

1176-2

1. Considered 7-17 1974
2. Name of Applicant WILLIAM HUETHER
3. Post Office Address WALL
4. Amount of water claimed .98
5. Source of water supply DRY DRAW
6. Water to be used for IRRIGATION
Acres to be irrigated 68
7. Water to be diverted and used in PENNINGTON County
about 12 miles S of WALL
8. Proof of Publication Received 6-28-74
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 1176.2
 Water Division No. 2 WHITE RIVER District 1
 (Blanks to be filled by the Engineer for the W. L. C.)

APR 2 1974
 STATE WATER RIGHTS COM. S.D.
 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 William Huotcher
 Postoffice address Wall, County Pemington, State So. 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 Water spreading, Diversion and system
.98 MAXIMUM ALLOWABLE
 3. Amount of water claimed 110 cubic feet per second During peak flow only
 4. Source of water supply Dry Draw - 560 acre watershed runoff
 5. Location of point of diversion 1100 ft. N., 270 ft. E. of intersection of SW 1/4 31, 29, 16E;
SE 1/4 31, 29, 16E; NW 1/4 6, 35, 16E; on bank Pemington County.
NE 1/4 6, 35, 16E
 6. Annual period or periods during which water is to be used Periods of watershed runoff only
 7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Water spreading (gravity)

(a) Number of acres to be irrigated 68 acres.
SEC 31, 25, R16E - S2SW 26 40; SW 1/4 31, 29, 16E.

(b) Legal subdivisions to be irrigated SEC 31, 25, R16E - N2NW 32 40; SE 1/4 NW 1, 8 40.
 (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 (golfing location, etc.) None

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

- (a) Nature of use None
 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 1000-2

8. Estimated cost of work:

(a) Head gates, \$ 500

(b) Pumping plant, \$

(c) Fluming, \$

(d) Canal (art), \$

Rock, \$

(e) Other structures dam, dikes, etc., \$ 1500

Total, \$

9. Description of diversion works:

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

Dam

II. Dimensions of works.

(a) Dam: Height 5.5 (Max.) feet; length at bottom 520 feet; length at top 520 feet; thickness at bottom 15 (Max.) feet; thickness at top 12 feet; slope at front water face 3 horiz., 1 vert.; slope at back face 3 horiz., 1 vert.; material used in construction earth fill

(b) Reservoir: Capacity when filled none 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 12 feet; height 5 feet;
material Pressure treated lumber

(d) Canal: Total length miles.

LOCATION BELOW HEAD AT	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 years.

11. Time required for complete application of water to the proposed beneficial use 2 years.

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

County Courant, Wall, South Dakota

STATE OF SOUTH DAKOTA

County of

ss.

I, William Hoether 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

William Hoether

Subscribed and sworn to before me this

16th

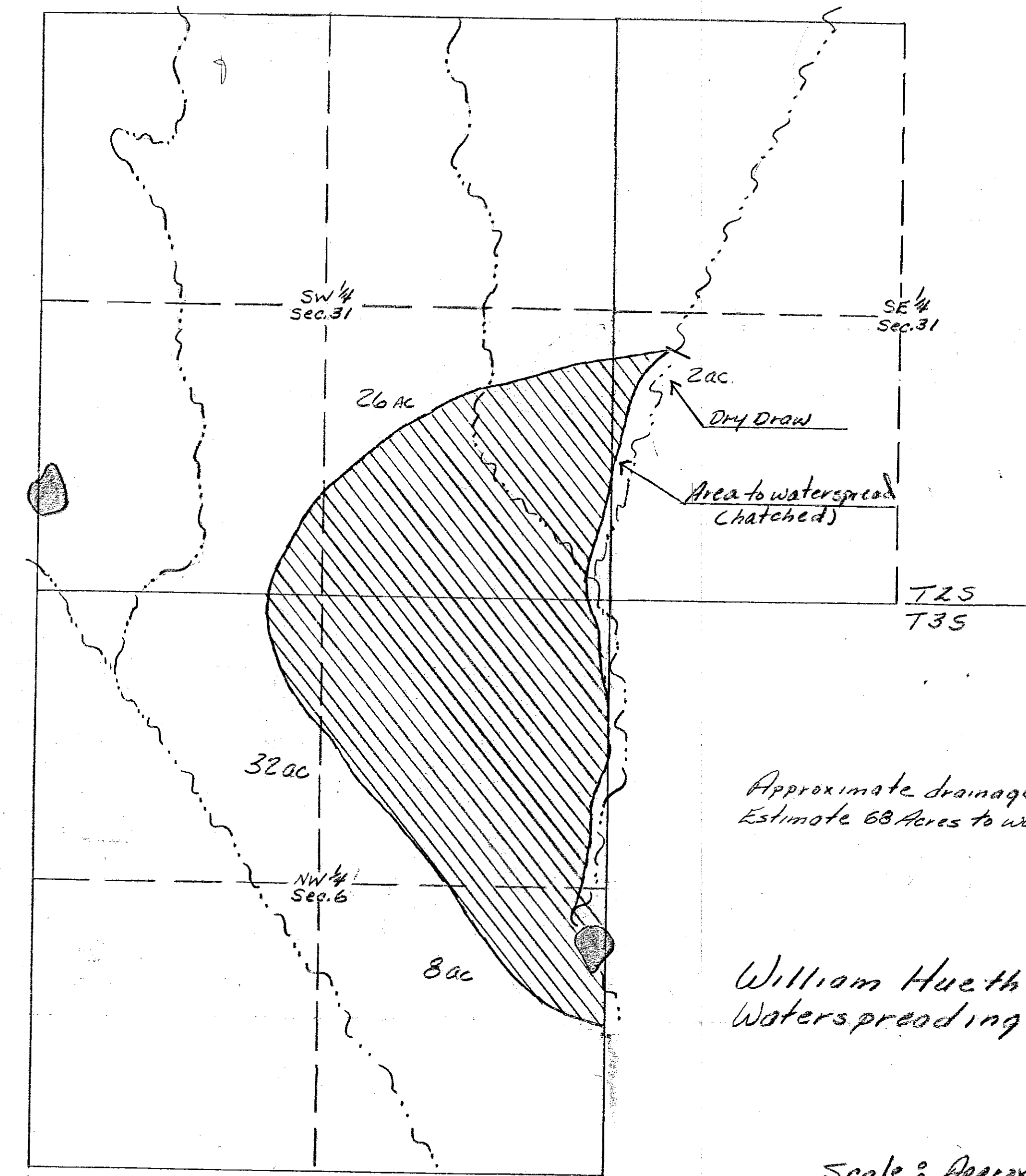
day of

April

19 74

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



Approximate drainage area 560 Acres
Estimate 68 Acres to waterspread

William Huether
Waterspreading

Scale: Approximately 12 in. to mile

MAP No 1000-2 (APPL No 1176-2)
East Pennington S.C.D.

RISE
RISE

Remarks by State Water Resources Commission:

The diversion rate limitation of 1 cubic foot per second for each 70 acres irrigated shall not apply to this Dry Draw irrigation diversion during periods of flood flows, when such flows are in excess of the amount of water required to satisfy domestic use requirements and other water rights.

STATE OF SOUTH DAKOTA
County of HUGHES ss.

Pierre, South Dakota, JULY 18, 1974

This is to certify that the foregoing application was received by the Commission at 8:35 o'clock
a m. upon the 23RD day of APRIL, 1974

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Number of permit 1176-2

Date of first receipt of application APRIL 23, 1974

Date of return to applicant for correction, amendments or changes required as follows: APRIL 23, 1974

Date of receipt of corrected application MAY 7, 1974

Date from which applicant may claim right APRIL 23, 1974

Approved JULY 17, 1974, Recorded in Book 13 Page 24

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

JANUARY 17, 1975

2nd. The whole of said work is to be completed on or before JULY 17, 1975

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

JULY 17, 1977

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 .98 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 JULY 17, 1977; said water to be used during the following described annual period:

RUNOFF PERIODS

Witness my hand this 18TH day of JULY, 1974

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued OCTOBER 9, 1975

Water License Issued OCTOBER 9, 1975

Form 15.

Permit No. 1176-2

Water Diversion No. 2 White River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That William Huether

_____ the holder _____ of
Permit No. 1176-2, issued upon Application No. 1176-2, bearing date of priority of April 23
1974 authorizing the diversion of 0.98 cu. ft. per second of the waters of _____
a dry draw _____ County of Pennington, State of South Dakota at _____
a point 1100 feet North and 270 feet of the S $\frac{1}{4}$ Corner, Section 31,
T28, R16E

_____, 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 2.00 cu. ft. per second of water.

Date October 9, 1975

By: WATER RIGHTS COMMISSION

JOHN HATCH, Chief Engineer

WATER LICENSE NO. 1176-2

(1) WHEREAS, On the 23rd day of April A. D. 19 74

William Huether

made Water Right Application No. 1176-2 for a permit to use .98 cubic feet per second of the waters of a dry draw

County of Pennington State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 18th day of July A. D. 19 74

Permit No. 1176-2, with a date of priority of April 23, 1974

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 17th day of July A. D. 19 75 and for the application to beneficial use of said water on or before the 17th day of July A. D. 19 77

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 .98 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:

Section 31, T2S, R16E S $\frac{1}{2}$ SW $\frac{1}{2}$ 26 acres

Section 31, T2S, R16E SW $\frac{1}{2}$ SE $\frac{1}{2}$ 2 acres

Section 6, T3S, R16E N $\frac{1}{2}$ NW $\frac{1}{2}$ 32 acres

Section 6, T3S, R16E SE $\frac{1}{2}$ NW $\frac{1}{2}$ 8 acres

Total 68 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 William Huether

_____ of Wall, South Dakota

the holder _____ and owner _____ of said permit No. 1176-2 a water right, dating from April 23, 1974

_____ to use of .98 cubic feet per second of the waters of a dry draw

in the County of Pennington and State of South Dakota, or so much thereof as may be necessary for the purposes hereinafter mentioned to be diverted at _____

a point 1100 feet North and 270 feet of the S1 Corner, Section 31, T2S, R16E

and conduct to and upon portions of Sections 31, T2S, R16E, and Section 6, T3S, R16E, more fully described on the face of this License.

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1176-2 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 October A. D.
Nineteen Hundred and Seventy-five

WATER RIGHTS COMMISSION

By:

Chief Engineer, Executive Officer JOHN HATCH

Form 6 - Notice of Intent to Appropriate Water

1176-2

Publish first publication, on or before July 4, 1974

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

May 31, 1974

Notice is hereby given that William Huether

whose post office address is Wall, 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

.98 cubic feet of water per second of time from the dry draws through the

Huether Waterspreading System, the point of diversion of which is to be located in the _____

SW 1/4 SE 1/4

of Section 31, Twp. 28, Range 16E. Said water to be used for the purpose of providing irrigation on the following described land:

SW 1/4, SW 1/4 SE 1/4, Section 31, T28, R16E; NW 1/4, SE 1/4 NW 1/4, Section 6, T38, R16E

1176-2

WATER RIGHTS COMMISSION

This application (No. 2016-) will be considered by the Water Rights Commission at their office at Pierre upon the 17th day of July, 1974, at 2:10 P. M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION
Water Rights Commission

By:

BURTON F. JONES, Water Rights Specialist

BFJ/bv
cc: William Huether, Wall, S.D. 57790

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

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Penn.) ss.

I, W. R. Lewis hereby
certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Penn. Gr. Current

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

Wall Current of Wall

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

June 6, 1974

June 13, 1974

[Signature]
(Signature)

Publisher
(Title)

June 27, 1974
(Date Signed)

NOTICE
INTENT TO APPROPRIATE
WATER

Pierre, South Dakota 57501
May 31, 1974
Notice is hereby given that
William Huether whose post office
address is Wall, 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 .93 cubic feet of water per
second of time from dry draws
through the Huether Waterspread-
ing System, the point of diversion
of which is to be located in the
SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Twp.
2S, Range 16E. Said water to be
used for the purpose of providing
irrigation on the following des-
cribed land:
S $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec-
tion 31, T2S, R16E; N $\frac{1}{2}$ NW $\frac{1}{4}$,
SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 6, T2S, R16E.

This application No. 1176-2 will
be considered by the Water Rights
Commission at their office at
Pierre upon the 17th day of July,
1974; at 2:30 P. M. All interested
persons may appear and be heard.
WATER RIGHTS COMMISSION

By: Burton F. Jones,
Water Rights Specialist
Pub June 6 - 13

RECEIVED
JUN 28 1974
STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

Permit No. 1176-2Water Division 2 White River 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 William
Huether of Wall, South Dakota holder
of Permit No. 1176-2, bearing date of priority of April 22, 1974
authorizing the diversion of .98 cu. ft. per second of the waters of surface runoff
for irrigation purposes, in Pennington 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 fill dam 520 feet length at bottom
5.5 foot high
Back slope 1:3 Front slope 1:3

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

"V" type ditch- 10 foot by 1 foot; approximately 5000 Ft

C. Works used to apply water to beneficial use.

Series of spreader dike to flood irrigate

The system is in the following condition: Good

The point of diversion is located 1100 feet N., 270 ft. E. of intersection SW $\frac{1}{4}$
SE $\frac{1}{4}$ Sec. 31, T2S., R16E., B.H.M.

The works are capable of diverting and conveying to the place of use 2
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:

26 acres-- S $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 31, T2S., R16E., B.H.M.2 acres-- SW $\frac{1}{4}$ SE $\frac{1}{4}$ " " " "22 acres-- N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 6, T2S., R16E., B.H.M.3 acres-- SE $\frac{1}{4}$ NW $\frac{1}{4}$ " " " "comprising a total of 68 acres of land.

William Huether
Wall, SD 57700

Date 8-25-75

Thomas A. Gartner
(Signature)

THOMAS A. GARTNER
Water Resources Engineer