

1. Considered Nov 9, 1966
2. Name of Applicant Arthur C. ...
3. Post Office Address Emery
4. Amount of water claimed 15 Ac ft annually
5. Source of water supply Dry Draw
6. Water to be used for Irrigation (Fish Pond)
 Acres to be irrigated -
7. Water to diverted and used in Hotchkiss County
 about 12.58512 miles - of Emery.
8. Proof of Publication
 Received ✓
 Not Received je/
9. Application
 Approved -
Subject to Proof of Publication
 Not Approved -
 Action deferred -
10. Remarks:

No. 1307-3Water Division No. 3 JAMES RIVER District _____
(Blanks to be Filled by the Engineer for the W. R. C.)

SEP 11 1966

STATE WATER RESOURCES COMMISSION

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of applicant Arthur Gueriote
Postoffice address Erory, County Hutchinson, State So. 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 work (Whether by contract, employment of others, or by direct labor)

Verbal contract

(b) Cash on hand, \$ _____

(c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____

(e) Other resources, \$ _____

2. Name of diversion work Dam for Fish Pond3. Amount of water claimed 34.59 ACRES FT - INITIAL FILL
15 AC FT ANNUALLY cubic feet per second4. Source of water supply runoff5. Location of ^{Dam} point of diversion 87 rods west and 5 rods north of SW South East corner of
Sec. 11 - T90N - R58W on Hutchinson County6. Annual period or periods during which water is to be used all year

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? none

(a) Number of acres to be irrigated _____ 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. Name 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 Fish pond; stock watering and Public Recreation
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 920-3

8. Estimated cost of work:

(a) Head Gates, \$ _____ (b) Pumping plant, \$ _____
 (c) Fluming, \$ _____ (d) Canal earth, \$ _____ Reck, \$ _____
 (e) Other structures earth dam with trickle tube \$ 3800.00 Total, \$ 7800.00

9. Description of diversion works:

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

Earth dam with trickle tube

II. Dimensions of works.

(a) Dam: Height 29 feet; length at bottom 50 feet; length at top 220 feet; thickness at bottom 160 feet; thickness at top 11 feet; slope at front water face 3:1; slope at back face 2:1
 material used in construction earth fill

(b) Reservoir: Capacity when filled 34.59 acre feet. Surface area at highwater mark 4.52 acres.

DEPTH AT OUTLET—FEET	SURFACE AREA AT EACH DEPTH AT OUTLET—ACRES	FEET	ACRE-FOOT CAPACITY

(c)* Head gate: Width not applicable feet; height 11 feet;
 Material

(d) Canal: Total length not applicable 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 2 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
 EMERY ENTERPRISE, Emery, S. Dak.

STATE OF SOUTH DAKOTA

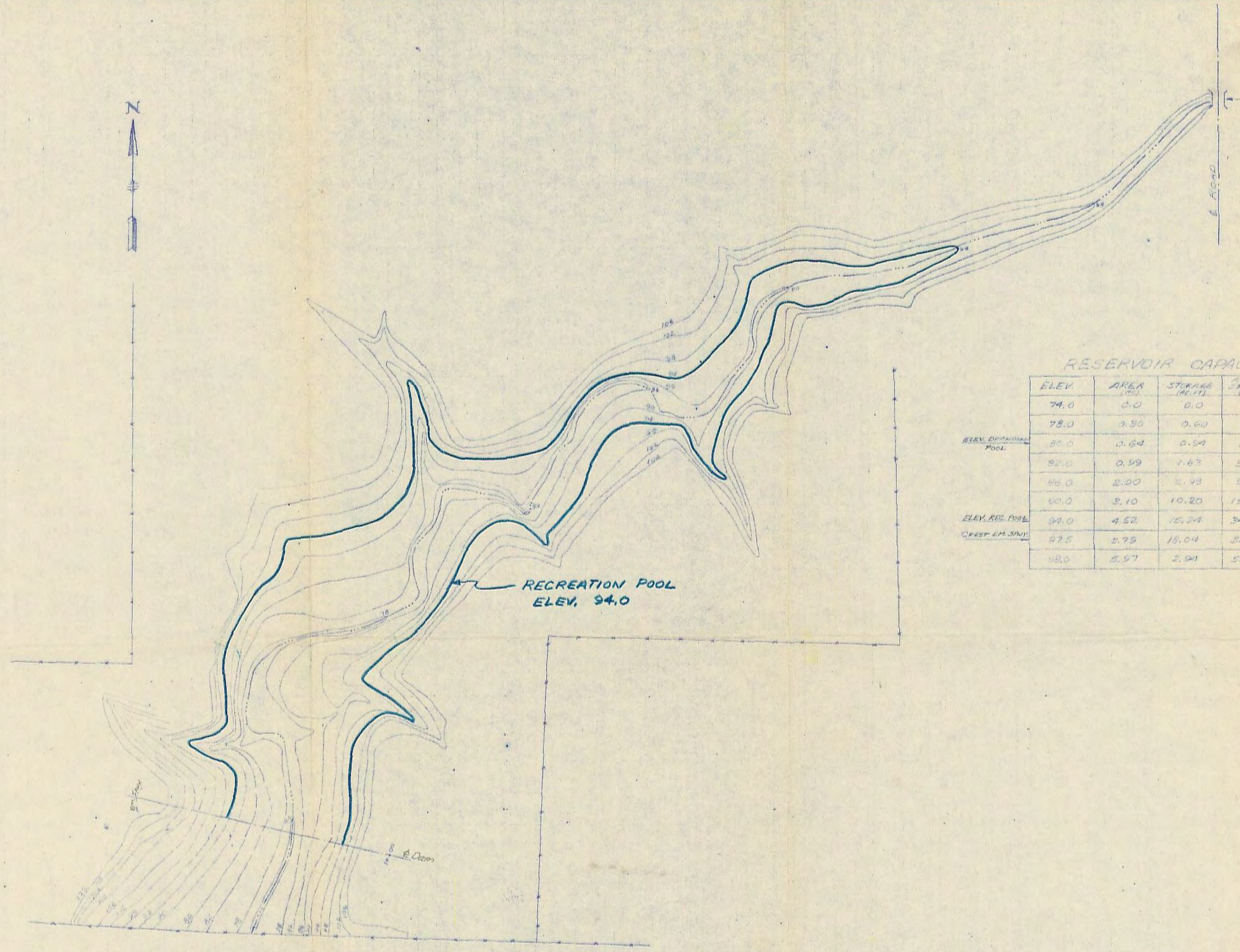
County of Hutchinson } ss.

I, Arthur Guernick, 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 Arthur Guernick

Subscribed and sworn to before me this 12th day of Feb 1916

Notary Public (or other qualified officer.)



RESERVOIR CAPACITY

ELEV.	AREA (AC.)	STORAGE (AC-FT)	ACCOM- MODATION (AC-FT)
74.0	0.0	0.0	0.0
78.0	0.30	0.60	0.60
80.0	0.64	0.94	1.54
82.0	0.99	1.63	3.17
86.0	2.00	5.48	9.15
90.0	3.10	10.20	19.35
ELEV. RES. POOL	4.52	15.24	34.59
CREST EM. DUNE	5.79	18.04	32.63
98.0	5.97	2.91	22.57

SCALE: 1" = 100'

ARTHUR GUERICKE FISH POND
TOPOGRAPHIC MAP OF RESERVOIR
S $\frac{1}{2}$ of SE $\frac{1}{4}$ SEC. 4, T 54 N, R 55 W
HUTCHINSON COUNTY, S. D.

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Date		Approved by <i>John P. [Signature]</i>	
Designed		Title	
Drawn <i>JPT</i>		Title <i>Arthur Guericke</i>	
Traced		Title	
Checked		Sheet No. / Drawing No.	

Remarks by State Water Resources Commission:

This permit recognizes initial storage of 35
acre feet and 15 acre feet of annual storage.

STATE OF SOUTH DAKOTA
County of Hughes ss.

Pierre, South Dakota, November 10, 1966

This is to certify that the foregoing application was received by the Commission at 8:15 o'clock
14 m. upon the 14th day of September, 1966.

State Water Resources Commission

By:

Richard D Schroyer
Chief Engineer, Executive Officer

Number of permit 1307-3

Date of first receipt of application September 14, 1966

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 September 14, 1966

Approved November 9, 1966, Recorded in Book 9 Page 185

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 _____

November 9, 1967

2nd. The whole of said work is to be completed on or before November 9, 1968

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

November 9, 1970

4th. The water appropriated shall be used for the purpose of _____

Recreation
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 15 Ac. Ft. Annually 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

used for recreation
and beneficially applied for irrigation on or before November 9, 1970; said water to be used during the following described annual period:

All year
Witness my hand this 10th day of November, 1966.

State Water Resources Commission

By:

Richard D Schroyer
Chief Engineer, Executive Officer

Certificate of Construction Issued FEBRUARY 26 1969

Water License Issued FEBRUARY 26 1969

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1307-3

(1) WHEREAS, On the 14th day of September A. D. 1966
Arthur Guericko

made Water Right Application No. 1307-3 for a permit to use 15 acre feet annually of the waters
of local runoff

County of Hutchinson, State of South Dakota, for a fish pond and recreation
purpose; and

(2) WHEREAS, On the 9th day of November A. D. 1966
Permit No. 1307-3, with a date of priority of September 14, 1966

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 9th day of November A. D. 1968 and for the
application to beneficial use of said water on or before the 9th day of November A. D. 1970

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 15 acre ft annually 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.

water used for a fish pond and recreation

(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 Arthur Guericke

_____ of Larry SD

the holder _____ and owner _____ of said permit No. 1307-3 a water right, dating from September 14, 1966

_____ to use of 15 acre feet annually ~~XXXXXXXXXXXXXXXXXX~~ of the waters of local runoff

in the County of Hutchinson and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at _____ point 87 rods west and 5 rods north of the SE corner, Section 4, T99N, R56W

and ~~XXXXXXXXXXXXXX~~ XXXXXXXXXXXXXXXXXXXX water is stored

for the purpose of a fish pond and recreational use

Subject to any limitations listed in Water Right Permit No. 1307-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 26th day of February A.D.
Nineteen Hundred and Eighty

Board of Water Management

By:

John Hatch
Chief Engineer, JOHN HATCH

Permit No. 1307-3

Water Diversion No. 3 James River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Arthur Guericke

_____ the holder _____ of
Permit No. 1307-3, issued upon Application No. 1307-3, bearing date of priority of September
14, 1966 feet annually
authorizing the diversion of 15 acre ~~XXXXXX~~ of the waters of _____
local runoff County of Hutchinson, State of South Dakota at _____
a point 87 rods west and 5 rods north of the SE corner, Section 4, T99N, R50W
_____, for a fish pond and recreation

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 ~~XXXXXX~~ storing to the place of intended use 55 acre ~~XXXXXX~~ feet annually of water.

Date February 26, 1980

John Hatch
JOHN HATCH, Chief Engineer
Water Rights, WMD

on or before October 13, 1966
(First Publication)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., September 28, 1966

Notice is hereby given that Arthur Guericke whose postoffice address is Emery 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 15 acres feet annually ~~XXXXXX~~ of water ~~XXXXXX~~ from the a dry draw through the Guericke Dam, the point of diversion of which is to be located ~~XXXXXX~~ in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 4 Twp. 99N Range 58W. Said water to be used for ~~XXXXXX~~ public recreation purposes.

~~XXXXXX~~ purpose
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 9th day of November, 1966, 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 F. JONES
Water Right Specialist

CC: Mr. R. E. Braden, Publisher
Emery Enterprise
Emery, S.D.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Hansen } ss.

R. E. BRADEN being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____ Emery Enterprise 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 Emery County of _____ Hansen and State of South Dakota; that the said notice was published in said newspaper on the following dates:

October 6, 1966

October 13, 1966

October 20, 1966

October 27, 1966

in each and every issue of the full number thereof, the first publication being made on the 6th day of October 1966 and the last publication on the 27th day of October 1966, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was the editor the printer and publisher of the said newspaper.

R. E. Braden

Subscribed and sworn to before me this 22nd day of October A. D. 1966

J. A. Braden

Notary Public Hansen County, S. D.

APPROPRIATION OF WATER

Office of State Water Resources Commission, Pierre, S. Dak., September 28, 1966.

Notice is hereby given that Arthur Guericke whose postoffice address is Emery, 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 15 acre feet of water annually from a dry draw through the Guericke Dam, the point of diversion of which is to be located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 4 Twp. 99N Range 58W. Said water to be used for public recreation purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 9th day of November, 1966, 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 F. JONES
 Water Right Specialist

Permit No. 1307-3
 Water Division 3 JAMES 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 ARTHUR GUERICKE of EMERY holder of Permit No. 1307-3, bearing date of priority of SEPTEMBER 14, 1966 authorizing the diversion of 15 ACRE FEET ANNUALLY ~~cu. ft. per second~~ of the waters of LOCAL RUNOFF for FISH POND & RECREATION purposes, in HUTCHINSON 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;

DAM APPROXIMATELY 30' HIGH - 220'
40" DROP INLET SPILLWAY W/ TRASH RACK ABOUT
8' BELOW TOP OF DAM
EMERGENCY SPILLWAY AROUND END OF DAM

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

C. Works used to apply water to beneficial use.

WATER IS STORED

The system is in the following condition: VERY GOOD

The point of diversion is located 87 RODS W & 5 RODS N OF THE SE CORNER, SECTION 4, T99N, R58W

The works are capable of STORING ~~diverting and conveying~~ to the place of use 55 ACRE FEET cu. ft. per second of water which is to be used for FISH POND & RECREATION

Water has been put to beneficial use to the maximum extent as follows:

comprising a total of _____ acres of land.

Date OCTOBER 17, 1974

Justin Hiner
 (Signature)
 WATER RIGHT SPECIALIST
 WATER RIGHTS COMMISSION

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7338

PIERRE, February 26, 19 80

RECEIVED OF Donald Guericke, Emery SD

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. 1307-3)
1307-3)

12 00

Fee for Inspecting Beneficial Use, and Issuing Water License No. _____

Fee for Issuing Location Certificate-Dry Draw, No. _____

Fee for filling _____

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