

No. 322-1A

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

MAY 1 1961
WATER RESOURCES BOARD
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 Rodney Winkler
Postoffice address Howell County S.D. State S.D.

- 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 THE DIVERSION IRRIGATION PROJECT
NO. 1, OTHER THAN THAT ALLOWED UNDER APPLICATION #323-1 - 3.35 MAX 360 FT.

3. Amount of water claimed TO BE DIVERTED FROM THE BELLE FOURCHE RIVER TO SUPPLEMENTAL IRRIGATION 1000 CFS

4. Source of water supply THE S. 1/4 COR. SEC. 3 AND A POINT N 90° E 360' FROM THE S. 1/4 COR. SEC. 3 T. 10 N. R. 5 E. S. 1/4

5. Location of point of diversion on bank BUTTE County

6. Annual period or periods during which water is to be used APRIL 1ST TO OCTOBER 1ST

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? GRAVITY
ORIGINAL #323-1 - 270 THIS APPLICATION 49 A - TOTAL 319 AC.

NE-SE 1/4 AC. IN NE 1/4 SEC. 32 T. 10 N. R. 5 E. S. 1/4 TOTAL 49 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 and accompanied by a map.)

(c) Statement as to domestic use (giving location, etc.) NONE

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

(a) Nature of use STOCKWATERING

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 AT FALLING OF GRADE 3000. 14

MAP NO 291-1A

8. Estimated cost of work: SPREADER DITCHES AND DITCHES \$200.00
OTHER (a) Head gate, \$..... BY ORIGINAL APPLICATION #32461 Pumping plant, \$.....
(c) Fluming, \$..... (d) Canal earth, \$..... Rock, \$.....
(e) Other structures \$..... Total, \$.....
TOTAL 7670.00.

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 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	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 years.

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

12. Choice of newspaper for publication of notice of intention to appropriate
THE BUREAU OF REVENUE

STATE OF SOUTH DAKOTA

County of

I,

Rodney Winkler, 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

Subscribed and sworn to before me this

day of

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Remarks by State Water Resources Commission:

This permit is approved subject to the restriction that no additional water be used above that amount provided for under Permit 323-1

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, July 27, 1961

This is to certify that the foregoing application was received by the Commission at 2:30 o'clock a.m. upon the 1st day of MAY, 1961.

State Water Resources Commission

By: Barton L. Jones

for Chief Engineer, Executive Officer

Number of permit 323-1A

Date of first receipt of application MAY 1, 1961

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 MAY 1, 1961

Approved July 19, 1961, Recorded in Book 4 Page 248A

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 January 19, 1962

2nd. The whole of said work is to be completed on or before July 19, 1962

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

July 19, 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 none and cubic feet per second; neither shall it exceed the capacity of the above described system, nor the least amount of water that experience may hereafter indicate as necessary for the el of crops in the exercise of the best husbandry; and further, said appropriation must be limited to no al than one al seventh (1/70) of one cubic foot of water per second of time for each acre of land to which al is actually

and beneficially applied for irrigation on or before July 19, 1962, or to be used during the following described annual period:

April 1 thru October 1

Witness my hand this 27th day of July, 1961

State Water Resources Commission

By: Q. L. Bunn

Chief Engineer, Executive Officer

Certificate of Construction issued March 10, 1964

Water License issued March 10, 1964

STATE OF SOUTH DAKOTA

WATER LICENSE No. 323-1A

WHEREAS, On the 1st day of May A. D. 1961

Rodney Winkler

of Newell County of Butte and State of South Dakota duly made application (No. 323-1A) to us for a permit to

~~XXXXXX~~ add 49 acres to existing Permit 323-1 in the

County of Butte, State of South Dakota, for irrigation purposes; and

WHEREAS, On the 27th day of July A. D. 1961

Permit No. 322-1A was issued to said applicant for the addition of said land ~~XXXXXX~~, and providing for the completion of the works of diversion therein described on or before the 19th day of July A. D. 1962 and for the application to beneficial use of said

water on or before the 20th day of September A. D. 1963 and,

WHEREAS, On the 22nd day of February A. D. 1964

the holder of said permit duly made proof of the completion of adequate works for the diversion of 3.85 * cubic feet per second of said waters, as evidenced by our Certificate No. 323-1A

dated March 10, 1964 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.85 cubic feet per second of water, with date of priority of May 1, 1961 and,

WHEREAS, On the 26th day of September A. D. 1963

proof was duly made of the application to beneficial use of 3.85 cubic feet per second of said water; for irrigation of the acreage described in the Certificate of Completion of Works 323-1, plus the 49 acres granted under this permit

* Total combined diversion rate under both 323-1 and 323-1A is 3.85 cfs

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 Rodney Winkler
of Newell the holder and owner of said permit No. 323-1A
a water right, dating from May 1, 1961 to the use of water granted
under Permit 323-1
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~

In the County of Butte and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinafter mentioned, to be diverted ~~xxx~~ between a point S45°W, 1800 ft.
from the E½ Corner, Section 3, and a point N90°E, 365 ft. from the S½ corner, Section
14, T10N, R5E
and conducted to and upon the additional 49 acres described in the Certificate of Comple-
tion of Works 323-1A

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 10th day of March A. D. Nineteen
Sixty-Four
Hundred and _____

State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Amt. _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

in Book _____ of _____ Page _____

Permit No. 323-1AWater Division No. 1 Belle Fourche River
Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Rodney Winklerof Newell, County of Butte, and State of
South Dakota the holder of Permit No. 323-1A, issued upon ApplicationNo. 323-1A, bearing date of priority of May 1, 1961, authorizing the diversion of
no additional water than granted under No. 323-1~~XXXXXX EXCEEDED BY THE WORKS~~County of Butte, State of South Dakota, ~~xxx~~ between a point S45°W,
1800 ft. from the E $\frac{1}{4}$ corner, Section 3, and a point N90°E, 365 ft. from the S $\frac{1}{4}$ corner,
Section 14, T10N, R5E, for irrigationpurposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 3.85 * cu. ft.
as granted under Permit 323-1per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,
under this permit, the lands added to Permit 323-1 are:

Section 10, T10N, R5E	NW $\frac{1}{4}$ SE $\frac{1}{4}$	17 acres	b6)
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	32 "	b8
Total -		49 "	

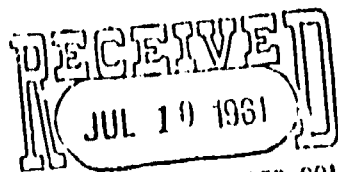
* Note: Total combine diversion rate under both 323-1 and 323-1A is 3.85 cfs.

Witness my hand this 10th day of March A. D. 1964

State Water Resources Commission

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

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Butte } ss.Laurence W. Hupler being duly sworn, deposes and says the annexed printed copy of Noticeof Intention to Appropriate Water was taken from the Butte Torch Bee a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the City of Butte of Butte County of Butte and State of South Dakota; that the said notice was published in said newspaper on the following dates:June 16, 1961June 23, 1961June 30, 1961July 7, 1961in each and every issue of the full number thereof, the first publication being made on the 16 day of June1961 and the last publication on the 7 day ofJuly 1961, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication hewas Laurence W. Hupler the printer and publisher of the said newspaper.Subscribed and sworn to before me this 7 day of July A. D. 1961STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTANotary Public Butte County, S. D.Notary Public, Butte County, So. Dak.
My Commission Expires Sept. 29, 1964No. 323-1A
APPROPRIATION OF WATER
Office of State Water
Resources Commission,
Pierre, S. Dak.,May 31, 1961
Notice is hereby given that S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to Rodney Winkler whose post-office address is Newell, add 49 acres to his existing permit 323-1, from Dry Creek, with no additional waters requested. The lands to be added to the application include portions of the following described land:NW $\frac{1}{4}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$,
Section 10, T 10N. R. 10E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 19th day of July, 1961, at 2 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: Burton F. Jones
Water Right Specialist
B-11 6/16-23-30 7/7

APPROPRIATION OF WATER

Pierre, S. Dak., May 31, 1961.

the point of diversion of which is to be located on the
back of said stream in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section

and for ~~other~~ purposes.

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

~~Chief Engineer, Executive Officer~~
~~XXXXXXXXXXXXXXXXXXXX~~
BURTON F. JONES
Water Right Specialist