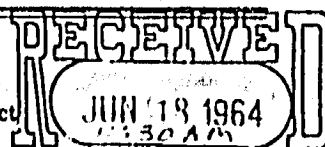


1107-3

1. Considered 7-15, 1967
2. Name of Applicant Robert & Clara Hirsch
3. Post Office Address Pierre
4. Amount of Water Claimed 2.50
5. Source of water supply Missouri River
6. Water to be used for irrigation
Acres to be irrigated 176
7. Water to be diverted and used in Hughes County about
2.57 15.5 Miles of Pierre
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 1107-3Water Division No. 3 Missouri River District
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMM.
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 Robert J. NEELD, Hirsch
 Postoffice address Pierre SD, County Hughes, State SD

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, \$ adequate

(c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____

(e) Other resources, \$ _____

2. Name of diversion work Clark's Irrigation Project3. Amount of water claimed 2-57 cubic feet per second4. Source of water supply Lake Sharpe-Missouri River5. Location of point of diversion 3590' South + 1320' East of NW Corner
Sec 23 - T108 - R75 on North bank Hughes County.6. Annual period or periods during which water is to be used April 1st to Nov 1st

7. To be used for:

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

(a) Number of acres to be irrigated 1-80 acres.(b) Legal subdivisions to be irrigated NW 1/4 and NE 1/4 of N 1/2 of SW 1/4 of Sec 23 - T108 - R75 (20 acres)

(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 user 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 N° 740-3

8. Estimated cost of work:

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

(b) Pumping plant, \$3000⁰⁰

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

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

Rock, \$.....

(e) Other structures \$.....

Total, \$18,000⁰⁰

9. Description of diversion works:

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

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 at front water face.....; slope at 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 DEPTH AT OUTLET-ACRES	FEET	ACRE-Feet 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.....3.....years.

11. Time required for complete application of water to the proposed beneficial use.....15.....years.

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

STATE OF SOUTH DAKOTA

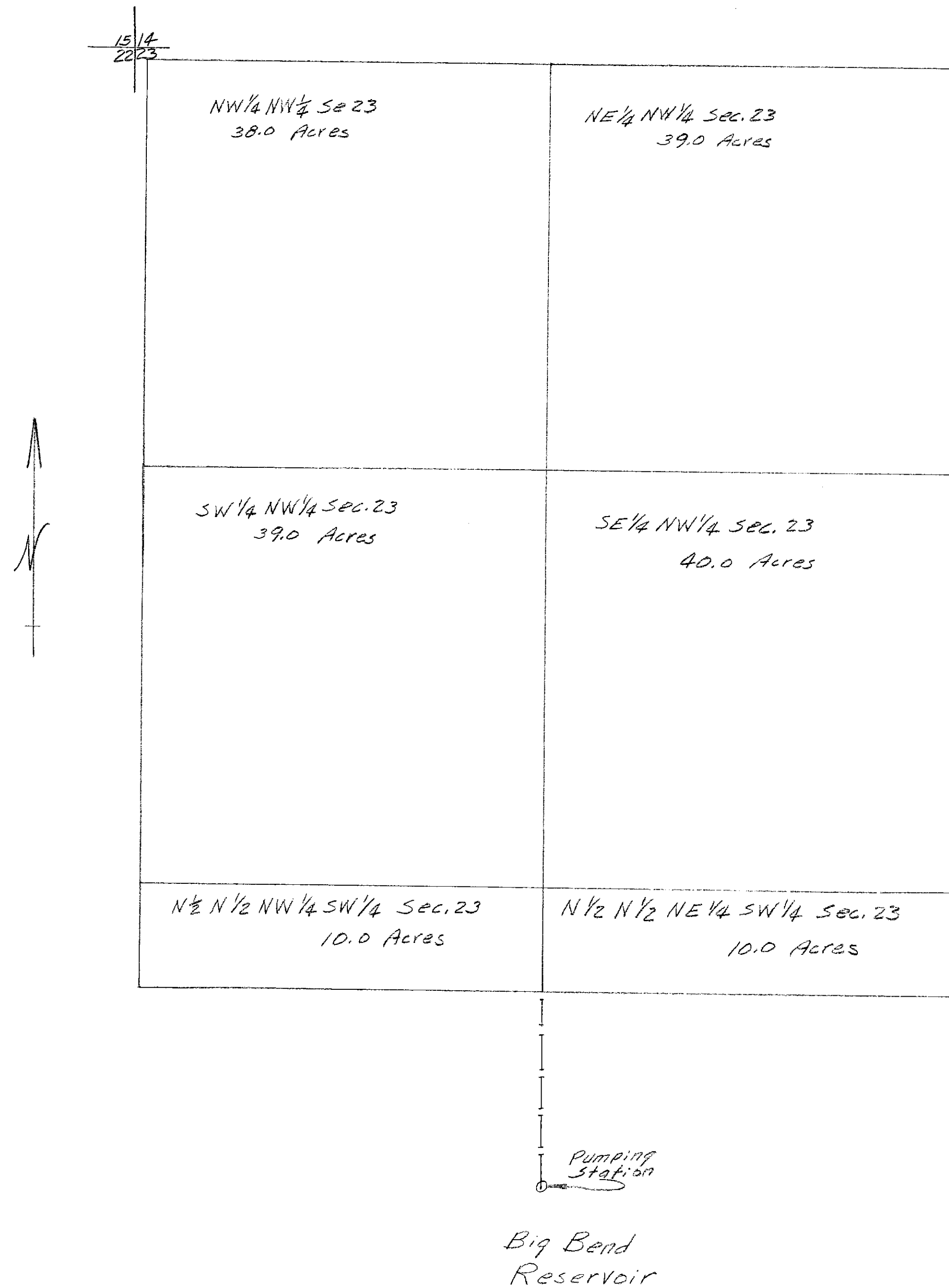
County of.....Hughes.....

I, Robert Hirsch, 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.....Robert Hirsch.....

Subscribed and sworn to before me this.....18th.....day of.....June.....1964

Notary Public (or other qualified officer.)



All lands owned by Robert & Clara Hirsch

LOCATION OF LAND TO BE IRRIGATED

LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
NW 1/4 NW 1/4	23	108N	75W	38.0
NE 1/4 NW 1/4	23	108N	75W	39.0
SW 1/4 NW 1/4	23	108N	75W	39.0
SE 1/4 NW 1/4	23	108N	75W	40.0
N 1/2 N 1/2 NW 1/4 SW 1/4	23	108N	75W	10.0
N 1/2 N 1/2 NE 1/4 SW 1/4	23	108N	75W	10.0
TOTAL				176.0

Scale: 1" = 300'

CLARA'S IRRIGATION PROJECT

Hughes County, South Dakota

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed	Date	Approved by
Drawn		Title
Traced		Title
Checked	Sheet No. of	Drawing No.

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Hughes ss.

Pierre, South Dakota, July 20, 1964

This is to certify that the foregoing application was received by the Commission at 11:30 o'clock
a.m. upon the 18th day of June, 1964

State Water Resources Commission

By:

Arthur J. Jones
for Chief Engineer, Executive Officer

Number of permit 1107-3

Date of first receipt of application June 18, 1964

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 June 18, 1964

Approved July 15, 1964, Recorded in Book 8 Page 220

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 15, 1966

2nd. The whole of said work is to be completed on or before July 15, 1967

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

July 15, 1969

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 his appropriation.

6th. The amount of the appropriation herein granted shall not exceed 2.50 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 July 15, 1969, said water to be used during the following described annual period:

April 1 To November 1
Witness my hand this 20th day of July, 1964

State Water Resources Commission

By:

Arthur J. Jones
Chief Engineer, Executive Officer

Certificate of Construction, issued _____

MARCH 4, 1971

Water License Issued _____

MARCH 4, 1971

Form 15.

Permit No. 1107-3

Water Diversion No. 3 MISSOURI RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Robert and Clara Hirsch

_____ the holder _____ of
Permit No. 1107-3, issued upon Application No. 1107-3, bearing date of priority of June 18,
1964 authorizing the diversion of 2.50 cu. ft. per second of the waters of _____
Missouri River County of Hughes, State of South Dakota at _____
a point 3590' South and 1320' East of the NW Corner, Section 23, T108N,
R75W
_____, for irrigation

purposes, has not 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 3.0 cu. ft. per second of water.

Date March 4, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1107-3

(1) WHEREAS, On the 18th day of June A. D. 1964
Robert and Clara Hirsch

made Water Right Application No. 1107-3 for a permit to use 2.50 cubic feet per second of the waters of Missouri River

County of Hughes, State of South Dakota, for irrigation
_____ purposes; and

(2) WHEREAS, On the 20th day of July, A.D. 1964
Permit No. 1107-3, with a date of priority of June 18, 1964

was issued to said applicant 8 for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 15th day of July A. D. 1967 and for the application to beneficial use of said water on or before the 15th day of July A. D. 1969

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 2.5 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 23, T108N, R75W

	Acres
NW $\frac{1}{4}$, NW $\frac{1}{4}$	38
NE $\frac{1}{4}$, NW $\frac{1}{4}$	39
SW $\frac{1}{4}$, NW $\frac{1}{4}$	39
SE $\frac{1}{4}$, NW $\frac{1}{4}$	40
N $\frac{1}{2}$, N $\frac{1}{2}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$	10
N $\frac{1}{2}$, N $\frac{1}{2}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$	10
Total	176 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. Robert and Clara Hirsch

_____ of Pierre

the holder S and owner S of said permit No. 1107-3 a water right, dating from June 18, 1964

_____ to use of 2.50 cubic feet per second of the waters

of Missouri River

in the County of Hughes and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at a point 3590' South and 1320' East of the NW

Corner, Section 23, T108N, R75W

and conduct to and upon portions of Section 23, T108N, R75W described on the face of

this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1107-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 4th day of March A. D.

Nineteen Hundred and Seventy - one

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, R.W. GLADES

on or before
(First Publication) June 20, 1964

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., June 18, 1964

Notice is hereby given that Robert and Clara Hirsch, whose postoffice address is Pierre, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.50 cubic feet of water per second of time from the the Missouri River through the Clara's Irrigation Project, the point of diversion of which is to be located on the left bank of said stream in the NE ¼ of the SW ¼ of Section 23 Township 108N, Range 75W. Said water to be used for the purpose of providing irrigation on the following described land:

NW¼ and NE¼ SW¼, Section 23, T108N, R75W

~~XXXXXX~~ purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of July, 1964, at 2 P. M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

CC: R. B. Hipple, Publisher
Capital Journal
Pierre, S. Dak.

BURTON F. JONES
Water Right Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County HUGHES } ss.

J. H. HIPPLE being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the DAILY CAPITAL JOURNAL 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 PIERRE County of HUGHES and State of South Dakota; that the said notice was published in said newspaper on the following dates:

xxxx 6-22-64, 6-29-64,
7-6-64, 7-13-64

in each and every issue of the full number thereof, the first publication being made on the 22 day of June 1964 and the last publication on the 13 day of July 1964 upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was Business Mgr. the printer and publisher of the said newspaper.

John H. Hipple

Subscribed and sworn to before me this 13 day of July A. D. 19 64

Notarial Commission of
Sarah Gordon
Expires March 25, 1964

Sarah Gordon
Notary Public HUGHES County, S. D.

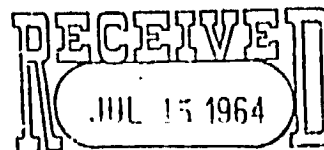
No. 10704
1 daily, June 22-29, July 6-13
No. 1107-3
APPROPRIATION OF WATER
Office of State Water Resources
Commission, Pierre, S. Dak., June 18,
1964.

Notice is hereby given that Robert and Clara Hirsch whose postoffice address is Pierre, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.50 cubic feet of water per second of time from the Missouri River through Clara's Irrigation Project, the point of diversion of which is to be located on the left bank of said stream in the NE 1/4 of the SW 1/4 of Section 23 Twp. 168N, Range 75W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

NW 1/4 and NE 1/4 SW 1/4, Section 23, T168N, R75W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of July, 1964, at 2 P.M. All interested persons may appear and be heard. Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources
Commission
By:
BURTON E. JONES
Water Right Specialist



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Permit No. 1107.3
 Water Division 3 MISSOURI 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 ROBERT & CLARA HIRSCH of PIERRE holder of Permit No. 1107.3, bearing date of priority of JUNE 18, 1964 authorizing the diversion of 2.50 cu. ft. per second of the waters of MISSOURI RIVER for IRRIGATION purposes, in HUGHES 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:

10" CORNELL PUMP MODEL # 6AH-2-R.P. POWERED BY #413 CHRYSLER INDUSTRIAL PROPANE MOTOR

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

3/4 MILE OF 6" MAINLINE

C. Works used to apply water to beneficial use.

3 1/4 MILE TOWNLINES - 4" W/ RAINGUARD - 30 SPRINKLER HEADS @ 30' SPACING 7/32 OR FILE

The system is in the following condition: GOOD

The point of diversion is located 3590' S & 1320' E OF THE NW CORNER, SECTION 23, T108N, R75W

The works are capable of diverting and conveying to the place of use 3.0

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: IN SECTION 23, T108N, R75W

<u>NW⁴NW⁴</u>	<u>38 AC.</u>	<u>N²N²NW⁴SW⁴</u>	<u>10 AC.</u>
<u>NE⁴NW⁴</u>	<u>39 AC.</u>	<u>N²N²NE⁴SW⁴</u>	<u>10 AC.</u>
<u>SW⁴NW⁴</u>	<u>39 AC.</u>		
<u>SE⁴NW⁴</u>	<u>40 AC.</u>		

comprising a total of 176 acres of land.

Date MARCH 3, 1971

Dustin Jones
 (Signature)

WATER RIGHT SPECIALIST
 WATER RESOURCES COMMISSION

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Resources Commission
 State Office Building No. 2
 Pierre, South Dakota 57501

Date 5-17-76

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

SW⁴, Sec 10, All Sec. 15 except W² SW⁴; NW⁴
20 Acres in SW⁴ Above Corps Take Line; Sec 23; NW 40 Acres
Above Corps Take Line Sec 22 All in T108N R71W
 formerly owned by Robert Hirsch Sr

has been transferred to Jerold D. Hirsch

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 1107-3 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Resources Commission as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA)
 County of Hughes) ss.

I, Jerold D. Hirsch 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.

Jerold D. Hirsch
 (Signed)

Suscribed and sworn to before me this 17 day of May, 19 76

Walter A. Hagen
 (Notary Public)

1002-3, (1107-3, 2705-3)



Department of Natural Resource Development

WATER RIGHTS COMMISSION

Joe Foss Building, Pierre, South Dakota 57501
Phone 605/773-3151

December 18, 1978

Raymond Shields
Route 3
Pierre, SD 57501

Dear Mr. Shields:

The enclosed data sheets were returned by Jerold Hirsch indicating that you were now the owner of the land covered under Water Permit Nos. 1002-3, 1107-3 and 2705-3.

Also enclosed is copies of our Form 20 "Notice of Transfer of Water Permit, which you should sign before a notary public and return to this office with a fee of \$2.50 each for a total of \$7.50, so the Permits can be transferred to your name.

Please complete that data sheets for our records.

Sincerely,

Genny Young
Staff Assistant

gy

encl

South Dakota Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

January 19, 1983

1002-3
1107-3
2705-3

Frank Gravatt
Economic Development Officer
Box 616
Crow Creek Agency
Ft. Thompson SD 57339

Dear Mr. Gravatt:

This letter is in regard to Water Right Nos. 1002-3, 1107-3 and Permit No. 2705-3 listed in the name of Jerold Hirsch, Pierre SD. According to the Hughes County Register of Deeds Office, the land is now owned by the Crow Creek Tribe.

The following is a description of what each water right authorizes:

Water Right No. 1002-3 - 3.16 cfs from the Missouri River to irrigate 221.6 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 15, T108N, R75W.

Water Right No. 1107-3 - 2.50 cfs from the Missouri River to irrigate 176 acres in the NW $\frac{1}{4}$, and N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 23, T108N, R75W.

Water Permit No. 2705-3 - 5.28 cfs from the Missouri River to irrigate 370 acres in the SW $\frac{1}{4}$, Section 10, and the N $\frac{1}{2}$ Section 15, T108N, R75W.

In order to keep our records up to date, it will be necessary to have the Water Rights transferred to the new owner. Enclosed please find a partially completed transfer for each of the Water Rights. Please have them checked over, have signed, dated and notarized before returning them to this office with a \$2.50 filing fee for each (total of \$7.50).

If the systems have a specific operator who can be contacted for the yearly irrigation questionnaire, please include the name(s) along with the transfer forms.

If you have any questions, please advise.

Sincerely,

GENNY YOUNG
Water Rights Specialist

GY:ls

enclosures

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9136

PIERRE, January 31, 1981, 19

RECEIVED OF Crow Creek Sioux Tribe, P.O. Box 658, Fort Thompson, SD 57339
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.....		
Fee for inspecting Beneficial Use, and issuing Water License No.....		
Fee for issuing Location Certificate-Dry Draw, No.....		
Fee for filingTransfer of WR#1107-1.....	2	50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH/ms

No. 1002-3

(1107-3)

2705-3



Department of Water & Natural Resources

Joe Foss Building

Water Rights Division

Pierre, South Dakota 57501

Phone (605) 773-3352

January 31, 1983

Crow Creek Sioux Tribe
P.O. Box 658
Fort Thompson, South Dakota 57339

Dear Sir:

Enclosed is receipt No.s ^{4 9136}4 9137 & ^{4 9135}4 9135 in the amount of \$ 2.50 each which you
paid for transfer of Water Right Nos 1002-3, 1107-3 & 2705-3.

Our records now show you as the owner of ^{these}~~this~~ Water Rights.

Sincerely,

Maxine Stirling
Staff Assistant

ms:
Enc.

WNR-821-7/79

Receipt & Notice of filing of Transfer of Water Right

100-443887-100

H. 156

pump - 371
for 4293-3

May 21 740-3

(App'l # 1107-3)

$E = 0.71 \times 10^6$ W

Map # 740-3