

1. Considered 3-17, 1976 1331-2
2. Name of Applicant GALE DAI IT
3. Post Office Address WALL
4. Amount of water claimed .50
5. Source of water supply LOCAL RUNOFF (WATERSPREADING)
6. Water to be used for IRRIGATION
- Acres to be irrigated 35
7. Water to be diverted and used in PENNINGTON county
about N EDGE miles _____ of WALL
8. Proof of Publication Received 2-27-76
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 1337.2

Water Division No. 2 EAST CHEYENNE RIVER
(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 Gale Dartt
Postoffice address Wall Box 33, County Pennington, State So. Dak.

I. If a corporation

- (a) Name of corporation
- (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)

Contract - Owner financed with ASCS cost share

(b) Cash on hand, \$ Adequate

(c) Treasury stock, \$ —

(d) Bonds to be issued, \$ —

(e) Other resources, \$ —

2. Name of diversion work Gale Dartt waterspreading project

3. Amount of water claimed 55 MAXIMUM ALLOWABLE cubic feet per second

4. Source of water supply runoff from 352 acres

5. Location of point of diversion As shown on plan map A FIRST INTER

SE 1/4 SECTION 31, T1N, R16E on PENNINGTON County.

6. Annual period or periods during which water is to be used Spring thru fall during runoff

7. To be used for:

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

(a) Number of acres to be irrigated 35 acres

(b) Legal subdivisions to be irrigated IN W2SW1/4 & NE1/4 SEC 31, T1N, R16E

(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

Name any of the above uses claimed

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

Amount needed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

MAR 20 11 29 AM '76

8. Estimated cost of work:

(a) Head Gates, \$-----

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

(c) Fluming, \$-----

(d) Canal earth, \$800.00

Rock, \$-----

(e) Other structures ----- \$-----

Total, \$-----

9. Description of diversion works:

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

This is a water spreading project that will use "V" ditches to spread flood waters on approximately 300 acres.

II. Dimensions of works.

(a) Dam: Height NONE 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 NONE acre feet. Surface area at highwater mark ----- acres.

DEPTH AT OUTLET FEET	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-FOOT 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 one years.11. Time required for complete application of water to the proposed beneficial use one years.12. Choice of newspaper for publication of notice of intention to appropriate Wall-Pennington County Courant

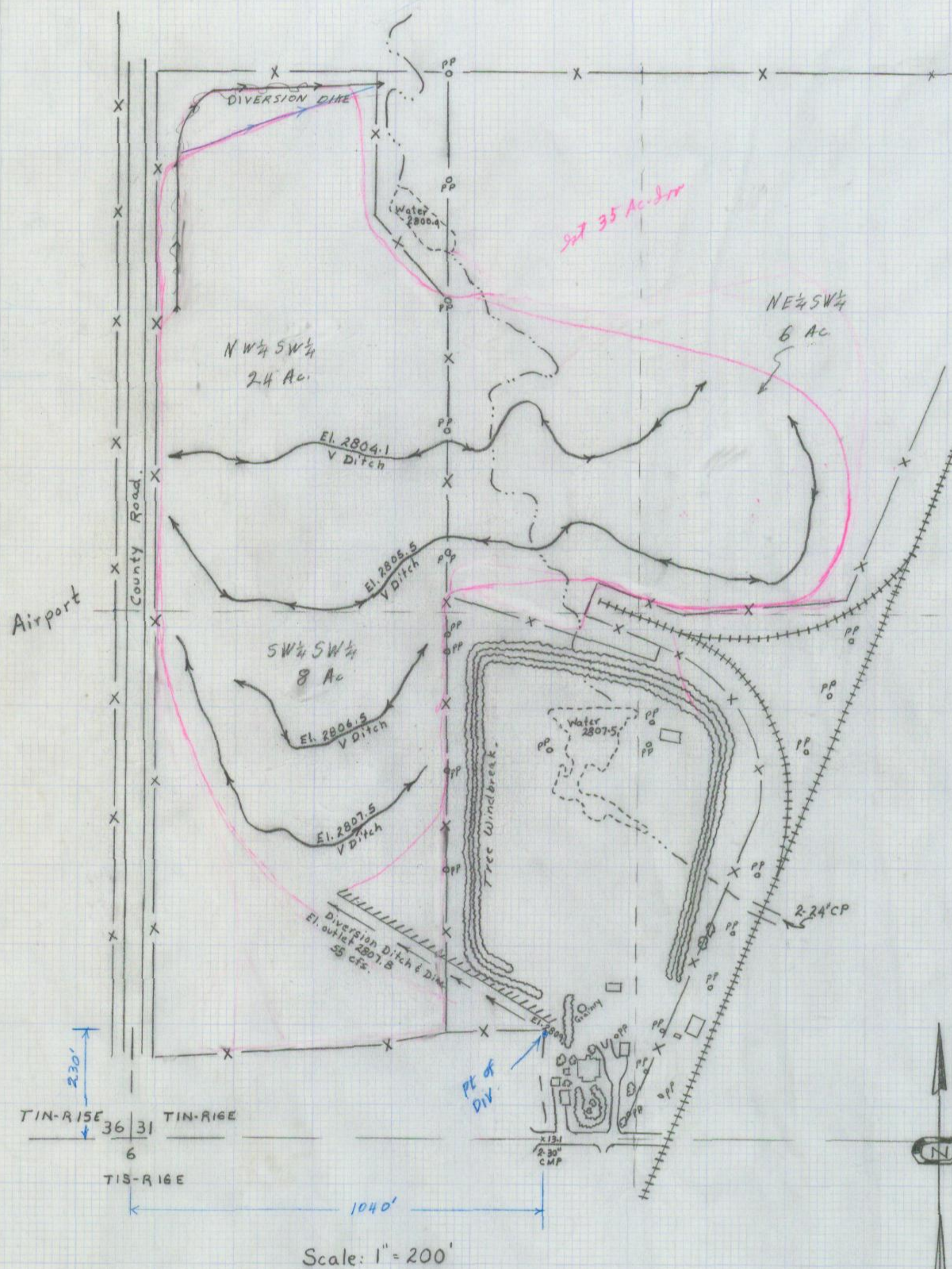
STATE OF SOUTH DAKOTA

County of -----

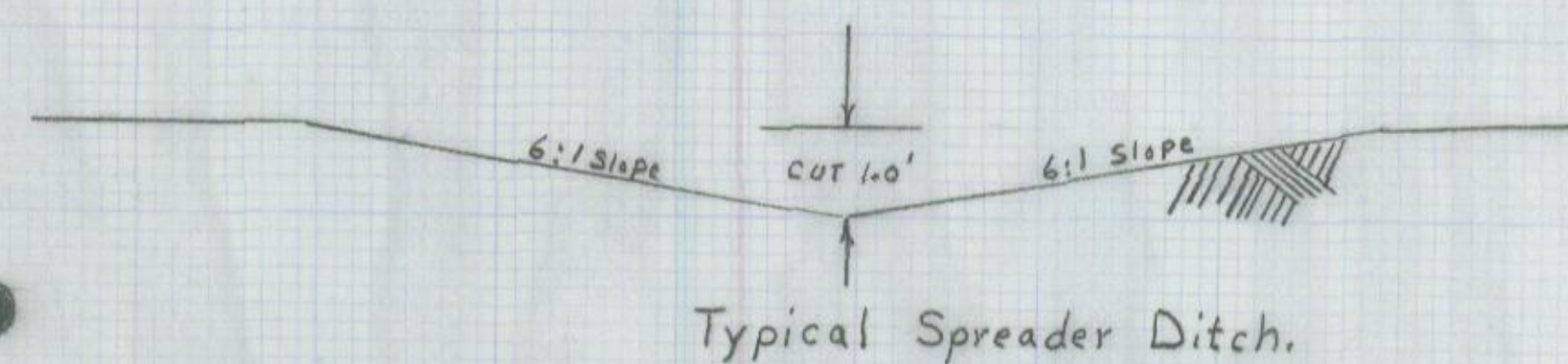
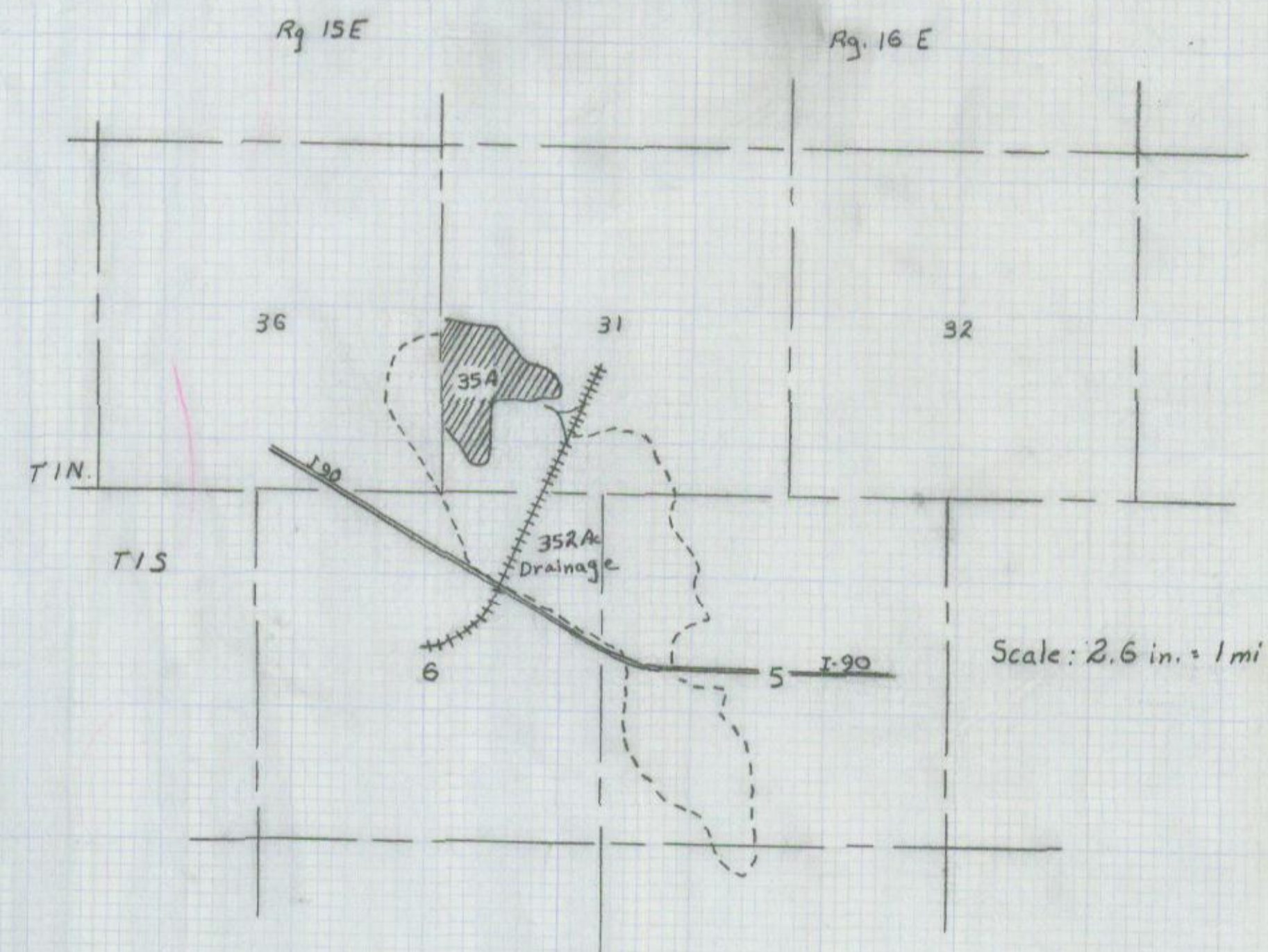
I, -----, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown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

Signed: Mark DearthSubscribed and sworn to before me this 9th day of January 1976

Notary Public (or other qualified officer.)



<u>6 Hr. Rainfall</u>					
<u>Undependable</u>	<u>rainfall</u>	<u>runoff</u>	<u>ac. in</u>	<u>da. inches</u>	<u>acres</u>
<u>5 yr. 20% chance</u>	<u>2.2 in</u>	<u>0.95</u>	<u>334</u>	<u>3.0</u>	<u>111</u>
<u>Questionable</u>					
<u>2 yr. 50% chance</u>	<u>1.6 in</u>	<u>0.55</u>	<u>194</u>	<u>3.0</u>	<u>65</u>
<u>Dependable</u>					
<u>1.25 yr. 80% chance</u>	<u>1.4 in</u>	<u>0.42</u>	<u>148</u>	<u>3.0</u>	<u>49</u>



Gale Dartt
Waterspreading Plan
W²SW⁴ Sec. 31, T1N-R16E

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Date 10/17/76
Designed Dan Muckler
Drawn Dan Muckler
Traced _____
Checked _____

Approved by _____
Title _____
Title _____
Sheet _____
No. _____
Of _____

Drawing No. _____

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, MARCH 19, 1976

This is to certify that the foregoing application was received by the Commission at 8:32 o'clock
a.m. upon the 13TH day of JANUARY, 1976

State Water Resources Commission

By:

Byron J. Smith
for Chief Engineer, Executive Officer

Number of permit 1337-2

Date of first receipt of application JANUARY 13, 1976

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 JANUARY 13, 1976

Approved MARCH 17, 1976, Recorded in Book 14 Page 285

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 17, 1976

2nd. The whole of said work is to be completed on or before MARCH 17, 1977

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

MARCH 17, 1978

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 50 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 17, 1978; said water to be used during the following described annual period:

WHEN AVAILABLE

Witness my hand this 19TH day of MARCH, 1976

State Water Resources Commission

By:

John Hatch
Chief Engineer, Executive Officer

Certificate of Construction Issued JANUARY 20, 1981

Water License Issued JANUARY 20, 1981

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1337-2

(1) WHEREAS, On the 13th day of January A. D. 1976
Gale Darts

made Water Right Application No. 1337-2 for a permit to use .50 cubic feet per second of the waters of dry draws

County of Ponnington, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 17th day of March A. D. 1976

Permit No. 1337-2, with a date of priority of January 13, 1976

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 March A. D. 1977 and for the

application to beneficial use of said water on or before the 17th day of March A. D. 1978

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 .50 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 irrigate the following lands all in Section 31-T1N-R15E

	acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$	24
NE $\frac{1}{4}$ SE $\frac{1}{4}$	6
SW $\frac{1}{4}$ SW $\frac{1}{4}$	8
Total	38 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 Gale Dartt

_____ of Wells, SD
the holder _____ and owner _____ of said permit No. 1337-2 a water right, dating from January 13, 1976
_____ to use of 50 cubic feet per second of the waters
of dry draws

in the County of Ponnington and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinafter mentioned, to be diverted at a point 256' north and 1040' east of the SW
Corner, Section 31-T1N-R15E

and conducted to and upon portions of land in Section 31-T1N-R15E, more
fully described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1337-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 20th day of January A. D.
Nineteen Hundred and eighty-one

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Permit No. 1337-2

Water Diversion No. 2 East Choyenne River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Gale Darrt

_____ the holder _____ of
Permit No. 1337-2, issued upon Application No. 1337-2, bearing date of priority of January 13,
1976 authorizing the diversion of .50 cu. ft. per second of the waters of _____
dry draws _____ County of Pennington, State of South Dakota at a
point 230' north and 1040' east of the SW Corner, Section 31-
T1N-R15E

_____, for irrigation

purposes, he S 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 35 cu. ft. per second of water.

Date January 20, 1981

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

Form 3 - Notice of Intent to Appropriate Water

to, 1337-2

Publish first publication, on or before March 4, 1976

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

February 17, 1976

Notice is hereby given that Gale Dartt
whose post office address is Box 33, 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
.50 cubic feet of water per second of time from the ~~xxx local runoff~~ through the
Dartt Waterspreading System, the point of diversion of which is to be located in the _____

SE 1/4 SW 1/4
of Section 31, Twp. 1N, Range 16E. Said water to be used for the purpose
of providing irrigation on the following described land:

W 1/2 SW 1/4, NE 1/4 SW 1/4, Section 31, T1N, R16E

This application No. 1337-2 will be considered by the Water Rights Commission at their office at
Pierre upon the 17th day of March, 1976, at 1:00 P.M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/dw

cc:

Gale Dartt, Box 33, Wall, South Dakota 57790

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

No. 1337-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Burnington) ss.

I, Roll R Lewis hereby

certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Burn. Co. 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 _____

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

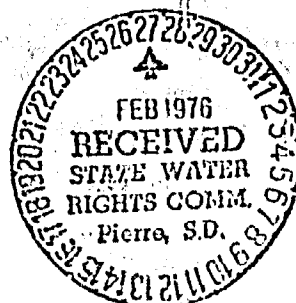
Feb. 26 and Mar. 4

Roll R Lewis
(Signature)

H. J. Zisch - Notary
(Title)

2-26-76
(Date Signed)

Notice No. 1337-2
INTENT TO APPROPRIATE WATER
Gale Dart, Pierre, S.D. 57501
February 17, 1976
Notice is hereby given that Gale
Dart, whose post office address is
Ward, 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 50 cubic feet of water
per second of time from local runoff
through the Dart Waterspreading
system, the point of diversion of
which is to be located in the
SE1/4SW1/4 of Section 31, Twp. 1N,
Range 16E, Sd water to be used for
the purpose of providing irrigation in
portions of the following described
land:
W1/2SW1/4 NE1/4SW1/4 Section
31, T1N, R16E, S17T, B1E, S.D.
This application No. 1337-2 will be
considered by the Water Rights
Commission at their office at Pierre
upon the 17th day of March, 1976, at
1:00 P.M. All interested persons may
appear and be heard.
WATER RESOURCES COMMISSION
By: BURTON F. JONES
Water Rights Specialist
Pub. Feb. 26 and March 4



RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7882

PIERRE, January 6, 1931

RECEIVED OF Gale Darff, Box 33, Wall, SD 57790

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____		
Fee for Inspecting Construction, and Issuing Cert. of Construction No. 1337-2	12	00
Fee for Inspecting Beneficial Use, and Issuing Water License No. 1337-2		
Fee for Issuing Location Certificate-Dry Draw, No. _____		
Fee for filing _____		
Fee for certified copy of _____		
Fee for Print copy of map _____		
Fee for Certifying _____		
Fee for _____ (any other work as provided by law)		
TOTAL	12	00

WATER RIGHTS COMMISSION

By *(John Hatch)*
Chief Engineer, Executive Officer
JOHN HATCH / *(S)*

Permit No. 1337-2Water Division 2 East Cheyenne Water DistrictREPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / POSS BLIXI., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Gale Dartt
of Box 33, Wall, S. Dak. 57790 holderPermit No. 1337-2, bearing date of priority of January 13, 1976for the diversion of .5 cu. ft. per second of the waters of Dry Draws
Irrigation purposes, in Pennington County.

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

The Water System consists of,

A. used to divert the water:

Diversion Ditch

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

V Spreader Ditch
Diversion Ditches

C. Works used to apply water to beneficial use.

V Spreader Ditches - Flood IrrigationThe system is in the following condition: GoodThe point of diversion is located 230' N and 1040' E of the SW
Cor. Sec. 31, T1N R15EThe works are capable of diverting and conveying to the place of use 55
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:

All in Section 31, T1N R15E. NW 1/4 SW 1/4 - 24 Ac.
NE 1/4 SW 1/4 - 6 Ac., SW 1/4 SW 1/4 - 8 Ac.Comprising a total of 38 acres of land.licensing for .5 cfs

Date

July 7, 1980Leroy J. Hernandez
(Signature)

NO.

1337-2



NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 6-27-89

This is to notify you that the title to the lands described as follows:

Tract 1 of Dartt Addition in Govt. Lots 3+4 of Section 31, Twnshp. 1 North,
Range 16 East, Black Hills Meridian, Pennington County, State of South Dakota
formerly owned by Gale Dartt and Edna Dartt

has been transferred to Brett Blasius & Paula Blasius, P.O. Box 13 - Wall, SD 57790
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1337-2 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
) ss.
County of Penn)

I, Brett Blasius 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, and I know of my own personal knowledge that the information herein stated is true.

Brett Blasius
(Signed)

Subscribed and sworn to before me this 27 Day of June, 1989.

Paula Blasius
(Notary Public)

my Comm Expires 3-12-96

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411865

Pierre, August 2, 19 89

RECEIVED OF Brett Blasius, PO Box 13, Wall, SD 57790-0013

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right No. 1337-2</u>		250
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	250

By John Hatch/mra
Chief Engineer John Hatch/mra

1337-2



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

July 10, 1989

1337-2

Brett & Paula Blasius
PO Box 13
Wall, SD 57790

Dear Mr. & Mrs. Blasius:

I am contacting you in regard to the "Notice of Transfer" you filed for change of ownership on Water Right No. 1337-2. The form was completed properly; however, the transfer can not be recorded without a \$2.50 filing fee as required by Statute.

Please remit the \$2.50 filing fee as soon as possible. Upon receipt of the fee, Water Right No. 1337-2 will be transferred to your name.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMATH". The signature is written in dark ink and is positioned above the typed name.

GENNY MCMATH
Natural Resources Analyst
(605) 773-3352



NAMES, ADDRESSES:

Mrs. Raynold (Edith) Paulsen (ph. # 279-2439)
Box 202, Wall, SD 57790

Dennis Foster (ph. # 279-2100)
Sleepy Hollow Campground
Box 101, Wall, SD 57790

Brett Blasius (ph. # 279-2366)
Box 13, Wall, SD 57790

DATE: June 21, 1989

COUNTY: Pennington

RE: Investigation of complaint received June 5, 1989 from Mrs. Paulsen

BACKGROUND

On June 16, 1989, I conducted an investigation of the complaint received June 5, 1989 from Mrs. Paulsen regarding a dugout constructed by Dennis Foster, owner of the Sleepy Hollow Campground in Wall. Mrs. Paulsen's concern is that the dugout, created during the construction of the new campground last spring, is intercepting the water that would normally enter her dugout.

Water Right No. 581-2, under the name of Raynold Paulsen, now deceased, has a priority date of February 27, 1960 and appropriates 1.2 cfs from a dry draw and earth dikes and ditches between two points in the SW 1/4 NW 1/4 to irrigate 86.4 acres in the NW 1/4; all in Section 31-T1N-R16E. The affected dugout is mentioned on the water permit application, is indicated on the Water Right map, and is used for domestic purposes to water cattle. The location of the dugout is indicated on the attached aerial photo. A transfer form was left with Mrs. Paulsen to transfer the Water Right to her name.

Mrs. Paulsen was contacted and a visual inspection was made of her dugout. No actual measurements were taken. There was some water present in the dugout. The water was approximately 3-4 feet low, vertically from the high water mark and approximately 30 feet low, horizontally from the high water mark. Mrs. Paulsen estimated that there is currently 2 to 3 feet of water in her dugout. Assuming a depth of 7 feet and 3:1 side slopes, the estimated storage capacity of her dugout is 3 acre-feet. She is concerned that she will loose the renters on her land if there is not enough water for the cattle. There has not been any water for irrigation this year.

The land immediately south of Mrs. Paulsen is covered by Water Right No. 1337-2, under the name of Gale Dartt. It has a priority date of January 13, 1976 and appropriates 0.50 cfs to irrigate 38 acres of land. The diversion ditch, which receives drainage from the west side of the City of Wall, is located in the SW 1/4 SW 1/4 and the irrigated acreage is located in portions of the W 1/2, NE 1/4; all in Section 31-T1N-R16E (see attached copy of the Water Right map). A series of four spreader ditches are used to flood irrigate the lands. There is also a dugout on this property. Mr. Dartt has passed away and the land has been sold to two different owners.

Brett Blasius bought a portion of the W 1/2 of Section 31-T1N-R16E. The diversion point and much of the irrigated land is located on this portion. I talked to Mr. Blasius and learned that he bought 45 acres of the land formerly owned by Gale Dartt. There has not been enough water for irrigation on his property this season, either. He said that there has been no runoff at all, making this the second drought year in a row. The water level in his dugout is currently lower than it is has ever been. Mr. Blasius did not know the depth of his dugout since it has never been dry. He feels that Mr. Foster's dugout may be affecting the water levels in both his dugout and Mrs. Paulsen's dugout, but also stated that it is hard to differentiate between the effects of no spring runoff and the effects of Mr. Foster's dugout. He is not aware of any water use from Foster's new dugout and also said the dugout filled up almost immediately after it was excavated. A transfer form has been sent to Mr. Blasius for his portion of the Gale Dartt property. The diversion dike on the north side of his property directs runoff water to the east and north into Mrs. Paulsen's dugout.

Dennis Foster bought the remainder of the land and has established the Sleepy Hollow Campground. This land contains one existing dugout, a portion of two of the spreader ditches, and the new dugout that was constructed last spring. The locations of these are also indicated on the attached aerial photo. Both dugouts were full of water. The existing dugout has a surface area of approximately 0.35 acres and is approximately 4 feet deep. Assuming 3:1 side slopes, it has an estimated storage capacity of 1 acre-foot. It appears to catch a lot of debris. The new dugout has approximate dimensions of 150 feet by 250 feet. The depth of the dugout ranges from 3 to 16 feet. Assuming an average depth of 12 feet and 3:1 side slopes, an estimated storage capacity of this dugout is 6 acre-feet. According to Mr. Foster, the new dugout is just a borrow area for dirt work that had to be completed at the campground site. It filled up with water almost right after excavation. Last fall it was about 4 feet low. He said that Mike Sterling, SCS, had determined the location of the site of the borrow area and may have some information on its dimensions. Mike Sterling informed me that they had not staked the site and did not have any information on the dimensions of the borrow area. He also said that he had not seen the dugout empty, i.e. that it had apparently filled quite soon after construction. An overflow culvert that connects the existing dugout to the new dugout has recently been installed. Mr. Foster said the water in the new dugout has not been used. He does, however, have a cattle permit from the City of Wall to put cattle north of his campground and would like to eventually use the water for livestock purposes. He may also want to use the water to irrigate the trees that surround the campground area. He was informed that a water permit would be necessary to water the trees. Applications forms should he wish to irrigate trees, papers for filing a Location Notice for the dugout, and transfer forms should he want to irrigate the portions of land that are covered by Gale Dartt's Water Right have been sent to Mr. Foster.

DRAINAGE

The topography of the area in which all four of these dugouts are located is very flat. The USGS 7.5 minute quadrangle map labels the area as a "Lake Flat". The majority of the runoff received is artificially routed by the City of Wall. Determining the actual effects created by Foster's new dugout from the topographical map is nearly impossible.

OPTIONS

Because this area is again experiencing drought conditions, it is very difficult to ascertain whether the low level of water in Mrs. Paulsen's dugout (and Mr. Blasius's dugout, for that matter) can be attributed to Mr. Foster's dugout. More than likely, the dugout is affecting the water level in Mrs. Paulsen's dugout, but probably not to the extent that she believes it is. According to Mr. Foster, many ranchers in the area are hauling water.

Some of the options to consider include:

- (1) Attribute the problem to the second dry year in a row and ~~do~~ nothing.
- (2) Encourage Mrs. Paulsen to make arrangements to haul water to her site. This may be necessary for the rest of this season regardless of the chosen option for handling the situation. Because of her close proximity to the boundaries of the City of Wall, perhaps an agreement with the city could be arrived at.
- (3) Require Mr. Foster to fill in a portion of his dugout. There is stockpiled dirt on his site that could potentially be used.
- (4) Require Mr. Foster to create a by-pass for water entering the dugout, to be used until Mrs. Paulsen has adequate water in her dugout.
- (5) Drill a well on Mrs. Paulsen's property.
- (6) Since Mr. Foster's new dugout is really a "borrow" area, require Mr. Foster to fill in the dugout in completely. If he feels he does need water, the dugout could be relocated in an area that does not affect the drainage pattern to Mrs. Paulsen's dugout.

Several of these options may result in considerable expense. The possibility exists that an arrangement could be made between Mrs. Paulsen and Mr. Foster for sharing any costs that may be incurred. Mrs. Paulsen's choice of options, including any options that are not listed here, should also be considered.



Natural Resources Engineer