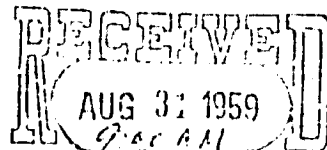


- 411-1
1. Considered 10-1, 1917
 2. Name of Applicant John A. ...
 3. Post Office Address "..."
 4. Amount of water claimed 1200
 5. Source of water supply Bele Fourche
 6. Water to be used for irrigation
Acres to be irrigated 452
 7. Water to be diverted and used in Madison County about
40 miles SE of Bele Fourche.
 8. Proof of Publication Received ✓
Not Received _____
 9. Application Approved ✓
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

Return flow

No. 411-1 Belle Fourche River
 Water Division No. 1 District
 (Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

STATE WATER RESOURCES COMMISSION
SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

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

1. Name of applicant Edward H. Poss Howes Route
 Postoffice address Sturgis County Meade State South Dakota

- 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)

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

2. Name of diversion work Poss Irrigation Project
 3. Amount of water claimed 6.45 cubic feet per second
 4. Source of water supply Belle Fourche River
Between a point N 1056' from the S 1/4 Cor. Sec. 28 T.7 N. R.8 E-BHM
 5. Location of point of diversion
and a point N 1260' from the S 1/4 Cor. Sec. 34, T.7 N. R.8 E-BHM
on Left (L) bank Meade County.
 6. Annual period or periods during which water is to be used April 1st thru Nov. 15th
 7. To be used for:

I. Irrigation or domestic use: gravity, overhead sprinkling or combination system? Gravity(a) Number of acres to be irrigated 452 acres.

(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 attached as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.)

Irrigation and stockwater

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

(a) Nature of use Stockwater

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 X X

Map No. 357-1

8. Estimated cost of work: Berkeley 6-ZRM PTO Pump with 860' 8" pipe \$ 2555.00
(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 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.....5.....years.
11. Time required for complete application of water to the proposed beneficial use.....4.....years.
12. Choice of newspaper for publication of notice of intention to appropriate.....

Sturgis Tribune, Sturgis, So. Dak.

STATE OF NORTH DAKOTA

Sec. 28, T.7 N., R.8 E-PHM 66 Ac
NW-NW-25 Ac., NE-NW-32 Ac., SW-NW-38 Ac., SE-NW-40 Ac., NW-SE-23Ac.
NE-SE-30 Ac., Sec. 33, T.7 N., R.8 E-PHM 194 Ac.
NW-NW-6 Ac., SW-NW-40 Ac., SE-NW-17 Ac., NW-SW-40 Ac., NE-SW-30 Ac.
SW-SW-37 Ac., SE-SW-14 Ac. Sec. 34, T.7 N., R.8 E-PHM 192 Ac.
Total 458 Ac.

..... must have a headgate or measuring device.

My Commission expires April 18, 1967.

PLAT
OF
THE FOSS IRRIGATION PROJECT
SECTIONS 28, 33 and 34, T.7 N., R.8 E-2ND, MEADE Co., S.D., DAK.

SCALE 1 inch = 660 feet
8 inches = 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 Edward H. Foss, I have made a survey and prepared this plat of the several tracts, shown hereon, for the purpose of furnishing the required plat of the irrigable areas of said tracts as a part of his application for a permit to appropriate water from the Belle Fourche River for irrigation purposes.

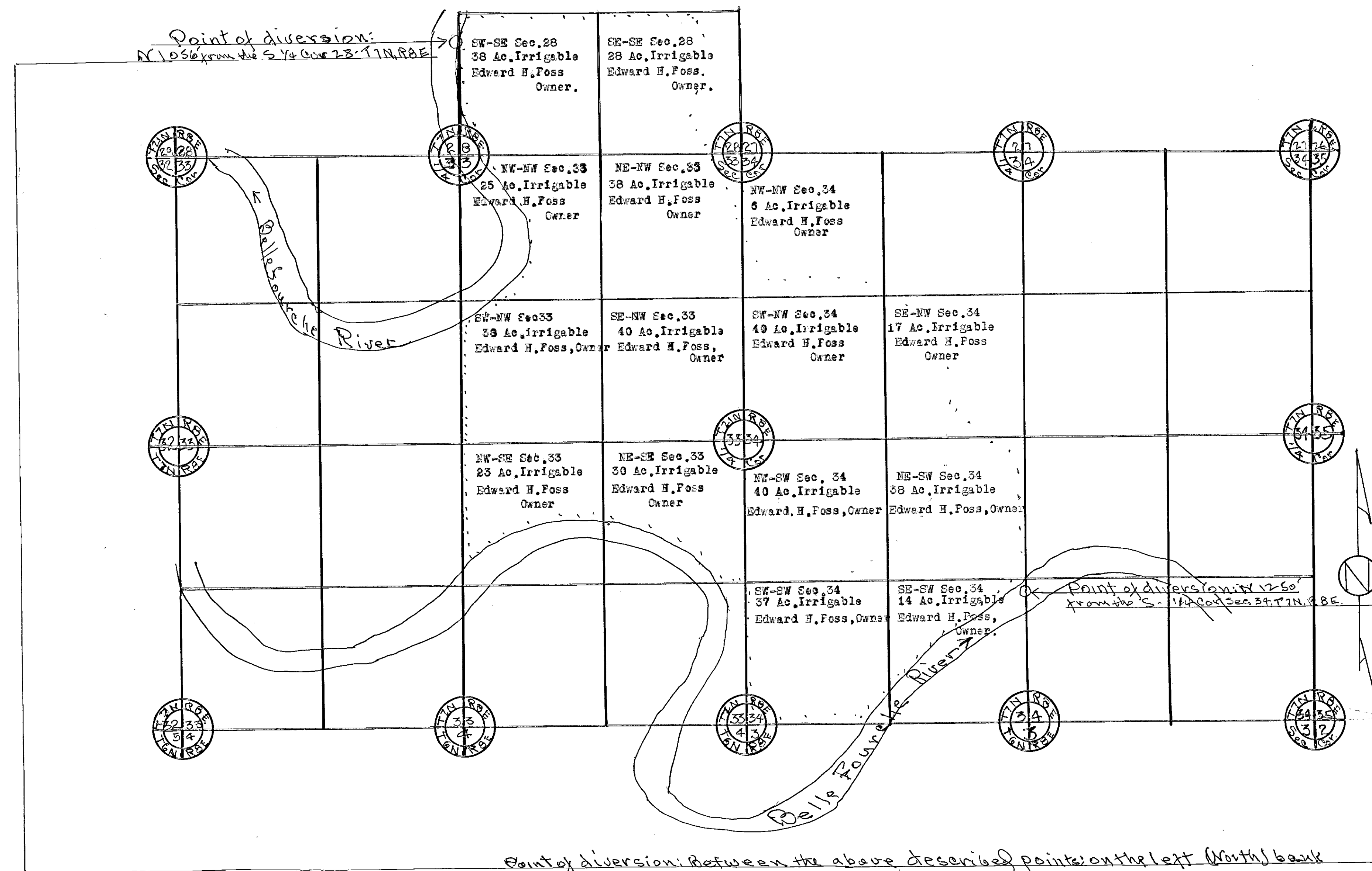
I further certify that the bearings and lengths of all lines shown and their location, with reference to the Government Land Corners shown, are correct, to the best of my knowledge and belief.

Subscribed and sworn to at Buffalo, South Dakota, this 10th day of August 1959.

Signed, Carl M. Cornell
Carl M. Cornell, Licensed Surveyor
No. 144 (SEAL)

Subscribed and sworn to before me at Buffalo, South Dakota this 10th day of August 1959.

Florence Gunderson
Notary Public. (SEAL)
My Commission expires 4-4 1966.
FLORENCE GUNDERSON



Remarks by State Water Resources Commission:

Primarily waters available for this permit are return flows from the Belle Fourche Project.
Year 2039 of the waters under this permit is contingent upon supplies being available to prior water rights.

STATE OF SOUTH DAKOTA

County of Hughes ss.

Pierre, South Dakota,

October 15, 1959

This is to certify that the foregoing application was received by the Commission at 9:00 o'clock

A.m. upon the 31st day of August, 1959.

State Water Resources Commission

By:

Joel Brimmer

Chief Engineer, Executive Officer

Number of permit 411-1

Date of first receipt of application August 31, 1959

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 31, 1959

Approved October 7, 1959, Recorded in Book 5 Page 239

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

October 7, 1960

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

October 7, 1964

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

October 7, 1968

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 6.45 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 October 7, 1968; said water to be used during the following described annual period:

April 1 to November 15, inclusive

Witness my hand this

15th

day of

October

, 1959

State Water Resources Commission

By:

Joel Brimmer

Chief Engineer, Executive Officer

Certificate of Construction Issued

OCTOBER 6, 1969

Water License Issued

OCTOBER 6, 1969

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 411-1

(1) WHEREAS, On the 31st day of August A. D. 19 59

Edward H. Ponn

made Water Right Application No. 411-1 for a permit to use 6.45 cubic feet per second of the water of the Belle Fourche River

County of Meade State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 15th day of September A. D. 19 59

Permit No. 411-1 with a date of priority of August 31, 1959

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 7th day of October A. D. 19 64 and for the application to beneficial use of said water on or before the h day of October A. D. 19 68

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 5.1 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent.

for irrigating the following land in T7N, R8E

Section 28 S $\frac{1}{2}$ SE $\frac{1}{2}$ 66 acres

Section 33 NE $\frac{1}{2}$ 141 acres

N $\frac{1}{2}$ SE $\frac{1}{2}$ 53 acres

Section 34 NW $\frac{1}{2}$ 62 acres

SW $\frac{1}{2}$ 130 acres

Total 452 Acres

EF
101 20202

DC -28
CD -3A
1-1

(5) 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 ~~EDWARD H. POSE~~ Edward H. Pose

of Sturgis, South Dakota

the holder _____ and owner _____ of said permit No. 411-1 a water right, dating from August 31, 1959

_____ to use of 5.1 cubic feet per second of the waters

of _____ the Belle Fourche River

in the County of Beade and State of South Dakota, at so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at between a point N. 1056 feet from the S½ Corner,

Section 28, and N. 1250 feet from the S $\frac{1}{2}$ Corner, Section 34, T7N, R8E

and conduct to and upon portions of Sections 28, 33 and 34, T7N, R8E, described on the face
of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 411-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 6th day of October A. D.

Nineteen hundred and Sixty-nine

WATER RESOURCES COMMISSION

 $\mathbb{B}_\lambda :$

Chief Engineer, Executive Officer, J.W. GRIMES

Form 15.

Permit No. 411-1

Water Diversion No. 1 Belle Fourche River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Edward H. Posh

_____ the holder _____ of
Permit No. 411-1, issued upon Application No. 411-1, bearing date of priority of August 31,
1959 authorizing the diversion of 6.45 cu. ft. per second of the waters of _____
Belle Fourche River County of Mendocino, State of South Dakota ~~xx~~
between a point N. 1056' from the S $\frac{1}{2}$ Corner, Section 28, and a point N. 1250'
from the S $\frac{1}{2}$ Corner, Section 34, T7N, R6E
_____, for irrigation

purposes, has ^B 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 5.1 cu. ft. per second of water.

Date October 6, 1969

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

Permit No. 411-1
 Water Division 1 BELLE FOURCHE RIVER Water District

REPORT OF EXAMINATION OF WORKS
 AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by EDWARD H. POSS of STURGIS holder of Permit No. 411-1, bearing date of priority of AUGUST 31, 1959 authorizing the diversion of 6.45 cu. ft. per second of the waters of BELLE FOURCHE RIVER for IRRIGATION purposes, in MEADE county.

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

The Water Use System consists of,

A. Works used to divert the water:

RAINMASTER BDP PUMP W/ 10" INLET X 10" OUTLET
 POWERED BY WD9 INTERNATIONAL TRACTOR
 (DIESEL)

B. Works used to transport water to place of use,

500' OF 10" ALUMINUM MAINLINE
 50' OF 10" RUBBER TUBING

C. Works used to apply water to beneficial use.

PUMPS INTO APPROXIMATELY 3 MILES OF DITCHES
 WITH SECONDARY DITCHES AND DIKES TO DISTRIBUTE
 WATER TO LEVELLED LAND

The system is in the following condition: GOOD

The point of diversion is located BETWEEN A POINT N 1056' FROM THE S 1/4 CORNER,
 SECTION 28, AND N 1250' FROM THE S 1/4 CORNER SECTION 34, T7N, R8E

The works are capable of diverting and conveying to the place of use 5.1

cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows: ALL IN T7N, R8E:

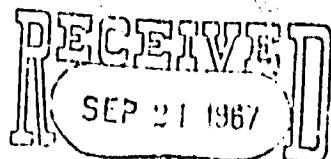
<u>SECTION 28 S²SE⁴ 66 AC.</u>	<u>SECTION 34 NW⁴ 62 AC</u>
<u>SECTION 33 NE⁴ 141 AC.</u>	<u>SW⁴ 130 AC.</u>
<u>N²SE⁴ 53 AC.</u>	

comprising a total of 452 acres of land.

Date OCTOBER 3, 1969
Arton Jones
 (Signature)
 WATER RIGHT SPECIALIST
 WATER RESOURCES COMM.

Location No. _____

Water Division No. _____ Water District _____

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address

Ans. EDWARD H. POSS, MEADE COUNTY; MIXED FARMING, STURGIS, Meade Co.(Faith Route)

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans. Private owned

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

Ans. August 31, 1959 -

Ques. 4. State source of water supply and give exact location of point of diversion. Belle Fourche River. Between a point N 1056 ft. from the S. $\frac{1}{4}$ Cor. S. 28, T. 7 N., R. 8 E
 and a point N. 1250 ft. from the S $\frac{1}{4}$ Cor. Sec. 34, T. 7 N., R. 8 E-BHM

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. 1 8" RainMaster Pump, 1-W-9 Diesel -55 HP. motor, 500 ft. 10" aluminum pipe, 10 ft. 10" rubber hose pipe, 500 ft. ditch-elevated 8 ft. on dike.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

SW-SE-38 ac., SE-SE-28 ac., Sec. 28, T. 7 N., R. 8 E-BHM	66 ac
NW-NE 35 ac., NE-NE-38 ac., SW-NE-38 ac., SE-NE-40 ac.,	
NW-SE-23 ac., NE-SE-30 ac., Sec. 33 T. 7 N., R. 8 E-BHM	194 ac
NW-NW-8 ac., SW-NW-40 ac. Sec. 34 T. 7 N., R. 8 E-BHM	46 ac
Grand total	306 ac

13. N.B. Area eliminated from Sec. 34 = 146 ac.

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

Ans. None

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

Ans. 4 Sec. Ft.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Original permittee.

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

Ans. Completed 1960

(Sign) Edward F. Lewis

I hereby certify that the foregoing testimony was read to the above subscriber before his signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Sturgis (rural), County of Meads

State of South Dakota, on this 30th day of August A. D. 67

CARL M. CORNELL
Notary Public - Harding Co., S. D.
My commission expires April 17, 1968

Witnesses.

Carl M. Cornell
Carl M. Cornell, Notary Public.

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

Richard J. Leptka
Robert A. Pittman

Location No. _____

PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE

PETITION OF HOLDER

Amount of Water _____ c. f. s.

Source _____

County _____

Purpose _____

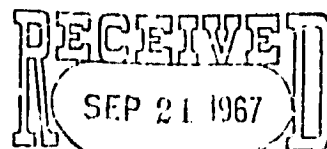
Place of Use _____

Date of recording _____

Received and filed _____

Location No. _____

Water Division No. _____ Water District _____

STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA**Proof of Application of Water to Beneficial Use****PETITION OF HOLDER**

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. **EDWARD H. POSS, MEADE COUNTY, MIXED FARMING, STURGIS, Meade Co.****(Faith Route)**

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans. **Private owned**

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

Ans. **August 31, 1969**Ques. 4. State source of water supply and give exact location of point of diversion. **Belle Fourche River. Between a point N. 1056 ft. from the S. $\frac{1}{4}$ Cor. S. 28, T. 7 N., R. 8 E**Ans. **and a point N. 1250 ft. from the S. $\frac{1}{4}$ Cor. Sec. 34, T. 7 N., R. 8 E-BHM**

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. **1 8" RainMaster Pump, 1-W-9 Diesel -55 HP. motor, 500 ft. 1C" aluminum****pipe, 10 ft. 10" rubber hose pipe, 500 ft. ditch-elevated 3 ft. on dike.**

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

SW-SE-38 ac., SE-SE-38 ac., Sec. 28, T. 7 N., R. 8 E-BHM 66 ac**NW-NE 25 ac., NE-NE-38 ac., SW-NE-39 ac., SE-NE-40 ac.,****NW-SE 23 ac., NE-SE-30 ac., Sec. 34 T. 7 N., R. 8 E-BHM 194 ac****NW-NW-6 ac., SW-NW-40 ac. Sec. 34 T. 7 N., R. 8 E-BHM 46 ac****Grand total - - 306 ac****N.E. area eliminated from Sec. 34 = 146 ac.**

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

Ans. **None**

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

Ans. **4 Sec. Ft.**

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. **Original permittee.**

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

Ans. Completed 1980

(Sign) Richard G. Lepten

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Sturgis (rural) County of Moade

State of South Dakota, on this 29th day of August A. D. 87

Notary Public, Harding Co., S. D.
My commission expires April 17, 1978

Carl W. Corns
Notary Public, Harding Co., S. D.

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

Richard G. Lepten
Robby D. Pittman

Location No. _____

**PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE**

PETITION OF HOLDER

Amount of Water _____ c. f. s.

Source _____

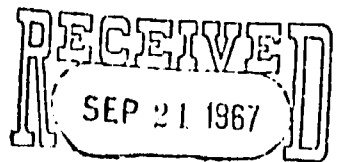
County _____

Purpose _____

Place of Use _____

Date of recording _____

Received and filed _____

Permit No. 411-1

Water Division No. _____

Water District _____

STATE WATER RESOURCES COM. 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.) Faith Route, Sturgis, S.D.(Date) June 25, 1965

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 3

cu. ft. per second of the waters of the state from _____

~~through the~~ Belle Fourche River through the Poss Irrigation Projectfor 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 Edward H. Poss2. The post office address of such person or the place of business of such corporation is SturgisCounty of Manda State of South Dakota3. The number of such permit is 411-1 and the date set for the completion of such work is Oct. 7, 1964 (works actually completed during 1960)4. Said water to be used for Irrigation 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 about 3 cubic feet per second.

6. The amount of land for which said water is available is about 250 acres, particularly described as follows: Sections 28, 33, 34, T 7 N, R 8 E.

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

Edward H. Poss
Owner.

(Signature of Owners) _____

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA
County of Meade

Morris G. Hallock

~~James J. Hallock~~ of said county being first duly sworn, on oath says that he is the publisher of The Sturgis Tribune, a weekly newspaper printed and published in Sturgis, said county of Meade and has full and personal knowledge of all the facts herein stated; that said newspaper is a legal newspaper and has a bona-fide circulation of at least two hundred copies weekly, and has been published within said County for fifty-two successive weeks next prior to the publication of the notice herein mentioned, and was and is printed wholly or in part in an office maintained at said place of publication; that Water Appropriation

....., a printed copy of which taken from the paper in which the same was published, is attached to this sheet, and made a part of this Affidavit, was published in said newspaper at least once in each week for four successive weeks, on the day of each week on which said newspaper was regularly published, to-wit:

September 8,	1959;	19.....
September 16,	1959;	19.....
September 23,	1959;	19.....
September 30,	1959;	19.....
.....	19.....;	19.....
.....	19.....;	19.....

that the full amount of the fees for the publication of the annexed notice is \$ 18.63

Morris G. Hallock

Subscribed and sworn to before me this 1st day October, 19 59

Joe Egger
Notary Public
County of Meade, South Dakota

My Commission Expires 11/24/66

APPROPRIATION OF WATER
Office of State Water Resources
Commission,
Pierre, S. Dak., September 4, 1959.
Notice is hereby given that Edward H. Poss whose postoffice address is Sturgis S. D., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 6.45 cubic feet of water per second of time from the Belle Fourche River through the Poss Irrigation Project the point of diversion of which is to be located on the left bank of said stream between a point in the SW 1/4 Sec. 28 and a point in the SE 1/4 of the SW 1/4 of Section 34 all in Twp. 7N Range SE. Said water to be used for the purpose of providing irrigation on parts of the following described land:
S 1/4 Sec. 28; N 1/4 Sec. 28 and N 1/4 Sec. 33; NW 1/4 NW 1/4 S 1/4 NW 1/4 and SW 1/4 Sec. 34 all in T 7 N. R 8 E.
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 7th day of October, 1959, 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
Publish Sept. 5-10-23-30

RECEIVED
OCT 5 - 1959

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

(First Publication before Sept. 11, 1959)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., September 4, 1959

Notice is hereby given that Edward H. Poss whose postoffice address is Sturgis 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 6.43 cubic feet of water per second of time from the Belle Fourche River through the Poss Irrigation Project the point of diversion of which is to be located on the left bank of said stream/in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 34 all in Twp. 7N Range 8E Said water to be used for the purpose of providing irrigation of the following described land.

S $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 28; N $\frac{1}{2}$ SE $\frac{1}{4}$ and NE $\frac{1}{4}$, Sec 33; NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$, Sec. 34 all in T 7 N, R 8 E

~~XXXXXX~~~~XXXXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 7th day of October, 1959 at 2:00 P.M. All interested persons may appear and be heard.

Appropriation 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:

~~XXXXXXXXXXXXXXXXXXXX~~

Les Wyborry, Water Rights Engineer

cc F. J. Hunn, Publisher
The Sturgis Tribune
Sturgis, S.D.



Department of Water & Natural Resources

Joe Foss Building Water Rights Division (605) 773-3352
Pierre, South Dakota 57501

June 10, 1981

Edward Poss
Sturgis, SD 57765

Mr. Poss:

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>
411-1	5.1	452.0	\$173.00

TOTAL			\$173.00
-------	--	--	----------

Please make check or money order payable to the Dept. of Water & Natural Resources and send to the Division of Water Rights, Joe Foss Building, Pierre, SD 57501.

If you have any questions, do not hesitate to contact this office.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

JH/JW/gy

Equal Opportunity Employer

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

June 12, 1981

Edward Poss
Sturgis, SD 57785

Mr. Poss:

Enclosed is your receipt No. 4 8256 in the amount of \$173.00
which you paid for water master services on the Belle Fourche River.

For your information, the name, address and telephone number of the
water master is as follows:

Marlin Lee
Newell, SD 57760
PH: 456-2321 //

Very truly yours,

James E. Winterton
JAMES E WINTERTON
Water Resources Engineer IV

JEW/gy

Equal Opportunity Employer

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8256

PIERRE,

June 12, 1981

RECEIVED OF Edward H. Poss, Howes Rt., Sturgis, SD 57785

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 filling		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for water master services on WR#411-1		173.00
(any other work as provided by law)		
TOTAL		173.00

WATER RIGHTS COMMISSION

By *(Signature)*
Chief Engineer, Executive Officer

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

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	Diversion Rate	Acreage	Receipts (total fee)	Amount Returned
789-1	Louis Budmayr	0.90	95.50	\$ 34.00	\$ 30.10
429-1	Ed Brunner & Son	1.43	106.00	46.50	41.16
429-1A	Mel Pittman	1.07	79.00	40.00	35.41
506-1	Bob Bartels	.23	17.00	14.25	12.61
892-1	Bob Bartels	1.00	70.00	27.50	24.34
417-1A	Quinten & Karen Watson	.53	78.00	29.50	26.11
417-1B	Clarence Anderson	1.43	206.00	64.00	56.65
417-1	Mrs. Eddie(Vivian)Anderson	1.15	69.00	69.50	61.52
531-1	Ruby Dillinger	1.27	89.29	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	68.75	60.41
1205-1	Harlan K Schnell	1.88	132.00	52.00	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	90.00	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	7.50	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	40.22
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	114.35
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	---
220-1	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	Iune A Shevling	3.00	251.00	92.75	---
560-1	Thornton & Gwenivere Vallery	.50	35.00	18.75	---
289-1	Thornton & Gwenivere Vallery	1.02	75.00	38.75	---
273-1	Ruben & Esther Kling	.46	32.60	18.25	---
273-1A	Ruben & Esther Kling	1.54	108.40	47.25	---
1177-1	Ruben & Esther Kling	3.30	231.00	97.75	---
416-1	Creta & Leslie Miner	2.66	198.00	79.50	---
365-1	Solomn Stark	2.14	150.00	67.50	---
287-1	David G Rathbun	2.20	154.00	68.50	---
1126-1	John Lewis	3.11	339.00	124.75	---

Do not use this space.

STATE OF SOUTH DAKOTA

DIRECT VOUCHER

AGENCY VOUCHER No.	DATE
1001	11/10/81

PAYEE

DEPT.

STAPLE
HERE

Edward Poss
Sturgis, SD 57785

DWR, Water Rights Division
Foss Bldg.
Pierre, SD 57501

AGENCY

ADDRESS

Agency	Fund	Sub Fund	Prog. Act.	Obj. Sub. Obj.	Agency Coding	Amount	Contract No.
200301	699	01	0000	0801		153.13	1
							2
							3
							4
							5
							6
							7
							8
							9
							10
TOTAL 22						153.13	

Warrant # 82079277
AC # 077378
date 11/10/81

NOTE: Vendors invoice must be attached.

Invoice No.(s)	Date Delivered	QUAN.	DESCRIPTION OF SERVICE OR COMMODITY	UNIT PRICE	AMOUNT	MEMO
			Refund of unexpended funds collected from the Belle Fourche River and tributaries Water Use Control Area Permit Owners			
			411-1 Edward Poss		153.13	
TOTAL					153.13	

I declare and affirm under the penalties of perjury that this claim is in all things, true and correct. I further agree to comply with the provisions of the Civil Rights Act of 1964 and regulations issued thereunder relating to nondiscrimination in federally assisted programs.

John Hatch
Claimant Signature

11-5-81
Date

AGENCY VERIFICATION

I hereby certify that this claim has been examined by me, and to the best of my knowledge and belief is in all things true and correct and the same is hereby approved.

John Hatch
DIVISION APPROVAL

11-5-81
DATE

APPROVAL SIGNATURE

11/11/81
DATE

**OVERSIZE
DOCUMENT IS
SUPPLEMENTARY
TO MICROFILM FILE**

NOTICE OF TRANSFER OF OWNERSHIP

PAID

DEC 21 2018

Ck# 4321

RECEIVED

DEC 21 2018

WATER RIGHTS
PROGRAM

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

No. 411-1

Date: 12/18/2018

I/We request that Water Right No. 411-1

formerly owned by: Edward Poss

be transferred to: (name & address) Poss Ranch, INC
Deborah A Mailloux 13445 Rodeo Dr
or Gary Mailloux Valle SD 57788 Telephone No. 605-347-3294

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

452 acres - S 1/2 SE 1/4 Section 28; NE 1/4, N 1/2 SE 1/4 Section 33 and W 1/4 Section 34, T7N, R8E

I/We understand that the validity of Water Right No. 411-1 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 Poss Ranch INC, the new owner, certify that the above information is true and
by Deborah A Mailloux correct.
President

Poss Ranch INC
(Signed by new owner)
by Deborah A Mailloux
President

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.

My dad Edward Pass
passed away in Feb
of 2018. I didn't
know he had never
changed the Water
Rights info to Pass
Ranch INC. Everything
is the same except
Gary & I are over it
now.

Thank You

Debbie Mailloux

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date December 21, 2018

RECEIVED OF Poss Ranch, Inc. 13445 Rodeo Dr Vale SD 57788

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>411-1</u>		
Fee for _____	50	00
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. **08867**

By

Janne Hoodman
Chief Engineer

UTM



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 2, 2019

411-1

Deborah A or Gary Mailloux
Poss Ranch Inc
13445 Rodeo Dr
Vale SD 57788

Dear Mr. & Mrs. Mailloux:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 411-1.

The ownership change has been completed. Water Right No. 411-1 formerly held by Edward Poss is now listed in the name of Poss Ranch Inc.

Enclosed for your records is Receipt No. 08867 in the amount of \$50. If you have any questions, please contact me.

Sincerely,

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

enclosure