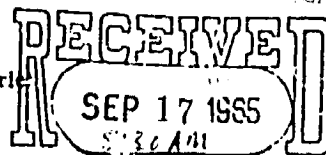


762

1. Considered 11-17, 1965
2. Name of Applicant DONALD SCHAD
3. Post Office Address LANTRY
4. Amount of water claimed .86
5. Source of water supply DRY DRAW
6. Water to be used for IRRIGATION
Acres to be irrigated 54.9
7. Water to be diverted and used in ZIEBACH County about
7 miles 5 of LANTRY
8. Proof of Publication Received 1st
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred CAF

10. Remarks;

No. 762-1Water Division No. 1 SULPHUR CREEK District
(Blanks to be filled by the Engineer for the W. P. C.)

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

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

1. Name of applicant Donald Schad
Lantry Ziebach S. Dak.
 Postoffice address _____, County _____, State _____
None.

- 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, \$ Adequate
- (c) Treasury stock, \$ _____
- (d) Bonds to be issued, \$ _____
- (e) Other resources, \$ SCS-ACP

2. Name of diversion work Diversion Lile
3. Amount of water claimed 0.86 cubic feet per second
4. Source of water supply Dry gully NE 1/4 Sec 9
5. Location of point of diversion 3.15° W, 303' from the center, SECTION 2, T11N, R22E
Seven miles south of Lantry, So. Dak.
- _____ of _____ bank Ziebach 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? Unsubstantiated(a) Number of acres to be irrigated 59.9 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 in accompanying map.)

(c) Statement as to domestic use (giving location, etc.) None.

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. 639-1

8. Estimated cost of work:

(a) Head Gates, \$ 96.00

(b) Pumping plant, \$ -----

(c) Pumping, \$ -----

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

Rock, \$ -----

(e) Other structures Dike and Pile. \$ 512.00

Total, \$ -----

9. Description of diversion works:

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

Dike.

II. Dimensions of works.

(a) Dam: Height 7.0 feet; length at bottom ----- feet; length at top 164 feet; thickness at bottom 45.0 feet; thickness at top 10.0 feet; slope at front water face 3:1; slope at back face 2:1 material used in construction Earth.

(b) Reservoir: Capacity when filled ----- acre 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 18" diameter ----- feet; height ----- feet; Material Steel.

(d) Canal: Total length ----- 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 ----- 2 ----- 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 ----- West River Progress ----- Dupree, So. Dakota.

STATE OF SOUTH DAKOTA

County of DeBach } ss.

I, Donald Schlad, 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.

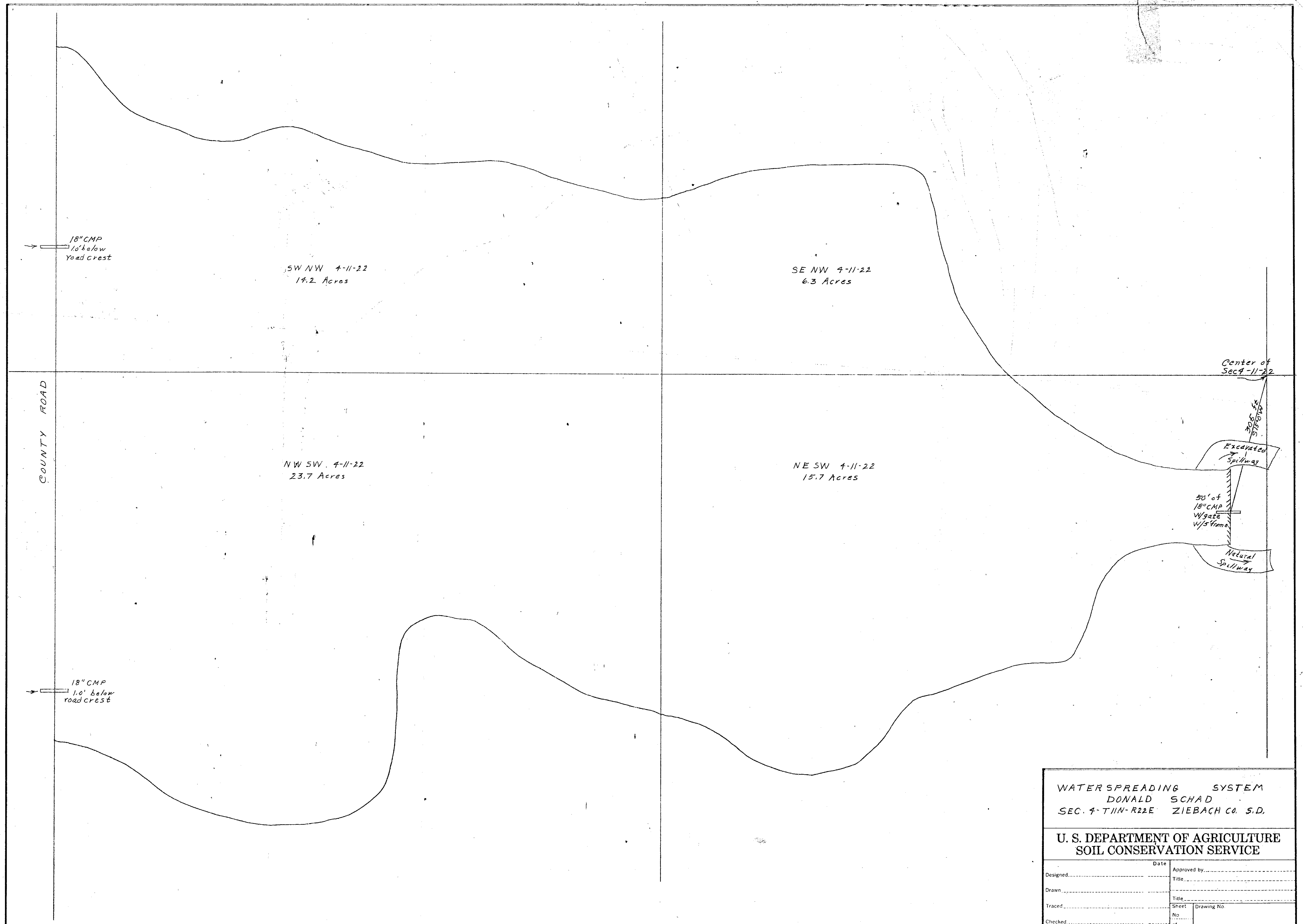
Signed

Donald Schlad

Subscribed and sworn to before me this 25th day of August 1965

Harold H. Schlad
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device



WATER SPREADING SYSTEM			
DONALD SCHAD			
SEC. 4-T11N-R22E ZIEBACH CO. S.D.			
U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE			
Date		Approved by	
Designed		Title	
Drawn		Title	
Traced		Sheet	
Checked		No	
		Drawing No	
		of	

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 24, 1965

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock
a. m. upon the 17th day of SEPTEMBER, 1965

State Water Resources Commission

By:

Aurton Jones
for Chief Engineer, Executive Officer

Number of permit 762-1

Date of first receipt of application SEPTEMBER 17, 1965

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 17, 1965

Approved NOVEMBER 17, 1965, Recorded in Book 9 Page 68

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 NOVEMBER 17, 1966

2nd. The whole of said work is to be completed on or before NOVEMBER 17, 1967

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

NOVEMBER 17, 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 86 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 17, 1969; said water to be used during the following described annual period:

WHEN AVAILABLE

Witness my hand this 24th day of NOVEMBER, 1965

State Water Resources Commission

By:

Yell
Chief Engineer, Executive Officer

Certificate of Construction Issued DECEMBER 31, 1969

Water License Issued DECEMBER 31, 1969

Remarks by the Applicant:

Item 7-b.

SE1/4 Sec. 4 T11N. R22E.	6.5 Acres.
SW1/4 Sec. 4 T11N. R22E.	14.2 Acres.
NW1/4 Sec. 4 T11N. R22E.	23.7 Acres.
NE1/4 Sec. 4 T11N. R22E.	15.7 Acres.
Total	59.9 Acres.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 762-1

(1) WHEREAS, On the 17th day of September A. D. 19 65
Donald Schad

made Water Right Application No. 762-1 for a permit to use .86 cubic feet per second of the waters of a dry draw

County of Ziebach, State of South Dakota, for irrigation

purposes; and
 (2) WHEREAS, On the 24th day of November A. D. 19 65

Permit No. 762-1, with a date of priority of September 17, 1965

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 17th day of November A. D. 19 67 and for the application to beneficial use of said water on or before the 17th day of November 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 .86 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 4, T11N, R22E

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 14.2 acres

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 6.3 acres

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 23.7 acres

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 15.7 acres

Total 59.9 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 _____

Donald Schad

_____ of Lantry, South Dakota

the holder _____ and owner _____ of said permit No. 762-1 a water right dating from September 17, 1965

_____ to use of .66 cubic feet per second of the waters of a dry draw

in the County of Ziebach and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point S. 15° W. 305 feet from the Center of Section 4, T11N, R22E

and conduct to and upon portions of the S½ NW¼ and N½ SW¼, Section 4, T11N, R22E, described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 762-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 31st day of December A. D.

Nineteen Hundred and Sixty-nine

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Form 15.

Permit No. 762-1

Water Diversion No. 1 Sulphur Creek Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Donald Schad

_____ the holder _____ of
Permit No. 762-1, issued upon Application No. 762-1, bearing date of priority of September 17,
1965 authorizing the diversion of .86 cu. ft. per second of the waters of _____
a dry draw _____ County of Ziebach, State of South Dakota at _____
a point S. 15° W. 305 feet of the center of Section 4, T11N, R22E

_____, for irrigation

_____ purposes, he a 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 all the flows of the draw _____ cu. ft. per second of water.

Date December 31, 1965

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Ziebach } ss.

Harry T. Fairbanks being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Black River Progress 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 Supree County of Ziebach and State of South Dakota; that the said notice was published in said newspaper on the following dates:

Oct 21, 28Nov 4, 11

In each and every issue of the full number thereof, the first publication being made on the 21 day of Oct 1965 and the last publication on the 11 day of Nov 1965, 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.

Harry T. FairbanksSubscribed and sworn to before me this 23 day of Nov A. D. 1965Ernest J. FairbanksNotary Public Ziebach County, S. D.

APPROPRIATION OF WATER

Office of State Water Resources Commission,
Pierre, S. Dak, October 5, 1965

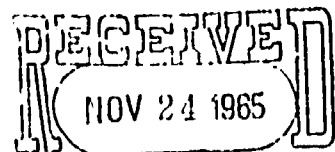
Notice is hereby given that Donald Schad whose postoffice address is Lantry, S. Dak, has

made application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use .36 cubic feet of water per second of time from a dry draw through the Schad Diversion Dikes, the point of diversion of which is to be located on either bank of said stream in the NE¼ of the SW¼ of Section 4 Twp. 11N Range 22E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

S½ NW¼ & N½ SW¼, Section 4, T11N, R22E

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of November, 1965, 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 SpecialistSTATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

on or before
(First Publication) October 21, 1965

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., October 5, 1965

Notice is hereby given that Donald Schad whose postoffice address is Lantry 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 .86 cubic feet of water per second of time from the a dry draw through the Schad Diversion Dikes, the point of diversion of which is to be located on the either bank of said stream in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 4 Twp. 11N Range 22E portions of said water to be used for the purpose of providing irrigation on the following described land:

S $\frac{1}{2}$ NW $\frac{1}{4}$ & N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 4, T11N, R22E

and for purposes:

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of November, 1965, 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: Harry L. Fairbanks, Publisher
West River Progress
Dupree, S.D.

Permit No. 762-1

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 Donald Schad
of Lantry, South Dakota holder
of Permit No. 762-1, hearing date of priority of September 17, 1965
authorizing the diversion of 0.86 cu. ft. per second of the waters of dry draw
for flood irrigation purposes, in Ziebach 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:

Dike, 164 feet long and 7 feet high, as shown by Water Right Map No. 639-1

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

After flood irrigation, water is carried away through gated 18" culvert in dike.

C. Works used to apply water to beneficial use.

The system is in the following condition. good

The point of diversion is located S 15° 0' W., of center of Section 4, T11N, R22E

The works are capable of diverting and conveying to the place of use all dry draw flows

~~xxxxxx~~ water which is to be used for flood irrigation

Water has been put to beneficial use to the maximum extent as follows: All in Section 4, T11N, R22E.

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 14.2 acres

SE 1/4 NW 1/4 6.3 acres

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 23.7 acres

NE 1/4 SW 1/4 15.7 acres

comprising a total of 59.9 acres of land.

Quite a primitive system, but Mr. Schad considers that the results have been worth while.

Date December 15, 1969

Ronald Russell

**OVERSIZE
DOCUMENT IS
SUPPLEMENTARY
TO MICROFILM FILE**