

Water Right Number 1577-2

1. Considered 5-25, 19 77
2. Name of Applicant FRANK, JOHN & JAMES FISCHER
3. Post Office Address WINNER
4. Amount of Water claimed 4.0
5. Source of Water supply MUD & DOG EAR CREEKS
6. Water to be used for IRRIGATION
Acres to be irrigated 520
7. Water to be diverted and used in TRIPP County
about 1W, 2S miles of WINNER
8. Proof of Publication Received 4-28-77
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

Map No. 1345-2 Water Division No. 2 WHITE RIVER District _____
(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)
- Name of Applicant Frank Fisher John Fisher James Fisher
Postoffice address Winner So Dak State S. D. & C.
(If corporation show date and place of incorporation _____)
 - Method of accomplishing work (contract, employment of others, or by direct labor) pump from Creek
 - Name of diversion work _____
 - Amount of water claimed (cubic feet per second) 4.0 pump only from flood water
 - Source of water supply in spring of year from much creek or dry can
 - Location of point of diversion running South East 1/4 of Sec 31 and East 1/4 of NW 1/4 Sec 31 town ship 99 range 76 and East 1/4 of SW 1/4 of Sec 30 town ship 99 range 76 County Tripp
 - Annual period or periods during which water is to be used mainly in March and April
 - Use to be made of water, (irrigation industrial, municipal, commercial, recreation, etc.) irrigation
 - For irrigation use, _____ Total number of acres to be irrigated 320

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.
SW 1/4 of SW 1/4 Sec 31 9976	4.0	SE 1/4 of NW 1/4 Sec 31 9976	4.0
SE 1/4 of SW 1/4 Sec 31 9976	4.0	NE 1/4 of NW 1/4 Sec 31 9976	4.0
NE 1/4 of SW 1/4 Sec 31 9976	4.0	NE 1/4 of SW 1/4 Sec 30 9976	4.0
NW 1/4 of SW 1/4 Sec 31 9976	4.0	SE 1/4 of SW 1/4 Sec 30 9976	4.0

Attach sheet if more space is needed

- Time required to complete construction of water supply system 1.5 years. Additional time required to complete application of water to the proposed beneficial use 2 years.
- Choice of newspaper for Notice of Intent to Appropriate Water publication Winner Advocate
- Principal Features of the Proposed Water Supply System. pump water from running creek
 - Works proposed to divert water from its natural source. none
 - Works proposed to transport water to place of use. Pump from creek to field
 - Works proposed to apply water to beneficial use.

Estimated Total Cost \$ no cost

Attachments: 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 TrippI, Frank Fisher the applicant, 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 Frank FisherSubscribed and sworn to before me this 28day of FEBRUARY 19 77

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1577-2

FRANK, JOHN & JAMES FISHER
(Applicant)

WINNER

(Post Office Address)

SOUTH DAKOTA 57580
(State)

With the following modifications:

LOW FLOWS AS NEEDED FOR DOWNSTREAM DOMESTIC USE, INCLUDING LIVESTOCK WATERING, MUST BE BY-PASSED.

Date of first receipt of application MARCH 1, 19 77

Date of return to applicant for correction, amendments or changes required MARCH 1, 19 77

Date of receipt of corrected application MARCH 16, 19 77

Approved MAY 25, 19 77, Recorded in Book 18 Page 157

WATER RIGHT PERMIT NO. 1577-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1577-2 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 MARCH 1, 19 77
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before NOVEMBER 25, 19 78
3. The whole of said work is to be completed on or before MAY 25, 19 80
4. The limit of time from onset of beneficial use of water appropriated in accordance herewith is MAY 25, 19 82
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 4.0 cubic feet per second; 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 25, 19 82; said water to be used during the following described annual period: WHEN AVAILABLE

Witness my hand this 3RD day of JUNE, 19 77

WATER RIGHTS COMMISSION

By:

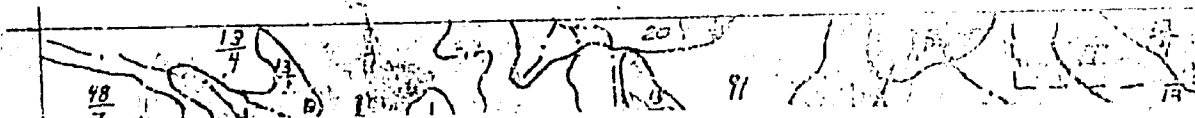
John Fisher
Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 ____

Water License Issued _____, 19 ____

TRIPP COUNTY

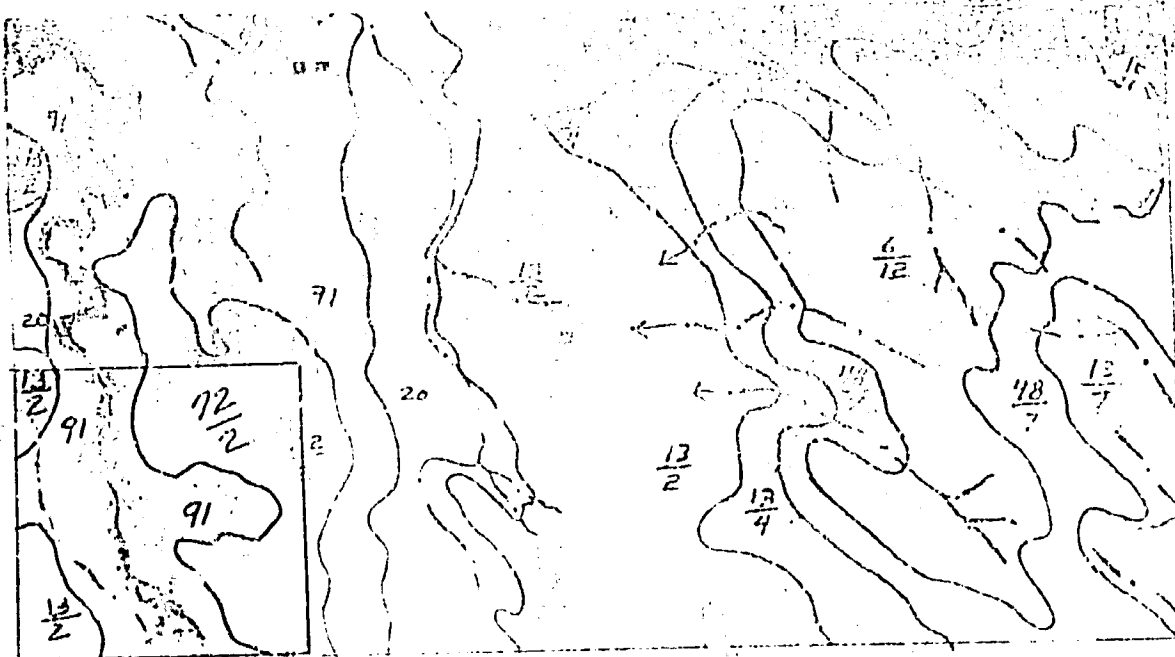
R76W

$$\frac{9}{30} \approx \frac{20}{27}$$


TRIPP COUNTY

13/2 Millboro silty clay on 0-3% slopes, Intake family 0.1
72/2 Anselmo-vetal fine sandy loams on 0-3% slopes, Intake family 1.5
91 Bridgeport complex on 0-2% slopes, Intake family 0.5

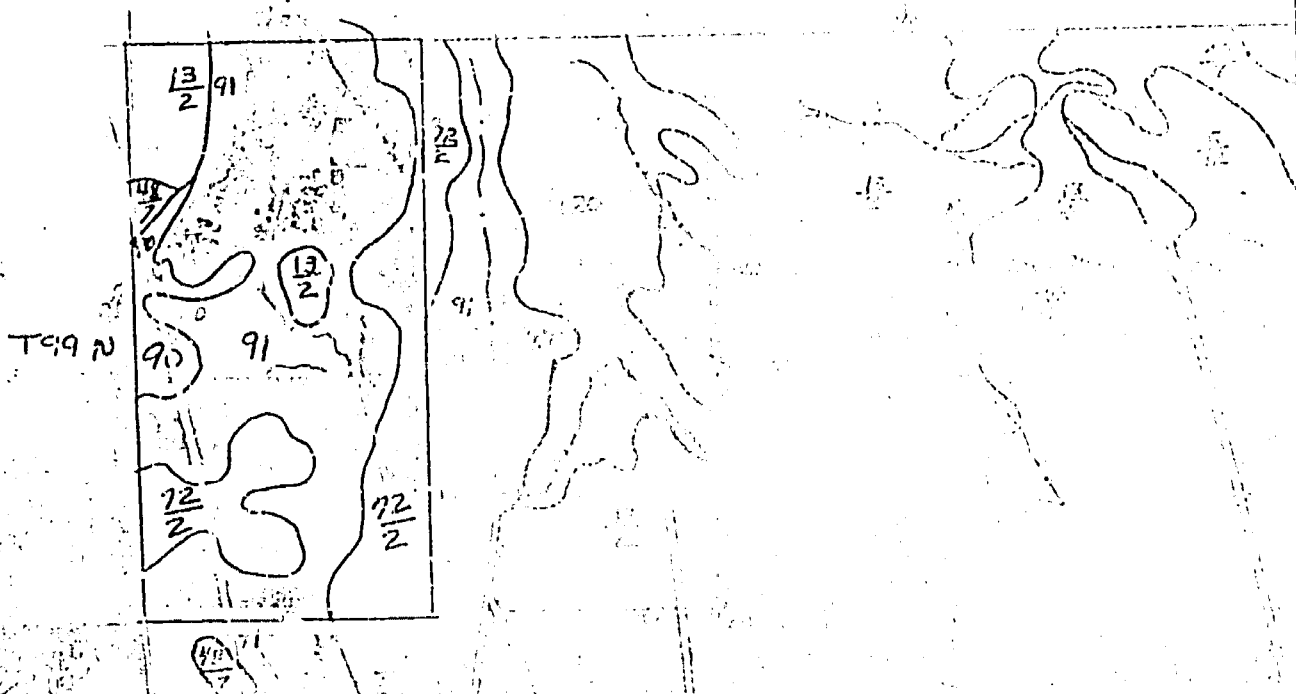
SOIL SURVEY NOT PUBLISHED, SUBJECT TO CHANGE



CHANGE SHEET

TRIPP COUNTY

R76 W

$$\begin{array}{c|c} 31 & 32 \\ \hline 6 & 5 \end{array}$$


TRIPP COUNTY

IRRIGATION SOIL INTERPRETATIONS

- | | |
|------|--|
| 13/2 | Millboro silty clay on C-3% slopes, Intake family 0.1 |
| 18/7 | Lakoma-Millboro silty clays on 5-9% slopes, Intake family 0.1 |
| 72/2 | Anselmo-vetal fine sandy loams on 0-3% slopes, Intake family 1.5 |
| 90 | Inavale complex, channeled on 0-2% slopes, Intake family NONE LISTED |
| 91 | Bridgeport complex on 0-2% slopes, Intake family 0.5 |

SOIL SURVEY NOT PUBLISHED, SUBJECT TO CHANGE

100-100000

No. 1577-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Tripp) ss.

I, H. L. Johannsen hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Winner Advocate

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

April 13, 1977
April 20, 1977

H. L. Johannsen
(Signature)
Publicter
(Title)
April 20, 1977
(Date Signed)

No 1577-2
NOTICE INTENT TO
APPROPRIATE WATER
Pierre, South Dakota 57501
April 6, 1977
Notice is hereby given that
Frank, John & James Fisher
whose post office address is
Winner, South Dakota, has made
an application in accordance
with the provisions of the water
laws of South Dakota for a
permit to appropriate for benefi-
cial use 4.0 cubic feet of water
per second of time from the Mud
& Dog Ear Creek through the
Fisher No. 1 diversions of which
are to be located between points
in the SE 1/4 SW 1/4 of Section 31 and
points in the SW 1/4 NW 1/4 of
Section 30, Twp. 99N, Range 76W.
Said water to be used for the
purpose of providing irrigation
on portions of the following
described land: SW 1/4 E 1/4 NW 1/4
Section 31, E 1/4 SW 1/4 Section 30,
T99N, R76W.
This application No. 1577-2 will
be considered by the Water
Rights Commission at their
office at Pierre upon the 20th day
of May, 1977, at 10:00 A.M. All
interested persons may appear
and be heard.
WATER RIGHTS COMMISSION

and Kathy and Rahn Bertram



Frank Fisher

Winner, S. Dak.

Publish first publication, on or before May 11, 1977NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

April 6, 1977

Notice is hereby given that Frank, John, & James Fisher
whose post office address is Winner, 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
4.0 cubic feet of water per second of time from the Little Sioux River through the
Fisher, the point of diversion of which is to be located in the
between points in the SE 1/4 SW 1/4 of Section 31 and points in the
SW 1/4 NW 1/4

of Section 30, Twp. 20N, Range 76W. Said water to be used for the purpose
of providing irrigation on portions of
the following described land:

SW 1/4, E 1/4 NW 1/4, Section 31, R 76W, T 20N, R 76W

This application No. 1577-2 will be considered by the Water Rights Commission at their office at
Pierre upon the 24th day of May, 1977, at 10:00 A.M. All interested
persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

JAMES VENTILTON
Water Rights Specialist

BFJ/bw

cc: Frank, John, & James Fisher, Winner, SD 57560



1577-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

NOV 14 1994

1577A-2

Frank, John and James Fisher
RR 1, Box 96
Winner, SD 57580

Dear Sirs:

Enclosed is Water License No. 1577A-2 and Receipt No. 414262 for \$50.00 which was assessed for an inspection and issuance of the license. Water License No. 1577A-2 is the final document which completes the process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
(605) 773-3352

rd
enclosures

NOTE: The applicable portions of Water Permit No. 1577-2 have been incorporated into this Water License No. 1577A-2.

$N-T$ 

FRANK FISHER

TRIPP COUNTY

IRRIGATION SOIL INTERPRETATIONS

- | | |
|------|--|
| 13/2 | Millboro silty clay on 0-3% slopes, Intake family 0.1 |
| 48/7 | Lakoma-Millboro silty clays on 5-9% slopes, Intake family 0.1 |
| 72/2 | Anselmo-vetal fine sandy loams on 0-3% slopes, Intake family 1.5 |
| 90 | Inavale complex, channeled on 0-2% slopes, Intake family NONE LISTED |
| 91 | Bridgeport complex on 0-2% slopes, Intake family 0.5 |

SOIL SURVEY NOT PUBLISHED, SUBJECT TO CHANGE

ADVANCE FIELD SHEET
SUBJECT TO CHANGE

9DD-59

FRANK FISHER

TRIPP COUNTY

M-17

R76W

19/20
30/29

FRANK FISHER

TRIPP COUNTY

IRRIGATION SOIL INTERPRETATIONS

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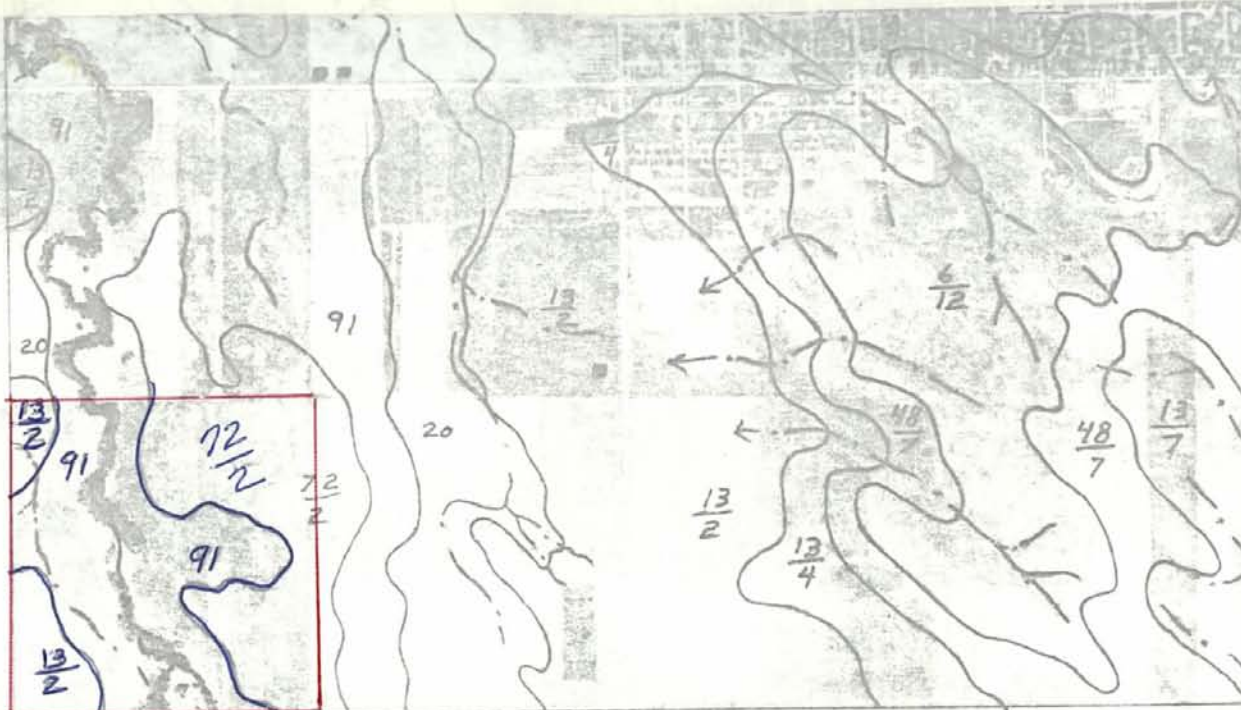
SOIL SURVEY NOT PUBLISHED, SUBJECT TO CHANGE

T99N

ADVANCE FIELD SHEET
SUBJECT TO CHANGE

ADVANCE FIELD SURVEY
TRIPP COUNTY, SOUTH DAKOTA
SCS

APPROX. 1/2 MILE



Dog Ear Creek

SW 1/4 of Sec 31
99-76

Mud Creek

99-76

24.8-

65.0

75.7

49.2

28.3

9.0

15.8

3.7

99.5

31

40.9

81.9

29.2

20.9

81.5

(6-56)

1972
22-M-315

County Engineer

1972
22-M340

99-76

17.2

92.0

(6-93)

67.7

62.6

3.9 14.0

48.8

16.2

33.2

33.8

68.6

22.7

32.4

30

99-76

E half of SW 1/4
of Sec 30 9976

Dog Creek

new

Laurie E. Deane
Engineer

MAP NO 1345-2 APP NO 1577-2