =	539"		
	" =	268" =			
6	8.8 =	1162 =	775"		
	" =	389" =			
7	9.0 =	1014" =	677"		
	" =	337" =			
8	9.6 =	1014" =	677"		
	" =	337" =			
9	9.0 =	1014" =	677"		
	9.0 =	1034" =			
10	" =	337" =	677"		
11	8.0 =	840" =	560"		
	" =	280" =			
12	8.0 =	840" =	560"		
	" =	280" =			
13	8.0 =	840" =	560"		
	" =	280" =			
14	8.0 =	840" =	560"		
	" =	280" =			
15	7.2 =	774" =	517"		
	" =	257" =			
16	6.0 =	531" =	353"		
	" =	176" =			
17	6.0 =	531" =	355"		
	" =	176" =			
18	6.0 =	531" =	355		
	" =	176" =			
19	6.0 =	531" =	355		
	" =	176" =			
20	6.6 =	531" =	353		
	" =	176 =			
21	Shut Water off for the Year. 1993				
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					

DIVERSION RATE RECORD

Ditch Company Red Water Irrig. Ass. Month May

Ditch President Lyle Ruby Year 1994

Type of Measuring Device?

☒ A) Parshall Flume: Throat Width 4 ft.

☐ B) Weir: Crest Length _____ ft. ☐ C) Other: _____



Date	~~Time~~ Inch ~~Broken~~	Inch Dol. Head (ft.)	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					
11					
12					
13					
14					
15	Turned	Water On	5-16-94		
16	7.2 211"	Three Days	To Flush canal		
17					
18	16.6" = less 438 =	1371" = 879"			
19	10.2 = less 412 =	1238" 826"			
20	10.2 = — 412" =	1238" 826"			
21	8.5" = — 308" =	926" 618"			
22	10. = — 400 =	1200" 600"			
23	14.7 = — 715 =	2147" 1432"			
24	17.6 = — 984 =	2954" 1972"			
25	19.0 = — 1112 =	3340" 2228"			
26	18.6 = — 1075 =	3225" 2150"			
27	22 = — 1400 =	4220" 2820"			
28	22. = — 1400 =	4220" 2820"			
29	22 = — 1400 =	4220" 2820"			
30	22 = — 1400 =	4220" 2820"			
31	22 = — 1400 =	4220" 2820"			

DIVERSION RATE RECORD

Ditch Company Red Water Irrigating Association Month June. 1

Ditch President Lyle Ruby Year 1994

Type of Measuring Device?

☒ A) Parshall Flume: Throat Width 6 ft.

☐ B) Weir: Crest Length _____ ft. ☐ C) Other: _____



Date	Inch Time Loss	Inch-Del. Head (ft.)	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1	25" = 1400" =	4280" 2820"			
2	19.4" = 1150" =	3453" 2303"			
3	19.4" = 1150" =	3453" 2303"			
4	17." = 930" =	2794" 1864"			
5	17." = 930" =	2794" 1864"			
6	14" = 683" =	2052" 1369"			
7	14." = 683" =	2052" 1369"			
8	14." = 683" =	2052" 1369"			
9	14.0" = 683" =	2052" 1368"			
10	14.0" = 683" =	2052" 1369"			
11	12.6" = 934" =	1605" 1071"			
12	12.6" = 534" =	1605" 1071"			
13	13.6" = 652" =	1960" 1308"			
14	13.6" = 652" =	1960" 1308"			
15	13.6" = 652" =	1960" 1308"			Water Readings can usually be different because of usage on upper Pierre. We never know when they turn on or off.
16	16.0" = 762" =	2291" 1529"			
17	14.6" = 730" =	2195" 1465"			
18	14.6" = 730" =	2195" 1465"			
19	14.6" = 730" =	2195" 1465"			
20	15.8" = 828" =	2489" 1661"			
21	17.0" = 931" =	2799" 1866"			
22	18." = 1020" =	3064" 2044"			
23	18." = 1020" =	3064" 2044"			
24	17." = 931" =	2799" 1866"			
25	16.0" = 845" =	2540" 1692"			
26	16" = 845" =	2540" 1695" 2197			
27	15" = 762" =	2291" 1529"			
28	14 = 683" =	2052" 1369"			
29	13.4" = 765" =	2147" 1432"			
30	14." = 683" =	2055" 1369"			
31					

DIVERSION RATE RECORD

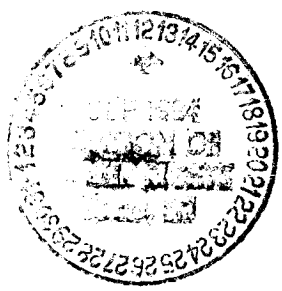
Ditch Company Reluctant Irrigation Assn. Month July

Ditch President Lyle Linley Year 1994

Type of Measuring Device?

☐A) Parshall Flume: Throat Width 6 ft.

☐B) Weir: Crest Length _____ ft. ☐C) Other: _____



Date	Flume Reading Time	Total Inch Feet Flow (Inch Feet Head - Ft.)	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1	14.8" =	2242"			
	— 742 =	1500"			
2	14.8" =	2242"			
	— 742 =	1500"			
3	14.2" =	2100"			
	— 700 =	1400"			
4	14.8" =	2242"			
	— 742 =	1500"			
5	14.8" =	2242"			
	— 742 =	1500"			
6	15.6" =	2438"			
	— 811" =	1627"			
7	21.0" =	3918"			1.8" Rain.
	— 1200	2618"			
8	23.0" =	4220"			
	— 1400" =	2820"			
9	20.6" =	3736"			
	— 1200 =	2426"			
10	18.2" =	3228"			
	— 1075 =	2153"			
11	16.4" =	2641"			
	— 880 =	1761"			
12	19.6 =	2997"			
	— 931 =	1866"			
13	17.0" =	2797"			1.9 Rain.
	— 931 =	1866"			
14	12.0" =	1605"			
	— 535 =	1070"			
15	12.0" =	1605"			
	— 535" =	1070"			
16	12.0" =	1605"			
	— 535 =	1070"			
17	12.0" =	1605"			
	— 535" =	1070"			
18	12.0" =	1605"			
	— 535 =	1070"			
19	12.0" =	1605"			
	— 535" =	1070"			
20	10.8" =	1352"			
	— 450" =	902"			
21	12.0" =	1605"			
	— 535" =	1070"			
22	12.0" =	1605"			
	— 535" =	1070"			
23	16.0" =	2291"			
	— 763" =	1528"			
24	16.0" =	2291"			
	— 763" =	1528"			
25	15.6" =	2438"			
	— 812" =	1626"			
26	15.6" =	2438"			
	— 812" =	1626"			
27	15.6" =	2438"			
	— 812" =	1626"			
28	17.0" =	2797"			
	— 931" =	1866"			
29	17.0" =	2797"			
	— 931" =	1866"			
30	18.0" =	3064"			
	— 1020 =	2044"			
31	18.0" =	3064			
	— 1020" =	2044			

DIVERSION RATE RECORD

Ditch Company Redwater Irrigation Ass. Month Aug

Ditch President Lyle Bailey Year 1994

Type of Measuring Device?

☐A) Parshall Flume: Throat Width 6 ft.

☐B) Weir: Crest Length _____ ft. ☐C) Other: _____

SEP 1994 DIVISION OF WATER RIGHTS Pierre, SD

Date	~~Flume Reading Time~~	Total Inch Feet = Inch Delivered ~~Head (ft.)~~	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1	18.0" =	3064"			
	1020" =	2044"			
2	19.6" =	3570"			
	1168" =	2342"			
3	19.0" =	3510"			
	1168" =	2342"			
4	19.6" =	3510"			
	1168" =	2342"			
5	19.6" =	3510"			
	1168" =	2342"			
6	19.6" =	3510"			
	1168" =	2342"			
7	19.6" =	3510"			
	1168" =	2346"			
8	20.0" =	3625"			
	1200" =	2425"			
9	19.6" =	3516"			
	1168" =	2342"			
10	19.6" =	3570"			
	1168" =	2342"			
11	20.0" =	3626"			
	1200" =	2426"			
12	20.0" =	3553"			
	1200" =	2426"			
13	22.0" =	3918"			
	1300" =	2618"			
14	21.0" =	4210"			
	1400" =	2820"			
15	23.0" =	4630"			
	1520" =	3030"			
16	22.0" =	4320"			
	1400 =	2820"			
17	20.5" =	3772"			
	1256 =	2516"			
18	21.0" =	3978"			
	1300" =	2618"			
19	19.0" =	3340"			
	1112" =	2228"			
20	18.0" =	3064"			
	1020 =	2044"			
21	18.6" =	3060"			
	1020" =	2044"			
22	15.6" =	2297"			
	762" =	1529"			
23	15.0" =	2291"			
	762" =	1529"			
24	15.0" =	2291"			
	762" =	1529"			
25	16.0" =	2297"			
	762" =	1529"			
26	15.0" =	2291"			
	762" =	1529"			
27	16.0" =	2297"			
	762" =	1529"			
28	15.0" =	2291"			
	762" =	1529"			
29	16.0" =	2291"			
	762" =	1529"			
30	13.0" =	1923"			
	400" =	1223"			
31	13.0" =	1823"			
	400" =	1223"			

DIVERSION RATE RECORD

Ditch Company Redwater Irrigation Assn Month Sept.

Ditch President Leyle Farley Year 1994

Type of Measuring Device?

☐A) Parshall Flume: Throat Width 6 ft.

☐B) Weir: Crest Length _____ ft. ☐C) Other: _____



Date	Time	Reading Head (ft.)	Total Daily Head (ft.)	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1	12.0 — 534	1605"	1071"			
2	8. — 780	540"	540"			
3	9.8 — 387	1162"	775"			
4	9.8 — 387	1162"	775"			
5	9.8 — 387	1162"	775"			
6	9.8 — 387	1162"	775"			
7	9.8 — 387	1162"	775"			
8	10.6 — 438	1317"	879"			
9	12.0 — 534	1605"	1071"			
10	12. — 534	1605"	1071"			
11	12.0 — 534	1605"	1071"			
12	12. — 534	1605"	1071"			
13	12. — 534	1605"	1071"			
14	12.0 — 534	1605"	1071"			
15	12. — 534	1605"	1071"			
16	12. — 534	1605"	1071"			
17	12. — 534	1605"	1071"			
18	12" — 534	1605"	1071"			
19	12" — 534	1605"	1071"			
20	12" — 534	1605"	1071"			
21	12" — 534	1605"	1071"			
22	12" — 534	1605"	1071"			
23	11" — 465	1397"	932"			
24	11" — 465	1397"	932"			
25	11" — 465	1397"	932"			
26	11" — 465	1397"	932"			
27	11" — 465	1397"	932"			
28	11" — 465	1397"	932"			
29	11" — 465	1397"	932"			
30	11" — 465	1397"	932"			
Oct 1	11" — 465	1397"	932"			
2	11" — 465	1397"	932"			
3	11" — 465	1397	932"			

Shut off date Oct. 3, 1994

DIVERSION RATE RECORD

Ditch Company Reduction Irrigation Assn. Month July

Ditch President Lyle Duby Year 1995

Type of Measuring Device?

☐A) Parshall Flume: Throat Width_____ft.

☐B) Weir: Crest Length_____ft. ☐C) Other:_____



Date	Reading Time	Head (ft.)	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1		820			
2					
3					
4					
5					
6	Started Water On July 6 1995 1200				
7					
8					
9	10" 1000" = 400"	800"			
10	10" 1200" = 400"	800"			
11	11" 1479 = 492	987"			
12	13" 1823" = 600"	1223"			
13	13" 1823" = 600"	1223"			
14	14" 2195" = 730"	1465"			
15	16" 2291" = 763"	1528"			
16	17" 2797" = 931"	1866"			
17	17" 2797" = 931"	1866"			
18	17" 2797" = 931"	1866"			
19	18" 3064" = 1020"	2044"			
20	19" 3228" = 1075"	2153"			
21	18" 3064" = 1020"	2044"			
22	18" 2291" = 763"	1528"			
23	18" 3064" = 1020"	2044"			
24	17" 2797" = 931"	1866"			
25	19" 3228" = 1075"	2153"			
26	19" 3228" = 1075"	2153			
27	18" 3064" = 1020"	2044			
28	18" 3064" = 1020"	2044			
29	18" 3064" = 1020"	2044			
30	18" 3064" = 1020"	2044			
31	17.6 3693" = 822	1784			

DIVERSION RATE RECORD

Ditch Company Redwater Irrigation Assn. Month Aug.

Ditch President Cyl E Ruby Year 1995

Type of Measuring Device?

☑ A) Parshall Flume: Throat Width 6 ft.

☐ B) Weir: Crest Length _____ ft. ☐ C) Other: _____



Date	Reading — Time / Head (ft.)	Del Reading Head (ft.)	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1	16" = 845 =	25.46 = 1695			Please send me some Diversion Rate Record forms. Thank You Cyl.
2	15" = 763 =	22.91" 1528"			
3	16" = 845 =	25.46" 1695"			
4	16" = 845 =	25.46" 1695"			
5	16" = 845 =	25.40" 1695"			
6	14.6 = 730 =	21.95" 1465"			
7	14.6 = 730 =	21.95" 1465"			
8	16 = 845 =	25.46" 1695"			
9	16 = 845 =	25.46 1695			
10	16" = 845 =	25.40" 1695"			
11	16" = 845 =	25.40" 1695"			
12	16" = 845 =	25.40" 1695"			
13	16" = 845 =	25.40" 1695"			
14	17" = 931 =	27.97" 1866"			
15	16 = 845 =	25.40" 1695"			
16	16.6 = 892 =	26.93" 1796"			
17	17 = 931 =	27.97" 1861"			
18	17" = 931 =	27.97" 1866"			
19	16.6 = 897 =	26.95" 1796"			
20	16.6 = 897 =	26.93" 1796"			
21	17.0 = 931 =	27.97" 1866"			
22	20 = 1200 =	36.75" 2425"			
23	20. = 1200 =	36.25" 2425"			
24	25 = 1400 =	42.50" 2800"			
25	23" = 1500 =	45.30" 3036"			
26	21.6 = 1253 =	37.65" 2512"			
27	19.0 = 1112 =	33.46" 2225"			
28	19. = 1112 =	33.40" 2228"			
29	17. = 931 =	27.97" 1866"			
30	10. = 963 =	22.91 1528			
31	15 = 763 =	22.91 1528			

DIVERSION RATE RECORD



Ditch Company Red Water Irr. Assn. Month Sept.

Ditch President Lyle Purdy Year 1995

Type of Measuring Device?

☐A) Parshall Flume: Throat Width_____ft.

☐B) Weir: Crest Length_____ft. ☐C) Other:_____

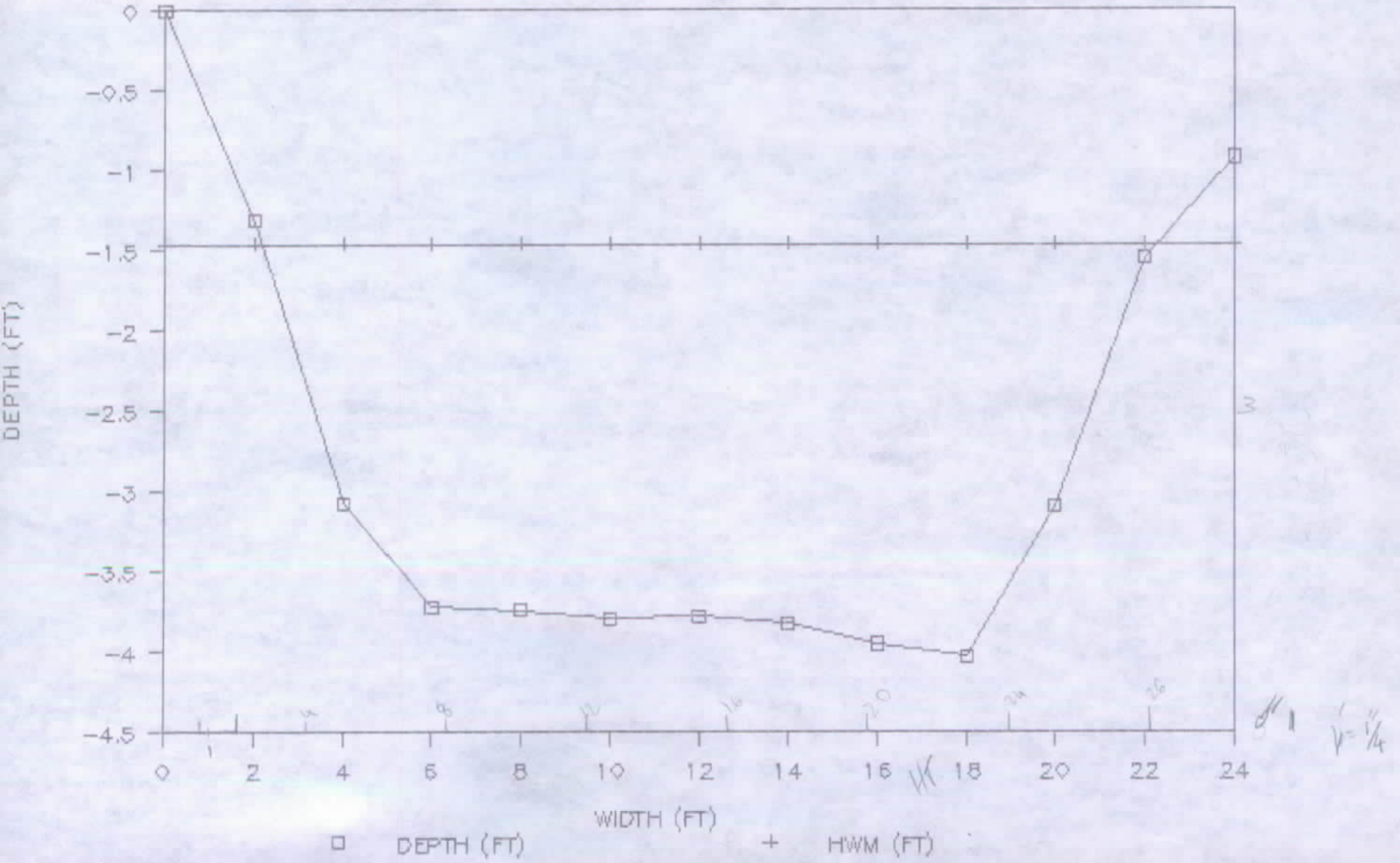
Total – loss = total final Cubs.

Date	Reading Time	Head (ft.)	No. of Acres Being Irrigated	Name of the Gauge Reader	Remarks
1	16.0 = 845 =	2546 1695			
2	16.0 = 845 =	2540 1695			
3	14.2 = 700 =	2100 1400			
4	14.2 = 700 =	2100 1400			
5	12.0" = 534 =	1605 1071			
6	12" = 534 =	1605" 1071"			
7	12.0" = 534 =	1605 1071			
8	12.0" = 534 =	1605" 1071"			
9	12.0" = 534 =	1605" 1071"			
10	12.0" = 534 =	1605" 1071"			
11	12.0" = 534 =	1605" 1071"			
12	12.0" = 534 =	1605" 1071"			
13	12.0" = 534 =	1605" 1071"			
14	12.0" = 534 =	1605" 1071"			
15	12.0" = 534 =	1605" 1071"			
16	12.0" = 534 =	1605" 1071"			
17	10.6" = 438 =	1317" 879"			
18	10.6" = 438 =	1317" 879"			
19	10.6" = 438 =	1317" 879"			
20	10.6" = 438 =	1317" 879"			
21	10.6" = 438 =	1317" 879"			
22	10.6" = 438 =	1317" 879"			
23	10.6" = 438 =	1317" 879"			
24	10.6" = 438 =	1317" 879"			
25	10.6" = 438 =	1317" 879"			
26	9.0 = 337 =	1014" 677"			
27	10.6 = 400 =	1200" 800"			
28	10- = 400 =	1206" 800"			
29	10" = 400 =	1200" 800"			
30	10" = 400 =	1200" 800"			
31	10" = 400 =	1200 800			

RWXP2

REDWATER IRRIGATION ASSOCIATION

X-SECTION #2

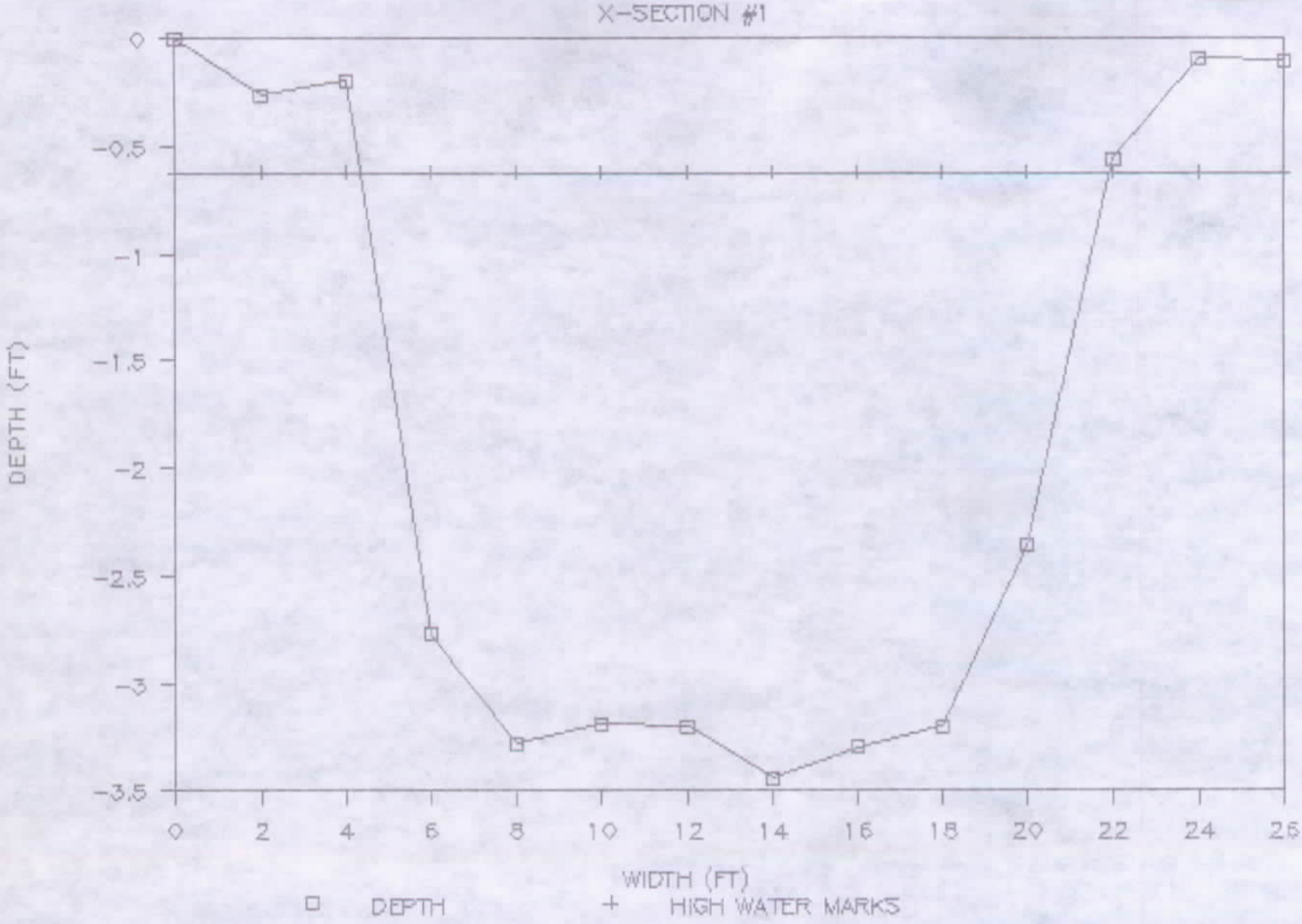


3

1" = 1'-1/4"

RWXP

REDWATER IRRIGATION ASSOCIATION



SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

March 19, 1982

Allen Hermann, Publisher
QUEEN CITY MAIL
Spearfish SD 57783

Dear Mr. Hermann:

Enclosed is a notice of hearing on a request which you are r
once a week for two weeks in your paper the QUEEN CITY MAIL
the first notice on or before March 24, 1982.

Please receipt the notice of this letter by attaching a copy
publication. You are requested to submit, a copy of the aff
after the second notice. Please bill our office for this pu
invoice should include a cost price breakdown.

Sincerely,

BURTON F. JONES
Water Rights Specialist

BJF:ks

enclosure

March 19, 1981

The Water Management Board has received a request from the Redwater Irrigation Association to require that measuring devices be installed at all diversion points for the various ditches taking water from the Redwater River.

The Board will consider this request at 2:30 pm on April 7 at Meeting Room #1, Kneip Building at Church & Illinois, Pierre SD.

The Board is authorized to make a determination on this request at the hearing. All interested persons may appear and be heard. Any person who may be affected by a Board decision who desires to present evidence or cross examine witnesses according to SDCL 1-26 may notify the Board in writing prior to the hearing or orally at the hearing.

This hearing is an adversary proceeding. Any person has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised at the hearing. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board
BURTON F. JONES
Water Rights Specialist
(12-2tc, 39 lines)



Affidavit of Publication

STATE OF SOUTH DAKOTA
COUNTY OF LAWRENCE } SS.

Allen M. Hermann of said County and State being first duly sworn, on his oath says: That The QUEEN CITY MAIL is a legal weekly newspaper of general circulation, printed and published in the City of Spearfish, in said County and State by Allen M. Hermann, 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 Allen M. Hermann, 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:

March 19, 1982 - Water Management Board

a printed copy of which is hereto attached, was printed and published in said newspaper for two successive and consecutive weeks, the first publication being made on the 24 day of March, 1982, and the last publication on the 31 day of March, 1982, that the full amount of fees charged for publishing same, to-wit: The sum of $ 14.35, inures solely to the benefit of the publisher of the QUEEN CITY MAIL, 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.

Allen M. Hermann

Subscribed and sworn to before me this 31 day of March, 1982

Allen J. Hermann
Notary Public, Lawrence County, South Dakota

My commission expires Sept. 11, 1987

March 19, 1981

The Water Management Board has received a request from the Redwater Irrigation Association to require that measuring devices be installed at all diversion points for the various ditches taking water from the Redwater River.

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Any handicapped person wishing to attend this hearing can contact the Water Rights Division, DWNR, Joe Foss Building, Pierre SD, prior to the hearing date for assistance to assure access to the hearing.

For the Water Management Board
BURTON F. JONES
Water Rights Specialist
(12-2tc, 39 lines)



WATER RIGHTS DIVISION
(605) 773-3352

December 8, 1986

Lyle Ruby
RR 1, Box 39
Belle Fourche, South Dakota 57717

Dear Mr. Ruby:

As per your request, enclosed you will find a copy of the report submitted by the Redwater Irrigation Association in the 1960¦s. Please review the report noting any changes in the acreage. Please also note that page 10 is missing, but I don't believe that the data are missing too. It seems that whoever made the report up madeaa mistake in numbering the pages.

If you have any questions, please feel free to contatt me.

Sincerely,

Rassool Ahadi
Natural Resources Engineer

RA:ms
Enc.

January 6, 1987



Department of Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

Attention: Rassool Ahadi

Enclosed is the verification on the number of acres that can be irrigated under our ditch. The changes are high-lighted in yellow.

We sent out the enclosed letter by registered mail to all persons on your list, in order to obtain the updated information.

If you have any questions, please feel free to call Lyle Ruby at 892-3260.

Sincerely,

Sharee Kindsfater

Sharee Kindsfater
Secretary-Redwater Irrigating Association



REDWATER IRRIGATING ASSOCIATION
P.O. Box 351
Belle Fourche, South Dakota

The State Water & Management Board is requesting verification on the number of acres that can be irrigated under the ditch.
Enclosed is a copy of the state record of your irrigated acreage and land description. Their record show _____acres, which can be irrigated on your farm. Please verify your acreage and land description.
If the above acreage and land description are correct you may disregard this request. If not, please notify us of the correct acreage and land description by Monday, December 29, 1986.
If we do not hear from you by Monday, December 29, 1986 we will assume that the records are correct.
Our report must be in to the State Board by the end of December.

Attention: This information is very important. If we fail to turn it in there is a chance we may loose our water right.

Redwater Irrigating Association
Lyle Ruby

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

February 2, 1987

NOTICE

TO: Lyle Ruby, PO Box 351, Belle Fourche SD 57717

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Notice of Requirement to File Vested Right Claim

This notice is in regard to the Redwater Irrigation Association Ditch located in Butte County, South Dakota. Rassool Ahadi, Natural Resources Engineer with the Division of Water Rights is investigating water rights for irrigation ditches on Spearfish Creek and the Redwater River. On December 4, 1986 and January 22, 1987 you were contacted by Mr. Ahadi in regard to filing your vested right claim.

In order for a water right to be considered as a "Vested Right", under South Dakota law, the system would have had to be~~en~~ constructed prior to or under construction on or before March 2, 1955. South Dakota Water Law SDCL 46-5-49 states that if the chief engineer is aware of a water use system for which the owner claims vested right status, the owner may be required to file a vested right claim within 90 days. Any claim filed after 90 days will be considered a new application and receive a new priority date, which would be the date the application is received in this office. You have 90 days from the date of this notice to submit your application. The filing fee is $15.00.

Enclosed is a partially completed set of application forms and the instruction sheet to claim vested rights. If your system does not qualify for vested right status and if a new permit could be approved, with the information we have on the acreage irrigated, the filing fee for your application would be $2400. We will be glad to help you complete the applications and answer any questions you may have.

cc: Manuel Kindsfater, RR 1, Belle Fourche SD 57717

Water Rights Division - DWNR File No. _____

Conversation or File Documentation

NAME OF PERSON OR FILE: Redwater Irrigation Association / Doug Johnson

ADDRESS: Spearfish S.D. COUNTY Lawrence / Butte

DATE: 4/13/87 TELEPHONE 642-2746

RE: 14) Survey + Thditch - Permission to go on his land.

COMMENTS: Called Mr D. Johnson - Johnson Ford to ask for his permission to go on his land to survey the headgate of RWIA. Mr. Johnson said that was O.K with him and he did not have objections.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: M Hadi

4/82

Water Rights Division - DWNR File No. _____

Conversation or File Documentation

NAME OF PERSON OR FILE: Redwater Irrigation Association / Lyle Ruby

ADDRESS: Belle Fourch S.D. COUNTY Butte

DATE: April 13, 87 TELEPHONE 892-3260

RE: Surveying the Ditch

COMMENTS:

Called Lyle Ruby, ditch Company President to ask him who owns the land where the headgate of the ditch is located? he said (Johnson Ford in Spearfish). He also said that it seemed we are asking for it by picking on him. He went on to say that the People in Pierre are using me by sending me out to do the dirty Job (the tone was in a joking and Yet serious manner). Mr. Ruby said everytime that the People in Pierre get replaced they start to bother us (the irrigators). He said that was Ok with them to do the survey.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: MA Hadi

4/82

Bangs, McCullen, Butler, Foye & Simmons

Lawyers

818 St. Joe Street
Mailing Address P. O. Box 2670
Rapid City, South Dakota 57709
605-343-1040
Telecopier 605-343-1503

George A. Bangs
W. A. McCullen
J. M. Butler
Thomas H. Foye
Thomas E. Simmons
Ronald E. Clabaugh

Charles L. Riter
Allen G. Nelson
James P. Hurley
Michael M. Hickey
Mark F. Marshall
Terry L. Hofer

May 13, 1987



Mr. Ron Duvall
Natural Resources Engineer
Department of Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

Re: Redwater Irrigation Association

Dear Mr. Duvall:

Mr. Ruby, Chairman of the Redwater Irrigation Association, has given me your letter of April 30, 1987, along with the enclosures, for response. While this might be mere semantics, I do want to point out that we are not applying for a water right as we have one. Nonetheless, we have completed the forms which you will find enclosed. We have attached a map and have executed the water use affidavit.

If you have any questions, let me know.

Sincerely,

BANGS, McCULLEN, BUTLER, FOYE & SIMMONS

Joseph M. Butler

Joseph M. Butler

JMB/dae
Enclosures

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

October 6, 1987

Redwater Irrigation Association
Lyle Ruby, Chairman
PO Box 351
Belle Fourche SD 57717

Dear Mr. Ruby:

This letter is to inform you that the vested right claim for Redwater Irrigation Association has been reviewed. A report on the investigation of the vested right claim is being prepared. When the report is finalized your application will be complete pursuant to SDCL 46-2A-2. A recommendation will then be prepared and notice of hearing will be given stating the time and place the Water Management Board will consider the vested right claim. Tentatively, the hearing is to be scheduled for December 2 and 3, 1987 in the Black Hills area.

Please contact us if you have any questions.

Sincerely,

Ron Duvall

RON DUVALL
Water Resources Engineer
605 773-3352

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

October 29, 1987

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

Redwater Irrigation Association
PO Box 351
Belle Fourche SD 57717

Dear Sir:

Your Application No. 1417-1 for a vested water right claim has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of your claim has been sent to the Publishers of the QUEEN CITY MAIL printed at Spearfish and the BELLE FOURCE DAILY POST printed at Belle Fourche SD. 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 and notify this office, if you have any corrections or questions.

Be sure to contact the above newspapers to authorize publication of your notice of hearing to validate a vested right and to arrange for payment. Early contact with the papers can eliminate delays. The publishers have 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. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

October 29, 1987

BELLE FOURCHE DAILY POST
1004 5th Ave
Belle Fouche SD 57783

Dear Sir:

Enclosed is a Notice of Hearing to Validate Vested Right Application No. 1417-1. Please publish this notice once each week for two consecutive weeks in your paper. The first publication should be on or before November 4, 1987.

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 Redwater Irrigation Association, PO Box 351, Belle Fourche SD.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

----------CUT HERE----------

FIRST TRANSMITTAL NOTICE

TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

Date_____
We are in receipt of your letter of _____ enclosing Notice of Hearing to Validate A Vested Right Application which was first published in our issue of_____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

_____ _____
Name Newspaper

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

October 29, 1987

QUEEN CITY MAIL
Box 7
Spearfish SD 57783

Dear Sir:

Enclosed is a Notice of Hearing to Validate Vested Right Application No. 1417-1. Please publish this notice once each week for two consecutive weeks in your paper. The first publication should be on or before November 4, 1987.

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 Redwater Irrigation Association, PO Box 351, Belle Fourche SD.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

----------CUT HERE----------

FIRST TRANSMITTAL NOTICE

TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

Date_____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Validate A Vested Right Application which was first published in our issue of_____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

_____ _____

Name Newspaper

Instruction to Newspaper - Publish first publication of the following Notice on or before November 4, 1987 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING To Validate
Vested Right Application No. 1417-1 to Appropriate Water

Notice is hereby given that Redwater Irrigation Association whose mailing address is PO Box 351, Belle Fourche, South Dakota has filed an application to validate a vested right claim to appropriate 324 cubic feet of water per second (cfs) from Redwater River to irrigate 5311.2 acres via the Redwater Irrigation Association Ditch with claimed priority dates of May 28, 1876; February 1, 1879; March 24, 1884; December 2, 1885 and November 11, 1889. The Redwater River diversion point is located in the SW 1/4 NE 1/4 Section 36, T8N, R2E. The irrigated acreage is located in the NW 1/4 NE 1/4 Section 36; W 1/2 SE 1/4, NE 1/4 SE 1/4, NE 1/4 Section 25; E 1/2 SW 1/4, E 1/2, E 1/2 NW 1/4 Section 24; W 1/2 SE 1/4 NE 1/4 SW 1/4, N 1/2 NW 1/4 Section 13; W 1/2, NW 1/4 NE 1/4 Section 12; N 1/2 SE 1/4, NE 1/4 Section 11; SE 1/4 Section 2; S 1/2, SE 1/4 NW 1/4, NE 1/4 Section 1; all in T8N, R2E: N 1/2 SW 1/4, NW 1/4 SE 1/4, N 1/2 Section 6; N 1/2 SW 1/4, N 1/2 SE 1/4, N 1/2 Section 5; Section 4; W 1/2, S 1/2 SE 1/4, W 1/2 NE 1/4 Section 3; NE 1/4 NW 1/4, N 1/2 NE 1/4 Section 9; N 1/2 NW 1/4, N 1/2 NE 1/4, E 1/2 SE 1/4, SW 1/4 SE 1/4 Section 10; W 1/2 NW 1/4, S 1/2, S 1/2 NE 1/4 Section 11; W 1/2 SW 1/4 Section 12; W 1/2, SE 1/4, W 1/2 NE 1/4, SE 1/4 NE 1/4 Section 13; E 1/2, E 1/2 SW 1/4, N 1/2 NW 1/4, SE 1/4 NW 1/4 Section 14; N 1/2 NE 1/4 Section 23; Section 24; all in T8N, R3E: SW 1/4, SW 1/4 NW 1/4 Section 18; N 1/2 NE 1/4, SE 1/4 NE 1/4, E1/2 SE 1/4 Section 19; W 1/2 SW 1/4, NE 1/4 SW 1/4, W 1/2 NW 1/4 Section 20; all in T8N, R4E: SE 1/4 SE 1/4 Section 25; NE 1/4, N 1/2 SE 1/4, SE 1/4 NW 1/4 Section 36; all in T9N, R2E; NW 1/4, N 1/2 SW 1/4, S 1/2 NE 1/4, SE 1/4 Section 31; S 1/2 SW 1/4 Section 30; S 1/2 NW 1/4, SW 1/4, S 1/2 SE 1/4 Section 32; S 1/2 SW 1/4, W 1/2 SE 1/4 Section 33; all in T9N, R3E.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends VALIDATION of Vested Water Right Application No. 1417-1 for 84.4 cfs and that the applicable portions of Water Right Filings No. 071-1, 0160-1, 0294-1, 0392-1, and 261-1 be incorporated into No. 1417-1 and that the abandoned portions of Nos. 071-1, 0160-1, 0294-1, 0392-1 and 261-1 be cancelled, because 1) water has been appropriated as described for irrigation with priority dates of May 28, 1876 (1.76 cfs), February 1, 1879 (44 cfs) and March 24, 1884 (38.64 cfs), 2) the use has been developed without unlawful impairment of existing rights, 3) it is a beneficial use of water and 4) it is in the public interest.

Validation of this application will be considered by the Water Management Board at Howard Johnson's, Roosevelt and Jefferson Rooms, 2211 LaCrosse, Rapid City SD, December 2, 1987 at 1:00 pm.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve validation, 2) approve the validation with qualifications, 3) defer, or 4) deny validation of the 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 20, 1987. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons 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.

(continued)

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; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-18; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, 46-5-49; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15 and 74:02:01:19 thru 74:02:01:22.

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 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, 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 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 20, 1987.

Form 8 - Proof of Publication - Notice of Intent to Appropriate Water

No. 1417-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Lawrence)

I, Jimmie R. Stephenson hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Queen City Mail

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 Spearfish

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

November 3rd, 1987

November 10th, 1987

(Signature)

Publisher
(Title)

11-10-87
(Date Signed)

NOV 1987
WATER RIGHTS
Pierre, SD

Cost of Printing: 144 lines X .2564 = 36.92
144 lines X .2051 = 29.54
total = 66.46

WNR-808-7/79
Proof of Publication

NOTICE OF HEARING
To Validate Vested
Right Application No. 1417-1
To Appropriate Water

Notice is hereby given that Redwater Irrigation Association whose mailing address is P.O. Box 351, Belle Fourche, South Dakota, has filed an application to validate a vested right claim to appropriate 324 cubic feet of water per second (cfs) from Redwater River to irrigate 5311.2 acres via the Redwater Irrigation Association Ditch with claimed priority dates of May 28, 1876; February 1, 1879; March 24, 1884; December 2, 1885 and November 11, 1889. The Redwater River diversion point is located in the SW 1/4 NE 1/4 Section 36, T8N, R2E. The irrigated acreage is located in the NW 1/4 NE 1/4 Section 36; W 1/2 SE 1/4, NE 1/4 SE 1/4, NE 1/4 Section 25; E 1/2 SW 1/4, E 1/2, E 1/2, NW 1/4 Section 24; W 1/2 SE 1/4, NE 1/4 SW 1/4, N 1/2 NW 1/4 Section 13; W 1/2, NW 1/4 NE 1/4 Section 12; N 1/2 SE 1/4, NE 1/4 Section 11; SE 1/4 Section 2; S 1/2, SE 1/4 NW 1/4, NE 1/4 Section 1; all in T8N, R2E: N 1/2 SW 1/4, NW 1/4 SE 1/4, N 1/2 Section 6; N 1/2 SW 1/4, N 1/2 SE 1/4, N 1/2 Section 5; Section 4; W 1/2, S 1/2 SE 1/4, W 1/2 NE 1/4 Section 3; NE 1/4 NW 1/4, N 1/2 NE 1/4 Section 9; N 1/2 NW 1/4, N 1/2 NE 1/4, E 1/2 SE 1/4, SW 1/4 SE 1/4 Section 10; W 1/2 NW 1/4, S 1/2, S 1/2 NE 1/4 Section 11; W 1/2 SW 1/4 Section 12; W 1/2, SE 1/4, W 1/2 NE 1/4, SE 1/4 NE 1/4 Section 13, E 1/2, E 1/2 SW 1/4, N 1/2 NW 1/4, SE 1/4 NW 1/4 Section 14; N 1/2 NE 1/4 Section 23; Section 24; all in T8N, R3E; SW 1/4, kSW 1/4 NW 1/4 Section 18; N 1/2 NE 1/4, SE 1/4 NE 1/4, E 1/2 SE 1/4 Section 19; W 1/2 SW 1/4, NE 1/4 SW 1/4, W 1/2 NW 1/4 Section 20; all in T8N, R4E: SE 1/4 SE 1/4 Section 25; NE 1/4, N 1/2 SE 1/4, SE 1/4 NW 1/4 Section 36; all in T9N, R2E; NW 1/4, N 1/2 SW 1/4, , S 1/2 NE 1\4, SE 1/4 Section 31; S 1/2 SW 1/4 Section 30; S 1/2 NW 1/4, SW 1/4, S 1/2 SE 1/4 Section 32; S 1/2 SW 1/4, W 1/2 SE 1\4 Section 33; all in T9N, R3E.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends VALIDATION of Vested Water Right Application No. 1417-1 for 84.4 cfs and that the applicable portions of Water Right Filings No. 071-1, 0160-1, 0294-1, 0392-1 and 261-1 be incorporated into No. 1417-1 and that the abandoned portions of Nos. 071-1, 0160-1, 0294-1, 0392-1 and 261-1 be cancelled, because 1) water has been appropriated as described for irrigation

(1.76 cfs), February 1, 1879 (44 cfs) and March 24, 1884 (38.64 cfs), 2) the use has been developed without unlawful impairment of existing rights, 3) it is a beneficial use of water and 4) it is in the public interest.

Validation of this application will be considered by the Water Management Board at Howard Johnson's, Roosevelt and Jefferson Rooms, 2211 LaCrosse, Rapid City, SD, December 2, 1987 at 1:00 p.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve validation, 2) approve the validation with qualifications, 3) defer, or 4) deny validation of the 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 20, 1987. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, and the signature and mailing address of the petitioner or his legal counsel if [illegible] 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; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-18; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, 46-5-49; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15 and 74:02:01:19 thru 74:02:01:22.

This hearing on 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 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, 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 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 20, 1987.

Nov. 3, 10

Form 8 - Proof of Publication - Notice of Intent to Appropriate Water

No. 1417-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
) ss.
County Butte)

I, Marion Lucca hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Belle Fourche Daily Post

A newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the

city of Belle Fourche

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

November 4, 1987

November 11, 1987

Marion Lucca
(Signature)

Editor
(Title)

November 11, 1987
(Date Signed)

Cost of Printing: _____

NOV 1987
DIVISION OF
WATER RIGHTS
Pierre, SD

WNR-808-7/79
Proof of Publication

Public Notice

NOTICE OF HEARING TO VALIDATE Vested Right Application No. 1417-1 to Appropriate Water

Notice is hereby given that Redwater Irrigation Association whose mailing address is PO Box 351, Belle Fourche, South Dakota has filed an application to validate a vested right claim to appropriate 324 cubic feet of water per second (cfs) from Redwater River to irrigate 5311.2 acres via the Redwater Irrigation Association Ditch with claimed priority dates of May 28, 1876; February 1, 1879; March 24, 1884; December 2, 1885 and November 11, 1889. The Redwater River diversion point is located in the SW 1/4 NE 1/4 Section 36, T8N, R2E. The irrigated acreage is located in the NW 1/4 NE 1/4 Section 36; W 1/2 SE 1/4, NE 1/4 SE 1/4, NE 1/4 Section 25; E 1/2 SW 1/4, E 1/2, E 1/2 NW 1/4 Section 24; W 1/2 SE 1/4, NE 1/4 SW 1/4, N 1/2 NW 1/4 Section 13; W 1/2, NW 1/4 NE 1/4 Section 12; N 1/2 SE 1/4, NE 1/4 Section 11; SE 1/4 Section 2; S 1/2, SE 1/4 NW 1/4, NE 1/4 Section 1; all in T8N, R2E: N 1/2 SW 1/4, NW 1/4 SE 1/4, N 1/2 Section 6; N 1/2 SW 1/4, N 1/2 SE 1/4, N 1/2 Section 5; Section 4; W 1/2, S 1/2 SE 1/4, W 1/2 NE 1/4 Section 3; NE 1/4 NW 1/4, N 1/2 NE 1/4 Section 9; N 1/2 NW 1/4, N 1/2 NE 1/4, E 1/2 SE 1/4, SW 1/4 SE 1/4 Section 10; W 1/2 NW 1/4, S 1/2, S 1/2 NE 1/4 Section 11; W 1/2 SW 1/4 Section 12; W 1/2, SE 1/4, W 1/2 NE 1/4, SE 1/4 NE 1/4 Section 13; E 1/2, E 1/2 SW 1/4, N 1/2 NW 1/4, SE 1/4 NW 1/4 Section 14; N 1/2 NE 1/4 Section 23; Section 24; all in T8N, R3E: SW 1/4, SW 1/4 NW 1/4 Section 18; N 1/2 NE 1/4, SE 1/4 NE 1/4, E 1/2 SE 1/4 Section 19; W 1/2 SW 1/4, NE 1/4 SW 1/4, W 1/2 NW 1/4 Section 20; all in T8N, R4E: SE 1/4 SE 1/4 Section 25; NE 1/4, N 1/2 SE 1/4, SE 1/4 NW 1/4 Section 36; all in T9N, R2E; NW 1/4, N 1/2 SW 1/4, S 1/2 NE 1/4, SE 1/4 Section 31; S 1/2 SW 1/4 Section 30; S 1/2 NW 1/4, SW 1/4, S 1/2 SE 1/4 Section 32; S 1/2 SW 1/4, W 1/2 SE 1/4 Section 33; all in T9N, R3E.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends VALIDATION of Vested Water Right Application No. 1417-1 for 84.4 cfs and that the applicable portions of Water Right Filings No. 071-1, 0160-1, 0294-1, 0392-1 and 261-1 be incorporated into No. 1417-1 and that the abandoned portions of Nos. 071-1, 0160-1, 0294-1, 0392-1 and 261-1 be cancelled because 1) water has been appropriated as described for irrigation with priority dates of May 28, 1876 (1.76 cfs), February 1, 1879 (44 cfs) and March 24, 1884 (38.64 cfs), 2) the use has been developed without unlawful impairment of existing rights, 3) it is a beneficial use of water and 4) it is in the public interest.

Validation of this application will be considered by the Water Management Board at Howard Johnson's, Roosevelt and Jefferson Rooms, 2211 LaCrosse, Rapid City, SD, December 2, 1987 at 1:00 p.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve validation, 2) approve the validation with qualifications, 3) defer, or 4) deny validation of the 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 20, 1987. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons 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; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-18; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, 46-5-49; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15 and 74:02:01:19 thru 74:02:01:22.

This hearing is an adversary proceeding. The applicant or [redacted] tion, 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 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, 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 person who has filed a petition to oppose or support the application. [redacted] must be filed with the Chief Engineer by November 1987.

2t11/4,11

RECOMMENDATION OF CHIEF ENGINEER FOR VALIDATION OF VESTED WATER RIGHT APPLICATION NO. 1417-1, Redwater Irrigation Association

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 Validation of Vested Water Right Application No. 1417-1, Redwater Irrigation Association, PO Box 351, Belle Fourche, South Dakota.

The Chief Engineer is recommending VALIDATION of Application No. 1417-1 for 84.4 cfs and that the applicable portions of Water Right Filings No. 071-1, 0160-1, 0294-1, 0392-1 and 261-1 have been incorporated into No. 1417-1 and that the abandoned portions of Filings No. 071-1, 0160-1, 0294-1, 0392-1 and 261-1 have been cancelled, because 1) water has been appropriated as described for irrigation use with priority dates of May 28, 1876 for 1.76 cfs, February 1, 1879 for 44 cfs and March 24, 1884 for 38.64 cfs, 2) the use has been developed without unlawful impairment of existing rights, 3) the use is a beneficial use and 4) it is in the public interest with the following qualifications.

1. That Vested Water Right No. 1417-1 is subject to domestic use rights. Diversion of water under Water Right No. 1417-1 is contingent upon supplies being available first to domestic users.

2. That the existing flow measuring device for the Redwater Irrigation Association be maintained at or near the point of diversion.

See the attached report for additional information.

JOHN HATCH, Chief Engineer
October 20, 1987

November 24, 1987
(date)

Parties of Record before Water Management Board regarding Vested Right Application No. 1417-1, Redwater Irrigation Association

For :

Lyle Ruby, President
Redwater Irrigation Association
PO Box 351
Belle Fourche, SD 57717
represented by :
Joseph M. Butler
PO Box 2670
Rapid City SD 57709

Against :

B. E. Martin, Regional Director
Bureau of Reclamation
Missouri Basin Region
PO Box 36900
Billings MT 59107-6900

Bruce Laymon
U.S. Bureau of Reclamation
PO Box 226
Newell SD 57760

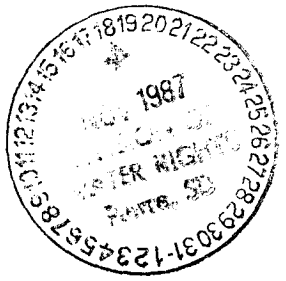
Interested :

Richard Beringson, Secretary
SD Dept. of Game, Fish and Parks
Anderson Building
445 E. Capital
Pierre SD 57501

South Dakota
Department of
Game, Fish and Parks

Division of Wildlife
Sigurd Anderson Building
445 East Capitol
Pierre, South Dakota 57501-3185
(605) 773-3381

November 16, 1987



Mr. John Hatch, Chief Engineer
Division of Water Rights
S.D. Department of Water & Natural Resources
Joe Foss Building
Pierre, SD 57501

Dear Mr. Hatch:

Pursuant to the notice provided by the Chief Engineer under SDCL 46-2A-4 the South Dakota Department of Game, Fish and Parks intends to be a party to water right claim 1417-1 on Redwater River, Butte County.

GF&P is an interested and potentially affected party by virtue of statutory authority to manage fish and wildlife resources of the state (SDCL Chapter 41). The pending water right claim could affect the quantity of water available for natural resource management.

Thank you for the opportunity to comment on this pending water right application.

Sincerely,

Richard J. Beringson

Richard J. Beringson
Secretary

RJB/ld

cc: Redwater Irrigation Association

South Dakota
Department of Game, Fish and Parks

Division of Wildlife
Sigurd Anderson Building
445 East Capitol
Pierre, South Dakota 57501-3185
(605) 773-3381

November 20, 1987



Mr. John Hatch, Chief Engineer
Division of Water Rights
S.D. Department of Water & Natural Resources
Joe Foss Building
Pierre, SD 57501

Dear Mr. Hatch:

Pursuant to the filings made by the S.D. Department of Game, Fish and Parks to the attached list of applicants, some confusion exists regarding the intent of the filings. For your information when dealing with inquiries to the nature of the GF&P interest in the upcoming hearings the following information should be useful.

GF&P intends to participate in the upcoming water right validations by supporting the water rights staff recommendations that will bring each water right into legal compliance with existing laws, e.g. appropriate quantities of water for the land base, appropriately sized and gauged headgates for the right in question,abandonment of unused quantities of water, etc. GF&P filed with your office and each applicant so that we would officially be parties to the hearing process and be able to carry out the mandated duties of the Department under SDCL Chapter 41. We also are of the opinion that the Department would have been negligent in not participating in proceedings that relate to water resource allocation directly affecting waters that support fish and wildlife values.

I hope this information will aid you in describing the nature of the interest the Department of Game, Fish and Parks has in the upcoming proceedings. If you have any questions you can contact me at 773-5511.

Sincerely,

Ron Koth

Ron Koth
Water Permits Coordinator

RK/ld

Bangs, McCullen, Butler, Foye & Simmons

Lawyers

George A. Bangs
W. A. McCullen (1943-1987)
Joseph M. Butler
Thomas H. Foye
Thomas E. Simmons
Ronald E. Clabaugh
Charles L. Riter

818 St. Joe Street
Mailing Address P. O. Box 2670
Rapid City, South Dakota 57709
605-343-1040
Telecopier 605-343-1503

Allen G. Nelson
James P. Hurley
Michael M. Hickey
Mark F. Marshall
Terry L. Hofer
Rebecca A. McMahon
Patrick K. Duffy

November 23, 1987



John Hatch
Chief Engineer
Dept. of Water &
Natural Resources
523 East Capitol
Pierre, SD 57501

Harold Deering, Jr.
445 E. Capitol, B-100
Pierre, SD 57501

Re: Redwater Irrigation Association

Gentlemen:

Enclosed is a Request for Extension of Hearing Date on behalf of Redwater Irrigation Association.

This is intended as service upon you by mail.

Sincerely,

BANGS, McCULLEN, BUTLER, FOYE & SIMMONS

Joseph M Butler

Joseph M. Butler

JMB:dae
Enclosure

cc: Manuel Kindsfater



STATE OF SOUTH DAKOTA

DEPARTMENT OF WATER AND NATURAL RESOURCES

REDWATER IRRIGATION ASSOCIATION, Petitioner	))	REQUEST FOR EXTENSION OF HEARING DATE

The undersigned, on behalf of Redwater Irrigation Association, hereby requests an extension of the hearing date scheduled in connection with the water rights owned by Redwater Irrigation Association.

Dated this 23rd day of November, 1987.

BANGS, McCULLEN, BUTLER, FOYE & SIMMONS

By Joseph M. Butler
Joseph M. Butler
Attorneys for Petitioner
818 St. Joseph Street; P.O. Box 2670
Rapid City, SD 57709
(605) 343-1040

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he served a copy of the foregoing Request for Extension of Hearing Date on the persons herein next designated, by depositing copies thereof in the U.S. mail, postage prepaid in envelopes addressed to:

John Hatch
Chief Engineer
Dept. of Water & Natural Resources
523 East Capitol
Pierre, SD 57501

Harold Deering, Jr.
445 E. Capitol, B-100
Pierre, SD 57501

Dated this 23rd day of November, 1987.

Joseph M Butler
JOSEPH M. BUTLER

DAILY PRECIPITATION (INCHES)

SOUTH DAKOTA
AUGUST 1987

STATION	TOTAL	DAY OF MONTH																													
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
SOUTH DAKOTA																																
NORTHWEST 01																																
BELLE FOURCHE	M	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
BELLE FOURCHE 22 NNW	2.30			.02	.18		.02	.44	.95				.15				.02						.31			.15	.06					
BISON	1.36							.15					.60	.07			.08	T					.16			T	.15					
CAMP CROOK	2.13						.02	.23					.50	.02			.19						.20			.19	.78					
DUPREE	3.11	.30	T	.51	.05		T	.60	.13				.92	T				T	.03				.17			.01	T	.39				
DUPREE 15 SSE	5.58	1.17		.69	.12		T	.36	.57				1.71		.13				10				.06				T	.67				
FAITH	3.53			.24	.15		.05	.88	.19				1.20	T	.03			T					.48			.03		.28				
GLAD VALLEY 2 W	2.13	.18					.25						1.27			.10	.11	T			T				.10		.12					
HARDING 3 SE	1.55							.40					.32	.04		.02		T					.25			.20	.20	.12				
LEMMON	1.32	.55	T			T	T		.05	T			.40	T	T	T	.05	T								.10	.05	.12				
LODGEPOLE 10 NW	1.86						T						.30	.02	.01	T	.16	.02								.27	.33	.75				
LUDLOW	1.16							.04					.44	T		T	.20						.03			.29	.16					
MAURINE 10 SW	4.07	.16		T	.31		.06	.72	.82				1.00										.24	.30			.34	.12				
MILESVILLE 8 NE	4.39	.11		1.16	.35			.65	.46				.19		.27		.09			.31			.06			.02	.05	.67				
NEWELL	3.85			.21	.40		.06	.23	.88				.62				.22						.47				.53	.23				
PLAINVIEW 4 SSW	.60	T			.28												.17			.15												
RALPH 3 NW	1.70												.43			.14	.65	.02					.02	T		.22	.14	.08	T			
REDIG 11 NE	2.05		.05					.57	.03			.28	.05				.20						.46			.20	41					
RED OWL	4.28			.60	.40		.04	1.54	.33			.18			.30		.06						.36			.03	.44					
USTA 8 WNW	3.85	.90		.08	.18			.62	.15				1.20										.25	.02		.33			.12			
ZEONA 10 SSW	4.41			.40	.20		.13	1.14	.79				.60				T						.49	.01			.42	.23				
NORTH CENTRAL 02																																
EAGLE BUTTE	4.65	.80		1.63	.02			.68	.15			.80			.09			.02	.14			T			12	.08	.02	.10				
EUREKA	3.77	2.16		.51				.07	.05	.01			.36			.01		.09	.04			.11			.11	.09	.03	.12	.01			
FAULKTON 1 NW	1.98	.34		.31			.03			.12			.58					.24	.13	.04						.05	.13	.01				
GETTYSBURG	2.38	.10	T	.46			.02	T	.02	.16		.50			T	.08	T	.05	.14	.03		T			T	.07	.01	.26	.48			
IPSWICH	1.85	.93	T	.45		T	T						.19				.10	T								T	.18	T			T	
MC INTOSH 6 SE	1.18	.17	.02					T	T				.58												.03	.18	.02	.18				
MC LAUGHLIN	1.87	.70	.03	T					.02	.10				.54					04						.05	.18	.03	.18				
MOBRIDGE 2 NNW	1.43	.03	.37	.07				.16	.03			.11	.37			T	.03								.09	.07	.01	.09				
ONAKA	.97			.32				T	T				.40					.15	.10					T	T							
POLLOCK	1.64	.38	.04		.01			.07	.03				.55				.16								.03	.29	.03	.05				
SELBY	2.86	1.22		.61				.02	.09	.01			62			01	T	.09	.01						.03	05	.05	.02	.03		T	
TIMBER LAKE	5.34	1.41	.10	1.97				.35	.13				.71		T		.38						T		.11	.06	.02	.10				
NORTHEAST 03																																
ABERDEEN WSO AP	1.87	.34	.29	.29		.14			.05			T	.30			.28	.02	.01				T			.01	.07	.01	.06		T		
ASHTON 2	.77	.02		.12			T	T	.02				20	T			T	.13	.23			T			01	T	.04					
BIG STONE CITY 2 NW	1.94						.03		.13	.77				T			.31	T	.04			.02				T		.64				
BRITTON	M	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
COLUMBIA 8 N	1.73	.48		.26			.63			T			18	.02			T						T			T	.09	T	.07		T	
CONDE	1.53	T		.16			.07			.12			07				.76	05	.18			.01				.01	08	.02				
LEOLA	2.13	.65		42		.31		T	.03				31									T			.05	.12	.04	.20			T	
MELLETTE	.91	.05		.07						.09			.12	.11			.05	.17	.15								.09	.01				
MILBANK 2 SSW	2.37			.07	.02		T		.11	1.31							.27		05								.01		.53			
SISSETON 2 E	1.38	T		.10			T		T				40			70				T					T	.02	.10	.02			.04	
SUMMIT 1 W	1.81			.08					.72				.22			.50	01		.15			.01				T		.12			T	
VICTOR 1 ESE	1.57	.02					23						.74	.08			23										.15	T			.12	
WAUBAY NATL WILDLIFE	1.34			T					.18			.33	21				.57										T	T	.05			
WEBSTER WATER DEPT	1.50	T		T			T		.22			T	.15				60		10			T			T	.02	T	.39			.02	
WESTPORT 1 N	1.38	.55											50															.33				
WILMOT 1 ENE	.71			.09		T			.30			T	T				.21			T	T					T	.11					
BLACK HILLS 04																																
CUSTER	1.34		.01	.02			.26	.14				08	T	.29		T						.33	.03	.01	.01	T	.15			.01		
DEADWOOD	4.71			.20		.55	.21	.01	1.26				.04		.38		.66						.10		.22		.80	.28				
DEERFIELD 3 SE	1.59			.20	.13		.10	.30	.03				01										.53			.14	.14				.01	
HERMOSA	1.56				.05			.32	.11						45							.01	.20				.12	.30				
HILL CITY 1 SSE	3.13		.05	.21		T	.27	.25				.02		.61		T						.47	.04		T	.67	.54					
HOT SPRINGS	1.68	.16						1.13	.03						.08		.05						.21		T	.02						
LEAD	4.49			.29	.60		.17	1.23	.11			T	.05	T	.39		.33						.37			.25	.52	.18				

SEE REFERENCE NOTES FOLLOWING STATION INDEX

DAILY TEMPERATURES (°F)

SOUTH DAKOTA
AUGUST 1987

STATION	OB. TIME	MAX/MIN	DAY OF MONTH 1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	AVERAGE
SOUTH DAKOTA																																		
NORTHWEST 01																																		
BELLE FOURCHE	17	MAX																																M
		MIN																																M
BELLE FOURCHE 22 NNW	08	MAX	96	94	90	82	85	92	80	62	82	87	94	89	67	81	86	80	74	73	76	81	87	81	60	69	67	67	63	68	81	86	73	79.1
		MIN	62	65	52	51	57	53	54	56	56	56	56	50	56	63	57	48	44	42	50	50	61	50	48	49	54	53	40	41	48	41	44	51.8
BISON	18	MAX	90	87	85	81	92	86	70	84	86	92	90	80	73	87	80	73	71	73	77	87	79	75	70	69	62	63	67	77	88	70	86	79.0
		MIN	66	64	56	53	57	55	56	58	57	61	61	50	55	59	58	52	47	46	47	53	56	51	48	52	54	51	50	47	57	44	48	53.8
CAMP CROOK	16	MAX	89	89	84	83	87	87	74	84	88	92	93	80	76	83	83	70	71	73	80	89	90	75	70	70	64	60	66	79	81	75	79	79.5
		MIN	61	64	51	45	55	50	54	54	52	57	59	50	55	58	54	47	43	43	44	46	62	51	43	51	54	51	42	42	49	40	37	50.5
DUPREE	17	MAX	96	93	90	82	94	90	72	81	87	89	89	87	75	87	85	75	72	75	78	85	81	77	71	69	61	64	66	77	88	80	80	80.5
		MIN	69	67	63	53	61	57	56	59	57	63	62	54	56	64	61	53	46	48	49	50	65	52	44	54	53	52	52	43	48	45	40	54.7
DUPREE 15 SSE	08	MAX	102	92	95	78	80	94	76	64	76	84	81	89	72	76	90	75	77	74	76	77	85	81	65	72	67	58	65	68	78	88	71	78.3
		OBS				****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	
		MIN	68	70	60	54	59	57	56	60	56	63	64	55	56	60	62	54	51	48	54	54	59	53	51	54	54	53	52	46	55	46	46	55.8
		OBS				****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	****	
FAITH	07	MAX	94	93	88	84	95	88	71	83	87	92	92	79	74	87	72	76	71	74	78	85	80	75	70	67	59	62	67	81	89	74	80	79.6
		MIN	68	69	63	54	60	56	56	56	60	63	61	53	57	64	61	55	51	49	52	54	64	51	51	53	54	52	51	46	53	40	46	55.6
GLAD VALLEY 2 W	07	MAX												83	79				72	73			85	66	71		54		67	77			91	M
		MIN												53	54			49	50	49			52	45	51		52		39	52			53	M
LEMMON	17	MAX	87	87	78	82	91	73	75	84	85	91	88	70	70	86	69	72	70	73	78	87	79	67	71	65	56	60	69	80	88	71	81	76.9
		MIN	66	63	56	52	58	53	57	58	58	62	61	51	55	58	59	54	49	47	46	55	68	51	44	54	54	51	51	44	54	47	44	54.2
LUDLOW	18	MAX	85	83	79	83	89	83	71	86	89	96	91	70	75	83	81	70	70	72	80	89	84	62	72	68	63	59	66	78	86	70	80	77.8
		MIN	65	64	54	50	57	47	54	53	53	59	62	45	53	58	53	51	46	44	44	55	60	51	46	50	54	50	47	44	53	42	45	51.9
MAURINE 10 SW	07	MAX	102	102	95	83	83	95	78	63	83	90	94	91	71	78	89	72	76	76	76	80	85	81	60	72	68	62	60	68	81	88	86	80.3
		MIN	68	68	60	54	56	53	56	57	56	61	61	51	52	59	61	51	49	43	49	51	58	51	51	51	52	52	46	43	44	44	43	53.3
MILESVILLE 8 NE	18	MAX	91	96	80	81	96	78	67	79	88	90	88	79	76	91	76	77	77	77	77	82	82	62	73	67	63	65	65	83	90	72	82	79.0
		MIN	70	61	62	55	61	60	59	59	59	64	63	56	58	62	63	55	51	48	54	54	61	51	50	57	56	53	52	46	50	48	45	56.2
NEWELL	08	MAX	95	94	89	79	83	92	79	62	80	88	94	88	68	81	86	71	74	72	76	81	87	80	78	79	70	64	61	68	80	86	71	79.2
		MIN	67	72	58	56	57	56	56	57	58	64	62	53	52	64	59	50	49	45	50	57	62	51	54	52	57	53	45	46	51	46	47	55.0
PLAINVIEW 4 SSW	07	MAX	100	97	101	84	89	98	95	81	90	96	95	92	87	91	88	93	79	81	77	80	83	85	83	74	78	71	75	81	88	90	95	87.0
		OBS								91																								
		MIN	70	71	62	56	60	60	66	58	60	68	66	68	61	56	54	54	52	55	48	48	66	57	52	54	61	53	57	52	61	60	55	58.7
		OBS																						68										
RALPH 3 NW	18	MAX	88	86	82	84	90	85	74	85	88	94	91	76	76	83	73	69	70	72	78	87	83	73	72	69	64	60	68	78	84	70	80	78.5
		MIN	62	62	49	47	58	47	54	49	53	62	57	47	54	59	54	50	42	42	42	54	57	51	42	51	54	51	49	46	50	40	42	50.9
REDIG 11 NE	SS	MAX	92	87	80	84	91	72	63	84	87	95	88	78	80	84	71	73	70	74	80	89	80	63	72	65	62	60	64	78	85	71	80	77.5
		MIN	63	62	50	47	52	51	54	56	54	60	56	46	54	58	56	46	42	43	43	52	59	50	48	50	54	50	48	43	50	43	43	51.1
USTA 8 WNW	07	MAX	95	95	82	77	83	96	74	72	83	85	92	91	70	80	87	71	75	73	75	78	86	82	62	71	70	71	66	65	78	89	90	79.5
		OBS	****	****	****																													
		MIN	65	65	67	53	56	55	57	58	54	61	56	51	54	60	59	54	44	42	43	43	55	51	44	55	50	52	39	38	44	42	40	51.8
		OBS	****	****	****																		42											
ZEONA 10 SSW	08	MAX	101	98	94	84	85	95	77	65	84	89	95	92	70	80	88	73	75	73	76	80	88	82	63	72	68	60	58	68	80	87	73	79.8
		MIN	66	73	60	53	56	54	57	59	57	66	61	51	57	62	60	50	48	44	52	56	65	51	52	53	56	53	48	47	49	43	43	54.9
NORTH CENTRAL 02																																		
EUREKA	18	MAX	99	89	87	78	94	90	74	78	85	91	89	85	74	83	78	73	76	73	79	85	83	75	75	70	62	61	67	75	89	85	79	80.0
		MIN	67	63	62	52	61	57	55	58	57	63	63	52	54	63	62	54	47	46	47	47	63	45	39	50	45	50	50	42	46	47	37	53.0
FAULKTON 1 NW	07	MAX	107	94	98	82	82	97	83	76	87	92	92	95	74	79	85	91	78	78	76	79	88	88	74	76	69	57	62	68	77	92	78	82.2
		MIN	68	63	65	56	56	59	54	61	59	56	64	58	53	56	65	59	49	50	52	51	55	48	39	57	52	52	53	42	51	48	37	54.5
GETTYSBURG	08	MAX	102	91	97	81	82	96	79	74	80	91	92	94	75	74	86	80	76	78	76	78	88	84	71	59	67	56	63	65	75	88	71	79.6
		OBS												72	89																			
		MIN	69	68	62	57	60	62	60	61	60	67	56	54	59	58	64	59	52	51	53	53	56	53	45	53	52	52	49	43	49	49	42	55.7

SEE REFERENCE NOTES FOLLOWING STATION INDEX

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

November 24, 1987

NOTICE

TO: Lyle Ruby, President, Redwater Irrigation Association
PO Box 351, Belle Fourche SD 57717
and Parties of Record (see attached list)

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Automatic Continuance of Hearing on Vested Right Application No. 1417-1, Redwater Irrigation Association (RWIA)

The Water Management Board will NOT consider Vested Right Application No. 1417-1 at the December 2-4, 1987 Board meeting. A request for an automatic continuance of hearing on Application No. 1417-1 was received from Joseph M. Butler, Attorney for RWIA, on November 24, 1987. The hearing on Application No. 1417-1 is automatically continued pursuant to SDCL 46-2A-4 and 46-2A-5. Application No. 1417-1 is rescheduled for hearing on March 2, 1988 at 11:00 am, in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD. The agenda time is an estimate. The actual time of hearing may be later than 11:00 am due to prior agenda items. Applicable provision of the notice of hearing published on November 3 and 10, 1987 in the Belle Fourche Daily Post and Queen City Mail will still apply at the hearing.

cc: John Guhin, Assistant Attorney General
Harold Deering, Assistant Attorney General
Water Management Board

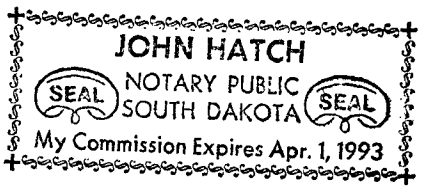
CERTIFICATION

I hereby certify that on November 24, 1987 I have personally deposited with the U.S. Mail, postage prepaid envelopes containing Notice of Automatic Continuance of Hearing on Vested Right Application No. 1417-1 addressed as stated on the Parties of Records sheet.

Karen Schlaak
KAREN SCHLAAK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 25th day of November, 1987.



John Hatch
Notary Public

Water Rights Division - DWNR File No. 1417-1

Conversation or File Documentation

NAME OF PERSON OR FILE: Redwater Irrigation Association / Lyle Ruby

ADDRESS: P.O. Box 351, Belle Fourche, S.D. 57717 COUNTY Butte

DATE: 3/8/88 TELEPHONE 892-3260

RE: Flow Records.

COMMENTS:

Called Lyle to ask him if Mr. Buttler, Attorney for the association had contacted them recently. He said he had not heard anything from him. I told him there was a deal between our attorney and theirs to get the flow data from the association. He said he did not know anything about it. He also stated that they intend to increase the height of the main parshall Flume to increase the flume capacity and to be able to divert more water. I told him I did not think that was a good idea, since the association has been using a certain amount of water for so many years. He also stated that the flume was installed around 1948!

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: MAtkinson

4/82

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

March 8, 1988

NOTICE

TO: Lyle Ruby, President, Redwater Irrigation Association
PO Box 351, Belle Fourche SD 57717
and Parties of Record (see attached list)

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Continuance and Rescheduling of Hearing on Vested Right Application No. 1417-1, Redwater Irrigation Association (RWIA)

The Water Management Board did NOT consider Vested Right Application No. 1417-1 at the March 2 and 3, 1988 Board Meeting. A request for a continuance was received from Michael M. Hickey, representing the RWIA, via phone on February 29, 1988.

Application No. 1417-1 is now rescheduled for a hearing before the Board on May 11, 1988 at 2:00 pm, in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD. The agenda time is an estimate. The actual time of hearing may be later than 2:00 pm due to prior agenda items. Applicable provisions of the notice of hearing published on November 3 and 10, 1987 in the Belle Fourche Daily Post and Queen City Mail will still apply at the hearing.

cc: Harold Deering, Assistant Attorney General

CERTIFICATION

I hereby certify that on March 8, 1988 I have personally deposited with the U.S. Mail, a postage prepaid envelope containing Notice of Continuance and Rescheduling of Hearing on Vested Right Application No. 1417-1 addressed as stated on the Parties of Record Sheet.

Karen Schlaak
KAREN SCHLAAK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 9th day of March, 1988.

JOHN HATCH
NOTARY PUBLIC
SOUTH DAKOTA
SEAL SEAL
My Commission Expires Apr. 1, 1993

John Hatch
Notary Public

March 11, 1988

MEMO TO: Harold Deering, Assistant Attorney General

FROM: Rassool Ahadi, Natural Resources Engineer RA

RE: Redwater Irrigation Association

On March 8, 1988, I contacted Mr. Lyle Ruby, RWIA president, via telephone, regarding their flow records. I asked him if he had heard anything from Mr. Butler, their attorney, regarding the records? He said, he had not heard anything from him. I asked him if he knew the year that the flume was installed? He said, he was not sure, however, he believed it was around 1948. He stated that they were trying to increase the capacity of the main Parshall Flume by increasing its height so that they would be able to divert more water. I indicated that they better talk to their attorney before they increase the capacity of the flume. I also stated that the flume had been in the ditch for many years and I did not think that was a good idea. I questioned if every irrigator had a measuring device at his diversion point on the ditch to measure the water use? He answered yes. He also said, there were three major flume sizes being used: 6 inch, 9 inch, and 12 inch throat flumes, depending on the amount of water they need. I also asked if they used Maloney Creek to irrigate any land listed under RWIA Ditch? He stated, that the ditch ends at Elmer Allen's farm which is the last water user on the ditch, before the ditch flows into Maloney Creek. He also said that they had never used and were not using any water from Maloney Creek. On March 9, 1988, the flume was inspected. There was no indication of any changes in the flume or its height. The pictures taken from the flume last summer confirm this conclusion.

File Redwater Irr. Assoc.

United States Department of the Interior
BUREAU OF RECLAMATION
Missouri Basin Region
Belle Fourche Projects Office
P.O. Box 226
Newell, South Dakota 57760

IN REPLY
REFER TO:



APR 6 1988

Mr. Lyle Ruby
Redwater Irrigation Association
P.O. Box 351
Belle Fourche, SD 57717

Dear Mr. Ruby:

The Bureau of Reclamation has direct responsibility for the operation of Keyhole Reservoir in Wyoming and also has administrative responsibility for the operation of Belle Fourche Reservoir in South Dakota. Both facilities are used for the storage of flows on the Belle Fourche River.

As you are no doubt aware, a substantial portion of the flows in the Belle Fourche River at the Belle Fourche Diversion Dam are contributed by the Redwater River. As a result, diversions by the Redwater Irrigation Association have a substantial impact on the Belle Fourche Irrigation District's (B.F.I.D.) diversions at the Diversion Dam.

Each spring the B.F.I.D. diverts the flows of the Belle Fourche River into Belle Fourche Reservoir by means of the Diversion Dam and the Inlet Canal. During the irrigation season these flows are also required to supply the irrigation needs for lands served by the Johnson Lateral and the Inlet Canal. When river flows are reduced by irrigation diversions under prior water rights upstream from the Diversion Dam, it is often necessary for the B.F.I.D. to request releases from Keyhole storage to meet the needs on these lands.

Because of the impact of Redwater Irrigation Association's diversions on the flows in the Belle Fourche River, it is essential that we be able to anticipate the onset of your diversions from the Redwater River. In this way we can make any necessary releases from Keyhole Reservoir in time to compensate for the reduction in flows on the Belle Fourche River.

We would greatly appreciate your cooperation in notifying this office of your planned "start-up" date for 1988. We realize this date may be adjusted as the irrigation season approaches. Therefore, if you can keep us informed of any changes in this schedule, we can adjust our plans accordingly.

Your cooperation will allow us to provide sufficient warning to those people living along the Belle Fourche River below Keyhole Dam prior to beginning releases there. It will also help to assure the availability of adequate irrigation supplies to those dependent upon the Johnson Lateral and Inlet Canal.

Please feel free to call me at 456-2695. If you would prefer, you can provide me with a contact point and I will check with that person periodically to determine the current status of your operation plans.

Your assistance in this matter is greatly appreciated.

Sincerely,

Bruce M. Laymon

Bruce M. Laymon
Acting Project Manager

bc: Mr. Harold D. Skjoldal, Project Manager
Belle Fourche Irrigation District
P.O. Box 225
Newell, South Dakota 57760

Director, Division of Water Rights
South Dakota Department of Water
and Natural Resources
523 E. Capitol
Pierre, SD 57501

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

May 16, 1988

NOTICE

TO: Lyle Ruby, President, Redwater Irrigation Association
PO Box 351, Belle Fourche SD 57717
and Parties of Record (see attached list)

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Deferral of Consideration of Vested Water Right Application No. 1417-1, Redwater Irrigation Association (RWIA)

The Water Management Board deferred Vested Water Right Application No. 1417-1 at the May 11, 1988 Board meeting in Pierre. RWIA requested that the Board defer Application No. 1417-1 in the same manner that the Board had previously deferred other ditch company applications. Therefore, the Board deferred consideration of the application to allow completion of the following:

1) Collection of flow data on the ditch by RWIA during the 1988 irrigation season.

2) Modification of the measuring flume by raising the side walls 10 inches.

The modification of the measuring flume needs to be completed as soon as possible to allow accurate measurement of any high flows diverted during the 1988 irrigation season. The Board did not authorize, in the motion to defer, any changes to the diversion works located on Redwater River used for diverting water through the measuring flume. A method of record-keeping will also need to be determined cooperatively between the Division of Water Rights and RWIA.

Notice will be given when Application No. 1417-1 is rescheduled for hearing after the 1988 irrigation season.

cc: Harold Deering, Assistant Attorney General
John Guhin, Assistant Attorney General

CELEBRATE THE CENTURY
1889 · 1989
South Dakota

CERTIFICATION

I hereby certify that on May 16, 1988 I have personally deposited with the U.S. Mail, a postage prepaid envelope containing Notice to Deferral of Consideration of Vested Water Right Application No. 1417-1 addressed as stated on the Parties of Record.

Karen Schlaak
KAREN SCHLAAK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 24th day of May, 1988.

JOHN HATCH
SEAL NOTARY PUBLIC SEAL
SOUTH DAKOTA
My Commission Expires Apr. 1, 1993

John Hatch
Notary Public

STATE OF SOUTH DAKOTA



OFFICE OF ATTORNEY GENERAL

STATE CAPITOL
Pierre, South Dakota 57501-5090
Phone (605) 773-3215



ROGER A. TELLINGHUISEN
ATTORNEY GENERAL

May 19, 1988

Mr. Michael M. Hickey
Attorney At Law
P.O. Box 2670
Rapid City, SD 57709

RE: Redwater Ditch

Dear Mike:

This is to confirm our agreement that Rassool Ahadi will delay his survey of the works at Redwater Ditch which he intended to do on May 17, until no sooner than May 24. Harold Deering or I will let you know when he intends to do his survey and you have assured me that your clients will not make any alterations to their works during the interim period. Thank you for your cooperation in this matter.

Sincerely,

Daniel J. Doyle
Assistant Attorney General

DJD:pmc

cc: John Hatch ✓
Rassool Ahadi
Harold Deering

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

June 1, 1988

NOTICE

Michael M. Hickey
Attorney at Law
P.O. Box 2670
Rapid City, S.D. 57709

RE: Redwater Irrigation Association

Dear Mr. Hickey:

I am writing to advise you that Division of Water Rights engineers are planning to conduct a survey of the Redwater Irrigation Association's diversion structures beginning at approximately 1:00 pm, Tuesday afternoon, June 7, 1988.

If you have any questions, please contact us.

Very truly yours,

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

cc: Lyle Ruby, President, Redwater Irrigation Association
Harold Deering, Assistant Attorney General

CELEBRATE THE CENTURY
1889 · 1989
South Dakota

CERTIFICATION

I hereby certify that on June 1, 1988 I have personally deposited with the U.S. Mail, postage prepaid envelopes containing Notice concerning Redwater Irrigation Association addressed as follows:

Michael M Hickey, PO Box 2670, Rapid City SD 57709
Lyle Ruby, President, Redwater Irrigation Association,
PO Box 351, Belle Fourche SD 57717

Karen Schlaak

KAREN SCHLAAK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 3rd day of June, 1988.

JOHN HATCH
SEAL NOTARY PUBLIC SOUTH DAKOTA SEAL
My Commission Expires Apr. 1, 1993

John Hatch

Notary Public

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

June 14, 1988

Redwater Irrigation Association
c/o Lyle Ruby
RR 1, Box 175
Belle Fourche, South Dakota 57717

RE: Diversion Rate Record, Vested Water Right Application No. 1417-1

Dear Mr. Ruby:

On May 12, 1988, the Water Management Board deferred your vested right claim until ditch flows could be measured during the 1988 irrigation season. The Board's motion stated that a method of record keeping will need to be determined to record the flow rates for Redwater Irrigation Association. Enclosed is a proposed "Diversion Rate Record" form to record the flow rates for the Redwater Irrigation Association Ditch.

Flow measurements will need to be made when water is being diverted and on a daily basis. If the flow is to be recorded after opening or closing the headgate, the gauge reader will need to wait for the flow to stabilize before reading the gauge. The recording time and name of the gauge reader must be recorded. If possible, the number of acres being irrigated should be recorded. The "Remarks" column is provided for any comments you may have during data collection, i.e."rainy day, no diversion" etc.

The diversion rate records will need to be submitted to us at the end of each month. The flow rate will be checked periodically by Division of Water Rights' engineers. If you have any questions or comments regarding the "Diversion Rate Record" form, please let us know.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

cc: Harold Deering, Assistant Attorney General
Mike Hickey, Attorney for Redwater Irrigation Association

JH:RA:ms

CELEBRATE THE CENTURY
1889 · 1989
South Dakota

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

January 24, 1989

NOTICE

TO: Redwater Irrigation Association
PO Box 351
Belle Fourche SD 57717
and Parties of Record (see attached list)

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Reconsideration of Deferred Vested Right Application No. 1417-1

The Water Management Board will reconsider Vested Right Application No. 1417-1 at 11:00 am, March 1, 1989 in the Roosevelt Room, Howard Johnson's, I-90 and La Crosse, Rapid City SD. The agenda time is an estimate. The actual time of hearing may be later than 11:00 am due to prior agenda items. The Board deferred Application No. 1417-1 for one year at the March 2 and 3, 1988 Board meeting to allow collection of flow data for the ditch during the 1988 irrigation season.

The Chief Engineer is recommending that Application No. 1417-1 remain in deferred status due to dry conditions in 1988 and allow collection of additional flow data for another irrigation season. Applicable provisions of the Notice of Hearing published on November 4 and 11, 1987 in the Belle Fourche Daily Post and on November 3 and 10, 1987 in the Queen City Mail will still apply at this hearing.

cc: Larry Donovan, Assistant Attorney General

CELEBRATE THE CENTURY
1889 1989
South Dakota

CERTIFICATION

I hereby certify that on January 24, 1989 I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Notice of Reconsideration of Deferred Vested Right Application No. 1417-1 addressed as shown on the Parties of Record sheet.

Karen Schlaak
KAREN SCHLAAK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 26th day of January, 1989.

John Hatch
Notary Public

JOHN HATCH
SEAL NOTARY PUBLIC SOUTH DAKOTA SEAL
My Commission Expires Apr. 1, 1993

Bangs, McCullen, Butler, Foye & Simmons

Lawyers

George A. Bangs
W. A. McCullen (1943-1987)
Joseph M. Butler
Thomas H. Foye
Thomas E. Simmons
Ronald E. Clabaugh
Charles L. Riter

818 St. Joe Street
Mailing Address P. O. Box 2670
Rapid City, South Dakota 57709
605-343-1040
Telecopier 605-343-1503

Allen G. Nelson
James P. Hurley
Michael M. Hickey
Mark F. Marshall
Terry L. Hofer
Rebecca A. McMahon
Patrick K. Duffy

FEB 1989
DIVISION OF WATER RIGHTS
Pierre, SD

February 22, 1989

Mr. John Hatch, Chief Engineer
Department of Water &
Natural Resources
Water Rights Division
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

Re: Redwater Irrigation Association -
Vested Right Application No. 1417-1

Dear Mr. Hatch:

This is to acknowledge receipt of your Notice of Hearing dated January 24, 1989, with respect to the above matter and to confirm my phone conversation with Mr. Ahadi of your office. As we agreed, Redwater Irrigation Association has no objection to deferring this application for an additional year given the affects of the drought last irrigation season.

Based on the above, it is my understanding that neither my client nor myself need be present at the hearing set for March 1, 1989. If my understanding of this deferral is not correct, please advise immediately.

Thank you.

Sincerely,

BANGS, McCULLEN, BUTLER, FOYE & SIMMONS

Michael M. Hickey

Michael M. Hickey

MMH/dcc
cc: Lyle Ruby

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

March 8, 1989

NOTICE

TO: Redwater Irrigation Association
Lyle Ruby, President
PO Box 351
Belle Fourche SD 57717
and Parties of Record (see attached list)

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Deferral of Vested Right Application No. 1417-1

On March 1, 1989, the Water Management Board allowed Application No. 1417-1 to remain in deferred status to allow collection of additional flow data during the 1989 irrigation season. Application No. 1417-1 will then be rescheduled for consideration by the Board after the 1989 irrigation season. Notice will be given of the time and place of hearing.

cc: Larry Donovan, Assistant Attorney General

CERTIFICATION

I hereby certify that on March 8, 1989 I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Notice of Deferral of Vested Right Application No. 1417-1 addressed as stated on the Parties of Record sheet.

Karen Schlaak
KAREN SCHLAAK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 9th day of March, 1989.

JOHN HATCH
NOTARY PUBLIC
SOUTH DAKOTA
SEAL SEAL
My Commission Expires Apr. 1, 1993

John Hatch
Notary Public

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

RW1A 1417-1

May 4, 1989

Lyle Ruby
P.O. Box 351
Belle Fourche, SD 57717

Dear Lyle,

Enclosed you will find the diversion rate record forms you need to record the diversion rate for the Redwater Irrigation Association Ditch. I have also sent you envelopes you could use to send us the records.

If you hane any questions, please contact me.

Sincerely,

M. RASSOOL AHADI
Natural Resources Engineer
(605)773-3352

CELEBRATE THE CENTURY
1889 · 1989
South Dakota

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

March 1, 1990

NOTICE

TO: Lyle Ruby, President
Redwater Irrigation Association
PO Box 351
Belle Fourche SD 57717
and Parties of Record (see attached list)

FROM: for Delmar D. Bross
John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Reconsideration of Deferred Vested Right Application No. 1417-1

The Water Management Board will reconsider Vested Water Right Application No. 1417-1 at 10:30 am, March 7, 1990, Roosevelt/Jefferson Room, Howard Johnson's, 2211 LaCrosse Street, Rapid City SD. The agenda time is an estimate. The actual time of hearing may be later than 10:30 am due to prior agenda items. The Board deferred Application No. 1417-1 for one year at the March 2 & 3, 1988 Board meeting to allow collection of flow data during the 1988 irrigation season and deferred action in 1989 to allow collection of flow data during the 1989 irrigation season.

Lyle Ruby has indicated to Rassool Ahadi, staff engineer, an interest in allowing Application No. 1417-1 to remain in deferred status for the 1990 irrigation season to allow collection of additional flow data. Rassool Ahadi requested a written response on January 17, 1990 and on February 21, 1990; however, no written response for the application to remain in deferred status has been received. Therefore, the Chief Engineer is recommending validation of Application No. 1417-1 as specified in the attached Chief Engineer's recommendation dated October 20, 1987.

If a written request for the application to remain in deferred status is received by March 5, 1990 or if a request for continued deferral is made orally during the hearing on March 7, 1990, then the recommendation to validate will be revised at the hearing. The revised recommendation will be to defer action on Application No. 1417-1 for the 1990 irrigation season to allow collection of additional flow data. Applicable provisions of the Notice of Hearing published on November 4 and 11, 1987 in the Belle Fourche Daily Post and on November 3 and 10, 1987 in the Queen City Mail will still apply at this hearing.

enclosure

cc: John Haak, Assistant Attorney General

CERTIFICATION

I hereby certify that on March 1, 1990 I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Notice concerning Reconsideration of Deferred Vested Right Application No. 1417-1 addressed as stated on the Parties of Record sheet.

Karen Schlaak

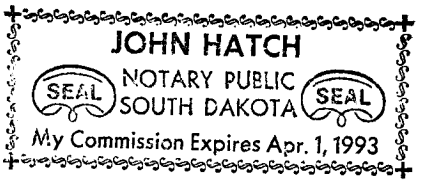
KAREN SCHLAAK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 5th day of March, 1990.

John Hatch

Notary Public



Redwater Irrigating Association
PO Box 351
Belle Fourche, SD 57717

South Dakota Water & Natural Resources
523 East Capitol
Pierre, SD 57501-3181

Re: Reconsideration of Deferred Vested Right Application No. 1417-1

Dear Sirs,

We want to request allowance of Vested Water Right Application No. 1417-1 to remain in deferred status for the 1990 irrigating season to allow collection of additional flow data, because of the continued drought.

Sorry for the delay in responding to this request.

Sincerely,

Lyle Ruby

Lyle Ruby

LR/sk



South Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

March 12, 1990

NOTICE

TO: Lyle Ruby, President
Redwater Irrigation Association
PO Box 351
Belle Fourche SD 57717
and Parties of Record (see attached list)

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Deferral of Vested Right Application No. 1417-1

On March 7, 1990, the Water Management Board allowed Application No. 1417-1 to remain in deferred status to allow collection of additional flow data during the 1990 irrigation season. Application No. 1417-1 will then be rescheduled for consideration by the Board after the 1990 irrigation season. Notice will be given of the time and place of hearing.

cc: John Haak, Assistant Attorney General

CERTIFICATION

I hereby certify that on March 12, 1990 I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Notice concerning Deferral of Vested Right Application No. 1417-1 addressed as stated on the Parties of Record sheet.

Karen Schlaak
KAREN SCHLAAK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 13th day of March, 1990.

JOHN HATCH
SEAL NOTARY PUBLIC SEAL
SOUTH DAKOTA
My Commission Expires Apr. 1, 1993

John Hatch
Notary Public



Redwater Irrigating Association
P.O. Box 351
Belle Fourche, SD 57717

November 19, 1990

Mr. Ahadi
Department of Water & Natural Resources
523 East Capitol
Pierre, SD 57501-3181

Dear Mr. Ahadi,

We would like to continue with the collection of the flow data for our ditch for the coming year, since the drought conditions have not improved.

Sincerely,
Redwater Irrigating Association
Sharee Kindsfater
Sharee Kindsfater, Sec.

GREAT FACES. GREAT PLACES.

DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

February 6, 1991

NOTICE

TO: Lyle Ruby
Redwater Irrigation Association
P.O. box 351
Belle Fourche, SD 57717
and Parties of Record (see attached list)

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Continuation of Deferred Status on Vested Right Application No. 1417-1, Redwater Irrigation Association

This notice is to inform you that the Water Management Board will consider continuation of the deferred status of Vested Right Application No. 1417-1 at 1:30 pm, February 27, 1991 in the Meeting Room, Governors Inn, 700 West Sioux Avenue, Pierre, SD. The agenda time is an estimate. The actual time of the hearing may be later than 1:30 pm due to prior agenda items. The Board deferred Application No. 1417-1 for one year at the March 7, 1990 Board meeting to allow collection of flow data for the ditch during the 1990 irrigation season.

The Chief Engineer is recommending that Application No. 1417-1 remain in deferred status to allow collection of additional flow data for the 1991 irrigation season. Applicable provisions of the Notice of Hearing published on November 4 and 11, 1987 in the Belle Fourche Daily Post and on November 3 and 10, 1987 in the Queen City Mail will still apply at this hearing.

cc: John Haak, Assistant Attorney General

CERTIFICATION

I hereby certify that on February 7, 1991 I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Notice of Continuation of Deferred Status on Vested Right Application No. 1417-1, Redwater Irrigation Assocation addressed as stated below.

Lyle Ruby, President, Redwater Irrigation Association, PO Box 351, Belle Fourche SD 57717-0351
Joseph M. Butler, Box 2670, Rapid City SD 57709-2670
B.E. Martin, Regional Director, Bureau of Reclamation, Missouri Basin Region, PO Box 36900, Billings, MT 59107-6900
Bruce Laymon, US Bureau of Reclamation, PO Box 226, Newell SD 57760-0226
Richard Beringson, Secretary, SD Dept of Game, Fish & Parks, Joe Foss Building, 523 E Capitol, Pierre SD 57501-3181

Marie R. Arthur
Marie R. Arthur
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 13th day of February, 1991.

JOHN HATCH
SEAL NOTARY PUBLIC SEAL
SOUTH DAKOTA
My Commission Expires Apr. 1, 1993

John Hatch
Notary Public

SOUTH Dakota Department of
Water & Natural Resources
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

March 5, 1991

NOTICE

TO: Lyle Ruby, President
Redwater Irrigation Association
P.O. Box 351
Belle Fourche, SD 57717
and Parties of Record (see attached list)

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Deferral of Vested Right Application No. 1417-1

On February 27, 1991, the Water Management Board allowed Application No. 1417-1 to remain in deferred status to allow collection of additional flow data during the 1991 irrigation season. Application No. 1417-1 will be rescheduled for consideration by the Board after the 1991 irrigation season. Notice will be given of the time and place of the hearing.

cc: Diane Best, Assistant Attorney General

CERTIFICATION

I hereby certify that on March 7, 1991, I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Notice of Deferral of Vested Right Application No. 1417-1 addressed as stated on the Notice.

Jaci R. Konop

JACI R. KONOP
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 11th day of March, 1991.

John Hatch

Notary Public

JOHN HATCH
NOTARY PUBLIC
SOUTH DAKOTA
SEAL SEAL
My Commission Expires Apr. 1, 1993

SouthDakota
GREAT FACES. GREAT PLACES.

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

September 26, 1991

Billy Norman
RR 1
Belle Fourche, SD 57717

Dear Mr. Norman:

Enclosed please find copies of the original maps for Vested Right Claim No. 1417-1, Redwater Irrigation Association Ditch, as you requested.

As you notice, there are approximately 7 acres difference between the acreage shown on the map prepared in the 60's and what was reported by the ditch company in the 60's (copy enclosed). The copy of the aerial photo (enclosed) shows approximately 80.3 acres instead of 88.1 acres. Except for the 6.2 acres, in blue pen, the acreage was calculated by the ASCS. ASCS does not take in account the areas covered by trees. We, for the most part, include trees when we calculate the acreage. On the aerial photo, I have outlined the boundary of land under Helmer's claim. Any changes you wish to make should be within this boundary. The acreage, however, should not exceed 88.1 acres. As I have discussed with you in the past, this claim has not been yet validated by the Water Management Board. Before the claim is brought before the Water Management Board, an inspection will be conducted to find out the exact acreage being irrigated under Helmer's claim.

If you have any questions, please do not hesitate to contact me.

Sincerely,

MRAhadi

M. RASSOOL AHADI
Natural Resources Engineer
Phone: (605)773-3352

enclosure



September 27, 1991

M. Rassool Ahadi
Natrual Resources Engineer
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

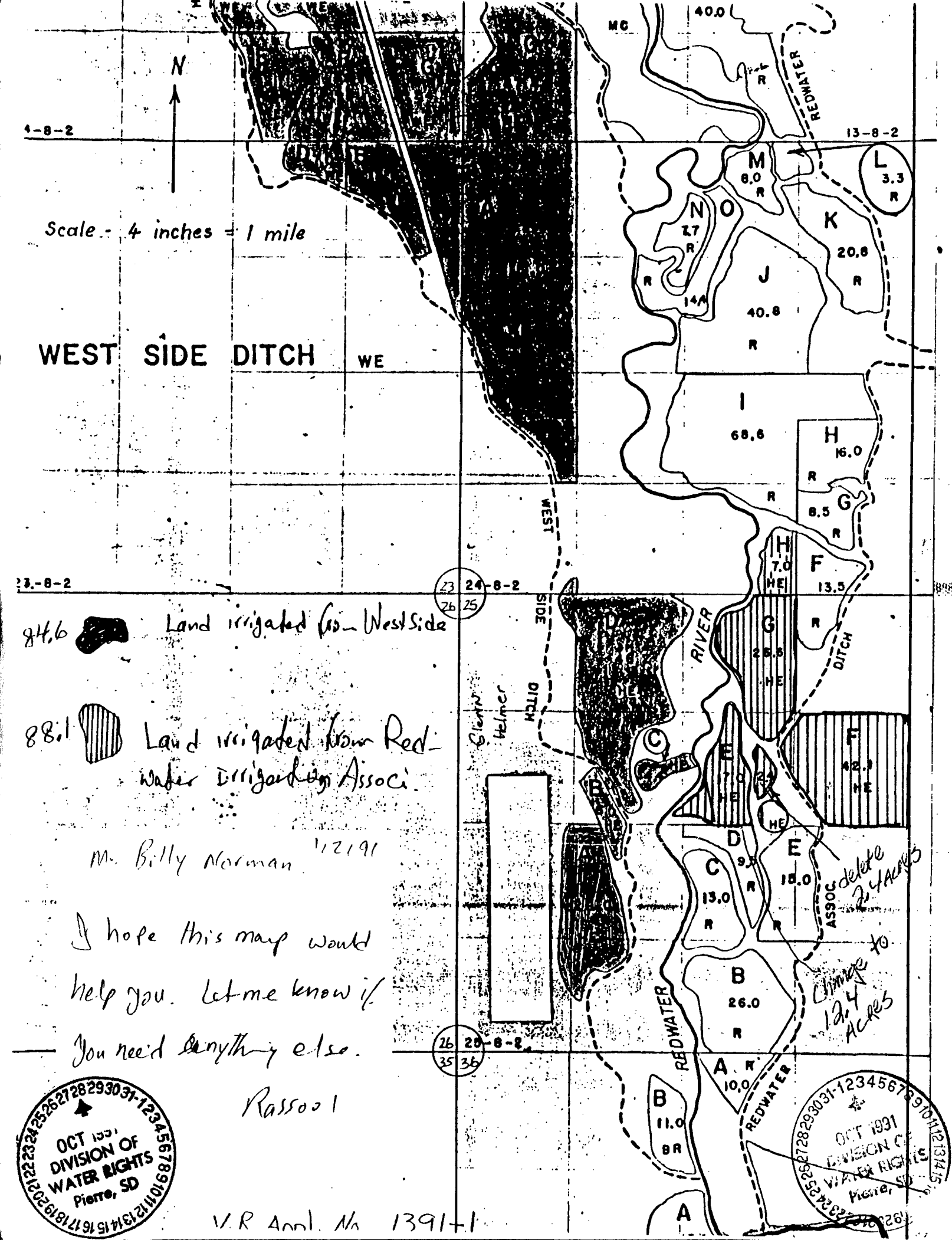
Dear Rassool,

I have enclosed a copy of the map that you sent me last winter. The seven acre piece marked H on the map is an excellent piece of land already being irrigated. I would really like to have this included if its not already. The 2.4 acre piece is not any good for irrigating so that could be eliminated. This would bring the total to 93 acres. Let me know if it can be accomplished. If I can only have 88.1 acres then the balance should be taken out of the field marked E with 17.0 acres. It should be taken out of the Southwest corner on that tip.

Sincerely,

Billy H. Norman

P.S. The reason I want to get this squared away is I might sell the two northern quarters.



84.6 Land irrigated from West Side

88.1 Land irrigated from Redwater Irrigating Assoc.

M. Billy Norman 1/2/91

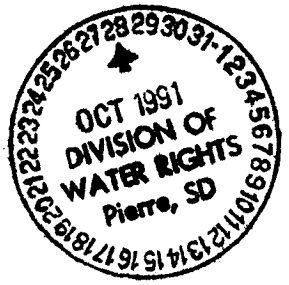
I hope this map would help you. Let me know if you need anything else.

delete 2.4 Acres to change 12.4 Acres

Rassool

OCT 1991
DIVISION OF WATER RIGHTS
Pierre, SD

W.R Appl. No 1391-1



October 25, 1991

M. Rassool Ahadi
Natrual Resources Engineer
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

Dear Rassool,

I received your letter and map on the acreage I requested. I have yellowed in the areas affected and the breakdown is as follows:

Present 1991 acreage:

Field H	7.0 acres	
Field G	26.6 acres	
Field F	42.1 acres	
Field HE	delete	(was 2.4 acres)
Field E	12.4 acres	(was 17.0 acres)

88.1 total irrigated acres on East side of river, irrigated from Redwater Irrigation Association

Thank you for your assistance.

Sincerely,

Billy H. Norman
RR 1 Box 52
Belle Fourche, SD 57717

South Dakota

GREAT FACES. GREAT PLACES.

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

October 22, 1991

Billy Norman
RR 1
Belle Fourche, SD 57717

Dear Mr. Norman:

In response to your letter of September 27, 1991, I do not believe there would be any problem if you include the 7.0 acres you mentioned in your letter. Please use a red or blue marker and outline the acreage you irrigate on the enclosed map and return it to me. The total acreage should be approximately 88 acres. In the near future, an inspection will be conducted to verify the acreage.

If you have any questions, please do not hesitate to contact me.

Sincerely,

MRAhadi

M. RASSOOL AHADI
Natural Resources Engineer

enclosure



October 25, 1991

M. Rassool Ahadi
Natrual Resources Engineer
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

Dear Rassool,

I received your letter and map on the acreage I requested. I have yellowed in the areas affected and the breakdown is as follows:

Present 1991 acreage:

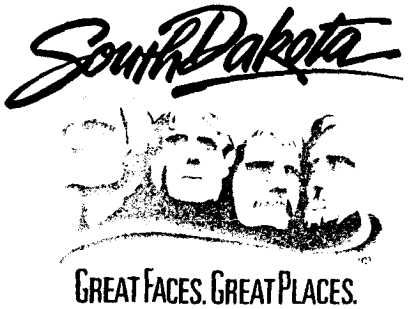
Field H	7.0 acres	
Field G	26.6 acres	
Field F	42.1 acres	
Field HE	delete	(was 2.4 acres)
Field E	12.4 acres	(was 17.0 acres)

88.1 total irrigated acres on East side of river, irrigated from Redwater Irrigation Association

Thank you for your assistance.

Sincerely,

Billy H. Norman
RR 1 Box 52
Belle Fourche, SD 57717



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

November 22, 1991

Redwater Irrigation Association
c/o Lyle Ruby
P.O. Box 351
Belle Fourche, SD 57717

RE: Diversion Rate for Vested Right Claim No. 1417-1

Dear Lyle:

We are planning to bring your vested right claim before the Water Management Board for validation at the March Board meeting. Per our phone conversation of November 21, 1991, I am planning to meet with you to discuss diversion rates for your claim. The meeting is tentatively set for Monday afternoon, December 9, 1991. I will contact you later to find out where we will be meeting.

Please let me know if this schedule does not work out for you.

Sincerely,

MRAhadi

M. RASSOOL AHADI
Natural Resources Engineer
Phone: 773-3352

Meeting RWIA Dec. 9, 1991

Jack Bundstatter	Rt. 1 Box 286, Belle	892-2354
BOB HELMER	Box 696, Belle Fourche,	892-4628
Tim Reich	1007 Kingsbury, Belle Fourche	892 4366
Lyle Ruby	RR1 Box 175 Belle Fourche	892.3260
Ron Hall	RR1 Box 168, Belle Fourche	892-4234
Leonard Kinghorn	RR1 Box 74 Belle Fourche	892-2127
Louis Bertolotto	RR1 Box 190 Belle Fourche	892 3007

South Dakota
GREAT FACES. GREAT PLACES.

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

December 17, 1991

Redwater Irrigation Association Ditch
c/o Lyle Ruby, President
RR 1, Box 175
Belle Fourche, SD 57717

Dear Mr. Ruby:

I am writing in regard to Vested Water Right Claim No. 1417-1 and the meeting of December 9, 1991, with the Water Rights Division Engineer, Rassool Ahadi. We are planning to schedule this claim for a hearing before the Water Management Board for validation at the March 4 and 5, 1992, meeting in Pierre. I am planning to recommend validation of the claim with a diversion rate of 151.5 cubic feet per second (cfs) to irrigate 5304 acres with the following qualifications:

1. The capacity of the Parshall Flume must be increased to 151.5 cfs or more, prior to the 1992 irrigation season.

2. Flow must be bypassed to meet the needs of the senior vested water right under Vested Right No. 1391-1, Westside Ditch.

3. For much of the irrigation season, the river immediately below the diversion point, either stops flowing or has very low flow. Flow must be bypassed for downstream domestic uses (livestock water), as necessary.

4. The Parshall Flume on Redwater Irrigation Ditch must be maintained and monitored as required by the Chief Engineer.

The priority dates for the 151.5 cfs will be as follows:

May 28, 1876..... 2.52 cfs (125.8 miner's inches).

February 1, 1879..... 80.0 cfs (4000 miner's inches).

December 2, 1885..... 68.98 cfs (3449 miner's inches).

Please contact Rassool Ahadi, Division of Water Rights, Joe Foss Building, 523 E. Capitol, Pierre, South Dakota, 57501, phone: (605)773-3352, regarding the proposed recommendation and

qualifications. Please respond by January 15, 1992, if validation of your claim is to be considered at the March Water Management Board meeting.

Very truly yours

John Hatch, Chief Engineer
Water Right Division
(605) 773-3352

South Dakota

GREAT FACES. GREAT PLACES.

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

December 18, 1991

Lyle Ruby
RR1, Box 175
Belle Fourche, SD 57717

Dear Lyle:

Enclosed please find a list of the irrigation ditches on Redwater River. I have also sent you a breakdown of priority dates for Thompson Ditch. Please note that amount of water allocated to Thompson Ditch is one (1) cfs for each thirty five (35) acres.

If you have any questions, please do not hesitate to contact me.

Sincerely,

MRAhadi

M. RASSOOL AHADI
Natural Resources Engineer
Phone: (605) 773-3352

enclosures



Redwater Irrigation Association
c/o Lyle Ruby, Pres.
RR 1, Box 175
Belle Fourche, S.D. 57717

January 13, 1992

Department of Environment
and Natural Resources
Attention: John Hatch
Joe Foss Building
523 East Capitol
Pierre, S.D. 57501-3181

Dear Mr. Hatch:

In reference to your letter to us on December 17, 1991, your proposal is acceptable to us but we would like more clarification so that we may have it for our records.

1) The water rights mentioned must take into account that the May 28, 1876 water right hereafter refered to as the "Jones" water right is recognized as a separate water right and is not in any way connected with water rights of the Redwater Ditch.
2) Can you give us a specified water amount of the Jones water right if there is not 151.5 cfs in available from Redwater River? Can this water be regulated or cut in a proportional share along with the amount of cut in flow that the other water users of Redwater Ditch are required to take?
3) Can you specify how much water the Redwater Irrigation Assoc. is responsible to release through West Side Ditch to fulfill the Jones water right? Is this amount included in the 2.52 cfs mentioned in your letter? Can this water be regulated or cut in a proportional share along with the amount of cut in flow that the other water users of Redwater Irrigation Assoc. are required to take?
4) We are concerned that there are no measuring devices on the Jones water right that we are required to deliver water to. Will you be requiring them to install such devices?
5) Please expand on points 3 and 4 of your December 17,1991 letter.
6) In regard to a phone conversation with Rasool Ahadi regarding priority dates, the recommendation was as follows: May 28
Jones.....2.52 cfs (125 miners inches).....~~February~~ 1,1876
Redwater....44.0 cfs (2200 miners inches).....February 1,1879
Redwater....80.0 cfs (4000 miners inches).....December 2,1885
Redwater....24.98 cfs (1249 miners inches).....August 7,1889

We are looking forward to hearing from you before the March hearing of the water management board. Please feel free to contact us by phone or mail if we can clarify any of the above requests. We are making every effort to cooperate and thank you for spending the time necessary to work with us.

Very truly yours,
Redwater Irrigation Association

Lyle A Ruby

Lyle Ruby, Pres.
892-3260

ATTENTION: M. Rassool Ahadi
cc

Jan. 14 '92 10:42 SAND CREEK PRINTING FAX 605-892-4540

Please give one copy to John Hatch & one copy to M. Rassool Ahadi.

of pages ▸ 1

To	From
John Hatch + M. Rassool Ahadi	Lyle Ruby
Co.	Co.
Dept.	Phone #
Fax #	Fax #

GREAT FACES. GREAT PLACES.

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

January 21, 1992

Redwater Irrigation Association
Lyle Ruby, President
RR 1, Box 175
Belle Fourche, SD 57717

Dear Mr. Ruby:

I am writing in response to your letter of January 13, 1992.

The October 18, 1889, contract between James Eaton (later Jones, now Helmer) and John R. Wilson, and later agreements and court decisions state that enough water must be provided to "Jones" claim to irrigate 200 acres (total acreage for the "Jones" on both sides of the Redwater River). The "Jones" claim is independent from your claim; however, according to past agreements, water is to be delivered to "Jones" on the east side of the Redwater River from the Redwater Ditch.

The diversion rate recommended for the claims is based on the allocation of one (1) cubic foot of water per second (cfs) for each thirty five (35) acres irrigated. Presently, 88.1 acres are being irrigated under the "Jones" claim on the east side of the Redwater River. Based on 1 cfs for each 35 acres irrigated, 2.5 cfs is required for the "Jones" claim.

Since the "Jones" vested water right claim has senior priority over the Redwater Irrigation Association claim, water must first be provided to the "Jones" claim. A proportional cut in water can not be made.

The Redwater Irrigation Association must bypass 1.77 cfs (88.5 miner's inches) for the "Jones" water right under the Westside Ditch (84 acres on the westside of the Redwater River). This diversion is not included in the 2.5 cfs for the "Jones" claim under the Redwater Irrigation Association claim.

Since the "Jones" claim is independent from the Redwater Irrigation Association claim, measuring device(s) should be installed at the head gate(s) to measure diversions to the "Jones" claim.

You are required to bypass water for domestic use (livestock water) downstream from your diversion point. This is a standard requirement for all surface water rights.

The Parshall Flume on the Redwater Ditch needs to be maintained and diversions measured as required by the Chief Engineer. This is necessary for regulation of all diversions from the river.

If you have any other questions or comments, please contact Rassool Ahadi, Division engineer, phone: (605)773-3352.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

cc: Billy Norman, RR 1, Box 52, Belle Fourche, SD 57717

South Dakota

GREAT FACES. GREAT PLACES.

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

January 30, 1992

Rod Woodruff
1113 5th
Belle Fourche, SD 57717

Dear Mr. Woodruff:

Enclosed, please find copies of following documents pertaining to the "Jones" and the Redwater Irrigation Association claims:

1. Acreage under "Jones" claim reported in the '60s and corrections made by myself after recent investigations.

2. Letter (fax) from Lyle Ruby, President, Redwater Irrigation Association, to John Hatch, dated January 13, 1992. I made the correction to reflect the correct priority date for the "Jones" claim.

3. Minutes from the May 11 and 12, 1988, Water Management Board meeting pertaining to Vested Water Right Claim Application No. 1417-1.

4. John Hatch's recommendation to the Board dated October 20, 1987, and my report dated October 16, 1987.

5. Form 2, Vested Water Right Claim Application No. 1417-1, Redwater Irrigation Association.

6. Notice of hearing published in 1987. The claim was advertised in Butte and Lawrence Counties for two consecutive weeks.

In 1914, members of Westside Ditch Company and other water users in the Redwater River Valley below the mouth of False Bottom Creek, started a series of suits against the Redwater Irrigation Association, claiming and praying that the Redwater Irrigation Association be stopped from taking all the flow of Redwater River upstream. These cases were removed to Federal Court. Then an agreement was reached between all parties in the suit wherein the Redwater Irrigation Association was to divert the first 2200 miner's inches of Redwater River and the remainder of the flow at the diversion point of the Redwater Irrigation Association was to

be divided on a specific basis. I tried to find this agreement, but I did not have much luck. It might be filed with the Butte County Register of Deeds. You may also want to look for court cases involving Redwater Land and Canal Company and John R. Jones.

Our recommendation for the "Jones" claim is a diversion rate of 2.5 cubic feet of water per second (1122.0 gallons per minute) for irrigation of 88.1 acres with a priority date of May 28, 1876. This water, according to the past agreements and court cases, must be delivered to the land under "Jones" claim by the Redwater Irrigation Association via its ditch.

As I mentioned during our meeting of January 27, 1992, you have the choice to either have your claim brought before the Board for validation at the same times as the Redwater claim, or file a separate claim. If you wish to validate the "Jones" claim at the same time with the Redwater claim, and if it is validated by the Board, priority date, diversion rate, and the acreage for the "Jones" claim will be spelled out on the License No. 1417-1, and a copy will be sent to you for your files. If you wish to file your claim separately, please complete the enclosed forms and return them to me with a $15.00 filing fee. The claim will then be advertised two consecutive weeks in major newspapers in Butte and Lawrence counties. You will have to pay for the advertisements.

If you have any other questions or need more information, please do not hesitate to contact me.

Sincerely,

MRAhadi

M. RASSOOL AHADI
Natural Resources Engineer
(605) 773-3352

enclosures

GREAT FACES. GREAT PLACES.

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

Faxed 2-3-92

February 3, 1992

Rod Woodruff
1113 5th
Belle Fourche, SD 57717

Dear Rod:

Regarding the "Jones" claim the following documents exist: the Circuit Court Decision, dated July 27, 1904; the Circuit Court Judgement, dated August 14, 1904, the Supreme Court Opinion filed March 1, 1911, and the Supreme Court Order remanding the case to the Circuit Court in the case of Redwater Land and Canal Company v. John R. Jones.

The Court said that the riparian land involved was 240 acres, specifically as being the E1/2 NW1/4, E1/2 SW1/4 and the W1/2 NE1/4 of Section 25. T8N-R2E, that 200 acres of these 240 acres could be irrigated, and that these riparian lands were settled on May 28, 1876.

The land was considered in two different parcels by the court. One parcel consisted of such portions of the W1/2 NE1/4 Section 25, T8N-R2E, and such portions of the land lying between said 80 acres and the said Redwater River as could be irrigated from the Harrison and Chouteau Ditch (now the Redwater Irrigation Association Ditch).

The bills of sales show that the land located in the SE1/4 NE1/4 Section 25 and the SW1/4 SE1/4 Section 24, T8N-R2E (about 47 acres total) may have a priority date of December 2, 1885 (same as the Harrison claim) instead of May 28, 1876 (see the map).

According to existing documents I recommend the following priority dates:

Section 25, T8N-R2E

W1/2 NE1/4.....May 28, 1876
SE1/4 NE1/4.....December 2, 1885

Section 24, T8N-R2E

SW1/4 SE1/4.....December 2, 1885

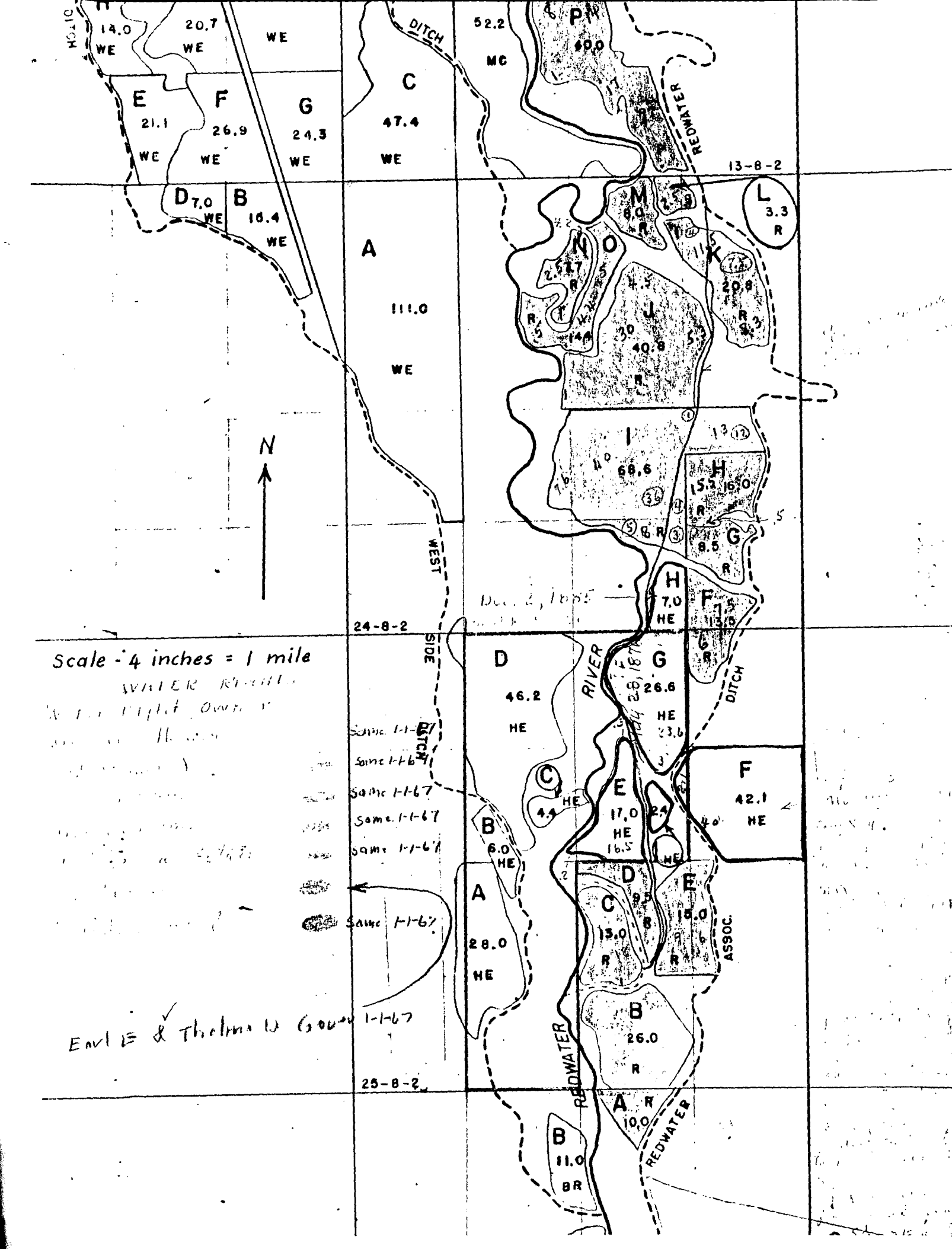
I still have questions regarding number of acres being irrigated.

If you find any new documents or you do not agree with my findings, please let me know.

Sincerely,

MRAhadi

M. RASSOOL AHADI
Natural Resources Engineer III
Phone: (605)773-3352


DITCH
14.0 WE
20.7 WE
WE
E 21.1 WE
F 26.9 WE
G 24.3 WE
C 47.4 WE
52.2 MC
P 40.0
REDWATER
13-8-2
D 7.0 WE
B 16.4 WE
A 111.0 WE
M 6.0 R
2.9
L 3.3 R
N 2.5 2.7 R
O
K 20.8 R 3.3
4.5
J 40.8 R
I 68.6
H 15.2 16.0 R
G 8.5 R
N
WEST
H 7.0 HE
F 13.5
6 R
24-8-2
Scale - 4 inches = 1 mile
SIDE
D 46.2 HE
RIVER
G 26.6 HE 23.6
DITCH
Same 1-1-67
Same 1-1-67
Same 1-1-67
Same 1-1-67
Same 1-1-67
C 4.4 HE
E 17.0 HE 16.5
24
F 42.1 HE
B 6.0 HE
A 28.0 HE
D 9.5 R
C 13.0 R
E 15.0 R
ASSOC.
B 26.0 R
REDWATER
25-8-2
A R 10.0
B 11.0 BR
REDWATER

REVISED RECOMMENDATION OF CHIEF ENGINEER FOR VALIDATION OF VESTED

RIGHT APPLICATION NO. 1417-1, Redwater Irrigation Association

Pursuant to SDCL 46-2A-2, the following is the revised recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Validation of Vested Water Right Application No. 1417-1, Redwater Irrigation Association, P.O. Box 351, Belle Fourche, SD 57717

The Chief Engineer is recommending VALIDATION of Application No. 1417-1 for 149.0 cfs for the Redwater Irrigation Association portion of the claim and 2.7 cfs for the "Jones" portion of the claim because 1) irrigation use with priority dates of February 1, 1879 (44 cfs), December 2, 1885 (80 cfs) and August 7, 1889 (25 cfs) for the Redwater Irrigation Association portion of the claim; and May 28, 1876 (1.37 cfs) and December 2, 1885 (1.33 cfs) for the "Jones" portion of the claim; 2) the use has been developed without unlawful impairment of existing rights, 3) the use is a beneficial use and 4) it is in the public interest with the following qualifications:

1. That Vested Right No. 1417-1 is subject to domestic use rights. Diversions of water under Water Right No. 1417-1 is contingent upon supplies being available first to domestic users.

2. That the flow measuring device on Redwater Ditch continue to be maintained and records of diversions be kept as directed by the Chief Engineer and reported to the Chief Engineer annually.

3. That the applicable portions of Water Right Filings Nos. 071-1 0160-1, 0294-1, 0392-1 and 261-1 be incorporated into 1417-1 and that abandoned portions of Nos. 071-1, 0160-1, 0294-1, 0392-1 and 261-1 be cancelled

See report on application for additional information.

JOHN HATCH, Chief Engineer
February 11, 1992

Revised Report on Vested Water Right Application No. 1417-1
Redwater Irrigation Association (Redwater River)
January 9, 1992

Background

The Water Management Board, at the May 12, 1988 Board meeting in Pierre, deferred consideration of Application No. 1417-1 to allow collection of flow data by Redwater Irrigation Association during the 1988 irrigation season. The Division of Water Rights had recommended a diversion rate of 84.4 cubic feet per second (cfs) for Redwater Irrigation Ditch from Redwater River. The Association, however, was not satisfied with the Division's recommendation and requested time to collect flow data to establish a diversion rate base for actual water use. Because of low flow conditions, the Association requested that collection of flow data be continued during the 1989, 1990, and 1991 irrigation seasons.

Vested Water Right Application No. 1417-1 consists of two claims: the Redwater Irrigation Association claim for irrigation of 5,215.9 acres and the "Jones" claim for irrigation of 95.1 acres.

Discussion

The recommended 84.4 cfs was based on the high water mark visible on the Parshall Flume in the ditch. According to the applicant, the recommended diversion rate was not enough to meet the needs of all irrigators on the ditch. At the May 12, 1988 Board meeting, the applicant stated that the flume had been overtopped on many occasions. The applicant also requested to be allowed a diversion rate of 1 cfs for irrigation of each 35 acres, as was allowed for similar claims.

The maximum diversion rate recorded during the last four irrigation seasons was 93.8 cfs. The applicant, however, believes that due to drought conditions and other water users above the diversion point, it was not possible to divert more water.

The ditch is approximately 23 miles long. High diversion rates are required to deliver water to lands located at the lower end of the ditch. To prevent excessive water loss for lands using a gravity irrigation system, a higher diversion rate at the ditch turn-out is required. Water travel time to cover the irrigated land is longer for a lower diversion rate than a higher diversion rate. During application of water to the land, there will be greater water losses with a lower diversion rate.

An inspection of the flume in the Redwater Irrigation Association Ditch, conducted January 27, 1992, showed that the flume capacity had been increased to approximately 177 cfs.

The following documents exist for the "Jones" claim:

Circuit Court Decision, dated July 27, 1904; the Circuit Court Judgement, dated August 14, 1904; the Supreme Court Opinion filed March 1, 1911; and the Supreme Court Order remanding the case to the Circuit Court in the case of Redwater Land and Canal Company v. John R. Jones. The court said that the riparian land involved was 240 acres, specifically as being the E1/2 NW1/4, E1/2 SW1/4 and the W1/2 NE1/4 Section 25, T8N-R2E. The court also concluded that these riparian lands were settled on May 28, 1876. The acreage located west of the Redwater River in Section 25 is served by the Westside Ditch and the acreage east of of the Redwater River in Section 25 is served by the Redwater Irrigation Association Ditch.

Other documents pertaining to the "Jones" claim are bills of sales which show that the land located in the SE1/4 NE1/4 Section 25 and the SW1/4 SE1/4 Section 24, T8N-R2E (approximately 47 acres total) has a priority date of December 2, 1885 (same as the Harrison claim) instead of May 28, 1876.

Documents on file show a difference regarding the number of acres being irrigated under the "Jones" claim. Reports for investigations, completed in the 1960's, show 88.1 acres in one report and 95.1 acres in another report. The January 27, 1992, inspection showed that 95.1 acres of land had been developed. According to Billy Norman, one of the landowners of the "Jones" claim, 95.1 acres are being irrigated.

Conclusions and Recommendations

1. The Water Management Board has recognized a 50% water loss due to the irrigation method and seepage from ditches.

2. The flow measuring device on Redwater Ditch should continue to be maintained and monitored as required by the Chief Engineer.

3. Water must be bypassed for downstream domestic use (livestock water) and senior water rights.

4. It is recommended that the Redwater Irrigation Association claim, under Vested Water Right Application No. 1417-1, be validated for a diversion rate of 149.0 cfs (7450 miner's inches) for irrigation of 5,215.9 acres, as stated in Application No. 1417-1, with the following priority dates:

   44.0 cfs (2200 miner's inches).....February 1, 1879

   80.0 cfs (4000 miner's inches).....December 2, 1885

   25.0 cfs (1250 miner's inches).....August 7, 1889

5. It is recommended that the "Jones" claim, under Vested Water Right Application No. 1417-1, be validated for a diversion rate of 2.7 cfs (135.0 miner's inches) for irrigation of 95.1 acres as stated in Application No. 1417-1, with the following priority dates:

   Section 25, T8N-R2E

   W1/2 NE1/4 (48.1 acres).....May 28, 1876
   SE1/4 NE1/4 (40.0 acres).....December 2, 1885

   Section 24, T8N-R2E

   SW1/4 SE1/4 (7.0 acres).....December 2, 1885

6. Water for the "Jones" claim is delivered through the Redwater Irrigation Association Ditch. Measuring device(s) should be installed to measure diversions from the Redwater Irrigation Association Ditch to the "Jones" claim.

7. It is recommended that if Vested Water Right Application No. 1417-1 is validated, that the applicable portions of Water Right Filings No. 071-1, 0161-1, 0294-1, 0392-1, and 261-1 be incorporated into No. 1417-1 and the abandoned portions of Water Right Filings No. 071-1, 0160-1, 0294-1, 0392-1, and 261-1 be cancelled.

M. RASSOOL AHADI
Natural Resources Engineer III

Approved By:

DELVIN D. BROSZ, P.E.
Natural Resources Engineer IV

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

February 14, 1992

NOTICE

TO: Lyle Ruby, President
Redwater Irrigation Association
PO Box 351
Belle Fourche, SD 57717
and Parties of Record (see attached list)

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Reconsideration of Deferred Vested Right Application No. 1417-1, Redwater Irrigation Association

The Water Management Board will reconsider Vested Water Application No. 1417-1 at 9:30 am, March 5, 1992 in the Conference Room, Floyd Matthew Training Center, Joe Foss Building, 523 E. Capitol Ave., Pierre, SD 57501. The agenda time is an estimate. The actual time of hearing may be later than 9:30 am due to prior agenda items. The Board has deferred Application No. 1417-1 for each year since 1988 to allow for collection of flow data.

The Chief Engineer is recommending that Application No. 1417-1 be validated for 149.0 cfs for the Redwater Irrigation Association portion of the claim and 2.7 cfs for the "Jones" portion of the claim. For your information, a copy of the revised recommendation of the Chief Engineer and the revised report on this application are enclosed.

Applicable provisions of the Notice of Hearing published on November 4 and 11, 1987 in the Belle Fourche Daily Post and on November 3 and 10, 1987 in the Queen City Mail will still apply at this hearing.

enclosures

cc: Diane Best, Assistant Attorney General
Tim Olson, Game, Fish & Parks
Rod Woodruff, Attorney

CERTIFICATION

I hereby certify that on February 18, 1992, I have personally deposited with the U.S. Mail, postage prepaid envelopes containing a Notice dated February 14, 1992, regarding Reconsideration of Deferred Vested Right Applicaiton No. 1417-1, Redwater Irrigation Association addressed to:

Lyle Ruby, President
Redwater Irrigation Association
PO Box 351
Belle Fourche, SD 57717
and Parties of Record (as shown on the attached list)

A copy of the Notice was hand carried to the office of:

Richard Beringson, Secretary
SD Dept of Game Fish and Parks
445 E Capitol - Anderson Bldg
Pierre, SD 57501

A copy of the Notice was sent through inter-office mail to:

Diane Best, Assistant Attorney General
Tim Olson, SD Dept of Game Fish and Parks

and a copy of the letter was also sent to:

Rod Woodruff, Attorney, 1113 5th, Belle Fourche, SD 57717

Jaci R Konop

JACI R. KONOP
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 19th day of February, 1992.

John Hatch

Notary Public

JOHN HATCH
SEAL NOTARY PUBLIC SEAL
SOUTH DAKOTA
My Commission Expires Apr. 1, 1993

GREAT FACES. GREAT PLACES.

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

February 19, 1992

Lyle Ruby, President
Redwater Irrigation Association
Belle Fourche, SD 57717

Dear Mr. Ruby:

Enclosed, please find documents regarding the "Jones" claim, as you requested. I have also enclosed the advertisement for the Redwater Irrigation Association dated November 4, 1987, as Jack requested to have.

I have sent the same documents to Rod Woodruff. As of today, I have not heard from him.

As you will notice, the priority date for 47 acres located in the SE1/4 NE1/4 Section 25, and SW1/4 SE1/4 Section 24, all in T8N-R2E, is December 2, 1885, for a diversion rate of 1.34 cfs (about 67 miner's inches).

If you have further questions, please feel free to contact me.

Sincerely,

M. RASSOOL AHADI
Natural Resources Engineer
Water Rights Division
(605) 773-3352

enclosure

South Dakota

DEPARTMENT OF GAME, FISH AND PARKS
Foss Building
523 East Capitol
Pierre, South Dakota 57501-3182

GREAT FACES. GREAT PLACES.



February 28, 1992

Mr. John Hatch, Chief Engineer
Division of Water Rights
S.D. Department of Environment & Natural Resources
Foss Building, 523 E. Capitol
Pierre, SD 57501

Dear Mr. Hatch:

The Department of Game, Fish and Parks (GF&P) has received and reviewed the **Revised Report on Vested Water Right Application 1417-1, Redwater Irrigation Association (Redwater River)** dated January 9, 1992. We would like to take this opportunity to reiterate concerns expressed in the past in regard to the validation of vested water right claims.

In this case, we again are concerned that the recommended diversion rates to be considered for validation for the Redwater Irrigation Association do not reflect actual water use. Pursuant to the the Water Management Board's May 12, 1988 decision to defer the validation until diversion rate data could be collected, such data has been collected for four irrigation seasons, yet the recommended diversion rates are inconsistent with those data. Furthermore, the report does not cite any additional evidence that would justify the recommended diversion rates, which, due to ditch inefficiencies, are based solely on doubling the 1 cfs per 70 acres of irrigated land figure cited in SDCL 46-5-6.

Furthermore, recommendations appear to have been made without consideration of other beneficial uses of waters held in trust by the State for the people of South Dakota.

We request that this letter be made part of the official record for this proceeding.

Thank you for your assistance on this matter and if you have any questions please call me or Mr. Richter (GF&P staff attorney) at 773-3718.

Sincerely,

Timothy J. Olson

Timothy J. Olson
Water Permits Coordinator

cc: Mr. Lyle Ruby
Mr. Joseph Butler
Mr. B.E. Martin
Mr. Bruce Laymon
Dr. Wayne Rollag
Mr. Rodney Freeman Jr.
Mrs. Bernita Loucks
Mr. Joel Rickenbach
Mrs. Marian Gunderson
Mr. Francis Brink
Mr. Roger Vander Vorst
Mr. John Guhin
Ms. Diane Best

GREAT FACES. GREAT PLACES.

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

March 10, 1992

NOTICE

TO: Lyle Ruby, President
Redwater Irrigation Association
PO Box 351
Belle Fourche, SD 57717
and Parties of Record (see attached list)

FROM: John Hatch, Chief Engineer
Water Rights Division
(605)773-3352

SUBJ: Preparation of Findings of Fact, Conclusions of Law and Final Decision

The Water Management Board has directed John Guhin, The Board's attorney to prepare proposed Findings of Fact, Conclusions of Law and a Final Decision on Vested Right Application No. 1417-1. The Board will consider the proposed Findings, Conclusions and Final Decision at 1:00 pm, May 6, 1992, Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD. The agenda time is an estimate. The actual time of consideration may be delayed due to prior agenda items.

The Board has requested that a copy of the proposed Findings, Conclusions and Final Decision be mailed to each Board member and all Parties of Record and their attorneys (copy enclosed) by April 16, 1992. Any comments pertaining to the proposed Findings, Conclusions and Decision are to be mailed to each Board member, the Board attorney and all Parties of Record and their attorneys by April 27, 1992.

The public hearing was completed March 4, 1992. No additional testimony will be received on May 6, 1992.

cc: John Guhin, Deputy Attorney General
Diane Best, Assistant Attorney General
Tim Olson, Department of Game, Fish & Parks
Rod Woodruff, Attorney, 1113 5th, Belle Fourche, SD 57717

CERTIFICATION

I hereby certify that on March 10, 1992, I have personally deposited with the U.S. Mail, postage prepaid envelopes containing a Notice dated March 10, 1992, regarding Preparation of Findings of Fact, Conclusions of Law and Final Decision (VR No. 1417-1) addressed to:

Lyle Ruby, President, Redwater Irrigation Association, PO Box 351, Belle Fourche, SD 57717
and Parties of Record (as shown on the attached list)

A copy of the Notice was hand carried to the office of:

Richard Beringson, Department of Game, Fish & Parks, Joe Foss Building, Pierre, SD

A copy of the Notice was sent by First Class mail to:

Rod Woodruff, Attorney, 1113 5th, Belle Fourche, SD 57717

A copy of the Notice was sent through inter-office mail to:

John Guhin, Deputy Attorney General
Diane Best, Assistant Attorney General
Tim Olson, Department of Game, Fish & Parks

Jaci R Konop

JACI R. KONOP
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 11th day of March, 1992.

JOHN HATCH
NOTARY PUBLIC SOUTH DAKOTA
SEAL SEAL
My Commission Expires Apr. 1, 1993

John Hatch

Notary Public

GREAT FACES. GREAT PLACES.

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

April 2, 1992

Mike Hickey
P.O. Box 2670
Rapid City, SD 57709-2670

RE: Vested Water Right No. 1417-1

Dear Mr. Hickey:

I am writing in regard to the new qualification that was added to Vested Water Right No. 1417-1 at the March 5, 1992, Water Management Board meeting. The new qualification will read as follows:

> Water for the "Jones" claim is delivered through the Redwater Irrigation Association Ditch. Permanent measuring devices must be installed to measure diversions from the Redwater Irrigation Association ditch to the "Jones" claim. These measuring devices must be installed as soon as possible but not later than the beginning of the 1993 irrigation season.

If you have any questions, please contact us.

Yours very truly

John Hatch, Chief Engineer
Division of Water Rights
(605)773-3352

cc: Lyle Ruby, President, Redwater Irrigation Association
Rod Woodruff, Attorney for the "Jones" claim



Redwater Irrigating Association
Box 351
Belle Fourche, SD 57717

Mr. John Hatch, Chief Engineer
Division of Water Right
S.D. Dept. of Environment and Natural Resources
523 East Capitol
Pierre, SD 57501

Dear Mr. Hatch:

The Board of Directors of the Redwater Irrigating Association would like to extend our gratitude to you for your recommendation before the Water Management Board for the validation of our vested water right claim #1417-1 for 149 cfs (7450 miners inches).

Thank you very much for your help in this matter. It was greatly appreciated.

Sincerely,

Lyle Ruby

Lyle Ruby, President

Redwater Irrigating Association
Box 351
Belle Fourche, SD. 57717



Rassool Ahadi
Division of Water Rights
523 East Capitol
Pierre, SD 57501

Dear Mr. Ahadi:

The Board of Directors of the Redwater Irrigating Association would like to extend our gratitude to you personally for all the time and effort you spent and the assistance you gave us during our negotiations for the validation of our vested water right claim #1417-1.

Thank you very much for your help, it has been greatly appreciated.

Sincerely,

Lyle Ruby

Lyle Ruby, President

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

May 27, 1992

NOTICE

TO: Lyle Ruby, President
Redwater Irrigation Association
PO Box 351
Belle Fourche, SD 57717
and Parties of Record (see attached list)

FROM: for John Hatch, Chief Engineer Melvin D. Brost
Water Rights Division
605 773-3352

SUBJECT: Adoption of Findings of Fact, Conclusions of Law and Final Decision

This is to notify you that a Final Decision, including Findings of Fact and Conclusions of Law were adopted by the Water Management Board for Vested Right Application No. 1417-1 at the May 7, 1992, meeting.

A copy of the signed final Decision, Findings and Conclusions is enclosed for the applicant. Copies will be furnished to anyone else upon request. South Dakota Statutes provide that decisions of the Board may be appealed to the Courts.

cc: Diane Best, Assistant Attorney General
Tim Olson, Department of Game, Fish & Parks
Rod Woodruff, Attorney, 1113 5th, Belle Fourche, SD 57717

CERTIFICATION

I hereby certify that on May 27, 1992, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated May 27, 1992, regarding Adoption of Findings of Fact, Conclusions of Law and Final Decision, along with a copy of the signed final Decision, Findings and Conclusions for Vested Right Application No. 1417-1, and a copy of the Parties of Record addressed as stated below:

Lyle Ruby, President, Redwater Irrigation Association, P.O. Box 351, Belle Fourche, SD 57717.

Copy of Notice & Parties of Record Sent To:

Rod Woodruff, Attorney, 1113 5th, Belle Fourche, SD 57717.

Joseph M. Butler, P.O. Box 2670, Rapid City, SD 57709.

B. E. Martin, Regional Director, Bureau of Reclamation, Missouri Basin Region, P.O. Box 36900, Billings, MT 59107-6900.

Bruce Laymon, U.S. Bureau of Reclamation, P.O. Box 226, Newell, SD 57760.

Copy of Notice & Parties of Record Sent Inter-office To:

Diane Best, Assistant Attorney General, Capitol Building.

Tim Olson, Department of Game, Fish & Parks, Joe Foss Building.

Richard Beringson, Secretary, SD Department of Game, Fish & Parks, Joe Foss Building.

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 29th day of May, 1992.

JOHN HATCH
NOTARY PUBLIC SOUTH DAKOTA
SEAL SEAL
My Commission Expires Apr. 1, 1993

Notary Public

STATE OF SOUTH DAKOTA

BEFORE THE WATER MANAGEMENT BOARD

IN THE MATTER OF THE VALIDATION OF VESTED WATER RIGHT APPLICATION NO. 1417-1, REDWATER IRRIGATION ASSOCIATION	)))))	FINDINGS OF FACT, CONCLUSIONS OF LAW AND FINAL DECISION

FINDINGS OF FACT

I

This is an application to validate a vested water right for 324 cfs to irrigate 5,311.2 acres from Redwater River with priority dates of May 28, 1876, February 1, 1879, March 24, 1884, December 2, 1885, and November 11, 1889. The application asserts a right in favor of the Redwater Irrigation Association and a right for certain land associated with the "Jones" claim.

II

5,215.9 acres of the Redwater Irrigation claim and 95.1 acres of the Jones Claim have been continuously irrigated since the claimed priority dates.

III

The applicant claimed a diversion rate of 324 cfs; the original recommendation of the Division was 84.4 cfs. The Board, after hearing in 1989, required additional data which has been collected and presented to the Board.

IV

The Division demonstrated, to the satisfaction of the Board, that a diversion rate of 149.0 cfs was justified for irrigation of 5,215.9 acres of the Redwater Irrigation

Association claim and an additional 2.7 cfs was justified for irrigation of 95.1 acres of the Jones claim.

V

The Board finds that neither the size of the flume at the commencement of this proceeding nor the records kept by Redwater Irrigation Association justify a different conclusion as to the appropriate amount of the vested water right. The original Division recommendation of 84.4 cfs was based on the high water mark visible on the Parshall flume. Testimony has been received, and it is found credible by the Board, that the flume had been overtopped regularly and that the water which overtopped the flume was used by the applicant for irrigation purposes. Therefore, the size of the flume at the time this action was commenced cannot be used to artificially limit the vested water right to which the applicant is entitled.

VI

Furthermore, the size of the head gates and the ditch both indicate that the size of the flume should not be a limiting factor. The head gates can divert more water than the total amount claimed. Moreover, the ditch itself has a maximum capacity of 316 cfs. The Board finds, therefore, that the amount of water to which the applicant is entitled, given the overflow of the flume, is greater than that of the flume capacity but must be necessarily equal to or less than the capacity of the head gates and ditch.

VII

The Board finds that 5,215.9 acres under the Redwater Irrigation portion of the claim have been regularly irrigated since the claim priority dates. The Board also finds that 95.1 acres have been irrigated since the claim priority dates under the Jones portion of the claim.

VIII

The Board also finds that it is reasonable to allow 1.0 cfs for each 35 acres of irrigation. This amount is justified given the loss of water due to use of a flood irrigation system, a type of irrigating which is commonly and historically used in this area. The loss of water in such systems is estimated by the SCS to be 50 percent. Given appropriate allocation of one cfs for each 35 acres of irrigation, the total required diversion for 5,311 acres is 151.7 cfs.

IX

This figure is also credited by analysis of peak consumption figures. Under the South Dakota Irrigation Guide, the peak consumption occurs in July. Crops in this area use 28.8 percent of their annual water consumption during this month. It is reasonable to assume the crops need three feet of water each irrigation season and it follows that a total of 15,933 acre-feet is needed for the season, of which 4,589 acre-feet or 74.76 cfs would be used in July. Assuming a 50 percent loss due to the system, the

required diversion rate is 149.5 cfs, a figure very close to that set forth above.

X

The Board likewise finds that the applicant actually utilized water at the rates set out in the two paragraphs immediately above when such water was actually available. The Board finds it reasonable to believe that the irrigators actually used amounts of water which would be reasonable for them to use.

CONCLUSIONS OF LAW

I

The Board has jurisdiction of this matter.

II

The amount of water provided for in the Final Decision has been appropriated for irrigation use since the claimed priority dates.

III

The use has been developed without unlawful impairment of existing rights.

IV

The use for irrigation is a beneficial use.

V

46-5-6 is not applicable to this claimed right because the right pre-dates the passage of the 1907 Act.

VI

The use is in the public interest as qualified in the Final Decision.

FINAL DECISION

Application No. 1417-1 is validated for 149.0 cfs to irrigate 5,215.9 acres for the Redwater Irrigation Association portion of the claim and 2.7 cfs to irrigate 95.1 acres for the "Jones" portion of the claim with priority dates of February 1, 1879 (44 cfs), December 2, 1885 (80 cfs) and August 7, 1889 (25 cfs) for the Redwater Irrigation portion of the claim; and May 28, 1876 (1.37 cfs) and December 2, 1885 (1.33 cfs) for the "Jones" portion of the claim, subject to the following qualifications:

1. That Vested Right No. 1417-1 is subject to domestic use rights. Diversions of water under Water Right No. 1417-1 are contingent upon supplies being available first to domestic users.

2. That the flow measuring device on Redwater Ditch continue to be maintained and records of diversions be kept as directed by the Chief Engineer and reported to the Chief Engineer annually.

3. That the applicable portions of Water Right Filings Nos. 071-1, 0160-1, 0294-1, 0392-1 and 261-1 be incorporated into 1417-1 and that abandoned portions of Nos. 071-1, 0160-1, 0294-1, 0392-1 and 261-1 be cancelled.

4. Water for the "Jones" claim is delivered through the Redwater Irrigation Association ditch. Permanent measuring devices must be installed to measure diversions from the Redwater Irrigation Association ditch to the "Jones" claim. These measuring devices must be

installed as soon as possible but not later than the beginning of the 1993 irrigation season.

Dated this 23rd day of May, 1992.

BY THE BOARD

Francis E Brink

Chairman



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

December 1, 1992

Lyle Ruby, President
Redwater Irrigation Association
P.O. Box 351
Belle Fourche, SD 57717

Dear Lyle:

Enclosed please find copies of the form to record diversion rates for the Redwater Irrigation Association Ditch. As you requested, I have also enclosed copies of the Water Management Board meeting minutes of March 5 and May 7, 1992.

Please let me know if you need anything else.

Sincerely,

M. RASSOOL AHADI
Natural Resources Engineer
Division of Water Rights
(605)773-3352

REDWATER LAND COMPANY, INC.

1113 Fifth Avenue
Belle Fourche, South Dakota, 57717
Telephone (605) 892-2033
Facsimile (605) 892-4995

Rod Woodruff, President
R.S. "Chip" Helmer, Vice President



April 6, 1993

M. Rassool Ahadi
Natural Resources Engineer
Dept. of Environment and Natural Resources
Joe Foss Building
523 East Capitol
Pierre, SD 57501-3181

Dear Rasool:

Enclosed is a copy of the construction specifications for Parshall Flume prepared by Tom Verhelst, the local Butte County Conservation District representative.

I understand your office will review these specifications and advise whether or not they are approved. Upon approval, we can then proceed toward construction.

Please call if you need anything further. Thank you again for all your time, patience and help.

Sincerely,

Rod Woodruff

RNW/plp

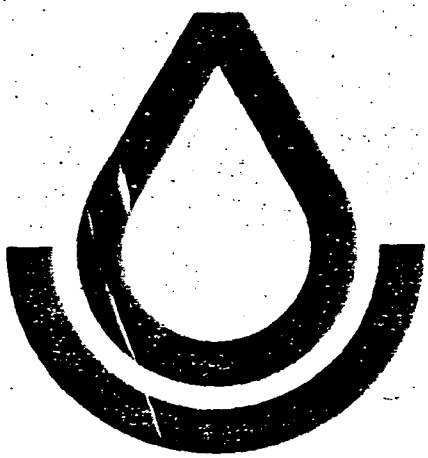
Enclosure

APR 1983
DIVISION OF
WATER RIGHTS
Pierre, SD

CONSTRUCTION SPECIFICATIONS

for

PARSHALL FLUME
ROD WOODRUFF
BUTTE CO.



Prepared by:

USDA, SOIL CONSERVATION SERVICE

A.O.

Assisting:

BUTTE Conservation District

ROD WOODRUFF

T. VERHELST 4/1/93

Parashall Flume

Parshall Flume - 9" Throat

$Q = 2.7 \qquad h_c = .92$

$H_b = .7(.92) = .64$

Flow Depth = .75'

Flume Crest Above Bottom:

$\Delta = D - H_b$

$= .75 - .64 = .11$

Upstream Depth:

$H_a + \Delta = .92 + .11 = 1.03'$

∴ Will have to build up upstream banks by .3'.



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

April 13, 1993

Rod Woodruff, President
Redwater Land Company, Inc.
1113 Fifth Avenue
Belle Fourche, SD 57717

RE: Approval of the Plans and Specifications for Measuring Devices, Vested Water Right No. 1417-1

Dear Mr. Woodruff:

We have reviewed the plans and specifications for your measuring devices as designed by the Soil Conservation Service. The measuring devices will be used to measure flows for the "Jones" portion of the Vested Water Right No. 1417-1. According to the proposed plans, two Parshall Flumes, with 9 inch throats will be installed in the "Jones" branches of the Redwater Irrigation Ditch. The plans and specifications are approved as submitted. Any future changes in the plans and specifications for the proposed flumes must first be approved by the Chief Engineer. Please note that the recommendations of the Soil Conservation Service, regarding installation of the flumes, must be followed.

If you have any questions, please contact Rassool Ahadi, 523 E. Capitol, Pierre, SD 57501, phone: (605) 773-3352.

Very truly yours,

John Hatch

John Hatch, Chief Engineer
Water Rights Division

GREAT FACES. GREAT PLACES.

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

July 8, 1994

Lyle Ruby, President
Redwater Irrigation Association
P.O. Box 351
Belle Fourche, SD 57717

Dear Mr. Ruby:

Per your request, I am sending you a map showing the acreage under Helmer's. The total acreage for Helmer's are 95.1 acres irrigated from the Redwater Irrigation Ditch. The area is all located to the east of the river. The 84.0 acres located to the west side of the river are irrigated from West Side Ditch. I would like to make an inspection trip to the area and have a meeting with the new owners.

If you have any questions, please do not hesitate to contact me.

Sincerely,

MRAhadi

M. Rassool Ahadi
Natural Resources Engineer
(605) 773-3352

enclosure

STATE OF SOUTH DAKOTA

VESTED RIGHT WATER LICENSE NO. 1417-1 FOR IRRIGATION

(1) Redwater Irrigation Association of PO Box 351, Belle Fourche, SD 57717, made Application No. 1417-1, May 15, 1987 for validation of a vested right claim to appropriate 151.70 cubic feet of water per second from the Redwater River, Butte, County, South Dakota, for irrigation purposes. Vested Water Right No. 1417-1 was validated May 7, 1992 with priority dates of February 1, 1879, December 2, 1885 and August 7, 1889 for the "Redwater Irrigation" portion of the vested right and May 28, 1876 and December 2, 1885 for the "Jones" portion of the vested right. Construction of the described water supply system and application of water to beneficial use has been completed and complies with applicable provisions of South Dakota State Law.

(2) The vested right owner is entitled to divert 151.70 cubic feet of water per second for beneficial use. The location of the diversion point is: SW¼ NE¼ Section 36, T8N, R2E.

The location of the irrigated acreage is described on pages 1-3 of the attachment.

(3) Pursuant to Section 46-5-30.1 Redwater Irrigation Association of PO Box 351, Belle Fourche, SD 57717-0351 the holder and/or owner of Vested Water Right No. 1417-1 is issued a license to appropriate 151.7 cubic feet of water per second from the Redwater River with priority dates of February 1, 1879 (44.0 cfs), December 2, 1885 (80.0 cfs) and August 7, 1889 (25.0 cfs) for the "Redwater Irrigation" portion and May 28, 1876 (1.37 cfs) and December 2, 1885 (1.33 cfs) for the "Jones" portion from the location specified in (2) of this license. The water is to be used for the purpose of irrigation. This license is subject to any limitations, conditions or qualifications listed in Vested Water Right No. 1417-1 and subject to South Dakota State Law.

John Hatch

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

AUG 18 1994

date

REDWATER IRRIGATION ASSOCIATION - VESTED RIGHT WATER LICENSE NO. 1417-1

Section 36, T8N-R2E
NW¼NE¼ 14.0 acres

Section 25, T8N-T2E
SW¼SE¼ 27.0 acres
NW¼SE¼ 30.5 acres
NE¼SE¼ 6.0 acres

SW¼NE¼ 24.5 acres
NW¼NE¼ 23.9 acres
NE¼NE¼ 6.0 acres
SE¼NE¼ 40.0 acres

Section 24, T8N-R2E
SW¼SE¼ 15.0 acres
NW¼SE¼ 40.0 acres
SE¼SE¼ 16.5 acres
NE¼SE¼ 28.5 acres

NE¼SW¼ 7.6 acres

SW¼NE¼ 34.4 acres
NW¼NE¼ 25.2 acres
SE¼NE¼ 13.6 acres
NE¼NE¼ 12.3 acres

SE¼NW¼ 7.0 acres
NE¼NW¼ 2.5 acres

Section 13, T8N-R2E
SW¼SE¼ 17.0 acres
NW¼SE¼ 14.0 acres

NE¼SW¼ 8.0 acres
SE¼SW¼ 1.0 acre

NE¼NW¼ 9.7 acres
NW¼NW¼ 1.0 acre

Section 12, T8N-R2E
SE¼SW¼ 13.0 acres
SW¼SW¼ 18.0 acres
NE¼SW¼ 15.0 acres
NW¼SW¼ 40.0 acres

SW¼NW¼ 39.0 acres
SE¼NW¼ 18.0 acres
NE¼NW¼ 32.8 acres
NW¼NW¼ 18.0 acres

NW¼NE¼ 8.0 acres

Section 11, T8N-R2E
NW¼SE¼ 1.5 acres
NE¼SE¼ 5.0 acres

SW¼NE¼ 14.6 acres
NW¼NE¼ 9.8 acres
NE¼NE¼ 31.0 acres
SE¼NE¼ 10.2 acres

Section 2, T8N-R2E
SW¼SE¼ 22.5 acres
SE¼SE¼ 40.0 acres
NE¼SE¼ 37.9 acres

Section 1, T8N-R2E
SW¼SW¼ 29.0 acres
SE¼SW¼ 25.6 acres
NW¼SW¼ 24.1 acres
NE¼SW¼ 40.0 acres

NW¼SE¼ 38.0 acres
SW¼SE¼ 25.4 acres
NE¼SE¼ 31.1 acres
SE¼SE¼ 6.0 acres

SE¼NW¼ 38.0 acres
NE¼NW¼ 3.5 acres

SW¼NE¼ 26.0 acres
NW¼NE¼ 11.5 acres
NE¼NE¼ 10.0 acres
SE¼NE¼ 40.0 acres

Section 6, T8N-R3E
NW¼SW¼ 22.0 acres
NE¼SW¼ 27.0 acres

NW¼NW¼ 10.0 acres
NE¼NW¼ 33.0 acres
SE¼NW¼ 31.0 acres
SW¼NW¼ 27.0 acres

NW¼SE¼ 7.0 acres

SW¼NE¼ 30.5 acres
NW¼NE¼ 27.5 acres
NE¼NE¼ 24.0 acres
SE¼NE¼ 8.3 acres

Section 5, T8N-R3E
NW¼SW¼ 5.2 acres
NE¼SW¼ 27.0 acres

NW¼SE¼ 16.0 acres
NE¼SE¼ 28.0 acres

NW¼NW¼ 28.5 acres
SW¼NW¼ 13.0 acres
NE¼NW¼ 31.0 acres
SW¼NW¼ 22.5 acres

NE¼NE¼ 23.0 acres
NW¼NE¼ 34.0 acres
SE¼NE¼ 40.0 acres
SW¼NE¼ 34.2 acres

Section 4, T8N-R3E
SW¼SW¼ 13.0 acres
SE¼SW¼ 34.0 acres
NW¼SW¼ 38.0 acres
NE¼SW¼ 38.4 acres

NW¼NW¼ 33.0 acres
SW¼NW¼ 34.0 acres
NE¼NW¼ 33.0 acres
SE¼NW¼ 40.0 acres

SW¼SE¼ 37.0 acres
NW¼SE¼ 38.0 acres
NE¼SE¼ 38.0 acres
SE¼SE¼ 35.0 acres

SW¼NE¼ 40.0 acres
NW¼NE¼ 12.0 acres
SE¼NE¼ 34.0 acres
NE¼NE¼ 1.0 acre

Section 3, T8N-R3E
NW¼NW¼ 31.0 acres
NE¼NW¼ 31.0 acres
SW¼NW¼ 26.5 acres
SE¼NW¼ 40.0 acres

SW¼SW¼ 39.0 acres
SE¼SW¼ 39.0 acres
NW¼SW¼ 37.6 acres
NE¼SW¼ 30.0 acres

SW¼SE¼ 36.0 acres
SE¼SE¼ 8.4 acres

REDWATER IRRIGATION ASSOCIATION - VESTED RIGHT WATER LICENSE NO. 1417-1

Section 9, T8N-R3E
NE¼NW¼ 8.0 acres

NW¼NE¼ 11.0 acres
NE¼NE¼ 16.6 acres

Section 10, T8N-R3E
NW¼NW¼ 16.0 acres
NE¼NW¼ 30.4 acres

NW¼NE¼ 35.0 acres
NE¼NE¼ 23.1 acres
SE¼NE¼ 3.3 acres

SE¼SE¼ 12.0 acres
NE¼SE¼ 10.7 acres

Section 11, T8N-R3E
SW¼NW¼ 12.5 acres

NW¼SW¼ 16.1 acres
SW¼SW¼ 17.7 acres
SE¼SW¼ 26.0 acres
NE¼SW¼ 4.3 acres

NW¼SE¼ 30.5 acres
SW¼SE¼ 28.8 acres
NE¼SE¼ 37.0 acres
SE¼SE¼ 28.1 acres

SW¼NE¼ 3.0 acres
SE¼NE¼ 14.0 acres

Section 12, T8N-R3E
SW¼SW¼ 36.0 acres
NW¼SW¼ 7.7 acres

Section 13, T8N-R3E
NW¼NW¼ 28.0 acres
NE¼NW¼ 19.0 acres
SW¼NW¼ 33.0 acres
SE¼NW¼ 21.0 acres

SW¼NE¼ 34.0 acres
NW¼NE¼ 8.0 acres
SE¼NE¼ 33.0 acres

SW¼SW¼ 40.0 acres
NW¼SW¼ 40.0 acres
NE¼SW¼ 30.9 acres
SE¼SW¼ 40.0 acres

Section 13, T8N-R3E
NW¼SE¼ 40.0 acres
NE¼SE¼ 39.0 acres
SW¼SE¼ 34.0 acres
SE¼SE¼ 8.0 acres

Section 14, T8N-R3E
NE¼NE¼ 37.5 acres
SE¼NE¼ 38.0 acres
NW¼NE¼ 39.0 acres
SW¼NE¼ 19.0 acres

NW¼SE¼ 19.9 acres
SW¼SE¼ 34.0 acres
NE¼SE¼ 38.6 acres
SE¼SE¼ 22.0 acres

NE¼SW¼ 20.7 acres
SE¼SW¼ 7.0 acres

NW¼NW¼ 16.0 acres
NE¼NW¼ 27.5 acres
SE¼NW¼ 15.5 acres

Section 23, T8N-R3E
NE¼NE¼ 27.0 acres
SE¼NE¼ 12.5 acres
NW¼NE¼ 31.5 acres
SW¼NE¼ 9.5 acres

NE¼NW¼ 1.5 acres

Section 24, T8N-R3E
NW¼NW¼ 6.0 acres
SW¼NW¼ 32.5 acres
NE¼NW¼ 33.9 acres
SE¼NW¼ 11.5 acres

SW¼SW¼ 9.0 acres
NW¼SW¼ 8.0 acres
NE¼SW¼ 23.6 acres
SE¼SW¼ 12.0 acres

NW¼NE¼ 36.5 acres
NE¼NE¼ 3.0 acres
SW¼NE¼ 26.7 acres
SE¼NE¼ 20.0 acres

NW¼SE¼ 35.7 acres
SW¼SE¼ 35.0 acres
NE¼SE¼ 17.0 acres
SE¼SE¼ 21.4 acres

Section 18, T8N-R4E
SW¼SW¼ 21.4 acres
NW¼SW¼ 18.5 acres
SE¼SW¼ 30.0 acres
NE¼SW¼ 20.0 acres

Section 19, T8N-R4E
NE¼NE¼ 35.7 acres
NW¼NE¼ 18.0 acres
SE¼NE¼ 14.0 acres

NE¼SE¼ 14.1 acres
SE¼SE¼ 5.0 acres

Section 20, T8N-R4E
SW¼SW¼ 21.0 acres
NW¼SW¼ 26.7 acres
NE¼SW¼ 6.0 acres

NW¼NW¼ 15.0 acres
SW¼NW¼ 6.8 acres

Section 25, T9N-R2E
SE¼SE¼ 27.0 acres
SW¼SE¼ 1.0 acre

Section 36, T9N-R2E
NE¼NE¼ 40.0 acres
NW¼NE¼ 12.0 acres
SE¼NE¼ 39.0 acres
SW¼NE¼ 36.0 acres

NW¼SE¼ 27.0 acres
NE¼SE¼ 40.0 acres

Section 31, T9N-R3E
NW¼NW¼ 40.0 acres
NE¼NW¼ 26.0 acres
SW¼NW¼ 40.0 acres
SE¼NW¼ 36.0 acres

NW¼SW¼ 40.0 acres
NE¼SW¼ 35.0 acres

SW¼NE¼ 19.5 acres
SE¼NE¼ 18.0 acres

NW¼SE¼ 22.0 acres
SW¼SE¼ 34.0 acres
NE¼SE¼ 38.0 acres
SE¼SE¼ 40.0 acres

Section 30, T9N-R3E SW¼SW¼ 33.0 acres SE¼SW¼ 15.0 acres **Section 32, T9N-R3E** SW¼NW¼ 27.0 acres SE¼NW¼ 30.0 acres SW¼SW¼ 40.0 acres NW¼SW¼ 35.0 acres NE¼SW¼ 24.0 acres SE¼SW¼ 31.0 acres SW¼SE¼ 11.0 acres	**Section 33, T9N-R3E** SW¼SW¼ 13.0 acres SE¼SW¼ 14.0 acres SW¼SE¼ 25.5 acres NW¼SE¼ 10.5 acres SE¼SE¼ 1.0 acre	**TOTAL ACREAGE IRRIGATED: 5311.2**

GREAT FACES. GREAT PLACES.

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

AUG 18 1994

1417-1

Lyle Ruby, Chairman
Redwater Irrigation Association
P.O. Box 351
Belle Fourche, SD 57717

Dear Mr. Ruby:

Enclosed are Vested Water Right No. 1417-1 and Vested Water License No. 1417-1, and Receipt No. 410816 for $15.00.

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

Very truly yours,

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

gm
enclosures

GREAT FACES. GREAT PLACES.

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

May 16, 1995

Rod Woodruff
1113 5th Ave.
Belle Fourche, SD 57717

Dear Mr. Woodruff:

I am writing to notify you that I will be in the Belle Fourche area the first part of June. I am planning to inspect the measuring devices that you have installed for the "Jones"vested water right.

In accordance with the Final Decision, you are required to install permanent measuring devices to measure diversions from the Redwater Irrigation Association Ditch to the "Jones" vested water right not later than the beginning of the 1993 irrigation season. (copy enclosed).

If you have any questions, please do not hesitate to contact me.

Sincerely,

M. Rassool Ahadi
Natural Resources Engineer
Water Rights Division
(605) 773-3352

enclosure

c: Redwater Irrigation Association

Map for App # 1417-1

Too Big for Wide Scanner

See Drawer For Map.

1417-1

DEPARTMENT of ENVIRONMENT and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

January 4, 2017

Kurt Klein, President
Redwater Irrigation Association
PO Box 351
Belle Fourche SD 57717

Dear Mr. Klein:

Last October, a Department of Environment and Natural Resources (DENR) water right inspector was conducting an on-site visit of a water right permit held by Croell Redi-Mix near Belle Fourche. At that time, DENR became aware that Croell Redi-Mix had a pump with its intake placed in the Redwater irrigation canal for use at their operation in the NE ¼ Section 13, T8N, R2E. Croell Redi-Mix personnel were informed that they were not authorized to pump water from the irrigation canal, and they ceased diversion. DENR learned that pumping for industrial use has been occurring as needed by Croell Redi-Mix during operations at the site since 2014.

Croell Redi-Mix representatives explained that they owned the property and are members of the Association. Also they have indicated to DENR that Redwater Irrigation Association representatives gave them verbal approval to use excess water for their mining operation based on the Association's by-laws stating that water may be used for domestic, mining, milling, or irrigation of lands. Based on this, Croell Redi-Mix believed they had authority to make the diversion for industrial use.

Redwater Irrigation Association holds Vested Water Right No. 1417-1 which was validated by the Water Management Board in 1992. Attached is the vested water right license issued to reflect the water use authorized. The license states water use is solely for the purpose of irrigation. The water right filings that were the foundation for the vested water right stated uses include mining, milling, manufacturing, agriculture and domestic use. However, only irrigation use was found to be a continuous use of water that was not subject to cancellation when validation occurred. See qualification No. 3 on the vested water right regarding the cancellation of the abandoned portion of those old water right filings.

This letter is to inform the Redwater Irrigation Association that the use of water for industrial purposes is not authorized by Vested Water Right No. 1417-1. If a situation occurs in the future regarding what is authorized under the vested water right, please contact the Water Rights Program of DENR so that any misunderstandings can be avoided that may result in a violation of South Dakota water rights law.

If the Association has questions about the vested water right, please contact Eric Gronlund at 605 773-3352 or eric.gronlund@state.sd.us.

Sincerely,

Jeanne Goodman

Jeanne Goodman, Chief Engineer
Water Rights Program, DENR
605 773-3352

enclosures

STATE OF SOUTH DAKOTA

VESTED RIGHT WATER LICENSE NO. 1417-1 FOR IRRIGATION

(1) Redwater Irrigation Association of PO Box 351, Belle Fourche, SD 57717, made Application No. 1417-1, May 15, 1987 for validation of a vested right claim to appropriate 151.70 cubic feet of water per second from the Redwater River, Butte, County, South Dakota, for irrigation purposes. Vested Water Right No. 1417-1 was validated May 7, 1992 with priority dates of February 1, 1879, December 2, 1885 and August 7, 1889 for the "Redwater Irrigation" portion of the vested right and May 28, 1876 and December 2, 1885 for the "Jones" portion of the vested right. Construction of the described water supply system and application of water to beneficial use has been completed and complies with applicable provisions of South Dakota State Law.

(2) The vested right owner is entitled to divert 151.70 cubic feet of water per second for beneficial use. The location of the diversion point is: SW¼ NE¼ Section 36, T8N, R2E.

The location of the irrigated acreage is described on pages 1-3 of the attachment.

(3) Pursuant to Section 46-5-30.1 Redwater Irrigation Association of PO Box 351, Belle Fourche, SD 57717-0351 the holder and/or owner of Vested Water Right No. 1417-1 is issued a license to appropriate 151.7 cubic feet of water per second from the Redwater River with priority dates of February 1, 1879 (44.0 cfs), December 2, 1885 (80.0 cfs) and August 7, 1889 (25.0 cfs) for the "Redwater Irrigation" portion and May 28, 1876 (1.37 cfs) and December 2, 1885 (1.33 cfs) for the "Jones" portion from the location specified in (2) of this license. The water is to be used for the purpose of irrigation. This license is subject to any limitations, conditions or qualifications listed in Vested Water Right No. 1417-1 and subject to South Dakota State Law.

John Hatch

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

AUG 18 1994
date

Section 36, T8N-R2E
NW¼NE¼ 14.0 acres

Section 25, T8N-T2E
SW¼SE¼ 27.0 acres
NW¼SE¼ 30.5 acres
NE¼SE¼ 6.0 acres

SW¼NE¼ 24.5 acres
NW¼NE¼ 23.9 acres
NE¼NE¼ 6.0 acres
SE¼NE¼ 40.0 acres

Section 24, T8N-R2E
SW¼SE¼ 15.0 acres
NW¼SE¼ 40.0 acres
SE¼SE¼ 16.5 acres
NE¼SE¼ 28.5 acres

NE¼SW¼ 7.6 acres

SW¼NE¼ 34.4 acres
NW¼NE¼ 25.2 acres
SE¼NE¼ 13.6 acres
NE¼NE¼ 12.3 acres

SE¼NW¼ 7.0 acres
NE¼NW¼ 2.5 acres

Section 13, T8N-R2E
SW¼SE¼ 17.0 acres
NW¼SE¼ 14.0 acres

NE¼SW¼ 8.0 acres
SE¼SW¼ 1.0 acre

NE¼NW¼ 9.7 acres
NW¼NW¼ 1.0 acre

Section 12, T8N-R2E
SE¼SW¼ 13.0 acres
SW¼SW¼ 18.0 acres
NE¼SW¼ 15.0 acres
NW¼SW¼ 40.0 acres

SW¼NW¼ 39.0 acres
SE¼NW¼ 18.0 acres
NE¼NW¼ 32.8 acres
NW¼NW¼ 18.0 acres

NW¼NE¼ 8.0 acres

Section 11, T8N-R2E
NW¼SE¼ 1.5 acres
NE¼SE¼ 5.0 acres

SW¼NE¼ 14.6 acres
NW¼NE¼ 9.8 acres
NE¼NE¼ 31.0 acres
SE¼NE¼ 10.2 acres

Section 2, T8N-R2E
SW¼SE¼ 22.5 acres
SE¼SE¼ 40.0 acres
NE¼SE¼ 37.9 acres

Section 1, T8N-R2E
SW¼SW¼ 29.0 acres
SE¼SW¼ 25.6 acres
NW¼SW¼ 24.1 acres
NE¼SW¼ 40.0 acres

NW¼SE¼ 38.0 acres
SW¼SE¼ 25.4 acres
NE¼SE¼ 31.1 acres
SE¼SE¼ 6.0 acres

SE¼NW¼ 38.0 acres
NE¼NW¼ 3.5 acres

SW¼NE¼ 26.0 acres
NW¼NE¼ 11.5 acres
NE¼NE¼ 10.0 acres
SE¼NE¼ 40.0 acres

Section 6, T8N-R3E
NW¼SW¼ 22.0 acres
NE¼SW¼ 27.0 acres

NW¼NW¼ 10.0 acres
NE¼NW¼ 33.0 acres
SE¼NW¼ 31.0 acres
SW¼NW¼ 27.0 acres

NW¼SE¼ 7.0 acres

SW¼NE¼ 30.5 acres
NW¼NE¼ 27.5 acres
NE¼NE¼ 24.0 acres
SE¼NE¼ 8.3 acres

Section 5, T8N-R3E
NW¼SW¼ 5.2 acres
NE¼SW¼ 27.0 acres

NW¼SE¼ 16.0 acres
NE¼SE¼ 28.0 acres

NW¼NW¼ 28.5 acres
SW¼NW¼ 13.0 acres
NE¼NW¼ 31.0 acres
SW¼NW¼ 22.5 acres

NE¼NE¼ 23.0 acres
NW¼NE¼ 34.0 acres
SE¼NE¼ 40.0 acres
SW¼NE¼ 34.2 acres

Section 4, T8N-R3E
SW¼SW¼ 13.0 acres
SE¼SW¼ 34.0 acres
NW¼SW¼ 38.0 acres
NE¼SW¼ 38.4 acres

NW¼NW¼ 33.0 acres
SW¼NW¼ 34.0 acres
NE¼NW¼ 33.0 acres
SE¼NW¼ 40.0 acres

SW¼SE¼ 37.0 acres
NW¼SE¼ 38.0 acres
NE¼SE¼ 38.0 acres
SE¼SE¼ 35.0 acres

SW¼NE¼ 40.0 acres
NW¼NE¼ 12.0 acres
SE¼NE¼ 34.0 acres
NE¼NE¼ 1.0 acre

Section 3, T8N-R3E
NW¼NW¼ 31.0 acres
NE¼NW¼ 31.0 acres
SW¼NW¼ 26.5 acres
SE¼NW¼ 40.0 acres

SW¼SW¼ 39.0 acres
SE¼SW¼ 39.0 acres
NW¼SW¼ 37.6 acres
NE¼SW¼ 30.0 acres

SW¼SE¼ 36.0 acres
SE¼SE¼ 8.4 acres

REDWATER IRRIGATION ASSOCIATION - VESTED RIGHT WATER LICENSE NO. 1417-1

Section 9, T8N-R3E
NE¼NW¼ 8.0 acres

NW¼NE¼ 11.0 acres
NE¼NE¼ 16.6 acres

Section 10, T8N-R3E
NW¼NW¼ 16.0 acres
NE¼NW¼ 30.4 acres

NW¼NE¼ 35.0 acres
NE¼NE¼ 23.1 acres
SE¼NE¼ 3.3 acres

SE¼SE¼ 12.0 acres
NE¼SE¼ 10.7 acres

Section 11, T8N-R3E
SW¼NW¼ 12.5 acres

NW¼SW¼ 16.1 acres
SW¼SW¼ 17.7 acres
SE¼SW¼ 26.0 acres
NE¼SW¼ 4.3 acres

NW¼SE¼ 30.5 acres
SW¼SE¼ 28.8 acres
NE¼SE¼ 37.0 acres
SE¼SE¼ 28.1 acres

SW¼NE¼ 3.0 acres
SE¼NE¼ 14.0 acres

Section 12, T8N-R3E
SW¼SW¼ 36.0 acres
NW¼SW¼ 7.7 acres

Section 13, T8N-R3E
NW¼NW¼ 28.0 acres
NE¼NW¼ 19.0 acres
SW¼NW¼ 33.0 acres
SE¼NW¼ 21.0 acres

SW¼NE¼ 34.0 acres
NW¼NE¼ 8.0 acres
SE¼NE¼ 33.0 acres

SW¼SW¼ 40.0 acres
NW¼SW¼ 40.0 acres
NE¼SW¼ 30.9 acres
SE¼SW¼ 40.0 acres

Section 13, T8N-R3E
NW¼SE¼ 40.0 acres
NE¼SE¼ 39.0 acres
SW¼SE¼ 34.0 acres
SE¼SE¼ 8.0 acres

Section 14, T8N-R3E
NE¼NE¼ 37.5 acres
SE¼NE¼ 38.0 acres
NW¼NE¼ 39.0 acres
SW¼NE¼ 19.0 acres

NW¼SE¼ 19.9 acres
SW¼SE¼ 34.0 acres
NE¼SE¼ 38.6 acres
SE¼SE¼ 22.0 acres

NE¼SW¼ 20.7 acres
SE¼SW¼ 7.0 acres

NW¼NW¼ 16.0 acres
NE¼NW¼ 27.5 acres
SE¼NW¼ 15.5 acres

Section 23, T8N-R3E
NE¼NE¼ 27.0 acres
SE¼NE¼ 12.5 acres
NW¼NE¼ 31.5 acres
SW¼NE¼ 9.5 acres

NE¼NW¼ 1.5 acres

Section 24, T8N-R3E
NW¼NW¼ 6.0 acres
SW¼NW¼ 32.5 acres
NE¼NW¼ 33.9 acres
SE¼NW¼ 11.5 acres

SW¼SW¼ 9.0 acres
NW¼SW¼ 8.0 acres
NE¼SW¼ 23.6 acres
SE¼SW¼ 12.0 acres

NW¼NE¼ 36.5 acres
NE¼NE¼ 3.0 acres
SW¼NE¼ 26.7 acres
SE¼NE¼ 20.0 acres

NW¼SE¼ 35.7 acres
SW¼SE¼ 35.0 acres
NE¼SE¼ 17.0 acres
SE¼SE¼ 21.4 acres

Section 18, T8N-R4E
SW¼SW¼ 21.4 acres
NW¼SW¼ 18.5 acres
SE¼SW¼ 30.0 acres
NE¼SW¼ 20.0 acres

Section 19, T8N-R4E
NE¼NE¼ 35.7 acres
NW¼NE¼ 18.0 acres
SE¼NE¼ 14.0 acres

NE¼SE¼ 14.1 acres
SE¼SE¼ 5.0 acres

Section 20, T8N-R4E
SW¼SW¼ 21.0 acres
NW¼SW¼ 26.7 acres
NE¼SW¼ 6.0 acres

NW¼NW¼ 15.0 acres
SW¼NW¼ 6.8 acres

Section 25, T9N-R2E
SE¼SE¼ 27.0 acres
SW¼SE¼ 1.0 acre

Section 36, T9N-R2E
NE¼NE¼ 40.0 acres
NW¼NE¼ 12.0 acres
SE¼NE¼ 39.0 acres
SW¼NE¼ 36.0 acres

NW¼SE¼ 27.0 acres
NE¼SE¼ 40.0 acres

Section 31, T9N-R3E
NW¼NW¼ 40.0 acres
NE¼NW¼ 26.0 acres
SW¼NW¼ 40.0 acres
SE¼NW¼ 36.0 acres

NW¼SW¼ 40.0 acres
NE¼SW¼ 35.0 acres

SW¼NE¼ 19.5 acres
SE¼NE¼ 18.0 acres

NW¼SE¼ 22.0 acres
SW¼SE¼ 34.0 acres
NE¼SE¼ 38.0 acres
SE¼SE¼ 40.0 acres

Section 30, T9N-R3E SW¼SW¼ 33.0 acres SE¼SW¼ 15.0 acres **Section 32, T9N-R3E** SW¼NW¼ 27.0 acres SE¼NW¼ 30.0 acres SW¼SW¼ 40.0 acres NW¼SW¼ 35.0 acres NE¼SW¼ 24.0 acres SE¼SW¼ 31.0 acres SW¼SE¼ 11.0 acres	**Section 33, T9N-R3E** SW¼SW¼ 13.0 acres SE¼SW¼ 14.0 acres SW¼SE¼ 25.5 acres NW¼SE¼ 10.5 acres SE¼SE¼ 1.0 acre	**TOTAL ACREAGE IRRIGATED: 5311.2**

Water Rights Program - DANR

Conversation File Documentation

NAME OF PERSON OR FILE: Alisa McGrath

ADDRESS: **COUNTY:** Butte

DATE: April 26, 2023 TELEPHONE: 605-390-6886

Nakaila Steen called Alisa McGrath on April 25 and 26, 2023 to discuss her desire to irrigate approximately 15 acres located within the N ½ SE ¼, S ½ NE ¼, SE ¼ NW ¼, NW ¼ SW ¼, west tract J and west tract A; all in Section 11-T8NR3E. This land is located near the Belle Fourche River and Crook Oak Creek.

Ms. McGrath mentioned wanting to potentially purchase shares in the Redwater Irrigation Association from a neighbor to irrigate this land. The Redwater Irrigation Association holds Water Right No. 1417-1 (priority date December 2nd, 1885) authorizing a pump rate of 151.7 cubic feet of water per second (cfs) from a diversion point located in the SW ¼ NE ¼ of Section 36-T8N-R2E on the Redwater River (Redwater Diversion Dam). The water is diverted from the dam and travels through a ditch approximately eleven miles through 13 Sections in T8N-R2E and T8N-R3E.

Ms. Steen told Ms. McGrath that since the priority date for Water Right No. 1417-1 is pre-1907 and the Redwater Irrigation Association and the members hold shares in the ditch company, the statutory requirement tying the water to a specific acreage is not applicable due to a 1974 SD Supreme Court decision. Additionally, the water must be diverted from the Redwater Ditch, and may not be diverted from the Belle Fourche River and Crook Oak Creek, and the diversion rate authorized by Water Right No. 1417-1 may not be increased.

The phone conversation concluded with Ms. McGrath inquiring guidance on where to find possible easement for access to a pipeline (with a valve that would send water to her land) that a neighbor closer to the ditch will not grant her access to (claims easement has been vacated). Ms. Steen asked if Ms. McGrath had spoken with the Redwater Irrigation Association and she mentioned she was directed to the register of deeds by the association.

Nakaila Steen

Nakaila Steen
Natural Resources Engineer II