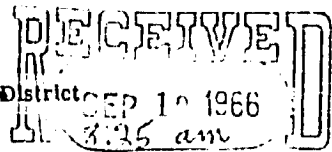


775-1

1. Considered 11-9, 1966
2. Name of Applicant Olin H. Swanson
3. Post Office Address Spearfish
4. Amount of water claimed 1.97
5. Source of water supply artesian ground water
6. Water to be used for irrigation
 Acres to be irrigated 138.5
7. Water to diverted and used in Lawrence County
 about 4W 6N miles of Spearfish
8. Proof of Publication Received J
 Not Received _____
9. Application Approved _____
 Subject to _____
 Not Approved _____
 Action deferred _____

10. Remarks:

No. 775-1Water Division No. 1 BELLE FOURCHE RIVER
(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 OLIVER H. SWANSON
 Postoffice address ROUTE #1, SPEARFISH County LAWRENCE, 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 work (Whether by contract, employment of others, or by direct labor)

DIRECT LABOR & EMPLOYMENT OF OTHERS

- (b) Cash on hand, \$ 10,000
- (c) Treasury stock, \$
- (d) Bonds to be issued, \$
- (e) Other resources, \$

2. Name of diversion work SWANSON IRRIGATION WELL #13. Amount of water claimed 1.91 cubic feet per second4. Source of water supply 904' WELL5. Location of point of diversion Section 11, T11N, R15E on BLUFF bank BLUFF County.6. Annual period or periods during which water is to be used ALL YEAR

7. To be used for:

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?
- COMBINATION

(a) Number of acres to be irrigated 138.5 acres.(b) Legal subdivisions to be irrigated (SEE BACK OF FORM)

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

(a) Nature of use STOCK WATERING
Name any of the above uses claimed(b) Amount of power to be generated NONE horse power.Amount claimed for engine cooling NONE(c) Location of plant NONE(d) Method of developing power NONE(e) Point where water will be returned to stream AT BUILDINGS

MAP NO 651-1

8. Estimated cost of work:

(a) Head Gates, \$-----

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

(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.)

660' OF 8" PIPE, 900' OF 6" GATED, 330' OF 6" STRAIGHT - BERKLEY PUMP

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

(c)* Head gate: Width ----- feet; height ----- feet;

Material -----

(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 ----- 5 ----- years.11. Time required for complete application of water to the proposed beneficial use ----- 9 ----- years.

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

BELLE FOURCHE DAILY POST

STATE OF SOUTH DAKOTA

County of -----

} ss.

I, CLYDE H. SWANSON, 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 Clyde H. SwansonSubscribed and sworn to before me this 16TH day of SEPTEMBER 1944George P. Olson
Notary Public (or other qualified officer)

*Each diversion must have a headgate or measuring device.

Form 2A -- Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 8" , Depth 904'

Type of casing 19#, BLACK, PRESSURE GROUTED IN, 145 SACKS CEMENT.
(wood, concrete, steel, etc.)

Size of casing 6½" O.D. , Thickness of casing 3/8"

Length of casing 904' If collection gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen

Size of perforated screen (diameter) , (length)

Thickness of gravel pack , length of gravel pack

(c) Water Bearing Materials

Distance to water 800' Character of water bearing materials
..... MINNELUSA SAND, HARD BUT BROKEN

Thickness of water bearing material 100'

(d) Pump and Motor

Type of pump NO PUMP - FLOWING WELL
(centrifugal, propeller, mixed flow, etc.)

Name of pump , size

Kind of motor (gasoline, electric, diesel, etc.)

Horsepower , Name of Motor

(e) Complete well

Capacity 2.01 C.F.S. FLOWING Estimated cost \$6,700.00
~~drawdown of~~

(f) Owner of land upon which well is located OLIVER H. SWANSON
Name

RR#1 - SPEARFISH, SOUTH DAKOTA
Address

(g) Distance to nearest existing wells

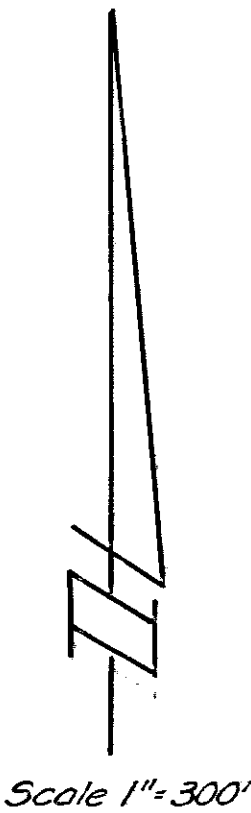
On same owner's property 388 rods. On property owned by others 500 rods

MAP OF PROPOSED IRRIGATION PROJECT
IN PARTS OF SECTION 11, T7N, R1E, B.H.M.
BUTTE COUNTY, SOUTH DAKOTA

SURVEYOR'S CERTIFICATE:
I, Ray M. Fraley, Registered Land Surveyor, Do Hereby Certify
That At The Direction Of Oliver H. Swanson, I have Surveyed
The Proposed Irrigation Project As Shown On This Map. The
Angles And Distances Are As Shown. *Ray M. Fraley*

ACKNOWLEDGEMENT OF SURVEYOR:
Be It Known That On This 16th Day Of Sept 1966 Before Me, The
Undersigned, Personally Appeared Ray M. Fraley known To
Me To Be The Person Who Executed The Above Certificate.

My Commission Expires April 28, 1969. *George E. O'Connell*
Notary Public



Acres To Be Irrigated	
1/4 1/4	Acres
NE 1/4 NW 1/4	8.9
SE 1/4 NW 1/4	23.6
NW 1/4 NE 1/4	18.5
NE 1/4 NE 1/4	15.0
SW 1/4 NE 1/4	40.0
SE 1/4 NE 1/4	25.4
NE 1/4 SW 1/4	2.1
NW 1/4 SE 1/4	5.0
Total	139.5 Ac.

OLIVER H. SWANSON
IRRIGATION PROJECT

IN PARTS OF SEC. 11, T7N, R1E, B.H.M.
BUTTE COUNTY, S. D.

Brady Engineering Consulting Engineers Spearfish, South Dakota	Acct. No. W25-39 Drawn By: DJM Checked By:	Scale: 1"=300' Date: 9 Sept 1966 Sheet of
--	--	---

Remarks by State Water Resources Commission:

This well must be valued And the flow reduced to a minimum when not being used. This well appears to be in an artesian basin having limited supplies and restrictions as to flow or time of flow may be made by the Commission to protect prior water rights. If at any time this permit is cancelled or the well is abandoned, the well must be plugged to the satisfaction of the Commission.

STATE OF SOUTH DAKOTA

County of Hughes ss.

Pierre, South Dakota, November 10, 1966

This is to certify that the foregoing application was received by the Commission at 8:25 o'clock a. m. upon the 19th day of September, 1966

State Water Resources Commission

By:

Rick D O Schroyer
Chief Engineer, Executive Officer

Number of permit 775-1

Date of first receipt of application September 19, 1966

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 19, 1966

Approved November 9, 1966, Recorded in Book 9 Page 174

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 _____

MAY 9, 1967

2nd. The whole of said work is to be completed on or before November 9, 1971

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

November 9, 1975

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 1.97 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, 1975; said water to be used during the following described annual period:

April through October

Witness my hand this November 10th day of November, 1966

State Water Resources Commission

By:

George R. Quinn
Chief Engineer, Executive Officer

Certificate of Construction Issued

JUNE 21, 1971

Water License Issued

JUNE 21, 1971

Remarks by the Applicant:

LEGAL SUBDIVISIONS TO BE DEDICATED

NE 1 / 4 NW 1 / 4	-	3.9 ACRES
SE 1 / 4 NW 1 / 4	-	23.6
NW 1 / 4 NE 1 / 4	-	18.5
NE 1 / 4 NE 1 / 4	-	15.0
SW 1 / 4 NE 1 / 4	-	40.0
SE 1 / 4 NE 1 / 4	-	25.4
NE 1 / 4 SW 1 / 4	-	2.1
NW 1 / 4 SE 1 / 4	-	<u>5.0</u>
TOTAL	-	138.5 ACRES

ALL IN SEC. 11, T7N, R1E, B.H.M.

THOMPSON DITCH AGREEMENT DATED OCT. 23, 1890 FILED MARCH 9, 1891
IN BOOK 72 PAGE 536

STATE OF SOUTH DAKOTA

WATER LICENSE NO. ... 775-1

(1) WHEREAS, On the 19th day of September A. D. 19 66
Oliver H. Swanson

made Water Right Application No. 775-1 for a permit to use 1.97 cubic feet per second of the waters of Artesian ground water

County of Butte, State of South Dakota, for irrigation purposes; and

(2) WHEREAS, On the 10th day of November A. D. 19 66
 Permit No. 775-1, with a date of priority of September 19, 1966

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 71 and for the application to beneficial use of said water on or before the 9th day of November A. D. 19 75

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 1.97 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 11, T7N, R1E

	Acres
NL $\frac{1}{2}$ NW $\frac{1}{2}$	8.9
SE $\frac{1}{2}$ NW $\frac{1}{2}$	23.6
NW $\frac{1}{2}$ NE $\frac{1}{2}$	16.5
NE $\frac{1}{2}$ NE $\frac{1}{2}$	15.0
SW $\frac{1}{2}$ NE $\frac{1}{2}$	40.0
SF $\frac{1}{2}$ NE $\frac{1}{2}$	25.6
NE $\frac{1}{2}$ SW $\frac{1}{2}$	2.1
NW $\frac{1}{2}$ SE $\frac{1}{2}$	5.0
Total	138.5 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 Oliver H. Swanson

_____ of Spearfish, S.D.

the holder _____ and owner _____ of said permit No. 775-1 a water right, dating from September 19, 1966

_____ to use of 1.97 cubic feet per second of the waters

of artesian ground water

in the County of Butte and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at a point South 45°51' West, 2641 feet from the NE

Corner, Section 11, T7N, R1E

and conduct to and upon portions of Section 11, T7N, R1E, described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 775-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 21st day of June A. D.
Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Permit No. 775-1Water Diversion No. 1 BELLE FOURCHE RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Oliver H. Swanson

_____ the holder _____ of
Permit No. 775-1, issued upon Application No. 775-1, bearing date of priority of September 19,
1966 authorizing the diversion of 1.97 cu. ft. per second of the waters of _____
artesian ground water County of Butte, State of South Dakota at _____
a point South 41° 51' West, 2641 feet from the NE Corner, Section 11,
T7N, R1E

_____, 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 2.66 cu. ft. per second of water

Date June 21, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

Permit No.

775-1

Water Division

1 BELLE FOURCHE RIVER 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 OLIVER H.SWANSON of SPEARFISH holder.of Permit No. 775-1, bearing date of priority of SEPTEMBER 19, 1966authorizing the diversion of 1.97 cu. ft. per second of the waters of ARTESIAN GROUND WATERfor 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:

1004' DEEP WELL WITH 6" CASING

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

2000' OF 6" AND 8" PIPE WITH ABOUT
1400' OF IT HAVING GATES

C. Works used to apply water to beneficial use.

GATED PIPE AND DITCHES TO TERRACED
AND NATURAL SLOPE FIELDS.The system is in the following condition: GOODThe point of diversion is located S45°51'W, 2641 FEET FROM THE
NE CORNER, SECTION 11, T7N, R1EThe works are capable of diverting and conveying to the place of use 1200+ G.P.M.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 11, T7N, R1E

<u>NE¹NW⁴</u>	<u>8.9 ACRES</u>	<u>SW¹NE⁴</u>	<u>40.0 ACRES</u>
<u>SE¹NW⁴</u>	<u>23.6 "</u>	<u>SE¹NE⁴</u>	<u>25.4 "</u>
<u>NW¹NE⁴</u>	<u>18.5 "</u>	<u>NE¹SW⁴</u>	<u>2.1 "</u>
<u>NE¹NE⁴</u>	<u>15.0 "</u>	<u>NW¹SE⁴</u>	<u>5.0 "</u>

comprising a total of 138.5 acres of land

Date

JUNE 17, 1971Burton
(Signature)WATER RIGHT SPECIALIST
WATER RESOURCES COMMISSION

on or before October 13, 1966
(First Publication)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak. September 28, 1966

Notice is hereby given that Oliver H. Swanson whose postoffice address is Spearfish 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 1.97 cubic feet of water per second of time from the ~~the~~ artesian ground water through the Swanson Irrigation Well #1, the point of diversion of which is to be located on the

~~Bank of said stream~~ in the SW ¼ of the NE ¼ of Section 11 portions of Twp. 7N Range 1E. Said water to be used for the purpose of providing irrigation on the fol-

lowing described land:

E½ NW¼, NE¼, NE¼ SW¼ and NW¼ SE¼, Section 11, T7N, R1E

~~XXXXX~~ and to ~~XXXXX~~ purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 9th day of November, 1966, 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:

SUNTON F. JONES
Water Right Specialist

CC: Mr. Laurence Weyler, Publisher
Daily Post
Belle Fourche, S.D.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA

County Butte ss.Lawrence W. Hefner being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the

Daily Butte Herald a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in theCity of Butte County of Butte and

that the said notice was published in the following dates:

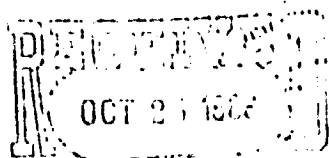
Oct. 1, 1966Oct. 2, 1966Oct. 15, 1966Oct. 22, 1966

in each and every issue of the full number

publication being made on the

1966 and the last publication on the 22nd day ofOctober 1966, 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

Lawrence W. HefnerSubscribed and sworn to before me this 22nd day of October A. D. 1966STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTARaymond H. HefnerNotary Public Butte County, S. D.which is to be located in the SW¹/₄ of the NE¹/₄ of Section 11 Twp. 7N Range 1E. Said water to be used for the purpose of providing irrigation on portions of the following described land:E¹/₂NW¹/₄, NE¹/₄, NE¹/₄SW¹/₄ and NW¹/₄, SE¹/₄, Section 11, T7N, R1E.

This application will be taken up by the State Water Resources Commission at their office at Pierre

for consideration upon the 9th day of November, 1966, 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 information presented.

State Water Resources Commission

By: Burton F. Jones

Water Right Specialist

P 41 (10)-1-8-15-22

**OVERSIZE
DOCUMENT IS
SUPPLEMENTARY
TO MICROFILM FILE**



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

October 9, 1992

No. 775-1

Oliver Swanson
RR 1, Box 194
Spearfish, SD 57783

Dear Mr. Swanson:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 775-1. The water right is currently listed in your name.

The transfer form should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

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.

If you have any questions, please contact me.

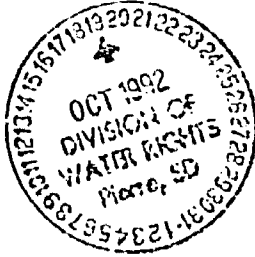
Sincerely,

Cheryl F. Foss
Secretary
Water Rights Division
(605) 773-3352

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Division, DENR
523 E. Capitol
Pierre, SD 57501-3181



No. 775-1

Date: OCTOBER 12, 1992

I/We request that Water Right No. 775-1

formerly owned by: Oliver Swanson, RR #1 Box 194, Spearfish, SD 57783

be transferred to: (name & address) JOHN E. SWANSON, RR #1 Box 194A,
SPEARFISH SD 57783 (Telephone No.) 605-5495

Title to the following described land(s)/property has been transferred as described above:

E 1/2NW 1/4, NE 1/4, NE 1/4SW 1/4, NW 1/4SE 1/4 Section 11, T7N, R1E

I/We understand that the validity of Water Right No. 775-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

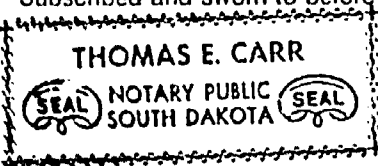
A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of BUTTE)

I/We JOHN E. SWANSON 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 that I know of my own personal knowledge that the information herein stated is true.

John E. Swanson
(Signed)

Subscribed and sworn to before me this 12th day of OCTOBER, 1992.



Thomas E. Carr
(Notary Public)

My Commission Expires Sept. 26, 1996

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

413480

Division of Water Rights

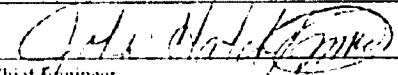
South Dakota Department of Environment and Natural Resources

Pierre, _____ October 25, 1992

RECEIVED OF John Swanson, RR 1 Box 194A, Spearfish, SD 57785
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct 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 <u>Water Right No. 775-1</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By 
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

November 4, 1992

No. 775-1

John Swanson
RR 1, Box 194A
Spearfish, SD 57783

Dear Mr. Swanson:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 775-1.

Our records now show you as the owner of Water Right No. 775-1.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

enclosure