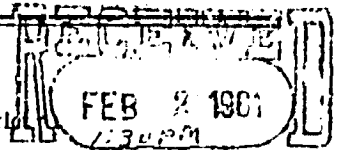


535-1

1. Considered 3-15, 1960
2. Name of Applicant Albert Pedersen
3. Post Office Address Valley
4. Amount of water claimed 1.19
5. Source of water supply Mountain Creek
6. Water to be used for irrigation
Acres to be irrigated 43.41
7. Water to be diverted and used in Moody County about
53 miles Valley of Valley
8. Proof of Publication Received 12/1
Not Received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

No. 535-1Water Division No. 1 BEUL FOWLER RIVER District
(Blanks to be filled by the Engineer for the W. R. C.)STATE WATER RESOURCES CENTER
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 ALBERT OEDEKOVEN
Postoffice address VALE, County BUTTE, 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, \$ _____ (c) Treasury stock, \$ _____
(d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work OEDEKOVEN IRRIGATION PROJECT #4
3. Amount of water claimed 1.19 cubic feet per second or 250.23 acre ft.
4. Source of water supply NINE MILE CREEK
5. Location of point of diversion SEE REMARKS SECTION
_____ on _____ bank _____ County.
6. Annual period or periods during which water is to be used YEAR AROUND
7. To be used for:

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

- (a) Number of acres to be irrigated
- 83.41
- 89.48
- acres.

- (b) Legal subdivisions to be irrigated
- SEE REMARKS SECTION

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written, and, if not, 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 452-1

8. Estimated cost of work:

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

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

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

(1) Canal-earth, \$.....

Rock, \$.....

(e) Other structures

DIKES\$1500.00Total, \$1500.00

9. Description of diversion works:

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

PLUGS AND DIKES

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.....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.....

FAITH INDEPENDENT FAITH S. DAK.

STATE OF SOUTH DAKOTA

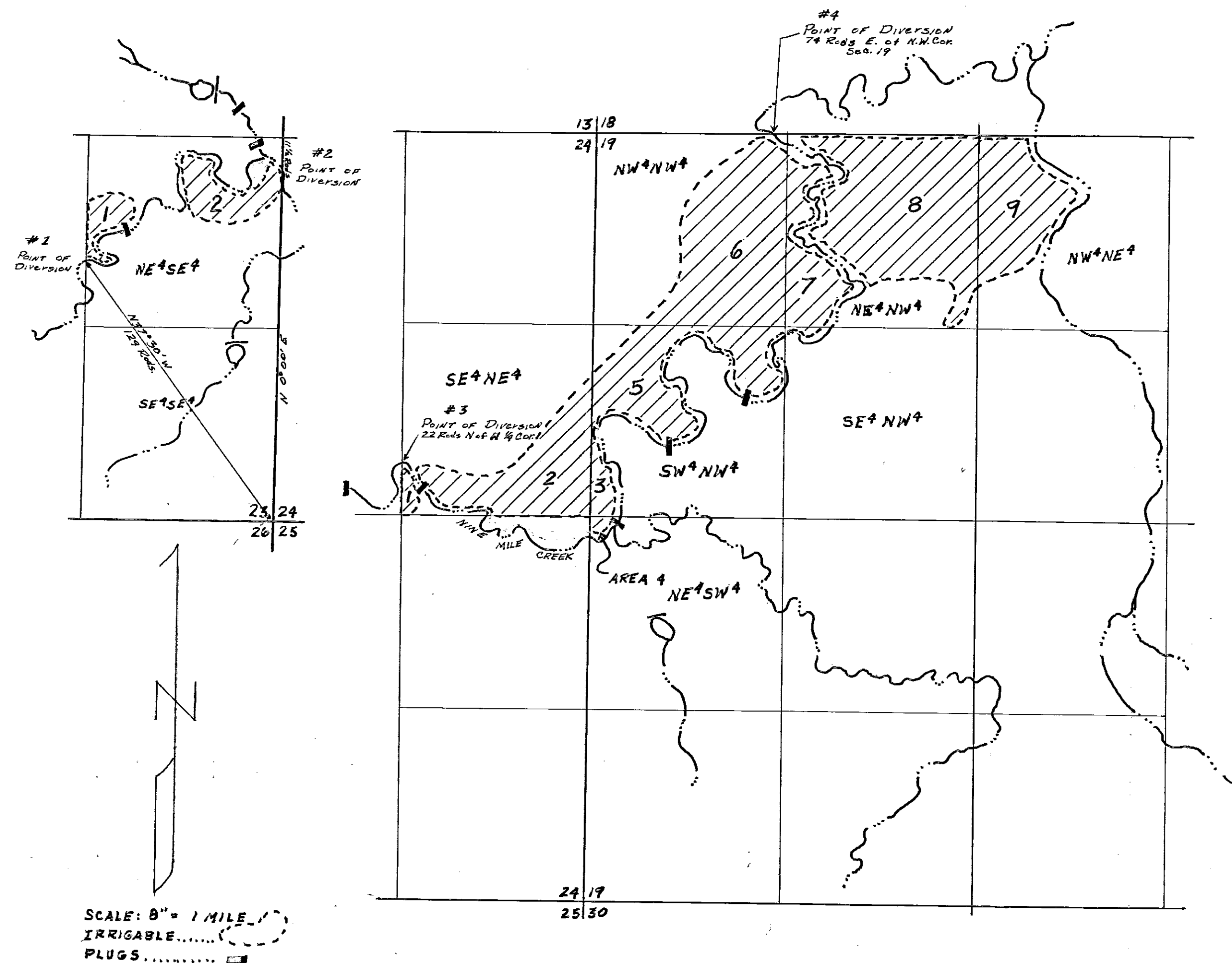
County of DEADE

I, ALBERT OEDEKOVEN, 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

Albert OedekovenSubscribed and sworn to before me this 27th day of JANUARY 1961.My commission expires 12/7/68James B. Boring
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



LOCATION OF LANDS TO BE IRRIGATED					
AREA	LOCATION	SEC.	T ¹ HP	RANGE	ACRES
1	NE 1/4	23	7N	6E	1.95
2	NE 1/4	23	7N	6E	1.10
TOTAL					6.05

LOCATION OF LANDS TO BE IRRIGATED					
AREA	LOCATION	SEC.	T ¹ HP	RANGE	ACRES
1	SE 1/4	24	7N	6E	0.68
2	SE 1/4	24	7N	6E	11.51
3	SW 1/4	19	7N	7E	1.27
4	NE 1/4	19	7N	7E	0.29
5	SW 1/4	19	7N	7E	11.22
6	NW 1/4	19	7N	7E	19.51
7	NE 1/4	19	7N	7E	5.95
8	NE 1/4	19	7N	7E	22.73
9	NW 1/4	19	7N	7E	10.15
TOTAL					83.41

CEDKOVEN IRRIGATION PROJECT # 4

ALL LANDS DESCRIBED HEREIN ARE OWNED BY ALBERT CEDKOVEN.

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA) ss
COUNTY OF MEADE

I, MERIC D. GIGEAR, Registered Land Surveyor, do hereby certify that this map was made from field notes and aerial photographs of the area and that to the best of my knowledge it correctly represents the lands involved and the locations indicated.

IN WITNESS WHEREOF I have hereunto set my hand and official seal this 27th day of January, 1961.

Meric D. Giegar
Registered Land Surveyor #1007

STATE OF SOUTH DAKOTA) ss
COUNTY OF MEADE

On this 27th day of January, 1961, before me, James B. Kinney, the undersigned officer, personally appeared Meric D. Giegar, known to me to be the person whose name is subscribed to the above written instrument and acknowledged that he executed the same for the purpose therein contained.

IN WITNESS WHEREOF I have hereunto set my hand and official seal.

My commission expires 12/7/61 *James B. Kinney* Notary Public

Remarks by State Water Resources Commission:

Diversion structures built under this Permit must incorporate an uncontrolled bypass take not smaller than 8 inches in diameter to allow passage of low stream flows for downstream domestic use and prior water rights. The top of these outlet tubes must be located at least one foot below that elevation at which water would be diverted from the watercourse.

STATE OF SOUTH DAKOTA

County of Hughes ss.

Pierre, South Dakota, May 15, 1961

This is to certify that the foregoing application was received by the Commission at 1:30 o'clock

P.m. upon the 2nd day of February, 1961

State Water Resources Commission

By:

Anton J. Johnson
for Chief Engineer, Executive Officer

Number of permit: 535-1

Date of first receipt of application February 2, 1961

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 February 2, 1961

Approved May 10, 1961, Recorded in Book 6 Page 244

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 10, 1963

2nd. The whole of said work is to be completed on or before May 10, 1966

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

May 10, 1966

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 1.19 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 10, 1966; said water to be used during the following described annual period:

whenever available

Witness my hand this 15th day of May, 1961

State Water Resources Commission

By:

Anton J. Johnson
Chief Engineer, Executive Officer

Certificate of Construction Issued OCTOBER 6, 1969

Water License Issued OCTOBER 6, 1969

Remarks by the Applicant:

LOCATION OF LANDS TO BE IRRIGATED					
AREA	LOCATION	SEC.	T'SHP	RANGE	ACRES
1	NE-SE $\frac{1}{4}$	23	7N	6E	1.95
2	NE-SE $\frac{1}{4}$	23	7N	6E	4.10
1	SE-NE $\frac{1}{4}$	24	7N	6E	0.68
2	SE-NE $\frac{1}{4}$	24	7N	6E	11.51
3	SW-NW $\frac{1}{4}$	19	7N	7E	1.27
4	NE-SW $\frac{1}{4}$	19	7N	7E	0.29
5	SW-NW $\frac{1}{4}$	19	7N	7E	11.32
6	NW-NW $\frac{1}{4}$	19	7N	7E	19.51
7	NE-NW $\frac{1}{4}$	19	7N	7E	5.95
8	NE-NW $\frac{1}{4}$	19	7N	7E	22.73
9	NW-NE $\frac{1}{4}$	19	7N	7E	10.15
TOTAL					89.16

Water to be diverted in two areas;

the first area being between a point $11\frac{1}{2}$ rods south of the east $\frac{1}{4}$ Cor. of Sec. 23, and a point 129 rods on a bearing of N37 30' from the SE Corner of Sec. 23, all in T7N R6E

and the second area being between a point 22 rods north of the west $\frac{1}{4}$ Cor. of Sec. 24, T7N R6E, and a point $7\frac{1}{4}$ rods east of the NW Cor. of Sec. 19, T7N R7E B.H.M.

Period of use is given as year around to facilitate water storage.

Plugs shown are now in place, but layout for dikes and more plugs has not yet been started.

ADDRESS ANY ENGINEERING CORRECTIONS TO

GIGEAR SURVEYING
1054 PARK ST.
STURGIS
S. DAK.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. ... 535-1

(1) WHEREAS, On the 2nd day of February A. D. 19 61
Albert Oedekoven

made Water Right Application No. 535-1 for a permit to use 1.19 cubic feet per second of the waters of Nine Mile Creek

County of Meade, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 15th day of May A. D. 19 61

Permit No. 535-1, with a date of priority of February 2, 1961

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 10th day of May A. D. 19 66 and for the application to beneficial use of said water on or before the 10th day of May A. D. 19 66

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 1.19 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 irrigation of the following described land:

Section 19, T7N, R7E	NW $\frac{1}{4}$ NE $\frac{1}{4}$	10.15 acres
	NW $\frac{1}{4}$	61.07 acres
Section 23, T7N, R6E	NE $\frac{1}{4}$ SE $\frac{1}{4}$	6.05 acres
Section 24, T7N, R6E	SE $\frac{1}{4}$ NE $\frac{1}{4}$	12.19 acres
	Total	89.47 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 Albert Oedekoven

_____ of Vale, South Dakota

the holder _____ and owner _____ of said permit No. 535-1 a water right, dating from February 2, 1961

_____ to use of 1.19 cubic feet per second of the waters of Nine Mile Creek

in the County of Meade and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted, ~~at~~ between points 74 rods E. of the NW Corner, Section 19, T7N, R7E, and N 37°30' W, 129 rods from the SE corner, Section 23, T7N, R6E

and conduce to and upon portions of Section 19, T7N, R7E and Sections 23 and 24, T7N, R6E,
described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 535-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 6th day of October A. D.
Nineteen Hundred and Sixty - nine

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Form 15.

Permit No. 535-1

Water Diversion No. 1 BELLE FOURCHE RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Albert Oedekoven

_____ the holder _____ of
Permit No. 535-1, issued upon Application No. 535-1, bearing date of priority of February 2, 1961
authorizing the diversion of 1.19 cu. ft. per second of the waters of _____
Nine Mile Creek County of Meade, State of South Dakota, at _____
between points 74 rods E. of the NW Corner, Section 19, T7N, R7E, and N. 37° 30' W.
129 rods from the SE Corner, Section 23, T7N, R6E.
_____, 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 1.19 cu. ft. per second of water.

Date October 6, 1962

WATER RESOURCES COMMISSION

E/:

J.W. GRIMES, Executive Officer

Permit No.

535-1

Water Division

1 BELLE FOURCHE 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 ALBERT
OEDERLOVEN of VALE holder
of Permit No. 535-1, bearing date of priority of FEBRUARY 2, 1961
authorizing the diversion of 1.19 cu. ft. per second of the waters of NINE MILE CREEK
for IRRIGATION purposes, in MEADE 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:

**SERIES OF 7 MAIN PLUGS ACROSS CREEK.
WITH 8" TO 12" TUBES THROUGH PLUGS**

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

C. Works used to apply water to beneficial use.

**SERIES OF SMALL SPREADER DIKES AND
DITCHES TO SPREAD WATER ONTO FLATS
ALONG CREEK**

The system is in the following condition: GOOD

The point of diversion is located BETWEEN POINTS 74 AND 508 NW COR. SECTION 19,
T7N, R1E, AND N27°30' W, 12400S NE1/4 SEC. SECTION 23, T7N, R1E

The works are capable of diverting and conveying to the place of use FLOW OF CREEKcu. ft. per second of water which is to be used for IRRIGATION

Water has been put to beneficial use to the maximum extent as follows:

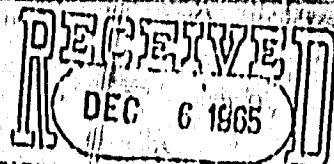
SEC. 19, T7N, R1E NW 1/4 NE 1/4 10.15 AC.NW 1/4 61.07 AC.SECTION 23, T7N, R1E NE 1/4 SE 1/4 6.25 AC.SECTION 24, T7N, R1E SE 1/4 NE 1/4 12.19 AC.comprising a total of 89.48 acres of land.89.46

Date

OCTOBER 2, 1969

Just F. Jones
(Signature)

WATER RIGHT SPECIALIST
WATER RESOURCES COMM.

Permit No. 535-1

STATE WATER RESOURCES COMMISSION

Water Division No. 1Water District Bellevue

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.)

Wile S. D.

(Date)

Dec. 2 - 1965

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 1.19
cu. (256.23 acre ft) cu. ft. per second of the waters of the state from
through the Nine Mile Creek
for Irrigation 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 Albert Oedeboven
(Oedeboven Irrigation Project #4)
2. The postoffice address of such person or the place of business of such corporation is Wile
County of Meade State of S. Dak.
3. The number of such permit is 535-1 and the date set for the completion of such work is
May 10 - 1966
4. Said water to be used for Irrigation 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 1.19 cubic feet per second.

6. The amount of land for which said water is available is 83.41 acres,
particularly described as follows: Sec. 23 - T7N - R6E

Sec. 24 - T7N - R6E -- Sec. 19 - T7N - R7E
B. H. M.

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

Stanley Oedeboven

(Signature of Owners)

Vernon Oedeboven

**OVERSIZE
DOCUMENT IS
SUPPLEMENTARY
TO MICROFILM FILE**

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Meade } ss.

Morris G. Hallock being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the

Black Hills Press 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 Sturgis County of

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

February 18, 1961
February 25, 1961
March 4, 1961
March 11, 1961

In each and every issue of the full number thereof, the first publication being made on the 18 day of Feb. 1961 and the last publication on the 11 day of March 1961, 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.

Morris G. Hallock

Subscribed and sworn to before me this 14 day of March 1961

Notary Public Meade County, S. D.

Bob Lee, My Commission Expires
April 12, 1968

APPROPRIATION OF WATER
Office of State Water Resources Commission,
Pierre, S. Dak.
February 16, 1961
Notice is hereby given that Albert Oedekoven whose post-office address is Vale, 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 1.19 cubic feet of water per second of time from Nine Mile Creek through Oedekoven Irrigation Project No. 4, the point of diversion of which is to be located on both banks of said stream between a point in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24, T. 7N; R. 6E; and a point in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 19, Twp. 7N, Range 1E. Said water is to be used for the purpose of providing irrigation on portions of the following described land: NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 24; T. 7N; R. 6E; and NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 19, T. 7N; R. 6E.
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 16th day of March, 1961, at 2:00 P.M. All interested persons may appear and be heard.
Appropriate action will be taken by the Water Resources Commission after such time has elapsed for the consideration of any or all information presented.
State Water Resources Commission,
By: Burton J. Jones,
Water Right Specialist
Press Feb. 17-25 - March 4-11

MAR 20 1961

STATE WATER RESOURCES COMMISSION
PIERRE, S. DAKOTA

on or before February 18, 1961
(First Publication)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., February 14, 1961

Notice is hereby given that Albert Oedekeoven whose postoffice address is Vale 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 1.19 cubic feet of water per second of time from Nine Mile Creek through the Oedekeoven Irrigation Project # 4 the point of diversion of which is to be located on the both between a point in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24, T. 7N; R. 6E; and a point bank of said stream in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 19 Twp. 7N Range 7E Said water to be used for the purpose of providing irrigation on the following described land:
NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 24; T. 7N; R. 6E; and W $\frac{1}{2}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 19, T. 7N; R. 7E.

and for purpose

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of March, 1961, 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.

CO: Morris G. Hallock—Publisher
Black Hills Press
Sturgis, South Dakota

State Water Resources Commission

By:

Chief Engineer and Executive Officer
MORTON F. JONES
Water Right Specialist