

Water Right Number 539-1A

1. Considered NOVEMBER 10, 19 71

2. Name of Applicant JOHN R. DONCHUE

3. Post Office Address PRAIRIE CITY, SO. DAK

4. Amount of Water claimed 4.4

5. Source of Water supply RUNOFF LOCAL WATERSHED

6. Water to be used for IRRIGATION

Acres to be irrigated 309

7. Water to be diverted and used in PERKINS County

about 6 N 6 W miles of Prairie City

8. Proof of Publication

Received 11-8-71

Not Received _____

9. Application

Approved _____

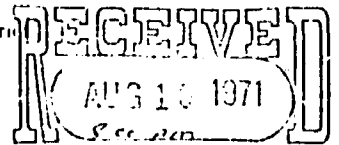
Subject to _____

Not Approved _____

.. tion Deferred _____

10. Remarks:

No. 539-1A

Map No. 456-1 Water Division No. 1 Grand River District
(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 R. Donohue
 Postoffice address Ralph State South Dakota
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) direct labor and contract
3. Name of diversion work John R. Donohue Irrigation Project No. 1
4. Amount of water claimed (cubic feet per second) 4.4
5. Source of water supply Runoff from local watershed
6. Location of point of diversion between points located S.27, 98 rods from NE Corner of Sec. 20, and the North 1/2 Corner of Section 6, all in T19N, R10E
 _____ County Perkins
7. Annual period or periods during which water is to be used whenever runoff occurs
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
9. For irrigation use, _____ Total number of acres to be irrigated 309

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
see attached list			

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication son Courier
12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

A series of diversion dams will divert the water from the water course and then the water will be guided by dikes (about two feet high) to spread water on the proposed area as shown.

B. Works proposed to transport water to place of use.

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ 7,000.00

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water is proposed. Attach map.
 (See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of PerkinsI, John R. Donohue, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary constructionSubscribed and sworn to before me this 7th day of August 1971

Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 539-1A
JOHN R. DONOHUE PEAIRIE CITY
 (Applicant) (Post Office Address)
SOUTH DAKOTA With the following modification:
 (State)

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.

Date of first receipt of application AUGUST 10 19 71
 Date of return to applicant for correction, amendments or changes required --- 19 ---
 Date of receipt of corrected application --- 19 ---
 Approved NOVEMBER 10 19 71 Recorded in Book 12 Page 36

WATER RIGHT PERMIT NO. 539-1A

The Water Resources Commission hereby grants and issues this Water Right Permit No. 539-1A authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is AUGUST 10 19 71
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 10 19 74
3. The whole of said work is to be completed on or before NOVEMBER 10 19 76
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 10 19 80
5. The water appropriated shall be used for the purpose of IRRIGATION

6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

7. The amount of the appropriation herein granted shall not exceed 4.4 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before NOVEMBER 10 19 80; said water to be used during the following described annual period: WHEN RUNOFF OCCURS

Witness my hand this 11TH day of NOVEMBER 19 71

WATER RESOURCES COMMISSION

By: [Signature]
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____ 19 _____

Water License Issued _____ 19 _____

7. John R. Donahue legal Subdivisions Irrigation Project #1

LOCATION LAND TO BE IRRIGATED					
AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	LOT 3	6	19N	10E	12
2	LOT 2	6	19N	10E	8
3	SE ⁴ NW ⁴	6	19N	10E	16
4	SW ⁴ NE ⁴	6	19N	10E	5
5	NE ⁴ SW ⁴	6	19N	10E	3
6	NW ⁴ SE ⁴	6	19N	10E	16
7	NE ⁴ SE ⁴	6	19N	10E	4
8	SW ⁴ SE ⁴	6	19N	10E	4
9	SE ⁴ SE ⁴	6	19N	10E	15
10	NE ⁴ NE ⁴	7	19N	10E	17
11	SE ⁴ NE ⁴	7	19N	10E	21
12	SW ⁴ NW ⁴	8	19N	10E	10
13	NW ⁴ SW ⁴	8	19N	10E	18
14	NE ⁴ SW ⁴	8	19N	10E	17
15	SE ⁴ SW ⁴	8	19N	10E	28
16	SW ⁴ SE ⁴	8	19N	10E	11
17	NW ⁴ NE ⁴	17	19N	10E	27
18	SW ⁴ NE ⁴	17	19N	10E	10
19	SE ⁴ NE ⁴	17	19N	10E	13
20	NE ⁴ SE ⁴	17	19N	10E	11
21	NW ⁴ NW ⁴	21	19N	10E	22
22	SE ⁴ NE ⁴	20	19N	10E	21
TOTAL					309

Form 8 - Proof of Publication - Notice of
Intent to Appropriately Water

No. 539-1A

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)

County Perkins) ss.

I, Adrian B. Suddow hereby
certify that the annexed printed copy of Notice of Intent to Appropriately

Water was taken from the Bismarck 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

City of Bismarck

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

October 14, 1971

October 21, 1971

October 28, 1971

November 4, 1971

Adrian B. Suddow

(Signature)

Editor

(Title)

Nov. 4-1971

(Date Signed)

NOTICE

INTENT TO APPROPRIATE WATER

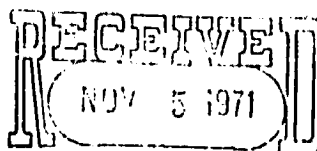
Pierre, South Dakota 57501
September 10, 1971

NOTICE IS HEREBY GIVEN THAT John R. Donohue, whose post-
office address is Pierre City, 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 4.4 cubic feet of water
per second of time from runoff of local watershed through the Dono-
hue Irrigation Project No. 1, the point of diversion of which is to be lo-
cated between a point in the NE 1/4 SE 1/4, Section 17, and a point
in the SE 1/4 NE 1/4 of Section 20, Twp. 19N Range 10E, said
water to be used for the purpose of providing irrigation on portions of
the following described land:

Lots 2 and 3, SW 1/4 NE 1/4, SE 1/4 NW 1/4, and SE 1/4, Section
6; E 1/2 NE 1/4, Section 7; SW 1/4 NW 1/4, SW 1/4 and SW 1/4
SE 1/4, Section 8; NE 1/4, NE 1/4 SE 1/4, Section 17; SE 1/4
NE 1/4 Section 20; and NW 1/4 NW 1/4 Section 21, all in T19N,
R10E.

This application No. 539-1A will be considered by the Water Re-
sources Commission at their office at Pierre upon the 10th day of
November, 1971, at 2:00 P.M. All interested persons may appear
and be heard.

WATER RESOURCES COMMISSION
BY: Fulton F. Jones,
Water Rights Specialist
Publ. Oct 14, 21, 28, November 4.



STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

Publish first publication, on or before October 14, 1971NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

September 10, 1971

John R. Donohue

Notice is hereby given that _____
whose post office address is Prairie City, 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
4.4 cubic feet of water per second of time from the runoff of local watershed through the
Donohue Irrigation Project #1, the point of diversion of which is to be located between a point in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17 and a point in the SE $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 20, Twp. 19N, Range 10E. Said water to be used for the purpose
of providing irrigation on the following described land:
lots 2 and 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$, Section 6; E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 7;
SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8; NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17; SE $\frac{1}{4}$ E $\frac{1}{2}$,
Section 20; and NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, all in T19N, R10E

This application No. 529-1A will be considered by the Water Resources Commission at their office at
Pierre upon the 10th day of November, 1971, at 2:00 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

cc: Mr. John R. Donohue, Prairie City, S.D. 57669

OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE

State of South Dakota
Water License No. 539-1A

(1) John R. Donohue
of Bex 130, Bison, South Dakota 57620
made Application No. 539-1A, August 10, 1971 for a water permit to appropriate
4.40 cubic feet per second of water from a dry draw,
Perkins County, South Dakota for Irrigation purposes.
Permit No. 539-1A, with a priority date of August 10, 1971
was approved November 10, 1971 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before November 10, 1976 and for the application to beneficial use of said
water on or before November 10, 1980.

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 0.61 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is on a dry draw between the SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 20 (AD) and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 21 (DB) in T19N, R10E

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in T19N, R10E

Section 20	SE $\frac{1}{4}$ NE $\frac{1}{4}$	21 Acres	(AD)
Section 21	NW $\frac{1}{4}$ NW $\frac{1}{4}$	22 Acres	(BB)
TOTAL		43 ACRES	

(4) Pursuant to §46-5-30.1 John R. Donohue
of Box 130, Bison, South Dakota 57620

the holder(s) and/or owner(s) of Water Permit No. 539-1A is issued a license to appropriate water, the right to use 0.61 cubic feet per second of water from a dry draw with a priority date of August 10, 1971 from the location specified in (2) of this license. The water to be conducted to and upon lands specified in (3) of this license for the purpose of Irrigation

This license is subject to any limitations or qualifications listed in Water Permit No. 539-1A and subject to South Dakota State Law.

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

January 30, 1984

Permit No. 539-1AGrand River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TO: Chief Engineer, Division of Water Rights, DWRN, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by John R. Donahue of Box 130, Bison, SD holder of Permit No. 539-1A, bearing the priority of August 10 19 71 authorizing the diversion of 4.40 cu. ft. per second of the waters of a dry draw for irrigation purposes, in Perkins County.

I have to report on the conditions of the same as follows:

- A. Works used to divert the water: Diversion dams: (2)
both approx. same size

crest height - 16 ftspillway height - 10 ftcrest width - 10 ftcrest length - 500 ftspillway width - 200 ft

no storage

each diversion dam has an 18 in
 culvert with no valves

- B. Works used to transport water to place of use:

- C. Works used to apply water to beneficial use:

waterspreadingThe system is in the following condition good

The point of diversion is located dry draw: Between SE 1/4 NE 1/4 of sec. 20 and NW 1/4 NW 1/4 of sec. 21; all in T19N, R10E

The works are capable of diverting and conveying to the place of use .61 cu. 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: all in T19N, R10ESE 1/4 NE 1/4 sec. 20 21.0NW 1/4 NW 1/4 sec. 21 22.0comprising a total of 43.0 acres of land and the license should be issued for .61 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date Sept. 29, 1983

Ron Sawall
 (signature)

No. 539-1A

 **Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

February 77, 1984

John R. Donohue
Box 130
Bison, South Dakota 57620

Dear Mr. Donohue:

Enclosed herewith is, Water License No. 539-1A. This is the final water right document completing your process of obtaining a water right.

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

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Enclosures

WNR-817 3/83
Transmittal of Water License

RECEIPT

Division of Water Rights

No 4 9517 -

South Dakota Department of Water and Natural Resources

Payable January 30 19 84

RECEIVED OF John R. Dnoohue, Box 130, 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. 539-1A

Fee for Filing Transfer Form _____

Fee for Filing Extension Request _____

Fee for Certified Copy of _____

Fee for Print Copy of Map _____

Fee for Certifying _____

Fee for _____

(Any Other Work Provided by Law)

Total

50 00

50 00

By

Chief Engineer

JOHN HATCHER (MS)