

825-1

1. Considered 3.20, 1968
2. Name of Applicant MARVIN KAMMERER
3. Post Office Address RAPID CITY
4. Amount of water claimed 4.0
5. Source of water supply DRY DRAWS
6. Water to be used for IRRIGATION
- Acres to be irrigated 284
7. Water to be diverted and used in MEADE county
about 7N 35E miles of RAPID CITY
8. Proof of Publication Received ✓
Not received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____

10. Remarks:

No. **825-1**

DEC 11 1967

Water Division No. **1** **ELK CREEK** District
(Blanks to be filled by the Engineer for the W. R. C.)SOUTH DAKOTA WATER RESOURCES COMMISSION
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 **MARVIN KAMMERER, Box 42, ROUTE 3, Rapid City, So. Dak.**
 Postoffice address **RAPID CITY**, County **MEADE**, State **SO. DAK.**
 I. If a corporation **OPERATOR OF RANCH. RECORD OWNER FREDRICK KAMMERER.**

- (a) Name of same **X X X X X**
 (b) Date and place of incorporation **X X X X X**
 (c) Amount of capital stock **X X X X X**
 (d) Amount paid in **X X X X X**
 (e) Names and addresses of directors **X X X X X**

(NOTE—A certified copy of articles of incorporation must accompany this 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)

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

2. Name of diversion work **KAMMERER SPREADER PROJECT**
 3. Amount of water claimed **4** cubic feet per second
 4. Source of water supply **VARIOUS SMALL DRAWS WHICH ARE TRIBUTARY TO DRY CREEK**
BETWEEN POINTS IN THE NW-NE, NW-SE, SW-SE, SE-SE, SEC 23, T.20 N. R. 8 E.
 5. Location of point of diversion **Numerous dikes and ditches for spreading flood**
water in Sec. 26, 27 & 35 T.3 N., R.8 E. both banks Meade County.
 6. Annual period or periods during which water is to be used **March 15th thru September 15th**
 7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system?
- Spreader**

- (a) Number of acres to be irrigated
- 284**
- acres.

- (b) Legal subdivisions to be irrigated

SW-SE- Sec. 23, T.3 N., R.8 E-BHM 22 acres 22ac
NW-NW-13 ac., NW-NE-13 ac., SW-NW-17 ac., SE-NW-10 ac. NW-NE-28 ac.
NE-NE-22 ac., SW-NE-19 ac., SE-NE-6 ac., NW-SW-5 ac., Sec. 26 133ac
NE-NE-22 ac., SE-NE-18 ac., SE-SW-5 ac., NW-SE- 21 ac., NE-SE, 20 ac
SW-SE-20 ac., SE-SE-23 ac. Sec. 27, T.3 N., R.8 E-BHM 129 a
Grand total " " " 284 a

- (c) Amount of power to be generated

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

MAP NO 687-1

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.)

This project principally consists of renovation of an old spreader system which was constructed in the 30s, with some improvements to be made at this time.

(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 years.

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

12. Choice of newspaper for publication of notice of intention to appropriate Sturgis Tribune, Sturgis, So. Dak.

STATE OF SOUTH DAKOTA

County of Meade } 87.

I, Marvin Kammerer (operator) for Fredrick Kammerer, Owner 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 Marvin Kammerer

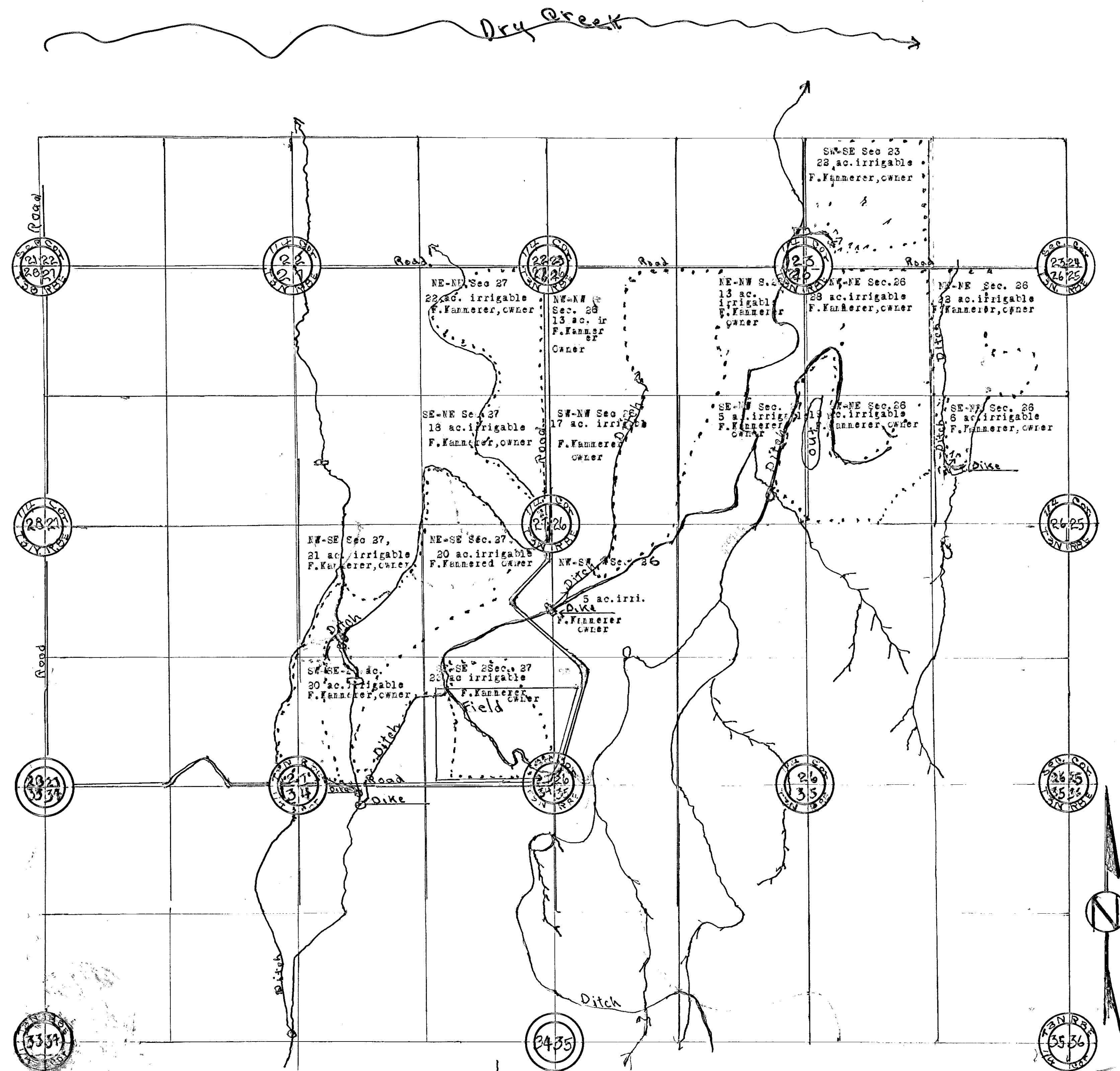
Subscribed and sworn to before me this 8th day of December, 1987.

CARL M. CORNELL
 Notary Public, Harding Co., S. D.
 My commission expires April 17, 1979

Carl M. Cornell
 Notary Public (S. D. XXXX)
 Carl M. Cornell,

*Each diversion must have a headgate or measuring device.

PLAT
OF
THE FARMER SPREADER PROJECT drawn and prepared for the purpose of furnishing a map, as part of Marvin Farmer's Application for a Permit to Appropriation for irrigation and to show the number of irrigable acres in each section and the total irrigable area in the proposed project, located in Sec. 23, 26 and 27, T.3 N., R. 8 E-2E in Meade County, South Dakota.
Scale 1 in. = 660 feet.



-SURVEYOR'S CERTIFICATE-
I, Carl M. Cornell, licensed Surveyor, in and for the State of South Dakota do hereby certify that, at the request of Marvin Farmer of Rapid City, South Dakota, I have made a survey and prepared this plat for the purpose of showing the location and the area embraced in the irrigable areas in the several legal subdivisions as shown on this map which said map is to be a part of his Application for a Permit to Appropriation for irrigation purposes.
I further certify that the bearings and lengths of all lines shown hereon and their location with reference to the Government Land Corners shown, are correct, to the best of my knowledge and belief.

Carl M. Cornell (SEAL)
Carl M. Cornell, Licensed Surveyor
No. 144

Subscribed and sworn to before me at Buffalo, So. Dak this 11th day of December of the year 1937.
Edward Lindholm
Notary Public. (SEAL)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, MARCH 22, 1968

This is to certify that the foregoing application was received by the Commission at 8:20 o'clock
a.m. upon the 20TH day of DECEMBER, 1967

State Water Resources Commission

By:

Burton Jones
for Chief Engineer, Executive Officer

Number of permit 825-1

Date of first receipt of application DECEMBER 20, 1967

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 DECEMBER 20, 1967

Approved MARCH 20, 1968 Recorded in Book 10 Page 93

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 _____

SEPTEMBER 20, 1970

2nd. The whole of said work is to be completed on or before MARCH 20, 1973

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

MARCH 20, 1973

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 40 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 MARCH 20, 1973; said water to be used during the following described annual period:

MARCH 15 THRU SEPTEMBER 15

Witness my hand this 22ND day of MARCH, 1968

State Water Resources Commission

By:

J. M. Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued _____

Water License Issued _____

SEPTEMBER 8, 1977

SEPTEMBER 8, 1977

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 825-1

(1) WHEREAS, On the 20th day of December A. D. 19 67
Marvin Kammerer

made Water Right Application No. 825-1 for a permit to use 4.0 cubic feet per second of the waters of dry draws

County of Meade, State of South Dakota, for irrigation

purposes and
 (2) WHEREAS, On the 20th day of March A. D. 19 68
 Permit No. 825-1 with a date of priority of December 20, 1967

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 20th day of March A. D. 19 73 and for the application to beneficial use of said water on or before the 20th day of March A. D. 19 73

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 3.5 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,

to irrigate the following land in T3N, R8E

Section 23	SW $\frac{1}{4}$ SE $\frac{1}{4}$	22 acres	Section 27	NE $\frac{1}{4}$ NE $\frac{1}{4}$	22 acres
Section 26	SW $\frac{1}{4}$ NW $\frac{1}{4}$	17 "		SE $\frac{1}{4}$ NE $\frac{1}{4}$	18 "
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	5 "		SE $\frac{1}{4}$ SW $\frac{1}{4}$	5 "
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	28 "		NW $\frac{1}{4}$ SE $\frac{1}{4}$	21 "
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	22 "		NE $\frac{1}{4}$ SE $\frac{1}{4}$	20 "
	SW $\frac{1}{4}$	12 "		SW $\frac{1}{4}$ SE $\frac{1}{4}$	20 "
	SE $\frac{1}{4}$	6 "		SE $\frac{1}{4}$ SE $\frac{1}{4}$	23 "
	NW $\frac{1}{4}$	5 "		TOTAL	246 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 Marvin Kammerer

_____ of Rapid City
the holder _____ and owner _____ of said permit No. 325-1 a water right, dating from December 20,
1967 to use of 3.5 cubic feet per second of the waters
of dry draws
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 between points in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34 and
in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 23, T3N, R8E

and conduct to and upon portions of Sections 23, 26 & 27, T3N, R8E,
described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 825-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 8th day of September A. D.
Nineteen Hundred and seventy-seven

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Form 15.

Permit No. 825-1

Water Diversion No. 1 Elk Creek Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify That Marvin Kammerer

Permit No. 825-1, issued upon Application No. 825-1, bearing date of priority of December 20, 1976, authorizing the diversion of 4.0 cu. ft. per second of the waters of dry draws Meade County of Meade, State of South Dakota at between points in the NW 1/4 NE 1/4, Section 34 and in the SW 1/4 SE 1/4, Section 23, T3N, R8E. for irrigation

^s 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 5.0 cu. ft. per second of water. Date September 8, 1977

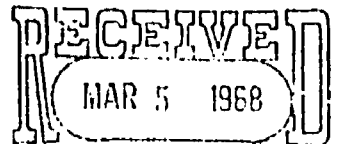
WATER RESOURCES COMMISSION

By:

John Hatch
JOHN HATCH, Chief Engineer

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Meade } 3S.



STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

Morris G. Hallock being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the -----

Sturgis Tribune 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 Sturgis County of

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

Feb. 7, 1968

Feb. 14, 1968

Feb. 21, 1968

Feb. 28, 1968

in each and every issue of the full number thereof, the first publication being made on the 7 day of Feb.

1968 and the last publication on the 28 day of

Feb. 1968, 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 publisherX of the said newspaper.

Morris G. Hallock

Subscribed and sworn to before me this 29 day of Feb. A. D. 19 68

Notary Public Meade County, S. D.

No. 825-1
 APPROPRIATION OF WATER
 Office of State Water Resources Commission,
 Pierre, S. Dak.
 February 1, 1968
 Notice is hereby given that Marvin Kammerer whose post-office address is Rapid City, 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 4.0 cubic feet of water per second of time from Dry draws through the Kammerer Spreader Project, the point of diversion of which is to be located on either bank of said stream between points in the NW1/4 NE1/4, Section 34, and in the SW1/4 of the SE1/4 of Section 23 Twp. 3N Range 8E. Said water to be used for the purpose of providing irrigation on portions of the following described land:
 SW1/4 SE1/4, Section 23; NW1/4, NW1/4 NE1/4, Section 23; E1/4, NE1/4, SE1/4 SW1/4, SE1/4, Section 27; NE1/4 and NW1/4 SW1/4, Section 28, all in T3N, R8E.
 This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 20th day of March, 1968, at 2:00 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
 BURTON F. JONES
 Water Rights Specialist
 Feb 7-14-21-28

On or before
February 13, 1968

APPROPRIATION OF WATER

State Water Resources Commission

Form 1-1-1 February 1, 1968

Notice is hereby given that MARVIN KAMMERER of the County of Spink and State of South Dakota has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.0 cubic feet of water per second of time from the Big Crow River the Kammerer Sprinkler Project the point of diversion of which is to be located on the either bank of said stream between points in the NW 1/4, Section 14, and SE 1/4, Section 15, Twp. 18 N., Range 85 E., and SW 1/4, Section 17, NE 1/4 and NW 1/4 SW 1/4, Section 26, all in T18N, R85E. Said water to be used for the purpose of providing irrigation for the following described land:

SW 1/4, Section 23; NW 1/4, NE 1/4, Section 24; NE 1/4, NW 1/4, NW 1/4, Section 27; NE 1/4 and NW 1/4 SW 1/4, Section 28, all in T18N, R85E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 20th day of March, 1968, at 1:00 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: Marvin Kammerer, Rapid City, S.D. State Water Resources Commission

By:

(Signature)

DUNTON V. JONAH
Water Rights Specialist

On or before February 15, 1968
(First Publication)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., February 1, 1968

Notice is hereby given that Marvin Kammerer whose postoffice address is Rapid City 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 4.0 cubic feet of water per second of time from the Dry Crows through the Kammerer Spreader Project the point of diversion of which is to be located on either bank of said stream between points in the NW 1/4 NE 1/4, Section 34, and 23 portions of in the SW 1/4 SE 1/4 of Section 23 Twp. 3N Range 8E. Said water to be used for the purpose of providing irrigation on the following described land:

SW 1/4 SE 1/4, Section 23; NW 1/4 NW 1/4 NE 1/4, Section 26; E 1/4 NE 1/4 SE 1/4 SW 1/4, NE 1/4, Section 27; NE 1/4 and NW 1/4 SW 1/4, Section 28, all in 13N, R8E.

Witness:
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 20th day of March, 1968, at 2:00 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: Marvin Kammerer, Rapid City, S.D. State Water Resources Commission

By:

~~Chief Engineer, Executive Officer~~

BURTON F. JONES
Water Rights Specialist

Permit No. 825-1Water Division 1 Elk 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 Alarvin
Kammerer of Box 42, Route 3, Rapid City, S.D. holder
of Permit No. 825-1, bearing date of priority of December 20, 1967
authorizing the diversion of 400 cu. ft. per second of the waters of Various small ditches which are
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:
small diversion dams and dikes across small ditchesB. Works used to transport water to place of use,
Diversion Ditches and DikesC. Works used to apply water to beneficial use.
spreader ditches and dikes.The system is in the following condition: Good

The point of diversion is located 2550 ft South and 50 ft West of N $\frac{1}{4}$ corner Sec. 34, T3N, R8E.
2250 ft East and 350 ft North of the W $\frac{1}{4}$ corner Sec. 26, T3N, R8E.
1150 ft West and 530 ft North of the E $\frac{1}{4}$ corner Sec. 26, T3N, R8E

The works are capable of diverting and conveying to the place of use 1.0 to 5.0
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 T3N, R8E.

In section 23 - SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 22 Ac., In section 26, SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 17 Ac.,
SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 5 Ac., NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 20 Ac., NE $\frac{1}{4}$ NE $\frac{1}{4}$ (122 Ac.), SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 12 Ac.,
SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 6 Ac., NW $\frac{1}{4}$ SW $\frac{1}{4}$ - 5 Ac., In section 27, NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 22 Ac.,
SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 18 Ac., SE $\frac{1}{4}$ SW $\frac{1}{4}$ - 5 Ac., NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 21 Ac., NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 20 Ac., SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 20 Ac.
SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 23 Ac.

comprising a total of 246 acres of land.Date May 14, 1976

LeRoy S. Mernagh
(Signature)