

449-1

1. Considered 4-6, 1946

2. Name of Applicant George L. Wurnig

3. Post Office Address Sturgis

4. Amount of water claimed 7.9

5. Source of water supply Belle French River

6. Water to be used for irrigation

Acres to be irrigated 655

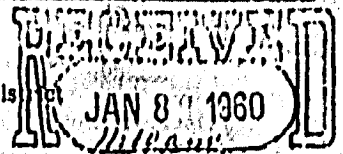
7. Water to be diverted and used in Meadow County about  
756 10 1/2 miles of Sturgis

8. Proof of Publication Received ☒  
Not Received ☐

9. Application Approved ☒ Subject to PWA  
Not Approved ☐  
Action deferred ☐

10. Remarks:

Point of diversion advertised as  
Sec 3 - Should be Sec 33 -  
Have had no complaints or  
Comments on error

No. 449-1Water Division No. 1 Belle Fourche River Dis.  
(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 GEORGE L. WURNIG  
HEREFORD ROUTE  
 Postoffice address STURGIS, County MEADE, State S.D. DAK.

- 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 AND EMPLOYMENT OF OTHERS

- (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 THE WURNIG IRRIGATION PROJECT3. Amount of water claimed 7.9 cubic feet per second4. Source of water supply BELLE FOURCHE RIVERBetween a point S  $90^{\circ}$  230' from the W  $\frac{1}{4}$  Cor. Sec. 33, T.5 N., R.10 E and a5. Location of point of diversion  
point S  $0^{\circ}$  E 1780' from the NE Cor Sec. 2, T.4 N., R.10 E-BHM  
on both banks 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

(b) Number of acres to be irrigated 233 acres  
 SE-SE -23 Ac., Sec. 33, T.5 N., R.10 E-BHM Total 233 Ac.

NW-SW-8 Ac., NE-SW-14 Ac., SW-SW-23 Ac., SE-SW-35 Ac., SW-NE-4 Ac.,  
 SE-NE-29 Ac., NW-SW-28 Ac., NE-SW-39 Ac., SW-SW-38 Ac., SE-SW-27 Ac.  
 Sec. 33 T.5 N., R.10 E-BHM Total 244 Ac

NW-SW-33 Ac., SE-NW-30 Ac., NW-SW-34 Ac., NE-SW-39 Ac., SW-SW-15 Ac.  
 SE-SW-9 Ac., Sec. 34, T.5 N., R.10 E-BHM Total 160 Ac

NE-SW-11 Ac., NE-NE-30 Ac., SW-SE-18 Ac., SE-SE-39 Ac., Sec. 35 Total 93 Ac

NW-NE-9 Ac., NE-NE 31 Ac., Sec. 3, T.4 N., R.10 E-BHM Total 30 Ac  
 Grand Total 555 A

- (c) Location of plant None
- (d) Method of developing power None
- (e) Point where water will be returned to stream X X X X

Map No 390-1

8. Estimated cost of work:

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

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

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

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

(b) Pumping plant, \$200.00

Rock, 1000.00

Total, \$2200.00

9. Description of diversion works:

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

Flooding by pumping from the Belle Fourche River

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<br>OUTLET-Feet | SURFACE AREA AT EACH<br>DEPTH AT OUTLET-ACRES | ACRE-Feet<br>CAPACITY |
|-------------------------|-----------------------------------------------|-----------------------|
|                         |                                               |                       |
|                         |                                               |                       |
|                         |                                               |                       |
|                         |                                               |                       |
|                         |                                               |                       |
|                         |                                               |                       |
|                         |                                               |                       |
|                         |                                               |                       |
|                         |                                               |                       |

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

(d) Canal: Total length.....miles.

| LOCATION BELOW<br>HEADGATE | DEPTH     | BOTTOM<br>WIDTH | WIDTH AT<br>WATER-LINE | GRADE<br>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 SOUTH DAKOTA

County of.....Harris.....ss.

I, George L. Wurnig, 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 George L. Wurnig

Subscribed and sworn to before me this 17th day of December 1959

Carl M. Cornell

Notary Public (or other qualified officer)

\*Each diversion must have a headgate or measuring device.

My Commission expires 4/18/67

PLAT  
OF  
THE WURNIG IRRIGATION PROJECT, IN MEADE COUNTY, SOUTH DAKOTA.  
Sections 32, 33, 34, & 35, T.5 N., R.10 E-BHM and Section 2, T.4 N., R.10 E-BHM.

Scale 1 inch = 860 feet.  
6 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 George L. Wurnig of Sturgis, Meade County South Dakota, I have made a survey and prepared this plat of the irrigable areas shown hereon for the purpose of furnishing the required plat as a part of his Application for a Permit to appropriate water 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 hereon, are correct, to the best of my knowledge and belief.

Subscribed and sworn to at Buffalo, South Dakota, this 21st day of December 1959.

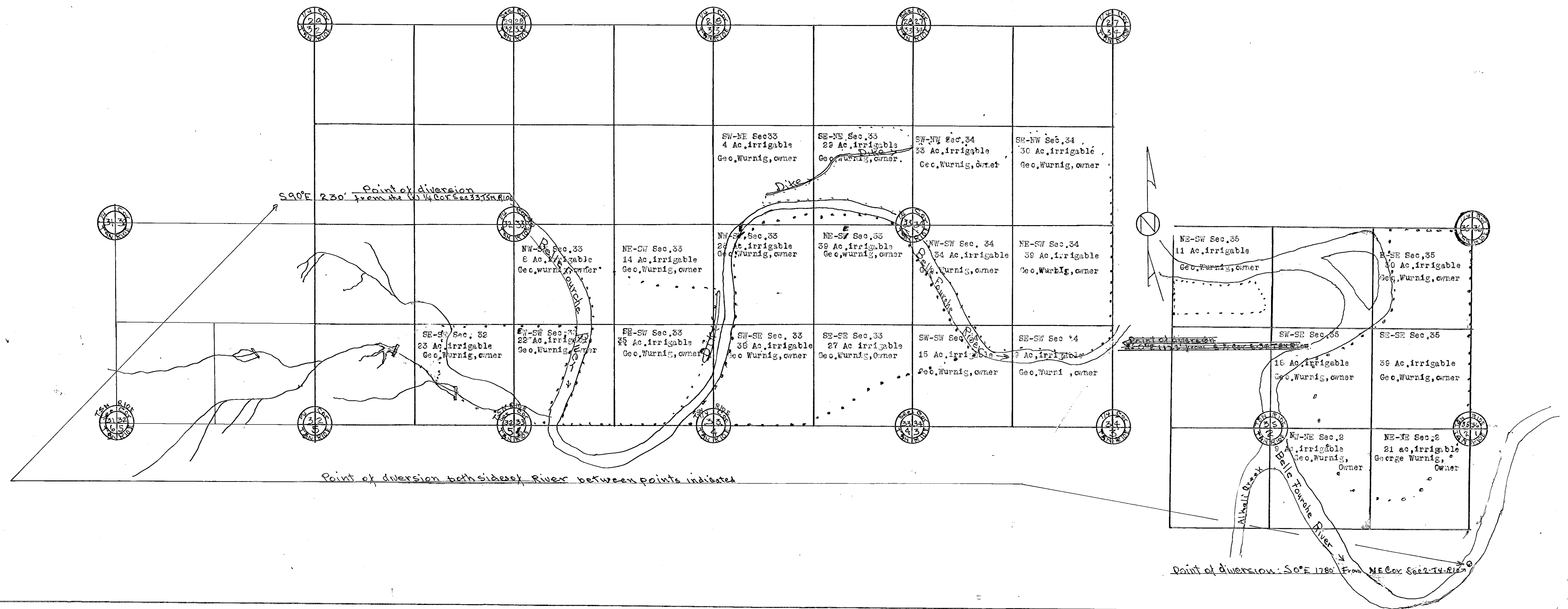
Carl M. Cornell, Licensed Surveyor # 144 (SEAL)

Subscribed and sworn to before me at Buffalo, South Dakota, this 21st day of December 1959.

M. R. Hann

Notary Public (SEAL)

My Commission expires Aug 9 1966



Remarks by State Water Resources Commission:

In action on this application the Commission recognized the error in publication of intent. Your use of the water under this permit is contingent upon supplies being available to prior water rights.

STATE OF SOUTH DAKOTA  
County of Hughes } ss.

Pierre, South Dakota, April 8, 1960

This is to certify that the foregoing application was received by the Commission at 11:00 o'clock

A.m. upon the 8th day of January, 1960.

State Water Resources Commission

By:

Dustin D. Jones  
Chief Engineer, Executive Officer

Number of permit 449-1

Date of first receipt of application January 8, 1960

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 January 8, 1960

Approved April 6, 1960, Recorded in Book 5 Page 346

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 6, 1962

2nd. The whole of said work is to be completed on or before April 6, 1965

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

April 6, 1969

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 7.9 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 April 6, 1969; said water to be used during the following described annual period:

April to November 15, inclusive

Witness my hand this 8th day of April, 1960

State Water Resources Commission

By:

John Brimmer  
Chief Engineer, Executive Officer

Certificate of Construction Issued MAY 19, 1970

Water License Issued MAY 19, 1970

## STATE OF SOUTH DAKOTA

## WATER LICENSE NO. 449-1

(1) WHEREAS, On the 8th day of January A. D. 19 60  
George L. Wurnig

made Water Right Application No. 449-1 for a permit to use 7.9 cubic feet per second of the waters of the Belle Fourche River

County of Meade, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 8th day of April A. D. 19 60

Permit No. \_\_\_\_\_, with a date of priority of January 8, 1960

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 6th day of April A. D. 19 65 and for the

application to beneficial use of said water on or before the 6th day of April A. D. 19 69

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 5.0 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:**

Section 33, T5N, R10E NW $\frac{1}{4}$  SW $\frac{1}{4}$  8 acres

NE $\frac{1}{4}$  SW $\frac{1}{4}$  14 acres

SW $\frac{1}{4}$  SW $\frac{1}{4}$  15 acres

SE $\frac{1}{4}$  SW $\frac{1}{4}$  35 acres

SW $\frac{1}{4}$  NE $\frac{1}{4}$  2 acres

SE $\frac{1}{4}$  NE $\frac{1}{4}$  25 acres

Section 34, T5N, R10E SW $\frac{1}{4}$  NW $\frac{1}{4}$  33 acres

SW $\frac{1}{4}$  SW $\frac{1}{4}$  3 acres

SE $\frac{1}{4}$  NW $\frac{1}{4}$  10 acres

NW $\frac{1}{4}$  SW $\frac{1}{4}$  30 acres

NE $\frac{1}{4}$  SW $\frac{1}{4}$  39 acres

Section 35, T5N, R10E NE $\frac{1}{4}$  SE $\frac{1}{4}$  35 acres

SW $\frac{1}{4}$  SE $\frac{1}{4}$  18 acres

SE $\frac{1}{4}$  SE $\frac{1}{4}$  39 acres

Section 2, T4N, R10E NW $\frac{1}{4}$  NE $\frac{1}{4}$  9 acres

NE $\frac{1}{4}$  NE $\frac{1}{4}$  21 acres

TOTAL

365 Acres

(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 George L. Wurnig

\_\_\_\_\_ of Sturgis, South Dakota

the holder \_\_\_\_\_ and owner \_\_\_\_\_ of said permit No. 449-1 a water right, dating from January 8, 1910

\_\_\_\_\_ to use of 5.0 cubic feet per second of the waters

of the Belle Fourche River

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

purposes hereinbelow mentioned, to be diverted ~~at~~ between points 230' East of the NE Corner, Section 33,

T5N, R10E and 1780' South of the NE Corner, Section 2, T4N, R10E

and conduct to and upon portions of Sections 33, 34, 35, T5N, R10E and Section 2, T4N, R10E,  
described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 449-1 and subject to the laws of the State of South Dakota.

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

this 19th day of May A. D.

Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Permit No. 449-1Water Diversion No. 1 BELLE FOURCHE RIVER Water District

## CERTIFICATE OF CONSTRUCTION

This is to Certify, That George L. Wurnig

\_\_\_\_\_ the holder of  
 Permit No. 449-1, issued upon Application No. 449-1, bearing date of priority of January 8, 1960  
 authorizing the diversion of 7.9 cu. ft. per second of the waters of Belle Fourche River  
 County of Meade, State of South Dakota  
between points 730' East of the W $\frac{1}{2}$  Corner, Section 33, T5N, R10E, and 1760' South of the NE Corner, Section 2, T4N, R10E  
 \_\_\_\_\_, for irrigation

purposes, has 8 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 5.0 cu. ft. per second of water.

Date May 19, 1970

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

Permit No. 449-1Water Division 1 BELLE FOURCHE RIVER Water DistrictREPORT 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 GEORGE L. WURNIG of STURGIS holder of Permit No. 449-1, bearing date of priority of JANUARY 8, 1960 authorizing the diversion of 7.9 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 BDF 10" PUMP, POWERED BY  
JOHN DEERE "A" GASOLINE TRACTOR**

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

**600' OF 10" PIPE**

C. Works used to apply water to beneficial use.

**APPROX 3 1/2 MILES OF DITCHES W/ DICES TO  
SPREAD WATER TO LEVELLED LAND**

The system is in the following condition: GOOD

The point of diversion is located BETWEEN POINTS 230' E OF THE W 1/4 COR, SEC 33,  
T6N, R10E AND 1780'S OF THE NE COR, SEC 2, T4N, R10E

The works are capable of diverting and conveying to the place of use 5.0cu. 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:

SECTION 33, T6N, R10E

NW 1/4 SW 1/4 8 AC.

NE 1/4 SW 1/4 14 AC.

SW 1/4 SW 1/4 15 AC.

SE 1/4 SW 1/4 35 AC.

SW 1/4 NE 1/4 2 AC.

SE 1/4 NE 1/4 25 AC.

SECTION 34, T6N, R10E

SW 1/4 NW 1/4 22 AC.

SE 1/4 NW 1/4 20 AC.

NW 1/4 SW 1/4 20 AC.

NE 1/4 SW 1/4 39 AC.

SW 1/4 8 AC.

SE 1/4 9 AC.

comprising a total of 365 acres of land.

SECTION 35, T6N, R10E

NE 1/4 SE 1/4 35 AC.

SW 1/4 SE 1/4 18 AC.

SE 1/4 SE 1/4 39 AC.

SECTION 2, T4N, R10E

NW 1/4 NE 1/4 9 AC.

NE 1/4 NE 1/4 21 AC.

Date MAY 12, 1970

Burton L. Jones  
(Signature)  
WATER RIGHT SPECIALIST  
WATER RESOURCES COMMISSION

**OVERSIZE**

**DOCUMENT IS**

**SUPPLEMENTARY**

**TO MICROFILM FILE**

## PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }  
County Meade } ss.

MAR 2 1960

Morris Hallock being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Black Hills Press 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 Sturgis County of Meade and State of South Dakota; that the said notice was published in said newspaper on the following dates:

February 6, 1960February 13, 1960February 20, 1960February 27, 1960

in each and every issue of the full number thereof, the first publication being made on the 6 day of Feb. 1960 and the last publication on the 27 day of Feb. 1960, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was the printer and publisher of the said newspaper.

Morris G. HallockSubscribed and sworn to before me this 1 day of March A. D. 1960.Notary Public Joe Egan County, S. D.

APPROPRIATION OF WATER  
No. 448-1  
Office of State Water  
Resources Commission,  
Pierre, S. Dak., January  
21, 1960.

Notice is hereby given that George L. Wurnig, whose post-office 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 7.5 cubic feet of water per second or time from the Belle Fourche River through the Wurnig 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 SW 1/4 Sec. 2 T. 3N. R. 10E. and a point in the SW 1/4 of the NE 1/4 of Section 2 Twp. 4N. Range 10E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SE 1/4 SW 1/4 Sec. 12; SE 1/4 SW 1/4 and S 1/4 NE 1/4 Sec. 13; S 1/4 NW 1/4 and SW 1/4 Sec. 14; and the NE 1/4 SW 1/4 Sec. 15, all in T6N. R. 10E; and the NW 1/4 NE 1/4 Sec. 2, T. 4N. R. 10E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 6th day of April, 1960, 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  
Feb. 6-15-20-27

(First Publication on or before March 10 19-60)**APPROPRIATION OF WATER**

Office of State Water Resources Commission,

Pierre, S. Dak., January 21, 1960

Notice is hereby given that George L. Wurnig 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 7.9 cubic feet of water per second of time from the Belle Fourche River through the Wurnig Irrigation Project, the point of diversion of which is to be located on the both bank of said stream in the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 2 Twp. 1N Range 10E. Said water to be used for the purpose of providing irrigation on portions of following described land:

SE  $\frac{1}{4}$  Sec 32; SE  $\frac{1}{4}$  and S  $\frac{1}{2}$  NE  $\frac{1}{4}$  Sec 33; S  $\frac{1}{2}$  NW  $\frac{1}{4}$  and S  $\frac{1}{2}$  Sec 34;  
and the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$  and the SE  $\frac{1}{4}$  Sec 35, all in T5N-R-10E; and the NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  Sec 2, T 1N, R 10E  
and for

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 6th day of April, 1960, 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:

For: **Morris G. Hallock—Publisher**  
**Black Hills Press**  
**Sturgis, South Dakota**

Chief Engineer, Executive Officer  
~~XXXXXXXXXXXXXXXXXXXX~~  
**Burton F. Jones**  
**Water Right Specialist**



# Department of Water & Natural Resources

Joe Foss Building  
Pierre, South Dakota 57501

Water Rights Division (605) 773-3352

June 10, 1981

George Wurnig  
Sturgis, SD 57785

Mr. Wurnig:

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> |
|-------------------|-----------------------|----------------|------------|
| 449-              | 5.0 cfs               | 365.0          | \$171.25   |
| TOTAL             |                       |                | \$171.25   |

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

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

Very truly yours,

JOHN HATCH, Chief Engineer  
Water Rights Division

JH/JW/gy

*Equal Opportunity Employer*

# RECEIPT

## WATER RIGHTS COMMISSION

State of South Dakota

No 4 8271

PIERRE, June 11, 1981

RECEIVED OF George L. Murnig, 746 Marshall, 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 filing .....                                                                                               |     |    |
| Fee for certified copy of .....                                                                                    |     |    |
| Fee for Print copy of map .....                                                                                    |     |    |
| Fee for Certifying .....                                                                                           |     |    |
| Fee for water master services on WR# 449-1<br>(any other work as provided by law)                                  | 171 | 25 |
| TOTAL                                                                                                              | 171 | 25 |

WATER RIGHTS COMMISSION

By *John Hatch*  
Chief Engineer, Executive Officer  
JOHN HATCH (ky)

STATE OF SOUTH DAKOTA  
**DIRECT VOUCHER**

Do not use this space.

| AGENCY VOUCHER No. | DATE     |
|--------------------|----------|
| 111                | 11/10/81 |

**PAYEE** • George Wurnig  
Sturgis SD 57785

**DEPT.** • 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. |
|----------|------|----------|------------|----------------|---------------|--------|--------------|
| 2C0301   | 699  | 01       | 0000       | 0801           |               | 151 59 | 1            |
|          |      |          |            |                |               |        | 2            |
|          |      |          |            |                |               |        | 3            |
|          |      |          |            |                |               |        | 4            |
|          |      |          |            |                |               |        | 5            |
|          |      |          |            |                |               |        | 6            |
|          |      |          |            |                |               |        | 7            |
|          |      |          |            |                |               |        | 8            |
|          |      |          |            |                |               |        | 9            |
|          |      |          |            |                |               |        | 10           |
| TOTAL 22 |      |          |            |                |               | 151 59 |              |

Warrant # 82079286  
AC # 077382  
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 |            |        |      |
|                |                |       | 449-1 George Wurnig                                                                                                    |            | 151 59 |      |
| TOTAL          |                |       |                                                                                                                        |            | 151.59 |      |

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.

Claimant Signature

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.

DIVISION APPROVAL

APPROVAL SIGNATURE

DATE

DATE

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

Summary of Receipts and Expenditures  
June, 1931 - 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<br>Rate | Acreage | Receipts<br>(total fee) | Amount<br>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 | Linten & Karen Watson      | .53               | 78.00   | 29.50                   | 26.11              |
| 417-1B | Clarence Anderson          | 1.43              | 206.00  | 64.00                   | 56.65              |
| 417-1  | Mrs. Eddie(Vivian)Anderson | 1.15              | 69.00   | 69.50                   | 61.52              |
| 531-1  | Ruby Dillinger             | 1.27              | 89.29   | 42.50                   | 37.62              |
| 1162-1 | Charles & Dorothy Shaykett | 4.61              | 324.70  | 131.00                  | 115.96             |
| 1210-1 | Charles & Dorothy Shaykett | 1.80              | 128.30  | 52.00                   | 46.03              |
| 1132-1 | Ezra Pauley                | 4.00              | 285.00  | 111.25                  | 98.48              |
| 1204-1 | Art Heitz, Jr.             | 2.19              | 153.00  | 68.25                   | 60.41              |
| 1205-1 | Harlan K Schnell           | 1.88              | 132.00  | 53.00                   | 46.91              |
| 1215-1 | H L & Mildred Brunner      | 3.00              | 264.50  | 96.12                   | 85.08              |
| 418-1  | Alex Miller                | 1.67              | 117.00  | 49.25                   | 43.59              |
| 1213-1 | Robert W Grant             | 1.43              | 100.00  | 45.00                   | 39.83              |
| 419-1  | Herman Stark               | 2.50              | 179.00  | 74.75                   | 66.17              |
| 421-1  | Lee Dutton                 | 2.50              | 175.00  | 73.75                   | 65.28              |
| 1049-1 | Thorval Jensen             | 1.47              | 103.00  | 45.75                   | 40.50              |
| 1122-1 | Thorval Jensen             | 4.88              | 324.14  | 135.75                  | 120.16             |
| 1160-1 | Thorval Jensen             | 1.90              | 133.49  | 53.50                   | 47.36              |
| 1029-1 | Homestake Mining           | 1.39              | 97.00   | 44.25                   | 39.17              |
| 910-1  | Donald Halbmaier           | 2.50              | 175.00  | 73.75                   | 65.28              |
| 1165-1 | Tom Bowen                  | 2.85              | 200.00  | 80.00                   | 70.81              |
| 722-1  | Edith Anderson & Tom Bowen | 2.80              | 196.00  | 79.00                   | 69.93              |
| 1148-1 | Homestake Mining           | 13.50             | 948.00  | 377.00                  | 333.71             |
| 430-1  | Gerald Wetz                | 1.65              | 116.00  | 49.00                   | 43.37              |
| 432-1  | Roy Casteel                | 4.30              | 307.00  | 126.75                  | 112.20             |
| 414-1  | Mary Ann Schummer          | 3.40              | 239.00  | 99.75                   | 88.30              |
| 411-1  | Edward Poss                | 5.10              | 452.00  | 173.00                  | 153.13             |
| 440-1  | David A Richards           | 5.00              | 416.00  | 154.00                  | 136.32             |
| 1149-1 | Homestake Mining           | 3.20              | 226.00  | 96.50                   | 85.42              |
| 1150-1 | Homestake Mining           | 7.60              | 534.00  | 213.50                  | 188.98             |
| 437-1  | McNenny Ranch Inc.         | 5.90              | 418.00  | 164.50                  | 145.61             |
| 1151-1 | Homestake Mining           | 5.50              | 390.00  | 157.50                  | 139.41             |
| 821-1  | George Levin & Sons        | 7.00              | 490.00  | 192.50                  | 170.40             |
| 1136-1 | George Levin & Sons        | 3.07              | 215.00  | 93.75                   | 82.98              |

Detailed Report of Receipts Cont.

| No.    | Name                         | Diversion<br>Rate | Acreage  | Receipts<br>(total fee) | Amount<br>Returned |
|--------|------------------------------|-------------------|----------|-------------------------|--------------------|
| 1152-1 | Homestake Mining             | 6.60              | 462.00   | \$ 185.50               | \$ 164.20          |
| 449-1  | George Wurnig                | 5.00              | 365.00   | 171.25                  | 151.59             |
| 1153-1 | Homestake Mining             | 6.10              | 428.00   | 177.00                  | 156.68             |
| 311-1  | Lester Clark                 | 16.61             | 1,163.60 | 461.00                  | 408.06             |
| 310-1  | Lester Clark                 | 6.76              | 473.20   | 188.50                  | 166.85             |
| 248-1  | Lawrence Burke               | 0.90              | 64.00    | 26.00                   | 23.01              |
| 1077-1 | Charles M Arneson            | 1.44              | 131.00   | 52.75                   | 46.69              |
| 165-1  | Trigg Ranches Inc.           | 4.30              | 301.00   | 275.00                  | 243.42             |
| 122-1  | Trigg Ranches Inc.           | 3.75              | 263.00   |                         |                    |
| 1146-1 | Trigg Ranches Inc.           | 1.89              | 336.00   |                         |                    |
| 928-1  | Charles Wennberg             | 2.20              | 155.00   | 68.75                   | 60.86              |
| 912-1  | Gilbert Alan                 | 1.46              | 101.80   | 45.50                   | 40.28              |
| 926-1  | Donald Berger                | 2.04              | 143.00   | 65.75                   | 58.20              |
| 1176-1 | Arthur J Odekoven            | 2.30              | 163.00   | 70.75                   | 62.63              |
| 1190-1 | Neil Shuck                   | 3.53              | 247.00   | 101.75                  | 90.07              |
| 611-1  | Alex Miller                  | 3.35              | 235.00   | 98.75                   | 87.41              |
| 569-1  | Ramona McFarland             | 0.97              | 68.00    | 27.00                   | 23.90              |
| 870-1  | Eugene C Bishop              | 0.70              | 49.00    | 22.25                   | 19.70              |
| 401-1  | Kenneth & Dorothy Aker       | 1.88              | 132.00   | 53.00                   | 46.91              |
| 135-1  | Walter Hoffman               | 3.11              | 220.00   | 95.00                   | 84.09              |
| 408-1  | James A Mickelson            | 3.10              | 218.00   | 94.50                   | 83.65              |
| 469-1  | Raymond Garness              | 1.30              | 91.00    | 42.75                   | 37.84              |
| 1218-1 | William Dillinger            | .40               | 42.70    | 20.75                   | 18.37              |
| 1222-1 | John Ismay (Norman)          | 1.11              | 79.00    | 39.75                   | 35.19              |
| 1154-1 | Homestake Mining             | 4.50              | 319.00   | 129.75                  | 114.85             |
| 285-1  | Edgar Colin Smart            | 1.42              | 150.00   | 67.50                   | ---                |
| 331-1  | Anna Stetta (Louis Budmayr)  | 1.87              | 131.00   | 52.75                   | ---                |
| 472-1  | Timothy Reich                | 2.00              | 167.84   | 62.00                   | ---                |
| 275-1  | John Durr                    | 1.90              | 133.00   | 53.25                   | ---                |
| 271-1  | Herbert Clarkson             | .06               | 43.00    | 20.75                   | ---                |
| 296-1  | Robert Helmer                | 2.50              | 179.00   | 74.75                   | ---                |
| 308-1  | Lewis Bartolotto             | .64               | 45.00    | 21.25                   | ---                |
| 282-1  | James Jeffrey                | 1.05              | 73.70    | 38.50                   | ---                |
| 1182-1 | George Leach                 | 1.60              | 108.00   | 47.00                   | ---                |
| 228-1  | Thornton Vallery             | .72               | 54.17    | 23.75                   | ---                |
| 290-1  | Thornton Vallery             | 5.50              | 386.00   | 156.50                  | ---                |
| 264-1  | Thornton Vallery             | .22               | 15.30    | 14.00                   | ---                |
| 321-1  | Clarence & Lawrence Foos     | 1.64              | 115.00   | 48.75                   | ---                |
| 962-1  | Ione A Shevling              | 3.00              | 251.00   | 92.75                   | ---                |
| 960-1  | Thornton & Gwenivere Vallery | .50               | 35.00    | 18.75                   | ---                |
| 289-1  | Thornton & Gwenivere Vallery | 1.50              | 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                   | ---                |
| 865-1  | Soloma 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                  | ---                |

449-1



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

December 1, 1994

449-1

Patrick Deering  
PO Box 70  
Wall, SD 57790-0070

Dear Mr. Deering:

I am contacting you in regard to ownership of land described in Water Right No. 449-1. The water right is currently listed in the name of George L Wurnig. It is my understanding, from the 1994 irrigation questionnaire, that you now own the land.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing an ownership change on the water right. Please review the form for accuracy and then complete where necessary. 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.

The water right will be transferred to your name upon our receipt of the completed form and filing fee. I have enclosed a copy of the water right for your records.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Genny McMath'.

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

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 449-1  
Date: 6 December 1994

I\We request that Water Right No. 449-1

formerly owned by: George L Wurnig, 746 Marshall, Sturgis, SD 57785

be transferred to: (name & address) Patrick Deering  
Box 70 Wall, SD 57790 (Telephone No) 605-279-2438

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

SW 1/4, S 1/2 NE 1/4 Sec 33; S 1/2 NW 1/4, SW 1/4 Sec 34; NE 1/4 SE 1/4, S 1/2 SE 1/4 Sec 35, T5N, R10E and N 1/2 NE 1/4 Section 2, T4N, R10E

I\We understand that the validity of Water Right No. 449-1 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 at the Division of Water Rights, 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 MEADE )

I\We Patrick Deering 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 or my own personal knowledge that the information herein stated is true.

Patrick Deering  
(Signed)

Subscribed and sworn to before me this 6th day of December, 19 94.

Jane Kuchscher  
(Notary Public)

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

414350

Pierre, SD

December 8, 1994

RECEIVED OF Patrick Deering, Box 70, Wall, SD 57790

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 Inspection, Constructed Works, confirming beneficial use and issuing Water License No. _____                 |   |    |
| Fee for Filing Transfer Form _____ Water Right No. 449-1                                                             | 2 | 50 |
| Fee for Filing Extension Request _____                                                                               |   |    |
| Fee for _____                                                                                                        |   |    |
| _____                                                                                                                |   |    |
| _____                                                                                                                |   |    |
| (Any Other Work Provided by Law)                                                                                     |   |    |
| Total                                                                                                                | 2 | 50 |

By John Hatch (Signature)  
Chief Engineer

449-1



**DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES**

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

January 3, 1995

No. 449-1

Patrick Deering  
Box 70  
Wall, SD 57790

Dear Mr. Deering:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 449-1.

Our records now show you as the owner of Water Right No. 449-1.

Sincerely,

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

enclosure

**WATER RIGHTS PROGRAM  
FILE DOCUMENTATION****NAME OF PERSON OR FILE:** Patrick Deering**ADDRESS:** 1833 7<sup>th</sup> Ave, Belle Fourche, SD 57717**COUNTY:** Meade**DATE:** July 28, 1998**TELEPHONE:** 605 892-2871**RE:** irrigation system used for Water Right No. 449-1**COMMENTS:**

I contacted Mr. Deering regarding his past irrigation questionnaires and type of irrigation system he uses. He has been reporting "flood irrigation" via dikes and spreaders.

Water Right No. 449-1 is for diversion of water from the Belle Fourche River. Mr. Deering stated that in most years, there is enough water from snowmelt and runoff going thru his system that he does not have to pump. However, he does have a pump and says he uses it when necessary.

I explained to him that for the time being, I would continue mailing irrigation questionnaires to him. I requested that he make a notation on the form whether or not he pumped or just used the spreader system for that particular crop year.



Genny McMath  
Environmental Scientist