

No. 50

Water Division No. 1 Moronau Water District.

(Blanks to be filled by the State Engineer.)

COPY

APPLICATION FOR A PERMIT To Appropriate Water Within the State of South Dakota

[NOTE--Draw a line through items not applicable.]

1. Name of applicant George E. WilsonPostoffice address Ada, County Perkins, State South 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 the work. (Whether by contract, employment of others, or by direct labor) Direct labor

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion works Antelope Draw3. Quantity of water claimed 1 cubic feet per second.4. Source of water supply Antelope Draw5. Location of point of diversion NE 1/4 SE 1/4 sec. 27 T. 18 N., Range 13 East R.E.M.on left bank.
(Right or left bank looking down stream.)6. Annual periods during which water is to be used any time of year

7. To be used for:

I. Irrigation or domestic use:

(a) Number of acres to be irrigated 20 acres.(b) Legal subdivisions to be irrigated 1 SW of SE Sec. 27, Tp. 18 N., R. 13 E. E.M.

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. Mining, power, manufacturing, transportation, or other purposes:

(a) Nature of use to irrigate Desert Claim No. 1061(b) Amount of power to be generated horse power.

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

8. Estimated cost of works:

(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.)

11. Dimensions of works:

(a) Dam: Height 8 feet; length at bottom 80 feet; length at top 300 feet; thickness at bottom 45 feet; thickness at top 15 feet; slope of front (water) face 3 to 1; slope of back face 3 to 1; material used in construction earth

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

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH.....FEET OF DEPTH AT OUTLET—ACRES	CAPACITY— ACRE-Feet

(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.....m. & f.	feet	feet	feet	feet

[Give dimensions where reductions in size are made.]

10. Time required for completion of work.....1.....years.11. Time required for complete application of water to the proposed beneficial use.....2.....years.

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

ADA ADVOCATE

STATE OF SOUTH DAKOTA

County of..... } ss

I....., being first duly sworn
on my oath depose and say: That my relation to the above described undertaking is that of

OWNER

(Owner, manager or engineer)

that I have read the above and
foregoing statement, and examined the map accompanying the same, and that I know of my own per-
sonal knowledge that the matters therein stated and shown are true.

Signed.....Georgia E. Wilson.....

Subscribed.....in presence of this.....1st.....day of.....March.....1900.

Notary Public (or other qualified officer.)

PLAT OF DESERT CLAIM-NO.1081

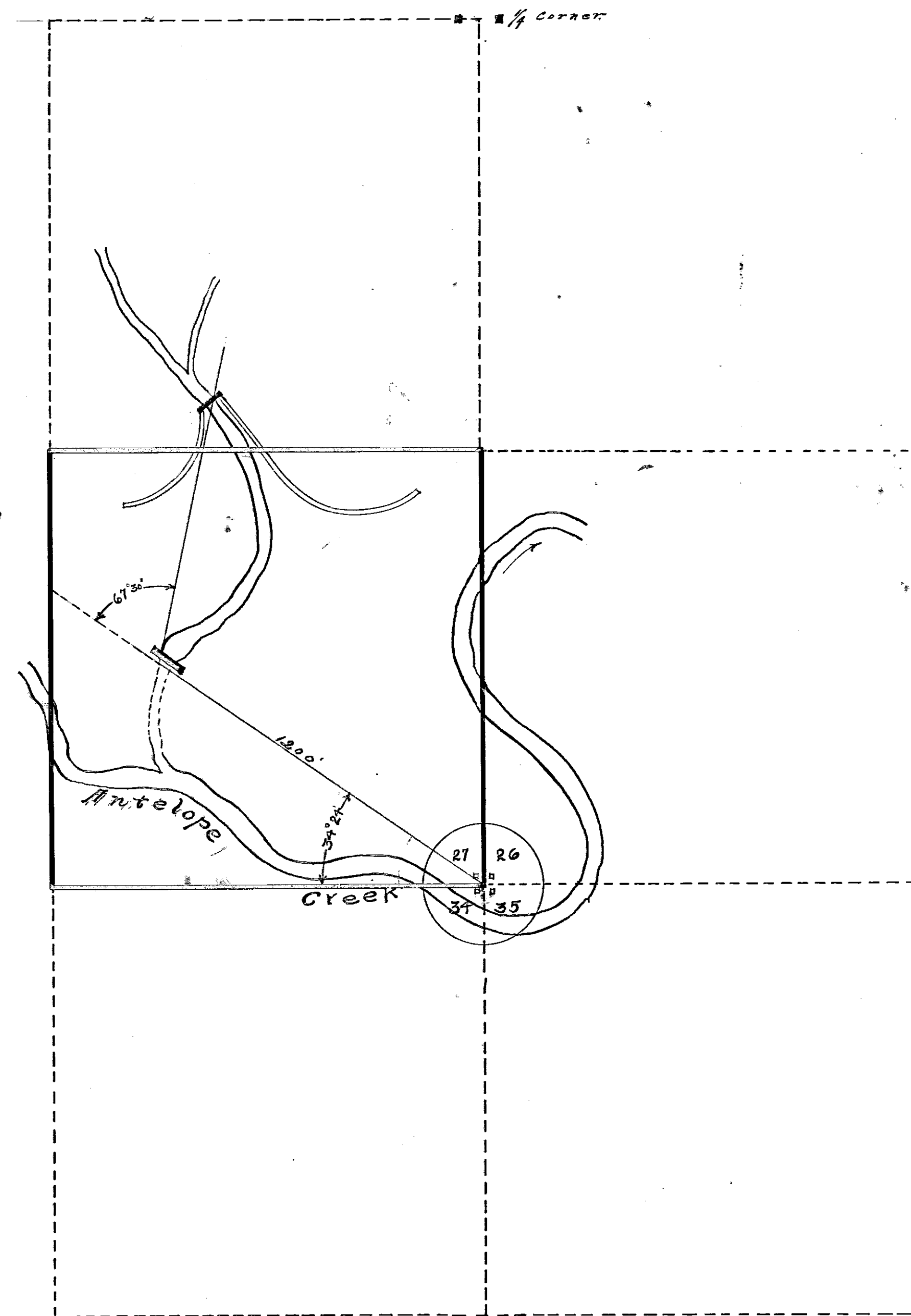
Of Georgie E. Wilson, Ada, S.D.

Filed on March 6, 1908 At Rapid City, South Dakota

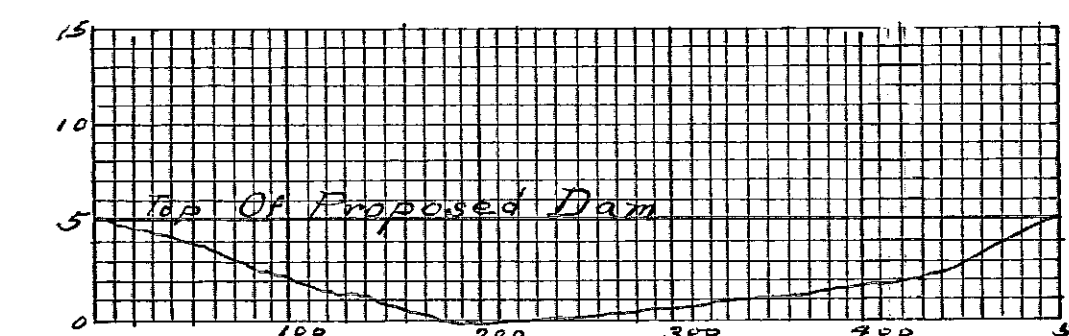
S.E. 1/4, S.E. 1/4 Sec. 27, T.16 N., R.13 E. B.H.M.

Containing 40 Acres

Showing Proposed Method Of Irrigation



SCALE 300 Ft = 1 IN.



Profile of proposed dam on Antelope Draw.

Scale Vertical 1" = 10 Ft.
Horizontal 1" = 100 Ft.

State Of South Dakota, ss.
County Of Butte

I, A.S. Tubbs, being duly sworn upon my oath say that I am the Engineer who was employed by Georgie E. Wilson to survey her desert claim as shown on this plat, that the survey and map were made by me and under my direction, that I know of my own knowledge that the plans and statements herein made are true.

Sworn to in the presence of

W. R. Hale
Notary Public S.D.

Signed this 7th day of April, 1909

A. S. Tubbs
Deputy State Surveyor

RECEIVED

OFFICE OF STATE ENGINEER

54

WA 5-1
100-1

Remarks by State Engineer:

This application is for the right to store and appropriate one second foot of the waters of Antelope Draw in Perkins County, South Dakota, for the purpose of irrigating Desert Claim No. 1001.

STATE OF SOUTH DAKOTA } ss
County of Hughes }

Pierre, South Dakota, June 23, 1909

This is to certify that the foregoing application was received at this office at three o'clock P. m. upon the 14th day of April 1909 and that after examination it was found to comply with the provisions of the Water Code of South Dakota. Notice of intention to appropriate was published, proof of publication was filed and a hearing was held in this office on June 15, 1909.

Samuel H. Lea
State Engineer.

By B. B. Lea Deputy.

Number of permit 50

Date of first receipt of application April 14, 1909

Date of return to applicant for correction - - - - - 1909

Date of receipt of corrected application - - - - - 1909

Date from which applicant may claim right April 14, 1909

Approved June 15, 1909, Recorded in Book -1- Page 122

This is to certify that I have examined the foregoing application for a permit to appropriate water of the state of South Dakota, and I 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 December 15, 1909

2d. The whole of said work is to be completed on or before June 15, 1910

3d. The limit of time for proof of beneficial use of water appropriated in accordance herewith is June 15, 1911

4th. The water appropriated shall be used for the purpose of irrigating Desert Claim No. 1001.

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 one cubic feet of water per second of time; 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 June 15, 1911; said water to be used during the following described annual periods.

Any time of year

Witness my hand this 23th day of June 1909

Samuel H. Lea
State Engineer.

By B. B. Lea Deputy.

COPY

No. 50

Division No. 1

Moreau Water District.

PERMIT

to appropriate water from

Antelope Draw

Parkins County, South Dakota

Name of applicant

Georgia E. Wilson

Name of diversion works

Antelope Draw

Date of first receipt at office of State

Engineer April 14, 1909

Returned to applicant for Correction

----- 1909

Corrected application received

----- 1909

Date of water right

April 14, 1909

Recorded in Book -1- Page 128

One-fifth of work to be completed

December 15, 1909

Whole work to be completed

June 15, 1910

Final proof of use of water

June 15, 1911

Approved June 15, 1909

Samuel H. Lea

State Engineer.

By B. B. Lea

Deputy

STATE OF SOUTH DAKOTA
WATER LICENSE NO. 50

WHEREAS, On the fourteenth day of April A. D. 19 00
GEORGIA D. WILSON

of Adm County of Parkins and State of
South Dakota duly made application (No. 50) to me for a permit to use one
foot
cubic ~~foot~~ per second of the waters of Antelope Draw
County of Parkins State of South Dakota, for irrigation
purposes; and

WHEREAS, On the twenty-sixth day of June A. D. 19 00
Permit No. 50 was issued to said applicant... for the diversion of said water, and providing for the com-
pletion of the works of diversion therein described on or before the fifteenth day of
June A. D. 19 10 and for the application to beneficial use of said
water on or before the fifteenth day of June A. D. 19 11
and,

WHEREAS, On the fourth day of June A. D. 19 10
the holder... of said permit duly made proof of the completion of adequate works for the diversion of one
foot
cubic ~~foot~~ per second of said waters, as evidenced by my Certificate No. 50
May 24, 1910, confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use one foot
cubic ~~foot~~ per second of water,
with date of priority of April 14, 1900, and,

WHEREAS, On the tenth day of June A. D. 19 10
proof was duly made of the application to beneficial use of one foot
cubic ~~foot~~ per second of
said water;

For irrigation of the SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 27, Township 10 N.,
Range 12 E. B.H.M.

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of South Dakota, I hereby grant and confirm to.....GEORGE A. WILSON.....

of.....Ada..... the holder... and owner... of said permit No.....50.....

a water right, dating from.....April 14, 1909..... to the use of.....one.....

cubic ^{foot}~~foot~~ per second of the waters of.....Antelope Draw.....

In the County of.....Fort Rice..... and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at.....the NW 1/4 of SE 1/4 of Section 27, Township 10 N., Range 13 W., B.M.M......

and conducted to and upon.....the SE 1/4 of SE 1/4 of Section 27, Township 10 N., Range 13 W., B.M.M......

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 the seal of my office at Pierre, South Dakota,
this.....sixteenth..... day of.....June..... A. D. Nineteen
Hundred and.....Ten.....

State Engineer.

By.....
Deputy.

STATE OF SOUTH DAKOTA

Water License No. 50

To GEORGE E. WILSON

Source of Supply

Antelope Draw

Perkins

County

Am't. 1000

Foot
Sec. 1000

Point of Diversion NE 1/4, NE 1/4, Section

27, T. 10 N., R. 13 E. NW 1/4

Place of Use NE 1/4, NE 1/4, Section 27,

T. 10 N., R. 13 E. D.M.

Purpose Irrigation

Date of Priority April 14, 1908.

Recorded June 20, 1908.

in Book -1- of Record Page 108.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA } ss
 County of Butte
I May D Mansbridge being duly
 sworn, deposes and says the annexed printed copy of Notice
 Intention to appropriate Water was taken from the Ada
Advocate 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 Ada County of
Perkins and State of South Dakota,
 That the said notice was published in said newspaper on the
 following dates:
April 28, 1909, May 5, 1909,
May 12, 1909 and May 19, 1909.
 in each and every issue of the full number thereof, the first
 publication being made on the 28th day of April
1909 and the last publication on the 19th day of
May 1909, upon which days or times
 of publication aforesaid the newspaper was regularly pub-
 lished, and that during the whole time of said publication
 he was Editor the printer and publisher of
 the said newspaper.

May D Mansbridge

Subscribed and sworn to before me this 24 day of May A.D. 1909
Walter Mansbridge
 Notary Public Butte County, S. D.

APPROPRIATION OF WATER NO. 50
 Office of the State Engineer
 Pierre, S. D., April 16, 1909.
 Notice is hereby given that George
 D. Wilson, whose postoffice address
 is Ada, Perkins county, S. D., has
 made an application in accordance
 with the provisions of the Irrigation
 laws of S. D. for a permit to appro-
 priate for beneficial use one cubic
 foot of water per second of time from
 Antelope draw through the Antelope
 draw, the point of diversion of
 which is to be located upon the left
 bank of said stream in the ne qr of
 the se qr of section 27, township 16n
 range 18e b 1 m, said water to be
 used for the purpose of irrigation
 upon the se qr, so qr, section 27,
 twp. 16 n range 18 e b 1 m, S. D.
 This application will be taken up
 by the state engineer at his office at
 Pierre for consideration and appro-
 priate action upon the 15th day of
 June 1909, or 9 a. m. at which time
 all persons who believe that the
 prior rights would be injuriously
 affected, or that the allowance of
 the permit would be detrimental to
 the public welfare, and also parties
 making the application, and to be
 benefited, are notified to be present
 either by sworn affidavit or in person
 for the purpose of presenting any
 relative testimony.
 Samuel H. Lea, State Engineer

(First Publication.....190.....)

APPROPRIATION OF WATER

Office of the State Engineer,

Pierre, S. D., April 16, 1909

Notice is hereby given that Georgia B. Wilson
whose postoffice address is Ada
Perkins County, S. D., has made an application in
accordance with the provisions of the irrigation laws of South Da-
kota for a permit to appropriate for beneficial use one cubic
foot of water per second of time from Antelope Draw
through the Antelope Draw, the point of diversion of which
is to be located upon the left bank of said stream in the NE
1/4 of the SE 1/4 of section 27 township 16N range 13 E. ^{B.H.M.} said water
to be used for the purpose of irrigation
upon the SE 1/4, SE 1/4, Section 27,
Township 16 North, Range 13 East B.H.M.

This application will be taken up by the state engineer at his
office at Pierre for consideration and appropriate action upon the
15th day of June 1909, at 9 a. m., at which time all
persons who believe that the prior rights would be injuriously af-
fected, or that the allowance of the permit would be detrimental
to the public welfare, and also parties making the application, and
to be benefited, are notified to be present either by sworn affi-
davit or in person for the purpose of presenting any relative tes-
timony.

State Engineer

Permit No. 50.....

Water Division No. 1..... Water District

Certificate of Examination of Works

Report of Examining Engineer

To the State Engineer, Pierre, South Dakota:

Dear Sir: I hereby certify that in accordance with your letter of authorization dated 1907
19....., I have this day made a thorough examination of the diversion works constructed by.....
..... Gerson E. Wilson....., of Ada
..... Perkins..... County, South Dakota, holder...of permit No. 50....., issued
upon application No....., bearing date of priority of....., 19....., authorizing the
diversion of...1.....second feet of the waters of..... Antelona Draw...for...irrigation
purposes. I have to report on the condition of the same as follows:

The diversion works comprise:..... two dams and two ditches as shown on the origi-
nal plans.....

and the system is in the following condition: it is in shape to irrigate the land as pro-
posed, and some land has been irrigated several times during the
past two years
The point of diversion is located S. 1. Sec. 27, Tp. 16 North, Range 13 East of
Black Hills meridian.....

The works are capable of diverting and conveying to the place of use 1..... second-feet of water,
which is to be used for..... irrigating Robert Claim No. 1061.....

The legal sub-divisions to be irrigated are: S. 1. of S. 1. of Sec. 27, Tp. 16 Range
13, R. 13.....

..... comprising a total of 20..... acres of land.

The domestic use intended comprises none.....

The utilization for power, mining, or other beneficial uses comprises: none.....

Witness my hand, this 24..... day of A. D. 1910.....

C. J. Tubbs
Examining Engineer.

Permit No. 50.....

Water Div. No. 1.....Morgan Water Dist.

**Certificate of Examination
of Clocks**

Dated May 31, 1910

Cream Antelope Draw

County.....PARKING

Amount.....000.....Second Feet

Date of Priority April 14, 1909

Recorded in Book.....1.....Page.....128

Filed in the office of the State Engineer this

10th day of June.....A. D. 1910

Samuel P. Lee
State Engineer.

Deputy.

RECEIVED

JUN 10 1910

OFFICE OF STATE ENGINEER,
PIERRE, S. DAK.

Permit No. 50

Water Division No. 1 Morris Water District

Certificate of Application of Water to Beneficial Use.

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Georgia E. Wilson, Ada, South Dakota
Ranching Business

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. I am acting for no other party or parties

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. No. 50, April 14, 1909

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Con.elope Drain, Section of Section
Division in E.E. Sec. 27 T. 16 N. R. 13 E. B.H.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. The works consist of one ditch and two dikes as shown on plat, also two dikes as shown. Capacity - 1 cu. ft. per second and more.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. Irrigation, E.E. Sec. 27 T. 16 N. R. 13 E. B.H.M. Cont. irrigated 20 Acres

Ques. 7. (For other than irrigation purpose, state how applied, amount of horse power generated, etc.)

Ans. None

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 1 cu. ft. per sec.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. I acquired original entry on 8th Sept.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. During growing seasons of 1909 and 1910

(Sign.) Georgia E. Philen.

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe ^{her} ~~him~~ to be the person ^{she} ~~he~~ represents ^{herself} ~~himself~~ to be, and that said testimony was subscribed and sworn to before me, at my office in Ada, County of Perkins

State of South Dakota, on this 25th day of May, A. D., 1910

Walter Mansbridge
Notary Public

Permit No. 50

Proof of Application of Water to
Beneficial Use.

DEPOSITION OF HOLDER.

Amount of water One second foot

Source Antelope Draw

County Perkins

Purpose Irrigation

Place of Use SE 1/4, Section 27,

Township 10 N., Range 13 E.

B. H. M.

Date of priority April 14, 1909

RECEIVED

JUN 10 1910

OFFICE OF STATE ENGINEER,
PIERRE, S. DAK.

Received and filed June 10, 1910.

SOUTH DAKOTA
Department of
Water & Natural Resources

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

May 31, 1990

50-1

Burdine & Son, Inc
HCR 69 Box 431A
Eison, SD 57620

Dear Sirs:

I am contacting you in regard to the status and ownership of Water Right No. 50-1. The water right is currently listed in the name of Georgia E Wilson. The Perkins County Assessor's Office has you listed as owner of the land described in Water Right No. 50-1. Enclosed is a copy for your review.

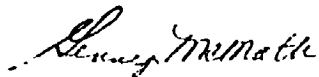
If the land is currently being irrigated and has been continually irrigated since the water right was issued, it should be transferred to you. Continuous irrigation, of course, would depend upon whether or not water was available to irrigate with.

SD Water Law 46-5-37 states that when any person entitled to the use of appropriated water fails to use beneficially all or any part of such water for the purpose for which it was appropriated, for a period of three years, such unused water shall revert to the public and shall be regarded as unappropriated public water.

If you feel the water right is still valid, please complete the enclosed "Notice of Transfer of Ownership". The form will need to be signed by you in the presence of a notary public and returned to our office with a required filing fee of \$2.50.

Please notify us as to the status of Water Right No. 50-1 and whether or not you wish to file the change of ownership. If you have any questions, please contact me.

Sincerely,



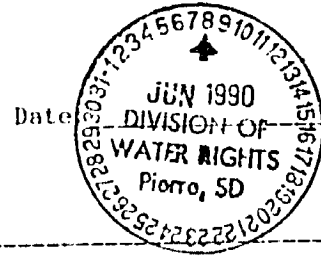
Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

No. 50-1

TO: Chief Engineer
Water Rights Division, DWR
523 East Capitol
Pierre, SD 57501-3181



I/We request that Water Permit/Right No. 50-1

formerly owned by: Georgia E Wilson

to be transferred to: (name & address) Bordline & Son, Inc.

HCR 69 Box 431, Bison, S.D. 57620 (telephone No.) 344-5446

Title to the following described land(s)/property has been transferred as described above:

SE 1/4 SE 1/4 Section 27, T16N, R13E

I/We understand that the validity of Water Permit/Right No. 50-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Pickens)

I/We Robert H. Bordline 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, and that I know of my own personal knowledge that the information herein stated is true.

Bordline & Son, Inc.
Robert H. Bordline Pres.
(Signed)

Subscribed and sworn to before me this 7 day of June, 1990

Bonnie Cron
(Notary Public)

Comm exp 8-22-93

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412259

Pierre, June 8, 1999

RECEIVED OF Burdine & Sons Inc., HCR 69 Box 531A Bison SD 57620

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
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. _____		
Fee for Filing Transfer Form <u>Water Right No 50-1</u>	2	50
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	2 50

By

Chief Engineer



Department of Water & Natural Resources

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

50-1

June 13, 1990

Delbert H. Burdine, President
Burdine & Son Inc.
HCR 69 Box 431
Bison, SD 57620-9305

Dear Mr. Burdine:

Enclosed is Receipt No. 412258 in the amount of \$2.50 which you paid for transfer of Water Right No. 50-1.

Our records now reflect you as the owner of this Water Right.

Sincerely,

MARIE R. ARTHUR
Secretary
Water Rights Division
(605) 773-3352

enclosure