

702-1

- 1. Considered SEPT 5, 1963
- 2. Name of Applicant LIFE THOMAS
- 3. Post Office Address MARQUE
- 4. Amount of water claimed 1.2
- 5. Source of water supply WHITE OAK CREEK
- 6. Water to be used for IRRIGATION
Acres to be irrigated 93.7
- 7. Water to be diverted and used in MEADE County about 10E 2S miles of WHITE OAK
- 8. Proof of Publication Received
Not Received _____
- 9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____

10. Remarks:

*Cancelled
Bill 10/1/63*

RECEIVED
JUN 24 1963
8:50 AM

No. 702-1
Water Division No. 1 SULPHUR CREEK STATE WATER RESOURCES COMM.
(Blanks to be Filled by the Engineer for the W. R. C.) 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 Dale Timmons
Postoffice address Marous, County Madison, State S. Dak.

- I. If a corporation No
- (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
 - (b) Cash on hand, \$ adequate
 - (c) Treasury stock, \$
 - (d) Bonds to be issued, \$
 - (e) Other resources, \$ gov't cont share

2. Name of diversion work Diversion dam
3. Amount of water claimed 1.2 cubic feet per second
4. Source of water supply White Owl Creek
5. Location of point of diversion See attached sheet BETWEEN A POINT TO THE NW CORNER Point in the NE 1/4 Section 12, T8N R14E
- _____ on _____ bank _____ County.

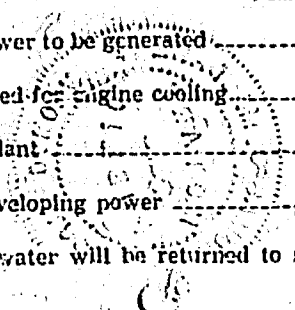
6. Annual period or periods during which water is to be used When available
7. To be used for:
- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Water spreading
 - (a) Number of acres to be irrigated 93.7 acres.
 - (b) Legal subdivisions to be irrigated see attached sheet
 - (c) Statement as to domestic use (giving location, etc.) None

(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.)

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

- (a) Nature of use None
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 NO 587-1



Dale Timmons

Sheet 1
Item 7 lb

Plot	Description	Acres
1	NE 1/4 Sec 13 T8N R14E	20.2
2	NE 1/4 Sec 13 T8N R14E	19.8
3	SE 1/4 Sec 13 T8N R14E	4.8
4	SW 1/4 Sec 13 T8N R14E	21.6
5	NE 1/4 Sec 13 T8N R14E	12.4
6	NE 1/4 Sec 13 T8N R14E	14.9
TOTAL		93.7

Item 11 5

	Location
1	2184.6' due west of SE cor Sec 12 T8N R14E
2	2798.4' N42°55'E of SE cor Sec 14 T8N R14E
3	2692.8' N61°25'E of SE cor Sec 14 T8N R14E

8. Estimated cost of work:

(a) Head Gates, \$ 500.00 (b) Pumping plant, \$
 (c) Flun. log, \$ (d) Canal earth, \$ Rock, \$
 (e) Other structures 211 ea 2000.00 Total, \$

9. Description of diversion works:

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

Diversion dam

II. Dimensions of works.

(a) Dam: Height 12 feet; length at bottom 40 feet; length at top 80 feet; thickness at bottom 3 to 1 feet; thickness at top 2 to 1 feet; slope at front water face; slope at back face
 material used in construction earth

(b) Reservoir: Capacity when filled No storage planned a re feet. Surface area at highwater mark acres.

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

(c)* Head gate: Width 12" dia. feet; height feet;
 Material cast iron

(d) Canal: Total length inles.

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work 5 years.

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

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

Faith Independent

STATE OF SOUTH DAKOTA

County of Woods } ss.

I, Wale Timmer, 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.

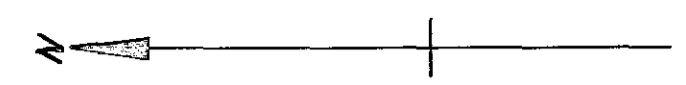
Signed Wale Timmer

Subscribed and sworn to before me this 20th day of June 19 63

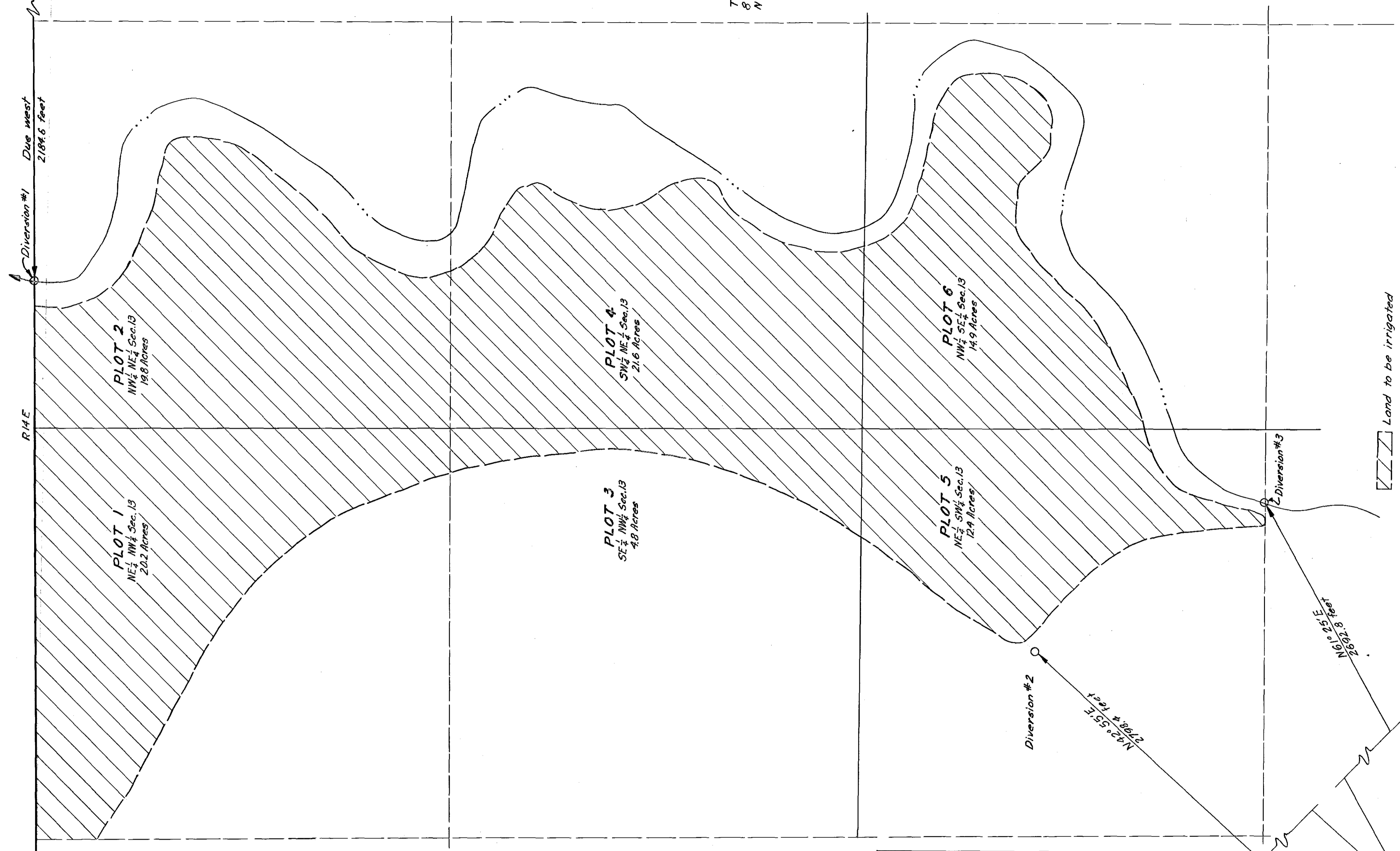
W. H. ...
 Notary Public (or other qualified officer:)

*Each diversion must have a headgate or measuring device.

12 7
13 18



T 8 N



All lands described are owned by Dale Timmons.

LOCATION OF LAND TO BE WATERED					
PLOT	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	NE ¹ / ₄ NW ⁴ / ₄	13	8N	14E	20.2
2	NW ⁴ / ₄ NE ⁴ / ₄	13	8N	14E	19.8
3	SE ⁴ / ₄ NW ⁴ / ₄	13	8N	14E	4.8
4	SW ⁴ / ₄ NE ⁴ / ₄	13	8N	14E	21.6
5	NE ⁴ / ₄ SW ⁴ / ₄	13	8N	14E	12.4
6	NW ⁴ / ₄ SE ⁴ / ₄	13	8N	14E	14.9
TOTAL					93.7

Land to be irrigated

SURVEYOR'S CERTIFICATE

I, B. L. Bartholic DO HEREBY CERTIFY THAT THIS MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND OF THE DALE TIMMONS WATERSPREADING SYSTEM NUMBER 1 AND HAS BEEN PREPARED BY THE SOIL CONSERVATION SERVICE FOR THE TRI-COUNTY SOIL AND WATER CONSERVATION DISTRICT.

SIGNATURE: B. L. Bartholic

TITLE: Agri. Eng.
U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBSCRIBED AND SWORN TO BEFORE ME THIS 21 DAY OF June, 1963, A.D.

James R. McCoy
NOTARY PUBLIC

MY COMMISSION EXPIRES April 10, 1974.

14 13
23 24

Scale: 1" = 200'

**DALE TIMMONS
WATERSPREADING SYSTEM
NUMBER 1**
Meade County, South Dakota

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

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

MAP No 587-1 (APPL No 702-1)

Remarks by State Water Resources Commission

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Flerre, South Dakota, SEPTEMBER 10 1963

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock
u. m. upon the 24TH day of JUNE, 1963

State Water Resources Commission
By: [Signature]
Chief Engineer, Executive Officer

Number of permit: 702-1

Date of first receipt of application JUNE 24, 1963

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 JUNE 24, 1963

Approved SEPTEMBER 5, 1963, Recorded in Book 8 Page 114

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 MARCH 5, 1966

2nd. The whole of said work is to be completed on or before SEPTEMBER 5, 1968

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is SEPTEMBER 5, 1972

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 1.2 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 5, 1972; said water to be used during the following described annual period:

WHEN AVAILABLE

Witness my hand this 10TH day of SEPTEMBER, 1963

State Water Resources Commission
By: [Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued AUGUST 17, 1972

Water License Issued AUGUST 17, 1972

WATER LICENSE NO. 702-1

(1) WHEREAS, On the 24th day of June A. D. 19 63

Dale Timmons

made Water Right Application No. 702-1 for a permit to use 1.2 cubic feet per second of the waters of White Owl Creek watershed

County of Meade State of South Dakota, for irrigation

purpose: and

(2) WHEREAS, On the 10th day of September A. D. 19 63

Permit No. 702-1 with a date of priority of June 24, 1963

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 5th day of September A. D. 19 68 and for the application to beneficial use of said water on or before the 5th day of September A. D. 19 72

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 1.2 cubic feet per second of water for beneficial use and.

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

for irrigating the following land in Section 13, T8N, R14E

	Acres
NE 1/4 NW 1/4	20.2
NW 1/4 NE 1/4	19.8
SE 1/4 NW 1/4	4.8
SW 1/4 NE 1/4	21.6
NE 1/4 SW 1/4	12.4
NW 1/4 SE 1/4	14.9
	93.7 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 Dale Timmons

of Marcus, S.D.

the holder and owner of said permit No. 702-1 a water right, dating from June 21, 1963

to use of 1.2 cubic feet per second of the waters of White Owl Creek Watershed

in the County of Meade and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbefore mentioned, to be diverted at two points in the NE 1/4 SW 1/4, one in the NW 1/4 SE 1/4, and one in the SE 1/4 NW 1/4, all in Section 13, T8N, R14E

and conduct to and upon portions of Section 13, T8N, 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. 702-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 17th day of August A. D.
Nineteen Hundred and Seventy-two

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer J.W. GRINES

Form 15.

Permit No. 702-1

Water Diversion No. 1 SUIPIUR CREEK Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Dale Timmons

_____ the holder _____ of
Permit No. 702-1, issued upon Application No. 702-1, bearing date of priority of June 24, 1963

_____ authorizing the diversion of 1.2 cu. ft. per second of the waters of _____
White Owl Creek Watershed County of Meade, State of South Dakota at _____
two points in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, one in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, and one in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, all in
Section 13, T6N, R14E

_____ for irrigation

purposes, has _____ 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 30 cu. ft. per second of water.

Date August 17, 1972

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Meade } ss.

Kenneth 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 itme of publication of said notice herein after stated, has been and is printed and published in the _____

City of Faith County of _____

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

- July 31, 1963
- Aug. 7, 1963
- Aug. 14, 1963
- Aug. 21, 1963

in each and every issue of the full number thereof, the first publication being made on the 31 day of July

19 63 and the last publication on the 21 day of _____

August 19 63, 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.

Kenneth Howell

Subscribed and sworn to before me this 22 day of August A. D. 19 63

E. Estelle Howell

Notary Public Meade County, S. D.

Estelle Howell
By Commission Expires May 5, 1965

APPROPRIATION OF WATER

Office of State Water Resources Commission,
Pierre, S. Dak., July 26, 1963

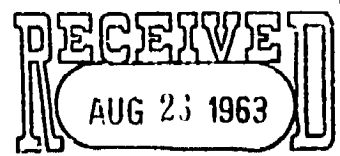
Notice is hereby given that Dale Timmons whose postoffice address is Marcus, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.2 cubic feet of water per second of time from the White Owl Creek through the Timmons Diversion, the point of diversion of which is to be located on both banks of said stream between a point in the NW $\frac{1}{4}$, NE $\frac{1}{4}$, and a point in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 13 Twp. 6N Range 14E. Said water is used for the purpose of providing irrigation on portions of the following described land:

EV. NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ & NW $\frac{1}{4}$, SE $\frac{1}{4}$, all in Section 13, T6N, R 14E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 5th day of September, 1963, at 2 P.M. All interested persons 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.
Published July 31 to Aug. 21, 1963.



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

on or before
(First Publication August 8, 1963)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., July 29, 1963

Notice is hereby given that Dale Timmons whose postoffice address is Marcus 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 1.2 cubic feet of water per second of one from the White Owl Creek through the Timmons Diversion, the point of diversion of which is to be located on ~~the~~ both banks of said stream/in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 13 portions of Twp. 8N Range 14E. Said water to be used for the purpose of providing irrigation on the following described land:

E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ & NW $\frac{1}{4}$ SE $\frac{1}{4}$, All in Section 13, T8N, R14E

~~REPORT~~ PURPOSES

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 5th day of September, 19 63, 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

CC: Kenneth Howell, Publisher
Faith Independent
Faith, South Dakota

Permit No. 702-1

Water Division 1 SULPHUR CREEK 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 DALE
TIMMONS of MARCUS holder

of Permit No. 702-1, hearing date of priority of JUNE 24, 1963

authorizing the diversion of 1.2 cu. ft. per second of the waters of WHITE OWL CREEK
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:

TWO SMALL DIVERSION DAMS ON WHITE OWL CREEK & DIKES ON TRIBUTARIES. MAIN SOURCE OF WATER COMES FROM TRIBUTARIES.

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

EXTENSIVE SERIES OF DIKES ON TERRACES, W/ 12" & 16" CMP TUBES W/ HEADGATES

C. Works used to apply water to beneficial use.

SPREADER DIKES & DITCHES

The system is in the following condition: GOOD

The point of diversion is located AT TWO POINTS IN THE NE⁴SW⁴, ONE IN THE NW⁴SE⁴, AND ONE IN THE SE⁴NW⁴, ALL IN SEC. 13, T8N, R14E.

The works are capable of diverting and conveying to the place of use UP TO 30 CFS.
cu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows: ALL IN SECTION 13, T8N, R14E

<u>NE⁴NW⁴</u>	<u>20.2 ACRES</u>	<u>NE⁴SW⁴</u>	<u>12.4 ACRES</u>
<u>NW⁴NE⁴</u>	<u>19.8 "</u>	<u>NW⁴SE⁴</u>	<u>14.9 "</u>
<u>SE⁴NW⁴</u>	<u>4.8 "</u>		
<u>SW⁴NE⁴</u>	<u>21.6 "</u>		

comprising a total of 93.7 acres of land.

Date AUGUST 15, 1972
Dustin Jones
(Signature)

WATER RIGHT SPECIALIST
WATER RESOURCES COMMISSION

OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE