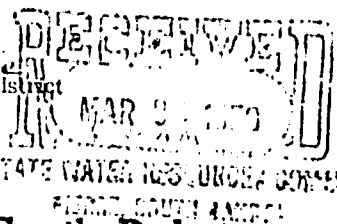


1. Considered July 9, 1958 Appl. No. 319-1
2. Name of Applicant Harold Snodgrass
3. Post Office Address Newell, South Dakota
4. Amount of water claimed 2.3 cfs
5. Source of water supply Horse Creek
6. Water to be used for irrigation
Acres to be irrigated 164
7. Water to be diverted and used in Butte County about
5 miles west of Newell.
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☒
Subject to ☐
Not approved ☐
Action deferred ☐

10. Remarks:

No. 319-1

Water Division No. 1 District 7
(Blanks to be filled by the Engineer for the W. R. C.)



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

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

1. Name of applicant HAROLD SNOOZY
Postoffice address NEETLE, County BRITTE, 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)
Direct labor
- (b) Cash on hand, \$
(c) Treasury stock, \$
(d) Bonds to be issued, \$
(e) Other resources, \$

2. Name of diversion work THE SNOOZY IRRIGATION PROJECT
3. Amount of water claimed 2.3 cubic feet per second

4. Source of water supply HORSE CREEK
Between a point S 45° E from the NW corner Sec. 35 and a point S 83° 45' W
5. Location of point of diversion 1/2 mi. E from the NE corner of Sec. 35, T. 9 N., R. 5 E-1/2
on both bank Britte County.

6. Annual period or periods during which water is to be used April 1st thru Sept. 15th

7. To be used for:

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

(a) Number of acres to be irrigated 164 acres.
NW 1/4 - NW 1/4 - 17 Ac., NE 1/4 - NW 1/4 - 30 Ac., NW 1/4 - NE 1/4 - 37 Ac., SW 1/4 - NE 1/4 - 32 Ac. Sec. 35 116 Ac
(b) Legal subdivisions to be irrigated
(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.)
SW 1/4 - SW 1/4 - 23 Ac., SE 1/4 - SW 1/4 - 25 Ac. Sec. 26 T. 9 N., R. 5 E - 48 Ac
(c) Statement as to domestic use (giving location, etc.)
None Total Irrigable 164 Ac

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

- (a) Nature of use Stockwatering and irrigation
Name any of the above uses claimed
(b) Amount of power to be generated None horse power.
Amount claimed for engine cooling None
(c) Location of plant None
(d) Method of developing power None
(e) Point where water will be returned to stream in accordance

Map No. 287-1

1320

8. Estimated cost of work: Sprinkler system

\$3500.00

(a) Head Gates, \$.....

(b) Pumping plant, \$.....

(c) Fluming, \$.....

(d) Canal-earth, \$.....

Rock, \$.....

(e) Other structures\$.....

Total, \$.....

9. Description of diversion works:

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

II. Dimensions of works:

(a) Dam: Height.....feet; length at bottomfeet; length at top

.....feet; thickness at bottomfeet; thickness at top

feet; slope at front water face; slope at back face

material used in construction

(b) Reservoir: Capacity when filledacre 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 lengthmiles.

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 work4.....years.

11. Time required for complete application of water to the proposed beneficial use4.....years.

12. Choice of newspaper for publication of notice of intention to appropriate
THE VALLEY IRRIGATOR, NEWELL, SOUTH DAKOTA

STATE OF SOUTH DAKOTA

ss.

County of BUTTE

I, Harold Snoozy.....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

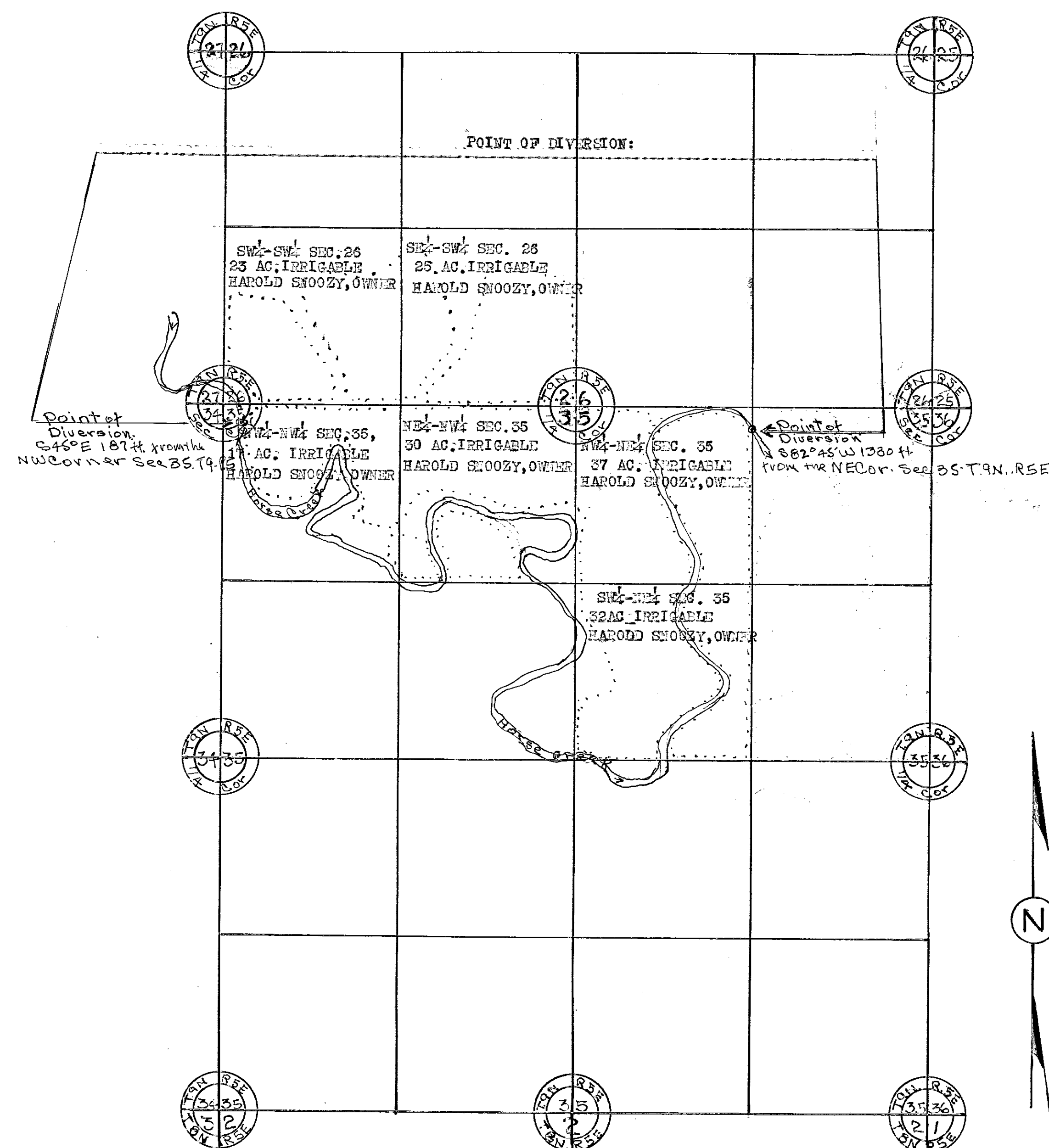
Harold Snoozy

Subscribed and sworn to before me this 14th day of February, 1952

Carl H. Correll Notary Public for the State of South Dakota

PLAT
OF
THE SNOOZY IRRIGATION PROJECT
SITUATED IN BUTTE COUNTY, SOUTH DAKOTA AND THE
PROPERTY OF HAROLD SNOOZY OF NEWELL, SOUTH DAKOTA.

SCALE - 1 INCH = 660 FEET.



SURVEYOR'S CERTIFICATE

I, CARL M. CORNELL, LICENSED SURVEYOR, IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT, AT THE REQUEST OF HAROLD SNOOZY OF NEWELL, SOUTH DAKOTA, I HAVE MADE A SURVEY OF THE TRACTS SHOWN ON THIS PLAT AND HAVE PREPARED THIS PLAT AS A PART OF THE APPLICATION FOR A PERMIT TO APPROPRIATE WATER FOR IRRIGATION PURPOSES OF THE SAID HAROLD SNOOZY.

I FURTHER CERTIFY THAT THE LENGTHS AND BEARINGS OF ALL LINES SHOWN AND THEIR LOCATION 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 28th DAY OF FEBRUARY 1958:

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

SUBSCRIBED AND SWORN TO BEFORE ME AT BUFFALO, SOUTH DAKOTA THIS 28th DAY OF FEBRUARY 1958.

SIGNED: Jane Henderson
1-5-61 NOTARY PUBLIC. (SEAL)

Map No. 287-1
Appl. No. 319-1

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA

ss.

County of

Haguer

Pierre, South Dakota,

March 27, 1958

8:30

o'clock

This is to certify that the foregoing application was received by the Commission at

24 m. upon the 24 day of

March, 1958

State Water Resources Commission

By:

Johnnie

Chief Engineer, Executive Officer

Number of permit

319-1

Date of first receipt of application

March 24, 1958

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

Date of receipt of corrected application

Date from which applicant may claim right

March 24, 1958

Approved

July 9, 1962

Recorded in Book

Page 9

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

July 9, 1962

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

July 9, 1962

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

July 9, 1962

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

irrigation

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

6th. The amount of the appropriation herein granted shall not exceed 2.3 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 July 9, 1962; said water to be used during the following described annual period:

April to September inclusive

Witness my hand this

5

day of

August, 1958

State Water Resources Commission

By:

Johnnie

Chief Engineer, Executive Officer

Certificate of Construction Issued

SEPTEMBER 12, 1962

Water License Issued

SEPTEMBER 12, 1962

STATE OF SOUTH DAKOTA

WATER LICENSE No. 319-1

WHEREAS, On the 24th day of March A. D. 1958
Harold Snoozy

of Nowell County of Butte and State of
South Dakota duly made application (No. 319-1) to us for a permit to use 2.3
cubic feet per second of the waters of Horse Creek
County of Butte, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 5th day of August A. D. 1958
Permit No. 319-1 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 9th day of
July A. D. 1962 and for the application to beneficial use of said
water on or before the 9th day of July A. D. 1962
and,

WHEREAS, On the 20th day of June A. D. 1962
the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.3
cubic feet per second of said waters, as evidenced by our Certificate No. 319-1
dated September 12, 1962 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 2.3 cubic feet per second of water, with date of
priority of March 24, 1958 and,

WHEREAS, On the 20th day of June A. D. 1962
proof was duly made of the application to beneficial use of 2.3 cubic feet per second of said water;
for irrigating 164 acres in Sections 26 and 35, T9N, R5E

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 Harold Snoozy
of Newell the holder and owner of said permit No. 319-1
a water right, dating from March 24, 1958 to the use of 2.3
cubic feet per second of the waters of Horse Creek
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 ~~xx~~ between a point S45°E, 182' from
the NW Corner, & a point S62°45'W, 1330' from the NE corner, Section 35, T9N, R5E
and conducted to and upon portions of Sections 26 and 35, T9N, R5E, more specifically
described in the Certificate of Completion of Works
for the purpose of irrigation

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

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 12th day of September A. D. Nineteen
Hundred and Sixty-Two

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. GRIMES

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

in book _____ of _____ Page _____

Permit No. 319-1Water Division No. 1 Belle Fourche River
Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Harold Snoozy

of Newell, County of Butte, and State of South Dakota,
the holder of Permit No. 319-1, issued upon Application
No. 319-1, bearing date of priority of March 24, 1955, authorizing the diversion of
2.3 cu. ft. per second of the waters of Horse Creek

County of Butte, State of South Dakota, ~~XX~~ between a point S45°E,
187' from the NW corner & a point S82°45'W, 1330' from the NE corner, Section 35,
T9N, R5E, for irrigation

purposes, has ^s 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 2.3 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 T9N, R5E

<u>Section 26</u>	<u>SW$\frac{1}{4}$ SW$\frac{1}{4}$</u>	<u>23 acres</u>
	<u>SE$\frac{1}{4}$ SW$\frac{1}{4}$</u>	<u>25 "</u>
<u>Section 35</u>	<u>NW$\frac{1}{4}$ NW$\frac{1}{4}$</u>	<u>17 "</u>
	<u>NE$\frac{1}{4}$ NW$\frac{1}{4}$</u>	<u>30 "</u>
	<u>NW$\frac{1}{4}$ NE$\frac{1}{4}$</u>	<u>37 "</u>
	<u>SW$\frac{1}{4}$ NE$\frac{1}{4}$</u>	<u>32 "</u>
		<u>164 "</u>

Witness my hand this 12th day of September A. D. 1962

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. GRINES

Permit No. 219-1Water Division No. 1 VALLEY 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 dated _____
 19____, I have this day made a thorough examination of the diversion works constructed by _____
Mr. Harold C. Campbell, of _____
Pierre County, South Dakota, holder of Permit No. 219-1, issued
 upon Application No. 219-1, bearing date of priority of Nov 24, 1928, authorizing the
 diversion of 2.3 cu. ft. per second of the waters of Hayes Creek for irrigation
 purposes. I have to report on the condition of the same as follows:

The diversion works comprise: Concrete Trench 10' x 10' x 10' deep
Continental 4" pipe, 10' long, 1" diameter
2" x 1" x 1" pipe, 10' long, 1" diameter. Also
one Berkeley, Model B61 - C.W. H870, serial 6008633, B.A. 2743
with Bolivar 2.5 HP Electric Motor, serial 32 B 100 AMH
 and the system is in the following condition: Good

The point of diversion is located at the mouth of Hayes Creek
and a point of diversion is located at the mouth of Hayes Creek
for a total of 3 C.F.S.

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

The legal sub-divisions to be irrigated are: 10' x 10' x 10' deep
10' x 10' x 10' deep
10' x 10' x 10' deep

_____ comprising a total of 11.3 acres of land.

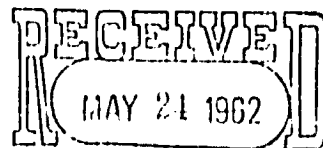
The domestic use intended comprises _____

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

Witness my hand, this 24 day of June, A. D. 1929

—SEAL—

Examining Engineer.

Permit No. 319-1Water Division No. 1
 Belle Fourche River Water District
 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.) Newell, S. Dak.(Date) May 30, 1962

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 _____

_____ 2.3 cu. ft. per second of the waters of the state from the creek
through the glue dam, irrigation, & stockwater
for 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 Harold Amory

2. The postoffice address of such person or the place of business of such corporation is Newell
County of Bent State of South Dakota

3. The number of such permit is 319-1 and the date set for the completion of such work isJuly 9, 19624. Said water to be used for irrigation & stockwater purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 2.3 cubic feet per second.

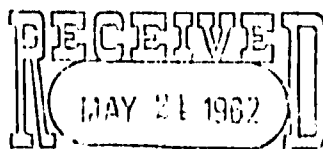
6. The amount of land for which said water is available is 164 acres.
particularly described as follows: NW 1/4, NW 1/4, NE 1/4, NW 1/4, 30-2

NW 1/4, NE 1/4, 37-2, SW 1/4, NE 1/4, 32-2, NW 1/4, 30-2
SE 1/4, SW 1/4, 35-2, Sec 35 T.9. N. R. 5E. Total 164

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

(Signature of Owners)

Harold Amory

Permit No. 319-1Water Division No. 1 Belle Fourche Water DistrictSTATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Notice of Application of Water to Beneficial Use

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

(P. O.)

Newell, S.D.K.

(Date)

May 22, 1962

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

DEAR SIR: Notice is hereby given that on the _____ day of _____

19____, at _____ County of Battle State of South Dakota,before _____ proof will be submitted of the application to beneficial use
(Examining Engineer or Officer)of 2.3 cubic feet per second of the waters of W. C. Creek_____ in accordance with the terms and conditions of Permit No. 319-1

heretofore issued by the Water Resources Commission of South Dakota.

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

Harold Snoddy2. The use to which said water has been applied is irrigation & stock water3. The amount applied to beneficial use is 2.3 cubic feet

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) N4 1/4, NW 1/4, 17A, NE 1/4, NW 1/4, 30A, NW 1/4, NE 1/4, 32A, SW 1/4, NE 1/4, 33A, Total 116A, Sec 35, T9N, R5E, SW 1/4, SE 1/4, 23A, SE 1/4, SW 1/4, 25A, Sec 35, T9N, R5E, 118A.

116
2
Total 118A.

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

small irrigation ditches and pipe6. The right to take the water from such works is based upon permit No. 319-17. The source of supply from which such water is diverted is Harold Snoddy8. The date of priority which said user is prepared to establish is March 24, 1958

(Sign)

Harold Snoddy

(First Publication before May 2, 1958.)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., March 27, 1958.

Notice is hereby given that Harold Snoozy whose postoffice address is Newell 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 2.3 cubic feet of water per second of time from Horse Creek through the

Snoozy Irrigation Project, the point of diversion of which is to be located on the both between a point in the NW 1/4 and a point NE 1/4 of Sec. 35 banks xxxx of said stream in the NE 1/4 of Sec. 35

Twp. 9N Range 5E Said water to be used for the purpose of providing irrigation on the following described land:

parts of the S 1/2 SW 1/4 Sec. 26; NE 1/4 NW 1/4 and E 1/2 NW 1/4, Sec. 35 all in T 9 N, R 5 E

xxxx xxxx

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, 1958, at 2:00 P.M. All interested persons may appear and be heard.

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

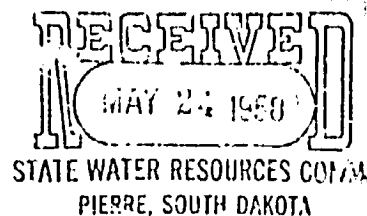
State Water Resources Commission

By:

J. W. GRIMES, Chief Engineer, Executive Officer

cc Harold Snoozy
Newell, South Dakota

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Butte } ss.

F. Lynn Gladstone being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Valley Irrigator 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~~ Butte of Butte County of Butte and State of South Dakota; that the said notice was published in said newspaper on the following dates:

April 17, 1958
April 24, 1958
May 1, 1958
May 8, 1958

in each and every issue of the full number thereof, the first publication being made on the 17 day of April 1958 and the last publication on the 8th day of May 1958, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time said publication he was editor the printer and publisher of the said newspaper.

[Signature]

Subscribed and sworn to before me this 23 day of May A. D. 1958

[Signature]

Notary Public Butte County, S. D.

APPROPRIATION OF WATER
Office of State Water Resources
Commission, Pierre, S. Dak.
March 27, 1958.

Notice is hereby given that Harold Snoozy, whose postoffice address is Newell, 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 2.3 cubic feet of water per second of time from Horse Creek through the Snoozy Irrigation Project, the point of diversion of which is to be located on both banks of said stream between a point in the NW 1/4 NW 1/4 and a point in the NW 1/4 of the NE 1/4, all in Sec. 35, Twp. 9N, Range 6E. Said water to be used for the purpose of providing irrigation on the following described land: parts of the SW 1/4 Sec. 26, NW 1/4 and W 1/2 NW 1/4, Sec. 25, all in T. 9N, R. 5E.

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, 1958, 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. E. Grimes, Chief Engineer,
Executive Officer (29-58)

September 6, 1961

Mr. Harold Snoozy,
Newell, South Dakota

Dear Mr. Snoozy:

Because there is now insufficient water to maintain continuous flows in the stream, upon which you have a water right, to enable the delivery of water on a priority basis, there will be no further orders from the Watermaster during this irrigation season unless conditions change.

Unless you receive further notice, you may pump from pools contained entirely on your own land as you desire during the remainder of this irrigation season. You may not construct any dam in the stream, or close the bypass of any existing dam to store any local flows for irrigation diversions. You may not pump from pools contained jointly on land owned by others as well as your own land without agreement of the other land-owners involved.

You should keep in mind that if rains occur in sufficient runoff amounts to reestablish flowing stream conditions it may be necessary to stop any irrigation diversions for indefinite periods of time in order to satisfy stockwater or other domestic uses downstream.

Sincerely,

J. W. GRIMES
Executive Officer &
Chief Engineer

JWG:ls
cc to each Water Resources Commissioner

SOUTH DAKOTA

State Water Resources Commission

STATE OFFICE BUILDING

PIERRE, SOUTH DAKOTA

March 28, 1962

Harold Snoozy
Newell, South Dakota

Dear Mr. Snoozy:

This is to inform you that a public hearing pertaining to Water Use Control Area No. 1, will be held in the Misland City Hall starting at 10:00 A.M. on Friday, April 13, 1962.

One purpose of the hearing is to consider if the services of a Watermaster should be continued or discontinued during the 1962 irrigation season.

Other matters pertaining to Water Use Control Area No. 1 will also be discussed.

You as holder of Water Right No. 319-1 are within the boundaries of Water Use Control Area No. 1. In 1961, you were assessed a fee of Ten Dollars for each cubic feet per second of your irrigation diversion rate plus twenty-five cents for each acre irrigated under your Water Right. This fee was used in paying for the services of a Watermaster during the 1961 irrigation season.

For your information, the area within Water Use Control Area No. 1 is as follows:

"Those areas irrigated with water obtained from (1) the reach of the Belle Fourche River between a point in the NW $\frac{1}{4}$, Section 2, T 8N, R2E, immediately downstream from the Belle Fourche Project Diversion Dam and the point where said Belle Fourche River crosses the Southern boundary of Butte County, South Dakota, in the SW $\frac{1}{4}$, Section 35, T 8N, R 7E, (2) the reach of Cottonwood Creek between the point said Creek enters Butte County, South Dakota, in the SW $\frac{1}{4}$, Section 31, T 8N, R 6E, and the confluence of said Cottonwood Creek with the Belle Fourche River in the NW $\frac{1}{4}$, Section 28, T 8N, R 6E, (3) the reach of Owl Creek between a point in the NE $\frac{1}{4}$, Section 19, T 9N, R 4E, immediately downstream from the Belle Fourche (Orman) Dam and the confluence of said Owl Creek with the Belle Fourche River in N $\frac{1}{2}$, Section 11, T 8N, R 5E, and (4) the reach of Horse Creek between the point of confluence of Indian Creek and Horse Creek in the NW $\frac{1}{4}$, Section 27, T 9N, R 5E, and the confluence of said Horse Creek with the Belle Fourche River in the SW $\frac{1}{4}$, Section 18, T 8N, R 7E".

Sincerely,

J. W. Grimes
J. W. GRIMES
Chief Engineer and
Executive Officer

OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE



319-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 15, 1995

319-1

Joe Schrinier
RR #1 Box 138
Newell, SD 57760

Dear Mr. Schrinier:

I am contacting you in regard to ownership of land described under Water Right No. 319-1, currently listed in the name of Harold Snoozy. The 1995 irrigation questionnaire for Mr. Snoozy indicates you now own the land.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change. Please review the form for accuracy and make any necessary corrections. Upon completion, please sign the form in the presence of a notary public and return it to our office with a required filing fee of \$2.50.

Thank you for your assistance in this matter. If you have any questions, please contact me.

Sincerely,

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 319-1

Date: 12/20/95

I/We request that Water Right No. 319-1

formerly owned by: Harold Snoozy

be transferred to: (name & address) Joe Schreiner, RR 1 Box 138, Newell, SD 57760

Telephone No. _____

(Schreiner)

Title to the following described land(s)/property has been transferred as described above:
164 acres in the S 1/2 SW 1/4 Section 26 and N 1/2 NW 1/4, W 1/2 NE 1/4 Section 35, T9N, R5E

I/We understand that the validity of Water Right No. 319-1 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 Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Butte)

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

[Signature]
(Signed)

Subscribed and sworn to before me this 20th day of December, 1995

[Signature]
(Notary Public)
Residing at Sioux Falls, SD
Expires 26 April 1996

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

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

RECEIPT

Division of Water Rights
South Dakota Department of Environment and Natural Resources

414735

Pierre, _____ January 3, 1996

RECEIVED OF ~~ADRIANA~~ Joseph Schreiner, PO Box 1268, Columbus, MT 59019
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____ Water Right No. 319-1		2 50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)		
Total		2 50

By John H. H. H.
Chief Engineer



319-

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

January 10, 1996

Joe S.
P.O. Box 260
Columbus, MT 5901

No. 319-1

Dear Mr. Schreiner:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 319-1.
Our records now show you as the owner of Water Right No. 319-1.

Sincerely,

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

enclosure



319-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/d.enr

January 22, 1999

NOTICE

TO: JOSEPH R SCHREINER, RR 1 BOX 138, NEWELL, SD 57760 9632

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

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire has not been submitted for Permit No(s) 319-1. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, March 3, 1999, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 319-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 1999, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

319-1

Is your RETURN ADDRESS completed on the reverse side?

SENDER: ■ Complete items 1 and/or 2 for additional services. ■ Complete items 3, 4a, and 4b. ■ Print your name and address on the reverse of this form so that we can return this card to you. ■ Attach this form to the front of the mailpiece, or on the back if space does not permit. ■ Write "Return Receipt Requested" on the mailpiece below the article number. ■ The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. ☐ Addressee's Address 2. ☐ Restricted Delivery Consult postmaster for fees.	
3. Article Addressed to: JOSEPH R SCHREINER RR 1 BOX 138 NEWELL SD 57760 9632		4a. Article Number P-378 080 693	
		4b. Service Type ☐ Registered ☒ Certified ☐ Express Mail ☐ Insured ☐ Return Receipt for Merchandise ☐ COD	
		7. Date of Delivery 1-25-99	
5. Received By: (Print Name) Joseph R Schreiner		6. Addressee's Address (Only if requested and fee is paid)	
6. Signature (Addressee or Agent) X [Signature]			

Thank you for using Return Receipt Service.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

January 25, 1999

319-1

Joseph R Schreiner
RR 1 Box 138
Newell, SD 57760-9632

Dear Mr. Schreiner:

I am writing to acknowledge receipt of your 1998 irrigation questionnaire. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right No. 319-1.

I completed a questionnaire for you based on our January 25th telephone conversation. The questionnaire will indicate that you did not irrigate in 1998 due to adequate natural moisture.

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

Thank you for calling and if you have any questions, please contact me.

Sincerely,

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



319-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 16, 2002

NOTICE

TO: JOSEPH R SCHREINER, RR 1 BOX 138, NEWELL, SD 57760 9632

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2001 Irrigation Questionnaire(s)

Our records indicate that the 2001 Irrigation Questionnaire has not been submitted for Permit No(s) 319-1. The request for the Questionnaire was dated October 12, 2001. The Water Management Board has directed that owners of water permits who have not submitted the 2001 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:00 am, March 13, 2002, in the Visitor Center (west bank of Capitol Lake), 650 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 319-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 8, 2002, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

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

319-1

SENDER, COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

JOSEPH R SCHREINER
RR 1 BOX 138
NEWELL SD 57760 9632

COMPLETE THIS SECTION ON DELIVERY

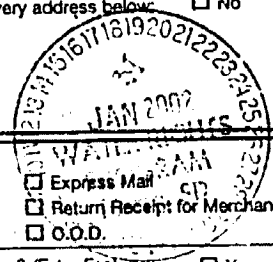
A. Received by (Please Print Clearly) JOSEPH R SCHREINER B. Date of Delivery 1-17-02

C. Signature Joseph R Schreiner ☐ Agent ☐ Addressee

D. Is delivery address different from item 1? ☒ Yes ☐ No
If YES, enter delivery address below:

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ O.D.D.

4. Restricted Delivery? (Extra Fee) ☐ Yes





DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 24, 2002

319-1

Joseph R Schreiner
RR 1 Box 133
Newell SD 57760 9632

Dear Mr. Schreiner:

I am writing to acknowledge receipt of your 2001 irrigation questionnaire. You may disregard the January 16, 2002, "Notice" concerning reporting requirements for Water Right No. 319-1.

I completed a questionnaire for you based on our January 24th telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

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



319-1
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 26, 2007

NOTICE

TO: JOSEPH R SCHREINER, 18612 VIKEN RD, NEWELL, SD 57760 9632

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2006 Irrigation Questionnaire(s)

Our records indicate that the 2006 Irrigation Questionnaire has not been submitted for Permit No(s) 319-1. The request for the Questionnaire was dated October 20, 2006. The Water Management Board has directed that owners of water permits who have not submitted the 2006 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:30 am, March 7, 2007, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 319-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

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

If the questionnaire(s) is(are) received in this office on/or before March 1, 2007, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352. If you prefer, you can complete the questionnaire on-line at the following link:

<https://www.state.sd.us/eforms/secure/eforms/E0455V5-IQ.pdf>

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

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Track & Confirm

Search Results

Label/Receipt Number: **2303 2160 0000 0799 6934**
Status: **Delivered**

Your item was delivered at 8:27 AM on January 29, 2007 in NEWELL, SD 57760. The item was signed for by J SCHREINER.

[Additional Details >](#)[Return to USPS.com Home >](#)

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U.S. Postal Service™ Signature Confirmation™ Receipt

SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 6934

P

JOSEPH R SCHREINER
18612 VIKEN RD
NEWELL SD 57760 9632

Waiver of Signature ☐ YES ☐ NO

Postmark
Here

POSTAL CUSTOMER:
Keep this receipt. For Inquiries:
Access internet web site at
www.usps.com®
or call 1-800-222-1811

CHECK ONE (POSTAL USE ONLY)

☐ Priority Mail™ Service
☐ First-Class Mail® parcel
☐ Package Services parcel

RECEIVED BY: [Signature]
(SEE REVERSE)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 2, 2007

319-1

Joseph R Schreiner
18612 Viken Rd
Newell SD 57760-9632

Dear Mr. Schreiner:

I am writing to acknowledge receipt of your 2006 irrigation questionnaire. You may disregard the January 26, 2007, "Notice" concerning reporting requirements for Water Right No. 319-1.

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

If you have any questions, please contact me.

Sincerely,

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

RECEIVED

JUN 20 2007

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 319-1Date: XI/We request that Water Right No. 319-1formerly owned by: Joseph Schreinerbe transferred to: (name & address) X

James Timothy and Edna McDermott
18612 Viking Rd
Newell, SD 57760

Telephone No. X 605-456-2024

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

164 acres in the S 1/2 SW 1/4 Section 26 and N 1/2 NW 1/4, W 1/2 NE 1/4 Section 35; all in T9N-R5E

I/We understand that the validity of Water Right No. 319-1 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 Two Dollars and Fifty Cents (\$2.50) 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 Tim & Edna McDermott, the new owner, certify that the above information is true and correct.

Tim McDermott
Edna McDermott
(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 6/20, 20 07

RECEIVED OF TIM MCDERMOTT 1140 WOODRIDGE DR RAPID CITY SD 57702

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	2	50
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 319-2		
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	
	2	50

No.

03073

By Gordon Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

July 5, 2007

319-1

Tim & Edna McDermott
18612 Viken Rd
Newell SD 57760

Dear Mr. & Mrs. McDermott:

Thank you for following up on the ownership change for Water Right No. 319-1. The transfer has been completed. The water right formerly listed in the name of Joseph Schreiner is now listed as being held by "James Timothy and Edna McDermott".

Each year in October, we mail out the annual irrigation questionnaire. Enclosed is a sample copy for your review. This will give you an idea of what type of information you will need to keep track of during the irrigation season.

An additional item I wanted to make you aware of is that in order to maintain water rights, they need to be used. I am including excerpts of our water laws and Water Management Board rules dealing with this issue.

Also enclosed is your Receipt No. 03073 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure