

No. 22-1Water Division No. -1- Moreau Water District.

[Blanks to be filled by the State Engineer.]

COPY

APPLICATION FOR A PERMIT To Appropriate Water Within the State of South Dakota

(NOTE—Draw a line through items not applicable.)

1. Name of applicant William F. Schroeder, Jr.Postoffice address Murchison, County Harding, State S. 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 the work. (Whether by contract, employment of others, or by direct labor) direct labor(b) Cash on hand, \$ 400.00

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$ 2,500.002. Name of diversion works Red Butte3. Quantity of water claimed 1/20 cubic feet per second.4. Source of water supply Spring

5. Location of point of diversion

On bank.
(Right or left bank looking down stream)6. Annual periods during which water is to be used entire year

7. To be used for:

I. Irrigation or domestic use:

(a) Number of acres to be irrigated 3.5 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.) to Water stock, furnish house water & irrigate small garden on NE 1/4 Sec. 34, T. 17, R. 7
B.H.H.

II. Mining, power, manufacturing, transportation, or other purposes:

(a) Nature of use

(b) Amount of power to be generated horse power.

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

8. Estimated cost of works:

(a) Head gates, \$.....

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

(c) Fluming, \$.....

(d) Canal-earth, \$.....

Rock, \$.....

(e) Other structures, Curb, pipe & ditch \$ 400.00

Total, \$ 400.00

9. Description of diversion works:

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

Spring to be ditched & piped about $\frac{1}{2}$ mile down to NW $\frac{1}{4}$ Sec. 34, T. 17, R. 7

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 of front (water) face.....; slope of

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.....FEET OF DEPTH AT OUTLET-ACRES	CAP. CITY- ACRE- FEET

(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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work.....years.

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

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

Bliss Butter Eagle, Vernal, S.D.

STATE OF SOUTH DAKOTA

County of.....Harding.....ss

I, Wm. F. Schroeder, Jr., being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of

Owner

(Owner, manager or engineer)

, that I have read the above and foregoing statement, and 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.....Wm. F. Schroeder, Jr.

Subscribed and sworn to before me this 3rd day of July, 1901

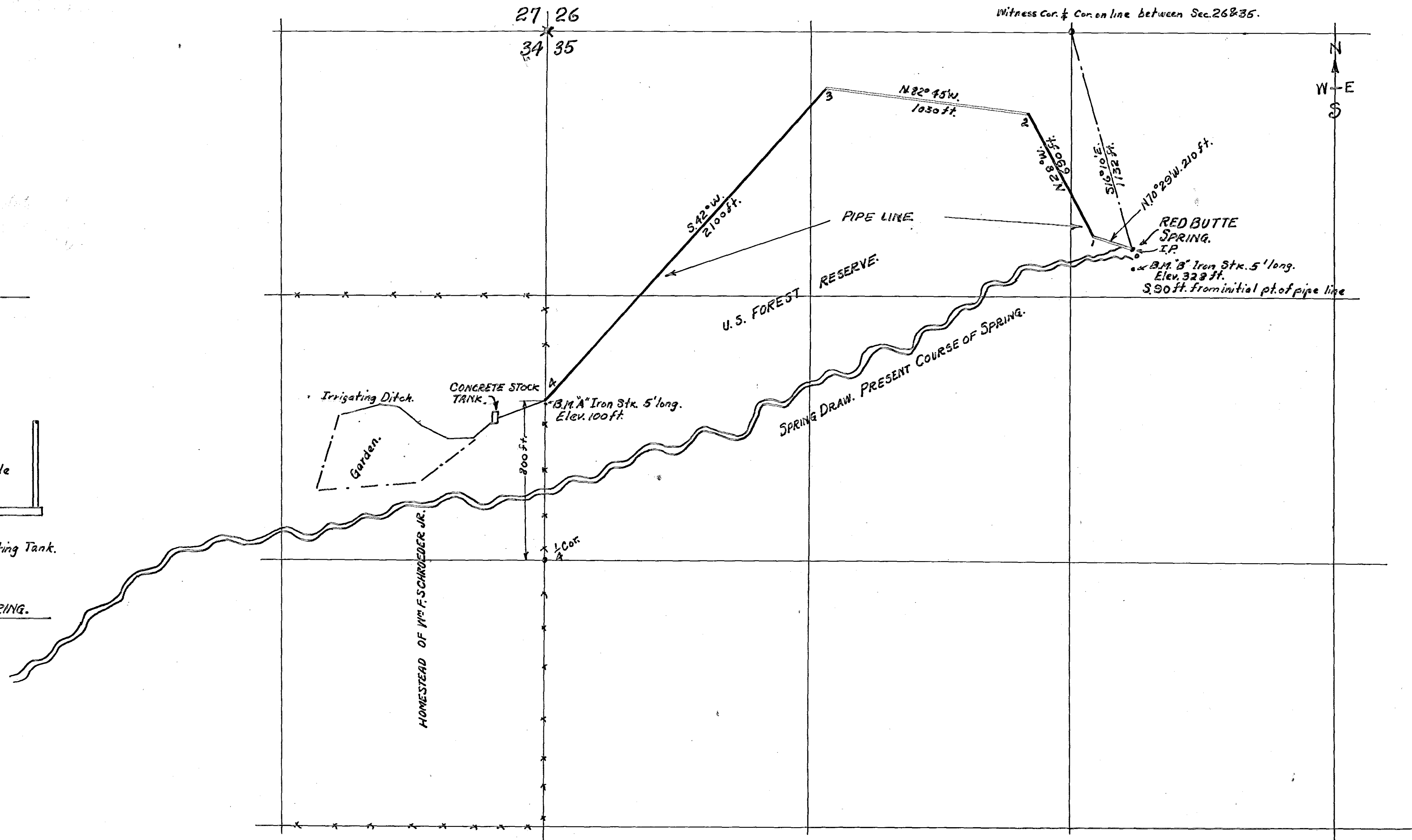
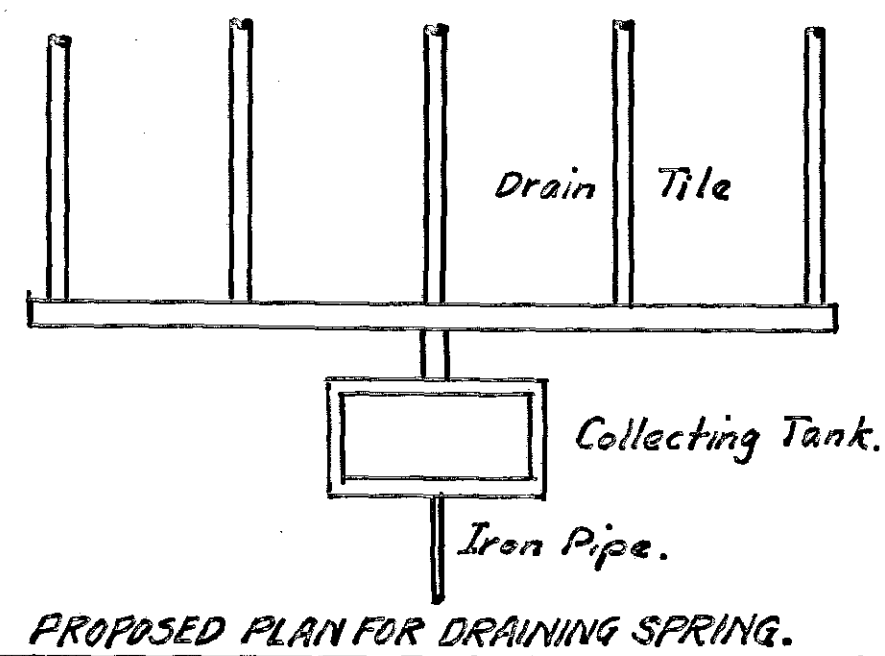
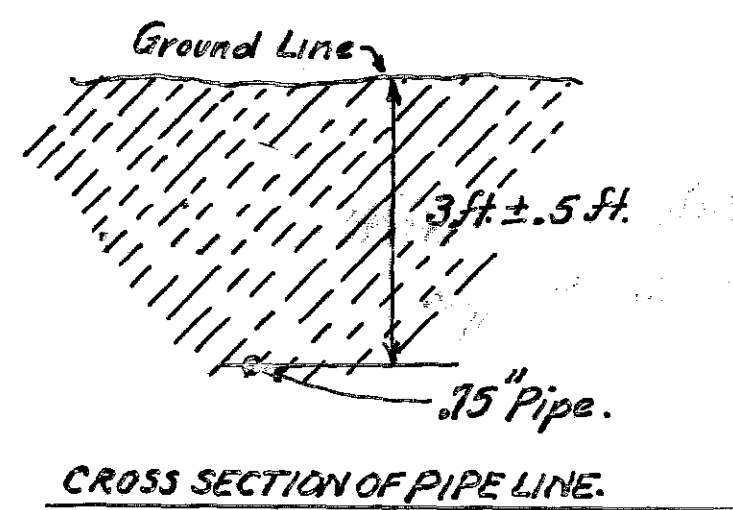
(SPAL)

J. B. Whitney

Notary Public (or other qualified officer.)

MAP OF
REDBUTTER PIPE LINE
SEC. 34 & 35 T. 17 N. R. 7 E. B. H. M.
HARDING COUNTY, SOUTH DAKOTA.

Scale 1"=300'
 Pipe line for carrying water of Red Butte Spring to homestead of Wm F. Schroeder Jr.
 of Murchison, S.D. True bearings given. Mag. Variation 16° 20' E.



Red Butte Spring runs 7 gal. per min. At present it runs down Spring Draw where it seeps into the ground after running about 1/2 Mi.

CERTIFICATE OF NOTARYSHIP.
 State of Illinois, }
 Rock Island County }
 I, HENRY B. HUBBARD, Clerk of the County Court in and for said County, do hereby
 certify that Benny J. Schriver Esq.,
 whose name is subscribed to the proof or acknowledgment of the annexed instrument in writing,
 was, at the time of taking such proof or acknowledgment, a Notary Public in and for said
 County, duly commissioned, sworn and acting as such and authorized to take the same; and
 further, that I am well acquainted with his handwriting, and verily believe that the signature
 to the said proof or acknowledgment is genuine; and further, that the annexed instrument is
 executed and acknowledged according to the laws of the State of Illinois.
 IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Court
 at Rock Island, in said County, this 8th day of August
 A. D. 1911, Henry B. Hubbard Clerk

on my oath say, that I am
 so thereof were made by me
 of my own knowledge that
Blessed
 Deputy State Surveyor, S.D.

My commission Expires August 30th 1913.
Notary Public.

APPROVED
Samuel H. Lea
 State Engineer

1171-1
 106-1

Remarks by State Engineer:

This application is for the right to appropriate one twentieth (1/20) second feet of the waters of a spring in Harding County. The water to be used for irrigation and other beneficial purposes as stated herein.

STATE OF SOUTH DAKOTA }
County of Hughes } ss

Pierre, South Dakota, January 6, 1912

This is to certify that the foregoing application was received at this office at nine o'clock a. m. upon the 8th day of July 1911 and that after examination it was found to comply with the provisions of the Water Code of South Dakota. Notice of intention to appropriate was published, proof of publication was duly filed, and a hearing was held in this office on November 10, 1911.

Samuel H. Lee
State Engineer.

By B. B. Lee Deputy.

Number of permit 97-1
Date of first receipt of application July 8, 1911.
Date of return to applicant for correction XXXXXXXXX 190
Date of receipt of corrected application XXXXXXXXX 190
Date from which applicant may claim right July 8, 1911.
Approved November 17, 1911, Recorded in Book -2- Pages 40 & 41.

This is to certify that I have examined the foregoing application for a permit to appropriate water of the state of South Dakota, and I 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 January 6, 1913

2d. The whole of said work is to be completed on or before January 6, 1914

3d. The limit of time for proof of beneficial use of water appropriated in accordance herewith is June 6, 1915

4th. The water appropriated shall be used for the purpose of Irrigation and other Beneficial Purposes.

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 -1/20- cubic feet of water per second of time; 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 June 6, 1915; said water to be used during the following described annual periods.

Entire Year.

Witness my hand this sixth day of January 1912.

Samuel H. Lee
State Engineer.

By B. B. Lee Deputy.

STATE OF SOUTH DAKOTA
COUNTY OF HUGHES

I hereby certify that the within and foregoing instrument is a true, correct and complete transcript of the instrument which it purports to be, as the same was filed for record in the office of the State Engineer.

Witness my hand and official seal, done at my office in Pierre, State of South Dakota this 6th day of January 1912

Samuel H. Lea
State Engineer.

By B. B. Lea
Deputy

No. 27-1

Division No. -1-

Moreau Water District

PERMIT

to appropriate water from
Spring

Harding County, South Dakota

Name of applicant

William F. Schroeder, Jr.

Name of diversion works

Red Butte

Date of first receipt at office of State

Engineer July 8, 1911

Returned to applicant for Correction

190

Corrected application received

190

Date of water right

July 8, 1911

Recorded in Book -2- Page 43241

One-fifth of work to be completed

January 6, 1913

Whole work to be completed

January 6, 1914

Final proof of use of water

June 6, 1915

Approved November 17, 1911

Samuel H. Lea
State Engineer.

By B. B. Lea

Deputy

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 97-1

WHEREAS, On the 3rd day of July A. D. 1911
William F. Schroeder, Jr.,

of Murkison, County of Harding and State of
South Dakota duly made application (No. 97-1) to me for a permit to use 1/20
cubic feet per second of the waters of certain Spring
County of Harding State of South Dakota, for irrigation and other beneficial
purposes; and

WHEREAS, On the 6th day of January A. D. 1912
Permit No. 97-1 was issued to said applicant for the diversion of said water, and providing for the com-
pletion of the works of diversion therein described on or before the 6th day of
January A. D. 1914 and for the application to beneficial use of said
water on or before the 6th day of June A. D. 1915
and,

WHEREAS, On the 31st day of October A. D. 1916
the holder of said permit duly made proof of the completion of adequate works for the diversion of
1/20 cubic feet per second of said waters, as evidenced by my Certificate No. 97-1
dated October 31, 1916, confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 2000 gallons per day of water,
with date of priority of July 3, 1911 and,

WHEREAS, On the 31st day of October A. D. 1916,
proof was duly made of the application to beneficial use of 1/20 cubic feet per second of
said water;

For irrigation of about one acre of NE 1/4 of Section
34, Township 17 North, Range 7 East B.H.M., and for Water-
ing stock and watering some trees.

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of South Dakota I hereby grant and confirm to.....William E. Schroeder, Jr.....
of.....Murchison, S. D.....the holder... and owner... of said permit No. 97-1
a water right, dating from.....July 3, 1911.....to the use of.....1 1/20.....
cubic feet per second of the waters ofa certain spring.....
in the County of.....Harding..... and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted at a point S 16° 10' East
1132 feet from the witness a corner on line between Secs. 26
and 35, Township 17 North, Range 7 East B.H.M.
and conducted to and upon about the same in the NE 1/4 of Sec. 34, T. 17
N., R. 7 E. B. H. M.,

for the purpose... ofirrigation and for watering stock and some trees.....

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Pierre, South Dakota,
this.....11th.....day of.....November.....A. D. Nineteen
Hundred and.....Sixteen.

(S E A L)

.....Homer L. Derr.....

State Engineer.

STATE OF SOUTH DAKOTA

Water License No. 97-1

To William F. Schroeder, Jr.,
Murchison, S. D.

Source of Supply Ascertain
Spring,
Harding County

Am't 1/20 Sec. Feet

Point of Diversion NW 1/4 of Sec.
35, T. 17 N., R. 7 E.B.H.M.

Place of Use NE 1/4 Sec. 35 T.
17 N., R. 7 E.B.H.M.

Purpose Irrigation and
domestic use, and watering
stock.

Date of Priority July 8, 1911.

Recorded Nov. 11, 1916.

in Book 2 of Page 40 &
41.

Permit No. 97-1

Water Division No. 1 ~~Moreno~~ Water District

Certificate of Application of Water to Beneficial Use.

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. William F. Jorgensen, Jr., Carlsbad, New Mexico
 Residence and Postoffice Commission, Santa Fe, N.M.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. No. 97-1, Date July 8, 1911, Date of Priority July 8, 1911

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. A spring located on NW 1/4 of NE 1/4 of Sec. 35,
 Township 17 North, Range 1 East R. R. M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. The work consists of intake, 4000 feet of pipe line
 of 12 inch diameter and one flow ditch to garden
 house - Red Butte Division works - Capacity 2200
 gallons per day

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation name

6. Works were completed after growing season
 of 1910. At the present time the pipe line is in
 continuous operation, and the overflow water
 is running in the irrigable tract to pre-
 pare the ground for next year crop.
 A few trees are to be irrigated also.

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 2200 gallons per day

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

10

Since completing the work I am making
use of the entire flow of water,

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn

to before me at my office in Buffalo County of Harding
State of South Dakota, on this 13th day of October A. D., 1916

W. B. [Signature]
Clerk of Court

Permit No. 97-1

**Proof of Application of Water to
Beneficial Use.**

DEPOSITION OF HOLDER.

Amount of water 1/20 second feet

Source Spring

County Harding

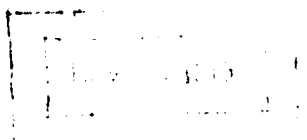
Purpose Irrigation & Dom. Use

Place of Use NES & Sec 35

T. 17 N., R. 7 E.

Date of priority July 8, 1911

RECEIVED



Received and filed Nov. 11, 1916

1916
6 1916
1916

Permit No. 97-1

Water Division No. 1 Moreau Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Engineer, Pierre, South Dakota:

Dear Sir: I hereby certify that in accordance with your letter of authorization dated

I have this day made a thorough examination of the diversion works constructed by

J. P. Schroeder of
Harding County, South Dakota, holder of permit No. 97-1, issued

upon application No. 97-1, bearing date of priority of July 7, 1911, authorizing the

diversion of 120 second feet of the waters of a spring for agricultural

purposes. I have to report on the condition of the same as follows:

The diversion work comprise: 2000 ft. of 1000 ft. of

pipe line, 4000 ft. of ditch, and 2000 ft. of ditch to garden

and the system is in the following condition: All complete and in

operation

The point of diversion is located NW 1/4 of NE 1/4 of Sec 35 of

Township 17 North, Range 7 East, B.H. Co.

The works are capable of diverting and conveying to the place of use 2900 gallon per day

which is to be used for domestic use, irrigation, and stock raising

and irrigation of garden and 2000 ft. of ditch

The legal sub-divisions to be irrigated are:

A part of NE 1/4 of SE 1/4 of Sec 35 of

Township 17 North, Range 7 East, B.H. Co.

comprising a total of about one acre of land.

The domestic use intended comprises 1000 gallons per day

about 100 head of stock

The utilization for power, mining, or other beneficial uses comprises:

Witness my hand, this 31st day of Oct. 1916

Examining Engineer.

Permit No. *77-1*

Water Div. No. *1* *Moreau* Water Dist.

**Certificate of Examination
of Works**

Dated *Oct. 31* 19 *16*

Stream *Spring*

County *Harding*

Amount *1/20* Second Feet

Date of Priority *July 8, 1911*

Recorded in Book *2* Page *441*

Filed in the office of the State Engineer this

11th day of *Nov.* A. D. 19 *16*

Horner M. Kern

State Engineer.

By *L. M. Houck*

Sec. Deputy.

Form No. 25.

APPLICATION FOR EXTENSION OF TIME FOR COMPLETING WORKS.

To the State Engineer,
Pierre, South Dakota.

Dear Sir:-

I hereby request that an extension of time of one
year be granted me for the completion of works to
be done under permit No. 97-1.

Said works are located in Harding County and
are described as follows:-

Location of headworks: In the NE 1/4 of the SE 1/4
of Section 35 Township 17 Range 7
E., B. H. M.

The water is to be used for the purpose of watering stock
domestic purposes and to irrigate a small
garden.

The extension of time for the completion of these works is re-
quested for the following reasons: in laying the pipe
many difficulties have arisen; and it will
be necessary to drill through about 150
feet of solid rock.

Wm F Schorder

Holder of Permit No 97-1

APPROVED:-

August 16, 1913
Homer N. Dett

State Engineer.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA

County of Perkins

53

J. Chylsworth being duly sworn, deposes and says the annexed printed copy of Notice

Intention to appropriate Water was taken from the

Min. Butte Eagle a newspaper which during the whole time of publication of said notice herein-

after stated, has been and is printed and published in the

town of Vernal County of

Perkins and State of South Dakota, That the said notice was published in said newspaper on the

following dates:

Sept. 22nd, Sept. 29th, Oct. 6th, and Oct. 13th

in each and every issue of the full number thereof, the first publication being made on the 22nd day of Sept.

1911 and the last publication on the 13th day of

October 1911, upon which days or times

of publication aforesaid the newspaper was regularly pub-

lished, and that during the whole time of said publication

he was Foreman the printer, and publisher of

the said newspaper.

J. Chylsworth

Subscribed and sworn to before me this 13th day of October A. D. 1911

William H. Garrison

Notary Public Perkins County, S. D.

W. S. Garrison

First Publication Sept. 22, 1911
APPROPRIATION OF WATER
Office of the State Engineer,
Pierre, S. D., Sept. 11, 1911
Notice is hereby given that William F. Schrader, Jr., whose postoffice address is Murchison, Harding County, S. D., has made an application in accordance with the provisions of the Irrigation laws of South Dakota for a permit to appropriate for beneficial use 1.20 cubic feet of water per second of time from a spring through the Red Butte Diversion Works, said water to be used for the purpose of watering stock, furnishing house water and irrigating a small garden upon the NE 1/4 of the SE 1/4, section 34, township 17 n., range 7 E., B. 11. Meridian.
This application will be taken up by the state engineer at his office at Pierre for consideration and appropriate action upon the tenth day of November, 1911, at 10 a. m., at which time all persons who believe that the prior rights would be injuriously affected, or that the allowance of the permit would be detrimental to the public welfare, and also parties making the application, and to be benefited, are notified to be present either by sworn affidavit or in person for the purpose of presenting any relative testimony.
SAMUEL H. LEA,
State Engineer.

(First Publication.....190.....)

APPROPRIATION OF WATER

Office of the State Engineer,

Pierre, S. D., September 11, 1901

Notice is hereby given that William F. Schroeder, Jr.,
 whose postoffice address is Murchison

Harding County, S. D., has made an application in
 accordance with the provisions of the irrigation laws of South Da-
 kota for a permit to appropriate for beneficial use 1/20 cubic
 feet of water per second of time from a spring
 through the Red Butte diversion, ~~and to be used for the purpose of watering stock, furnishing house water and irrigating a small garden upon the NW 1/4 of the SE 1/4 of Section 24, Township 17 N., Range 7 E. B.H.P.~~
 said water
 to be used for the purpose of watering stock, furnishing house water
 and irrigating a small garden upon the NW 1/4 of the SE 1/4 of
 Section 24, Township 17 N., Range 7 E. B.H.P.

This application will be taken up by the state engineer at his
 office at Pierre for consideration and appropriate action upon the
10th day of November 1901, at 9 a. m., at which time all
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 to be benefited, are notified to be present either by sworn affi-
 davit or in person for the purpose of presenting any relative tes-
 timony.

State Engineer