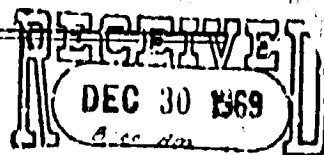


1. Considered MARCH 18, 19 70 881-1
2. Name of Applicant E.W. & DAVID RICHARDS
3. Post Office Address STURGIS (AITH RT.)
4. Amount of water claimed 16.5
5. Source of water supply W. FOUR MILE CREEK & TRIBUTARIES
6. Water to be used for IRRIGATION
Acres to be irrigated 1155
7. Water to be diverted and used in MEADE county
about 23 E miles 10 N of STURGIS
8. Proof of Publication Received 3-20-70
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 881-1Water Division No. 1 BELLE FOURCHE RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
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 David Richards
Postoffice address Sturgis (Paish St.), County Meade, State So. Dak.

I. If a corporation XXXX

- (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 The Richards Spreader Project

3. Amount of water claimed 16.5 cubic feet per second

4. Source of water supply West Four Mile Creek and Tributaries

5. Location of point of diversion numerous spreader dikes and ditches along the water
courses _____ on _____ bank _____ County.

6. Annual period or periods during which water is to be used April 1 to October 1

7. To be used for:

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

(a) Number of acres to be irrigated 1155 acres.

(b) Legal description of lands to be irrigated _____

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereon, 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.) XXXX

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

(a) Nature of use XXXX

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 735-1

Section 28, Township 7 North, Range 9 East

NW 1/4 SE 1/4	24	
NE 1/4 SE 1/4	21	
SW 1/4 SE 1/4	18	
SE 1/4 SE 1/4	<u>40</u>	D 103

Section 27, Township 7 North, Range 9 East

NW 1/4 SW 1/4	1	
SW 1/4 SW 1/4	27	
SE 1/4 SW 1/4	7	
NE 1/4 SE 1/4	5	
SE 1/4 SE 1/4	<u>21</u>	62

Section 26, Township 7 North, Range 9 East

SW 1/4 SW 1/4	15	
---------------	----	--

Section 33, Township 7 North, Range 9 East

NW 1/4 NE 1/4	2	
NE 1/4 NE 1/4	11	
SW 1/4 NE 1/4	6	
SE 1/4 NE 1/4	7	
NW 1/4 SW 1/4	20	
NE 1/4 SW 1/4	30	
SW 1/4 SW 1/4	14	
SE 1/4 SW 1/4	22	
NW 1/4 SE 1/4	38	
NE 1/4 SE 1/4	40	
SW 1/4 SE 1/4	25	
SE 1/4 SE 1/4	<u>36</u>	251

Section 34, Township 7 North, Range 9 East

NW 1/4 NW 1/4	5	
NE 1/4 NW 1/4	29	
SW 1/4 NW 1/4	17	
SE 1/4 NW 1/4	38	
SW 1/4 SE 1/4	13	
NE 1/4 SE 1/4	32	
SE 1/4 SE 1/4	29	
SW 1/4 SE 1/4	40	
SE 1/4 SE 1/4	40	
NW 1/4 SE 1/4	37	
NE 1/4 SE 1/4	17	
SW 1/4 SE 1/4	40	
SE 1/4 SE 1/4	<u>38</u>	375

Section 35, Township 7 North, Range 9 East

NW 1/4 NW 1/4	32	
NE 1/4 NW 1/4	19	
SW 1/4 NW 1/4	11	
SE 1/4 NW 1/4	6	
NW 1/4 SE 1/4	36	
NE 1/4 SE 1/4	29	
SW 1/4 SE 1/4	30	
SE 1/4 SE 1/4	32	
NW 1/4 SE 1/4	22	
NE 1/4 SE 1/4	39	
SW 1/4 SE 1/4	39	
SE 1/4 SE 1/4	<u>39</u>	295

Section 3, Township 6 North, Range 9 East

NW 1/4 NW 1/4	24	
NE 1/4 NW 1/4	17	
SW 1/4 NW 1/4	10	
SE 1/4 NW 1/4	<u>3</u>	54

GRAND TOTAL

2755

8. Estimated cost of work:

(a) Head Gates, \$..... (b) Pumping plant, \$.....
 (c) Fluming, \$..... (d) Canal-earth, \$..... Rock, \$.....
 (e) Other structures Diversions dikes and ditches 1000-- Total, \$ 1000--

9. Description of diversion work:

11111 11 11 Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

Diversions dikes and ditches

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.....5.....years.

12. Choice of newspaper for publication of notice of intention to appropriate.....
Sturgis Tribune, Sturgis, South Dakota

STATE OF SOUTH DAKOTA

County of Harding ss.

I, David Richardson, 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 as shown are true. E. L. O'Leary

Signed David Richardson by

Subscribed and sworn to before me this 22 day of November 1911.

Flora M. Hingle
 Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

PLAT OF THE RICHARDS SPREADER PROJECT

Located in Sections 26, 27, 28, 33, 34, and 35, Township 7 North, Range 9 East, 14W, and Section 3, Township 6 North, Range 9 East, 14W, in Lead County, South Dakota, drawn and prepared as a part of the application for Permit to appropriate water of F. W. & David Richards, Sturgis, South Dakota, to supply water for irrigation of areas as shown on this plat.

SURVAYOR'S CERTIFICATE

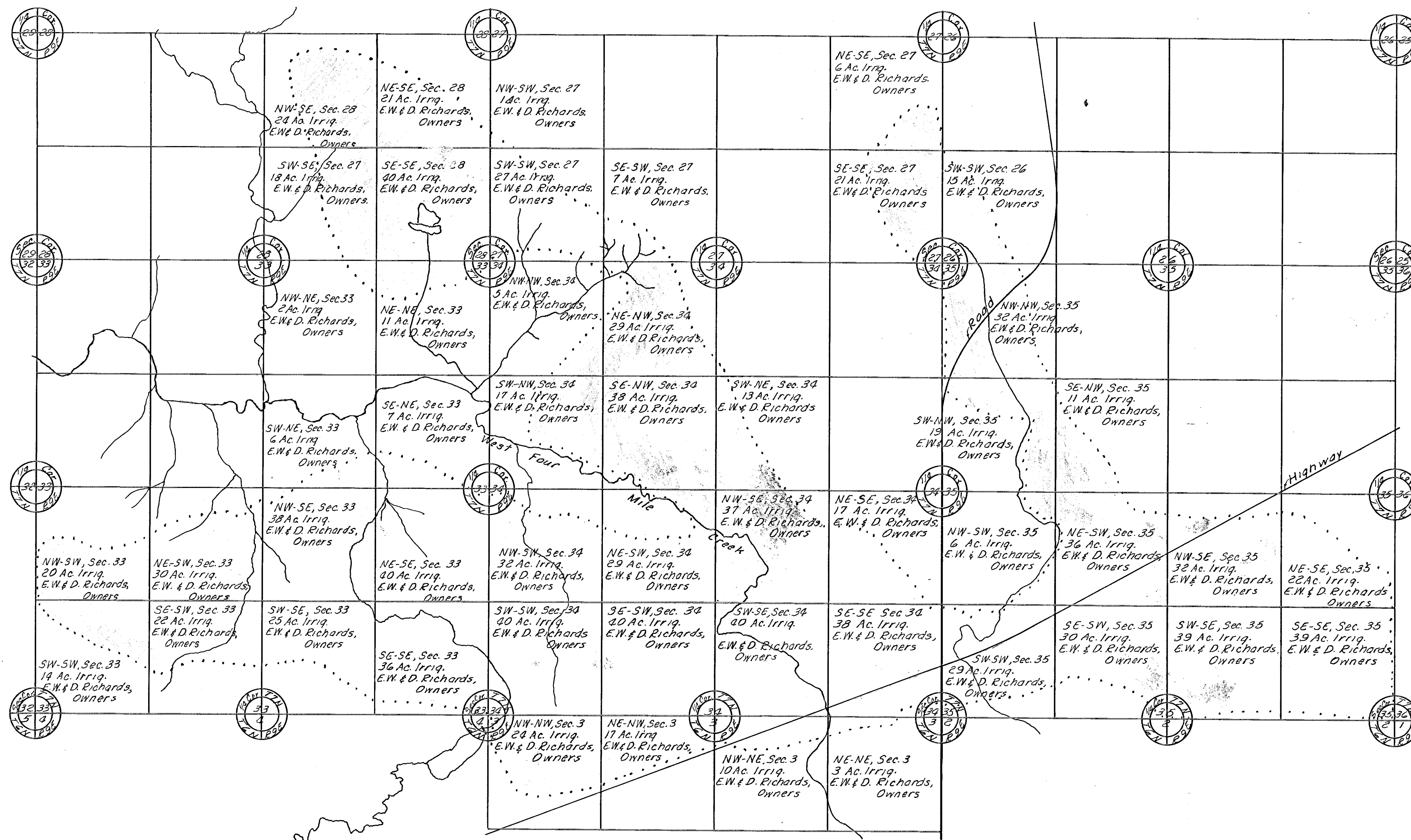
I, William C. Brangle, Registered Land Surveyor in and for the State of South Dakota, do hereby certify that at the request of David Richards, I have made a survey and have prepared this plat as a part of his application for a permit to appropriate water for irrigation. I further certify that the bearings and lengths of all lines shown and their location with reference to the Government Land Corners shown, are correct to the best of my knowledge and belief.

William C. Brangle
William C. Brangle (SEAL)
Registered Land Surveyor, License No. 1517

Subscribed and sworn to before me at Buffalo, South Dakota, this 17th day of December, 1969.

Florence Brangle
Florence Brangle (SEAL)
Notary Public

FLORENCE BRANGLE
NOTARY PUBLIC HARDING CO., S. DAK.
My Commission Expires Aug. 1, 1978



Remarks by State Water Resources Commission:

APPROVAL OF THIS PERMIT CANCELS WATER RIGHT
NO 362-1, AND THE DIVERSION RATE OF 85 C.F.S. TO
IRRIGATE 60 ACRES AND THE PRIORITY DATE ESTABLISHED
THEREIN ARE TRANSFERRED TO THIS PERMIT NO 881-1

STATE OF SOUTH DAKOTA
County of HUGHES ss.

Pierre, South Dakota, MARCH 25, 1970

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
a.m. upon the 30TH day of DECEMBER, 1969

State Water Resources Commission

By:

Burton J. Jones
for Chief Engineer, Executive Officer

Number of permit 881-1

Date of first receipt of application DECEMBER 30, 1969

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 85 CFS FROM MAY 1967
15.65 CFS DECEMBER 30, 1969

Approved MARCH 18, 1970, Recorded in Book 11 Page 108

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 18, 1972

2nd. The whole of said work is to be completed on or before MARCH 18, 1975

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

MARCH 18, 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 16.5 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 18, 1975; said water to be used during the following described annual period:

APRIL 1 TO OCTOBER 1

Witness my hand this 25TH day of MARCH, 1970

State Water Resources Commission

By:

Speckline
Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 4, 1976

Water License Issued FEBRUARY 4, 1976

Remarks by the Applicant:

This is a very unusual project in that the character of the soil and the slight fall of the drainage has not caused the erosion and development of the usually well defined water courses which show so plainly on the aerial pictures and in the field, nor are the level areas hard pan and sagebrush flats, but well sodded grass land.

While it is all drained into the Belle Fourche River it is far enough back to be free of the rough broken area near the river and does not have the usual range of hills and broken ground as a drainage area. Small spreader dams, ditches, and dikes will be required to check the run-off.

It will be noted that Project No. 362-1 is embraced in Section 3, Township 6 North, Range 9 East and Section 34, Township 7 North, Range 9 East, of this application.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 881-1

(1) WHEREAS, On the 30th day of December A. D. 1968

David Richards

made Water Right Application No. 881-1 for a permit to use 16.5 cubic feet per second of the waters of West Four Mile Creek and Tributaries

County of Heade State of South Dakota, for irrigation

purpose; and

(2) WHEREAS, On the 25th day of March A. D. 1970

Permit No. 881-1 with a date of priority of May 1957 and December 30, 1969

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 18th day of March A. D. 1975 and for the application to beneficial use of said water on or before the 18th day of March A. D. 1975

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 16.5 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,

for irrigating the following lands:

(list is attached)

(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 David Richards

_____ of Sturgis, S.D.
the holder _____ and owner _____ of said permit No. 881-1 a water right, dating from May 1957 and
December 30, 1969 to use of 16.5 cubic feet per second of the waters
of West Four Mile Creek and Tributaries

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 at _____

Points in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, T7N, R9E and in the NE $\frac{1}{4}$ NE $\frac{1}{4}$,
Sec. 3, T6N, R9E

and conduct to and upon portions of Sections 26, 27, 28, 33, 34 and 35, T7N, R9E and
Sec. 3, T6N, R9E, more fully described on the attached list.

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 881-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 4th day of February A. D.
Nineteen Hundred and Seventy-six

WATER RIGHTS COMMISSION

By:

Chief Engineer, Executive Officer

JOHN HATCH

Form 15.

Permit No. 881-1

Water Diversion No. 1 BELLE FOURCHE RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That David Richards

_____ the holder _____ of
Permit No. 881-1, issued upon Application No. 881-1, bearing date of priority of May 1957 and
December 30, 1969 authorizing the diversion of 15.5 cu. ft. per second of the waters of West Four
Mile Creek & Tributaries County of Heade, State of South Dakota at _____
Points in the NW1/4 SW1/4, Sec. 33, NW1/4 SE1/4, Sec. 28, T7N, R9E and in the NE1/4 NE1/4,
Sec. 3, T6N, R9E
_____, 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 50 cu. ft. per second of water.

Date February 4, 1976

By: WATER RIGHTS COMMISSION

JOHN HATCH, Chief Engineer

STATE OF SOUTH DAKOTA)
County Monroe) ss.

A newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the _____

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

Feb. 11 1970

(Signature)

bookkeeper
(Title)

Feb. 12, 1970
(Date Signed)

IN INTENT TO APPROPRIATE
of Pierre, South Dakota, 57501
January 1, 1970.
Police Officer by River, that
2.5 miles from Pierre, South
point, off to address the
South Dakota. It is made an
application in accordance with the
provisions of the water law of
South Dakota for 2.5 permits to
appropriated for beneficial use
10 cubic feet of water per sec-
ond of time from Four Mile
Creek and the Four Mile
the Richards-Spreder Project
the point of diversion of which
is to be located between points
in the NW 1/4 SW 1/4 Section 33
and NW 1/4 SW 1/4 Section 37, T1N
10R6, and NE 1/4 NW 1/4 Section 3,
T1N 10R6, Badwater, to be
used for the purposes of pro-
viding irrigation on portions of
the following described land: NW
1/4 SW 1/4 SW 1/4 Section 26, NW
1/4 SW 1/4 SW 1/4 Section 27, SW 1/4
Section 28, NW 1/4 SW 1/4 Section 29,
and SW 1/4 NW 1/4 Section 31,
NW 1/4 NW 1/4 SW 1/4 SW 1/4
and SW 1/4 Section 33, all in T1N
10R6, and NE 1/4 NW 1/4 and NE
NW 1/4 Section 3, T6N, R1E.

This Application No. 2211 will
be considered by the Water Re-
sources Commission at their of-
fice in Pierre, on the 15th day
of March, 1970, 2:00 p.m. At
interested persons may appear
and be heard.

WATER RESOURCES
COMMISSION
By: E. J. Euron, F. Jones
HUNTON F. JONES
Water Rights Specialist
cc: David Richards,
Four Mile
Pierre, S.D.
Tribune Jan. 21, 28, Feb. 4, 11

RECEIVED
MAR 20 1970

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

881-1

Publish first publication, on or before February 19, 1970

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

January 14, 1970

E.W. and David Richards

Notice is hereby given that.

whose post office address is Sturgis, 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 Four Mile Creek and tributaries through the

_____ cubic feet of water per second of time from the _____ tributaries _____ through the _____
Richards Spreader Project _____, the point of diversion of which is to be located between _____
between points in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3rd and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, T7N, R9E
and NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 3, T6N, R9E

~~XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX~~. Said water to be used for the purpose
of Section ~~XXXXXXXXXXXXXXXXXXXX~~, Twp. ~~XXXXXXXXXXXX~~, Rang. ~~XXXXXX~~

portions of
of providing irrigation of the following described land:

SW $\frac{1}{2}$ SW $\frac{1}{2}$, Section 26; N $\frac{1}{2}$ SE $\frac{1}{2}$ and SW $\frac{1}{2}$, Section 27; SE $\frac{1}{2}$, Section 28; NW $\frac{1}{2}$, SW $\frac{1}{2}$, SE $\frac{1}{2}$,
and SW $\frac{1}{2}$ NE $\frac{1}{2}$, Section 34; NW $\frac{1}{2}$ NW $\frac{1}{2}$, S $\frac{1}{2}$ NW $\frac{1}{2}$, SW $\frac{1}{2}$ and SE $\frac{1}{2}$, Section 35, all in T7N,
R9E and N $\frac{1}{2}$ NW $\frac{1}{2}$ and N $\frac{1}{2}$ NE $\frac{1}{2}$, Section 3, T6N, R9E

This application No. 881-1 will be considered by the Water Resources Commission at their office at Pierre upon the 18th day of March, 1970, at 2:00 P. M. All interested persons may appear and be heard.

WATER RESOURCES COMMISSION

cc:David Richards, Faith Route
Sturgis, S.D.

By:

BURTON F. JONES, Water Rights Specialist

Permit No. 881-1Water Division 1 BELLE FOURCHE RIVER Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

WATER RIGHTS COMMISSION

TO: Water ~~Resources~~ Commission, State Office Building No. 2, Pierre, South Dakota 57501I have this day made a thorough examination of the water use system constructed by DAVID
RICHARDS of STURGIS holderof 881-1, bearing date of priority of MAY, 1957 & DECEMBER 30, 1969authorizing the diversion of 16.5 cu. ft. per second of the waters of W. FOUR MILE CREEK & TRIBUTARIES
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:

THREE MAIN DIVERSION DIKES WITH OUTLET TUBES
FROM 2' TO 4' IN DIAMETER.

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

APPROXIMATELY 5 1/2 MILES FROM MAIN DIKES -
HAS GATED TUBES FROM 12" TO 16" THESE DIKES

C. Works used to apply water to beneficial use.

SMALL SPREADER DIKESThe system is in the following condition: GOODThe point of diversion is located AT PRINTS IN THE NW⁴SW⁴ SECTION 33,
NW⁴SE⁴ SECTION 28, T4N, R9E; NE⁴NE⁴ SECTION 3, T6N, R9EThe works are capable of diverting and conveying to the place of use UP TO 50 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:

See attached listcomprising a total of 1155 acres of land.Date SEPTEMBER 26, 1975Dustin Jones
(Signature)WATER RIGHT SPECIALIST
WATER RIGHTS COMMISSION

**OVERSIZE
DOCUMENT IS
SUPPLEMENTARY
TO MICROFILM FILE**