

1. Considered December 3, 1958 Appl. No. 350-1

2. Name of Applicant John F. McKenna

3. Post Office Address Prairie City, South Dakota

4. Amount of water claimed 0.12 cfs

5. Source of water supply dry draw

6. Water to be used for irrigation

Acres to be irrigated 8.4

7. Water to be diverted and used in Perkins County about
15-18 miles southeast of Spruce.

8. Proof of Publication

Received ✓

Not Received

9. Application

Approved ✓

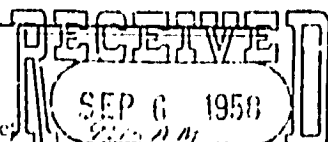
Subject to

Not approved

Action deferred

10. Remarks:

5 years for completion of works
+ 4 years for Application of water



Water Division No. 1 Neenan River District 2
(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 John F. McKenna
Postoffice address Trainor City, County Perkins, State South 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)

Contract and direct labor.

(b) Cash on hand, \$ sufficient

(c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____

(e) Other resources, \$ Government cost share.

2. Name of diversion work John F. McKenna Water Spreading Project #1

3. Amount of water claimed 0.12 cubic feet per second or 25.2 acre feet max.

4. Source of water supply Surface runoff. (from local water shed)

5. Location of point of diversion N 30° 00' E, 167.3 rods from SW Corner of Sec. 29, T15N, R11E,
Blm. on both banks Perkins County.

6. Annual period or periods during which water is to be used When available during annual period.

7. To be used for:

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

(a) Number of acres to be irrigated 8.4 acres.

(b) Legal subdivisions to be irrigated NE 1/4, SW 1/4, Sec. 29, T-15N, R11E - 8.4 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 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. 315-1

8. Estimated cost of work:

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

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

(e) Other structures Dike and tile.....\$40,000

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

Not, \$.....

Total, \$.....

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 0.13 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 benefits use 5/4-9 years.

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

Bison Courier

STATE OF SOUTH DAKOTA

County of Perkins ss.

I, John J. McKenna, 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 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

John J. McKenna

Subscribed and sworn to before me this

28th

day of

Aug

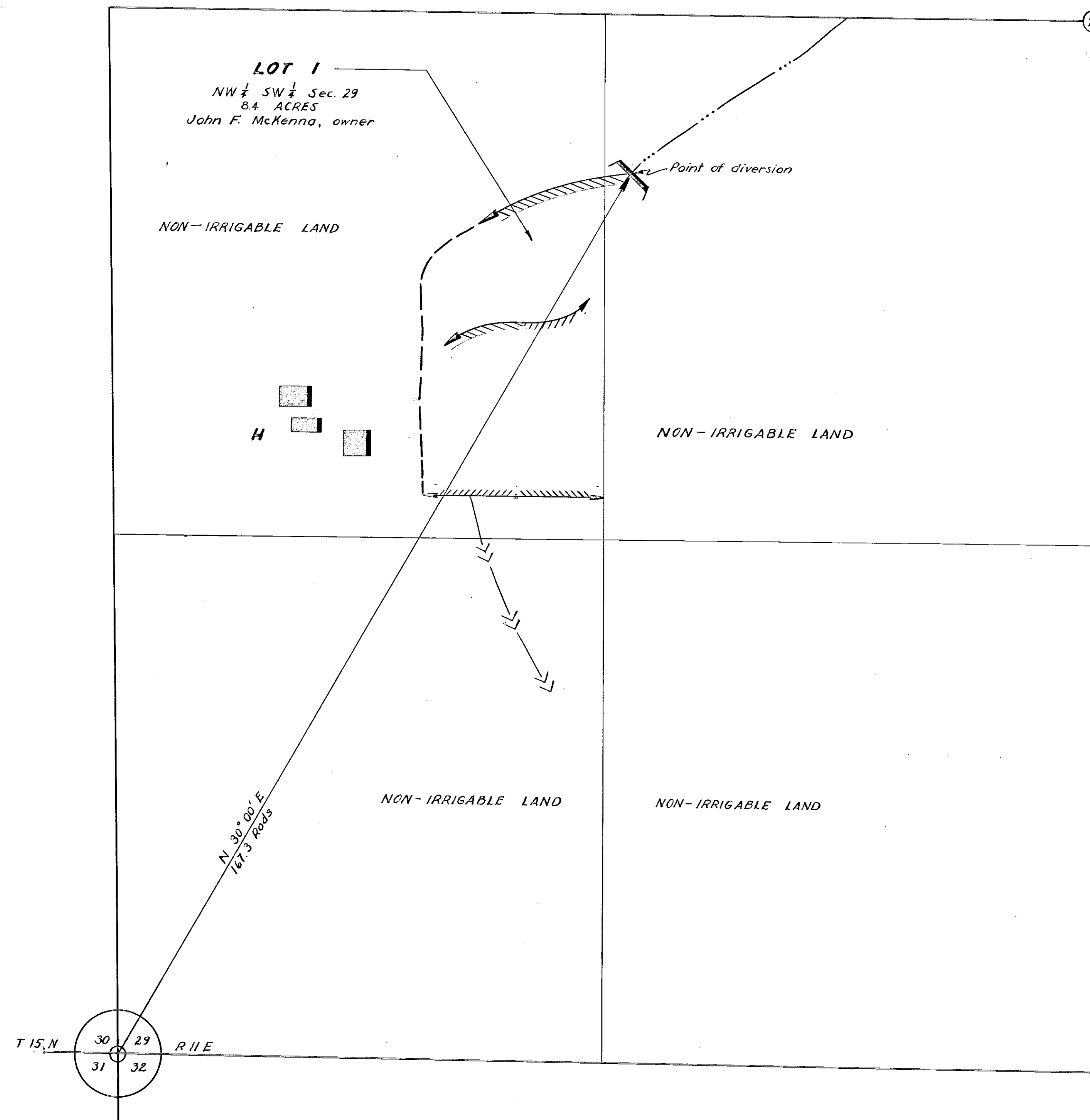
1958

Lillian Simon

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

JOHN F. McKENNA
WATERSPREADING PROJECT
NUMBER 1



LOCATION OF LAND TO BE IRRIGATED				
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
LOT 1	SEC. 29	T-15-N	R-11-E	8.4 AC.
TOTAL				8.4 AC.

SURVEYOR'S CERTIFICATE

I, W. H. Christman DO HEREBY CERTIFY THAT
THIS MAP IDENTIFIES THE LAND OF THE John F. McKenna
Water Spreading Project #1
SIGNATURE: W. H. Christman
TITLE: As Eng. S.C.S.
U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
SUBSCRIBED AND SWORN TO BEFORE ME THIS 25 DAY OF
Sept, 1958, A.D.

John H. McDill
NOTARY PUBLIC

Scale: 1" = 200'

JOHN F. McKENNA WATERSPREADING PROJECT NO. 1 Perkins County, South Dakota			
U. S. DEPARTMENT OF AGRICULTURE SOIL CONSERVATION SERVICE			
Designed <u>W. H. C.</u>	Date	Approved by <u>W. H. Christman</u>	
Drawn		Title <u>As Eng. S.C.S.</u>	
Traced			
Checked			
	Sheet No. <u>1</u>	Drawing No. <u>1</u>	

Map No. 315-1 (Appl. No. 350-1)

The diversion rate limitation of 1 cubic foot per second for each 70 acres irrigated shall not apply to this dry line irrigation diversion during periods of flood flow, when such flows are in excess of the amount of water required for existing domestic, industrial, irrigation and other water rights.

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota,

September 26 1958

This is to certify that the foregoing application was received by the Commission at 9:15 o'clock
9 a.m. upon the 6 day of September, 1958

State Water Resources Commission

By: J. W. Grimmer
Chief Engineer, Executive Officer

Number of permit 350-1

Date of first receipt of application September 6, 1958

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 6, 1958

Approved December 3, 1958, Recorded in Book 5 Page 73

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

June 3, 1961

2nd. The whole of said work is to be completed on or before December 3, 1963

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

December 3, 1967

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 0.12 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 December 3, 1967; said water to be used during the following described annual period:

April to October inclusive

Witness my hand this 22 day of December, 1958

State Water Resources Commission

By: J. W. Grimmer
Chief Engineer, Executive Officer

Certificate of Construction Issued September 30, 1959

Water License Issued September 30, 1959

STATE OF SOUTH DAKOTA

WATER LICENSE No. 350-1

WHEREAS, On the 6th day of September A. D. 1958

John F. McKenna

of Zosna County of Perkins and State of South Dakota duly made application (No. 350-1) to us for a permit to use 0.12 cubic feet per second of the waters of a dry draw County of Perkins, State of South Dakota, for irrigation purposes; and

WHEREAS, On the 22 day of December A. D. 1958 Permit No. 350-1 was issued to said applicant for the diversion of said water, and providing for the completion of the works of diversion therein described on or before the 3rd day of December A. D. 1962 and for the application to beneficial use of said water on or before the 3rd day of December A. D. 1967 and,

WHEREAS, On the 28th day of July A. D. 1959 the holder of said permit duly made proof of the completion of adequate works for the diversion of 0.12 cubic feet per second of said waters, as evidenced by our Certificate No. 350-1 dated September 30, 1959 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 0.12 cubic feet per second of water, with date of priority of September 6, 1958 ~~xxx~~ ~~xxx~~

WHEREAS, On the 20 day of September A. D. 1959 proof was duly made of the application to beneficial use of 0.12 cubic feet per second of said water; on portions of the NW 1/4 SW 1/4 Sec 29, T 15N, R 11E

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 John F. McKenna
of Zeona the holder and owner of said permit No. 350-1
a water right, dating from September 6, 1958 to the use of 0.12
cubic feet per second of the waters of a dry draw
in the County of Perkins and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinbelow mentioned, to be diverted at a point N 30°00'E 167.3 rods
from the SW corner Sec 29, T 15N R 11E
and conducted to and upon 8.4 acres in the NW 1/4 SW 1/4 Sec 29 T 15N R 11E

for the purpose of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the State, and subject, also to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 30th day of September A. D. Nineteen
Hundred and fifty-nine

State Water Resources Commission

By:

J.W. CRINES,

Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 350-1Water Division No. 1 Moreau River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That John F. McKennaof Zeona, County of Perkins, and State ofSouth Dakota, the holder of Permit No. 350-1, issued upon ApplicationNo. 350-1 bearing date of priority of September 6, 1958, authorizing the diversion of0.12 cu. ft. per second of the waters of a dry drawCounty of Perkins, State of South Dakota, at a point N 30°00' E167.3 rods from SW corner Sec 29, T 15N R 11Efor irrigation

purposes, has fully 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 0.12 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,

to-wit: 8.4 acres in the NW 1/4 SW 1/4 Sec 29, T 15N R 11EWitness my hand this 30th day of September A. D. 1959

State Water Resources Commission

By:

J.W. ORINES, Chief Engineer, Executive Officer

Permit No. 350-1Water Division No. 1 Moreau River Water District**Certificate of Examination of Works****Report of Examining Engineer**

To the State Water Resources Commission, Pierre, South Dakota:

~~Dear Sir: I hereby certify that in accordance with your letter of authorization dated~~12-1-59, I have this day made a thorough examination of the diversion works constructed by John
F. McKennaof ZonaPerkinsCounty, South Dakota, holder of Permit No. 350-1

Issued

upon Application No. 350-1 bearing date of priority of September 6, 1959, authorizing the
diversion of 0.12 cu. ft. per second of the waters of a dry draw for irrigation

purposes. I have to report on the condition of the same as follows:

The diversion works comprise: 65 rods of dikes and ditches sufficient to divert
the amount of water called for in the permit.and the system is in the following condition: GoodThe point of diversion is located N 30°00' E 157.3 rods from SW corner Section 29,
T 15N R 11EThe works are capable of diverting and conveying to the place of use 0.12 cu. ft. per second of water,
which is to be used for irrigationThe legal sub-divisions to be irrigated are: a portion of the NW 1/4 SW 1/4 Sec 29, T 15N R 11Ecomprising a total of 8.1 acres of land.The domestic use intended comprises NoneThe utilization for power, mining, or other beneficial uses comprises: NoneWitness my hand, this 22th day of July, A. D. 1959.

—SEAL—

Les WybornyBy BFJ

Examining Engineer.

Permit No.

350-1

Water Division No.

1

MURRAY RIVER

Water District

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.)

Zeona, S. Dak.

(Date)

1/6/58

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 0.12 cu. ft. per second of the waters of the state from Surface Runoff - From local Watershed through the Irrigation for Water Spreading purposes in accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is John F. McKenna
2. The postoffice address of such person or the place of business of such corporation is Zeona
County of Parkins State of S. Dak.
3. The number of such permit is 350-1 and the date set for the completion of such work is Has been Completed
4. Said water to be used for Water Spreading purposes.
5. 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 0.12 cu (25.2 Max) cubic feet per second.
6. The amount of land for which said water is available is 8.4 acres,
particularly described as follows: NW 1/4 SW 1/4 29-15-11

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

(Signature of Owners)

J. F. McKenna

Permit No. 350-1Water Division No. 1 McKenney District**Notice of Application of Water to Beneficial Use**

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.)

Zeona, S. Dak.

(Date)

1/6/59

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE

DEAR SIR: Notice is hereby given that on the _____ day of _____

19____, at Zeona County of Perkins State of South Dakota,before Examining Engineer or Officer proof will be submitted of the application to beneficial use
(Examining Engineer or Officer)of 0.12 cubic feet per second of the waters of Surface Water_____ in accordance with the terms and conditions of Permit No. 350-1

heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are _____

John F. McKenney, Zeona, S. Dak.

2. The use to which said water has been applied is _____

Water SpreadingSystem

3. The amount applied to beneficial use is _____

0.12 (25.2 M.A.)

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) _____

NW 1/4 SW 1/4 29-15-11

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is _____

6. The right to take the water from such works is based upon permit No. _____

350-1

7. The source of supply from which such water is diverted is _____

Surface Runoff

8. The date of priority which said user is prepared to establish is _____

When water is available During Annual Period

(Sign)

J. F. McKenney

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA } ss.
 County Perkins

Lloyd Sudlow being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the

Bison Courier a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the

town of Bison County of

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

October 2

October 2

October 16

October 23

In each and every issue of the full number thereof, the first publication being made on the 2 day of October

1952 and the last publication on the 23 day of

October 1952, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was editor the printer and publisher of the said newspaper.

Lloyd Sudlow

Subscribed and sworn to before me this 6 day of November A. D. 1952

RECEIVED
 NOV 10 1952

STATE WATER RESOURCES COMM
 PIERRE, SOUTH DAKOTA

Notary Public Perkins County, S. D.

APPROPRIATION OF WATER
 No. 110-1
 Office of State Water Resources
 Commission, Pierre, S. Dak. Sep-
 tember 15, 1952. Notice of
 Notice is hereby given that John
 F. McKenna, whose postoffice ad-
 dress is, Prairie City, 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
 0.13 cubic feet of water per second
 of time from a dry draw through
 the John F. McKenna Water Spread-
 ing Project No. 11, the point of
 diversion of which is to be lo-
 cated on both banks of said stream
 in the NW 1/4 of the SW 1/4 of Sec-
 tion 29, Twp. 12 N., Range 11 E.,
 said water to be used for the pur-
 pose of providing irrigation and
 part of the following described
 land: Section 10, 11, 12, 13, 14, 15, 16,
 NW 1/4 Sec. 19, N. 12 S., R. 11 E.,
 T. 12 N., R. 11 E., S. 12 S., N. 12 S.,
 This application will be taken up
 by the State Water Resources Com-
 mission at their December 1st for
 consideration upon the 3rd day of
 December, 1952, at 1:00 P. M. All
 interested parties may appear and
 be heard at said time.
 Appropriation will be taken
 by the Water Resources Commis-
 sion after suitable time has elap-
 sed for the consideration of any or
 all information presented to the
 State Water Resources
 Commission, at
 Pierre, S. Dak. Les Wyborny,
 02-73, State Water Right Engineer

(First Publication before October 24, 1958)**APPROPRIATION OF WATER**

Office of State Water Resources Commission.

Pierre, S. Dak., September 25, 1958

Notice is hereby given that John F. McKenna whose postoffice address is Fraire City 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 0.12 cubic feet of water per second of time from 1/4 A dry draw through the John F. McKenna Water Spreading Project #1, the point of diversion of which is to be located on the both bank of said stream in the NW 1/4 of the SW 1/4 of Section 29 Twp. 15 N Range 11 E. Said water to be used for the purpose of providing irrigation part of on the following described land:

NW 1/4, Sec. 29, T 15 N, R 11 E~~and for~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 3rd day of December, 1958, 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:

~~CHAS. W. WYBORN~~
Les Wyborny, Water Rights Engineer

cc Lloyd I. Sudlow, Publisher
 The Bison Courier
 Bison, South Dakota

OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE