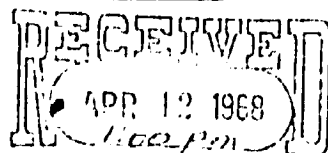


844.1

1. Considered 5-22-68
2. Name of Applicant DEPT OF GAME FISH & PARKS
3. Post Office Address PIERRE
4. Amount of water claimed 520
5. Source of water supply DRY DRAWS
6. Water to be used for LAKE LEVEL STABILIZATION
Acres to be irrigated _____
7. Water to be diverted and used in MEADE county
about 3N 2E miles _____ of STURGIS
8. Proof of Publication
Received ✓
Not Received _____
9. Application
Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. **844-1**Water Division No. **1 BELLEFLORENCE RIVER** District _____
(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 DEPARTMENT OF GAME, FISH & PARKS
 Postoffice address PIERRE, County HUGHES, 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) _____

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

2. Name of diversion work
- BEAR BUTTE LAKE DIVERSION

3. Amount of water claimed
- 520
- cubic feet per second

4. Source of water supply
- DRY DRAWS

5. Location of point of diversion
- #1 N 60° W, 1601.5' } FROM SE CORNER,
-
- #2 N 86° W, 5159.5' }

- SECTION 25, T6N, R5E
- on _____ bank
- MEADE
- County.

6. Annual period or periods during which water is to be used
- CONTINUOUSLY

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? _____

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

- (b) Legal subdivisions to be irrigated _____

(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
- STABILIZATION OF BEAR BUTTE LAKE LEVELS
-
- 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. 1-1

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.)

10' DIVERSION DAMS, CANAL APPROX 1 MILE TR

II. Dimensions of works. BEAR BUTTE LAKE

- (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	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 5 years.

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

STURGIS TRIBUNE, STURGIS, S. DAK.

STATE OF SOUTH DAKOTA

County of HUGHES

ss.

I, R. A. HODGINS

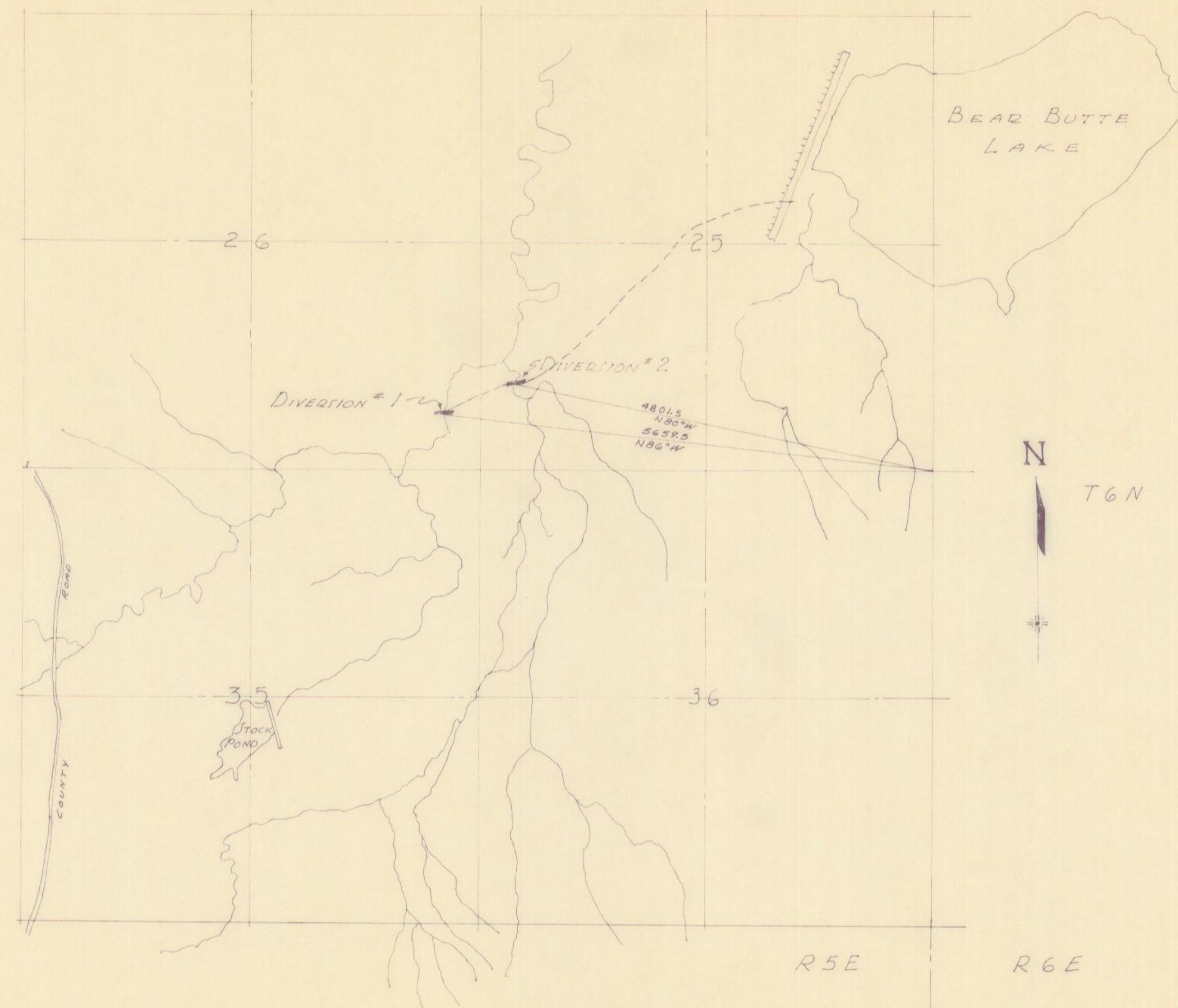
, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed R. A. Hodgins

Subscribed and sworn to before me this 12TH day of APRIL 1960

[Signature]
 Notary Public (or other qualified officer.)

PLAT SHOWING LOCATION OF THE DIVERSION POINT AND DRAINAGE DITCH IN SECTIONS
26 & 25 T6N R6E MEADE COUNTY, SOUTH DAKOTA.



CERTIFICATE OF SURVEYOR

I, MUREL L. TRIMBLE, REGISTERED LAND SURVEYOR DO HEREBY CERTIFY THAT AT THE DIRECTION OF THE
SOUTH DAKOTA DEPARTMENT OF GAME, FISH AND PARKS I HAVE SURVEYED AND PREPARED THE ABOVE PLAT
AND THAT THE ABOVE PLAT SHOWS THE LOCATION OF THE DIVERSION POINTS AND DRAINAGE DITCH IN WITNESS
WHEREOF, I HAVE SET MY HAND AND SEAL THIS 12th DAY OF April 1968 A.D. Murel L. Trimble
SURVEYOR

ACKNOWLEDGEMENT

STATE OF SOUTH DAKOTA SS
COUNTY OF Hughes

BE IT REMEMBERED THAT ON THIS 17th DAY OF April 1968, BEFORE ME H.E. Powers THE UNDERSIGNED OFFICER, PERSONALLY APPEARED Murel L. Trimble
KNOWN TO ME TO BE THE PERSON WHOES NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGE THAT HE EXECUTED THE SAME.

MY COMMISSION EXPIRES July 25, 1968

H.E. Powers
TITLE OF OFFICER

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, MAY 24, 1968

This is to certify that the foregoing application was received by the Commission at 1:00 o'clock
P.m. upon the 12TH day of APRIL, 1968

State Water Resources Commission

By:

Justin J. Jones
Chief Engineer, Executive Officer

Number of permit 844-1

Date of first receipt of application APRIL 12, 1968

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 APRIL 12, 1968

Approved MAY 22, 1968 Recorded in Book 10 Page 163

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 22, 1970

2nd. The whole of said work is to be completed on or before MAY 22, 1973

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

MAY 22, 1973

4th. The water appropriated shall be used for the purpose of PUBLIC RECREATION,

STABILIZATION OF BEAR BUTTE LAKE LEVELS

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 520
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~~
~~cubic foot of one cubic foot of water per second of time for each acre of land to which water is actually~~

DIVERTED FOR PUBLIC RECREATION

and beneficially ~~applied for irrigation~~ on or before MAY 22, 1973, said water to be used
during the following described annual period:

CONTINUOUSLY

Witness my hand this 24TH day of MAY, 1968

State Water Resources Commission

By:

Spencer
Chief Engineer, Executive Officer

Certificate of Construction Issued MAY 2, 1970

Water License Issued MAY 2, 1970

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 844-1.

(1) WHEREAS, On the 12th day of April, A. D. 1968

The Department of Game, Fish and Parks

made Water Right Application No. 844-1 for a permit to use 520 cubic feet per second of the waters of Dry Draws

County of Meade, State of South Dakota, for Stabilization of Bear Butte Lake Levels - Recreational purposes; and

(2) WHEREAS, On the 24th day of May, A. D. 1968

Permit No. 844-1 with a date of priority of April 12, 1958

was issued to said applicant 844-1 for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 22nd day of May, A. D. 1973 and for the application to beneficial use of said water on or before the 22nd day of May, A. D. 1973

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 520 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 be used for recreational purposes

(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 Department of Game, Fish and Parks

_____ of Pierre, SD

the holder _____ and owner _____ of said permit No. 844-1 a water right, dating from April 12, 1968

_____ to use of 520 cubic feet per second of the waters of Dry Draw

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 from Dry Draw; #1 - N 80°W, 4801.5';

#2 - N 86°W, 5859.5'; both from SE Corner, Section 25, T6N, R5E.

and ~~known as~~ to be used to stabilize Bear Butte Lake Level.

for the purpose of recreation

Subject to any limitations listed in Water Right Permit No. 844-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 2 day of May A. D.

Nineteen Hundred and Seventy-eight

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer

John Hatch

Permit No. 844-1

Water Diversion No. 1 Belle Fourche R Water District
River

CERTIFICATE OF CONSTRUCTION

This is to Certify That Department of Game, Fish and Parks

_____ the holder _____ of
Permit No. 844-1, issued upon Application No. 844-1, bearing date of priority of April 12, 1968
_____ authorizing the diversion of 520 cu. ft. per second of the waters of _____
Dry Draws County of Meade, State of South Dakota at _____
#1, N80°W, 4801.5'; #2, N86°W, 5659.5'; both from SE Corner,
Section 25, T6N, R5E
_____, for recreational

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 520 cu. ft. per second of water.

Date May 2, 1978

By:

WATER RIGHTS COMMISSION

John Hatch
JOHN HATCH, Chief Engineer

Permit No. 844-1Water 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 Dept. of Game
Fish & Parks - Bear Butte Lake Division at Pierre, S. Dak. holder of Permit No. 844-1, bearing date of priority of April 12, 1968authorizing the diversion of 520 cu. ft. per second of the waters of Dry Drows
Stabilization of Bear Butte
for lake levels 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:

Ditch - 4300 ft long
DIKE - 3865 ft long
Ditch Bottom Width - 12 ft
Dike Top Width - 10 ft
Side Slopes of Diversion - 3:1side slopes of channel - 2:1
Diversion depth plus freeboard - 3.4 ft
Flow depth of water - 5.0 ft
Grade .007
Capacity - 520 cfs.

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

C. Works used to apply water to beneficial use.

The system is in the following condition: GoodThe point of diversion is located 1.1 - N 80° W, 4901.5 ft
1.2 - N 86° W, 5659.5 ft from SE corner
section 25, T6N, R5E.The works are capable of diverting and conveying to the place of use 520cu. ft. per second of water which is to be used for stabilization of Bear Butte Lake LevelsWater has been put to beneficial use to the maximum extent as follows: Bear Butte Lakeis used for recreational purposescomprising a total of acres of land.Date May 4, 1976LeRoy J. Merritt
(Signature)

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Meade } ss.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:April 17
April 24
May 1
May 8in each and every issue of the full number thereof, the first publication being made on the 17 day of April 1968 and the last publication on the 8 day of May 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 publisher of the said newspaper.Morris HallockSubscribed and sworn to before me this 9 day of May A. D. 1968Barker
Notary Public Meade County, S. D.APPROPRIATION OF No. 844-1
Office of State Water
Resources Commission,
Pierre, S. Dak., April 12,
1968

Notice is hereby given that the Department of Game, Fish and Parks whose postoffice address is Pierre, S. Dak., has made an application in accord with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 520 cubic feet of water per second of time from dry draws through the Bear Butte Lake Diversion, the point of diversion of which is to be located on the right bank of said stream at points to the SW 1/4 of Section 26, and to the SW 1/4 of the SW 1/4 of Section 27 Twp. 6 N Range 51. Said water to be used for the purpose of stabilizing the water level of Bear Butte Lake for public recreation purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 22nd day of May, 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: Barton F. Jones
EURTON F. JONES
Water Rights Specialist
Trib Apr 17-24 May 1-4RECEIVED
MAY 13 1968STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

on or before
(First Publication April 25, 1966)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., April 12, 1966

Notice is hereby given that the Department of Game, Fish and Parks whose postoffice address is Pierre 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 520 cubic feet of water per second of time from the dry draws through the Bear Butte Lake Diversion, the point of diversion of which is to be located on the right bank of said stream at points in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 26, and SW $\frac{1}{4}$ $\frac{1}{4}$ of the SW $\frac{1}{4}$ $\frac{1}{4}$ of Section 25 Twp. 6N Range 5E. Said water to be used for the purpose of providing irrigation on the following described land:
~~XXXXXX~~

stabilizing the water level of Bear Butte Lake for public recreation purposes.

and for XXXX purposes.
~~XXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 22nd day of May, 1966, 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: R.A. Hodgins, Dept. of Game,
fish and Parks, Pierre, S.D.

State Water Resources Commission

By:

Chief Engineer, Executive Officer
~~XXXXXXXXXXXX~~

BURTON F. JONES
Water Rights Specialist

OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE