

OFFICE OF STATE ENGINEER

PIERRE, SOUTH DAKOTA

RECORD OF PROCEEDINGS

Applications No. 60-1

Water Div. No. 1 Grand River Water Dist.

Application Received September 15, 1909

Maps Received September 15, 1909

Acknowledgment September 17, 1909

Notice for Pub. Mailed September 17, 1909

Receipt from Newspaper September 20, 1909

Copy of Newspaper Rec'd. September 27, 1909

Notice of Correction

Proof of Pub. Rec'd. November 5, 1909

Hearing November 16, 1909

Approved November 16, 1909

Recorded and Filed December 13, 1909

REMARKS

Notice of fees sent November 16, 1909, and fees received December 13, 1909.

No. 80-1

Water Division No. 1 // Grand River Water District.
(Blanks to be filled by the State Engineer.)

COPY

APPLICATION FOR A PERMIT To Appropriate Water Within the State of South Dakota

(Note--Draw lines through items not applied. Where not otherwise stated all items refer to the proposed enlargement or extension.)

I. Name of applicant Joseph A. Sateren
Postoffice address Ludlow, County Butte, State South Dakota

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 the work: (Whether by contract, employment of others, or, by personal labor)

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of existing diversion works Eagle Nest Reservoir and Cox Canal Permit No. 23
Name of enlargement or extension Sateren Extension

3. Quantity of water claimed by enlargement or extension 2.15 cubic feet per second4. Source of water supply Crooked Creek, a perennial stream mean disch. during irrigating period is 1.5 sec. ft. tributary to North Grand River5. Location of point of commencement of extension Initial point of extension ditch is at Sta. 32+24 on Cox canal-S. 70° 58' E. 973.0 ft. from the Cor. to Secs. 28, 27, 34 & 35, T. 23 N., R. 5 E. B.H.M.6. Annual periods during which water is to be used May 1 to Sept. 1st

7. To be used for:

I. Irrigation or domestic use: Irrigation of Desert Lands

(a) Number of acres to be irrigated 150.0 acres(b) Legal subdivisions to be irrigated S. 1/2 NE 1/4 & S. 1/2 NW 1/4, Sec. 35, T. 23 N., R. 5 E. B.H.M.

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

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

II. Mining, power, manufacturing, transportation, or other purposes:

(a) Nature of use

(b) Amount of power to be generated horse power

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

8. Estimated cost of works:

(a) Head gates, \$ 30.00 (b) Pumping plant \$
 (c) Fluming, \$ (d) Canal earth, \$ 110.00 rock, \$
 (e) Other structures \$ Total, \$ 140.00

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.) Storage reservoir in Crooked Creek and canal leading therefrom to the lands to be irrigated

II. Dimensions of works:

(a) Dam: Height 17.4 feet; length at bottom feet; length at top 585.0 feet; thickness at bottom max. 71.5 feet; thickness at top 10.0 feet; slope of front (water) face 2 in 1; slope of back face 1 1/2 in 1; material used in construction hardpan clay and sand

(b) Reservoir: Capacity when filled 157.58 acre feet. Surface area at highwater mark 31.45 acres.

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

(c) Head gate: Width 37.0 feet; height 1.0 feet

Material pine lumber; sluiceway measuring weir and 2 ft. drop

(d) Canal: Total length 1.0 miles.

LOCATION BELOW HEADGATE	LENGTH	BOTTOM WIDTH	WIDTH AT WATER LINE	GRADE PER MILL
Sta. 0+0 to At 5+0 mile	1.0 feet	4.0 feet	6.0 feet	15.0 feet
5+0 to At 6+0 mile	1.0 feet	4.0 feet	6.0 feet	5.3 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 1 years.

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

12. Choice of newspaper for publication of notice of intention to appropriate

The Northwest Post, published at Belle Fourche, D.

STATE OF SOUTH DAKOTA

County of Butte

I, Joseph A. Entero,

being first duly sworn by my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above and foregoing statement, and examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

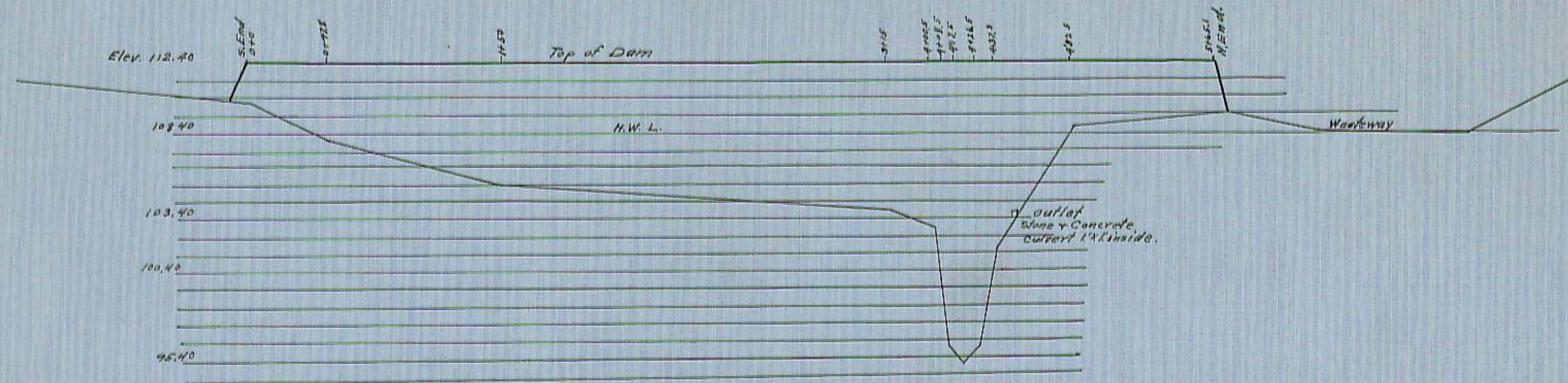
Signed Joseph A. Entero

Subscribed and sworn to before me this 31 day of August 1908.

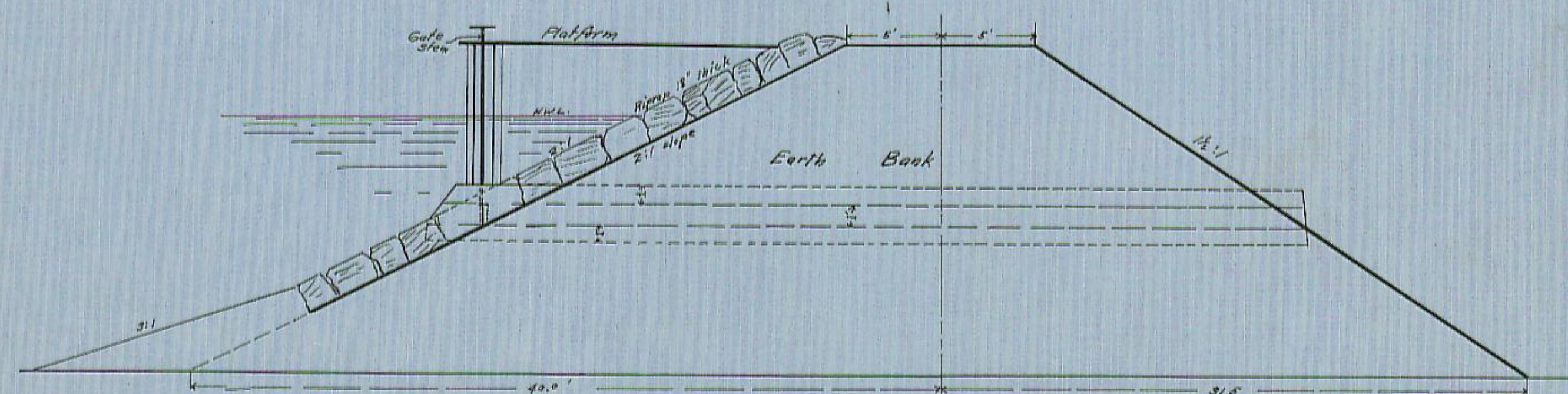
Frederick Clark
 Notary Public (or other qualified officer).
 U.S. Commissioner

(SEAL)

PROFILE OF EAGLE'S NEST DAM - center line.
Scale: Hor. 1 inch = 60 ft. Vert. 1 inch = 6 ft.

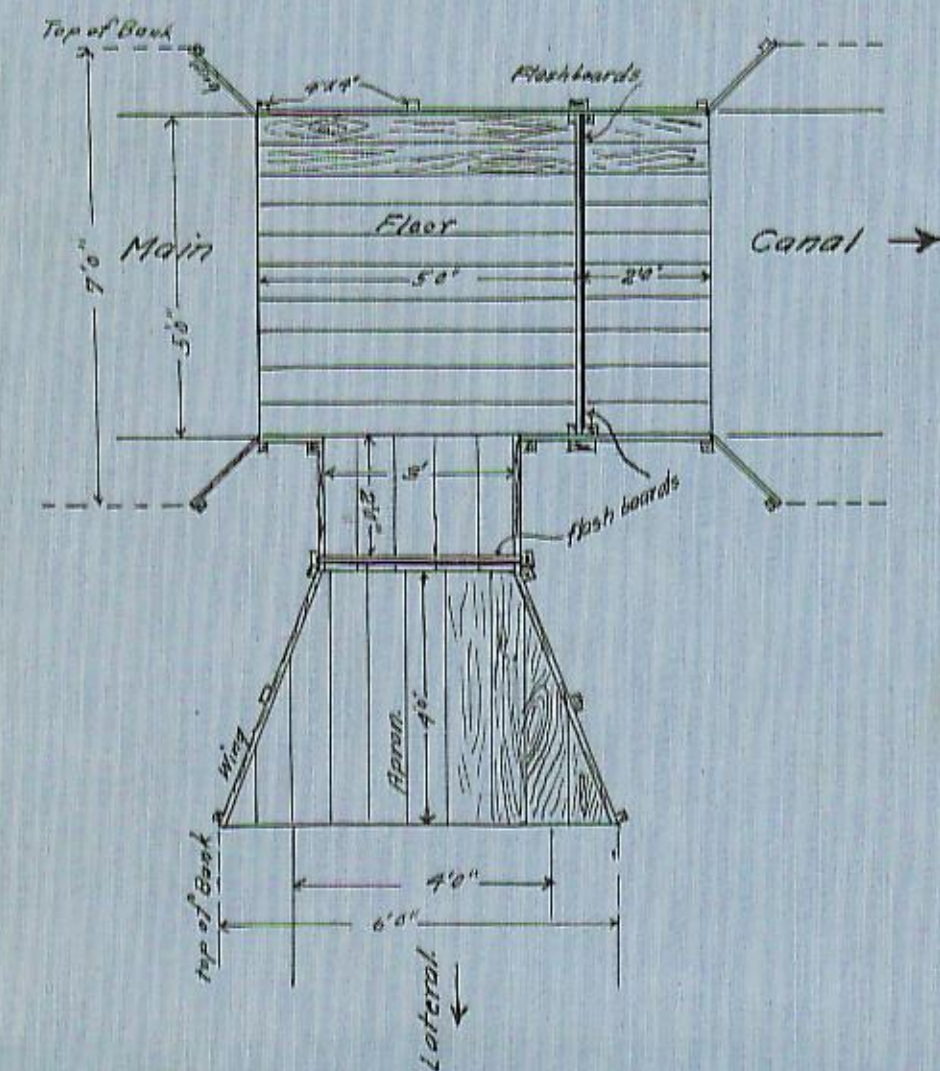


CROSS SECTION AT STA 4+17.5
Scale: 1 inch = 6 ft.



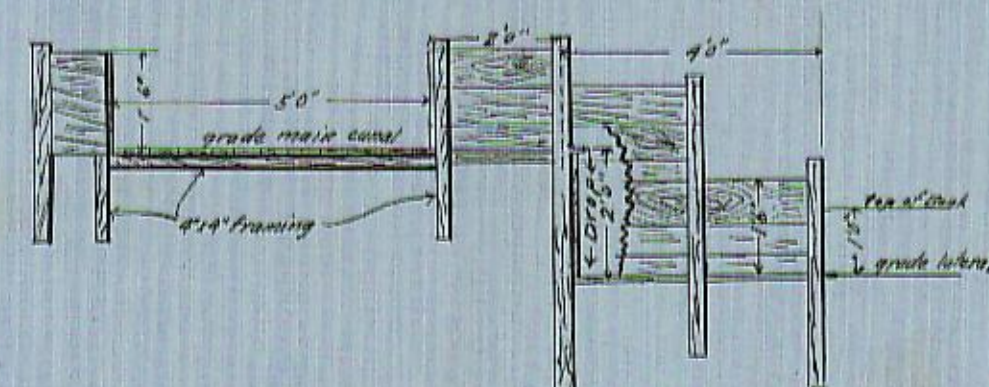
Contents of dam = 3,575 cu yds. of earth and 370 cu yds. of stone. Front slope protected by ashlar riprap 18" thick. Outlet is a stone and cement concrete culvert 1.5 ft square inside with walls 1 ft thick. Northwestern rectangular iron headgate at upper end operated from platform. Natural waste way over road 10 ft wide. elev 108.40 at North end of dam. Natural waste way over road 12 ft wide. elev 107.00 at South end of dam.

DIVIDING SLUICE
At Sta 32+84 on Cox Canal
Initial point of Sateren Lateral.
Scale: 1" = 3 ft.



PLAN

SIDE ELEVATION
looking down main ditch.



State of South Dakota
County of Butte

I, Carl C. Adams, being duly sworn, upon my oath say:
That I am the engineer of the Sateren Extension to the Eagle's Nest Reservoir and Canal; that the survey and map thereof were made by me and that I have read the accompanying application and know of my own knowledge that the statements therein made are true.

Carl C. Adams
Deputy State Surveyor, S.D.

Sworn and subscribed to before me this 23rd day of September, 1908.

St. Sellers
Clark & Co.

APPROVED
Samuel H. Lea
County Engineer

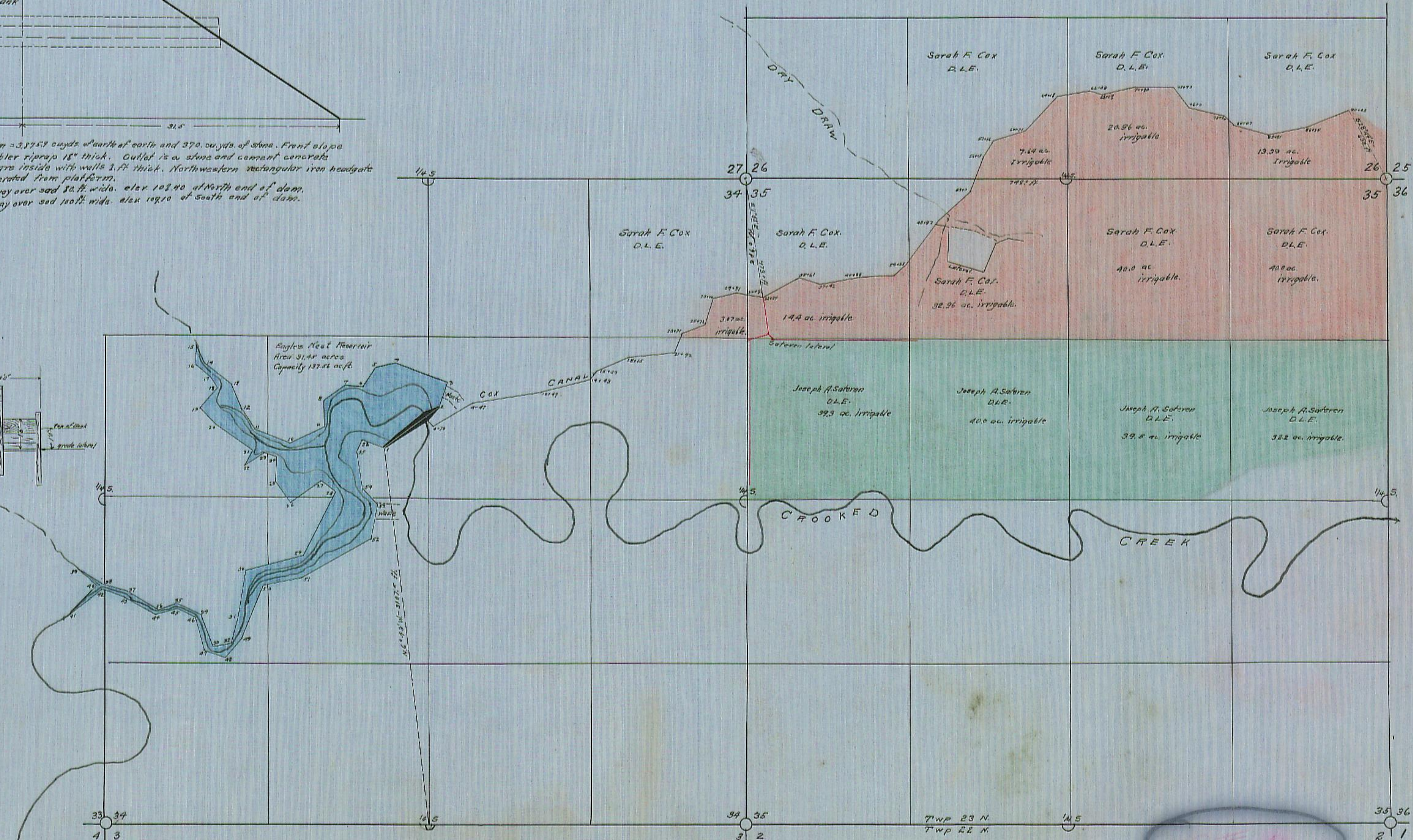
RECEIVED
SEP 15 1908
OFFICE OF STATE ENGINEER,
PIERRE, S.D.

MAP SHOWING SATEREN EXTENSION TO

EAGLE'S NEST RESERVOIR AND COX CANAL.

IN SECTIONS 34 AND 35, T.23 N. R.5 E. B.H.M. BUTTE COUNTY, SOUTH DAKOTA.
Scale: 1 inch = 500 feet. SEPTEMBER 14, 1908.

Comprising the irrigation system on the Desert Land entry of SARAH F. Cox, Ludlow, S. Dak., ORIGINAL APPLICATION No. 23 for 2.5 sec. feet of water. Total area irrigable under this application is 122.2 acres. (shown in red tint on map). Crooked Creek is a perennial stream, mean discharge during irrigating season is 15 sec. ft. Drainage area = 75 sq. miles. Maximum flood discharge = 70. sec. ft. Eagle's Nest Reservoir has area on high water line of 31.45 ac. Max capacity = 137.54 ac. ft. Available capacity above outlet = 117.14 ac. ft. Cox Canal is 17 miles long, 7 ft wide on water line, 5 ft wide on bottom, water is 10 ft deep, grade 5.3 ft per mile. Application is being made to extend ditch (as shown in green on map) so as to irrigate 150.0 acres on the Desert Land entry of JOSEPH A. SATEREN, Ludlow, S. Dak. and for right to appropriate 2.5 cu ft. per second of the waters of Crooked Creek through the above works.



100-60-1

Map 65-1

Remarks by State Engineer:

This application is for the right to construct an extension of the diversion works constructed under permit No. 20; the water to be diverted from a supply obtained from Crooked Creek, a flowing stream, at the point designated in Harding County.

STATE OF SOUTH DAKOTA } ss
County of Hughes }

Pierre, South Dakota, December 13, 1909.

This is to certify that the foregoing application was received at this office at nine o'clock a.m. upon the 15th day of September 1909 and that after examination it was found to comply with the provisions of the Water Code of South Dakota. Notice of intention to appropriate was published, proof of publication was duly filed and a hearing was held in this office on November 10, 1909.

Samuel H. Lee
State Engineer.

By B. B. Lee Deputy.

Number of permit 80-1
Date of first receipt of application September 15, 1909
Date of return to applicant for correction - - - - - 1909
Date of receipt of corrected application - - - - - 1909
Date from which application may claim right September 15, 1909
Approved November 10, 1909, Recorded in Book 11 Page 144

This is to certify that I have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and I 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 May 10, 1910.
- 2d. The whole of said work is to be completed on or before November 10, 1910.
- 3d. The limit of time for proof of beneficial use of water appropriated in accordance herewith is November 10, 1911.
- 4th. The water appropriated shall be used for the purpose of irrigation of desert lands.
- 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 2.15 cubic feet of water per second of time; 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 on or before November 10, 1911, said water to be used during the following described annual periods.
May 1 to September 1.

Witness my hand this 13th day of December 1909.

Samuel H. Lee
State Engineer.

By B. B. Lee Deputy.

COPY

No. 60-1 Water
Division No. 1 Grand River District

PERMIT

to appropriate water from
Crooked Creek
Harding County, South Dakota

Name of applicant
Joseph A. Sateron

Name of diversion works
Sateron Extension

Date of first receipt at office of State
Engineer September 15, 1909

Returned to applicant for correction
1909

Corrected application received
1909

Date of water right
September 15, 1909

Recorded in Book 11 Page 144

One-fifth of work to be completed

May 10, 1910

Whole work to be completed

November 13, 1910

Final proof of use of water

November 10, 1911

Approved November 10, 1909

Samuel H. Lee
State Engineer.

By B. B. Lee
Deputy.

STATE OF SOUTH DAKOTA }
COUNTY OF HUGHES }

I hereby certify that the within and
foregoing instrument is a true, correct and
complete transcript of the instrument when
it purports to be, as the same was filed for
record in the office of the State Engineer.

Witness my hand and official seal, done
at my office in Pierre, State of South Dakota
this 13 day of December 1909

Samuel H. Lee
State Engineer.

By B. B. Lee
Deputy.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 60-1

WHEREAS, On the 15th day of September A. D. 1909

JOSEPH A. SATTEREN

of Indian County of Harding and State of South Dakota duly made application (No. 60-1) to me for a permit to use 2.15 cubic feet per second of the waters of Crooked Creek County of Harding State of South Dakota, for Irrigation purposes; and

WHEREAS, On the 13th day of December A. D. 1909

Permit No. 60-1 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 10th day of November A. D. 1910 and for the application to beneficial use of said water on or before the 16th day of November A. D. 1911 and,

WHEREAS, On the 29th day of February A. D. 1912

the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.15 cubic feet per second of said waters, as evidenced by my Certificate No. 60-1 dated February 29, 1912 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2.15 cubic feet per second of water, with date of priority of September 15, 1909 and,

WHEREAS, On the 29th day of February A. D. 1912

proof was duly made of the application to beneficial use of 2.15 cubic feet per second of said water;

for irrigating the following legal sub-divisions: the S $\frac{1}{2}$ of NE $\frac{1}{4}$ and the S $\frac{1}{2}$ of NW $\frac{1}{4}$ of Section 36, Township 23 N., Range 5 E., B.H.M.

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of South Dakota, I hereby grant and confirm to JOSEPH A. SATERN of Harding Co. So. Dakota the holder ... and owner ... of said permit No. 80-1 a water right, dating from September 15, 1909 to the use of - 2.15 - cubic feet per second of the waters of Crooked Creek in the County of Harding and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point located N. 29° 43' W. 3107.5 feet from the South $\frac{1}{4}$ Corner of Sec. 34, T. 23 N. R. 5 E. B.H.M. and conducted to and upon the S $\frac{1}{2}$ of NE $\frac{1}{4}$ and S $\frac{1}{2}$ of NW $\frac{1}{4}$, Section 35, Township 23 North, Range 5 East, B.H.M.

for the purpose ... of Irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Pierre, South Dakota, this ... Sixth ... day of ... June ... A. D. Nineteen Hundred and ... Twelve ...

Samuel H. Lee
State Engineer.

STATE OF SOUTH DAKOTA

Water License No. 60-1

To..... Joseph A. Sateron,.....
..... Ludlow, Harding Co.,
..... South Dakota.

Source of Supply
..... Crooked Creek
..... Harding County

Am't..... - 2.15 - Sec. Fee:

Point of Diversion N. 6 1/4 W. 31 07.5
ft. from S 1/2 cor. Sec. 34-T. 23 N.
R. 5 E., B.H.M.

Place of Use S 1/2 NE 1/4 and S 1/2 NW 1/4
Sec. 35, Twp. 23 N. R. 5 E. B.H.M.

Purpose..... Irrigation.....

Date of Priority ... Nov., 18, 1911

Recorded

in Book..... 1 of Page 144

Permit No. 60-1Water Division No. 1 Grand River Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Engineer, Pierre, South Dakota:

Dear Sir: I hereby certify that in accordance with your letter of authorization dated

19....., I have this day made a thorough examination of the diversion works constructed by Joseph
Buttrey of Cox Post Office, State of
South Dakota, Harding County, South Dakota, holder of permit No. 60-1, issued
upon application No. 60-1, bearing date of priority of Sept. 15, 1909, authorizing the
diversion of 2.15 second feet of the waters of Grand Creek for Irrigation
purposes. I have to report on the condition of the same as follows:

The diversion works comprise: Engle's Nest Reservoir, Cox Canal and
Waterway Extension to Cox Canal

and the system is in the following condition: Reservoir is well supplied with water and
water could be turned into canal at present time, canals & ditches are completed and
ready for conveyance of water at any time.

The point of diversion is located N. 6° 43' 11" of the South west 1/4, section 34, Twp. 23 N. R. 26 E. 4th, and at a distance of 3107.5 ft. from said quarter.

The works are capable of diverting and conveying to the place of use 2.15 second-feet of water,
which is to be used for Irrigating Desert Land

The legal sub-divisions to be irrigated are: 1/2 NW 1/4, 1/2 NW 1/4, sec. 35, Twp. 23 N.

S. 5 E. 1/4 NW

comprising a total of 150.0 acres of land.

The domestic use intended comprises Irrigation

The utilization for power, mining, or other beneficial uses comprises:

Irrigation

Witness my hand, this 27th day of Feb, A. D. 1912

Briggs H. Bowman

Examining Engineer.

Permit No. *4021*

Water Div. No. *10* *Grand River* Water Dist.

**Certificate of Examination
of Works**

Dated..... 19.....

Stream.....

County.....

Amount..... Second Feet

Date of Priority.....

Recorded in Book *1* Page *144*

Filed in the office of the State Engineer this

2nd day of *March* A. D. 19*12*

Samuel H. Lea
State Engineer.

S. B. Butler
Deputy.

RECEIVED

MAR 2 1912

OFFICE OF STATE ENGINEER,
PIERRE, S. DAK.

FILED

MAR 2 1912

SAMUEL H. LEA, State Engineer.

Permit No. 60-1Water Division No. 1Grand River Water District

Notice of Completion of Works

(This blank must be filled out by the holder of permit and forwarded to the State Engineer at least 60 days before the time set for completion of works.)

(P. O.) Co. Post Office(Date) Jan 31st 1912

TO THE STATE ENGINEER OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of 2.15second feet of the waters of the state from Created Crk
through the Eagle's Nest Reservoir, Co. Canal, & Sateren Extension to
Co. Canal. Irrigating Purposes purposes
for Irrigating Purposes

in accordance with the terms and conditions of a certain permit heretofore issued by the State Engineer of the State of South Dakota.

1. The name of the person or corporation holding said permit is Joseph A. Sateren2. The postoffice address of such person or the place of business of such corporation is Co. A,
County of Harding State of South Dakota3. The number of such permit is 60-1 and the date set for the completion of such work isthe 25th of June 19114. Said water to be used for Irrigating Desert lands 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 2.15 cubic feet per second.6. The amount of land for which said water is available is 150.0 acres,
particularly described as follows: 3 1/2 N.E. 1/4 & 1/2 N.W. 1/4 Sec. 35 Twp. 23 N.R. 5E B.H.M.

(In case of all canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer.)

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

Engineer.

(Signature.)

NO 60-1...

Water Div. No. 1... *transfer* Water Dist.

Notice of Completion of Works.

Received

Date of Proof

Place

Notice sent to

RECEIVED

FEB 3 1912

OFFICE OF THE ENGINEER,
PIERRE, S. DAK.

Permit No. 60-1Water Division No. 1 Grand River Water District

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Engineer at least 60 days before the time set for application of water.)

(P. O.)

Cox Post Office

(Date)

Jan. 31st 1912

TO THE STATE ENGINEER OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the 31st day of January 1912 at Cox Post Office County of Harding State of South Dakota, before George H. Bonnard (Dep. State Engineer) proof will be submitted of the application to beneficial use of 2.15 cubic feet per second of the waters of Crooked Creek Eagle's Nest Reservoir in accordance with the terms and conditions of Permit No. 60-1 heretofore issued by the State Engineer of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are.....

Joseph A. Suteran, Cox Post Office, Harding County, S. Dak.2. The use to which said water has been applied is Irrigation3. The amount applied to beneficial use is 2.15 cu ft. per second4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) The South 1/2, N.W. 1/4, Sec 35, Twp. 23 N., R. 5 E. of B.H.M." South 1/2, N.E. 1/4, Sec 35 " 23 N., R. 5 E. " B.H.M.

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

Cox Canal & Suteran Extension to Cox Canal6. The right to take the water from such works is based upon permit No. 60-17. The source of supply from which such water is diverted is Crooked Creek8. The date of priority which said user is prepared to establish is Sept 15th, 1909

(Sign)

Joseph A. Suteran

Permit No.

Water Div. No. Water Dist.

Notice of Application of Water.

Received

Date of Proof

Place

Notice sent to

RECEIVED

FEB 3 1912

OFFICE OF THE ENGINEER,
PIERRE, S. DAK.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA } ss
 County of Battle
R. D. Fellows being duly
 sworn, deposes and says the annexed printed copy of Notice
 Intention to appropriate Water was taken from the
Northwest Post 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 Wells County of
Battle and State of South Dakota,
 That the said notice was published in said newspaper on the
 following dates:

Sept 30, Oct 7, 14,
21, 1909

in each and every issue of the full number thereof, the first
 publication being made on the 30th day of Sept
1909 and the last publication on the 21st day of
Oct 1909, upon which days or times
 of publication aforesaid the newspaper was regularly pub-
 lished, and that during the whole time of said publication
 he was the printer and publisher of
 the said newspaper.

Subscribed and sworn to before me this 1st day of Nov A. D. 1909

H. L. Davis
 County Clerk Battle County, S. D.

First publication September 30, 1909.

Appropriation of Water.

Office of the State Engineer
 Pierre, S. D., Sept. 17, 1909.
 Notice is hereby given that Joseph A. Sateren whose postoffice address is Ludlow, Harding county, S. D., has made an application in accordance with the provisions of the irrigation laws of South Dakota for a permit to appropriate for beneficial use 2.15 cubic feet of water per second of time from Crooked creek through the Sateren extension, the point of diversion of which is to be located in the NW 1/4 of the NW 1/4 of section 31, township 23 north, range 5 east, B. H. M.; said water to be used for the purpose of irrigation of desert lands upon the SW 1/4 NW 1/4 and NW 1/4 NW 1/4 of section 33, township 23 north, range 5 east, B. H. M. This application will be taken up by the state engineer at his office at Pierre for consideration and appropriate action upon the 16th day of November, 1909, at 9 a. m., at which time all persons who believe that the prior rights would be injuriously affected, or that the allowance of the permit would be detrimental to the public welfare, and also parties making the application, and to be benefited, are entitled to be present either by sworn affidavit or in person for the purpose of presenting any relative testimony.

SAMUEL H. LEA,
 State Engineer.

9314

RECEIVED

NOV 2 1909

OFFICE OF STATE ENGINEER,
 PIERRE, S. DAK.

RECEIVED

JAN 28 1931

OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

RE WATER RIGHT NUMBER 60-1

1. Do you now own the lands to be irrigated, or if for industrial purposes, the property, as listed in your original water right application?

YES ☒

NO ☐

2. If you are not at present the owner of the land to be irrigated, or other property listed in the original application, please give name and address of the present owner.

3. How many acres did you irrigate during the

1930 crop season? Not any acres.

1929 crop season? _____ acres.

1928 crop season? _____ acres.

4. If your original application was for industrial or domestic purposes, was the water used in substantially the amount and for the purpose stated in the application during the years 1928, 1929, and 1930?

The overflow washed out some years ago
and I haven't been able to rebuild it so I haven't
had any water to use.

5. If the distribution of water, or the use of water by others, has been unsatisfactory in any manner, please write your objection in full on back of this sheet, or use separate sheet if necessary.

There are no others using water for
irrigating along this stream.

SIGNED,

J. A. Saterine

(OVER)

Ludlow, S.D.