

No.

Division No.

..... District

PERMIT

to appropriate water from Belle

Fourche River

Butte County, South Dakota

Name of applicant John H.

Durr

Name of diversion works J.H.

Durr 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:

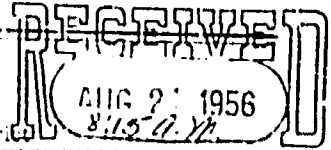
Chief Engineer

1. Considered February 12, 1956 275-1
2. Name of Applicant John Keil
3. Post Office Address Butte, Montana & Park
4. Amount of water claimed 1.7 cfs.
5. Source of water supply Butte Municipal Water
6. Water to be used for irrigation
Acres to be irrigated 15.8
7. Water to be diverted and used in Butte County about
5 miles West of Butte
8. Proof of Publication Received ✓
Not Received ✓
9. Application Approved ✓
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

Combination with groundwater of Johnson
laterals # No. 275-1 during dry periods.

One objection from John Keil through
Attorney S.H. Clark.

No. 255-1Water Division No. 1 Belle Fourche District
(Planks to be Filled by the Engineer for the W. H. C.)STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of applicant JOHN H. DURR
Postoffice address BELLE FOURCHE, County BUTTE, State SO. DAK.

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

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

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

- (a) Method of accomplishing 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 I. H. DURR IRRIGATION PROJECT

3. Amount of water claimed 1.9 cubic feet per second

4. Source of water supply BELLE FOURCHE RIVER

POINT OF DIVERSION:
A POINT ON THE LEFT BANK OF THE BELLE FOURCHE RIVER WHICH LIES N 58°14'W
1493 FT FROM THE S.E. COR. SEC. 32 IN THE SE $\frac{1}{4}$ -SE $\frac{1}{4}$ SEC. 32

6. Annual period or periods during which water is to be used APRIL 1st THRU SEPTEMBER 30th

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? IRRIGATION BY GRAVITY.

(a) Number of acres to be irrigated 133 acres.

NW $\frac{1}{4}$ -SE $\frac{1}{4}$ - 33 Ac., NE $\frac{1}{4}$ -SE $\frac{1}{4}$ - 6 Ac., SW $\frac{1}{4}$ -SE $\frac{1}{4}$ - 16 Ac., ~~XXXXXX~~, NE $\frac{1}{4}$ -SW $\frac{1}{4}$ - 32 Ac.,
SE $\frac{1}{4}$ -SW $\frac{1}{4}$ - 16 Ac., NW $\frac{1}{4}$ -SW $\frac{1}{4}$ - 34 Ac., SW $\frac{1}{4}$ -SW $\frac{1}{4}$ - 6 Ac., Total - 133 Ac.
Sec. 33, T.9 N., R.3 E. of BHM.

133 = 1.9 Sec. Ft.
70

276.1 - 61 ac. Mo. of River .27 cfs

275.1 - 71 ac. So. of River .02 cfs

(b) Amount of power to be generated NONE horse power.Amount claimed for engine cooling NONE(c) Location of plant SEE POINT OF DIVERSION!(d) Method of developing power GASOLINE MOTORS(e) Point where water will be returned to stream NO SURPLUS--EXPECTED

REPRODUCTION.

SECTION 25X

KILL NO. 4

3-5-82

DATE MICROFILMED

C

C

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C

8. Estimated cost of work:

"American" pump Fig. B. #11264 - 8 in. 10" X Disc. 6"	Est. Cost 400.00
1 Oliver "88" tractor	" " 3000.00
340 Ft. 6" Ames ABC Aluminum pipe	650.00
Concrete headgate	50.00
2 miles of ditch @ \$235.00 per mile	470.00
	<u>\$4570.00</u>

Manufacturer's Rating "American" pump 855 GPM @ 25' head @ 400 RPM.

- (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-Feet 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 (1) years.
11. Time required for complete application of water to the proposed beneficial use ONE (1) years.

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

~~THE NORTHWEST POST,~~ BELLE FOURCHE, SOUTH DAKOTA

STATE OF SOUTH DAKOTA

County of HARDING

I, JOHN H. DURR, 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 John H. Durr

Subscribed and sworn to before me this 9th day of AUGUST 19 56

Carl M. Cornell.

Notary Public (XXXXXXXXXXXXXX)

*Each diversion must have a headgate or measuring device.

IN SECTION 33, T.2 N., R.3 E., S.22 E. IN BUTTE COUNTY, SOUTH DAKOTA UNDER WHICH HE PURPOSES TO IRRIGATE THE LANDS INDICATED BY MEANS OF PUMPING WATER FROM THE BELLS FOURCHE RIVER, WHEN NEEDED, TO SUPPLEMENT THE SUPPLY AVAILABLE UNDER HIS RED WATER AND JOHNSON LATERAL PERMITS DURING PERIODS OF DROUGHT AND LOW WATER SUPPLY.

POINT OF DIVERSION -----
A POINT IN THE S₄-S₄ SEC. 32, T.9 N.,
R.3 E. 30M ON THE LEFT BANK OF THE BELLE FOURCHE
RIVER WHICH POINT LIES N 58° 15' W FROM THE SOUTH-
EAST CORNER OF SAID SECTION 32; A DISTANCE OF 1496 FT.

POINT OF DIVERSION -
N 54° 45'E 1452 FT. FROM THE SW COR.
SEC. 33, T. 9 N.; R. 3 E.; BM. ON RT. BANK
OF THE BELLE FOURCHE RIVER, BUTTE COUNTY,
SOUTH DAKOTA;

SCALE: 1 IN. = 650 FT
8 IN. = 1 MILE.

CERTIFICATE

I, CARL M. CORNELL, LICENSED SURVEYOR, IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT I HAVE MADE A SURVEY OF THE SEVERAL LEGAL SUBDIVISIONS SHOWN HEREON AS THE PROPERTY OF J.H. DUKUR AND HAVE PREPARED THIS PLAN OF SAME FOR THE PURPOSE OF SHOWING THE IRRIGABLE AREAS EMPLOYED IN THE J.H. DUKUR IRRIGATION PROJECT AS THE BASIS OF HIS APPLICATION FOR A PERMIT TO APPROPRIATE 1.0 SEC. 27, OF WATER FROM THE BELLE FOURCHE RIVER FOR IRRIGATION PURPOSES.

I FURTHER CERTIFY THAT THE VARIOUS LINES SHOWN HEREON AND THEIR LENGTHS AND LOCATIONS WITH REFERENCE TO THE GOVERNMENT LAND CORNERS SHOWN, ARE CORRECT, TO THE BEST OF MY KNOWLEDGE AND BELIEF.

SUBSCRIBED AND SWORN TO AT BUFFALO, SOUTH DAKOTA THIS 9TH DAY OF AUGUST, 1953.

SIGNED: Carl M. Cornell
CARL M. CORNELL, LICENSED SURVEYOR #144
(SEAL)

SUBSCRIBED AND SWORN TO BEFORE ME AT BUFFALO, SOUTH DAKOTA THIS 9TH DAY OF
AUGUST, 1956: *Kenneth B. ...*

Kay Cooper
(NOTARY PUBLIC (SEAL))

Map No. 254-1
 Appl. No. 275-1
 # 276-1

Remarks by State Water Resources Commission:

At no time shall the pumping rate exceed 1.90 cubic feet of water per second of time from either or any combination of diversion points under Permits No. 275-1 and No. 276-1.

STATE OF SOUTH DAKOTA
County of Hughes } SJ.

Pierre, South Dakota, August 22, 1956

This is to certify that the foregoing application was received by the Commission at 8:15 a.m. upon the 21 day of August, 1956.

State Water Resources Commission

By: J. O. Brimer
Chief Engineer, Executive Officer

Number of permit 275-1

Date of first receipt of application August 21, 1956

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

Date of receipt of corrected application 19

Date from which applicant may claim right August 21, 1956

Approved September 18, 1956, Recorded in Book 3 Page 187

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 March 18, 1957

2nd. The whole of said work is to be completed on or before September 18, 1957

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is September 18, 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 1.90 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 September 18, 1958; said water to be used during the following described annual period:

April to September inclusive

Witness my hand this 23 day of October, 1956

State Water Resources Commission

By: J. O. Brimer
Chief Engineer, Executive Officer

Certificate of Construction Issued DECEMBER 28, 1967

Water License Issued DECEMBER 28, 1967

STATE OF SOUTH DAKOTA

WATER LICENSE No. 275-1

WHEREAS, On the 21st day of August A. D. 1956

John H. Durr

of Belle Fourche County of Butte and State of South Dakota duly made application (No. 275-1) to us for a permit to use 1.2 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 23rd day of October A. D. 1956 Permit No. 275-1 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 18th day of September A. D. 1957 and for the application to beneficial use of said water on or before the 11th day of September A. D. 1958 and,

WHEREAS, On the 20th day of June A. D. 1952 the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.2 cubic feet per second of said waters, as evidenced by our Certificate No. 275-1 dated December 28, 1967 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1.2 cubic feet per second of water, with date of priority of August 21, 1956 and,

WHEREAS, On the 20th day of June A. D. 1962 proof was duly made of the application to beneficial use of 1.2 cubic feet per second of said water; for irrigating 133 acres in portions of Section 32, 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 John L. Dwyer of Bella Fourche holder and owner of said permit No. 275-1 a water right, dating from August 21, 1956 to the use of 1.9 cubic feet per second of the waters of The Belle Fourche River in the County of Boutte and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at Point N51°14' E, 1493 feet from the SE corner, Section 32, T9N, R2E. 32, 34 and conducted to and upon portions of Section 32, T9N, R2E, more specifically described in the Certificate of Completion of Works.

for the purpose of irrigation, subject to any limitations listed in the Permit to appropriate Water, and

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 28th day of December A. D. Nineteen Hundred and Sixty-seven

State Water Resources Commission

By:

J.W. GRIMES
Chief Engineer, Executive Officer

* the diversion point specified in Permit 276-1 is included in this Water Right,

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of _____

Purpose _____

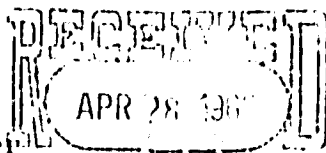
Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 275-1Water Division No. 1

Belle Fourche River

STATE WATER RESOURCES COMMISSION
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.) Belle Fourche, S.D.(Date) April 20th, 1960

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 _____

1.9_____ cu. ft. per second of the waters of the state from _____
Belle Fourche River

through the _____

for Crop Irrigation _____ 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 _____

John H. Burr2. The postoffice address of such person or the place of business of such corporation is Belle FourcheCounty of Butte State of South Dakota3. The number of such permit is 275-1 and the date set for the completion of such work isOctober 23rd, 19564. Said water to be used for Crop Irrigation _____ purposes.

5. Said works of diversion will be _____ 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 1.9 _____ cubic feet per second.

6. The amount of land for which said water is available is 133 _____ acres,

particularly described as follows:

NW 1/4 SE 1/4 - 23 ac., NE 1/4 SE 1/4 - 6 ac., SW 1/4 SE 1/4 - 16 ac., NE 1/4 SW 1/4 - 34 ac.,SE 1/4 SW 1/4 - 10 ac., NW 1/4 SW 1/4 - 34 ac., SW 1/4 SW 1/4 - 6 ac., Total 133 ac.Sec. 33, T. 9 N. R. 3, of BHM133
70= 1.9 Sec. Ft.,

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

(Signature of Owners)

Permit No. 275-1

BELLE FOURCHE
Water Division No. 1 RIVER Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That John H. Durrof Belle Fourche County of Butte, and State ofSouth Dakota, the holder of Permit No. 275-1, issued upon ApplicationNo. 275-1, bearing date of priority of August 21 1956, authorizing the diversion of1.9 cu. ft. per second of the waters of the Belle Fourche RiverCounty of Butte, State of South Dakota, at points N58°14' W. 1493 ft.from the NE corner, Section 32, and N54°45' W. 1452 ft. from the SW corner,Section 32, T9N, R3E *, 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 1.9 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: All in Section ³³ 32, T9N, R3ENE 1/4 SE 1/4 23 acresNE 1/4 SE 1/4 A 6 acresSW 1/4 SE 1/4 16 acresNE 1/4 SW 1/4 32 acresSE 1/4 SW 1/4 16 acresNW 1/4 SW 1/4 34 acresSW 1/4 SW 1/4 6 acresTotal 133 acres

* The diversion point specified in Permit 276-1 is included in this
Water Right.

Witness my hand this 26th day of December A. D. 1967

State Water Resources Commission

By:

J. E. CHILFIS
Chief Engineer, Executive Officer

Permit No. 3761

Water Division No. 1

Belle Fourche
Rural Water District

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 dated _____

19-----, I have this day made a thorough examination of the diversion works constructed by -----

Mr. John D. ... of ...

County, South Dakota, holder of Permit No. 278 / 6-1964-1, issued

upon Application No. 220,000, bearing date of priority of 210,000,000, 1900, authorizing the

diversion of 2.6 cu. ft. per second of the waters of Pease River for Navigation purposes. I have to report on the condition of the same as follows:

The diversion works comprise: Three pumps from the main line, one from the

1" #12 = PM-CCM, on P. 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 84

and the system is in the following condition: Good

The point of diversion is located 275-1-01, 100' W. of T-1, T-2, T-3, T-4, T-5, T-6, T-7, T-8, T-9, T-10, T-11, T-12, T-13, T-14, T-15, T-16, T-17, T-18, T-19, T-20, T-21, T-22, T-23, T-24, T-25, T-26, T-27, T-28, T-29, T-30, T-31, T-32, T-33, T-34, T-35, T-36, T-37, T-38, T-39, T-40, T-41, T-42, T-43, T-44, T-45, T-46, T-47, T-48, T-49, T-50, T-51, T-52, T-53, T-54, T-55, T-56, T-57, T-58, T-59, T-60, T-61, T-62, T-63, T-64, T-65, T-66, T-67, T-68, T-69, T-70, T-71, T-72, T-73, T-74, T-75, T-76, T-77, T-78, T-79, T-80, T-81, T-82, T-83, T-84, T-85, T-86, T-87, T-88, T-89, T-90, T-91, T-92, T-93, T-94, T-95, T-96, T-97, T-98, T-99, T-100, T-101, T-102, T-103, T-104, T-105, T-106, T-107, T-108, T-109, T-110, T-111, T-112, T-113, T-114, T-115, T-116, T-117, T-118, T-119, T-120, T-121, T-122, T-123, T-124, T-125, T-126, T-127, T-128, T-129, T-130, T-131, T-132, T-133, T-134, T-135, T-136, T-137, T-138, T-139, T-140, T-141, T-142, T-143, T-144, T-145, T-146, T-147, T-148, T-149, T-150, T-151, T-152, T-153, T-154, T-155, T-156, T-157, T-158, T-159, T-160, T-161, T-162, T-163, T-164, T-165, T-166, T-167, T-168, T-169, T-170, T-171, T-172, T-173, T-174, T-175, T-176, T-177, T-178, T-179, T-180, T-181, T-182, T-183, T-184, T-185, T-186, T-187, T-188, T-189, T-190, T-191, T-192, T-193, T-194, T-195, T-196, T-197, T-198, T-199, T-200, T-201, T-202, T-203, T-204, T-205, T-206, T-207, T-208, T-209, T-210, T-211, T-212, T-213, T-214, T-215, T-216, T-217, T-218, T-219, T-220, T-221, T-222, T-223, T-224, T-225, T-226, T-227, T-228, T-229, T-230, T-231, T-232, T-233, T-234, T-235, T-236, T-237, T-238, T-239, T-240, T-241, T-242, T-243, T-244, T-245, T-246, T-247, T-248, T-249, T-250, T-251, T-252, T-253, T-254, T-255, T-256, T-257, T-258, T-259, T-260, T-261, T-262, T-263, T-264, T-265, T-266, T-267, T-268, T-269, T-270, T-271, T-272, T-273, T-274, T-275, T-276, T-277, T-278, T-279, T-280, T-281, T-282, T-283, T-284, T-285, T-286, T-287, T-288, T-289, T-290, T-291, T-292, T-293, T-294, T-295, T-296, T-297, T-298, T-299, T-300, T-301, T-302, T-303, T-304, T-305, T-306, T-307, T-308, T-309, T-310, T-311, T-312, T-313, T-314, T-315, T-316, T-317, T-318, T-319, T-320, T-321, T-322, T-323, T-324, T-325, T-326, T-327, T-328, T-329, T-330, T-331, T-332, T-333, T-334, T-335, T-336, T-337, T-338, T-339, T-340, T-341, T-342, T-343, T-344, T-345, T-346, T-347, T-348, T-349, T-350, T-351, T-352, T-353, T-354, T-355, T-356, T-357, T-358, T-359, T-360, T-361, T-362, T-363, T-364, T-365, T-366, T-367, T-368, T-369, T-370, T-371, T-372, T-373, T-374, T-375, T-376, T-377, T-378, T-379, T-380, T-381, T-382, T-383, T-384, T-385, T-386, T-387, T-388, T-389, T-390, T-391, T-392, T-393, T-394, T-395, T-396, T-397, T-398, T-399, T-400, T-401, T-402, T-403, T-404, T-405, T-406, T-407, T-408, T-409, T-410, T-411, T-412, T-413, T-414, T-415, T-416, T-417, T-418, T-419, T-420, T-421, T-422, T-423, T-424, T-425, T-426, T-427, T-428, T-429, T-430, T-431, T-432, T-433, T-434, T-435, T-436, T-437, T-438, T-439, T-440, T-441, T-442, T-443, T-444, T-445, T-446, T-447, T-448, T-449, T-450, T-451, T-452, T-453, T-454, T-455, T-456, T-457, T-458, T-459, T-460, T-461, T-462, T-463, T-464, T-465, T-466, T-467, T-468, T-469, T-470, T-471, T-472, T-473, T-474, T-475, T-476, T-477, T-478, T-479, T-480, T-481, T-482, T-483, T-484, T-485, T-486, T-487, T-488, T-489, T-490, T-491, T-492, T-493, T-494, T-495, T-496, T-497, T-498, T-499, T-500, T-501, T-502, T-503, T-504, T-505, T-506, T-507, T-508, T-509, T-510, T-511, T-512, T-513, T-514, T-515, T-516, T-517, T-518, T-519, T-520, T-521, T-522, T-523, T-524, T-525, T-526, T-527, T-528, T-529, T-530, T-531, T-532, T-533, T-534, T-535, T-536, T-537, T-538, T-539, T-540, T-541, T-542, T-543, T-544, T-545, T-546, T-547, T-548, T-549, T-550, T-551, T-552, T-553, T-554, T-555, T-556, T-557, T-558, T-559, T-560, T-561, T-562, T-563, T-564, T-565, T-566, T-567, T-568, T-569, T-570, T-571, T-572, T-573, T-574, T-575, T-576, T-577, T-578, T-579, T-580, T-581, T-582, T-583, T-584, T-585, T-586, T-587, T-588, T-589, T-590, T-591, T-592, T-593, T-594, T-595, T-596, T-597, T-598, T-599, T-600, T-601, T-602, T-603, T-604, T-605, T-606, T-607, T-608, T-609, T-610, T-611, T-612, T-613, T-614, T-615, T-616, T-617, T-618, T-619, T-620, T-621, T-622, T-623, T-624, T-625, T-626, T-627, T-628, T-629, T-630, T-631, T-632, T-633, T-634, T-635, T-636, T-637, T-638, T-639, T-640, T-641, T-642, T-643, T-644, T-645, T-646, T-647, T-648, T-649, T-650, T-651, T-652, T-653, T-654, T-655, T-656, T-657, T-658, T-659, T-660, T-661, T-662, T-663, T-664, T-665, T-666, T-667, T-668, T-669, T-670, T-671, T-672, T-673, T-674, T-675, T-676, T-677, T-678, T-679, T-680, T-681, T-682, T-683, T-684, T-685, T-686, T-687, T-688, T-689, T-690, T-691, T-692, T-693, T-694, T-695, T-696, T

The works are capable of diverting and conveying to the place of use 2.6 cu. ft. per second of water, which is to be used for irrigation

The legal sub-divisions to be irrigated are: Section 4, T20N, R4E, S4, 100, Golden, P.D.

Hedychium, and other plants of the same family.

..... comprising a total of 100 acres of land.

The domestic use intended comprises _____

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

Witness my hand, this 22nd day of March, A. D. 1922.

—SEAL—

Examining Engineer.

STATE OF SOUTH DAKOTA)
COUNTY OF BUTTE) ss.

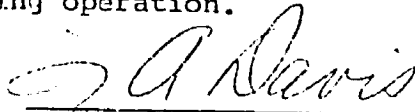
A F F I D A V I T

L. A. DAVIS being first duly sworn on his oath deposes and states:

That he is well acquainted with J. H. Durr of Belle Fourche, South Dakota, and acquainted with certain land owned by J. H. Durr described as follows, to-wit:

South Half of Section 33, Township 9 North, Range 3 East, B. H. M., Butte County, South Dakota.

The Affiant further states that during the irrigating season of 1954, J. H. Durr rented an irrigation pump from the Affiant and that said irrigation pump was placed on the Belle Fourche River and irrigated lands located in the South Half of Section 33, Township 9 North, Range 3 East, B. H. M., Butte County, South Dakota, as above stated. That to the best of Affiant's knowledge there is approximately 50 acres of irrigable land located in the above described premises and that during the Summer of 1954 that such lands were irrigated from the Belle Fourche River by J. H. Durr and that the pump the Affiant rented to J. H. Durr was used in such irrigating operation.


L. A. Davis

Subscribed and sworn to before me this 8th day of November, 1961.


Lam Overpeck, Notary Public

My Commission Expires:
September 9, 1963

SEAL

STATE OF SOUTH DAKOTA)
COUNTY OF BUTTE) SS.

AFFIDAVIT

Harry Schnell, being first duly sworn on his oath deposes and says:

That he is a long time resident of Butte County, South Dakota and well acquainted with John Durr of Belle Fourche, Butte County, South Dakota. That Mr. Durr is the owner and irrigator of the S $\frac{1}{2}$ of Section 33, Township 9 North of Range 3, E.B.H.M., Butte County, South Dakota.

That in the year 1953 the said John Durr leased a pump and some pipe from affiant for use in irrigating crops growing on the above described land. That affiant knows of his own knowledge that the said John Durr did use, during the growing season of the year 1953 the said equipment leased from affiant to irrigate crops growing on said lands in that affiant saw and observed such use on such lands, with water from the Belle Fourche River.

Dated at Belle Fourche, Butte County, South Dakota this 25 day of July, 1961.

x Harry Schnell

Subscribed and sworn to before me this 25 day of July, 1961.

Bessie E. Hauck

Notary Public

Valley Township, Clark

Term expires March 1962

My commission expires _____

275-1

JOHN DURR

BEILE FOURCHE RIVER

August 21, 1956.

Application and map received.
1.9 c.f.s.
133 acres
one year to complete
one year to put water to beneficial use

October 15, 1956.

Permit sent.
1.9 c.f.s.
Priority date, August 21, 1956
Completion date, September 18, 1957
Water to Beneficial use, September 18, 1957

April 28, 1960.

Notice of Completion of works received - work completed
October 23, 1956.

April 29, 1960.

B.F. Jones letter informs Durr all his steps are completed
and final inspection will be made at later date.

No notice of water put to use.

Application 276-1 of John Durr is for the same land as covered in 275-1
with diversion point being on the other side of the River.

Dates and documents are the same as for 275-1.

We also have affidavit signed by L.A. Davis on November 8, 1961 stating
that H. H. Durr rented a pump from him during the irrigation season of
1954 and irrigated about 50 acres of the S₂, Sec. 33-9-3.

Affidavit signed by Harry Schnell on July 25, 1961. In the year 1953
J.H. Durr leased a pump and some pipe from him and did irrigate some
land in the S₂, Sec. 33-9-3, during the growing season of 1953.

B. F. Jones reports that the above two ^{affidavits} applications
were handed to him in the past by L.A. Davis and
Mr. Davis requested that the affidavits be placed
in Mr. Durr's water right file.

Follow up in field indicates said affidavits were submitted

REPRODUCTION. REPRODUCTION 25X. ROLL NO. 4. 3-5-62. DATE MICROFILMED

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA

County

ss.

Harmon Weigh being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the

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

City of Belle Fourche county of Butte and State of South Dakota;

that the said notice was published in said newspaper on the following dates:

Aug 25 - 1956

Sept 1 - 1956

8 - 1956

Sept 15 - 1956

in each and every issue of the full number thereof, the first

publication being made on the 25 day of Aug

1956 and the last publication on the 15 day of

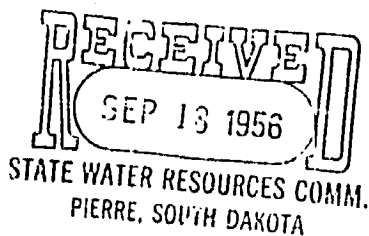
Sept 1956 upon which days or times

of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was Harmon Weigh the printer and publisher of the said newspaper.

Harmon Weigh

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



Notary Public Butte County, S. D.

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

No. 275-1
(First Publication August 25, 1956)
APPROPRIATION OF WATER
Office of State Water Resources Commission,

Pierre, S. Dak., August 22, 1956
Notice is hereby given that John H. Durr 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 1.9 cubic feet of water per second of time from the Belle Fourche River through the J. H. Durr Irrigation Project, the point of diversion of which is to be located on the northerly bank of said stream in the SE 1/4 of the SE 1/4 of Section 32 Twp. 9N Range 3E. Said water to be used for the purpose of providing irrigation on the following described land:

SE 1/4 SE 1/4, Sec. 32, S 1/4, Sec. 33, T 9N, R 3E

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of September, 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: Les Wyborny,

Water Engineer

For: J. W. Grimes,

Chief Engineer,

Executive Officer

P41-A-25-S-1-8-15

KNOW ALL MEN BY THESE PRESENTS:

John H. Durr and Fannie F. Durr, his wife,

grantor,^s of Butte

County, State of South Dakota for and in consideration of

Eight Thousand and no/100 Dollars,

GRANTS, CONVEYS AND WARRANTS TO John Keil or Elizabeth Keil, as joint tenants

with right of survivorship, and not as tenants in common

grantee,^s of Belle Fourche, South Dakota P. O., the following described real estate

in the County of Butte in the State of South Dakota:

The Northeast Quarter of the Southeast Quarter, and that part of the Southeast

Quarter of the Southeast Quarter lying north of the Belle Fourche River, in Section 32; and that part of the Southwest Quarter of the Southwest Quarter of Section 33

lying north of the Belle Fourche River and west of the present County highway; all

in Township 9 North, Range 3 East, B.H.M., reserving, however, a right-of-way to

the grantors for irrigation ditches necessary to carry irrigation water across

said premises to other lands owned by the grantors, together with the right of

ingress and egress for the purpose of construction, maintenance, repair or

rebuilding said ditches, or doing any necessary work in order to carry the

irrigation water through the same to the other lands of the grantors.

Dated this 2nd day of January, 1951.

(\$8.80 Documentary Stamps Attached
and Cancelled).

JOHN H. DURR

FANNIE F. DURR

STATE OF SOUTH DAKOTA, }
Butte County, } ss.

On this 2nd day of January in the year 1951, before me

Burton Penfold, / the undersigned officer,

John H. Durr and Fannie F. Durr, his wife

known to me to be the person ^s who ^{se} names are subscribed to the ^{described in and who executed} the within and foregoing instrument, and acknowledge to me that they executed the same. for the purposes therein contained. In witness whereof I hereunto set my hand and official seal.

NOTARIAL SEAL

BURTON PENFOLD
Notary Public
Title of Officer

My commission expires Sept. 18, 1951.

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 8318

PIERRE,

June 23, 1981

RECEIVED OF Norman E. Durr, 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 <u>water master services on WR# 275-1</u>	53	25
(any other work as provided by law)		
TOTAL	53	25

WATER RIGHTS COMMISSION

By

John Hatch
Chief Engineer, Executive Officer

JOHN HATCH / *CH*

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

June 10, 1981

John Durr
1410 9th
Belle Fourche, SD 57717

Mr. Durr:

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>
275-1	1.9 cfs	133.00	\$53.25
TOTAL			\$53.25

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
JOHN HATCH, Chief Engineer
Water Rights Division

JH/JW/gy

Equal Opportunity Employer

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

275-1

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>Diversion 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	Neil 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 Heitz, Jr.	2.19	153.00	68.25	60.41
1205-1	Harlan K Schnell	1.88	132.00	53.00	46.91
1215-1	H L & Mildred Brunner	3.00	264.50	96.12	85.08
418-1	Alex Miller	1.67	117.00	49.25	43.59
1213-1	Robert W Grant	1.43	100.00	45.00	39.83
419-1	Herman Stark	2.50	179.00	74.75	66.17
421-1	Lee Dutton	2.50	175.00	73.75	65.28
1049-1	Thorval Jensen	1.47	103.00	45.75	40.50
1122-1	Thorval Jensen	4.88	324.14	135.75	120.16
1160-1	Thorval Jensen	1.90	133.49	53.50	47.36
1029-1	Homestake Mining	1.39	97.00	44.25	39.17
910-1	Donald Halbmaier	2.50	175.00	73.75	65.28
1165-1	Tom Bowen	2.85	200.00	80.00	70.81
722-1	Edith Anderson & Tom Bowen	2.80	196.00	79.00	69.93
1148-1	Homestake Mining	13.50	948.00	377.00	333.71
430-1	Gerald Wetz	1.65	116.00	49.00	43.37
432-1	Roy Casteel	4.30	307.00	126.75	112.20
414-1	Mary Ann Schummer	3.40	239.00	99.75	88.30
411-1	Edward 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	166.85
248-1	Lawrence Burke	0.90	64.00	26.00	23.01
1077-1	Charles M Arneson	1.44	131.00	52.75	46.69
165-1	Trigg Ranches Inc.	4.30	301.00	275.00	243.42
122-1	Trigg Ranches Inc.	3.75	263.00		
1146-1	Trigg Ranches Inc.	1.89	336.00		
928-1	Charles Wennberg	2.20	155.00	68.75	60.86
912-1	Gilbert Alan	1.46	101.80	45.50	40.28
926-1	Donald Berger	2.04	143.00	65.75	58.20
1176-1	Arthur J Odekoven	2.30	163.00	70.75	62.63
1190-1	Neil Shuck	3.53	247.00	101.75	90.07
611-1	Alex Miller	3.35	235.00	98.75	87.41
569-1	Ramona McFarland	0.97	68.00	27.00	23.90
870-1	Eugene C Bishop	0.70	49.00	22.25	19.70
401-1	Kenneth & Dorothy Aker	1.88	132.00	53.00	46.91
135-1	Walter Hoffman	3.11	220.00	95.00	84.09
408-1	James A Mickelson	3.10	218.00	94.50	83.65
469-1	Raymond Garness	1.30	91.00	42.75	37.84
1218-1	William Dillinger	.40	42.70	20.75	18.37
1222-1	John Ismay (Norman)	1.11	79.00	39.75	35.19
1154-1	Homestake Mining	4.50	319.00	129.75	114.85
285-1	Edgar Colin Smart	1.42	150.00	67.50	---
331-1	Anna Stetta (Louis Budmayr)	1.87	131.00	52.75	---
472-1	Timothy Reich	2.00	167.84	62.00	---
275-1	John Durr	1.90	133.00	53.25	---
271-1	Herbert Clarkson	.06	43.00	20.75	---
296-1	Robert Helmer	2.50	179.00	74.75	---
308-1	Lewis Bertolotto	.64	45.00	21.25	---
282-1	James Jeffrey	1.05	73.70	38.50	---
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 Shevling	3.00	251.00	92.75	---
500-1	Thornton & Gwenivere Vallery	.50	35.00	18.75	---
273-1	Ruben & Esther Kling	1.02	75.00	38.75	---
273-1A	Ruben & Esther Kling	.46	32.60	18.25	---
1177-1	Ruben & Esther Kling	1.54	108.40	47.25	---
416-1	Creta & Leslie Miner	3.30	231.00	97.75	---
865-1	Solomon Stark	2.66	198.00	79.50	---
287-1	David G Rathbun	2.14	150.00	67.50	---
1126-1	John Lewis	2.20	154.00	68.50	---
		3.11	332.00	124.75	---

Water Rights Division
(605) 773-3352

August 7, 1981

Norman E Durr
RR #1
Belle Fourche, SD 57717

Dear Mr. Durr:

Mr. LeRoy Mernaugh, of this office, indicated to me that upon a recent visit into your area, you had inquired as to why some of the correspondence for Water Right No. 275-1 was being sent to John Durr and some to Norman Durr.

Upon sending out the billings for the Water Master Services earlier this summer, (sent to John Durr) you had returned the fee; therefore, the receipt and transmittal letter was sent back to you. There has never been a transfer filed in the Water Right. All of our records still indicate that John Durr still has ownership of the land covered under Water Right No. 275-1. The name can not be changed until a transfer is filed.

In order to bring our records up-to-date, enclosed please find a transfer form to transfer Water Right No. 275-1 to your name. Please check over, date, sign and have notarized before returning it to this office with the required filing fee of \$2.50.

We thank you for bringing this matter to our attention. Unless people notify us that changes are to be made, we can not possibly keep everything up to date.

Sincerely,

Genny Young
Staff Assistant

gy

encl: transfer form

February 17, 1982

Norman Durr
Box 188
Belle Fourche, South Dakota 57717

Dear Mr. Durr:

This letter is in regard to a telephone conversation, February 16, 1982 with Mrs. Durr concerning Water Right No. 275-1 listed in the name of John Durr.

Mrs. Durr indicated the Water Right should be transferred to your name. A transfer form was sent to you in August, 1981, but nothing was heard from you on the matter. Enclosed is an additional form. Please check over, date, sign and have notarized before returning the form to this office with a \$2.50 filing fee. The water right will then be transferred to your name.

If you have any questions, please contact this office.

Sincerely,

Genny Young
Water Right Specialist
Water Rights Division
Phone: (605) 773-3352

Enclosure

c21704gy.vr

6-1-82

TO; File
FROM: Genny Y.
SUBJECT: Transfer of Water Right No. 275-1

Water Right No. 275-1 indicates John Durr still has ownership, but according to other records in the office, the water right had been transferred to Norman Durr a long time ago. This could have happened since Norman Durr is John Durr's son, (John Durr now deceased) the records were switched over without a transfer. Father-son or husband-wife transfers used to be made without filing of a transfer and payment of the appropriate fees.

(except front page of water right)
Since all records/are listed in Norman Durr's name, obtaining a transfer form will no longer be necessary.

**South Dakota Department of
Water & Natural Resources**

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

March 31, 1986

Norman Durr
Box 188
Belle Fourche, SD 57717

Notice

Re: Violation of Requirement to Submit 1985 Irrigation Questionnaire

Our records indicate that the 1985 Irrigation Questionnaire has not been submitted for Water Permit No(s). 275-1. The request for the Questionnaire was dated November 13, 1985. The Water Management Board has directed that owners of water permits who have not submitted 1985 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

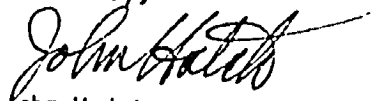
The hearings will be held at 2:00 p.m., May 14, 1986 in Room 216, Joe Foss Building, Pierre, South Dakota.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 275-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.

Sincerely,


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

Note: If the questionnaire(s) is received in this office before the May 14 hearing date, your name will be deleted from the agenda for the hearings.

**South Dakota Department of
Water & Natural Resources**

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

May 20, 1986

NOTICE OF AMENDMENT TO WATER PERMIT(s)

To: Norman Jur,
Box 188
Belle Fourche SD 57717

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



SUBJECT: Amendment to Water Permit No(s). 275-1

Pursuant to the provisions of the notice dated March 31, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No(s). 275-1 to add the following qualification:

"This permit is subject to the Irrigation Water Use Questionnaire being submitted each year."

The addition of this qualification to your Permit means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.

Equal Opportunity Employer

South Dakota
Department of
Water & Natural Resources

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

Attachment to Water Permit No. 275-1

Pursuant to the provisions of the notice dated May 20, 1986, and following the Hearing May 14, 1986, the Water Management Board has amended Water Permit No. 275-1 to add the following qualification:

"This Permit is subject to the Irrigation Water Use Questionnaire being submitted each year."

Equal Opportunity Employer

SOUTH DAKOTA
Department of
Water & Natural Resources

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

March 23, 1987

NORMAN DURR
BOX 188
BELLE FOURCHE, SD 57717

NOTICE

Re: Violation of Water Permit No(s). 275-1

Our records indicate that the 1986 Irrigation Questionnaire has not been received for Permit No(s). 275-1. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 275-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

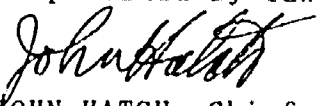
The hearing(s) will be at 2:00 pm, May 6, 1987, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s) the Water Management Board can:

1. Suspend Permit No(s). 275-1 until either the 1986 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.


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

NOTE: If the questionnaire(s) is received in this office before the hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

REPRODUCTIONS.

REDUCTION

25-1

ROLL

NO 11-13

DATE

MICROFILMED

6-18-87

NAME

OPERATOR

6-18-87

NAME

OPERATOR

6-18-87

NAME

OPERATOR

6-18-87

NAME

OPERATOR

6-18-87

NAME

OPERATOR

6-18-87

NAME

OPERATOR

6-18-87

NAME

OPERATOR

6-18-87

NAME

OPERATOR

South Dakota Department of
Water & Natural Resources

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

May 14, 1987

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: NORMAN DURR
BOX 188
BELLE FOURCHE, SD 57717

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

John Hatch

SUBJECT: One Year Suspension Of Water Permit No(s). 275-1 If
The 1986 Irrigation Questionnaire Is Not Received By
June 1, 1987

Pursuant to the provisions of the Notice dated March 23, 1987,
and following the Hearing May 6, 1987, the Water Management Board
ordered:

That Water Permit No(s). 275-1 be **SUSPENDED** until December 31,
1987 unless the required 1986 Irrigation Water Use Questionnaire
is received by June 1, 1987.

Suspension of a permit means water may not be pumped during the
1987 Irrigation Season. Decisions of the Board may be appealed
to the Circuit Court and the Supreme Court as provided by law.

LAW 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER
AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTODUPLICATION
REPRODUCTIONS. REDUCTION 25-1 ROLL NO 11-13
DATE MICROFILMED 6-18-87
CAMERA OPERATOR *Markus*



Department of Water & Natural Resources

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

May 29, 1987

Permit No. 275-1

Norman E Durr
Box 188
Belle Fourche, SD 57717

Dear Mr. Durr:

I am writing to acknowledge receipt of your 1986 Irrigation Questionnaire. A notice was sent to you May 14, 1987 regarding the Board action taken May 6, 1987 to suspend your permit(s) if the 1986 irrigation questionnaire was not received before June 1, 1987.

You may disregard the May 14 notice. With receipt of your 1986 questionnaire, your permit will not be suspended.

If you have any questions, please contact us.

Very truly yours,

A handwritten signature in cursive script that reads "John Hatch". The signature is written in dark ink and is positioned above the typed name and title.

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

● SENDER: Complete Items 1 and 2 when additional services are desired, and complete Items 3 and 4. Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested. 1. ☐ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery.	
3. Article Addressed to: NORMAN DUEP BOX 188 BELLE FOURCHE, SD 57717	4. Article Number P576 309 765 Type of Service: ☐ Registered ☐ Insured ☐ Certified ☐ COD ☐ Express Mail Always obtain signature of addressee or agent and DATE DELIVERED.
5. Signature — Addressee X <i>Norman E. Duep</i>	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature — Agent X	
7. Date of Delivery 5-15-87	

 **Department of
Water & Natural Resources**

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

January 20, 1988

NORMAN DURR
BOX 188
BELLE FOURCHE, SD 57717

NOTICE

Re: Violation of Water Permit No(s). 275-1

Our records indicate that the 1987 Irrigation Questionnaire has not been received for Permit No(s). 275-1. The request for the Questionnaire was dated October 8, 1987. The Water Management Board has directed that owners of water permits who have not submitted 1987 Irrigation Questionnaires be given notice of permit violation and of hearing(s) before the Board. The hearings(s) will be held to determine action to be taken by the Board for violation of Water Permit No(s). 275-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

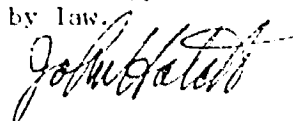
The hearing(s) will be at 9:00 am, March 2, 1988, Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing(s) will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26.

Following the hearing(s) the Water Management Board can:

1. Suspend Permit No(s). 275-1 until either the 1987 Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.


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

NOTE: If the questionnaire(s) is received in this office before the March 2 hearing date, you will no longer be in violation of your permit(s) and your name will be deleted from the agenda pertaining to these hearings.

 **Department of
Water & Natural Resources**

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

March 14, 1988

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: NORMAN DURR
BOX 188
BELLE FOURCHE, SD 57717

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



SUBJECT: One Year Suspension Of Water Permit No(s). 275-1

Pursuant to the provisions of the notice dated January 29, 1988, and following the hearing of March 2, 1988, the Water Management Board has ordered:

That Water Permit No(s). 275-1 be SUSPENDED until December 31, 1988.

Suspension of a permit means water may not be pumped during the 1988 irrigation season. Decisions of the Board may be appealed to the Circuit Court and the Supreme Court as provided by law.

● **SENDER:** Complete Items 1 and 2 when additional services are desired, and complete Items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. 2. ☐ Restricted Delivery
(Extra charge)

NORMAN DURR
BOX 188
BELLE FOURCHE, SD 57717

4. Article Number
P501 738 955

Type of Service:
☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail

Always obtain signature of addressee or agent and **DATE DELIVERED.**

5. Signature - Addressee
☒ *Norman E. Durr*

6. Signature - Agent
☒

7. Date of Delivery
 MAR 11 1987

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

PS Form 3811, Mar. 1987

• U.S.G.P.O. 1987-178-263

DOMESTIC RETURN RECEIPT

DATE RECEIVED

CAMERA OPERATOR

SOUTH DAKOTA
Department of
Water & Natural Resources

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

July 12, 1990

275-1

NOTICE OF SHUT OFF ORDER

TO: Norman Durr
PO Box 188
Belle Fourche SD 57717

FROM: Delvin D. Brosz, P.E. *Delvin D. Brosz*
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

SUBJECT: Shut Off Order, Effective Immediately.

Due to the lack of natural flows in Belle Fourche River, you are ordered to cease any diversion from the Belle Fourche River until the natural flow in the river improves.

Present flows in the river are water being bypassed by the Belle Fourche Irrigation District for downstream domestic users and water purchased by the Belle River Pumpers Association.

If flow conditions do improve, notices will be issued, based on senior priority dates, to allow pumping from the river.

If you have any questions, please contact Rassool Ahadi, Division of Water Rights, Joe Foss Building, Pierre, SD 57501, phone (605)773-3352.

cc: Belle Fourche Irrigation District
Belle River Pumpers Association, c/o Thornton Vallery

CERTIFICATION

I hereby certify that on July 12, 1990 I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Notice of Shutoff Order for Water Right No. 275-1 addressed as stated on the notice with a copy sent to:

Belle Fourche Irrigation District
PO Box 225
Newell SD 57760

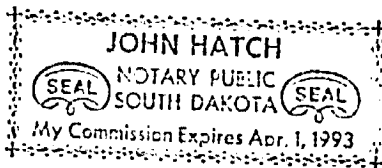
Belle River Pumpers Association
c/o Thornton Vallery
HCR 76, Box 188
Nisland SD 57762

Karen Schlaak

KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 16th day of July, 1990.



John Hatch
Notary Public



Department of Water & Natural Resources

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

August 2, 1990

275-1

RESCISSION OF SHUTOFF ORDER

TO: Norman Durr
PO Box 188
Belle Fourche SD 57717

FROM: Delvin D. Brosz, P.E. *Delvin D. Brosz*
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

SUBJECT: Rescission of July 12, 1990 Shutoff Order to Belle
Fourche River Water Right Holders

Since the flows in Belle Fourche River have improved and the Belle River Pumpers Association is not ordering water from Keyhole Reservoir, I am rescinding the July 12, 1990 shutoff order, effective immediately.

Diversion of water from Belle Fourche River must be based on priority date. Flows must still be bypassed for downstream domestic use.

If you have any questions, please contact Rassool Ahadi, Division of Water Rights, Joe Foss Building, Pierre, SD 57501, Phone (605) 773-3352.

cc: Belle Fourche Irrigation District
Belle Fourche Pumpers Association, c/o Thornton Vallery

CERTIFICATION

I hereby certify that on August 2, 1990 I have personally deposited with the U.S. Mail postage prepaid envelopes containing a Notice of Recission of Shutoff Order for Water Right No. 275-1 addressed as stated on the notice with a copy sent to:

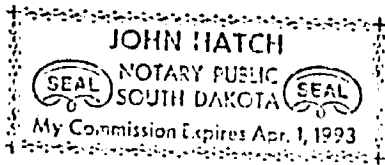
Belle Fourche Irrigation District
PO Box 225
Newell SD 57760

Belle River Pumpers Association
c/o Thornton Vallery
HCR 76, Box 183
Nisland SD 57762

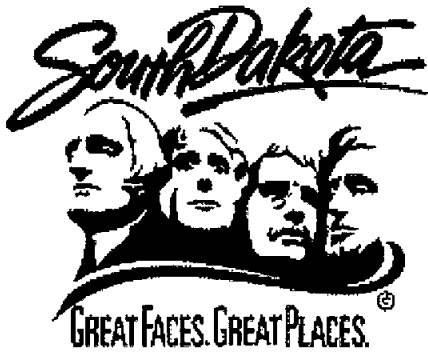
Karen Schlaak
KAREN SCHLAACK
Senior Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 3rd day of August, 1990.



John Hale
Notary Public



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

January 29, 2014

275-1

Darin Durr
18690 Durr Ln
Belle Fourche SD 57717

Dear Mr. Durr:

I am writing in follow-up to the irrigation questionnaire submitted back in December 2013 for Water Right No. 275-1. The water right is currently listed in the name of Norman Durr. It is my understanding from the notation made on the questionnaire that an ownership change is needed.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please give me a call.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosure

RECEIVED

FEB 12 2014

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 275-1

Date: 2-8-14

I/We request that Water Right No. 275-1

formerly owned by: Norman Durr

be transferred to: (name & address) DARIN DURR AND KRISTIN CARRICO
18690 DURR LANE
Belle Fourche SD 57717 Telephone No. 210-1763

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

133 acres in the S ½ Section 33, T9N, R3E

I/We understand that the validity of Water Right No. 275-1 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 with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We DARIN DURR, the new owner, certify that the above information is true and
KRISTIN CARRICO correct.

Darin Durr Kristin A. Carrico
(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. 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

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/12, 20 14

RECEIVED OF Darin Durr 18690 Durr Lane 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	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>275-1</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **06744**

By *James Goodman*
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

February 12, 2014

275-1

Darin Durr & Kristin Carrico
18690 Durr Ln
Belle Fourche SD 57717

Dear Mr. Durr & Ms. Carrico:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 275-1.

The ownership change has been completed. Water Right No. 275-1 formerly held by Norman Durr is now listed in your names.

Enclosed for your records is Receipt No. 06744 in the amount of \$50 which you paid for filing the ownership change. If you have any questions, please give me a call.

Sincerely,

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

enclosure