

VESTED RIGHT

Considered: _____

WATER PERMIT NO. 1305-1

MAP No. 1305-1

Name of Applicant C. E. Jordan

Post Office Address Box 1530, Rapid City 57709

Amount of Water Claimed 0.70 Total Acres 49.10

Source of Water Supply Diversion/Storage Dam w/s

Water to be used for IRR County MEADE ~~Pennington~~ SAI

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved April 25, 1984 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY 1/1/54 Date Received 3/13/84 Fee 10.50 Remarks _____

Corrected Application Received _____ Period of Annual Use _____

WATER QUALITY APPROVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

not applicable - vested right

Diversion Point _____

SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 12-T9N-R15E

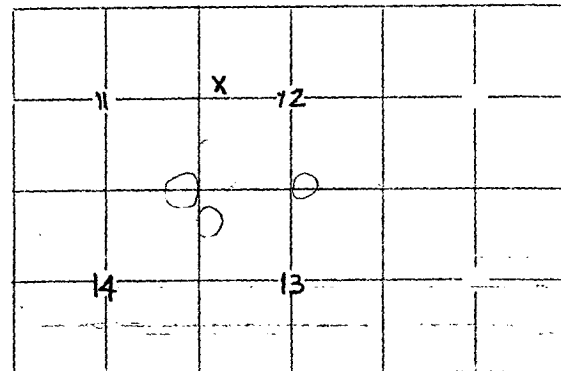
Land to be Irrigated _____

W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 12, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 11,

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 14; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13;

SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 13;

all in T9N-R15E



Well Log: Driller _____ Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map drawn PREPARED BY n/a Reviewed and the Number

assigned on 3/20/84 By Betty Westlund

cc/1000...

No. 1305-1 Hydrologic Unit 10120113
 Map No. 1305-1 Basin LOWER CHEYENNE
 Newspaper N/A

Application For Permit To Appropriate Water Within The State Of South Dakota

Type of Application: Check one or more of the following:

New ☐ Vested Right ☒ Future Use ☐

☐ Application to amend Permit No. _____ with old priority date retained

☐ Change diversion point(s) ☐ Add diversion point(s) ☐ Change acreage ☒ Other ☐

☐ Application to: ☐ Change use ☐ Change diversion point(s) ☐ Add diversion point(s)

☐ Add Acreage ☐ Increase diversion rate ☒ Other To Verify Vested Rights See Permit No. _____

☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____



1. Name of Applicant C. E. Jordan Phone No. 343-7799

Post Office Address Box 1530 Rapid City, SD State 57709
(Street, RR or Box) Zip Code

2. Amount of water claimed (c.f.s.) 0.60 Total acres irrigated 42.1 ^{WATERSPREAD}

3. Source of Water supply Diversion / Storage Dam

4. Location of point of diversion Z310' South & 825' East of the NW Corner of
Sec 12 T9N-R15E SW⁴NW⁴

County Meade

5. Counties where water will be used Meade

6. Annual period during which water is to be used May - October

7. 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.
NW ⁴ , SW ⁴ , Sec. 12, T9N, R15E	4.7
SW ⁴ , SW ⁴ , Sec. 12, T9N, R15E	24.87
SE ⁴ , SE ⁴ , Sec. 11, T9N, R15E	3.0
NE ⁴ , NE ⁴ , Sec. 14, T9N, R15E	1.7

Land Description	No. Acres Irr.
NW ⁴ , NW ⁴ , Sec. 13, T9N, R15E	9.73.7
SW ⁴ , SE ⁴ , Sec. 12, T9N, R15E	2.2
NW ⁴ , NE ⁴ , Sec. 13, T9N, R15E	3.02.1

Attach sheet if more space is needed

8. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

This project is used as a part of a waterspreading system and is used only when there is ample runoff from rain or snow to fill the dam.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA)
 County of _____)

I, Charles E Jordan the applicant, certify that I have read the foregoing application, 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 Charles E. Jordan

Subscribed and sworn to before me this 2 day of March 1984

Samuel A. Wilkinson

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. _____

(Applicant)

(Post Office Address)

(State)

(Zip Code)

With the following qualifications.

See Form VR-1

Date of first receipt of application _____, 19____.

Date of return to applicant for correction, amendments or changes required _____, 19____.

Date of receipt of corrected application _____, 19____. Approved _____, 19____.

The Water Management Board hereby approves this Water Permit No. _____ authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is _____, 19____.
2. One-fifth of the work is to be completed on or before _____, 19____.
3. The whole of said work is to be completed on or before _____, 19____.
4. The time limit for proof of beneficial use of water is _____, 19____.
5. The water appropriated shall be used for the purpose of _____
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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed _____ 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. For irrigation purposes said appropriation must be limited to not more than 2 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 _____, 19____; said water to be used during the following described annual period: _____

WATER MANAGEMENT BOARD

By: _____

Chief Engineer

Division of Water Rights

Dept. of Water and Natural Resources

_____, 19____

RECEIVED

VESTED WATER RIGHT

The Water Management Board hereby recognizes Vested Water Right No. 1305-1

C. E. Jordan
(applicant)

Box 1530 Rapid City
(post office address)

South Dakota 57709
(state) (zip code)

Date of receipt of Application March 13, 1984.

Recognized April 25, 1984.

The Water Management Board hereby recognizes the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Vested Water Right, subject, however, to the following limitations and conditions:

1. The date from which the applicant may claim right is January 1, 1954.
2. The whole of said work has been completed and water has been applied to beneficial use as described on Form 2B of this application.
3. The water appropriated is used for the purpose of Irrigation.
4. The prior rights 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 unlawfully impaired by this appropriation.
5. The amount of the appropriation hereby recognized shall not exceed _____

0.70 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. For irrigation purposes said appropriation must be limited to not more than 2 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 has been actually and beneficially applied for irrigation. The water is to be used during the following described annual period May 1 - October 31.

WATER MANAGEMENT BOARD

By: John Hatch
(Chief Engineer)

Division of Water Rights
Dept. of Water and Natural Resources

May 25, 1984.

State of South Dakota

VESTED Water License No. 1305-1

(1) C. E. Jordan
of Box 1530, Rapid City, South Dakota 57709
Vested Right
made/Application No. 1305-1, March 13, 1984 for recognition of Vested Right
for a water permit to appropriate
0.70 cubic feet per second of water from a storage dam
Meade County, South Dakota for Irrigation purposes.
Vested Right
/ Permit No. 1305-1, with a priority date of January 1, 1954
recognized recognizing
was approved April 25, 1984 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before and for the application to beneficial use of said
water on or before

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 0.70 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 2310 feet South and 825 feet East of
NW Corner of Section 12, T9N, R19E (BC)

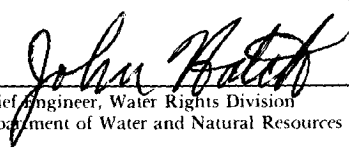
and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in T9N, R15E

Section 11	SE $\frac{1}{4}$ SE $\frac{1}{4}$	3.00 Acres	(DD)
Section 12	NW $\frac{1}{4}$ SW $\frac{1}{4}$	4.7 Acres	(CB)
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	24.9 Acres	(CC)
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	2.1 Acres	(DC)
Section 13	NW $\frac{1}{4}$ NW $\frac{1}{4}$	9.7 Acres	(BB)
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	3.0 Acres	(AB)
Section 14	NE $\frac{1}{4}$ NE $\frac{1}{4}$	1.7 Acres	(AA)
TOTAL		49.1 ACRES	

(4) Pursuant to §46-5-30.1 C.E. Jordan
of Box 1530, Rapid City, South Dakota 57709
the holder(s) and/or owner(s) of ^{Vested Right} Water Permit No. 1305-1 is issued a license to appropriate water, the right to use
0.70 cubic feet per second of water from a storage dam with a priority date
of January 1, 1954 from the location specified in (2) of this license. The water to be
conducted to and upon lands specified in (3) of this license for the purpose of Irrigation

This license is subject to any limitations or qualifications listed in ^{Vested Right} Water Permit No. 1305-1 and subject
to South Dakota State Law.


Chief Engineer, Water Rights Division
Department of Water and Natural Resources

JOHN HATCH

May 23, 1984

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth of Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
On applicants property _____ On property owned by others _____

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

N/A

b) Freeboard 11.0'

c) Crest Width 100'

Crest Length 120'

d) Height 20.0'

e) Outlet Dimensions:
Pipe diameter 12"

Spillway width 100'

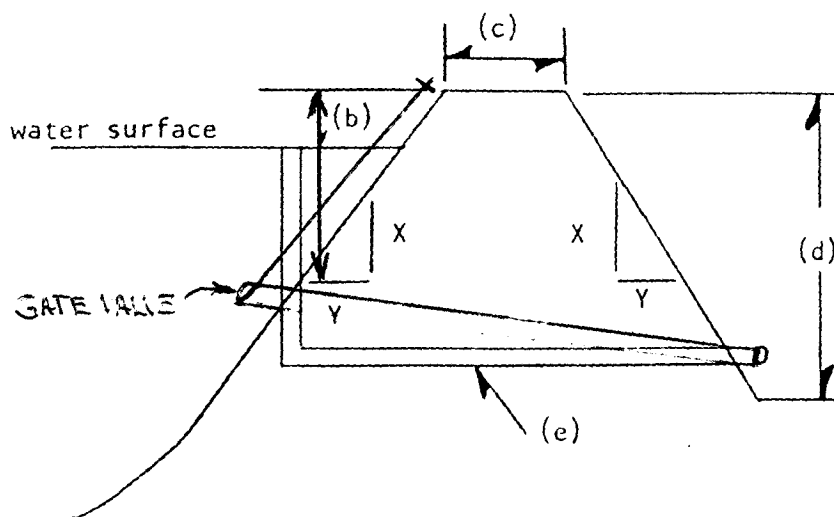
f) X & Y Slope
Upstream 3:1

Downstream 2:1

Surface Area of Impoundment 19.4 ac.

Storage 70 acre feet

Drainage area above dam 1714 ac



Affidavit of Water Use

No. _____

(Type or Print in Ink)

Note: This Form is supplemental to Form 2 and is to be used when an affidavit pertaining to construction and water use already constructed is needed, primarily with vested right claims.

Affidavit Of Construction Of Water Use System And Application Of Water To Beneficial Use

Name of Applicant (Same as Form 2) C. E. JordanPost Office Address P.O. Box 1530 Rapid City S.D. 57709
(Street, RR or Box) (State) (Zip Code)

A. Notice of Appropriation _____ Date of Posting _____

Date of recording _____ Recording date _____
Where Book PageB. Date of start of construction of water supply system Before 1954C. Date that water was first applied to beneficial use Before 1955D. Name of owner of original water supply system John or Ethel JordanE. Amount of water originally applied to beneficial use 49.1 Acre FtF. Present Use of Water - Amount of water now being used WATERSPREADING, 7 cfs 49 Acre FtDate that this water was first used Before 1955G. Chronological History of Water Use The waterspreading system was designed by The Soil Conservation Service and developed by John Jordan before 1953

Attach to this Form 2B any copies of notices, postings, filings, publications, affidavits, or other records that apply. You may also attach any written statement by you, or by others, that you deem pertinent.

State of South Dakota)

County of _____)

I, Charles E Jordan the applicant, certify that I have read the foregoing
(print or type) and that the matters therein stated are true.

Signed

Charles E Jordan

Subscribed and sworn to before me

2nd March 1984

Notary Public or other qualified officer

Exp Date: 8-15-85

I, the undersigned do hereby certify that I know about the water use system described above, that I have read the foregoing, and that the matters therein stated are true.

Terry G Mahaffey

Terry G Mahaffey

Print name

3-819 84Terry G Mahaffey

Print name

7-819 84

RECEIPT

Division of Water Rights

No 4 9585

South Dakota Department of Water and Natural Resources

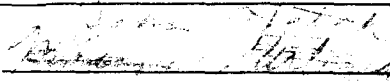
Pierre, March 14, 1984

RECEIVED OF C. E. Jordan, PO Box 1530, Rapid City, SD 57709

the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. 1305-1 to Appropriate Water, to construct works and to put water to beneficial use	8	00
Fee for Application for Permit No. to Appropriate Water for Future Use		
Fee to retain Future Use Permit No. after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No.	2	50
Fee for Filing Transfer Form		
Fee for Filing Extension Request		
Fee for Certified Copy of		
Fee for Print Copy of Map		
Fee for Certifying		
Fee for		
(Any Other Work Provided by Law)		
Total	10	50

1/3 of two checks for \$24.00 & \$7.50

By 
Chief Engineer

8" = 1 MILE

Sec. 11, T9N, R15E
Sec. 12

WATER

12

Sec. 11, T9N, R15E
Sec. 14, T9N, R15E

3.0
1.7

4.7
24.9

9.7

Sec. 13, T9N, R15E
Sec. 13, T9N, R15E

2.1
3.0

A/M - 1305-1

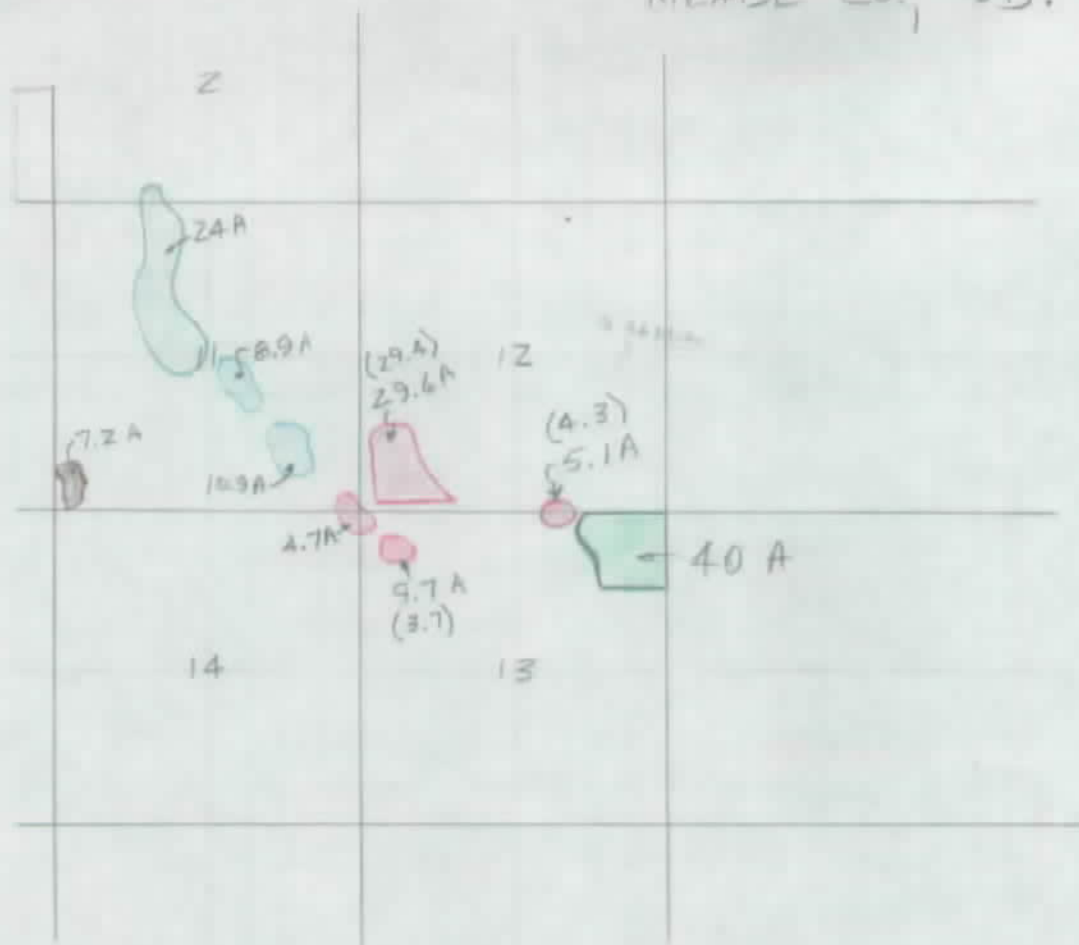
TL JORGENSEN

1E JORDAN VR

1305, 1306, 1307-1

NOV 16, 1989

T9N, R15E,
MEADE CO., SD.



■ - VR 1307-1

■ - VR 1306-1

■ - VR 1305-1 (AS DESCRIBED IN APPLICATION)
() = MAP ACREAGE

■ - ADDITIONAL IRRIGATED LAND UNACCOUNTED FOR

VR 1305-1 ACREAGE = 49.1 ACRES AS PER APPLICATION

- INSPECTION REVEALED THAT THE 9.7A SHOULD BE 3.7A.
- ACREAGE ON MAPS DOESN'T AGREE W/ APPLICATION

MAP @ 42.1 A (W/ 9.7A REDUCED TO 3.7A)
APPLICATION @ 43.1 A (" " " ")

- ① VALIDATE VR 1307-1 FOR 7.2A (0.10 cfs)
- ② VALIDATE VR 1306-1 FOR 43.8A (0.63 cfs)
- ③ VALIDATE VR 1305-1 FOR 42.1 ACRES (0.60 cfs)
- ④ SEND APP FOR ADDITIONAL 40 ACRES - VR?

May 22, 1984

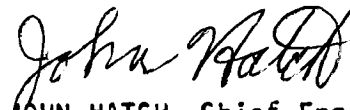
C. E. Jordan
Box 1530
Rapid City, South Dakota

Dear Mr. Jordan:

Enclosed herewith are your Vested Right Permits, Water License Nos 1306-1, 1307-1 &
The Water License is the final water right document completing your 1305-1
process of obtaining a vested water right.

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

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

enclosures

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

September 21, 1988

NOTICE

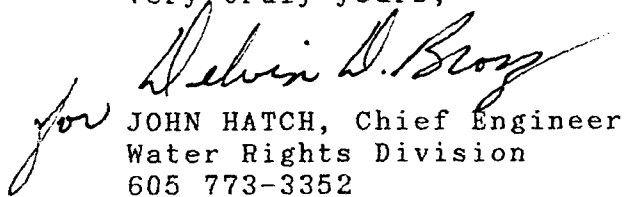
C.E. Jordan
PO Box 1530
Rapid City SD 57709

Dear Mr. Jordan:

I am writing to notify you that pursuant to the Notice of Intent to Validate Vested Water Right Claims dated June 20, 1988 that I intend to oppose validation of your water right claim No(s). 1305-1, 1306-1, 1307-1 until a field inspection has been completed. The claim has either never been inspected or an inspection was conducted so long ago that a new inspection is needed. An inspection is needed to determine the current state of your vested water right claim.

A staff member from the Division of Water Rights will be contacting you and scheduling an inspection of your water project. If we can answer any questions, please contact us.

Very truly yours,

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



Conversation or File Documentation

NAME OF PERSON OR FILE: C.E. Jordan
ADDRESS: P.O. Box 1530 Rapid City, SD COUNTY Meade (Permitted Acreage)
DATE: 5-16-89 TELEPHONE
RE: Validation of V.R. Nos. 1305-1, 1306-1, 1307-1

COMMENTS:

On this date I inspected these rights along with Mr. Jim Oldenberg (works with Mr. Jordan). V.R. Nos. 1306-1 & 1307-1 are the same as licensed. On V.R. 1305-1, the amount of acreage listed in the NW¹/₄ NW¹/₄ 13-9N-15E should be reduced from 9.7 acres to 3.7 acres. This will reduce the total acreage from 49.1 to 43.1 acres (0.61 cfs). There is also an additional 40 acres located in the NE¹/₄ of Section 13 which is being irrigated with water appropriated from 1305-1. This 40 acres is not included in the Vested Right. An additional permit will more than likely be required.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: James L. Wendt



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 12, 1993

Charles Jordan
P.O. Box 1530
Rapid City, SD 57709

RE: Vested Water Right Application

Dear Mr. Jordan:

As I mentioned in my telephone conversation with you, any water uses for irrigation or any other commercial uses of water in the state, need a water permit. Since you have started irrigating the area prior to 1955, you may apply for a vested water right. Enclosed, I have sent you application forms to file for a vested water right for the acreage located in the NE1/4 Section 13, T9N-R15E. Please complete the forms, sign and notarize them and return them with \$15.00 filing fee.

If you have any questions, please do not hesitate to contact me.

Sincerely,

M. Rassool Ahadi
Natural Resources Engineer
(605)773-3352

encl.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 18, 1993

C.E. Jordan
P.O. Box 1530
Rapid City, SD 57709

Dear Mr. Jordan:

I am writing in response to our August 17, 1993 conversation regarding Recognized Vested Water Right No. 1305-1. I briefly reviewed the file and have enclosed those items which I feel are relevant. Currently, you hold Recognized Vested Water Right Nos. 1305-1, 1306-1 and 1307-1. These are recognized vested water rights that have not been validated by the Water Management Board because they were awaiting an inspection. Inspections of these vested water rights found irrigation under Nos. 1306-1 and 1307-1 occurring as licensed, while the inspection of No. 1305-1 found an additional 40 acres located in the NE¼ Section 13, T9N, R15E being irrigated. A permit needs to be obtained on this additional 40 acres to bring your irrigation into compliance with water rights laws.

I have enclosed the following for your review:

1. The Vested Water License No. 1305-1.
2. A copy of the original map you submitted with Application No. 1305-1. Since we must keep the original map for the record, the enclosed map is only a copy of the original transparent map.
3. File documentation of an inspection by James Wendte which states an additional 40 acres were being irrigated.
4. A map of the lands you irrigate based on a November 16, 1989 inspection by Terry Jorgensen. Note the area in green is the irrigated area currently not covered by any permit.
5. An additional set of application forms for applying for a water permit. If this acreage has been irrigated since 1955 you may apply for a vested water right. If this acreage was not developed for irrigated after 1955, you application would be for a new water permit.

I hope this information proves helpful to you. Please feel free to contact me with any questions you may have.

Sincerely,

A handwritten signature in cursive script, appearing to read "Eric Gronlund".

Eric Gronlund
Water Rights Division
605 773-3352

enclosures

Water Rights Division - DENR
Conversation File Documentation

NAME OF PERSON OR FILE: C. E. Jordan

ADDRESS: P.O. Box 1530, Rapid City, SD 57709 COUNTY: Meade

DATE: 8/30/93 TELEPHONE:

RE: Phone call from Mr. Jordan

COMMENTS:

Mr. Jordan called regarding the letter I sent him on August 18, 1993. Mr. Jordan explained that the 40 acres in the NE1/4 Section 13 is not irrigated by any means. He said he has owned or been involved with this property for a very long time and to his knowledge no irrigation has taken place.

Mr. Jordan owns the property and the land is managed by Jim Oldenberg. I stated that inspection by two staff engineer's in 1989 found this additional 40 acres being irrigated. I explained that the best way to resolve this discrepancy is to have Rassool Ahadi conduct another inspection when he was in the area.

I explained the reason Nos. 1305-1, 1306-1 and 1307-1 had not been validated was were where waiting for the discrepancy with this 40 acres to get resolved.

Mr. Jordan indicated that he thought another inspection might be the best way to handle this. He said he was going on vacation for 3½ weeks beginning Sept. 22. He gave me his ranch phone number where the manager Jim Oldenberg resides (985-5940). He stated that he would go on the inspection if available but that Mr. Oldenberg is equally knowledgable on the past irrigation that has taken place on the ranch and could show the inspector around.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: Eric Kvalund

File No. 1305-1

Water Rights Division -DENR
Conversation or File Documentation

NAME OF PERSON OR FILE: C.E. Jordan

ADDRESS: P.O. Box 1530, Rapid City, SD 57709 COUNTY: Meade

DATE: October 5, 1993 TELEPHONE: 343-7799

RE: Acreage for Vested Right Claim No. 1305-1

COMMENTS: On Wednesday September 22, 1993, I visited with Jim Oldenberg (985-5940) who is the manager for Mr. Jordan. The visit was to clarify the acreage for VRC No. 1305-1. Previous inspections had shown that 40 acres were being irrigated with no authorization. Mr. Oldenberg showed me the area stating the it was not possible to irrigate more than 5.0 acres. According to Jim Wendte and Terry Jorgenson's inspections, and also according to my inspection, the claim should be validated for 42.1 acres.

*** Recommend validation of VRC No. 1305-1 for 42.1 acres with a priority date of January 1, 1954.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.



M. RASSOOL AHADI

Natural Resources Engineer III
DENR, Water Rights Division



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 27, 1993

NOTICE

TO: C. E. Jordan
PO Box 1530
Rapid City SD 57709

FROM: John Hatch, Chief Engineer
Water Rights Division
605 773-3352

SUBJECT: Hearing to Consider Validation of Recognized Vested Right Claim No. 1305-1

A Notice of Intent to validate Claim Nos. 1305-1, 1306-1 and 1307-1 was published on June 22 and 29, 1988 in the Meade County Times-Tribune. The Water Rights Division opposed validation of the claims for purposes of completing an on-site inspection of the claims. The inspection of the claims was completed on May 16, 1989, by Jim Wendte staff engineer. Claim Nos. 1306-1 and 1307-1 were found to be developed as specified on the original claim. The inspection of Claim No. 1305-1 found that the number of acres being irrigated has been reduced from 49.1 acres to 42.1 acres. The diversion rate is to be reduced, accordingly, from 0.70 cubic feet of water per second (cfs) to 0.60 cfs. This reduced diversion rate is based on the statutory application rate of 1 cfs per 70 acres (42.1 acres/70 = 0.60 cfs).

The original map filed with the Claim No. 1305-1 and a map prepared by Jim Wendte after completing his inspection of the claim are enclosed. As indicated on the map prepared by Jim Wendte, the acreage in green (SE 1/4 SW 1/4 Section 12) is not covered by Claim No. 1305-1 and may not be irrigated.

The Water Management Board will consider validation of Claim No. 1305-1 at 9:30 am, December 1, 1993, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD. The agenda time is an estimate. The actual time of the hearing may be later than 9:30 am due to prior agenda items.

Pursuant to the findings of the on-site inspection, validation of Claim No. 1305-1 is recommended for a diversion rate of 0.60 cfs from a storage dam to irrigate 42.1 acres. Following the hearing, the Board is authorized to 1) validate the claim as recommended for 42.1 acres and 0.60 cfs, 2) validate the claim as licensed prior to the on-site inspection, 3) validate the claim based on evidence presented at the public hearing, or 4) defer validation of the claim. Applicable provisions of the published notice of intent to validate Claim No. 1305-1 will still apply at this hearing. A copy of the June 22 and 29, 1988, publication is available upon request.

This hearing is an adversary proceeding. You have the right to be represented by a lawyer. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

enclosures

cc: Diane Best, Assistant Attorney General

CERTIFICATION

I hereby certify that on October 27, 1993, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated October 27, 1993, regarding Hearing to Consider Validation of Recognized Vested Right Claim No. 1305-1, along with a copy of the original map filed with the claim and a map prepared by Jim Wendte after completing the inspection of the claim, addressed as stated below:

C. E. Jordan, P.O. Box 1530, Rapid City, SD 57709.

Copy of Notice Sent Inter-office to:

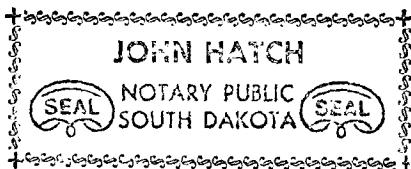
Diane Best, Assistant Attorney General, Capitol Building.

Cheryl F. Frost

Cheryl F. Frost
Secretary

STATE OF SOUTH DAKOTA)
) SS
COUNTY OF HUGHES)

Sworn to, before me, this 1st day of November, 1993.



John Hatch
Notary Public

JOHN HATCH, Notary Public
My Commission Expires
April 1, 2001

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1305-1 FOR IRRIGATION

Date of Receipt of Claim March 13, 1984.

Date of Validation December 1, 1993.

The Water Management Board validated Vested Water Right Claim No. 1305-1 for irrigation purposes for C. E. Jordan, Box 1530, Rapid City SD 57709 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1305-1 authorizes diversion of 0.60 cubic feet of water per second from storage dam located in the SW 1/4 NW 1/4 Section 12-T9N-R15E to irrigate 42.1 acres. The lands irrigated are located in the W 1/2 SW 1/4, SW 1/4 SE 1/4 Section 12, SE 1/4 SE 1/4 Section 11, NE 1/4 NE 1/4 Section 14, NW 1/4 NW 1/4, NW 1/4 NE 1/4 Section 13; all in T9N-R15E.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. Water is to be used during the following annual period: May 1 - October 31.
3. The priority date of the Vested Water Right is January 1, 1954.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: John Hatch
John Hatch, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

DEC 23 1993

date

STATE OF SOUTH DAKOTA

VESTED RIGHT WATER LICENSE NO. 1305-1 FOR IRRIGATION

(1) C. E. Jordan of Box 1530, Rapid City SD 57709, made Application No. 1305-1, March 13, 1984 for validation of a vested right claim to appropriate 0.70 cubic feet of water per second from a storage dam, Meade, County, South Dakota, for irrigation purposes. Vested Water Right No. 1305-1 was validated December 1, 1993 with a priority date of January 1, 1954. Construction of the described water supply system and application of water to beneficial use has been completed and complies with applicable provisions of South Dakota State Law.

The original water license issued on May 23, 1984 described irrigation of 49.1 acres in portions of Section 11, 12, 13 and 14; all in T9N-R15E. A field inspection conducted of the water use system found a total of 42.1 acres being irrigated in these areas. Based upon the inspection and subsequent validation of the vested right claim, the license is being issued to the extent of what is actually being irrigated.

(2) The vested right owner is entitled to divert 0.60 cubic feet of water per second for beneficial use. The location of the storage dam is: SW 1/4 NW 1/4 Section 12-T9N-R15E.

The location of the irrigated acreage is:

T9N-R15E	Section 11	SE 1/4 SE 1/4	3.0 acres
	Section 12	NW 1/4 SW 1/4	4.7 acres
		SW 1/4 SW 1/4	24.7 acres
		SW 1/4 SE 1/4	2.2 acres
	Section 13	NW 1/4 NW 1/4	3.7 acres
		NW 1/4 NE 1/4	2.1 acres
	Section 14	NE 1/4 NE 1/4	1.7 acres
		Total	42.1 acres

(3) Pursuant to Section 46-5-30.1 C. E. Jordan of Box 1530, Rapid City SD 57709 the holder and owner of Vested Water Right No. 1305-1 is issued a license to appropriate 0.60 cubic feet of water per second from a storage dam with a priority date of January 1, 1954 from the location specified in (2) of this license. The water is to be used for the purpose of irrigation. This license is subject to any limitations, conditions or qualifications listed in Vested Water Right No. 1305-1 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division

Department of Environment and Natural Resources

DEC 23 1993

date



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

DEC 23 1993

C. E. Jordan
Box 1530
Rapid City SD 57709

Dear Mr. Jordan:

The Water Management Board has validated the enclosed Vested Water Right Nos. 1305-1, 1306-1 and 1307-1. These validations give legal status to the claims and are the final documents for your vested rights.

Also, enclosed is the reissued water license for No. 1305-1 which reflects the acreage and diversion rate as validated by the Board.

As long as you use the water beneficially, as stated in the validation, 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

enclosure