

Water Right Number 888-1

1. Considered MAY 20, 19 70
2. Name of Applicant MAX GRUBL & SONS INC
3. Post Office Address HEREFORD RT. - STURGIS, S.D.
4. Amount of Water claimed 0.83
5. Source of Water supply SCHUMMER DRAW
6. Water to be used for IRRIGATION
Acres to be irrigated 58
7. Water to be diverted and used in MEADE County
about 15 E. 15 miles of STURGIS
8. Pdf of Publication Received 4-27-70
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____
10. Remarks:

No. 888-1Map No. 741-1 Water Division No. 1 BELLEFOURCHE RIVER
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

FEB 11 1970

State Act

STATE OF SOUTH DAKOTA
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE-Draw a line through items not applicable)

1. Name of Applicant Max Grubl & Sons Inc.
 Post-office address Harford Route, Sturgis State South Dakota
 If a corporation show date and place of incorporation Jan 2, 1962 Sturgis, S. D.
2. Method of accomplishing work (contract, employment of others, or by direct labor) _____
3. Name of diversion work Grubl Spreader Project
4. Amount of water claimed (cubic feet per second) 0.83
5. Source of water supply Schummer Draw
6. Location of point of diversion 860' N 70°00' E of W 1/2 Cor. Sec. 18, T6N, R8E, BM
 County Deade
7. Annual period or periods during which water is to be used April 1st November 1st
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
9. For irrigation use Sec. 18, T6N, R8E, BM Total number of acres to be irrigated 58

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
SE 1/4	<u>10</u>	SW 1/4	<u>3</u>
SW 1/4	<u>9</u>	NE 1/4	<u>6</u>
SE 1/4	<u>2</u>	NE 1/4	<u>4</u>
NW 1/4	<u>5</u>		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 5 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Sturgis Tribune
12. Principal Features of the Proposed Water Supply System.
- A. Works proposed to divert water from its natural source. \$500.
- B. Works proposed to transport water to place of use. \$200.
- C. Works proposed to apply water to beneficial use. \$300.

Estimated Total Cost \$1,000.00Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of DeadeI, Max Grubl & Sons by Donald T. Grubl

do hereby certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Max Grubl & Sons Inc.Subscribed and sworn to before me this 2nd day of February 1970CAPT. A. COOPER, Notary Public (or other qualified officer)
My Comm. Expires Feb 1973

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 888-1
MAX GRUPL & SONS, INC. HEREFORD BL, STURGIS
 (Applicant) (Post Office Address)
SOUTH DAKOTA With the following modifications:
 (State)

Date of first receipt of application FEBRUARY 19 1970
 Date of return to applicant for correction, amendments or changes required — 19 —
 Date of receipt of corrected application — 19 —
 Approved MAY 20 1970 Recorded in Book 11 Page 115

WATER RIGHT PERMIT NO. 888-1

The Water Resources Commission hereby grants and issues this Water Right Permit No. 888-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is FEBRUARY 19 1970
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 20 1972
3. The whole of said work is to be completed on or before MAY 20 1975
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is MAY 20 1975
5. The water appropriated shall be used for the purpose of IRRIGATION
6. 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.
7. The amount of the appropriation herein granted shall not exceed .83 cubic feet per second; and; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and 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 MAY 20 1975; said water to be used during the following described annual period: APRIL 1 TO NOVEMBER 1

Witness my hand this 22ND day of MAY 19 70

WATER RESOURCES COMMISSION

By:

John R. Quinn
 Chief Engineer, Executive Officer

Certificate of Construction Issued SEPTEMBER 9 1977

Water License Issued SEPTEMBER 9 1977

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 888-1.

(1) WHEREAS, On the 19th day of February A. D. 19 70
Max Grubl & Sons, Inc.

made Water Right Application No. 888-1 for a permit to use .83 cubic feet per second of the waters of Schummer Draw

County of Meade, State of South Dakota, for Irrigation

purposes; and
 (2) WHEREAS, On the 20th day of May A. D. 19 70
 Permit No. 888-1, with a date of priority of February 19, 1970

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 May A. D. 19 75 and for the application to beneficial use of said water on or before the 20th day of May 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 .77 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 18, T6N, R8E

NE $\frac{1}{4}$ NW $\frac{1}{4}$	10 acres	6.5
SW $\frac{1}{4}$ NW $\frac{1}{4}$	5 "	6.5
SE $\frac{1}{4}$ NW $\frac{1}{4}$	21 "	6.5
NW NE	15 "	6.5
SW NE	3 "	6.5
NW SW	6 "	6.5
NE SW	4 "	6.5
TOTAL	54 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 Max Grubel & Sons, Inc.

_____ of Sturgis
the holder _____ and owner _____ of said permit No. 888-1 a water right, dating from February 19, 1970
_____ to use of .77 cubic feet per second of the waters
of Schunaber 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 at a point N70°E, 800 feet from the W½ corner,
Section 18, T6N, R8E

and conduct to and upon portions of Section 18, T6N, R8E
described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 888-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 9th 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. 888-1

Water Diversion No. 1 Belle Fourche River Water District

CERTIFICATE OF CONSTRUCTION

10160702
HF/MD
4/10

This is to Certify, That Max Grubl & Sons, Inc.

_____ the holder _____ of
Permit No. 888-1, issued upon Application No. 688-1, bearing date of priority of February 19,
1970 authorizing the diversion of .83 cu. ft. per second of the waters of _____
Schummer Draw County of Meade, State of South Dakota at _____
a point N70°E, 800 feet from the W¹/₄ corner, Section 16, T6N, R8E

_____, for _____

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 10.0 cu. ft. per second of water.

Date September 9, 1977

By: WATER RIGHTS COMMISSION
John Hatch
JOHN HATCH, Chief Engineer

Form 8 - Proof of Publication - Notice of
Intent to / Appropriate Water

No. 928-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Deade) ss.

I, Sue Cox hereby
certify that the annexed printed copy of Notice of Intent 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 Deade and State of South Dakota;
that the said notice was published in said newspaper on the following
four dates:

April 1, 1970

April 8, 1970

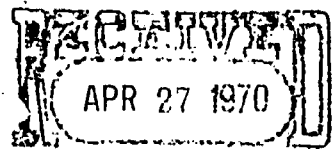
April 15, 1970

April 22, 1970

Sue Cox
(Signature)

Bookkeeper
(Title)

April 23, 1970
(Date Signed)



STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTA

RECEIVED
No. 888-1
NOTICE
INTENT TO APPROPRIATE
WATER
Pierre, South Dakota 57501
Notice is hereby given that
Max Grubel and Sons, Inc. whose
post office address is Sturgis,
South Dakota, has made an ap-
plication in accordance with the
provisions of the water laws of
South Dakota for a permit to
appropriate for beneficial use .83
cubic feet of water per second
of time from Schumacher Draw
through the Grubel Spreader Pro-
ject, the point of diversion of
which is to be located in the
NW 1/4 NW 1/4 of Section 18, Twp.
6N, Range 12E. Said water to be
used for the purpose of provid-
ing irrigation on portions of the
following described land:
N1/4, NW 1/4, SW 1/4 NW 1/4, W 1/4
N1/4 and SW 1/4 NW 1/4, All in
Section 18, T6N, R12E
This application No. 888-1 will
be considered by the Water Re-
sources Commission at their of-
fice at Pierre upon the 26th day
of May, 1970, at 2:00 P.M. All
interested persons may appear
and be heard.
WATER RESOURCES
COMMISSION
By: Barton F. Jones
BARTON F. JONES
Water Rights Specialist
Tel: April 1, 8, 15, 22

Subscribed and sworn to before me this 23 day of April
1970.

Barton F. Jones

Notary Public, Deade Co.

My commission expires April 12, 1976

838-1

April 23

Pierre, South Dakota 57501

March 25

M. J. Grubel and Sons, Inc.

Stur 10

Schwartz Dray

Grub! Spreader Project

571 1/2 NW 1/4

12

portions of

100% MEK, 50% MEK, 10% MEK and N₂ SWt, All in Section 18, 16H, REL

EEE-1

20th

110Y

70

2:00 p

4. All interested

WATER RESOURCES COMMISSION

By:

cc: Max Grubl, Harford Route
Sturgis, S.D.

LURTICI F. JONES, Water Rights Specialist

Permit No. 888-1Water 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 Max Gruhl & Sons, Inc. of Hereford Route, Sturgis, S. Dak. holder. of Permit No. 888-1, bearing date of priority of February 9, 1970 authorizing the diversion of 1.83 cu. ft. per second of the waters of Schummer Draw 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: Earth dam with 18 inch dia. pipe and control gates to divert water into diversion ditchesB. Works used to transport water to place of use. Approx. 1500 ft of diversion ditches to carry water to spreading areas.C. Works used to apply water to beneficial use. Detention dike to hold water until released manually by opening control gates on 18 inch dia pipes thru the dikes.The system is in the following condition: GoodThe point of diversion is located 800 ft N 70°00' E of W 1/4 cor. Sec. 18, T6N R8EThe works are capable of diverting and conveying to the place of use 10.0 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 18, T6N, R8E

<u>NE 1/4 NW 1/4</u>	<u>- 10.0 Acres</u>	<u>SW 1/4 NE 1/4</u>	<u>3.0 Acres</u>
<u>SW 1/4 NW 1/4</u>	<u>5.0 "</u>	<u>NW 1/4 SW 1/4</u>	<u>6.0 "</u>
<u>SE 1/4 NW 1/4</u>	<u>21.0 "</u>	<u>NE 1/4 SW 1/4</u>	<u>4.0 "</u>
<u>NW 1/4 NE 1/4</u>	<u>5.0 "</u>		

comprising a total of 54.0 acres of land.

Date April 8, 1976
LeRoy H. Harnack
 (Signature)

PLAN OF THE GRUBB SPRINKLER SYSTEM

Located in Section 18, Township 6 North, Range 2 East of the 6th, in Meade County, South Dakota, drawn and prepared as a part of the application for Permit to appropriate water of Max Grubel & Sons Inc., Sturteis, South Dakota, to supply water for irrigation of areas as shown on this plat.

SURVEYOR'S CERTIFICATE

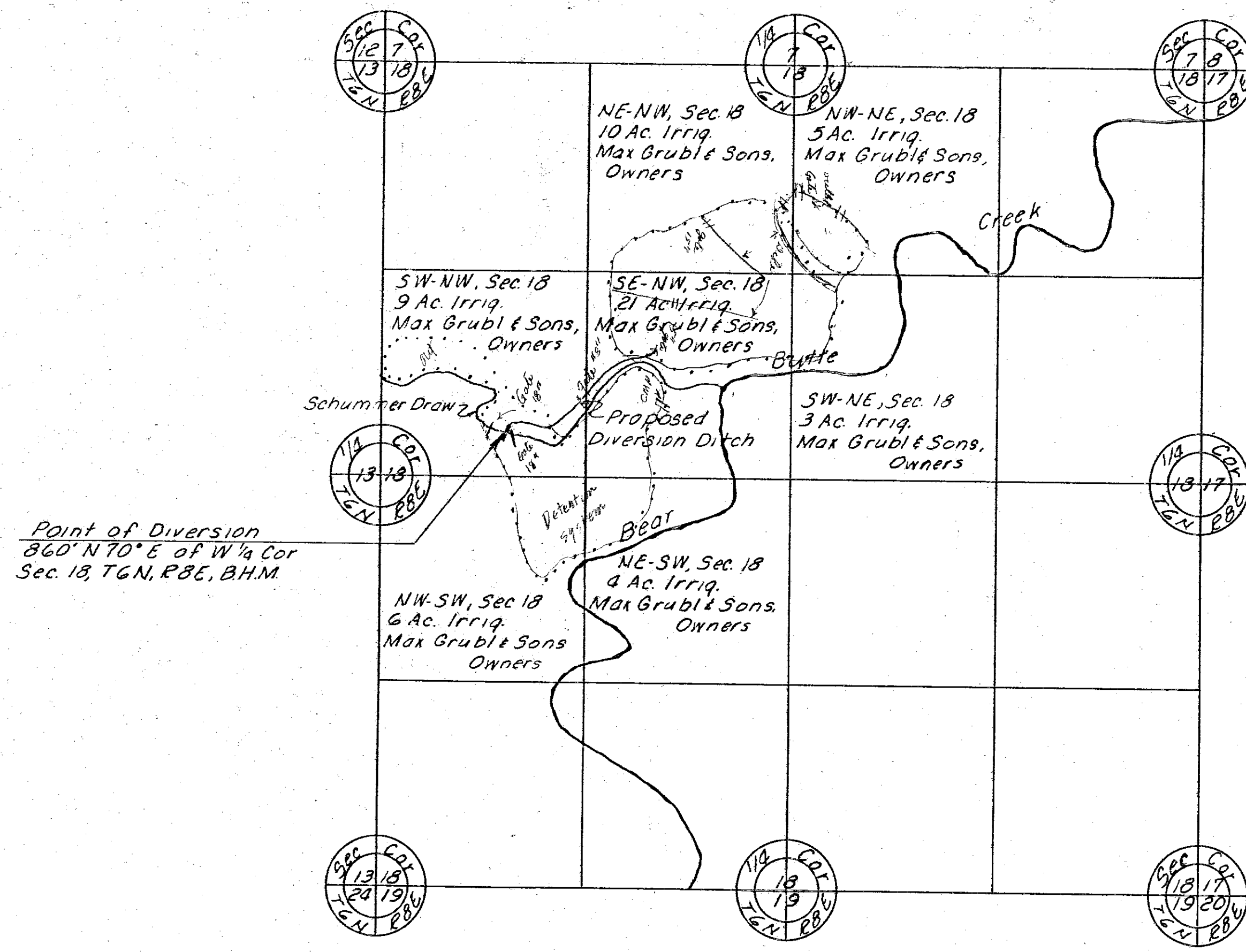
I, William C. Brungle, registered Land Surveyor in and for the State of South Dakota, do hereby certify that at the request of Max Grubel & Sons Inc., I have made a survey and have prepared this plat as a part of his application for a Permit to appropriate water for irrigation. I further certify that 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. Brungle
William C. Brungle
Registered Land Surveyor, No. 1517

Subscribed and sworn to before me at Buffalo, South Dakota, this 11th day of February, 1970.

Florence Brungle
Florence Brungle
Notary Public

FLORENCE BRUNGLE
NOTARY PUBLIC, Meade County, S.D.
My Commission Expires Jan. 1, 1972



Scale: 1" = 660'