

May 17

1378-3

1. Considered Willard Stucke, 1967
2. Name of Applicant Willard Stucke
3. Post Office Address Gettysburg
4. Amount of water claimed 0.24
5. Source of water supply Dry Draw
6. Water to be used for Irrigation
Acres to be irrigated 17
7. Water to diverted and used in Potter County
about 15 mi miles SW of Gettysburg
8. Proof of Publication Received May 5
Not Received _____
9. Application Approved X
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 1378-3Water Division No. 3 Missouri River
(Blanks to be Filled by the Engineer for the W. R. C.)

District

MAR 10 1967

8:00 AM

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTAAPPLICATION FOR PERMIT
To Appropriate Water within the State of South Dakota

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

1. Name of applicant Willard Sturke
Postoffice address Gettysburg, County POTTER, 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)

Contract

- (b) Cash on hand, \$ Adequate (c) Treasury stock, \$ _____
 (d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work Sturke #1
 3. Amount of water claimed 0.24 cubic feet per second
 4. Source of water supply Dry Draw
 5. Location of point of diversion 140 Rods S. and 48 Rods E. from NW
Corner Sec. 5, T.120N, R.76W on Both bank Potter County.
 6. Annual period or periods during which water is to be used April 1st thru Nov 1st
 7. To be used for:

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

- (a) Number of acres to be irrigated
- 17
- acres.

- (b) Legal subdivisions to be irrigated
- NW NW 8 SW NW Sec. 5, T.120N, R.76W

(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 # 988-3

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.)

One Holding Dam with Drain Tube

II. Dimensions of works.

(a) Dam: Height 12 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 ----- 5 years.

11. Time required for complete application of water to the proposed beneficial use ----- 5 years.

12. Choice of newspaper for publication of notice of intention to appropriate -----

Potter County News

STATE OF SOUTH DAKOTA

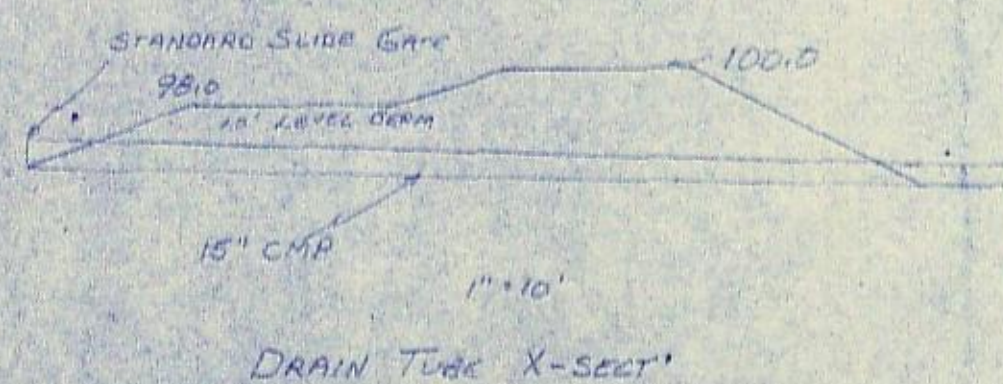
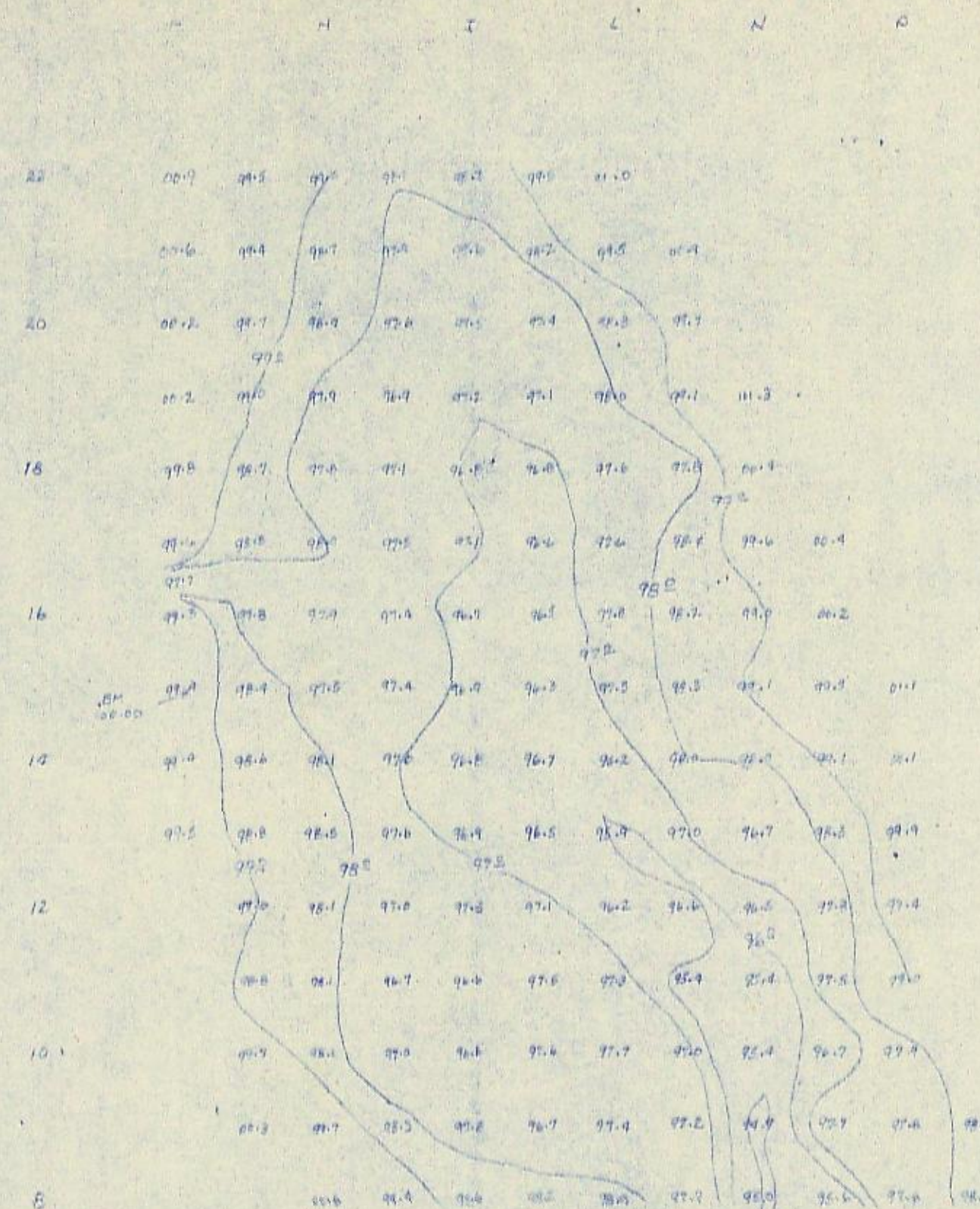
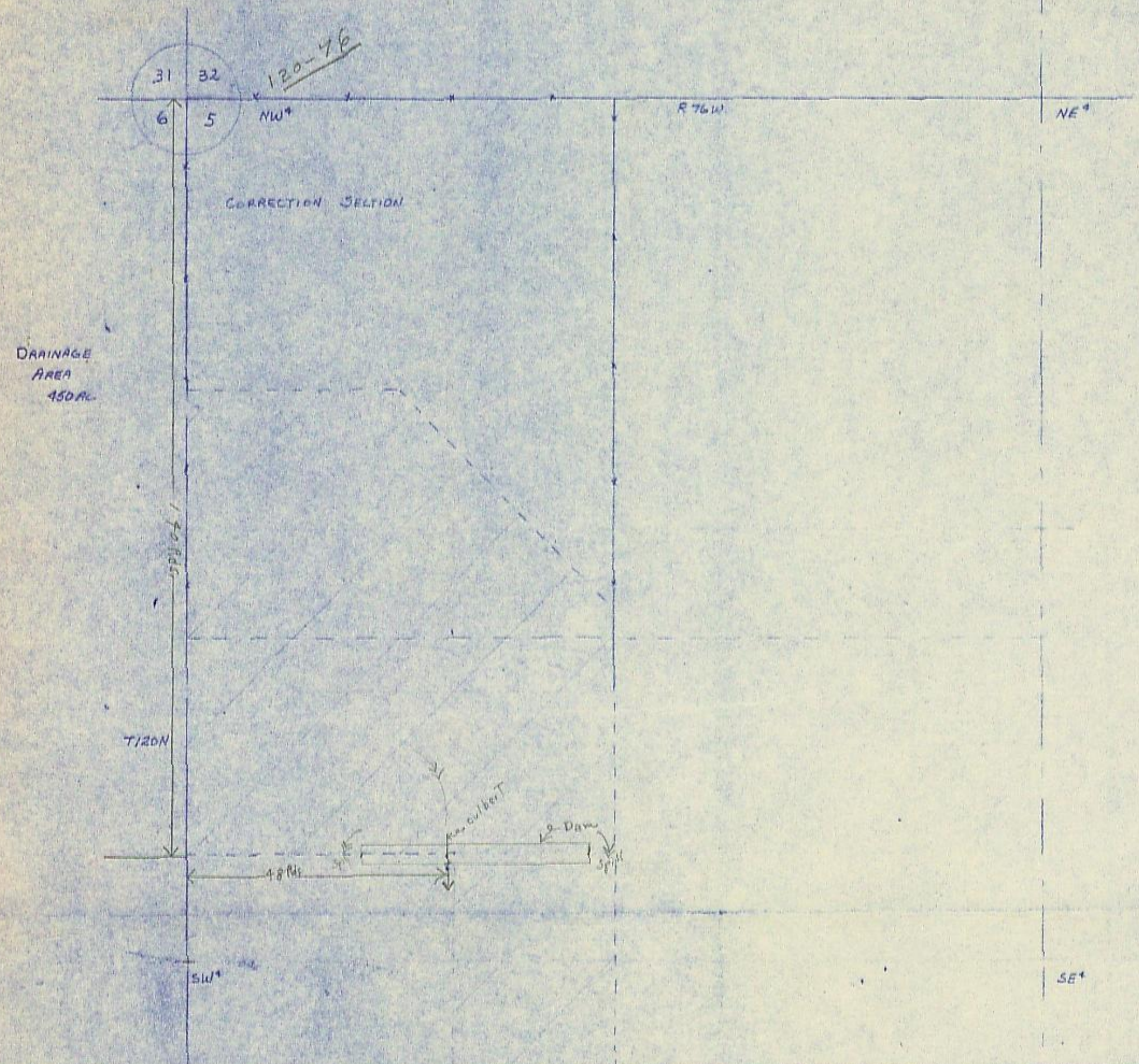
County of Hughes

I, Willard Stucke, 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 Willard Stucke

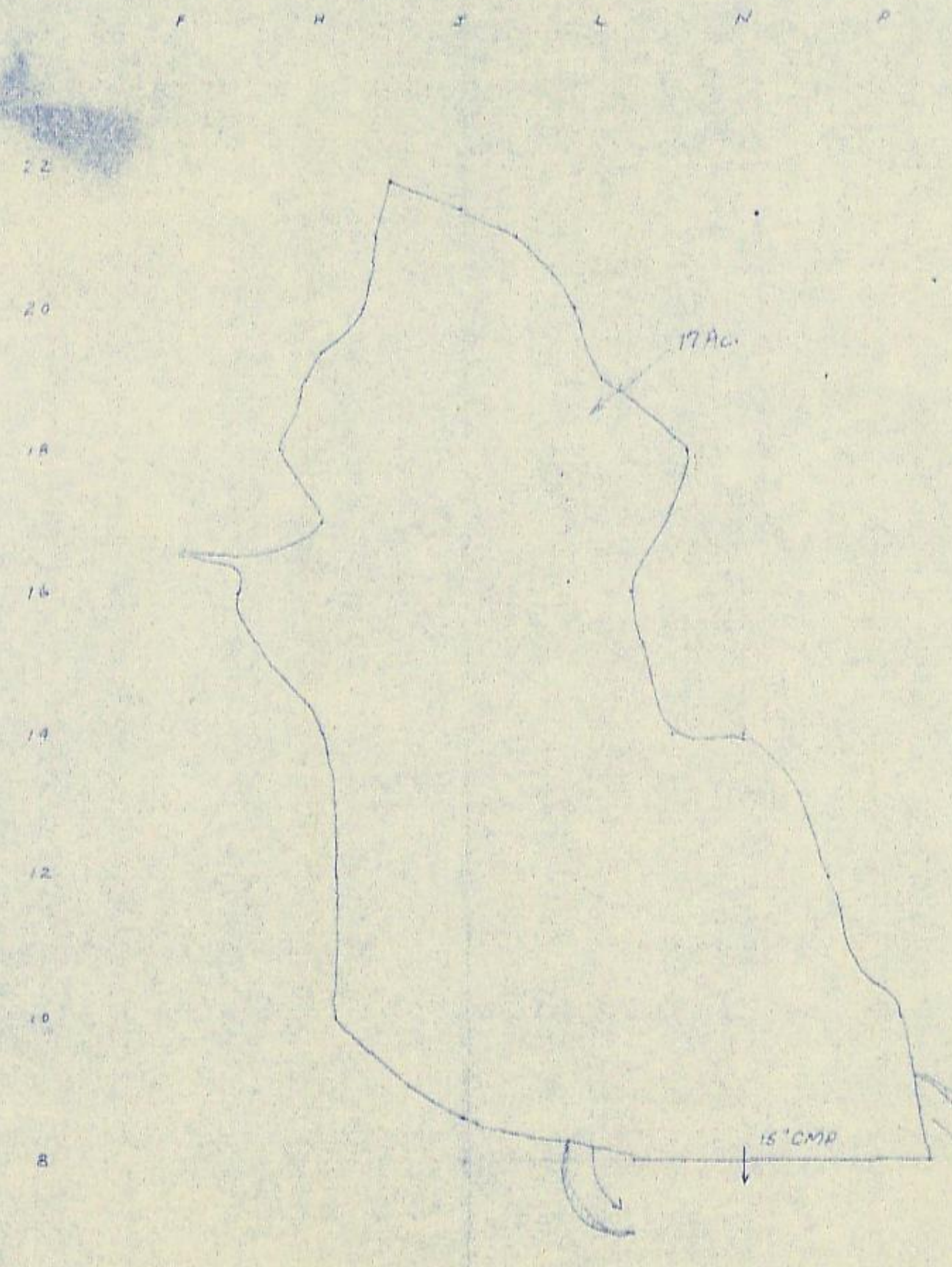
Subscribed and sworn to before me this 26 day of August 1917

Edwin M. Paul
 Notary Public (or other qualified officer.)



Maximum Dam Height 5.0'
 $2.5 \text{ ym} - \text{Frq} = 2.5 \text{ C.F.S.}$
 $2 \text{ ym} - \text{Frq} = 2.5 \text{ C.F.S. or } 8 \text{ ft } 4 \text{ in.}$

Volume Storm



RECEIVED
 MAR 10 1967
 STATE WATER RESOURCES COMM.
 PIERRE SOUTH DAKOTA

WILLARD STUCKE WATERSPREEDING POTTER CO.	
U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE	
Designed <u>Leonard P. Kueck</u>	Date <u>2/24/67</u>
Drawn	Approved by
Traced	Title
Checked	Sheet No.
	Drawing No.

Map # 988-3 (App # 1378-3)

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, May 24, 1967

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock A.m. upon the 10th day of March, 1967.

State Water Resources Commission

By: Richard D Schwager
for Chief Engineer, Executive Officer

Number of permit 1378-3

Date of first receipt of application March 10, 1967

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 March 10, 1967

Approved May 17, 1967, Recorded in Book 9 Page 274

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 17, 1969

2nd. The whole of said work is to be completed on or before May 17, 1972

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

May 17, 1972

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 0.24 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 May 17, 1972; said water to be used during the following described annual period.

April 1st through November 1st
Witness my hand this 24th day of May, 1967.

State Water Resources Commission

By: William G. Gimes
Chief Engineer, Executive Officer

Certificate of Construction issued AUGUST 8, 1972

Water License issued AUGUST 8, 1972

Form 15.

Permit No. 1378-3

Water Diversion No. 3 MISSOURI RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Willard Stucke

_____ the holder _____ of
Permit No. 1378-3, issued upon Application No. 1378-3, bearing date of priority of March 10,
1967 authorizing the diversion of .24 cu. ft. per second of the waters of _____
a dry draw County of Potter, State of South Dakota at _____
a point 140 rods South and 48 rods East from the NW Corner,
Section 5, T120N, R76W
_____, 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 10 cu. ft. per second of water.

Date August 8, 1972

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

WATER LICENSE NO. 1378-3

(1) WHEREAS, On the 10th day of March A. D. 19 67

Willard Stucke

made Water Right Application No. 1378-3 for a permit to use .24 cubic feet per second of the waters of a dry draw

County of Butter State of South Dakota, for irrigation

purposes and

(2) WHEREAS, On the 24th day of May A. D. 19 67

Permit No. 1378-3 with a date of priority of March 10, 1967

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 May A. D. 19 72 and for the application to beneficial use of said water on or before the 17th day of May A. D. 19 72

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 .24 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 5, T120N, R76W

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 10 acres

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 7 acres

Total 17 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 Willard Stucke

_____ of Gettysburg, S.D.
the holder _____ and owner _____ of said permit No. 1378-3 a water right, dating from March 10, 1967
_____ to use of .24 cubic feet per second of the waters
of a dry draw

in the County of Potter and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 140 rods South and 48 rods East from
the NW Corner, Section 5, T120N, R76W

and conduct to and upon portions of Section 5, T120N, R76W, more fully described on the
face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1378-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 8th day of August A. D.
Nineteen Hundred and Seventy-two

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer J.V. GRILES

On or before April 20, 1967
(First Publication)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., March 29, 1967

Notice is hereby given that Willard Stucke whose postoffice address is Gettysburg 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 0.24 cubic feet of water per second of time from ~~xxx~~ a dry draw through the Stucke #1, the point of diversion of which is to be located on ~~the~~ both banks of said stream in the SW 1/4 of the NW 1/4 of Section 5 portions of Twp. 120N Range 76W. Said water to be used for the purpose of providing irrigation on the following described land:

SW 1/4 NW 1/4 Section 5, T120N, R76W.

~~xxxxxx~~ ~~xxxxxx~~
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of May, 1967, 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:

~~Chief Engineer, Executive Officer~~
RICHARD D. SCHMOYER
Water Right Specialist

CC: Mr. William R. Owens, Publisher
Potter County News
Gettysburg, S. D.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Potter } ss.

William B. Owens being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____

Potter County News 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 Gettysburg County of _____

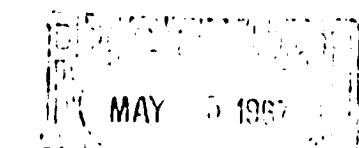
Potter and State of South Dakota; that the said notice was published in said newspaper on the following dates:

April 6, 13, 20, 27

in each and every issue of the full number thereof, the first publication being made on the 6 day of April 1967 and the last publication on the 27th day of April 1967, 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 B. Owens

Subscribed and sworn to before me this 27 day of April A. D. 1967



STATE WATER RESOURCES COMMISSION
 NOTARY PUBLIC

Notary Public Potter County, S. D.

No. 1378-3
 (First Publication on or before April 20, 1967)

APPROPRIATION OF WATER
 Office of State Water Resources Commission, Pierre, S. Dak., March 28, 1967

Notice is hereby given that Willard Stucke whose postoffice address is Gettysburg, 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 0.4 cubic feet of water per second of time from a dry draw through the Stucke No. 1, the point of diversion of which is to be located on both banks of said stream in the 3W 1/4 of the NW 1/4 of Section 5 Twp. 120N Range 76W. Said water to be used for the purpose of providing irrigation on portions of the following described land:

W 1/2 NW 1/4 Section 5, T120N, R76W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of May, 1967, 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

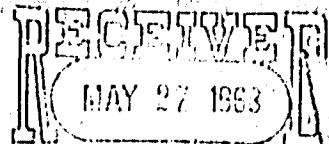
By:

RICHARD D. SCHMOYER

Water Right Specialist

(Apr. 6, 13, 20, 27, 1967)

Permit No. 1378-3



Water Division No. 3 Missouri River Water District

STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) Gettysburg, South Dakota

(Date)

7-20-1967

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of
0.24 cu. ft. per second of the waters of the state from North
through the Sec. 5 - 120 - 76
for waterspreading and irrigation purposes
the diversion rate limitation of 1 cu. ft. per sec. for each 70 acres
in accordance with the terms and con-
ditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

- The name of the person or corporation holding said permit is Willard Stucke
- The postoffice address of such person or the place of business of such corporation is Gettysburg
County of Potter State of South Dakota
- The number of such permit is 1378-3 and the date set for the completion of such work is
March 10, 1972
- Said water to be used for Waterspreading purposes.
- Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 0.24 cubic feet per second.
- The amount of land for which said water is available is 17 acres,
particularly described as follows: on the NW 1/4 5 - 120 - 76

I hereby certify that the facts set forth in the above notice are true.

(Signature of Owners)

Willard Stucke

Permit No. 1378-3
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 Willard Stucke
_____ of _____ Gettysburg, S.D. _____ holder _____
of Permit No. 1378-3, bearing date of priority of March 10, 1967, for
authorizing the diversion of 0.24 cu. ft. per second of the waters of a dry draw
for spreeder irrigation purposes, in Potter 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:
Well constructed earth dike about 600 feet long across shallow flat section of a dry draw.

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

15 inch culvert through dike and overflow around ends.
Dike backs up water on shallow flat area

C. Works used to apply water to beneficial use.

Dike holds water temporary on irrigated land

The system is in the following condition: Excellent

The point of diversion is located 140 rods South and 48 rods East from NW corner of
Section 5, T120N, R76W

The works are capable of diverting and conveying to the place of use over 10
cu. ft. per second of water which is to be used for spreader irrigation

Water has been put to beneficial use to the maximum extent as follows: all in Section 5, T120N, R76W

<u>NW$\frac{1}{4}$ NW$\frac{1}{4}$</u>	<u>10 acres</u>
<u>SW$\frac{1}{4}$ NW$\frac{1}{4}$</u>	<u>7 acres</u>

comprising a total of 17 acres of land.

Date July 21, 1972

Donald Russell
(Signature)

(Signature)
DONALD DRISCOLL, Deputy Chief Engineer, W.R.C.