

1. Considered Nov 9, 1966
2. Name of Applicant Danlin Faulstich
3. Post Office Address Higmore
4. Amount of water claimed 2.05
5. Source of water supply Unnamed Creek
6. Water to be used for Irrigation
Acres to be irrigated 144.16
7. Water to diverted and used in Hyde County
about 11 1/2 miles of Higmore
8. Proof of Publication Received ✓
Not Received ✓
9. Application Approved ✓
Subject to ✓
Not Approved ✓
Action deferred ✓
10. Remarks:

No. 1310-3Water Division No. 3 MISSOURI RIVER District
(Blanks to be filled by the Engineer for the W. R. C.)10 1966
11 20 am

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of applicant DOULIN FAULSTICH
Postoffice address HARRISBURG, County HYDE, State S. 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, \$ ADEQUATE (c) Treasury stock, \$

(d) Bonds to be issued, \$ (e) Other resources, \$

2. Name of diversion work FAULSTICH WATERSPREADING PROJECT

3. Amount of water claimed 2.05 cubic feet per second + 40 AC. FT. ANNUALY FOR STORAGE

4. Source of water supply UNAMED CREEK

5. Location of point of diversion SEE ATTACHMENT

on HYDE County.6. Annual period or periods during which water is to be used MARCH THRU NOVEMBER

7. To be used for:

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

(a) Number of acres to be irrigated 144.16 acres.(b) Legal subdivisions to be irrigated SEE ATTACHMENT

(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 claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

MAP NO 923-3

DIVERSION POINTS:

"A" S34° W, 2200' FROM THE
NE CORNER, SEC. 7, T114N, R71W

"B" N38° W, 3350' FROM THE
SE CORNER, SEC. 12, T114N, R72W

LANDS TO BE IRRIGATED:

ALL IN SEC. 7, T114N, R71W

SE ⁴ NW ⁴	2.90 AC.
SW ⁴ NE ⁴	12.42 AC.
SE ⁴ NE ⁴	7.12 AC.
LOT 3	17.16 AC.
NE ⁴ SW ⁴	38.80 AC.
NW ⁴ SE ⁴	36.34 AC.
NE ⁴ SE ⁴	25.07 AC.
SE ⁴ SW ⁴	3.43 AC.
SW ⁴ SE ⁴	.92 AC.

TOTAL 144.16 AC.

8. Estimated cost of work:

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

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

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

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

Rock, \$-----

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

Total, \$-----

9. Description of diversion works:

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

DAM & DIKES

II. Dimensions of works.

(a) Dam: Height 20 feet; length at bottom ----- feet; length at top 320 feet; thickness at bottom ----- feet; thickness at top -----feet; slope at front water face 3:1; slope at back face 2:1material used in construction EARTH(b) Reservoir: Capacity when filled 40 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 5 years.11. Time required for complete application of water to the proposed beneficial use 4 years.12. Choice of newspaper for publication of notice of intention to appropriate HIGHMORE HERALD, HIGHMORE, S.DAK.

STATE OF SOUTH DAKOTA

County of HUGHES ss.

I, DOUGLAS FAULSTICH, 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

Subscribed and sworn to before me this 27TH day of SEPTEMBER, 1966

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



All Described Lands Owned by Donlin Faulstich

Location of Spreading Area				
Location	Section	Range	Township	Acres
SE ¹ NW ¹	7	114	71	2.90
SW ¹ NE ¹	7	114	71	12.42
SE ¹ NE ¹	7	114	71	7.12
Lot 3	7	114	71	17.16
NE ¹ SW ¹	7	114	71	38.80
NW ¹ SE ¹	7	114	71	35.83
NW ¹ SE ¹	7	114	71	0.51
NE ¹ SE ¹	7	114	71	25.07
SE ¹ SW ¹	7	114	71	3.43
SW ¹ SE ¹	7	114	71	0.92
Total				144.16

Scale 1" = 400'

Donlin Faulstich
Waterspreading Plan
NE¹ & S² Sec. 7-114-71

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:

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.

Approval of this permit recognizes storage of 40 Acre Feet Annually.

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 10:20 o'clock A.m. upon the 26th day of September, 1966.

State Water Resources Commission

By: Richard D Schuyler
for Chief Engineer, Executive Officer

Number of permit 1310-3

Date of first receipt of application September 10, 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 10, 1966

Approved November 9, 1966 Recorded in Book 9 Page 178

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 MAY 9, 1969

2nd. The whole of said work is to be completed before November 9, 1971

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is November 9, 1975

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 2.05 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 November 9, 1975; said water to be used during the following described annual period:

March through November

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

State Water Resources Commission

By: John Quinn
Chief Engineer, Executive Officer

Certificate of Construction Issued JULY 3, 1972

Water License Issued JULY 3, 1972

Form 15.

Permit No. 1310-3

Water Diversion No. 3 MISSOURI RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Donlin Faulstich

_____ the holder _____ of
Permit No. 1310-3, issued upon Application No. 1310-3, bearing date of priority of September 10,
1966 authorizing the diversion of 2.05 cu. ft. per second of the waters of _____
unnamed Creek County of Hyde, State of South Dakota at #1,
S.34° W., 2200' from the NE Corner, Sec. 7, T114N, R71W and #2, N., 38° West, 3350'
from the SE Corner, Section 12, T114N, R72W
_____, 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 up to 20 cu. ft. per second of water.

Date July 3, 1972

WATER RESOURCES COMMISSION

By:

J.W. GRIFFES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1310-3

(1) WHEREAS, On the 10th day of September A. D. 19 66
Donlin Faulstich

made Water Right Application No. 1310-3 for a permit to use 2.05 cubic feet per second of the waters of an unnamed creek

County of Hyde, State of South Dakota, for irrigation purposes and

(2) WHEREAS, On the 10th day of November A. D. 19 66
 Permit No. 1310-3, with a date of priority of September 10, 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. 19 71 and for the application to beneficial use of said water on or before the 9th day of November A. D. 19 75

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 2.05 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 7, T114N, R71W

	Acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$	2.90
SW $\frac{1}{4}$ NE $\frac{1}{4}$	12.62
SE $\frac{1}{4}$ NE $\frac{1}{4}$	7.12
lot 3	17.16
NE $\frac{1}{4}$ SW $\frac{1}{4}$	38.80
NW $\frac{1}{4}$ SE $\frac{1}{4}$	36.34
NE $\frac{1}{4}$ SE $\frac{1}{4}$	25.07
SE $\frac{1}{4}$ SW $\frac{1}{4}$	3.43
SW $\frac{1}{4}$ SE $\frac{1}{4}$	.92
Total	144.16 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 _____
Donlin Faulstich

_____ of _____ Highmore, S.D.

the holder _____ and owner _____ of said permit No. 1310-3 a water right, dating from September 10, 1966

_____ to use of 2.05 cubic feet per second of the waters

of an unnamed creek

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

purposes hereinbelow mentioned, to be diverted at #1, S., 34⁰ W., 2200' from the NE Corner, Sec. 7,

T114N, R71W and #2, N., 38⁰ West, 3350' from the SE Corner, Section 12, T114N, R72W

and conduct to and upon portions of Section 7, T114N, R71W, more fully described on the face
of this license,

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1310-3 and subject to the laws of the State of South Dakota.

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

this 3rd day of July A. D.

Nineteen Hundred and Seventy-two

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer J.W. GRIMES

on or before
(First Publication October 13, 1966)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., September 26, 1966

Notice is hereby given that Donlin Faulstich whose postoffice address is Highmore 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 2.05 cubic feet of water per second of time from an unnamed creek through the Faulstich Waterspreading Project, the point of diversion of which is to be located on the either from points in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 7, T114N, R71W and bank of said stream/in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12 portions of Twp. 114N Range 72W. Said water to be used for the purpose of providing irrigation on the following described land:

E $\frac{1}{2}$ SW $\frac{1}{4}$, Lot 7, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, all in Section 7, T114N, R71W

~~XXXXXX~~ 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

CC: Mr. W. J. McDermott, Publisher
Highmore Herald
Highmore, S.D.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Hyde } ss.

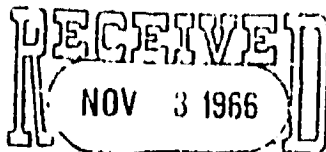
William L. McDermott being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____
Highmore Herald a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the _____
city of Highmore _____ County of _____
Hyde _____ and State of South Dakota; that the said notice was published in said newspaper on the following dates:

October 6, 13, 20, 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 ~~printer~~ and publisher of the said newspaper.

William L. McDermott

Subscribed and sworn to before me this 27th day of October, A. D. 1966



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Notary Public Hyde County, S. D.

My Comm. Expires 5-15-74

APPROPRIATION OF WATER
Office of State Water Resources Commission

Pierre, S. Dak., September 28, 1966

Notice is hereby given that Donlin Faulstich whose postoffice address is Highmore, 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 2.05 cubic feet of water per second of time from an unnamed creek through the Faulstich Waterspreading Project, the point of diversion of which is to be located on either bank of said stream from points in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 7, T114N, R71W and in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 12 Twp. 114N Range 72W. Said water to be used for the purpose of providing irrigation on portions of the following described land: E $\frac{1}{4}$ SW $\frac{1}{4}$ Lot 7, SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$. All in Section 7, T114N, R71W. 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 2:00 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
October 5-12 19-26, 1966

Permit No. 1310-3Water Division 3 MISSOURI RIVER Water DistrictREPORT 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 DONLIN
FAULSTICH of HIGHMORE holder
of Permit No. 1310-3, bearing date of priority of SEPTEMBER 10, 1966
authorizing the diversion of 2.05 cu. ft. per second of the waters of UNNAMED CREEK
for IRRIGATION purposes, in HYDE 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:

MAIN DIVERSION DAM APPROX 12' HIGH W/ 2-24" CMP
W/ HEADGATES. ALSO DIVERTS OVERFLOW FROM DAM
THROUGH APPROX 3200' OF 3' DEEP DITCH W/ 12'
BOTTOM & 4:1 SIDES. 2-36" CMP W/ HEADGATES IN DITCH

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

APPROX 3 MILES OF DIKES W/ 12" & 15" CMP
W/ GATES TO CONTROL FLOW OF WATER ONTO
MEADOWS

C. Works used to apply water to beneficial use

SPREADER DIKES & DITCHES

The system is in the following condition: VERY GOOD
#1 S 84° W, 2200' FROM THE NE CORNER,
The point of diversion is located SECTION 7, T114N, R71W
#2 N 38° W, 3350' FROM THE SE CORNER, SECTION 12, T114N, R72W

The works are capable of diverting and conveying to the place of use UP TO 20 C.F.S.cu. ft. per second of water which is to be used for IRRIGATIONWater has been put to beneficial use to the maximum extent as follows: ALL IN SECTION 7, T114N, R71W

SE ⁺ NW ⁺	2.90 AC.	NE ⁺ SW ⁺	38.30 AC.
SW ⁺ NE ⁺	12.42 "	NW ⁺ SE ⁺	36.34 "
SE ⁺ NE ⁺	7.12 "	NE ⁺ SE ⁺	25.07 "
LOT 3	17.16 "	SE ⁺ SW ⁺	3.43 "
		SW ⁺ SE ⁺	.92 "

comprising a total of 144.16 acres of land.Date JUNE 26, 1972

Burton Jones
(Signature)

WATER RIGHT SPECIALIST
WATER RESOURCES COMMISSION