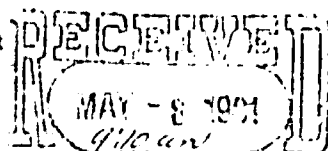


570-1

1. Considered 9. 13. 1901
2. Name of Applicant Helma & Del. Richard.
3. Post Office Address Nowell
4. Amount of water claimed 3.9
5. Source of water supply Stallion Creek
6. Water to be used for irrigation  
Acres to be irrigated 176
7. Water to be diverted and used in Butter County about  
3.5 miles of Nowell
8. Proof of Publication      Received 1/10/01  
                                         Not Received \_\_\_\_\_
9. Application      Approved \_\_\_\_\_  
                                 Subject to \_\_\_\_\_  
                                 Not Approved \_\_\_\_\_  
                                 Action deferred \_\_\_\_\_

10. Remarks:

No. 570-1Water Division No. 1 Belle Fourche River District  
(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 THELMA AND DALE RICHARDS (MOTHER AND SON)Postoffice address NEWELL, County BUTTE, State SO. DAK.

I. If a corporation

(a) Name of same

(b) Date and place of incorporation

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors

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

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

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

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work THE RICHARDS FLOOD PROJECT3. Amount of water claimed 3.9 cubic feet per second4. Source of water supply VILLOT CREEK

5. Location of point of diversion

Point of diversion;

From a point which lies N. 21° 45' W. 1422' from the SE Cor. Sec. 22, T. 10 N., R. 6 E.  
to a point which lies S 0° E. 990' from the NE Cor. Sec. 2, T. 9 N., R. 6 E-BHM  
on both sides of stream - in Butte County.

1. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity(a) Number of acres to be irrigated 276 acres.

SE-SE-35 Ac. Sec. 22, T. 10 N., R. 6 E-BHM Total 35 Ac.

NE-NE-20 Ac., SE-NE-10 Ac., Sec. 27, T. 10 N., R. 6 E-BHM Total 30 Ac.

SE-3W-14 Ac., NW-NW-5 Ac., SW-NW-23 Ac., SE-NW-4 Ac., NW-SW-15 Ac., NE-SW-16 Ac.,

SW-SW-12 Ac., Sec. 25, T. 10 N., R. 6 E-BHM Total 89 Ac.

NE-NW-17 Ac., NW-NE-3 Ac., SW-NE-17 Ac., NE-SW-3 Ac., NW-SE-32 Ac.,

SW-SE-10 Ac., SE-SE-22 Ac. Sec. 35, T. 10 N., R. 6 E-BHM Total 104 Ac.

NE-NE-18 Ac., Sec. 2, T. 9 N., R. 6 E-BHM Total 18 Ac.

Grand Total 276

(c) Location of plant

(d) Method of developing power NONE(e) Point where water will be returned to stream XXXXXX

MAP No 483-1

8. Estimated cost of work: Check dams, dikes, ditches, flumes  
(a) Head Gates, \$ headgates, pump, pipe etc. (est) (b) Pumping plant, \$ 2000.00  
(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<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 4 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

THE BELLE FOURCHE REE, BELLE FOURCHE, SOUTH DAKOTA

STATE OF SOUTH DAKOTA

County of Butte

I, Sherman Richard, 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.

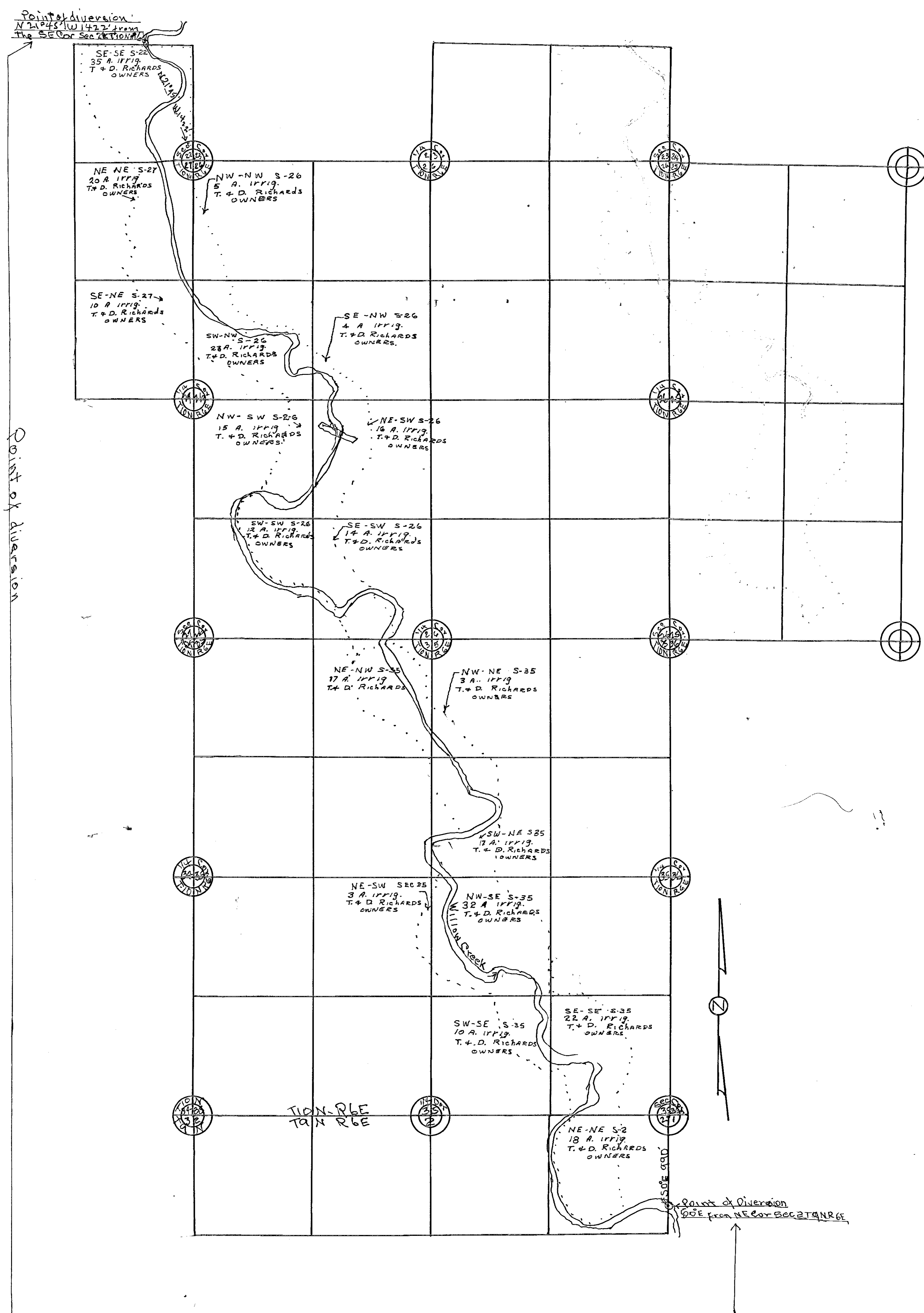
Subscribed and sworn to before me this 16th day of

Signed

Thelma Richards  
Sherman Richard

Notary Public for other qualified officer.)

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 Thelma Richards and Dale Richards, of Newell, South Dakota, I have made a survey of the tracts shown hereon and have prepared this plat, showing the irrigable areas belonging to the said Thelma Richards and Dale Richards, as part of his application for a permit to appropriate water for irrigation purposes.

I further certify that the lengths and bearings of the several lines shown their location with reference to the government land corners. Shown are correct, to the best of my knowledge and belief.

Dated and signed at Buffalo, South Dakota this 29th day of April, 1961

 (Seal)  
Carl M. Cornell, Licenced Surveyor # 144

Subscribed and sworn to before me at Buffalo, South Dakota this 29th day of April, 1961

M.P. 26 (Seal)  
Notary Public

Remarks by State Water Resources Commission:

DIVERSION STRUCTURES BUILT UNDER THIS PERMIT MUST INCORPORATE AN UNCONTROLLED BY-PASS TUBE NOT SMALLER THAN 8" IN DIAMETER TO ALLOW PASSAGE OF LOW STREAM FLOWS FOR DOWNSTREAM DOMESTIC USE AND PRIOR WATER RIGHTS. THE TOP OF THESE BY-PASS TUBES MUST BE LOCATED AT LEAST ONE FOOT BELOW THAT ELEVATION AT WHICH WATER WOULD BE DIVERTED FROM THE WATERCOURSE.

THIS PERMIT IS FOR A DRAINAGE SYSTEM ONLY, AND DOES NOT AUTHORIZE USE OF A PUMP OR CONSTRUCTION OF DAMS CAPABLE OF SUBSTANTIAL STORAGE.

STATE OF SOUTH DAKOTA

County of Hughes

Pierre, South Dakota,

September 19, 1961

This is to certify that the foregoing application was received by the Commission at 9:10 o'clock

a.m. upon the 8th day of May, 1961.

State Water Resources Commission

By:

Gordon Jones  
for Chief Engineer, Executive Officer

Number of permit 590-1

Date of first receipt of application MAY 8, 1961

Date of return to applicant for correction, amendments or charges required as follows: \_\_\_\_\_, 19\_\_\_\_

Date of receipt of corrected application \_\_\_\_\_, 19\_\_\_\_

Date from which applicant may claim right MAY 8, 1961

Approved September 13, 1961, Recorded in Book 6 Page 342

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 September 13, 1963
- 2nd. The whole of said work is to be completed on or before September 13, 1965
- 3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is September 13, 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 3.9 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 September 13, 1969; said water to be used during the following described annual period:

April 1 THRU NOVEMBER 30

Witness my hand this 19th day of September, 1961.

State Water Resources Commission

By:

Gordon Jones

Chief Engineer, Executive Officer

Certificate of Construction Issued OCTOBER 10, 1969

Water License Issued OCTOBER 10, 1969

## STATE OF SOUTH DAKOTA

## WATER LICENSE NO. 570-1

(1) WHEREAS, On the 8th day of May A. D. 19 61

Thelma and Dale Richards

made Water Right Application No. 570-1 for a permit to use 3.9 cubic feet per second of the waters of Willow Creek

County of Butte, State of South Dakota, for irrigation

purpose and

(2) WHEREAS, On the 19th day of September A. D. 19 61

Permit No. 570-1, with a date of priority of May 8, 1961

was issued to said applicant 5 for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 13th day of September A. D. 19 65 and for the application to beneficial use of said water on or before the 13th day of September 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 3.9 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 irrigation of the following described lands:**

|                       |                                   | Acres     |
|-----------------------|-----------------------------------|-----------|
| T10N, R6E, Section 22 | SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 35        |
| Section 27            | E $\frac{1}{2}$ NE $\frac{1}{4}$  | 30        |
| Section 26            | NW $\frac{1}{4}$                  | 32        |
|                       | NE $\frac{1}{4}$                  | 57        |
| Section 35            | N $\frac{3}{4}$ NW $\frac{1}{4}$  | 17        |
|                       | W $\frac{1}{2}$ NE $\frac{1}{4}$  | 20        |
|                       | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | 3         |
|                       | SE $\frac{1}{4}$                  | 64        |
| T9N, R6E Section 2    | NE $\frac{1}{4}$ NE $\frac{1}{4}$ | 18        |
|                       | Total                             | 276 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 Thelma and Dale Richards

\_\_\_\_\_ of Newell, South Dakota

the holder s and owner s of said permit No. 570-1 a water right, dating from May 8, 1961

\_\_\_\_\_ to use of 3.9 cubic feet per second of the waters of Willow Creek

in the County of Butte and State of South Dakota, or so much thereof as may be necessary for the purposes hereinafter mentioned, to be diverted between points N. 21° 45' W, 1422 feet from the SE corner, Section 22, T10N, R6E, and S 0° E, 990 feet from the NE Corner, Section 2, T9N, R6E

and conduct to and upon portions of Section 2, T9N, R6E, and of Sections 22, 26, 27 and 35, T10N, R6E, described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 570-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota  
this 10th day of October A. D.  
Nineteen Hundred and Sixty-nine

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRINES

Permit No. 570-1Water Diversion No. 1 Belle Fourche River Water District

## CERTIFICATE OF CONSTRUCTION

This is to Certify, That Thelma and Dale Richards

\_\_\_\_\_ the holder \_\_\_\_\_ of  
Permit No. 570-1, issued upon Application No. 570-1, bearing date of priority of May 8, 1961  
\_\_\_\_\_ authorizing the diversion of 3.9 cu. ft. per second of the waters of \_\_\_\_\_  
Willow Creek County of Butte, State of South Dakota at \_\_\_\_\_  
between points N 21°45' W, 1422 feet from the SE Corner, Section 22, T10N,  
R6E, and S 0° y 990 feet from the NE Corner, Section 2, T9N, R6E  
\_\_\_\_\_, for irrigation

\_\_\_\_\_ purposes, ha<sup>ve</sup> \_\_\_\_\_ complied with the provisions of the laws of the State of South Dakota relating to p  
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 10.0 cu. ft. per second of water.

Date October 10, 1969

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

Permit No.

570-1

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 THELMA & DALERICHARDS of NEWELL holder Sof Permit No. 570-1, bearing date of priority of MAY 8, 1961authorizing the diversion of 3.9 cu. ft. per second of the waters of WILLOW CREEKfor IRRIGATION purposes, in BUTTE 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:

MAIN DIKE APPROX. 1000' LONG - 12' HIGH  
W/ 8' TOP 2:1 BY 3:1 SLOPES.

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

24" TUBE THRU DIKE WITH GATE  
DIKE BACKS WATER ONTO FLATS AND IS  
RELEASED TO FLATS BELOW

C. Work used to apply water to beneficial use.

SMALL DIVERSION DIKES SPREAD WATER  
TO FLATS

The system is in the following condition: GOOD.

The point of diversion is located BETWEEN POINTS N21°45' W, 14.72 FEET FROM SE  
CORNER, SEC. 22, T10N, R6E, AND S0°E 99D' FROM NE CORNER,  
SECTION 2, T9N, R6E

The works are capable of diverting and conveying to the place of use 10.0 CFScu. 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:

| T10N, R6E  |                                        | T9N, R6E   |                                        |
|------------|----------------------------------------|------------|----------------------------------------|
| SECTION 22 | SE <sup>4</sup> SE <sup>4</sup> 35 AC. | SECTION 35 | NE <sup>4</sup> NW <sup>4</sup> 17 AC. |
| SECTION 27 | E <sup>2</sup> NE <sup>4</sup> 30 AC.  |            | W <sup>2</sup> NE <sup>4</sup> 20 AC.  |
| SECTION 26 | NW <sup>4</sup> 32 AC.                 |            | NE <sup>4</sup> SW <sup>4</sup> 3 AC.  |
|            | SW <sup>4</sup> 57 AC.                 |            | SE <sup>4</sup> 64 AC.                 |

comprising a total of 276 acres of land.SECTION 2 NE<sup>4</sup>NE<sup>4</sup> 18 AC.

Date

OCTOBER 7, 1969

Austin Jones  
(Signature)

WATER RIGHT SPECIALIST

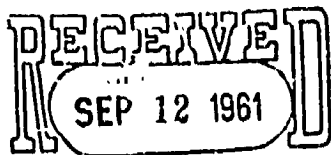
WATER RESOURCES COMMISSION

## PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }  
County Battle }James W. H. H. H. being duly sworn, deposes and says the annexed printed copy of Noticeof Intention to Appropriate Water was taken from the Battle a newspaper which during the whole time of publication of said notice has been and is printed and published at the city of Battle County of Battle and State of South Dakota; that the said notice was published in said newspaper on the following dates:August 12, 1961  
August 25, 1961  
Sept 1, 1961  
Sept 8, 1961in each and every issue of the full number thereof, the first publication being made on the 12 day of August 1961 and the last publication on the 8 day of September 1961, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was James W. H. H. H. the printer and publisher of the said newspaperNo. 570-1  
APPROPRIATION OF WATER  
Office of State  
Water Resources Commission  
Pierre, S. D.  
August 7, 1961Notice is hereby given that Thelma and Dale Richards whose postoffice address is Newell, S. Dak., have made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.9 cubic feet of water per second of time from Willow Creek, through the Richard Flood Project, the point of diversion which is to be located on both banks of said stream between a point in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 22, T 10N, R 6E, and a point in the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 2 "wp. 9N, Range 6E. Said water to be used for the purpose of providing irrigation on portions of the following described land: SE $\frac{1}{4}$ , SE $\frac{1}{4}$ , Section 22; E $\frac{1}{2}$ -NW $\frac{1}{4}$ , Section 27; NW $\frac{1}{4}$  and SW $\frac{1}{4}$  Section 20; NE $\frac{1}{4}$  NW $\frac{1}{4}$ , W $\frac{1}{2}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  Section 25, all in T 10N, R 6E, and NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 2, T 9N, R 6E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 13th day of September, 1961, at 2 P.M. All interested persons may appear and be heard.

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

State Water Resources  
Commission  
By: BURTON F. JONES  
Water Right Specialist  
B4t 8/18-25 9/1-8Subscribed and sworn to before me this 12 day of August A. D. 1961STATE WATER RESOURCES COMM.  
PIERRE, SOUTH DAKOTANotary Public Battle County, S. D.Notary Public, Battle County, So. Dak.  
My Commission Expires Sept. 29, 1966

(Filed on or before August 17, 1961)

## APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., August 7, 1961

Notice is hereby given that ~~Thelma and Dale Richards~~ whose postoffice address is ~~Nowell~~ S. Dak., <sup>has</sup> made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use ~~3.9~~ cubic feet of water per second of time from the ~~Willow Creek~~ through the ~~Richard Flood Project~~, the point of diversion of which is to be located on the ~~both~~ bank of said stream <sup>between a point in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 22, T 18N, R 6E, and a point in the NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 2</sup> Twp. ~~9N~~ Range ~~6E~~ Said water to be used for the purpose of providing irrigation <sup>portions of</sup> the following described land:

SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 22; E $\frac{1}{2}$  NW $\frac{1}{4}$ , Section 27; NW $\frac{1}{4}$  and SW $\frac{1}{4}$  Section 26; NE $\frac{1}{4}$  NW $\frac{1}{4}$ , W $\frac{1}{2}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$  and SE $\frac{1}{4}$ , Section 35, all in T 18N, R 6E, and NE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 2, T 9N, R 6E and for ~~Section~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the ~~13th~~ day of ~~September~~, 19~~61~~, 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.

CC: Lawrence Weyler - Publisher  
Belle Fourche Bee  
Belle Fourche, South Dakota

State Water Resources Commission

By:

Chief Engineer, Executive Officer  
~~State Water Resources Commission~~  
BURTON F. JONES  
Water Right Specialist

**OVERSIZE**

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**SUPPLEMENTARY**

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