

No. 273-1

 Water Division No. 1 Belle Fourche River District
 (Blanks to be filled by the Engineer for the W. R. C.)
STATE WATER RESOURCES COM.
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 Alex Kling
 Postoffice address Belle Fourche, County Butte, State S. Dak.

- I. If a corporation
- (a) Name of same Trans. to Robert F. Esther Kling
- (b) Date and place of incorporation 4/6/67
- (c) Amount of capital stock
- (d) Amount paid in
- (e) Names and addresses of directors

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

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

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

(b) Cash on hand, \$ 2,000.00 (c) Treasury stock, \$

(d) Bonds to be issued, \$ (e) Other resources, \$

2. Name of diversion work Kling Irrigation System
3. Amount of water claimed 0.465 cubic feet per second
4. Source of water supply Belle Fourche River
5. Location of point of diversion See Attached Sheet

6. Annual period or periods during which water is to be used Annual growing season on Sept

7. To be used for:

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity and combination pressure-gravity
- (a) Number of acres to be irrigated 62.6 acres.

(b) Legal subdivisions to be irrigated See attached sheet.

(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.)

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

- (a) Nature of use
- (b) Amount of power to be generated horse power.
- Amount claimed for engine cooling
- (c) Location of plant
- (d) Method of developing power
- (e) Point where water will be returned to stream

Map No. 252-1

8. Estimated cost of work:

(a) Head Gates, \$ 100.00 Irrigation
 (c) Plumbing, \$ _____ Ditches 100.00
 (e) Other structures Alum' num. Pipe \$ 600.00
 (b) Pumping plant, \$ 1,200.00
 Reek, \$ _____
 Total, \$ _____

9. Description of diversion works:

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

Two Pumping Plants - See Attached Sheet

II. Dimensions of works:

(a) Dam: Height _____ feet; length at bottom _____ feet; length at top _____ feet; thickness at bottom _____ feet; thickness at top _____ feet; slope at front water face _____; slope at back face _____ material used in construction _____
 (b) Reservoir: Capacity when filled _____ acre feet. Surface area at highwater mark _____ acres.

DEPTH AT OUTLET-FEET	SURFACE AREA AT EACH DEPTH AT OUTLET-ACRES	FEET	ACRE-FOOT CAPACITY

(c)* Head gate: Width _____ feet; height _____ feet;

Material _____

(d) Canal: Total length: _____ miles.

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 one years.

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

12. Choice of newspaper for publication of notice of intention to appropriate Belle Fourche Bee,
Belle Fourche, South Dakota

STATE OF SOUTH DAKOTA

County of Butte

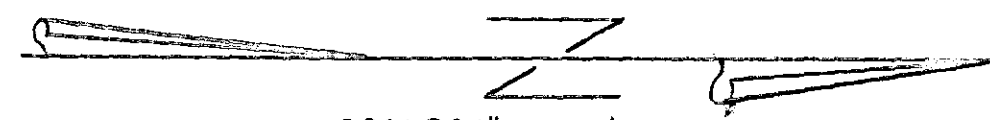
ss.

I, Alex Kling, 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.

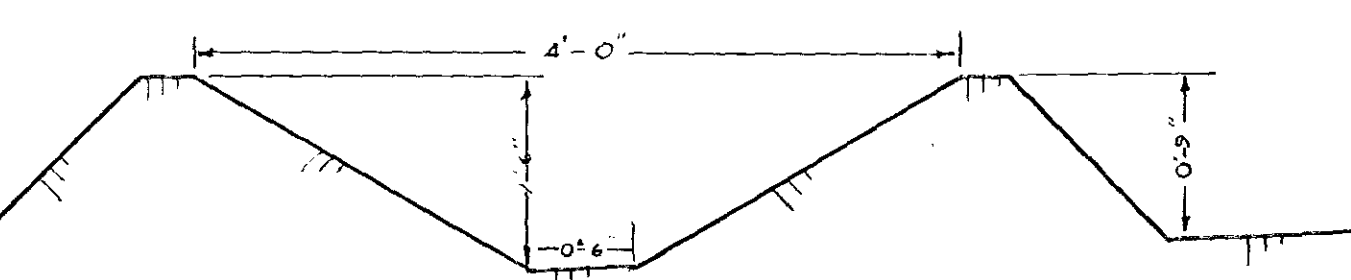
Signed Alex Kling

Subscribed and sworn to before me this 27 day of Sept 1916

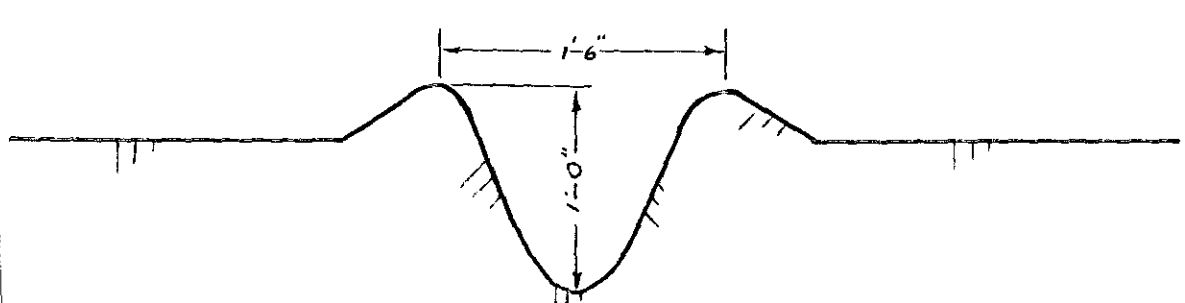
W. H. Brown
 Notary Public (or other qualified officer.)



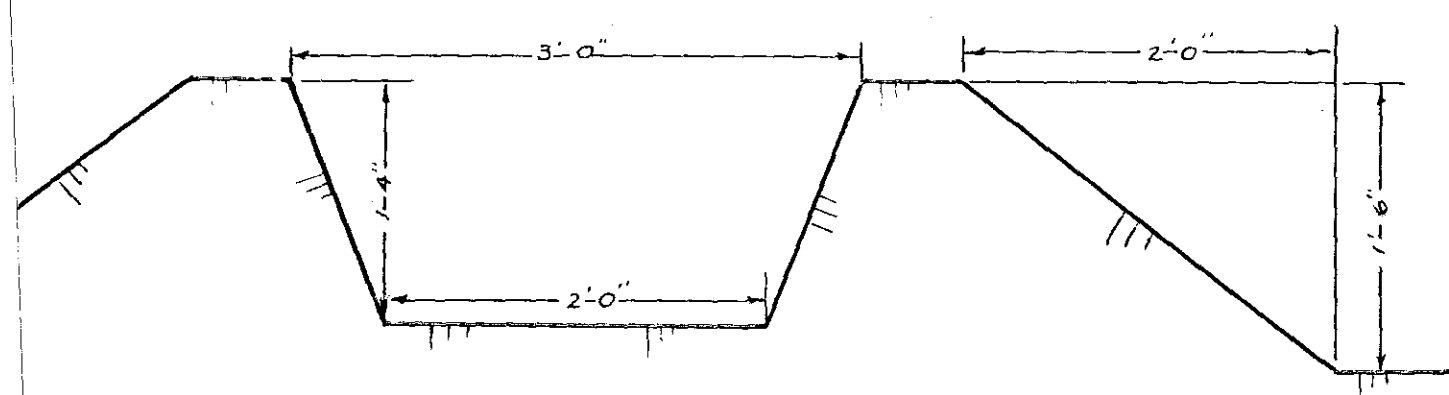
LEGEND
SECTION LINE
1/4 LINE
1/16 LINE
LATERAL
PICKUP DRAIN
BOUNDS OF AREA TO BE IRRIGATED



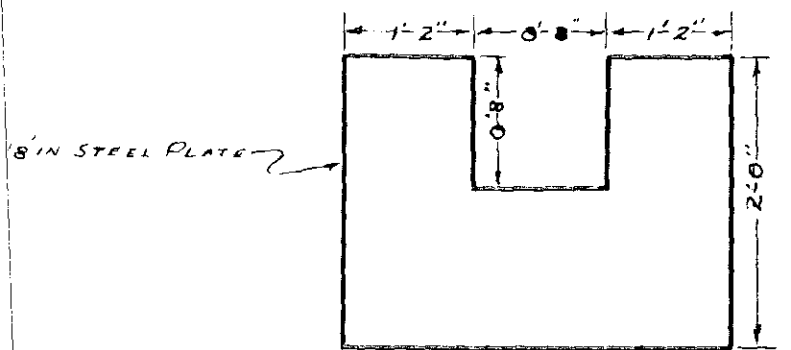
CROSS-SECTION LATERAL FIELD 1 & 2



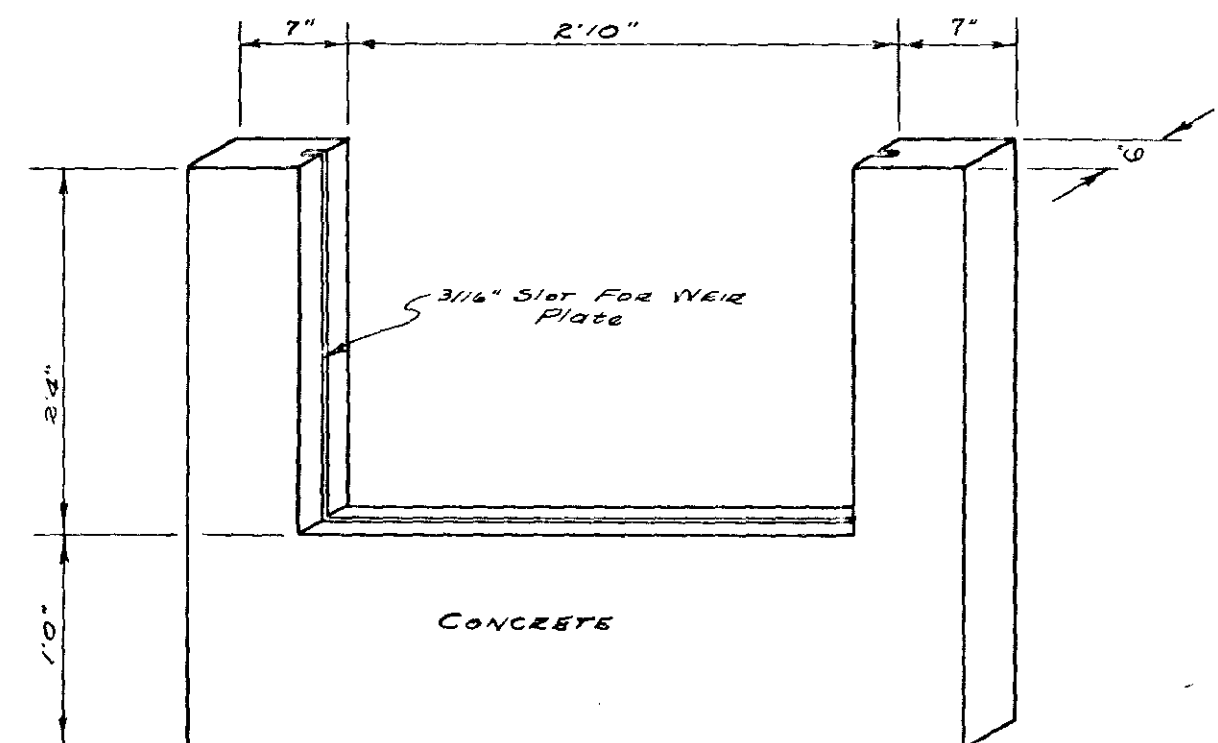
CROSS-SECTION LATERAL FIELD 3



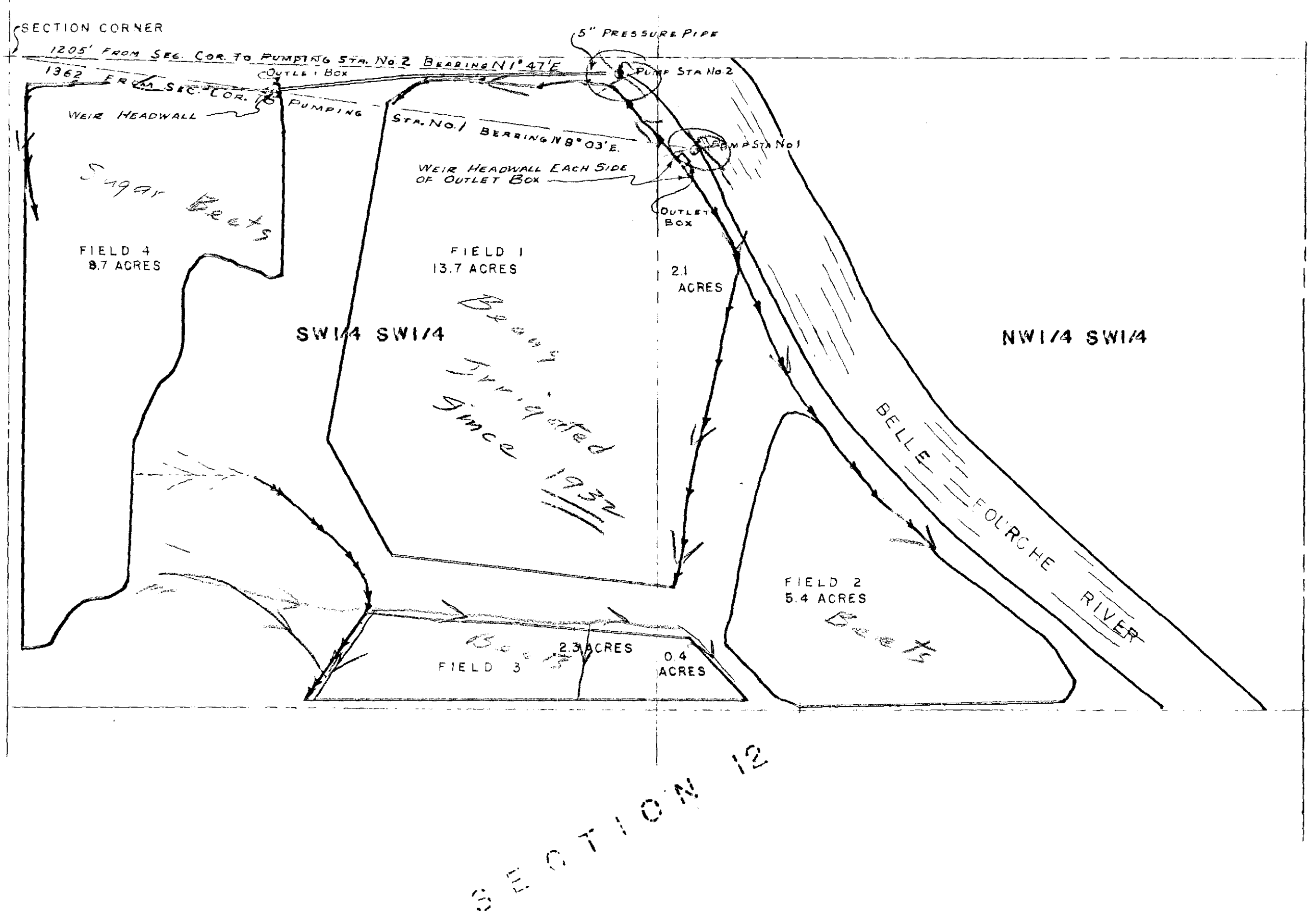
CROSS-SECTION LATERAL FIELD 4



WEIR DETAIL



WEIR HEADWALL DETAIL (THREE TO BE BUILT)



MAP OF PROPOSED IRRIGATION PROJECT
FOR PARTS OF THE SW1/4 OF THE SW1/4 & THE NW1/4 OF THE SW1/4 OF SEC. 12 T8N R4E B.H.M.
BUTTE COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE:

I, Donald D. Hoffman, REGISTERED LAND SURVEYOR
DO HEREBY CERTIFY THAT AT THE DIRECTION OF ALEXANDER A.
KLING, I HAVE SURVEYED THE PROPOSED IRRIGATION PROJECT
AS SHOWN ON THIS MAP. THE BEARINGS, ANGLES, & DISTANCES
ARE AS SHOWN. Donald D. Hoffman

ACKNOWLEDGMENT OF SURVEYOR:

BE IT KNOWN THAT ON THIS 24 DAY OF April, 1956
BEFORE ME, THE UNDERSIGNED, PERSONALLY APPEARED
Donald D. Hoffman, KNOWN TO ME TO BE THE PERSON
WHO EXECUTED THE ABOVE CERTIFICATE.
MY COMMISSION EXPIRES 8-18-58

H. G. Sullivan
NOTARY PUBLIC

AREAS TO BE IRRIGATED

1/4	1/4	SEC	ACRES	OWNER
SW	SW	12	24.7 ±	ALEXANDER A. KLING
NW	SW	12	7.9 ±	ALEXANDER A. KLING

Map No. 252-1
Appt. No. 273-1

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, May 16, 1956

This is to certify that the foregoing application was received by the Commission at 9:15 o'clock
a.m. upon the 28 day of April, 1956

State Water Resources Commission

By:

John R. Rimes
Chief Engineer, Executive Officer

Number of permit 273-1

Date of first receipt of application April 28, 1956

Date of return to applicant for correction, amendments or changes required as follows: May 4, 1956

Date of receipt of corrected application May 16, 1956

Date from which applicant may claim right April 28, 1956

Approved July 9, 1956 Recorded in Book 3 Page 142

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

February 2, 1957

2nd. The whole of said work is to be completed on or before August 2, 1957

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

August 2, 1958

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 0.46 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 August 2, 1958; said water to be used during the following described annual period:

April 1 to September inclusive

Witness my hand this 2 day of August, 1956

State Water Resources Commission

By:

John R. Rimes
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

Supplemental Sheet
WATER RIGHT APPLICATION OF ALEX KLING

5. Location of Point of Diversion

- A. Pump Site No. 1 - Location of point of diversion.
In the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, T8N, R4E, BHM; 1,362 feet
N8 $^{\circ}$ 33'E of the southwest section corner, Section
12 on right bank, Butte County.
- B. Pump Site No. 2 - Location of point of diversion.
In the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, T8N, R4E, BHM; 1,205 feet
N1 $^{\circ}$ 47'E of southwest section corner, Section 12
on right bank, Butte County.

7. (b) Legal Subdivisions to be Irrigated

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, T8N, R4E, BHM = 24.7 $\frac{7}{8}$ Acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, T8N, R4E, BHM = 7.9 $\frac{7}{8}$ Acres

9. Description of Diversion Works

A. Pump Site No. 1

Belt Driven 8" Dempster No. OP-2551-51R-2005
Power Source: 1949 Model D John Deere
Serial No. 183218
Max. Belt HP = 42
Belt Speed (Loaded) - 900 RPM
Pipe to Ditch: 20' of 10" Diameter Steel Pipe
Pumping Head: 11 $\frac{1}{2}$ Ft. $\sqrt$ Friction Loss

B. Pump Site No. 2

Pump: 4" Pacific Pump Model 3C-LUE
Pump Serial No. 10S 33517
Engine: Waukesha Model XAH-L68-J
Serial No. 1749 894
1600 RPM Loaded
Pump and Engine Mounted on 2 Wheel Chassis
Pipe: 900' of 5" Aluminum
300' of 4" Aluminum
200' of 3" Aluminum
Pumping Head: 38 $\frac{1}{2}$ Ft. Plus Friction Loss

STATE OF SOUTH DAKOTA

WATER LICENSE No. 273-1

WHEREAS, On the 28th day of April A. D. 1956

Alex. Kling

of Belle Fourche County of Butte and State of South Dakota duly made application (No. 273-1) to us for a permit to use 0.46

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 2nd day of August A. D. 1956

Permit No. 273-1 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 2nd day of

August

A. D. 1957

and for the application to beneficial use of said water on or before the 2nd day of August A. D. 1958 and,

WHEREAS, On the 17th day of December A. D. 1956

the holder of said permit duly made proof of the completion of adequate works for the diversion of 0.64 ^{0.46}

cubic feet per second of said waters, as evidenced by our Certificate No. 273-1

dated February 5, 1958 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 0.64 cubic feet per second of water, with date of priority of April 28, 1956 and

WHEREAS, On the 17th day of December A. D. 1956 proof was duly made of the application to beneficial use of 0.64 ^{0.46} cubic feet per second of said water;

on 32.6 acres located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 12, T 8 N, R 4 E

BHM more particularly described in Certificate of Completion of Works No. 273-1

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 Alex Kling

of Belle Fourche, South Dakota the holder and owner of said permit No. 273-1
0.22 c.f.s. dating from July 17, 1932
a water right, ~~known as~~ 0.24 c.f.s. dating from April 28, 1956 to the use of 0.46
cubic feet per second of the water 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 between a point 1362 feet, N 8°
and a point 1205 feet N 1° 47' E both from the SW Cor., Sec. 12, T8N, R4E BHM
and conducted to and upon the SW 1/4 and NW 1/4 Sec. 12, T 8 N, R 4 E more
particularly described in Certificate of Completion of Works No. 273-1.

for the purpose of irrigation

Remarks: For priority date see Proof of Beneficial Use No. 273-1 filed
December 2, 1957.

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 5th day of February A. D. Nineteen
Hundred and Fifty-eight

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 _____

Purpos _____

Date of Priority _____

Recorded _____

in Book _____ of _____ Page _____

Permit No. 273-1Belle Fourche
Water Division No. 1 River Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Alex Klingof Belle Fourche, County of Butte, and State of
South Dakota, the holder of Permit No. 273-1, issued upon Application
No. 273-1 bearing date of priority of April 28, 1956, authorizing the diversion of
0.46 cu. ft. per second of the waters of The Belle Fourche RiverCounty of Butte, State of South Dakota, at between a point
1362 feet, N 8° 03'E and a point 1205 feet, N 1° 47'E both from the
SW Cor., Sec. 12, T 8 N, R 4 E ^{BHM} for irrigationpurposes, 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 0.64 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: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Field #1 13.7 acresField #3 2.3 acresField #4 8.7 acres24.7 acresNW $\frac{1}{4}$ SW $\frac{1}{4}$ Field #1 2.1 acresField #2 5.4 acresField #3 0.4 acres7.9 acresTotal 32.6 acresAll in Sec. 12, T 8 N, R 4 E, BHM as shown on Map No. 252-1
relative to Application #273-1Witness my hand this 5th day of February A. D. 1958

State Water Resources Commission

By:

J. W. GRINES, Chief Engineer, Executive Officer

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

273-1

	<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</u> (total fee)	<u>Amount</u> <u>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	Mel 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	89.25	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 Heitz, Jr.	2.19	153.00	68.25	60.41
1205-1	Harlan K Schnell	1.88	132.00	53.00	46.91
1215-1	H L & Mildred Brunner	3.00	264.50	96.12	85.08
418-1	Alex Miller	1.67	117.00	49.25	43.59
1213-1	Robert W Grant	1.43	100.00	45.00	39.03
419-1	Herman Stark	2.50	179.00	74.75	66.17
421-1	Lee Dutton	2.50	175.00	73.75	65.28
1043-1	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	1,163.60	461.00	408.06
310-1	Lester Clark	6.76	473.20	188.50	164.85
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	1.45	101.80	45.50	40.28
926-1	Donald Berger	2.04	143.00	65.75	59.20
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	23.30
870-1	Eugene C Bishop	0.70	49.00	22.25	19.70
401-1	Kenneth & Dorothy Aker	1.86	132.00	53.00	46.91
135-1	Walter Hoffman	3.11	220.00	95.00	84.09
408-1	James A Mickelson	3.10	218.00	94.50	83.65
469-1	Raymond Garness	1.30	91.00	42.75	37.84
1218-1	William Dillinger	.40	42.70	20.75	18.37
1222-1	John Ismay (Norman)	1.11	79.00	39.75	35.19
1154-1	Homestake Mining	4.50	319.00	129.75	114.85
285-1	Edgar Colin Smart	1.42	150.00	67.50	---
331-1	Anna Stetta (Louis Budmayr)	1.87	131.00	52.75	---
472-1	Timothy Reich	2.00	167.84	62.00	---
275-1	John Durr	1.90	133.00	53.25	---
271-1	Herbert Clarkson	.06	43.00	20.75	---
296-1	Robert Helmer	2.50	179.00	74.75	---
308-1	Lewis Bertolotto	.64	45.00	21.25	---
282-1	James Jeffrey	1.05	73.70	38.50	---
1182-1	George Leach	1.60	108.00	47.00	---
228-1	Thornton Vallery	.72	54.17	23.75	---
290-1	Thornton Vallery	5.50	386.00	156.50	---
264-1	Thornton Vallery	.22	15.30	14.00	---
321-1	Clarence & Lawrence Foos	1.64	115.00	48.75	---
962-1	Ione A Sievling	3.00	251.00	92.75	---
960-1	Thornton & Gwenivere Vallery	.50	35.00	18.75	---
289-1	Thornton & Gwenivere Vallery	1.02	75.00	38.75	---
273-1	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	Leta & Leslie Miner	2.66	198.00	74.50	---
865-1	Scloym 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 8359

PIERRE, July 1, 1921

RECEIVED OF Esther Kling, Hisland, SD 57762

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)	
Fee for inspecting Construction, and issuing Cert. of Construction No.	
Fee for inspecting Beneficial Use, and issuing Water License No.	
Fee for issuing Location Certificate-Dry Draw. No.	
Fee for filing	
Fee for certified copy of	
Fee for Print copy of map	
Fee for Certifying	18.25
Fee for water master services on WRR# 273-1	
(any other work as provided by law)	
TOTAL	18.25

WATER RIGHTS COMMISSION

By *(John Hatch)*
Chief Engineer, Executive Officer
JOHN HATCH / bt



Department of Water & Natural Resources

Joe Foss Building

Pierre, South Dakota 57501

Water Rights Division (605) 773-3352

June 10, 1981

Ruben & Esther Kling
Nisland, SD 57762

Dear Mr. & Mrs. Kling:

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>
✓ 273-1	0.46 cfs	32.60	\$ 18.25
273-1A	1.54 cfs	108.40	47.25
1177-1	3.30	231.00	57.75
TOTAL			\$163.25

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, Chief Engineer
Water Rights Division

JH/JW/gy

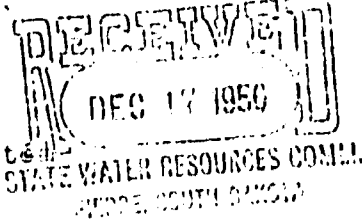
Equal Opportunity Employer

Permit No. 273-1

Water Division No. _____

Kling Irrigation System

Water District _____



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.) Belle Fourche, S.C. Dak.(Date) Dec 14, 1956

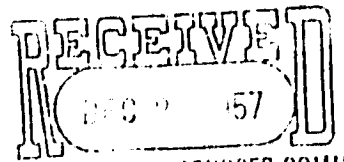
TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of 0.465
cu. ft. per second of the waters of the state from Belle-
Fourche River through the Kling Irrigation System
for Irrigation During the Crop Growing Season, on 32.6
acres of Land during April to September, inclusive purposes
in accordance with the terms and con-
ditions 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 ALEX KLING
2. The postoffice address of such person or the place of business of such corporation is Belle Fourche, S.D.
County of Butte State of South Dakota
3. The number of such permit is 273-1 and the date set for the completion of such work is
April 27, 1957
4. Said water to be used for Irrigating 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 ac-
companying the application for such permit, is 0.465 cubic feet per second.
6. The amount of land for which said water is available is 32.6 acres,
particularly described as follows: SW1, NW1, Sec 12, T5N, R4E, BEM

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

(Signature of Owners)

Location No. 23-1Belle FourcheWater Division No. 11322Water 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. Alexander A. Kling (farmer-rancher)

Belle Fourche, S.D.

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. _____

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

April 24, 1956.

Ans. _____

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

Ans. Pumping from the Belle Fourche River. Pump is located

SW 1/4 of SW 1/4, Sec 12, T.9, R.4, E.R.M. Butte Co, S.D.

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. _____

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-Field 1. 15.3 acres, this field I bin Irrigating

ever since July 17 th, 1932. I think I'm entitled to

that barley harvest. I bin Irrigating this field Every year.

hens by request.

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

Ans. _____

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

Ans. I bin Pumping about 350 gal per minute when Pump is in operation

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. _____

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

Ans. Field # 1. consisting of 17.3 acres. has bin used
to a very good beneficial Use by re sene July 17, 1957.
both for a Cash crop, and during the years of 1932--1936,
for a Alfalfa Hay crop for Livestock.

(Sign)

Alex Kling

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 27th day of November A. D. 1957

Witnesses.

W. A. Jones
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.

Dane Weimer

Jacob Herman

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 -----	

Permit No. 273-1Water Division No. 1Belle 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 ~~letter~~ of authorization ~~XXXX~~ on November 26, 1957~~XXXX~~ I have ~~XXXX~~ made a thorough examination of the diversion works constructed byAlex Kling, of Belle FourcheButteCounty, South Dakota, holder of Permit No. 273-1, issuedupon Application No. 273-1, bearing date of priority of April 28, 1956, authorizing thediversion of 0.46 cu. ft. per second of the waters of the Belle Fourche River for irrigation

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

The diversion works comprise: Pacific Pump Model #3C-LUE; Waukesha Engine Model #XAHU-5748F; a pressure gauge; Dempster Pump Model #2005 (51R); John Deere-Dor 70 Diesel tractors; 20 Model 40 Rainbird 5/32 x 13/64 and 20 Model 70-1/2 x 7/32 nozzles; 1300 feet of 5 inch and 450 feet of 1/2 inch all combination pipe; 5000 feet of ditching and 600 feet of drains.

and the system is in the following condition: Good

The point of diversion is located (#1) 1362 feet, N 0° 03' E and (#2) 1205 feet N 1° 47' E both from the SW Cor., Sec. 12, T 8 N, R 4 E.

The works are capable of diverting and conveying to the place of use 0.64 cu. ft. per second of water, which is to be used for irrigation

The legal subdivisions to be irrigated are: fields #1, 2, 3, 4 in the SW 1/4 SW 1/4 and NW 1/4 SW 1/4 Sec. 12, T 8 N, R 4 E BHM as shown on Map #252-1

comprising a total of 32.6 acres of land.

The domestic use intended comprises -----

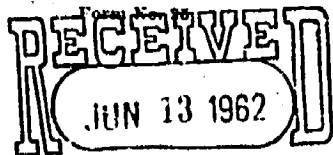
The utilization for power, mining, or other beneficial uses comprises: -----

Witness my hand, this 5th day of February, A. D. 1958.

—SEAL—

Les Wyborny

Examining Engineer.



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Permit No. 273-1

NOTICE OF TRANSFER OF WATER PERMIT

June 12 1962

TO: Office of State Water Resources Commission
Pierre, South Dakota

This is to notify you that Alex Kling Estate

who previously owned the land described below has sold his interests to Maggie Kling

together with any rights to the beneficial use of water thereon as evidenced by State Water Permit No. 273-1
and as provided for in section 61.014 of the SDC of 1939 and elsewhere Including any
vested water rights

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at
the OFFICE OF WATER RESOURCES COMMISSION as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 55.1806 of the SDC of 1939.

STATE OF SOUTH DAKOTA
County of Baile } ss.

I, Alex Kling Estate William Kling being first duly sworn on my
oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the
above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

Signed Alex Kling Estate by William Kling

Subscribed and sworn to before me this 12 day of June 1962.

Robert B. Donald
Notary Public

- 273-107/9, 1956
1. Considered _____, 1956
 2. Name of Applicant Alex Kling
 3. Post Office Address Rolla Fenchel & Son
 4. Amount of water claimed 0.47 ac
 5. Source of water supply Rolla Fenchel River
 6. Water to be used for irrigation
Acres to be irrigated 32.66
 7. Water to be diverted and used in Butte County about
3 miles East of Rolla
 8. Proof of Publication Received ✓
Not Received _____
 9. Application Approved ✓
Subject to _____
Not Approved _____
Action deferred _____
 10. Remarks:
see rec'd

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Battle } ss.

Laurence Weyler being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Belle Fourche Bee

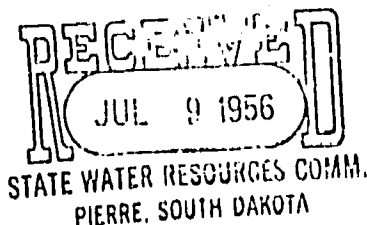
a newspaper which during the whole itme of publication of said notice herein after stated, has been and is printed and published in the City of Belle Fourche County of

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

May 24 1956
May 31 1956
June 7 1956
June 14 1956

in each and every issue of the full number thereof, the first publication being made on the 24 day of May 1956 and the last publication on the 14 day of June 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 publisher the printer and publisher of the said newspaper.

Subscribed and sworn to before this 15 day of June A. D. 1956



Jay L. Kennedy
Notary Public Battle County, S. D.

Notary Public, Battle County S. D.
My Commission Expires Sept. 29, 1958

APPROPRIATION OF WATER

Office of State Water Resources Commission, Pierre, S. Dak., May 16, 1956

Notice is hereby given that Alex Kling 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 0.465 cubic feet of water per second of time from the Belle Fourche River through the Kling Irrigation System the points of diversion of which are to be located between a point on the right (Southeasterly) bank of said stream in the NW 1/4 SW 1/4 of Sec. 12, T 8N, R 4E and a point on the right (easterly) bank in the SW 1/4 SW 1/4 Sec. 12, Twp. 8N Range 4E BHM. Said water to be used for the purpose of providing irrigation on the following described land:

SW 1/4 Sec. 12, T 8N, R 4E, BHM

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 9th day of July, 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

524-614

(First Publication before June 8, 1956)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., May 16, 1956Notice is hereby given that Alex Klitz whose postofficeaddress is Belle Fourche S. Dak., has made an application in accordance withthe provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 0.025cubic feet of water per second of time from the Belle Fourche River through the

Kling Irrigation System the points of diversion of which are to be located
~~between a point on the right (Southeasterly) bank of said stream in the NW 1/4 SW 1/4~~
~~of Sec. 12, T 8N, R 4E and a point on the right (easterly) bank in the SW 1/4 SW 1/4~~
~~Sec. 12 Twp. 8N Range 4E BHM~~ Said water to be used for the purpose of providing irrigation on the fol-

lowing described land:

SW 1/4 Sec. 12, T 8N, R 4E, BHM~~XXXXXX~~ purpose:

This application will be taken up by the State Water Resources Commission at their office at Pierre for
 consideration upon the 26th day of July, 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

cc: K. F. Olson, Publisher
 Belle Fourche Bee
 Belle Fourche, S. Dak.

By:
 J. W. Grimes, Chief Engineer, Executive Officer

Observations during the Field Inspection on November 26, 1957, of the Alex Kling Project relative to Application and Permit #273-1.

Alex and Ruben Kling accompanied me on this inspection and were very cooperative in helping me complete my work.

This project consisted of 32.6 acres $\pm$ located in that part of the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec 12, T 8N, R 4E South of the Belle Fourche River. Diversion point #1 was located very near the SW Cor. NW $\frac{1}{4}$ SW $\frac{1}{4}$ and point #2 was located very near the NW Cor. SW $\frac{1}{4}$ SW $\frac{1}{4}$ all in Sec 12 and both on the South or Southeast bank of the river. The project was divided into 3 - 16 fields of sugar beets and beans.

Equipment consisted of a Pacific Pump, Serial #10533517, Model #JC - LUE with a pressure guage installed. This pump has an estimated capacity under the existing conditions of 250 - 275 gpm. There is a Waukesha Motor Model # XAHU 5748F and Serial No. 103151 attached to this pump. There is also a Dempster Pump #3431 Model - 2005 (51R) with an estimated capacity of 400 - 800 gpm maximum. When used this pump is belt driven by a D - John Deere or 70 John Deere Diesel. There was also 1300 feet of 5 inch and 450 feet of 4 inch pipe all combination lateral and main. Additional equipment consisted of 20 Model 40 Rainbird 5/32 x 13/64; 20 Model 70 Rainbird 5/16 x 7/32; and 20 Model 70 Rainbird 1/4 x 7/32 nozzels. They had a total capacity varying from 980 - 1440 gpm. of course not all of these nozzles need to be used at one time. There was also about 5,000 feet of ditches and 600 feet of drains of adequate size. There was adequate facilities for measuring water at this time.

This was a combination gravity and sprinkler system but it was operated totally as a gravity system this year. Although the system was not in operation at the time of the inspection there was ample evidence that the project had been irrigated this year.

The equipment was in good condition.

The acreage and the capacity of the works to divert and convey water to the place of use met the conditions as set forth in the Application and Permit.

Mr. Kling said that the 15.8 acre field located in the approximate center of the project was irrigated since July 17, 1932 and wanted me to see if he could not obtain a higher priority for this part.

January 6, 1958

Lee Wyborny

State of South Dakota
RIGHT
REISSUANCE OF PARTIAL VESTED Water License No. 273-1A

(1) Esther Kiling
of Box 165, Misland, South Dakota 57762 was issued Water License No. 273-1A
made Application No. , June 26, 1967 for a ~~water permit~~ ^{right} to appropriate
1.54 cubic feet per second of water from the Belle Fourche River
Butte County, South Dakota for irrigation purposes.
Water License
Permit No. 273-1A, with a priority date of August 26, 1959
was ~~approved~~ ^{and} issued to applicant(s) for diversion of water with construction of the described
water supply system ~~to be completed on or before~~ ^{and for the application to beneficial use of said}
water ~~on or before~~ ^{completed} .

Water License No. 273-1A dated June 26, 1967 was issued for diversion of 1.54 cfs from the Belle Fourche River to irrigate 108.4 acres. No. 273-1A carried a priority date of August 26, 1959.

Partial Vested Water Right License No. 273-1 dated February 4, 1958 was issued for diversion of 0.46 cfs from the Belle Fourche River to irrigate 32.6 acres. No. 273-1 carried the following priority dates: July 17, 1932 for 0.22 cfs & April 28, 1956 for 0.24 cfs.

Based on an August 13, 1985 inspection of the water use system, the licenses are being reissued to reflect what is actually being irrigated.

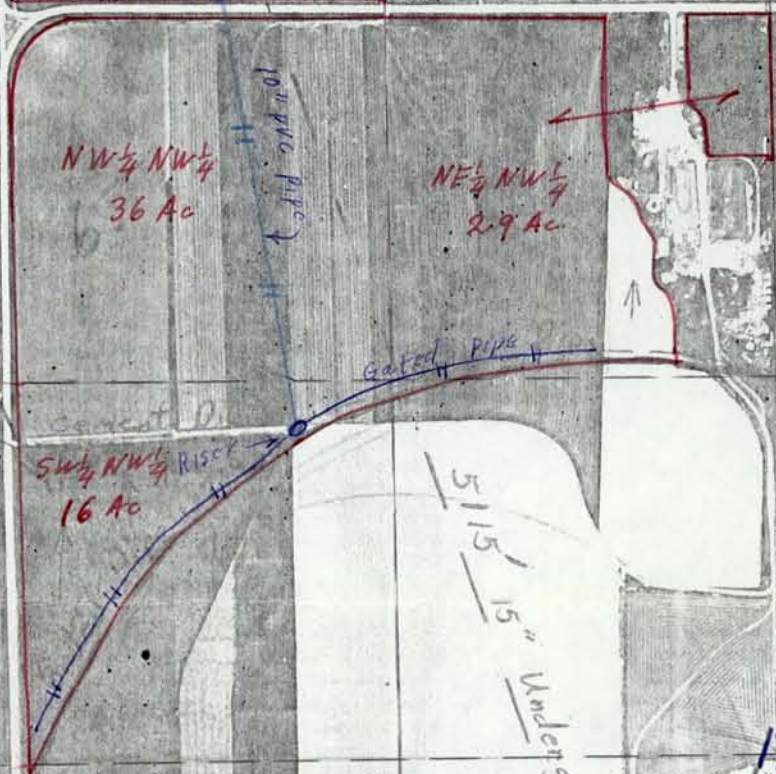
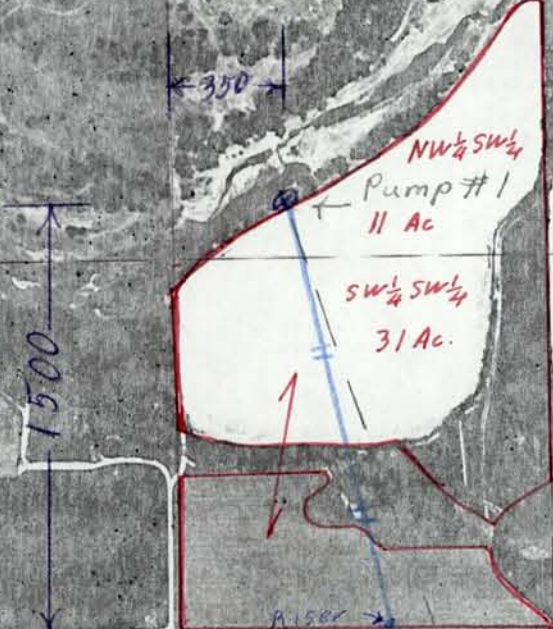
The applicable portions of Partial Vested Water Right License No. 273-1 are being incorporated into this License No. 273-1A. Priority dates are as follows: July 17, 1932 for 0.22 cfs; April 28, 1956 for 0.24 cfs and August 26, 1959 for 1.30 cfs.

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of the construction of the water supply system and is entitled to divert 1.76 cubic feet per second of water for beneficial use. The location of the diversion point(s) is 1500'N and 350'E of the SW Corner of
Section 12, T8N, R4E

46019

12



Pivot Point & Pressure Pump

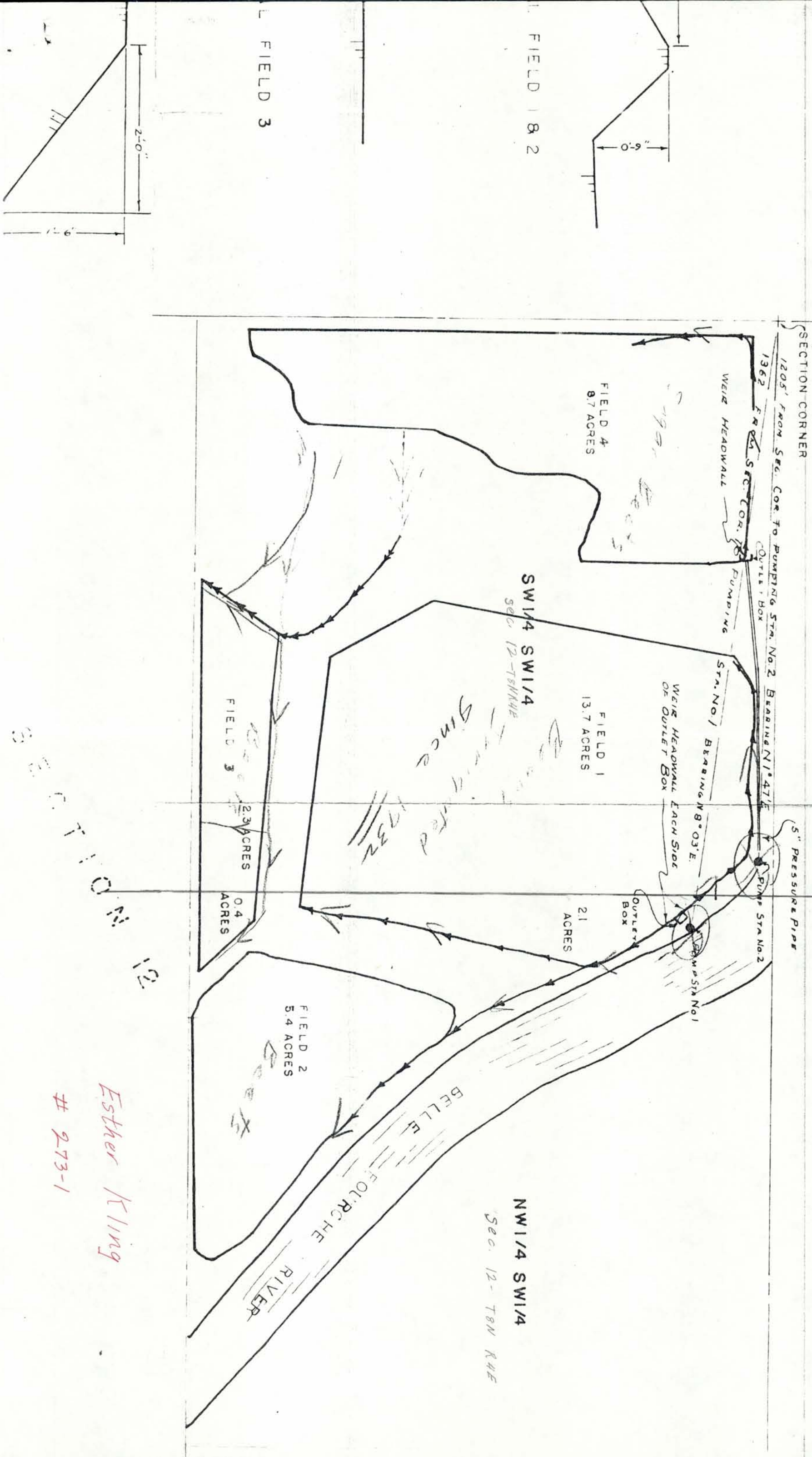
Esther Kling #273-1A

U.S. DEPARTMENT OF AGRICULTURE This map Incorp # 273-1 Into # 273-1A SCS - CPA - 16
SOIL CONSERVATION SERVICE 2 - 81

CONSERVATION PLAN MAP

Owner Esther Kling & Richard Reder Operator Edward Kling & Richard Reder
County Butte State South Dakota Date 10/81
Approximate acres 478 Approximate scale 8" = 1 mile
Cooperating with Butte Conservation District
Plan identification _____ Photo number _____
Assisted by Charles J. Logan USDA Soil Conservation Service

NE



SECTION 12
12

Esther Kling
273-1

