

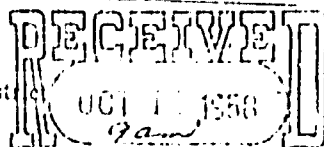
1. Considered December 3, 1958 Appl. No. 361-1
2. Name of Applicant Royal Mahood
3. Post Office Address Platteville, Colorado
4. Amount of water claimed 4 cfs
5. Source of water supply Crow Creek
6. Water to be used for Stock watering
Acres to be irrigated none
7. Water to be diverted and used in Battle County about
15 miles North west of Belle Fourche
8. Proof of Publication Received ☒
Not Received ☐

9. Application Approved ☒
Subject to _____
Not approved ☐
Action deferred ☐

10. Remarks: Above Orman diversion. Applicant
was advised of inclusion of Stock watering
in Domestic use but he still wanted to apply
for an appropriate right for this use

Water Division No. 1

(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 ROYAL MOLOED M. L. L.
 Postoffice address PLATTEVILLE, County WELD, State COLO.

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

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

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

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

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

2. Name of diversion work THE ROYAL MOLOED PUMPING PROJECT
 3. Amount of water claimed 400 cubic feet per second 25 Ac. Ft. storage
 4. Source of water supply from rain or melting snow
 5. Location of point of diversion N 8° 10' E from the S. 1/4 Cor. Sec. 20, T. 10 N., R. 1 E. S. 1
 6. Annual period or periods during which water is to be used At flood periods only, as needed
 7. To be used for: for stock water

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Stock water only.

(a) Number of acres to be irrigated None acres.

(b) Legal subdivisions to be irrigated None

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

(c) Statement as to domestic use (giving location, etc.) Water to be pumped from Crow Creek in flood periods only and conveyed by pipe and ditch to a stock reservoir in the N. 1/4 Sec. 20, T. 10 N., R. 1 E. S. 1.

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

(a) Nature of use Stock water as described above
 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 No surplus to be pumped.

Map No. 379-1

8. Estimated cost of work:

(a) Head Gates, 6 Berkeley 6-TRE pump 370 ft. 8" (b) Pumping plant, \$ 22.40
 (c) Pumping, 6 welded aluminum pipe w/ couplings, gates & locks, \$ 954.70
 (e) Other structures \$ Total, \$ 1370.70

9. Description of diversion works: Estimated cost of motor \$ 250.00
 1370.70

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

Pump & motor, 370 ft. 8" aluminum pipe, 350 ft. ditch. (Capacity 4 Sec. ft.)

II. Dimensions of works:

(a) Dam: Height _____ feet; length at bottom _____ feet; length at top _____ feet; thickness at bottom _____ feet; thickness at top _____ feet; slope at front water face _____; slope at back face _____ material used in construction _____

(b) Reservoir: Capacity when filled _____ acre feet. Surface area at highwater mark _____ acres.

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

I am running 2075 head of grown cattle on this ranch this season and have no available stock water other than my stock reservoirs except for a very limited vein in a shallow well which is at a low level of production during the present dry weather and I am advised by the Water Resources Commission that there is only an uncertain amount of water at about the 2500 ft. level with the possibility of insufficient water for a well at that level. This limited supply of water imposes such a great financial risk upon my operations that I am impelled to make this application as the only practical insurance against such risk.

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

(d) Canal: Total length 8 1/10 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 2 years.

11. Time required for complete application of water to the proposed beneficial use 2 years.

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

STATE OF SOUTH DAKOTA

County of Butte ss.

I, Royal McLeod by Kenneth Budmyer, Manager, 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 Royal McLeod by Kenneth Budmyer, Manager.

Subscribed and sworn to before me this 13th day of July 1958.

Notary Public (or other qualified officer.)

PLAT
OF
THE ROYAL MC'LEOD PUMPING PROJECT
IN
SECTION 20, T.10 N., R.1 E-BHM
BY THE COUNTY, SOUTH DAKOTA

SCALE- 1 in. = 660 ft.
8 in. = 1 mile.

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 ROYAL MC'LEOD, OF PLATTEVILLE, COLORADO I HAVE MADE A SURVEY OF THE TRACTS DESCRIBED HEREIN AND HAVE PREPARED THIS PLAT FOR THE PURPOSE OF SHOWING THE LOCATION OF THE PROPOSED PUMP SITE DESCRIBED IN HIS APPLICATION FOR A PERMIT TO PUMP FLOOD WATER FOR STOCK WATERING OUT OF CROW CREEK (A DRY DRAW WITH NO SPRINGS, WATER HOLES, OR RUNNING WATER EXCEPT FROM RUNOFF FROM RAIN OR MELTING SNOW).

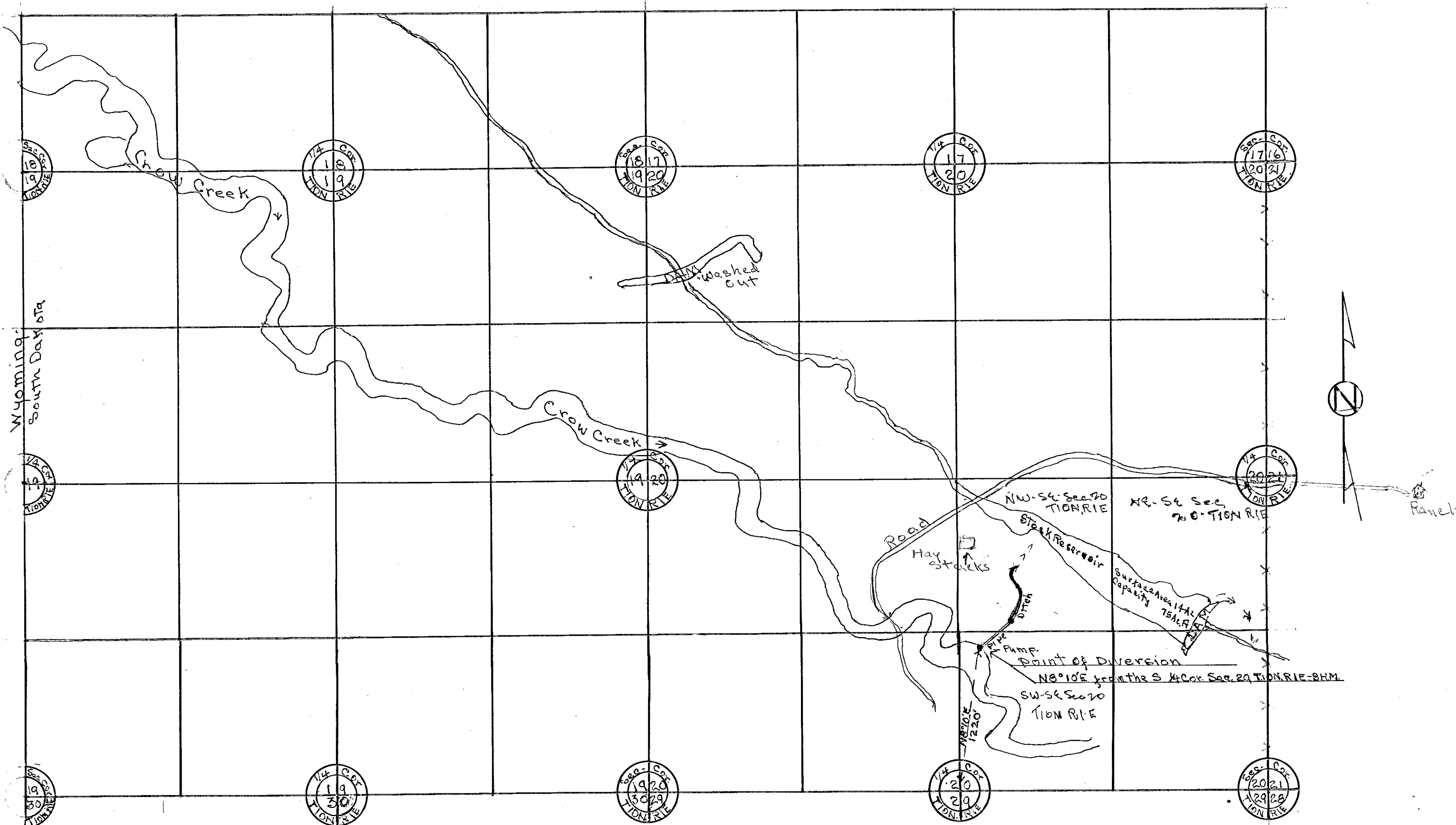
I FURTHER CERTIFY THAT THE LENGTHS AND BEARINGS OF ALL LINES SHOWN, AND THEIR LOCATION WITH REFERENCE TO GOVERNMENT CORNERS SHOWN, ARE CORRECT, TO THE BEST OF AND BELIEF.

SUBSCRIBED AND SWORN TO AT BUFFALO, SOUTH DAKOTA THIS 8th DAY OF SEPTEMBER 1958.

CARL M. CORNELL, LICENSED SURVEYOR # 144 (Seal)

SUBSCRIBED AND SWORN TO BEFORE ME AT BUFFALO, SOUTH DAKOTA THIS 8th DAY OF SEPTEMBER 1958.

NOTARY PUBLIC (SEAL)



Remarks by State Water Resources Commission:

Diversions granted under this Permit should be concentrated during periods when the flow of Crow Creek is greater than can be carried by the Belle Fourche Inlet Canal.

STATE OF SOUTH DAKOTA

County of *Wichita* } ES.

Pierre, South Dakota.

October 22, 19*58*

This is to certify that the foregoing application was received by the Commission at *9:20* o'clock *A*.m. upon the *14* day of *October*, 19*58*

State Water Resources Commission.

By:

George R. Miller

Chief Engineer, Executive Officer

Number of permit *361-1*

Date of first receipt of application *October 14*, 19*58*

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 *October 14*, 19*58*

Approved *December 3*, 19*58*, Recorded in Book *7* Page *68*

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 *December 3, 1959*

2nd. The whole of said work is to be completed on or before *December 3, 1960*

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

December 3, 1962

4th. The water appropriated shall be used for the purpose of *irrigation* *See attached map*

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 *400* 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 *December 3, 1962*; said water to be used during the following described annual period:

Flood flow periods only April to October inclusive

Witness my hand this *18* day of *December*, 19*58*

State Water Resources Commission

By:

George R. Miller

Chief Engineer, Executive Officer

Certificate of Construction Issued *September 30*, 19*59*

Water License Issued *September 30*, 19*59*

STATE OF SOUTH DAKOTA

WATER LICENSE No. 361-1

WHEREAS, On the 14th day of October A. D. 1958

Royal McLeod

of Platteville County of Weld and State of

Colorado

duly made application (No. 361-1) to us for a permit to use 4.0

cubic feet per second of the waters of Dry Creek (a dry draw)

County of Butte, State of South Dakota, for stockwatering

purposes; and

WHEREAS, On the 18th day of December A. D. 1958

Permit No. 31-1 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 3rd day of

December

A. D. 1960 and for the application to beneficial use of said

water on or before the 3rd day of December A. D. 1962

and,

WHEREAS, On the 29th day of July A. D. 1959

the holder of said permit duly made proof of the completion of adequate works for the diversion of 4.0

cubic feet per second of said waters, as evidenced by our Certificate No. 361-1

dated September 30, 1959 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 4.0 cubic feet per second of water, with date of priority of October 11, 1958 and,

WHEREAS, On the 29th day of July A. D. 1959

proof was duly made of the application to beneficial use of 4.0 cubic feet per second of said water;

to a stockwater dam located in the NE 1/4 Sec. 20 T 10N, R 1E

V.A./P

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 Royal McLeod

of Platteville, Colorado the holder and owner of said permit No. 361-1

a water right, dating from October 11, 1958 to the use of 4.0

cubic feet per second of the waters of Crow Creek (a dry draw)

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

necessary for the purposes hereinbelow mentioned, to be diverted at a point N 8°10'E from the S¹
corner Sec. 20 T 10N R 1E

and conducted to ~~an~~ upon stockwater reservoir in the N¹ SE¹ Sec. 20 T 10N R 1E

for the purpose of stockwatering

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 30th day of September A. D. Nineteen
Hundred and fifty-nine

State Water Resources Commission

By:

J.W. GRIMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 361-1Water Division No. 1 Belle Fourche Water District
River**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Royal McLeod

of Platteville, County of Weld, and State of Colorado, the holder of Permit No. 361-1, issued upon Application No. 361-1, bearing date of priority of October 14, 1958, authorizing the diversion of 4.0 cu. ft. per second of the waters of Crow Creek (a dry draw) County of Butte, State of South Dakota, at a point N8°10'E from the S $\frac{1}{2}$ corner Sec. 20, T 10N, R 1E

for stockwatering 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 4.0 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:

Witness my hand this 30th day of September A. D. 1959

State Water Resources Commission

By:

J.W. GRIMES,

Chief Engineer, Executive Officer

Permit No. 361-1Water Division No. 1 Belle Fourche Water District
River**Certificate of Examination of Works****Report of Examining Engineer**

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

Dear Sir: 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 Royal
McLeod of Platteville
Colorado County, South Dakota, holder of Permit No. 361-1, issued
upon Application No. 361-1, bearing date of priority of October 11, 1958, authorizing the
diversion of 4.0 cu. ft. per second of the waters of Crow Creek - (dry Draw) for Stockwatering
purposes. I have to report on the condition of the same as follows:

The diversion works comprise: 300' long fill 18' high with a storage capacity of approx.
50 acre ft. Berkley Pump Model 6YREH, BM#790 and Serial #5809390 with 8" inlet and
6" outlet, powered by a Waukesha industrial motor # 6MZAU8073C

and the system is in the following condition: excellent

The point of diversion is located N 6° 10' E from the S¹ corner Sec. 20 T. 10N. R. 1E

The works are capable of diverting and conveying to the place of use 4.0 cu. ft. per second of water,
which is to be used for stockwatering

The legal sub-divisions to be irrigated are: N/A

comprising a total of none acres of land.

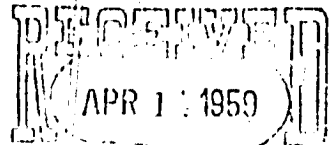
The domestic use intended comprises stockwatering

The utilization for power, mining, or other beneficial uses comprises: none

Witness my hand, this 29th day of July, A. D. 1959.

—SEAL—

Les Wyborn
By B.F.J. Baxter Examining Engineer.

Permit No. 331-1Belle Fourche

STATE WATER RESOURCES COMMISSION

Water Division No. 1River

Water District

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.) Box 133, Platteville, Colorado.

(Date) _____

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

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

4.0 cu. ft. per second of the waters of the state from Crow Creek

through the McLeod Canal

for Stockwatering 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 Royal McLeod

2. The postoffice address of such person or the place of business of such corporation is Belle Fourche
County of Butte State of South Dakota

3. The number of such permit is 331-1 and the date set for the completion of such work is October 14th, 1960

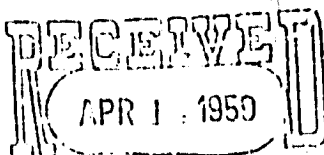
4. Said water to be used for Stockwatering purposes.

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 4.0 cubic feet per second.

6. The amount of land for which said water is available is _____ acres,
particularly described as follows: Storage reservoir in the NE-34, Sec. 20, T.10 N.,
R.1 E. R. 18 E. in Butte County, South Dakota.

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

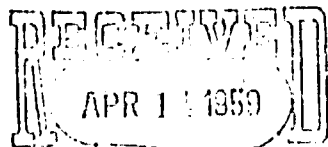
(Signature of Owners)

Royal McLeod

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

Permit No. 361-1

Belle Fourche

Water Division No. 1 River Water District STATE WATER RESOURCES COMMISSION
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.) Rt. 1, Box 183, Platteville, Colorado

(Date) _____

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

DEAR SIR: Notice is hereby given that on the _____ day of _____
19____, at Belle Fourche County of Butte State of South Dakota,
before _____ proof will be submitted of the application to beneficial use
(Examining Engineer or Officer)

of 4.0 cubic feet per second of the waters of Croy Creek

_____ In accordance with the terms and conditions of Permit No. 361-1
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 _____

Royal McLeod, Rt. 1, Box 183, Platteville, Colorado

2. The use to which said water has been applied is _____

Stockwatering,

3. The amount applied to beneficial use is 4.0 cubic feet per second

4. The place where said water is used is (If for irrigation, give full and accurate description of the lands irrigated) Stockwater reservoir in the NE 1/4 Sec. 30, T. 10 N., R. 1 E., SW

in Butte County, South Dakota

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

McLeod Canal.

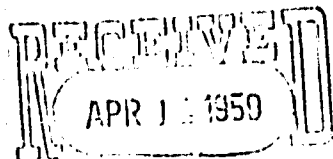
6. The right to take the water from such works is based upon permit No. 361-1

7. The source of supply from which such water is diverted is Croy Creek

8. The date of priority which said user is prepared to establish is October 14, 1958

(Sign) _____

Royal McLeod

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

PROOF OF PUBLICATI

STATE OF SOUTH DAKOTA

County BUTTE ss.

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

Belle Fourche Bee a newspaper which during the whole 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:

Oct. 30, 1958Nov. 6, 1958Nov. 13, 1958Nov. 20, 1958

in each and every issue of the full number thereof, the first publication being made on the Oct. day of Oct.

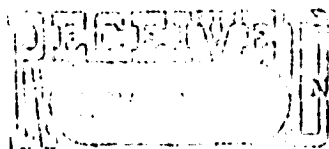
1958 and the last publication on the 20 day of

NOVEMBER 1958, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was publisher the printer and publisher of the said newspaper.

Laurence Weyler

Subscribed and sworn to before me this 20 day of NOVEMBER A. D. 1958



Notary Public

Butte

County, S. D.

STATE WATER RESOURCES

Notary Public, Butte County, So. Dak.
My Commission Expires Sept. 29, 1966

/ No. 361-1

APPROPRIATION OF WATER

Office of State Water Resources Commission
Pierre, S. Dak.,

October 22, 1958

Notice is hereby given that Royal McLeod whose postoffice address is Pateville, Colorado, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 4.0 cubic feet of water per second of time during flood periods from Crow Creek (a dry draw) through the Royal McLeod Pumping Project, the point of diversion of which is to be located on the north-easterly bank of said stream in the SW 1/4 of the SE 1/4 of Section 20 Twp. 001N Range 1E. Salt water to be used for the purpose of providing stockwater in the SE 1/4, Sec. 20, T 10N, R 1E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 3rd day of December, 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: Les Wyborny

Water Rights Engineer
B41 10/30 11/20

(First Publication before November 7, 1958)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., October 22, 1958

Notice is hereby given that Royal McLeod whose postoffice address is Patteville, Colorado ~~xxxxx~~, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 4,0 ~~xxxxx~~ during flood periods cubic feet of water per second of time from the Crow Creek (a dry draw) ~~xxxxx~~ through the Royal McLeod Pumping Project ~~xxxxx~~, the point of diversion of which is to be located on the northeasterly bank of said stream in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 20 Twp. 10N Range 1 E said water to be used for the purpose of providing ~~xxxxx~~ stockwater in the SE $\frac{1}{4}$, Sec. 20, T 10 N, R 1 E.

~~xxxxx~~ ~~xxxxx~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 3rd day of December, 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:

~~xxxxx~~
 cc Lawrence Weyler, Publisher The Belle Fourche Bee
 The Belle Fourche Bee
 Belle Fourche, South Dakota
 Les Wyborny, Water Rights Engineer

Oct 10, 1978

WR 361-1

- Presently is in the name of
Royal McLeod (near in
Colorado)
- Field check Sept. 27, 1978
has breached and is holding
a minimum of water
(water shed was originally
pumped from Lake Lucet
into dam). No plans to
repair.

Present owner Jim Ranney
P.O. Box 100, N.

Cathy Drayton

June 16, 1982

NOTICE OF CANCELLATION

Jim Raney
711 Harding
Selle Fourchon, South Dakota 57717

Dear Mr. Raney:

This letter is in reference to Water Right No. 361-1 listed in the name of Royal McLeod authorizing 4.0 cfs for stock watering purposes. An investigation in 1978 indicated you were now the owner.

The investigation also indicated the dam had been breached and no plans for repair were contemplated. State Statutes provide that when any person entitled to the use of appropriated water fails to beneficially use the water for a period of three years, or longer, such water shall revert to the public.

Therefore cancellation of Water Right No. 361-1 will be considered by the Water Management Board at 9:00 a.m. on July 28, 1982 at the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

Very truly yours,

John Harch, Chief Engineer
Water Rights Division
Phone: (605) 775-3352

c61509jh:wr