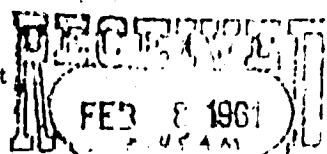


536-1

1. Considered 3-15, 1961
2. Name of Applicant James E. Mc Kenna
3. Post Office Address 7 Corn
4. Amount of water claimed 1.43
5. Source of water supply dry draw
6. Water to be used for irrigation
Acres to be irrigated 100
7. Water to be diverted and used in Pekin County about
4E 55 miles of 7 Corn
8. Proof of Publication Received ✓
Not Received 7-26
9. Application Approved ✓
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

No. 536-1Water Division No. 1 MOREAU RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

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

1. Name of applicant JAMES E. McKENNA
Postoffice address Zeona, County Parkinson, State So. Dak.

~~XXXXXX XXXXXX~~

- (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, \$ _____ (c) Treasury stock, \$ _____
(d) Bonds to be issued, \$ _____ (e) Other resources, \$ Govt. Cost-Share

2. Name of diversion work JAMES E. McKENNA IRRIGATION PROJECT #1
1.42 maximum allowable
3. Amount of water claimed 1.42 cubic feet per second or 300.0 cfs. Ft. Max.
4. Source of water supply Surface runoff from local watershed
5. Location of point of diversion See attached sheet
_____ on _____ bank _____ County.
6. Annual period or periods during which water is to be used when available during annual season
7. To be used for:

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

- (a) Number of acres to be irrigated 100.0 acres.

(b) Legal subdivisions to be irrigated See attached sheet

(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.)

~~XXXXXX XXXXXX~~ Domestic use (giving location, etc.) _____~~XXXXXX XXXXXX~~ Milling, power, fish culture fire protection and public recreation:

- (a) Nature of use _____
Name of the above user 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. 453-1

8. Estimated cost of work:

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

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

(c) Fluming, \$-----

(d) Canal-earth, \$-----

Stock, \$-----

(e) Other structures Dams & Dikes \$1500.00

Total, \$-----

9. Description of diversion works:

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

Dams and Dikes will divert water onto flats as shown on map.

Dam in Sec. 36 may also act as small storage reservoir

II. Dimensions of works: Proposed (Estimated)

(a) Dam: Height 20.0 feet; length at bottom 40.0 feet; length at top 250.0 feet; thickness at bottom 132.0 feet; thickness at top 12.0 feet; slope at front water face 4:1; slope at back face 2:1 material used in construction Earth

(b) Reservoir: Capacity when filled 20.0 acre feet. Surface area at highwater mark 3.0 acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	ACRE-Feet CAPACITY

~~XXXX HEADGATE~~ Width ----- feet; height ----- feet;

Material -----

(d) Canal: Total length 0.75 miles. (Optional)

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 four (4) 5 years.11. Time required for complete application of water to the proposed beneficial use 5 1/4 years.

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

RISON COURIER

STATE OF SOUTH DAKOTA

County of Perkins

} ss.

I, James E. McKeena, 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

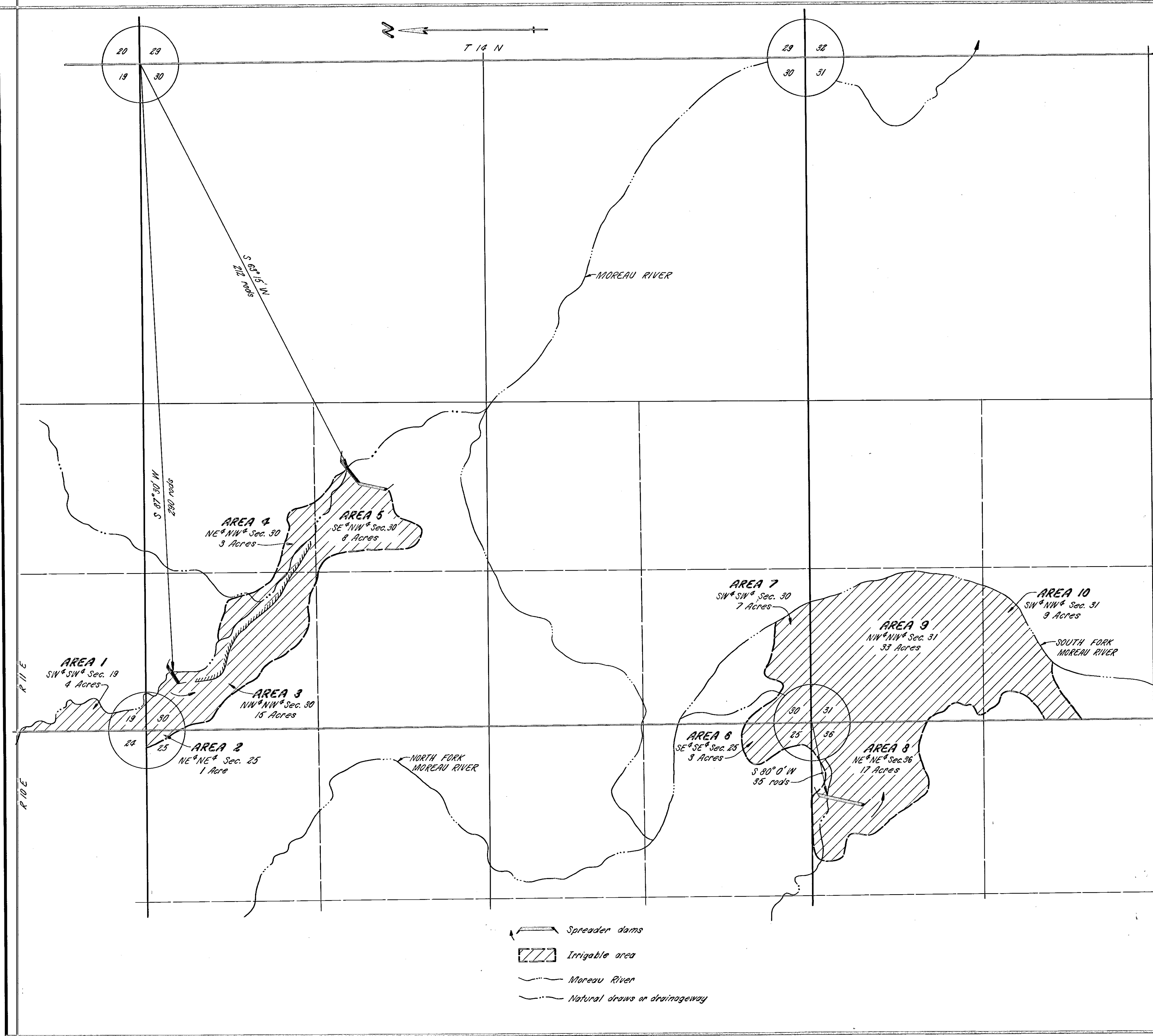
James E. McKeena

Subscribed and sworn to before me this

6day of Feb.1961

Robert M. Hering
Notary Public (or other qualified officer.)

My Commission Expires 6-22-67



All lands described are owned by James E. McKenna

LOCATION OF LAND TO BE IRRIGATED					
AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	SW ⁴ SW ⁴	19	14N	11E	4
2	NE ⁴ NE ⁴	25	14N	10E	1
3	NW ⁴ NW ⁴	30	14N	11E	15
4	NE ⁴ NW ⁴	30	14N	11E	3
5	SE ⁴ NW ⁴	30	14N	11E	8
6	SE ⁴ SE ⁴	25	14N	10E	3
7	SW ⁴ SW ⁴	30	14N	11E	7
8	NE ⁴ NE ⁴	36	14N	10E	17
9	NW ⁴ NW ⁴	31	14N	11E	33
10	SW ⁴ NW ⁴	31	14N	11E	9
TOTAL					100

SURVEYOR'S CERTIFICATE

I, Kenneth L. Huber DO HEREBY CERTIFY THAT THIS MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND OF THE JAMES E. MCKENNA IRRIGATION PROJECT NO. 1 AND HAS BEEN PREPARED BY THE SOIL CONSERVATION SERVICE FOR THE PERKINS COUNTY SOIL CONSERVATION DISTRICT.

SIGNATURE: Kenneth L. Huber
 TITLE: Agricultural Engineer
 U. S. DEPARTMENT OF AGRICULTURE
 SOIL CONSERVATION SERVICE

SUBSCRIBED AND SWORN TO BEFORE ME THIS 6 DAY OF Feb., 1967, A.D.

Robert M. Herring
 NOTARY PUBLIC

MY COMMISSION EXPIRES 6-22, 1967.

Scale: 1" = 400'

**JAMES E. MCKENNA
IRRIGATION PROJECT
NUMBER 1**

Perkins County, South Dakota

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed.....	Date.....	Approved by.....
Drawn.....		Title.....
Traced.....	Sheet.....	Drawing No.....
Checked.....	No. 1 of 1	

Remarks by State Water Resources Commission:

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

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, MARCH 16, 1961

This is to certify that the foregoing application was received by the Commission at 8:45 o'clock
8 m. upon the 8th day of February, 1961.

State Water Resources Commission

By: [Signature]

Chief Engineer, Executive Officer

Number of permit 536-1

Date of first receipt of application February 8, 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 8, 1961

Approved March 15, 1961, Recorded in Book 6 Page 192

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 September 15, 1963

2nd. The whole of said work is to be completed on or before MARCH 15, 1964

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

MARCH 15, 1970

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 1.42 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 March 15, 1970; said water to be used during the following described annual period:

when available during annual irrigation season

Witness my hand this 16th day of March, 1961

State Water Resources Commission

By: [Signature]

Chief Engineer, Executive Officer

Certificate of Construction Issued MAY 4, 1965

Water License Issued MAY 4, 1965

JAMES E. McKENNA
APPLICATION FOR PERMIT

5. Location of Points of Diversion:

290 Rods S $67^{\circ}30'W$, and 212 Rods S $63^{\circ}15'W$ of the
NE Corner of Sec 30, T14N, R11E.

35 Rods S $80^{\circ}00'W$ of the NE Corner of Sec 36, T14N, R10E.

7¹ (b) Legal subdivisions to be irrigated

AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	SW ⁴ SW ⁴	19	14 N	11 E	4
2	NE ⁴ NE ⁴	25	14 N	10 E	1
3	NW ⁴ NW ⁴	30	14 N	11 E	15
4	NE ⁴ NW ⁴	30	14 N	11 E	3
5	SE ⁴ NW ⁴	30	14 N	11 E	8
6	SE ⁴ SE ⁴	25	14 N	10 E	3
7	SW ⁴ SW ⁴	30	14 N	11 E	7
8	NE ⁴ NE ⁴	36	14 N	10 E	17
9	NW ⁴ NW ⁴	31	14 N	11 E	33
10	SW ⁴ NW ⁴	31	14 N	11 E	9
TOTAL					100

STATE OF SOUTH DAKOTA

WATER LICENSE No. 536-1

WHEREAS, On the 8th day of February 65
A. D. 1965
James E. McKenna

of Zeona County of Perkins and State of
South Dakota duly made application (No. 536-1) to us for a permit to use 1.42
cubic feet per second of the waters of dry draws
County of Perkins, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 16th day of March 61
A. D. 1961
Permit No. 536-1 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 15th day of
March A. D. 1966 and for the application to beneficial use of said
water on or before the 15th day of March 70
A. D. 1970
and,

WHEREAS, On the 28th day of April 65
A. D. 1965
the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.42
cubic feet per second of said waters, as evidenced by our Certificate No. 536-1
dated May 4, 1965 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 1.42 cubic feet per second of water, with date of
priority of February 8, 1961 and,

WHEREAS, On the 28th day of April 65
A. D. 1965
proof was duly made of the application to beneficial use of 1.42 cubic feet per second of said water;
for irrigating 100 acres in portions of Sections 19, 30, and 31, T14N, R11E, and
Sections 25 and 36, T14N, R10E

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 James E. McKenna
 of Zeona the holder and owner of said permit No. 536-1
 a water right, dating from February 8, 1961 to the use of 1.42
 cubic feet per second of the waters of dry draws
 in the County of Perkins and State of South Dakota, or so much thereof as may be
 necessary for the purposes hereinbelow mentioned, to be diverted at points in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30,
T14N, R11E, and in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36, T14N, R10E
 and conducted to and upon portions of Sections 19, 30, and 31, T14N, R11E, and Sections
25 and 36, T14N, R10E, more specifically described in the Certificate of Completion
of Works
 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 4th day of May A. D. Nineteen
 Hundred and Sixty-Five.

State Water Resources Commission

By:

J. W. GRIMES
 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 _____

Order of Priority _____

Recorded _____

in Book _____ of _____ Page _____

Permit No. 536-1Water Division No. 1 Moreau River
Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That James E. McKenna

of Zeona, County of Perkins, and State of South Dakota, the holder of Permit No. 536-1, Issued upon Application No. 536-1, bearing date of priority of February 8, 1961, authorizing the diversion of 1.42 cu. ft. per second of the waters of dry draws County of Perkins, State of South Dakota, at points in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 30, T14N, R11E, and in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, T14N, R10E for 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 1.42 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: Section 30, T14N, R11E SW $\frac{1}{4}$ SW $\frac{1}{4}$ 7 acres

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 15 "

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 3 "

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 8 "

Section 19, T14N, R11E SW $\frac{1}{4}$ SW $\frac{1}{4}$ 4 "

Section 31, T14N, R11E NW $\frac{1}{4}$ NW $\frac{1}{4}$ 33 "

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 9 "

Section 25, T14N, R10E NE $\frac{1}{4}$ NE $\frac{1}{4}$ 1 "

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 3 "

Section 36, T14N, R10E NE $\frac{1}{4}$ NE $\frac{1}{4}$ 17 "

Total - 100 "

Witness my hand this 4th day of May 65 A. D. 19

State Water Resources Commission

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

Permit No. 536-1
MOREAU
RIVER

 Water Division No. 1 Water District

Certificate of Examination of Works

Report of Examining Engineer

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

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated _____

19____, I have this day made a thorough examination of the diversion works constructed by _____

JAMES E. MCKENNA, of ZEONA
PERKINS County, South Dakota, holder of Permit No. 536-1, issued

 upon Application No. 536-1, bearing date of priority of FEBRUARY 8, 1961, authorizing the

 diversion of 1.42 cu. ft. per second of the waters of DRY DRAWS for IRRIGATION

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

 The diversion works comprise: STORAGE DAM OF APPROX 20 AC. FT
OF WATER. APPROX 1 MILE OF MAIN DITCH FED
FROM DAM THRU 18" CMP TUBE W/ HEADGATE 5
SPREADER DIKES APPROX 3/4 MILE W/ 12" GATED
CMP TUBES

 and the system is in the following condition: EXCELLENT

 The point of diversion is located AT POINTS IN THE SE⁴ NW⁴, SECTION 30,
Rd. IN THE NE⁴ NE⁴, SECTION 36, T.14 N, R.10 E.

 The works are capable of diverting and conveying to the place of use 1.42 cu. ft. per second of water,
 which is to be used for _____

 The legal sub-divisions to be irrigated are: AS SHOWN ON APPLICATION

 comprising a total of 100 acres of land.

The domestic use intended comprises _____

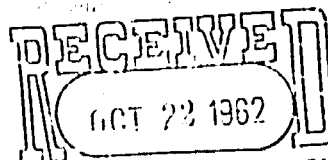
The utilization for power, milling, or other beneficial uses comprises: _____

 Witness my hand, this 28TH day of APRIL, 1961

-SEAL-

Examining Engineer

OFFICER

Permit No. 536-1Water Division No. 1 Moreau River Water DistrictSTATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

NOTICE OF COMPLETION OF WORKS

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

(P. O.)

Zeona, So Dak

(Date)

Oct 18-1962

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

1.42 cu. ft. per second of the waters of the state from local watershed
through the season when available
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 James E. McKenna

2. The postoffice address of such person or the place of business of such corporation is Zeona
County of Perkins State of So Dak

3. The number of such permit is 536-1 and the date set for the completion of such work isDec 15, 19624. 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 1.42 cubic feet per second.

6. The amount of land for which said water is available is 50 acres,
particularly described as follows: SW 1/4 SW 1/4, Sec 19 - N 1/2 NW 1/4 & SE 1/4 NW 1/4, & SW 1/4 SW 1/4
Sec 30; W 1/2 NW 1/4; Sec 31; all in T 14N R 11E; and NE 1/4 NE 1/4 & SE 1/4 SE 1/4, Sec 25;
and NE 1/4 NE 1/4 Sec 36 all in T 14N R 11E

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

(Signature of Owners)

James E. McKenna

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Perkins } ss.

Lloyd I 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:
Feb 16-23-Mar. 2-9

In each and every issue of the full number thereof, the first publication being made on the 16 day of February 1961 and the last publication on the 2 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 X and publisher X of the said newspaper.

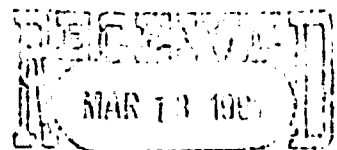
Lloyd I Sudlow

Subscribed and sworn to before me this 9 day of March A. D. 1961

Lloyd I Sudlow
Notary Public Perkins County, S. D.

ADRIA B. SUDLOW
Notary Public
Commission Expires Mar. 12, 1967.

No. 536-1
APPROPRIATION OF WATER
Office of State Water Resources
Commission Pierre, S. Dak., February 10, 1961.
Notice is hereby given that James R. McKenna, whose postoffice address is Zeona, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.43 cubic feet of water per second of time from dry draws through the McKenna Irrigation Project No. 1, the point of diversion of which is to be located on both banks of said stream at a point in the NW 1/4 Sec. 20, and a point in the SE 1/4 NW 1/4, Sec. 20, T. 14N, R. 11 E. and a point in the NE 1/4 NE 1/4 of Sec. 25, T. 14 N, R. 10 E. Said water to be used for the purpose of providing irrigation on portions of the following described land:
SW 1/4 SW 1/4, Sec. 19, N 1/4 & SE 1/4 NW 1/4, and SW 1/4 SW 1/4, Sec. 20; NW 1/4 NW 1/4, Sec. 21; all in T. 14N, R. 11 E; and NE 1/4 NE 1/4 & SE 1/4 SE 1/4, Sec. 25; and NE 1/4 NE 1/4, Sec. 26, all in T. 14N, R. 10 E.
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.
State Water Resources Commission,
By BURTON F. JONES,
Water Right Specialist. F16M3



STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

No.536-1

First publication on or before February 16, 1961.

APPROPRIATION OF WATER

Office of State Water Resources Commission
Pierre, South Dakota February 10, 1961

Notice is hereby given that James E. Mc Kenna whose postoffice address is Zeona, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2,43 cubic feet of water per second of time from dry draws through the Mc Kenna Irrigation Project #1, the point of diversion of which is to be located on both banks of said stream at a point in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 30, and a point in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30. T 14N, R 11E, and a point in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 36, T 14N, R 10E. Said water to be used for the purpose of providing irrigation on portions of the following described land:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec 19; N $\frac{1}{2}$ NW $\frac{1}{4}$ & SE $\frac{1}{4}$ NW $\frac{1}{4}$, and SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 30; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec 31; adj in T 14N, R 11E; and NE $\frac{1}{4}$ NE $\frac{1}{4}$ & SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 25; and NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec 36, all in T. 14N, R. 10E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration on 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.

State Water Resources Commission

By: BURTON F. JONES
Water Right Specialist

CC: Lloyd I. Sudlow, Publisher
Bison Courier
Bison, South Dakota