

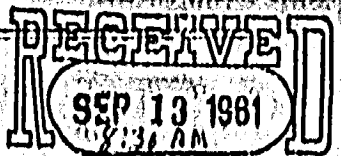
1. Considered 11-8, 1951 616-1
2. Name of Applicant Abner S. Talley
3. Post Office Address Opac
4. Amount of water claimed 1.14
5. Source of water supply Alley Creek
6. Water to be used for irrigation
Acres to be irrigated 80
7. Water to be diverted and used in Meadow County about
45 3/4 miles of Opac
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☐
Subject to ☐
Not approved ☐
Action deferred ☐

10. Remarks:

No. 616-1Water Division No. 1SULPHUR CREEK

District

(Blanks to be filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of applicant DON TALLEY
 Postoffice address OPAL, County FAIR, State S. 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)
CONTRACT AND DIRECT LABOR

- (b) Cash on hand, \$
 (c) Treasury stock, \$
 (d) Bonds to be issued, \$
 (e) Other resources, \$ Govt. cost-share

2. Name of diversion work DON TALLEY IRRIGATION PROJECT No. 1
 3. Amount of water claimed 1.14 cubic feet per second or 240 Acs. Ft. max.
 4. Source of water supply SULPHUR CREEK
 5. Location of point of diversion SEE ATTACHED SHEET
 on _____ bank _____ County.
 6. Annual period or periods during which water is to be used WHEN AVAILABLE
 7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? GRAVITY IRR.

- (a) Number of acres to be irrigated 80 acres.

- (b) Legal subdivisions to be irrigated SEE ATTACHED SHEET

(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.) STORAGE DAM WILL ALSO SERVE AS

STOCKWATER

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

- (a) Nature of use STOCKWATERING
 Name any of the above uses claimed
 (b) Amount of power to be generated _____ horse power
 Amount claimed for engine cooling _____
 (c) Location of plant _____
 (d) Method of developing power _____
 (e) Point where water will be returned to stream _____

MAP N° 517-1

8. Estimated cost of work:

(a) Head Gates, \$ 200.

(b) Pumping plant, \$

(c) Plumbing, \$

(d) Canal-earth, \$ 250.

Rock, \$

(e) Other structures EARTH FILL \$ 1,350.

Total, \$

9. Description of diversion works:

Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)
Water from storage dam will be used on upper portion; spreader plugs
will divert water on lower portion as shown on map.

II. Dimensions of works.

(a) Dam: Height 20 feet; length at bottom 300 feet; length at top 400 feet; thickness at bottom 112 feet; thickness at top 12 feet; slope at front water face 3:1; slope at back face 2:1; material used in construction Earth

(b) Reservoir: Capacity when filled 38 acre feet. Surface area at highwater mark 6.0 acres.

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

(c) Head gate: Width 12 inch metal gate feet; height feet; Material

(d) Canal: Total length 0.25 miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet
At Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work 5 years.

11. Time required for complete application of water to the proposed beneficial use 5+4 years.

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

FAITH, INDEPENDENT

STATE OF SOUTH DAKOTA

County of

I, 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

Subscribed and sworn to before me this

11th

day of

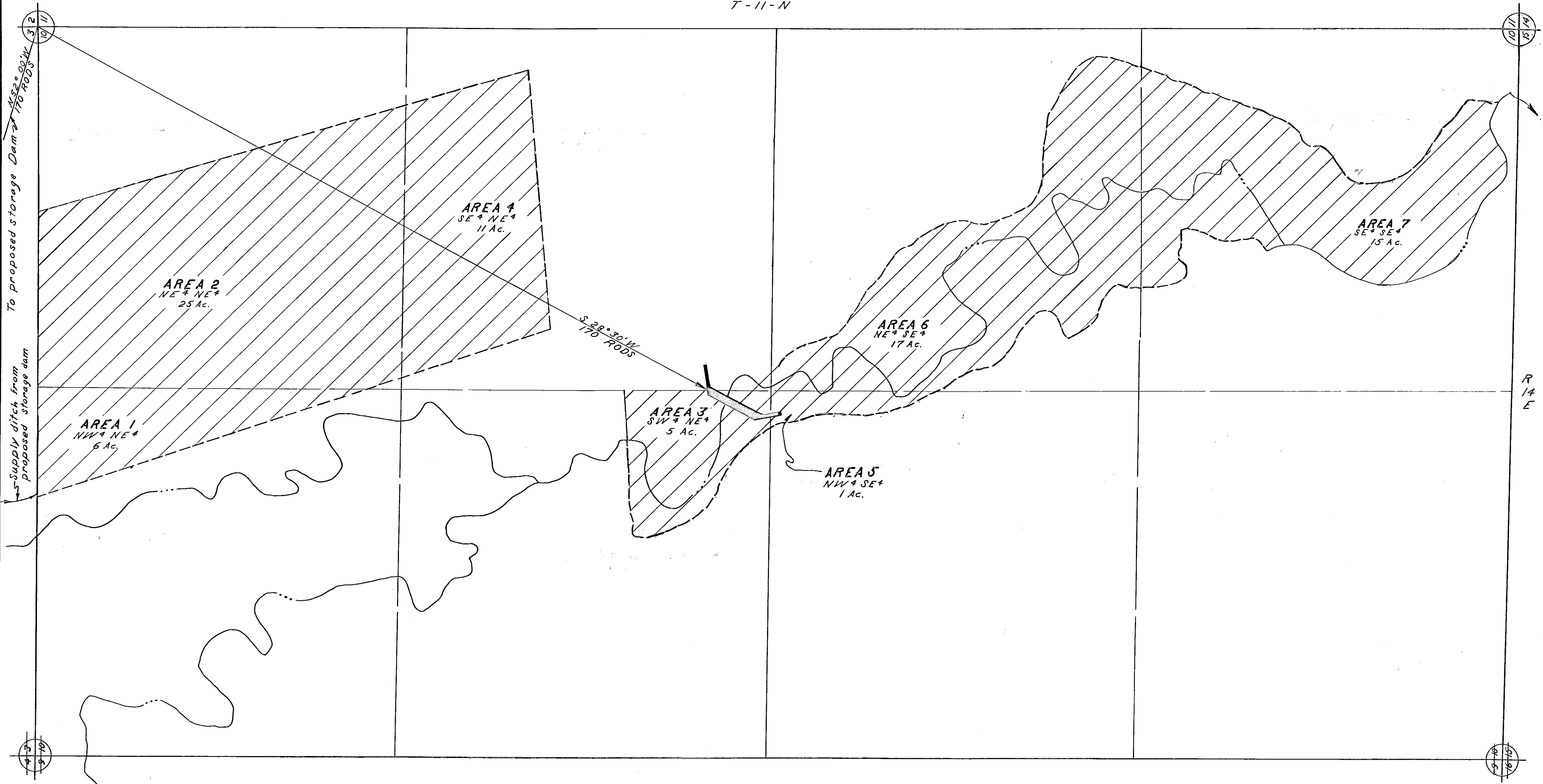
September

1961

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device

T-11-N



Location of land to be irrigated					
Area	Location	Sec.	Twp.	Rge.	Acres
1	NW 1/4 NE 1/4	10	11N	14E	6
2	NE 1/4 NE 1/4	10	11N	14E	25
3	SW 1/4 NE 1/4	10	11N	14E	5
4	SE 1/4 NE 1/4	10	11N	14E	11
5	NW 1/4 SE 1/4	10	11N	14E	1
6	NE 1/4 SE 1/4	10	11N	14E	17
7	SE 1/4 SE 1/4	10	11N	14E	15
Total					80

- Natural Drainage
- Supply ditch
- Land to be irrigated
- Proposed spreader plug

SURVEYOR'S CERTIFICATE
I, KENNETH L. HUBERDO HEREBY CERTIFY THAT THIS MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND OF THE DON TALLEY IRRIGATION PROJECT NO. 1 AND HAS BEEN PREPARED BY THE SOIL CONSERVATION SERVICE FOR THE TRI-COUNTY SOIL CONSERVATION DISTRICT.
SIGNATURE: Kenneth L. Huberdo
TITLE: AGRICULTURAL ENGINEER
U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
SUBSCRIBED AND SWORN TO BEFORE ME THIS 11th DAY OF September, 1961, A.D.
NOTARY PUBLIC
MY COMMISSION EXPIRES , 19 .

Scale: 1"=200'

DON TALLEY IRRIGATION PROJECT NUMBER 1
Meade County, South Dakota

**U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE**

Designed	Date	Approved by
Drawn		Title
Traced	3-61	Title
Checked	No. 1	Sheet
	of 1	Drawing No.

DON TALLEY

APPLICATION FOR PERMIT

6. Location of Points of Diversion:

a. Storage Dam: 170 rods N. $52^{\circ}0'$ W. of SE corner of Sec. 3, T 11N, R 14E.

b. Spreader Plug: 170 rods S. $28^{\circ}30'$ W. of NE corner of Sec. 10, T 11N, R 14E.

7. I. (b.) Legal subdivisions to be irrigated:

AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	NW 1/4 of NE 1/4	10	11N	14E	6.0
2	NE 1/4 of NE 1/4	10	11N	14E	26.0
3	SW 1/4 of NE 1/4	10	11N	14E	5.0
4	SE 1/4 of NE 1/4	10	11N	14E	11.0
5	NW 1/4 of SE 1/4	10	11N	14E	1.0
6	NE 1/4 of SE 1/4	10	11N	14E	17.0
7	SE 1/4 of SE 1/4	10	11N	14E	16.0
TOTAL					80.0

Remarks by State Water Resources Commission:

The diversion rate limitation of 1 cubic foot per second for each 70 acres irrigated shall not apply to this Dry Draw irrigation diversion during periods of flood flows, when such flows are in excess of the amount of water required to satisfy domestic use requirements and other water rights.

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, NOVEMBER 20, 1961

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock
a.m. upon the 13th day of September, 1961.

State Water Resources Commission

By: [Signature]

for Chief Engineer, Executive Officer

Number of permit: 666-1

Date of first receipt of application September 13, 1961

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 September 13, 1961

Approved November 9, 1961, Recorded in Book 7 Page 9

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 June 9, 1964

2nd. The whole of said work is to be completed on or before November 9, 1966

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

November 9, 1970

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 1.14 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 November 9, 1970; said water to be used during the following described annual period:

whenever available

Witness my hand this 20th day of November, 1961

State Water Resources Commission

By: [Signature]

Chief Engineer

Executive Officer

Certificate of Construction Issued July 12

Water License Issued July 12, 1971

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 616-1

(1) WHEREAS, On the 13th day of September A. D. 19 61
Don Talley

made Water Right Application No. 616-1 for a permit to use 1.14 cubic feet per second of the waters of local watershed

County of Meade State of South Dakota, for Irrigation

purposes; and

(2) WHEREAS, On the 9th day of November A. D. 19 61

Permit No. 616-1 with a date of priority of September 13, 1961

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 9th day of November A. D. 19 66 and for the application to beneficial use of said water on or before the 9th day of November A. D. 19 70

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 1.14 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, All in Section 10, T11N, R14E

	Acrea
NW $\frac{1}{4}$ NE $\frac{1}{4}$	6.0
NE $\frac{1}{4}$ NE $\frac{1}{4}$	25.0
SW $\frac{1}{4}$ NE $\frac{1}{4}$	5.0
SE $\frac{1}{4}$ NE $\frac{1}{4}$	11.0
NW $\frac{1}{4}$ SE $\frac{1}{4}$	1.0
NE $\frac{1}{4}$ SE $\frac{1}{4}$	17.0
SE $\frac{1}{4}$ SE $\frac{1}{4}$	15.0
Total	80.0 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 Don Talley

of Opal, S.D.

the holder _____ and owner _____ of said permit No. 616-1 a water right, dating from September 13, 1961

_____ to use of 1.14 cubic feet per second of the waters of local watershed

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 a storage dam-170 rods N. 52° W. of the SE Corner, Section 3, Main Spreader Plug, 170 rods S. 28° 30' W. of the NE Corner, Section 10, both in T11N, R14E

and conduct to and upon land to be irrigated in Section 10, T11N, R14E, more fully described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 616-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 12th day of July A. D.
Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Form 15.

Permit No. 616-1

Water Diversion No. 1 SULPHUR CREEK Water District

CERTIFICATE OF CONSTRUCTION

Don Talley

This is to Certify, That _____

_____ the holder _____ of
Permit No. 616-1, issued upon Application No. 616-1, bearing date of priority of September 12,
1961, authorizing the diversion of 1.14 cu. ft. per second of the waters of _____
local watershed _____ County of Meade, State of South Dakota at _____
Storage Dam 170 rods North 52' W. of the SE Corner, Sec. 3, Main Spreader Plug,
170 rods S. 28° 30' W of the NE Corner, Section 10, both in T11N, R14E
_____ for Irrigation

purposes, he 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. up to 20 cu. ft. per second of water.

Date July 12, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

Permit No. 616-1Water Division 1 SULPHUR CREEK 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 DON
TALLEY of OPAL holder
of Permit No. 616-1, bearing date of priority of SEPTEMBER 13, 1961
authorizing the diversion of 1.14 cu. ft. per second of the waters of LOCAL WATERSHED
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:

STORAGE DAM - APPROX. 100 ACRE FEET CAPACITY
W/16" HEADGATE AT DAM. SERIES OF PLUGS ON
LOWER PORTION OF PROJECT

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

APPROX. 1600' OF DITCH TO DROP INLET THENCE TO
1100' MAIN DITCH ALONG UPPER PORTION OF LEVELLED
AREA. 24" HEADGATE @ DROP INLET

C. Works used to apply water to beneficial use.

BORDER DICES @ 100' SPACINGS ON LEVELLED LAND
3-16" GATES FOR EACH 100' AREA.
SPREADER DICES ON LOWER END OF PROJECT

The system is in the following condition: EXCELLENT

The point of diversion is located STORAGE DAM - 170 RODS N 52° W OF THE SE CORNER,
SECTION 3; MAIN SPREADER RUG - 170 RODS S 28° 30' W OF THE NE CORNER,
SECTION 10, T11N, R14E

The works are capable of diverting and conveying to the place of use UP TO 2.0 CFS.cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN SECTION 10, T11N, R14E

<u>NW¹NE¹</u>	<u>6.0 ACRES</u>	<u>NW¹SE¹</u>	<u>1.0 ACRES</u>
<u>NE¹NE¹</u>	<u>25.0 "</u>	<u>NE¹SE¹</u>	<u>17.0 "</u>
<u>SW¹NE¹</u>	<u>5.0 "</u>	<u>SE¹SE¹</u>	<u>15.0 "</u>
<u>SE¹NE¹</u>	<u>11.0 "</u>		

comprising a total of 60.0 acres of land.

Date

JUNE 30, 1971

Dustin Lyne
(Signature)

WATER RIGHT SPECIALIST
WATER RESOURCES COMMISSION

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Hand } ss.RECEIVED
OCT 30 1961STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

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

Faith Independent 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 Faith County of

Hand and State of South Dakota; that the said notice was published in said newspaper on the following dates:

Oct. 4, 1961

Oct. 11, 1961

Oct. 18, 1961

Oct. 25, 1961

In each and every issue of the full number thereof, the first publication being made on the 4 day of Oct.

19 61 and the last publication on the 25 day of

Oct. 19 61, upon which days or times

of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was publisher the printer and publisher of the said newspaper.

Kennoth Howell

Subscribed and sworn to before me this 28 day of October A. D. 19 61

Estelle Howell
Notary Public Hand County, S. D.

APPROPRIATION OF WATER
Notice is hereby given that Talley, whose residence address is Opal, 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 1.4 cubic feet of water per second of time from dry draws through the Talley Irrigation Project No. 11 the point of diversion of which is to be located on both banks of said stream at a point in the SW 1/4 Sec. 3, and a point in the SW 1/4 of the NE 1/4 of Section 10, T. 11 N. R. 14 E. of the following described land: NE 1/4, NW 1/4, SE 1/4 and E 1/4, Sec. 10, T. 11 N. R. 14 E. of the 11th Meridian.
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 5th day of November, 1961, at 3 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
Pub. Oct. 4, 11, 18, 25, 1961

on or before **October 12**, 19**61**
(First Publication _____, 19____)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., **September 27**, 19**61**

Notice is hereby given that **Don Talley** whose postoffice address is **Opal** 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 **1.14** cubic feet of water per second of time from the ~~xxx dry draw~~ through the **Talley Irrigation Project #1** at a point in the ~~the point of diversion of which is to be located on the~~ **both** bank of said stream in the **SW** $\frac{1}{4}$ of the **NE** $\frac{1}{4}$ of Section **10** portions of Twp. **11N** Range **14E**. Said water to be used for the purpose of providing irrigation on the following described land:

NE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$ and E $\frac{1}{2}$, SE $\frac{1}{4}$, Sec. 10, T11N, R14E

~~XXXXX~~ ~~XXXXX~~ purposes

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the **0th** day of **November**, 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: **Kenneth Howell**, Publisher
Faith Independent
Faith, S. Dak.

State Water Resources Commission

By:

~~XXXXXXXXXXXXXXXXXXXX~~
BURTON F. JONES
Water Right Specialist

OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE



**Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 61G-1

December 16, 1985

Arlene Talley
HCR 3, Box 57
Opal SD 57765

Dear Ms. Talley:

Please find enclosed a copy of a Notice of Transfer of Water Permit form. This form must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50.

Upon receipt of the enclosed form and the \$2.50 filing fee the permit will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

KAREN SCHLAACK
Administrative Aide

NO. 616-1

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 1-17-56

This is to notify you that the title to the lands described as follows:

80 acres - NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 10, T11N, R14E

formerly owned by Don Talley

has been transferred to Arlene Talley, HCR 3, Box 57, Opal SD 57765

(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 616-1 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
) ss.
County of Meade)

1, Arline Valley 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 I know of my own personal knowledge that the infor-
mation herein stated is true.

Arion's Valley
(Signed) *[Signature]*

Subscribed and sworn to before me this 17th Day of January, 1956

Marie M. Drake
(Notary Public)

WNR-820-9/83
Notice of Transfer of Water Permit



RECEIPT

Division of Water Rights

No 4 10296

South Dakota Department of Water and Natural Resources

Pierre, January 20, 1985

RECEIVED OF Arlene Talley, HCR 3, Box 57, Opal, SD 57765

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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 Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form No. 516-1 _____	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By

John Hatching
Chief Engineer JOHN HATCHING

No. 616-1



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

Phone (605) 773-3352

January 21, 1986

Arlene Talley
HCR 3, Box 57
Opal, South Dakota 57765

Dear Ms. Talley:

Enclosed is receipt No. 10296 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 616-1.

Our records now show you as the owner of this Water Right.

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

WNR-821-7/79

Receipt & Notice of filing of Transfer of Water Right