

No.-----

Division No.-----

----- District

PERMIT

to appropriate water from -----

Nele Fourche River-----

Butte----- County, South Dakota

Name of applicant -----

Herbert H. Clarkson-----

Name of diversion works Clarkson
Irrigation Project-----

Date of first receipt at Office of State
Water Resources Commission

----- 19-----
Returned to applicant for Correction

----- 19-----
Corrected application received

----- 19-----
Date of Water Right

----- 19-----
Recorded in Book----- Page-----
One-fifth of work to be completed

----- 19-----
Whole work to be completed

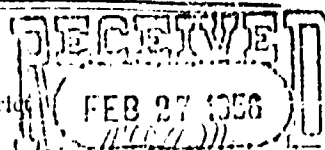
----- 19-----
Final proof of use of water

----- 19-----
Approved ----- 19-----

State Water Resources Commission

By:

Chief Engineer

No. 271Water Division No. 1 Belle Fourche River District
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COUNCIL
PIERRE, SOUTH DAKOTA

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

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

1. Name of applicant Herbert M. Clarkson
Postoffice address Belle Fourche, County Butte, State South Dakota

- I. If a corporation X X X X X
(a) Name of same X X X X X
(b) Date and place of incorporation X X X X
(c) Amount of capital stock X X X X
(d) Amount paid in X X X X
(e) Names and addresses of directors X X X X

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

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

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

- (b) Cash on hand, \$ (c) Treasury stock, \$
(d) Bonds to be issued, \$ (e) Other resources, \$

2. Name of diversion work
- Clarkson Irrigation Project

3. Amount of water claimed
- 6/10
- cubic feet per second

4. Source of water supply
- Belle Fourche River

5. Location of point of diversion a point in the SW¹-SW¹ Sec. 34, T. 2 N., R. 3 E. 10 W. which lies N 30° E 320 Ft. from the SW cor. (east)
Sec. 34, T. 2 N., R. 3 E. 10 W. on right bank Butte County.

6. Annual period or periods during which water is to be used
- April 15th to November 30

7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?
- Gravity

- (a) Number of acres to be irrigated 43 acres.
SW¹-SW¹ 7 Ac. Irrigable, SE¹-SW¹ Sec. 34 36 Ac. irrigable
(b) Legal subdivisions to be irrigated Total 43 acres.

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

- (c) Statement as to domestic use (giving location, etc.)
- None (Irrigation only)

II. Stockwatering, mining, milling, power, fish culture, fire protection, and public recreation:

- (a) Nature of use
- None
-
- Name any of the above uses claimed

- (b) Amount of power to be generated
- None
- horse power.

Amount claimed for engine cooling None

- (c) Location of plant
- None

- (d) Method of developing power
- None

- (e) Point where water will be returned to stream
- None

Map No. 249-1

8. Estimated cost of work:

(a) Head Gates, \$100.00 (b) Pumping plant, \$800.00
 (c) Fluming, \$115.00 (d) Canal-earth, \$200.00 Rock, \$-----
 (e) Other structures \$----- Total, \$215.00

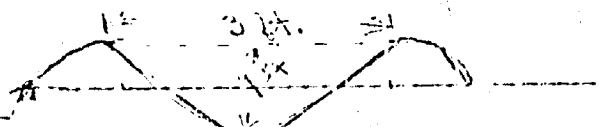
9. Description of diversion works:

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

4 5"X 20' Ames Ball Coupling aluminum pipe (flume) \$115.00
 4" intake, 1 Pacific pump Ser.No. F1-S48030 (trailer mounted) wit
 5" outlet 10 HP Century electric motor & 15 ft. suction hose \$300.00
 30 1 1/2 in. siphon pipes (aluminum) 60.00
 10 1 1/4 in. siphons " (aluminum) 100.00
 1 concrete head gate " 2' x D 1' 300.00
 1 1/4 miles irrigation ditches 300.00
 Land leveling (estimated)
 \$ 1215.00

The 43 acres of irrigable land indicated on the plat has been cultivated for some time and the applicant irrigated most of the area last year and raised a crop of corn by the furrow irrigation method. There still remains some cutting and leveling to be done on a high point at the southwest corner and raising of the water from the pump to a higher level to reach this point. The Soil Conservation Service has run 50 ft. contour levels on the entire area and supervised the ditch system which applicant has been using and has plans for the irrigation of the rest of the field.

Section of typical ditch.
 Ground line



LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ----- years.

11. Time required for complete application of water to the proposed beneficial use ----- years.

12. Choice of newspaper for publication of notice of intention to appropriate -----

----- Belle Fourche, S.C., Belle Fourche, South Dakota

STATE OF SOUTH DAKOTA

County of ----- ss.

I, Harbert M. Clarkson, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed Harbert M. Clarkson

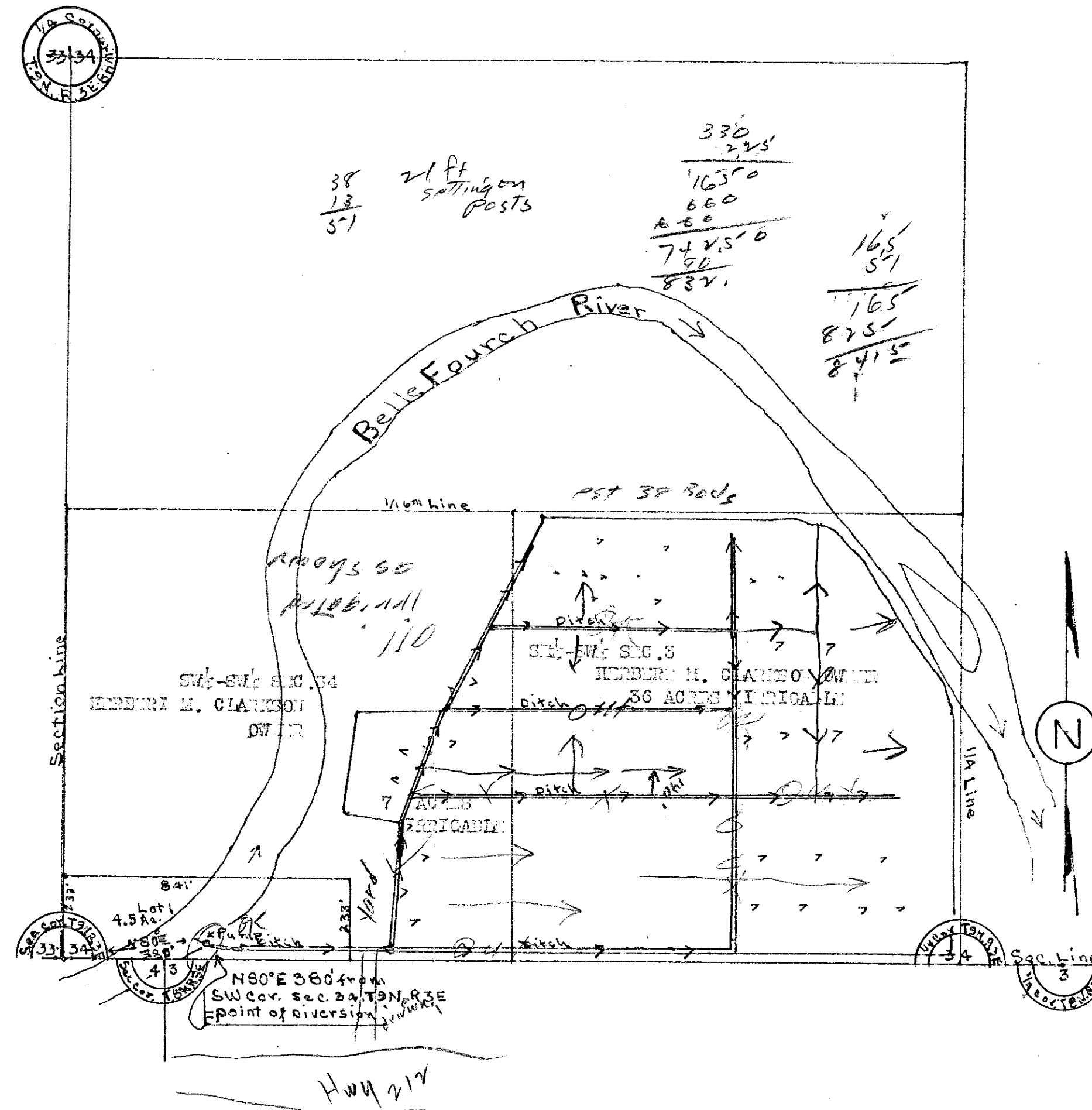
Subscribed and sworn to before me this 15th day of September 1956

Wiley Wilson
 Notary Public (or other qualified officer.)

PLAT OF CLARKSON IRRIGATION PROJECT

SITUATED IN THE SW-1/4, SE-1/4, SW-1/4, SEC. 34, T. 3 S., R. 3 E., S. 24 IN BUTTE COUNTY, SOUTH DAKOTA
AND BELONGING TO HERBERT M. CLARKSON, BUTTE FOUNDRY, SOUTH DAKOTA.

SCALE 1 INCH = 330 FEET.
16 INCHES = 1 MILE.



CERTIFICATE
" " " "

I, CARL H. CORNELL, LICENSED SURVEYOR IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT AT THE REQUEST OF HERBERT M. CLARKSON OF BUTTE FOUNDRY, SOUTH DAKOTA (OWNER OF ALL OF THE SW-1/4, SE-1/4, SW-1/4, SEC. 34, T. 3 S., R. 3 E., S. 24, EXCEPT LOT 1,) I HAVE MADE A SURVEY OF THE SAID SW-1/4, SE-1/4, SW-1/4, SEC. 34 FOR THE PURPOSE OF SHOWING THE IRRIGABLE AREAS IN THE TRACT AND HAVE PREPARED THIS PLAT OF SAID AS A PART OF HIS APPLICATION FOR A PERMIT TO APPROPRIATE 6/1000 OF A SECOND FOOT OF WATER FROM THE BELLE FOURCHE RIVER FOR IRRIGATION PURPOSES.

I FURTHER CERTIFY THAT THE BEARINGS AND DISTANCES OF ALL LINES SHOWN AND THEIR LOCATION WITH REFERENCE TO THE CORRESPONDING OWNERS SHOWN, ARE CORRECT, TO THE BEST OF MY KNOWLEDGE AND BELIEF.

OF FEBRUARY 1956.

DATED AND SIGNED AT BUTTE, SOUTH DAKOTA THIS 2nd DAY

SIGNED: *Carl H. Cornell*
CARL H. CORNELL, LICENSED SURVEYOR
3144 (S.D.)

SUBSCRIBED AND SWORN TO BEFORE ME AT BUTTE, SOUTH DAKOTA THIS 2nd DAY OF FEBRUARY 1956.

M. R. Hann
NOTARY PUBLIC. (SEAL)

Map No. 242-1
App. No. 270-1

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, March 8, 1956

This is to certify that the foregoing application was received by the Commission at 11:00 o'clock
a m. upon the 27 day of February, 1956

State Water Resources Commission

By: [Signature]
Chief Engineer, Executive Officer

Number of permit 271-1

Date of first receipt of application February 27, 1956

Date of return to applicant for correction, amendments or changes required as follows: None, 1956

Date of receipt of corrected application None, 1956

Date from which applicant may claim right February 27, 1956

Approved May 7, 1956, Recorded in Book 3 Page 121

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

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

May 17, 1957

2nd. The whole of said work is to be completed on or before May 17, 1958

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

May 17, 1959

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

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 0.60 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before May 17, 1959, said water to be used during the following described annual period:

April 15th to November 30th

Witness my hand this 17 day of May, 1956

State Water Resources Commission

By: [Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

Remarks by State Water Resources Commission:

THIS PERMIT CANCELS PERMIT 271-1, DATED MAY 17, 1956

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, MAY 22, 1962

This is to certify that the foregoing application was received by the Commission at 11:00 o'clock
a m. upon the 27TH day of FEBRUARY, 1956

State Water Resources Commission

By:

Burton E. Jones
for Chief Engineer, Executive Officer

Number of permit 271-1

Date of first receipt of application FEBRUARY 27, 1956

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application APRIL 25, 1962

Date from which applicant may claim right 50 CFS FROM AUGUST 9, 1952
10 CFS FROM FEBRUARY 27, 1956

Approved MAY 22, 1962, Recorded in Book 3 Page 121A

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

1st. The equivalent of at least one-fifth of the work above specified is ~~to be completed on or before~~ _____, 19____

2nd. The whole of said work is ~~to be completed on or before~~ _____, 19____

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

COMPLETED, 1962

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

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed .60 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually

and beneficially applied for irrigation on or before MAY 17, 1959; said water to be used during the following described annual period:

APRIL 15 TO NOVEMBER 30

Witness my hand this 22nd day of MAY, 1962

State Water Resources Commission

By:

George H. Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued MAY 22, 1962

Water License issued MAY 22, 1962

STATE OF SOUTH DAKOTA

WATER LICENSE No. 271-1....

WHEREAS, On the 27th day of February A. D. 1956

Herbert M. Clarkson

of Belle Fourche County of Butte and State of
South Dakota duly made application (No. 271-1) to us for a permit to use 0.60
cubic feet per second of the waters of the Belle Fourche River
County of Butte, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 17th day of May A. D. 1956
Permit No. 271-1 was issued to said applicant for the diversion of said water, and providing for the
completion of the works of diversion therein described on or before the 17th day of
May A. D. 1958 and for the application to beneficial use of said
water on or before the 17th day of May A. D. 1959
and,

WHEREAS, On the 5th day of September A. D. 1956
the holder of said permit duly made proof of the completion of adequate works for the diversion of 0.60
cubic feet per second of said waters, as evidenced by our Certificate No. 271-1
dated November 17, 1956, confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 0.60 cubic feet per second of water, with date of
priority of February 27, 1956 ~~1956~~ ~~1956~~

WHEREAS, On the 5th day of September A. D. 1956
proof was duly made of the application to beneficial use of 0.60 cubic feet per second of said water;
on 7 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 36 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34,
T 9 N, R 3 E, a total of 43 acres in all.

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
 We do hereby grant and confirm to Herbert M. Clarkson
 of Belle Fourche, South Dakota the holder and owner of said permit No. 271-1
 a water right, dating from February 27, 1956, to the use of 0.60
 cubic feet per second of the waters of the Belle Fourche River
 in the County of Butte and State of South Dakota, or so much thereof as may be
 necessary for the purposes hereinafter mentioned, to be diverted at 388 feet N 80°00' E of the
SW Cor., Sec. 34, T 9 N, R 3 E.
 and conducted to and upon the St. Charles, Sec. 34, T 9 N, R 3 E
 for the purpose of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
 this 17th day of November A. D. Nineteen
 Hundred and Fifty-six

State Water Resources Commission

By:

J. W. Grimes, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

STATE OF SOUTH DAKOTA

WATER LICENSE No. 271-1

WHEREAS, On the 27th day of February A. D. 1956
Herbert M. Clarkson

of Belle Fourche County of Butte and State of
South Dakota duly made application (No. 271-1) to us for a permit to use .60
cubic feet per second of the waters of the Belle Fourche River
County of Butte, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 22nd day of May A. D. 1962
Permit No. 271-1 was issued to said applicant... for the diversion of said water, and ~~recognizing~~ recognizing the
completion of the works of diversion therein described on or before the 9th day of
August 1952 and for the application to beneficial use of .50 cfs
water on or before the 9th day of August A. D. 1952
and,

WHEREAS, On the 25th day of April A. D. 1962
the holder... of said permit duly made proof of the completion of adequate works for the diversion of .60
cubic feet per second of said waters, as evidenced by our Certificate No. 271-1
dated November 17, 1956 and affidavits confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use .60 cubic feet per second of water, with date of
priority of August 9, 1952 and February 27, 1956
and,

WHEREAS, On the 5th day of September A. D. 1956
proof was duly made of the application to beneficial use of .60 cubic feet per second of said water;
on 7 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ (Priority 2-27-56) and 36 acres in the
SE $\frac{1}{4}$ SW $\frac{1}{4}$ (Priority 8-9-52), Section 34, T9N, R3E

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to **Herbert M. Clarkson**

of **Belle Fourche** the holder and owner of said permit No **271-1**

a water right, dating from **August 9, 1952 & February 27, 1956** to the use of **.60**

cubic feet per second of the waters of **the Belle Fourche River**

In the County of **Butte** and State of South Dakota, or so much thereof as may be

necessary for the purposes hereinbelow mentioned, to be diverted at **a point 380' N 80° 00' E of
the SW corner, Section 34, T9N, R3E**

and conducted to and upon **the S½ SW¼ Section 34, T9N, R3E**

for the purpose of **irrigation**

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this **22nd** day of **May** A. D. Nineteen
Hundred and **sixty-two**

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. GRIMES

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 271-1

Water Division No. 1-Belle Fourche Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Herbert M. Clarkson

of Belle Fourche, County of Butte, and State of

South Dakota, the holder of Permit No. 271-1, issued upon Application

No. 271-1, bearing date of priority of February 27, 1956, authorizing the diversion of

0.60 cu. ft. per second of the waters of the Belle Fourche River

County of Butte, State of South Dakota, at 380 ft. N 80°00' E

of the SW Cor, Sec. 34, T 9 N, R 3 E

, for irrigation

purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 0.60 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,

to-wit: 7 acres in the SW 1/4 SW 1/4, 36 acres in the SE 1/4 SW 1/4, Sec. 34, T 9 N,

R 3 E, 43 acres in all.

Witness my hand this 17th day of November A. D. 1956

State Water Resources Commission

By:

J. W. Grimes, Chief Engineer, Executive Officer

271-1

Belle Fourche River and Tributaries
Water Use Control Area
Financial Report
1981

Summary of Receipts and Expenditures
June, 1981 - July, 1981

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

Detailed Report of Receipts

No.	Name	<u>Rate</u>	<u>Acreage</u>	<u>Receipts (total fee)</u>	<u>Amount Returned</u>
789-1	Louis Budmayr	0.90	95.50	\$ 34.00	\$ 30.10
429-1	Ed Brunner & Son	1.43	106.00	46.50	41.16
429-1A	Mei Pittman	1.07	79.00	40.00	35.41
506-1	Bob Bartels	.23	17.00	14.25	12.61
892-1	Bob Bartels	1.00	70.00	27.50	24.34
417-1A	Quinten & Karen Watson	.53	78.00	29.50	26.11
417-1B	Clarence Anderson	1.43	206.00	64.00	56.65
417-1	Mrs. Eddie (Vivian) Anderson	1.15	69.00	69.50	61.52
531-1	Ruby Dillinger	1.27	89.29	42.50	37.62
1162-1	Charles & Dorothy Shaykett	4.61	324.70	131.00	115.96
1210-1	Charles & Dorothy Shaykett	1.80	128.30	52.00	46.03
1132-1	Ezra Pauley	4.00	285.00	111.25	98.48
1204-1	Art Heltz, Jr.	2.19	153.00	68.25	60.41
1205-1	Harlan K Schnell	1.98	132.00	53.00	46.91
1215-1	H L & Mildred Brunner	3.00	264.50	96.12	85.08
418-1	Alex Miller	1.67	117.00	49.25	43.59
1213-1	Robert W Grant	1.43	100.00	45.00	39.83
419-1	Herman Stark	2.50	179.00	74.75	66.17
421-1	Lee Dutton	2.50	175.00	73.75	65.28
1049-1	Thorval Jensen	1.47	103.00	45.75	40.50
1122-1	Thorval Jensen	4.88	324.14	135.75	120.16
1160-1	Thorval Jensen	1.90	133.49	53.50	47.36
1029-1	Homestake Mining	1.39	97.00	44.25	39.17
910-1	Donald Halbmaier	2.50	175.00	73.75	65.28
1165-1	Tom Bowen	2.85	200.00	80.00	70.81
722-1	Edith Anderson & Tom Bowen	2.80	196.00	79.00	69.93
1148-1	Homestake Mining	13.50	948.00	377.00	333.71
430-1	Gerald Wetz	1.65	116.00	49.00	43.37
432-1	Roy Casteel	4.30	307.00	126.75	112.20
414-1	Mary Ann Schummer	3.40	239.00	99.75	88.30
411-1	Edward Poss	5.10	452.00	173.00	153.13
440-1	David A Richards	5.00	416.00	154.00	136.32
1149-1	Homestake Mining	3.20	226.00	96.50	85.42
1150-1	Homestake Mining	7.60	534.00	213.50	188.98
437-1	McNenny Ranch Inc.	5.90	418.00	164.50	145.61
1151-1	Homestake Mining	5.50	390.00	157.50	139.41
821-1	George Levin & Sons	7.00	490.00	192.50	170.40
1136-1	George Levin & Sons	3.07	215.00	93.75	82.98

Detailed Report of Receipts Cont.

No.	Name	Diversion Rate	Acreage	Receipts (total fee)	Amount Returned
1152-1	Homestake Mining	6.60	462.00	\$ 185.50	\$ 164.20
449-1	George Wurnig	5.00	365.00	171.25	151.59
1153-1	Homestake Mining	6.10	428.00	177.00	156.68
311-1	Lester Clark	16.61	1,153.60	461.00	408.06
310-1	Lester Clark	6.76	473.20	188.50	166.85
248-1	Lawrence Burke	0.90	64.00	26.00	23.01
1077-1	Charles M Arneson	1.44	131.00	52.75	46.69
165-1	Trigg Ranches Inc.	4.30	301.00	275.00	243.42
122-1	Trigg Ranches Inc.	3.75	263.00		
1146-1	Trigg Ranches Inc.	1.89	336.00		
928-1	Charles Wennberg	2.20	155.00	68.75	60.86
912-1	Gilbert Alan	1.46	101.30	45.50	40.28
926-1	Donald Berger	2.04	143.00	65.75	58.20
1176-1	Arthur J Odekoven	2.30	163.00	70.75	62.63
1190-1	Neil Shuck	3.53	247.00	101.75	90.07
611-1	Alex Miller	3.35	235.00	98.75	87.41
569-1	Ramona McFarland	0.97	68.00	27.00	23.90
870-1	Eugene C Bishop	0.70	49.00	22.25	19.70
401-1	Kenneth & Dorothy Aker	1.88	132.00	53.00	46.91
135-1	Walter Hoffman	3.11	20.00	95.00	84.09
408-1	James A Mickelson	3.10	218.00	94.50	83.65
469-1	Raymond Garness	1.30	91.00	42.75	37.84
1218-1	William Dillinger	.40	42.70	20.75	18.37
1222-1	John Ismay (Norman)	1.11	79.00	29.75	35.19
1154-1	Homestake Mining	4.50	319.00	129.75	114.85
285-1	Edgar Colin Smart	1.42	150.00	67.50	---
331-1	Anna Stetta (Louis Budmayr)	1.87	131.00	52.75	---
472-1	Timothy Reich	2.00	167.84	62.00	---
275-1	John Durr	1.90	133.00	53.25	---
271-1	Herbert Clarkson	.06	43.00	20.75	---
296-1	Robert Helmer	2.50	179.00	74.75	---
308-1	Lewis Bertolotto	.64	45.00	21.25	---
282-1	James Jeffrey	1.05	73.70	38.50	---
1182-1	George Leach	1.60	103.00	47.00	---
228-1	Thornton Vallery	.72	54.17	23.75	---
290-1	Thornton Vallery	5.50	386.00	50.50	---
264-1	Thornton Vallery	.22	15.30	14.00	---
321-1	Clarence & Lawrence Foos	1.64	115.00	48.75	---
962-1	Ione A Shevling	3.00	251.00	92.75	---
950-1	Thornton & Gwenivere Vallery	.50	35.00	18.75	---
285-1	Thornton & Gwenivere Vallery	1.02	75.00	38.75	---
273-1	Ruben & Esther Kling	.46	32.60	18.25	---
273-1A	Ruben & Esther Kling	1.54	108.40	47.25	---
1177-1	Ruben & Esther Kling	3.30	231.00	97.75	---
416-1	Creta & Leslie Miner	2.66	198.00	79.50	---
865-1	Solomon Stark	2.14	150.00	67.50	---
287-1	David G Rathbun	2.20	154.00	68.50	---
1126-1	John Lewis	3.11	339.00	124.75	---

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

NO 4 8347

PIERRE, June 29, 1921

RECEIVED OF H. M. Clarkson, RR #1, Belle Fourche SD 57717

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for water master services on WR #271-1 (any other work as provided by law)	20	75
TOTAL	20	75

WATER RIGHTS COMMISSION

By *John H. Tsch*
Chief Engineer, Executive Officer
JOHN H. TSCH (KW)

SOUTH DAKOTA
Department of
Water & Natural Resources
Joe Foss Building Water Rights Division (605) 773-3352
Pierre, South Dakota 57501

June 10, 1981

Herbert Clarkson
RR #1
Belle Fourche, SD 57717

Mr. Clarkson:

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

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

<u>Permit No.</u>	<u>Diversion Rate</u>	<u>Acreage</u>	<u>Fee</u>
271-1	.06 cfs	43.00	\$20.75
TOTAL			\$20.75

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

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

Very truly yours,

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

JH/JW/gy

Equal Opportunity Employer

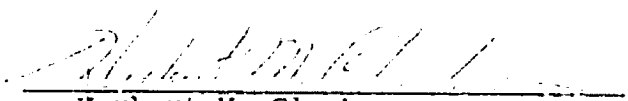
STATE OF SOUTH DAKOTA)
) ss.
COUNTY OF BUTTE)

A F F I D A V I T

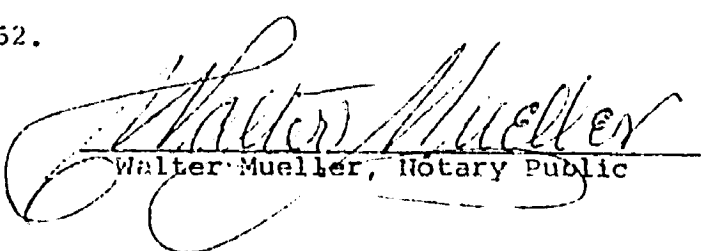
HERBERT M. CLARKSON, being first duly sworn upon his oath, deposes and states as follows:

That he is of legal age and has been a bona fide resident of Butte County, State of South Dakota, for many years last past, and that he is the Applicant for a water right made on Form No. 24, under date of July 8, 1961, to the Water Resources Commission of the State of South Dakota, and makes this affidavit for purposes of amending said application to state that in answer to Question 3, as set forth in said application, for the date of posting and recording Notice of Appropriation, he did in said application state, "Irrigation commenced in August of 1952", and now states that the exact date when irrigation was commenced was on the 9th day of August, 1952, and on which date the pump was delivered to his place, installed and irrigation immediately commenced.

Dated this 24th day of April, 1962.


Herbert M. Clarkson

Subscribed and sworn to before me, a notary public, on this the 24th day of April, 1962.


Walter Mueller, Notary Public

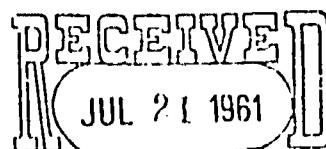
My Commission Expires:

January 19, 1968

SEAL

Location No. _____

Water Division No. _____ Water District _____

STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA**Proof of Application of Water to Beneficial Use****PETITION OF HOLDER**

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Herbert M. Clarkson, Belle Fourche, South Dakota = Banker and farmer.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans. Not applicable

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans. Irrigation commenced in August of 1952.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Belle Fourche River = Diversion point located North 80° East 380 feet from SW corner section of section 34-9-3, Butte County on right bank of Belle Fourche River.

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. Pacific Pump, 5 inch intake and 4 inch outlet, run by electric pump, pipes and irrigation ditches

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. Irrigation of 36 acres of land in the SE 1/4 34-9-3, Butte County, S. Dak.

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans. Not applicable

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 0.52 cubic feet per second

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Not applicable

Ques. 10 State when, how, in what amount and to what extent, the water diverted under above mentioned permit has been used.

Ans. This is an application for a vested right established in 1952 when project was installed and operated and approximately 0.52 cubic feet of water per second was used for irrigation of said 36 acres of land and has continually been so watered since 1952.

(Sign) Robert M. Clark

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Belle Fourche, County of Butte

State of South Dakota, on this 8th day of July, A. D. 1961

Witnesses

Walter Mueller

Notary Public

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

See Affidavits attached

Location No. -----

PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE

PETITION OF HOLDER

Amount of Water ----- c. f. s.

Source -----

County -----

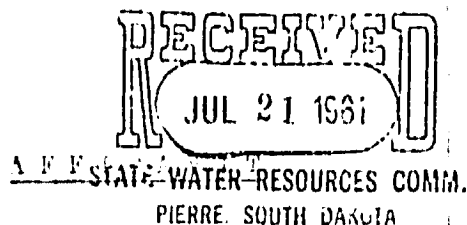
Purpose -----

Place of Use -----

Date of recording -----

Received and filed -----

STATE OF SOUTH DAKOTA)
COUNTY OF BUTTE) ss.



HERBERT M. CLARKSON, being first duly sworn upon his oath, deposes and states as follows:

I.

That he is of legal age and has been a bona fide resident of Butte County, State of South Dakota, for many years last past.

II.

That your Affiant is the owner, among other lands, of the Southwest Quarter of the Southwest Quarter and of the Southeast Quarter of the Southwest Quarter of Section 34, Township 9 North, Range 3 East, B. H. N., Butte County, South Dakota, and which said premises, along with other real premises, were inherited by your Affiant in the year of 1949 at the demise of his father; and, that ever since said time your Affiant has continually been the owner thereof.

III.

That your Affiant leased the above described premises, along with other real premises, for many years to others for farming purposes; that for the farming season of the year of 1952, Affiant leased the same to one Tony Burkhard, and who did farm and tend the same; that for the farming seasons of 1954, 1955 and 1956, your Affiant leased the same to one, Ed Herber, and who did farm, tend and irrigate the same; and, for the farming seasons of 1957 and all subsequent years, including 1961, the same has been leased by your Affiant to one, Jake Shimp, and who has farmed, tended and irrigated the same during each of said years.

IV.

That the said Southeast Quarter of the Southwest Quarter in said Section 34 contains 36 acres of land that has been irrigated and upon which irrigation was commenced in August of 1952 from waters of the Belle Fourche River and at which time your Affiant in the year of 1952 constructed irrigation ditches for purposes of such irrigation of the said 36 acres and installed a Pacific pump with necessary fixtures, supplier, suction hose and all other necessary equipment and parts, all being purchased from Lauren Davis Sales & Service Company of Belle Fourche, South Dakota; and, that the said 36 acres

in the Southeast Quarter of the Southwest Quarter of said Section 34 were caused to be leveled and a raised irrigation ditch constructed in the year of 1951; and, that in August of 1952 the irrigation of said 36 acres was commenced and at which time Ed Harber of Belle Fourche, South Dakota, was present, saw and observed the same in operation.

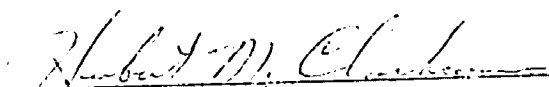
V.

That the point of water diversion for the irrigation of said 36 acres of land as above described is and has been located in the Southeast Quarter of the Southwest Quarter of said Section 34 at a point North _____ feet from the Southwest corner section of said Section 34, Township 9 North, Range 3 East, on the right bank of the Belle Fourche River in Butte County, State of South Dakota.

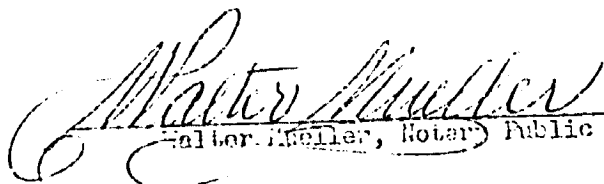
VI.

Affiant further alleges that he knows of his own knowledge and information that the said 36 acres of land located in the Southeast Quarter of the Southwest Quarter of Section 34, Township 9 North, Range 3 East, B. H. H., Butte County, South Dakota, have been so irrigated ever since August of 1952.

Dated this 8th day of July, 1961.


Herbert H. Clarkson

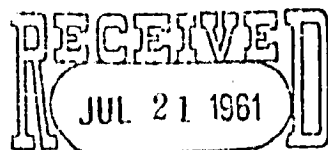
Subscribed and sworn to before me, a Notary Public, this 8th day of July, 1961.


Walter Mueller, Notary Public

My Commission Expires: January 19, 1968

SEAL

AFFIDAVIT



STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

STATE OF SOUTH DAKOTA)

County of Butte) ^{ss}

I, Francis H. Wolvington, being first duly sworn upon my oath, depose and state as follows, namely:

I

That in the year 1952 I was in partnership with Lauren Davis and we were operating the Lauren Davis Sales and Service Co. of Belle Fourche, Butte County, South Dakota; and, in such business were engaged in the sale of water pumps and supplies, useable for irrigation purposes, including sprinkler systems.

II

That on the 9th day of August, 1952, I, as a member of the above partnership, did sell to Herb Clarkson of Belle Fourche, South Dakota a Pacific pump, with supplies, having a 4 inch intake and a 5 inch outlet which he alleged he was purchasing and going to use for irrigation purposes.

III

That the above described pump had actually been purchased and ordered by the said Herb Clarkson some time before the date above mentioned but final delivery of the pump and all the necessary parts were delivered by me on the 9th day of August, 1952 and at which time I made out the sales slips as more fully shown by the Exhibits "A" and "B" hereto attached and by reference made a part hereof. These Exhibits being therofax copies of the originals. Lauren Davis made out Exhibit "A" and I made out Exhibit "B".

=

Dated this 28th day of June, 1961 at Belle Fourche, Butte County, South Dakota.

Francis H. Wolvington

Subscribed and sworn to before me, a Notary Public, this the 28th day of June, 1961.

Walter Mueller, Notary Public

My Commission expires Jan. 19, 1968

(NOTARIAL SEAL)

STATE OF SOUTH DAKOTA)
COUNTY OF BUTTE) ss.

RECEIVED
JUL 21 1961

A STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

TONY BURCKHARD, being first duly sworn upon his oath, deposes and states as follows:

I.

That he is of legal age and has been a bona fide resident of Butte County, State of South Dakota, for many years last past.

II.

That during the year 1952, your Affiant farmed certain lands in the County of Butte, State of South Dakota, which said premises your Affiant leased from one Herbert M. Clarkson of Belle Fourche, South Dakota, and, which among other real premises included the Southwest Quarter of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter, all in Section 34, Township 9 North, Range 3 East, P. M. E., Butte County, South Dakota.

III.

Affiant further states that in the Year 1952, the landlord, Herbert M. Clarkson, did install an irrigation pump for irrigating approximately 36 acres of land in the Southeast Quarter of the Southwest Quarter of said Section 34, and that the same was installed during the Fall months of 1952 after your Affiant had harvested an oats crop from said acreage.

Dated this 17 day of July, 1961.

Anton Burckhard

Subscribed and sworn to before me this 17th day of July, 1961.

Walter Mueller
Walter Mueller, Notary Public

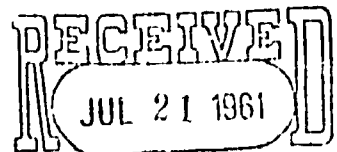
My Commission Expires: January 19, 1968

SEAL

STATE OF SOUTH DAKOTA)

County of Butte) ^{SS}

AFFIDAVIT



STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

EDWIN E. HENDER, being first duly sworn upon his oath, deposes and states as follows:

I

That he is of legal age and has been a bona fide resident of Butte County, State of South Dakota for many years last past.

II

That during the years of 1954, 1955 and 1956 your Affiant farmed certain lands in the County of Butte, State of South Dakota, which said premises your Affiant leased from one, Herb Clarkson of Belle Fourche, South Dakota, and, which among other real premises included the $SW\frac{1}{4}SW\frac{1}{4}$ and the $SE\frac{1}{4}SW\frac{1}{4}$ in Section 34, Twp 9 N, R 3 East, B.H.M., in Butte County, State of South Dakota.

III

That at the time your Affiant commenced the farming of said premises in the year of 1954, Affiant states that approximately 36 acres of the $SE\frac{1}{4}$ of the $SW\frac{1}{4}$ in Section 34, Twp 9 N, R 3 E was being irrigated by means of a Pacific pump, located for a point of diversion in the $SW\frac{1}{2}SW\frac{1}{4}$ of said Section 34 at a point North 80° East 380 feet from the SW corner section of said section 34-9-3 on the right bank of the Belle Fourche River and by means of irrigation ditches.

IV

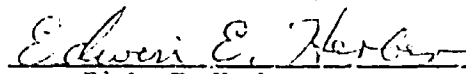
Affiant further states that during all of the times that he rented the said premises and farmed the same during the said years of 1954, 1955 and 1956, which included the 36 acres of irrigated land mentioned above, you Affiant did farm and irrigate the said 36 acres in the said $SE\frac{1}{4}SW\frac{1}{4}$.

V

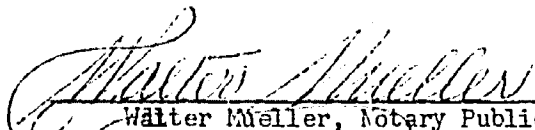
Affiant further states that he knows of his own knowledge that one, Tony Burekhard, did farm the said premises during the farming season of 1952, including all the land in the said $SE\frac{1}{4}SW\frac{1}{4}$ of 34-9-3, and Affiant knows of his own knowledge and was personally present when the operation of said irrigation system was commenced in August of 1952 as your Affiant was personally interested in renting the said lands whenever the said irrigation plan was installed

and commenced; and, Affiant knows of his own knowledge, information and observation that the irrigation of the said 36 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of section 34-9-3 was commenced in August of 1952 and has continued in use ever since said time until the present.

IN WITNESS WHEREOF, I hereunto subscribe my name and signature this the 29th day of June, 1961.


Edwin E. Herber

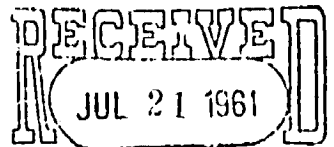
Subscribed and sworn to before me, a Notary Public, this the 29th day of June, 1961.


Walter Mueller, Notary Public

My Commission expires Jan. 19, 1968.

(NOTARIAL SEAL)

AFFIDAVIT



STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

STATE OF SOUTH DAKOTA)

County of Butte) ^{ss}

Jake Shimp, being first duly sworn upon his oath, deposes and states as follows:

I

That he is of legal age and has been a bona fide resident of Butte County, State of South Dakota for many years last past.

II

That during the year of 1957 your affiant farmed certain lands in the County of Butte, State of South Dakota, which said premises your Affiant leased from one, Herb Clarkson of Belle Fourche, South Dakota, and, which among other real premises, included the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$, all in Section 34, Township 9 North, Range 3 East, B.H.M., Butte County, South Dakota.

III

That at the time your Affiant commenced the farming of said premises in the year of 1957, Affiant states that approximately 36 acres of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ in Section 34, Twp 9 N, R 3 E was being irrigated by means of a pump located for a point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said section 34 at a point N 80° East 330 feet from the SW corner section of 34-9-3 on the right bank of the Belle Fourche River and by means of irrigation ditches.

IV

Affiant further states that during all of the farming season of the year of 1957 that your Affiant farmed and irrigated the said 36 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said section 34; and has so farmed and irrigated the same ever since until the present time.

IN WITNESS WHEREOF, I hereunto set my hand and signature this the 29th day of June, 1961

Jake Shimp

Subscribed and sworn to before me, a Notary Public, the day and year last above written.

Walter Mueller, Notary Public
(SEAL)

My Commission expires Jan. 19, 1968

Permit No. 271-1

Water Division No. 1-Belle Fourche River Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your ^{verbal} ~~letter of~~ authorization ~~mark~~.....

~~XXXX~~., I have ~~this day~~ made a thorough examination of the diversion works constructed by

Herbert M. Clarkson..... of Belle Fourche.....

Butte..... County, South Dakota, holder... of Permit No. 271-1....., issued

upon Application No. 271-1....., bearing date of priority of February 27....., 1956, authorizing the

diversion of 0.60 cu. ft. per second of the waters of the Belle Fourche for irrigation.....

purposes. I have to report on the condition of the same as follows:

The diversion works comprise 311" x 5" wooden weir and parshall flumes. Pacific pump #F1S 49030, 5" inlet and 4" outlet with a 10 Hp Century Electric motor #739179. Both pump and motor have same dia. pulleys and turn over at about 1165, with a capacity of about 400 gpm. There is an estimated 7' lift to the pump and 12' from the pump to the field. A good 110V electric line is run to the pump site. The distribution system consists of 80' of main line pipe and 10' of flex. hose, both 5", and an adequate system

of laterals and annals. Entire acreage of about 43 acres has been leveled.

and the system is in the following condition: Very good.....

The point of diversion is located 380' N 80°00' E of the SW Cor. of Sec. 34, T. 9N., R. 3E.....

The works are capable of diverting and conveying to the place of use 0.60 cu. ft. per second of water, which is to be used for irrigation.....

The legal sub-divisions to be irrigated are: parts of the SE 1/4 SW 1/4 and E 1/4 SW 1/4 SW 1/4, Sec. 34, T. 9N., R. 3E.....

comprising a total of 43 1/2 acres of land.

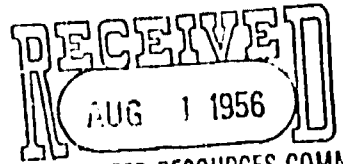
The domestic use intended comprises.....

The utilization for power, mining, or other beneficial uses comprises.....

Witness my hand, this 26th day of Oct. 1956.

—SEAL—

By Wyborn Engineer
Ma Fights 81

Permit No. 271-1Water Division No. 1Belle Fourche
7th Water DistrictSTATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.)

(Date)

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of

6/10 cu. ft. per second of the waters of the state from
through the Clearwater Diversion Project
for Diversion purposes
in accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is Herbert M. Carlson

2. The postoffice address of such person or the place of business of such corporation is Belle Fourche
County of Battle State of S. Dak.

3. The number of such permit is 271-1 and the date set for the completion of such work is

May 17-1958

4. Said water to be used for diversion purposes.

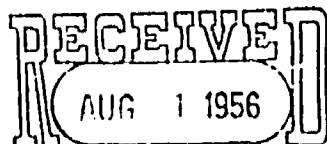
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 61.0 cubic feet per second.

6. The amount of land for which said water is available is 43 acres,
particularly described as follows. SW 1/4 SW 1/4, T2N R3E B4M - SE 1/4 SW 1/4 Sec 34
T9N R3E B4M

I hereby certify that the facts set forth in the above notice are true.

(Signature of Owners)

Herbert M. Carlson

Permit No. 271-1Water Division No. 1Belle FourchePierce Water DistrictSTATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.)

Belle Fourche S.D.

(Date)

7-31-56

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the 1 day of July
1956, at Belle Fourche County of Bent State of South Dakota,
before _____ proof will be submitted of the application to beneficial use
(Examining Engineer or Officer)
of 6/10 cubic feet per second of the waters of Belle Fourche
River in accordance with the terms and conditions of Permit No. 271-1
heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are _____

Robert M. Chambers, Belle Fourche, S.D.2. The use to which said water has been applied is Irrigation only3. The amount applied to beneficial use is 6.10 cfs at 14 ft. head4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) SW 1/4 SW 1/4 Sec 38 T 9 N R 2 E B H M

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is

Chamber Irrigation Project6. The right to take the water from such works is based upon permit No. 271-17. The source of supply from which such water is diverted is Belle Fourche River8. The date of priority which said user is prepared to establish is Feb. 22-1956

(Sign)

Robert M. Chambers

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Butte } ss.

K. F. Olsen being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Belle Fourche Bee 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 dates:

March 15, 1956

March 22, 1956

March 29, 1956

April 5, 1956

in each and every issue of the full number thereof, the first publication being made on the 15 day of March 1956 and the last publication on the 4 5 day of April 1956, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was the printer and publisher of the said newspaper.

K. F. Olsen

Subscribed and sworn to before me this 5 th day of April A. D. 1956

Jane Henderson
 Notary Public Butte County, S. D.

No. 271-1
NOTICE OF INTENTION TO APPROPRIATE WATER
 (First Publication Before April 5, 1956)
APPROPRIATION OF WATER
 Office of State Water Resources Commission,
 Pierre, S. D., March 8, 1956
 Notice is hereby given that Herbert M. Clarkson whose postoffice address is Belle Fourche, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 0.8 cubic feet of water per second of time from the Belle Fourche River through the Clarkson Irrigation Proj. the point of diversion which is to be located on the southerly bank of said stream in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 34 Twp. 9 N Range 3 E. Said water to be used for the purpose of providing irrigation on the following described land:
 SW $\frac{1}{4}$, SW $\frac{1}{4}$ and SE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 34, T 9 N, R 3 E.
 This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 7th day of May, 1956, at 2:00 P. M. All interested persons may appear and be heard.
 Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.
 State Water Resources Commission
 By: J. W. Grimes,
 Chief Engineer, Executive Office
 715-44

RECEIVED
 APR 21 1956
 STATE WATER RESOURCES COMMISSION
 PIERRE, SOUTH DAKOTA

(First Publication Before April 5, 1956.)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., March 8, 1956

Notice is hereby given that Herbert F. Clarkson whose postoffice address is Belle Fourche S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 0.5 cubic feet of water per second of time from the Belle Fourche River through the Clarkson Irrigation from the point of diversion of which is to be located on the southerly bank of said stream in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 34 Twp. 9 N Range 3 E. Said water to be used for the purpose of providing irrigation on the following described land:

SW $\frac{1}{4}$, SE $\frac{1}{4}$ and NE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 34, T. 9 N, R. 3 E.

~~XXXXX~~~~XXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 7th day of May, 1956, at 2:00 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

J. W. Grimes, Chief Engineer, Executive Officer

cc: Mr. K. F. Olsen
Belle Fourche Bee
Belle Fourche, South Dakota

7
OBSERVATIONS DURING FIELD INSPECTION OF HERBERT M. CLARKSON, WATER
RIGHT #271-1, ON SEPTEMBER 5, 1956, NEAR BELLE FOURCHE, S. DAK. ✓

Mr. Clarkson has a temporary board wier installed which is 11" wide inside and has a maximum flow depth of 5", or a maximum capacity of about 1 c.f.s. He also stated that Wm. Jeremiason of the Redwater Ditch Co. agreed to furnish him Parshall flumes whenever he needed them for measuring the flows.

Mr. Clarkson has a Pacific Pump, Model #4BLD, Serial No. F1S 49030, which is powered by a Century 10 Hp/ Electric Motor type RS, Serial #739179, which turns over at 1165 rpm's, and will operate on 110 or 220 Volts. Pump was manufactured by the Pacific Pump Co., Portland-Seattle-Los Angeles-Oakland, and the motor was manufactured by the Century Electric Co., St. Louis, Mo. The pump has a 5" inlet and 4" outlet, and the lift is about 7' to the pump and about 12' to the field from the pump, or a total of 19' (approx. The pump is driven by 3 V-belts, a good 110 Volt line has been run to the pump location, and the pulleys on each are of the same diameter. General condition of the equipment is very good.

This is a gravity irrigation system on which the operator uses 80' of main line pipe, 10' of flex hose and laterals and annuals. Approximately entire acreage as shown was leveled and irrigated.

The laterals have an X-Sec. with a 3' top and 1' depth. The ditch has an approximate capacity of 1.80 c.f.s.

Les Wyborny
Les Wyborny
Water Rights Engineer

10/30/56
Date

L

 **Department of
Water & Natural Resources**

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

September 21, 1988

NOTICE

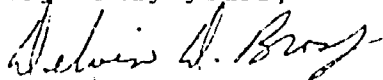
Herbert M. Clarkson
RR 1, Box 63
Belle Fourche SD 57717

Dear Mr. Clarkson:

I am writing to notify you that pursuant to the Notice of Intent to Validate Vested Water Right Claims dated June 20, 1988 that I intend to oppose validation of your water right claim No(s). 271-1 until a field inspection has been completed. The claim has either never been inspected or an inspection was conducted so long ago that a new inspection is needed. An inspection is needed to determine the current state of your vested water right claim.

A staff member from the Division of Water Rights will be contacting you and scheduling an inspection of your water project. If we can answer any questions, please contact us.

Very truly yours,



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



 **Department of
Water & Natural Resources**

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

December 1, 1988

Vested Water Right
Claim No. 271-1

Herbert M. Clarkson
RR 1, Box 63
Belle Fourche SD 57717

Dear Mr. Clarkson:

Enclosed is a copy of a letter received from the U.S. Department of Interior, Bureau of Reclamation. The Bureau of Reclamation is opposing those vested water right claims in Pennington, Perkins, Butte and Fall River counties which have never been investigated by the Division of Water Rights. Earlier, you received a letter stating that I was opposing your claim until an investigation can be completed.

After the investigation has been completed, you and the Bureau of Reclamation will be notified as to the date, place and time of the hearing on your vested water right claim. At that time all parties of record will have an opportunity to testify on the validation.

If we can answer any questions, please contact us.

Very truly yours,


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

cc: Bruce Laymon, Bureau of Reclamation



Conversation or File Documentation

NAME OF PERSON OR FILE: Herbert M. ClarksonADDRESS: RR1, Box 224 COUNTY ButteDATE: 5/9/89 TELEPHONE 892-3270RE: Vested Right Inspection

COMMENTS:

On Tuesday, April 18, 1989, vested Right No. 271-1 was
inspected, accompanied by Mr. Kling, the operator, the diversion
point and the irrigated land were inspected. Mr. Herbert Clarkson
irrigates the same 42.2 acres originally applied and licensed.
The diversion point is located at the same location plotted on the map
for Application No. 271-1

Contact

Raymond Kling to
inspect if Mr.Clarkson is not
around. Goes south for
the winter

File in Permit or other file as necessary,
 what the other party was told; why action or decision was made.

NAME: MSL

 **Department of
Water & Natural Resources**

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

July 21, 1989

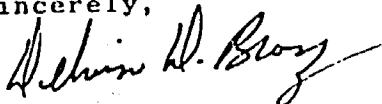
H. M. Clarkson
RR 1, Box 63
Belle Fourche SD 57717

Dear Mr. Clarkson:

I am writing in answer to your letter of July 11, 1989. Your Vested Water Right Claim No. 271-1 was inspected and found to function as filed. After we have completed vested right claim inspections in Butte County, the claims that are eligible for validation in Butte County will be presented to the Water Management Board. I would expect this to take place at the September 27-28 or December 6-7, 1989 Board meeting.

You will be receiving a validation certificate sometime after the Board has validated your claim. If I can answer any other questions, please contact me.

Sincerely,



DELVIN D. BROSZ, P.E.
Hydrologist III
for JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352





Pioneer Bank & Trust

P.O. BOX 729
700 STATE STREET
BELLE FOURCHE, SOUTH DAKOTA 57717
PHONE (605) 892-2536



JOHN HATCH
CHIEF ENGINEER
SO. DAK. DEPT. OF WATER & NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SD 57501-3181

JULY 14, 1989

DEAR MR. HATCH:

I AM WRITING IN REGARD TO THE ENCLOSED THERMO-FAX COPY OF THE LETTER FROM YOUR OFFICE DATED SEPTEMBER 21, 1988, MARKED 1.

ALSO ENCLOSED PLEASE FIND VARIOUS OTHER THERMO-FAX COPIES OF CORRESPONDENCE FROM YOUR DEPARTMENT WHICH SHOULD BE SELF EXPLANATORY.

I HAVE MARKED ONE LETTER FROM JOE GRIMES AS 2 WHICH SPECIFIES THAT MY IRRIGATION WORKS HAVE BEEN INSPECTED.

I HAVE ALSO BEEN ADVISED THAT SOMEONE FROM YOUR DEPARTMENT CONTACTED RAYMOND KLING, WHO FARMS MY ACREAGE, AND AGAIN INSPECTED MY PUMPING STATION.

WITH THESE FACTS IN MIND I WOULD APPRECIATE KNOWING IF MY VESTED WATER RIGHT 271-1 HAS BEEN VALIDATED.

SINCERELY YOURS,


H.M. CLARKSON



"WE'RE PIONEERING NEW WAYS OF BANKING"

271-1.

UNITED STATES POST OFFICE

DATE: Jan. 31 1990

OUR REF:

SUBJECT: Delayed Mail

TO: S. D. Water and Natural Resources
Joe Foss Bldg
523 E. Capitol St.
Pierre, SD 57501-3181

Please be informed that on 10/15/89 Mr. Herb Clarkson started having his first class mail temporarily forwarded to his winter address. Due to an oversight by his mail carrier some of his first class letters were held with his third class mail and not forwarded. Resulting in his not receiving the letters until he returned home on 1/30/90.

Unfortunately, your letter mailed on 10/13/89 was among those letters that did not receive the proper handling. If the delay in the delivery of the letter has caused a problem please be aware that the handling of the letter was our error and not Mr. Clarksons.

Feel free to contact me at the post office if you have any questions.

Respectfully,

Bill Geis
Bill Geis, SPO
804 State St.
Belle Fourche, SD 57717
(605) 892-2815

cc: Herb Clarkson
RR 1 Box 224
Belle Fourche, SD 57717



SOUTH DAKOTA

VALIDATION OF (PARTIAL) VESTED WATER RIGHT CLAIM NO. 271-1
FOR IRRIGATION

Date Claim Accepted For Filing February 27, 1956.

Date of Validation September 27, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim Permit No. 271-1 for irrigation purposes for Herbert M. Clarkson, RR 1, Box 63, Belle Fourche, South Dakota 57717 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 271-1 appropriates 0.52 cubic feet of water per second from the Belle Fourche River to irrigate 36 acres. The diversion point is located in the SW 1/4 SW 1/4 and the irrigated acres are located in the S 1/2 SW 1/4; all in Section 34, 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 year for each acre of irrigated land. The water is to be used during the following annual period: April 15 - November 30.
3. The priority date of the Vested Water Right is August 9, 1952.
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 may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: _____

John H. [Signature]
Chief Engineer

Division of Water Rights
Dept. of Water and Natural Resources

MAR 28 1991

date

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

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

March 28, 1991

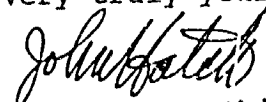
Herbert M Clarkson
RR 1, Box 63
Belle Fourche SD 57717

Dear Mr. Clarkson:

The Water Management Board has validated the enclosed Vested Water Right No. 271-1. This validation gives legal status to the claim and is the final document for your vested right.

As long as you use the water beneficially, as stated in the validation, 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

enclosure

271-1



United States Department of the Interior

BUREAU OF RECLAMATION

Great Plains Region

Belle Fourche Projects Office

P.O. Box 226

Newell South Dakota 57760-0226

WTR

WTR 4.10

BF-430

AUG 18 1993



Mr. John Hatch, Chief Engineer
Water Rights Division
South Dakota Department of Water and Natural Resources
523 E. Capitol
Pierre SD 57501-3181

Subject: Vested Water Right Claims in Western South Dakota (Your Letter
Dated April 20, 1993) (Water Rights)

Dear Mr. Hatch,

We have reviewed the vested water right claims located in Perkins, Pennington, Fall River, and Butte Counties as listed in your letter dated April 20, 1993. We have also discussed these rights with contract water users. We appreciate the assistance of your staff in providing documentation of inspections and validation proceedings for specific claims as we requested.

We are satisfied with all of the actions taken by the board. Our intent in opposing validation of the water rights was to assure that all of the rights were reviewed prior to validation. That review has been completed by your board. Thank you for notifying us of the board's actions and extending the opportunity to reconsider the actions if it would have been deemed necessary. We understand that future notification will be made in advance of board actions.

If you can be of further assistance, please contact Craig Klar or me at (605) 456-2695.

Sincerely,

Bruce M. Laynon

Bruce M. Laynon
Project Manager

cc: Mr. Joe Kramer, Manager
Angostura Irrigation District
PO Box 346
Oral SD 57766

Mr. James Z. Winterton, Project Manager
Belle Fourche Irrigation District
PO Box 225
Newell SD 57760



271-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 2, 1993

No. 271-1

Jeb H. Clarkson
RR 1, Box 224
Belle Fourche, SD 57717

Dear Mr. Clarkson:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Vested Water Right No. 271-1. The vested water right is currently listed in the name of Herbert M. Clarkson.

The transfer form should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

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

enclosure

271-1

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Division, DENR
523 E. Capitol
Pierre, SD 57501-3181



No. 271-1
Date: November 29, 1993

I\We request that Vested Water Right No. 271-1
formerly owned by: Herbert M Clarkson
be transferred to: Jeb H Clarkson, RR #1 Box 224, Belle Fourche, SD 57717 (Telephone No) 605-892-3270

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

S 1/2 Section 34, T9N, R3E

I\We understand that the validity of Vested Water Right No. 271-1 has not been determined by this transfer action. If I\We have any questions on validity, I\We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

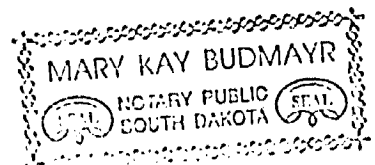
A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Butte)

I\We Jeb H. Clarkson being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Jeb H Clarkson
(Signed)

Subscribed and sworn to before me this 29th day of November, 19 93.



Mary Kay Budmayr
(Notary Public)

My Commission Expires: 10-20-97

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Division of Water Rights

South Dakota Department of Environment and Natural Resources

271-1
413954

Pierre, _____ November 30, 19 95

RECEIVED OF Jeb Clarkson, RR 1 Box 224, Belle Fourche, SD 57717

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Vested Water Right No. 271-1</u>		2 50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John A. Hatch
Chief Engineer



271-1

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

December 10, 1993

No. 271-1

Jeb H. Clarkson
RR 1, Box 224
Belle Fourche, SD 57717

Dear Mr. Clarkson:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 271-1.

Our records now show you as the owner of Water Right No. 271-1.

Sincerely,

Cheryl F. Frost

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

enclosure



271-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

JEB H CLARKSON
RT 1 BOX 224
BELLE FOURCHE SD 57717

NOTICE

RE: Violation of Requirement to Submit 1994 Irrigation Questionnaire

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No 271-1. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:30 am, March 8, 1995, in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 220 S Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No 271-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire is received in this office on/or before March 3, 1995 your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

271-1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 27, 1995

271-1

Jeb H Clarkson
RR #1 Box 224
Belle Fourche, SD 57717

Dear Mr. Clarkson:

I am writing to acknowledge receipt of your 1994 Irrigation questionnaire. You may disregard the February 7, 1995, Notice of Violation of the Requirement to Submit the 1994 Irrigation Questionnaire.

The questionnaire was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Environmental Scientist
Water Rights Division
(605) 773-3352

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

271-1

JEB H CLARKSON
RT 1 BOX 224
BELLE FOURCHE, SD 57717

4a. Article Number

P 837 692 693

4b. Service Type

- | | |
|---|---|
| ☐ Registered | ☐ Insured |
| ☒ Certified | ☐ COD |
| ☐ Express Mail | ☐ Return Receipt for Merchandise |

7. Date of Delivery

FEB 17 1995

5. Signature (Addressee)

J. H. Clarkson

6. Signature (Agent)

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

PS Form 3811, December 1991

U.S. GPO: 1991-352 714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



271-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 9, 1998

NOTICE

TO: JEB H CLARKSON, RT 1 BOX 224, BELLE FOURCHE, SD 57717

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1997 Irrigation Questionnaire(s)

Our records indicate that the 1997 Irrigation Questionnaire has not been submitted for Permit No(s) 271-1. The request for the Questionnaire was dated October 17, 1997. The Water Management Board has directed that owners of water permits who have not submitted the 1997 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, February 25, 1998, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 271-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before February 20, 1998, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1. ☐ Addressee's Address
- 2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

JEB H CLARKSON
RT 1 BOX 224
BELLE FOURCHE SD 57717

4a. Article Number

Z 179 157 183

4b. Service Type

- ☐ Registered ☒ Certified
- ☐ Express Mail ☐ Insured
- ☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery:

1-12-98

5. Received By: (Print Name)

Jeb H. Clarkson

6. Signature: (Addressee or Agent)

X *Jeb H. Clarkson*

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

PS Form 3811, December 1994

102505-97-B-0170

Domestic Return Receipt

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 14, 1998

271-1

Jeb H Clarkson
RR 1 Box 224
Belle Fourche, SD 57717

Dear Mr. Clarkson:

I am writing to acknowledge receipt of your 1997 irrigation questionnaire. You may disregard the January 9, 1998, "Notice" concerning reporting requirements for Water Permit No. 271-1.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352



271-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

July 25, 2017

271-1

Jeb H Clarkson
11510 US Hwy 212
Belle Fourche SD 57717

Dear Mr. Clarkson:

I am writing in regard to the 2016 irrigation questionnaire you submitted for Water Right No. 271-1. A copy of the questionnaire is enclosed showing the legal descriptions covered under the water right and the water use reported. In reviewing the data, the amount of water pumped seems excessive and may be in error.

Water Right No. 271-1 authorizes diversion of water from the Belle Fourche River and allows up to three acre-feet of water per acre per year (36 inches per acre). The following information was reported:

- Acres irrigated: 43
- Authorized water use: 129 acre feet
- Water diverted: **182 acre feet** (equivalent to 4.2 acre feet per acre)

The application of water varies greatly for the different types of systems, crops irrigated, topography and climatic conditions. Given those criteria it is still rare that irrigators even apply up to the volume of water they are authorized.

Many times irrigators do not keep track of the days or hours actually pumped and estimate numbers for the questionnaires in an effort to get them completed and back in on time. While we appreciate returning the questionnaire in a timely manner, the form needs to be as accurate possible.

The information we receive each year from irrigators across the state is very valuable. The water use data supplied by irrigators is one of the tools we use to help determine if an aquifer or stream may or may not be nearing full appropriation. Our goal is to protect existing water rights and ensure that additional water rights do not impair those existing water users.

If you did indeed apply that much water in 2016, you are exceeding the limits of your water right and need to be cutting back to within authorized use as outlined in your water right. If you have any questions or have changes to make on the questionnaire, please give me a call.

Sincerely,

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosure



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

June 23, 2023

Jeb H Clarkson
11510 US Hwy 212
Belle Fourche SD 57717

271-1

Dear Mr. Clarkson:

I am writing in regard to your Water Right No. 271-1. The water permit authorizes diversion of water from the Belle Fourche River, for the irrigation of 43 acres within Section 34, T09N, R03E.

In reviewing your 2022 irrigation questionnaire, we have found discrepancies in the amount of water used and have some concerns. Enclosed is a copy of your questionnaire for reference purposes.

Water Right No. 271-1 allows you to use up to three acre-feet (ac-ft) (36 inches) of water, per acre, per year. On the questionnaire you reported substantially more water use. The following information is what was reported and what is authorized:

- 43 acres irrigated
- Reported water use – 145.8 ac-ft of water (approximately 41 inches)
- Authorized water use – 129 acre-feet (43 acres x 3 ac-ft per year)

We realize that water use depends greatly on climactic conditions and may vary year to year. However, it is very rare that irrigators come close to the 36 inches per acre that is authorized. Typical water use is between 8 and 12 inches per acre. Often, irrigators do not keep track of their days or hours actually pumped and estimate numbers for the questionnaires in an effort to get them completed and back in on time. While we appreciate returning the forms in a timely manner each year, we need the forms to reflect accurate information to ensure everyone is limiting their use to the amount of water appropriated to them.

The information we receive each year from irrigators across the state is very valuable. The water use data supplied by irrigators is one of the tools we use to help determine whether an aquifer or stream is nearing full appropriation.

If you do in fact apply as much water as claimed on your questionnaire, you are exceeding the limits of your water license and will have to reduce your discharge to stay within the authorized limit. If you simply estimated your water use, we ask that you please ensure the information reported is as accurate as possible. As stated before, the information you provide to us is very valuable. If you have any questions, please contact me.

Sincerely,

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