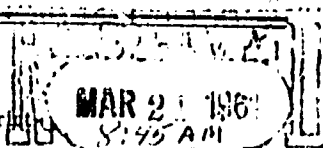


- 555-1
1. Considered 5-10, 1961
 2. Name of Applicant Steve Bestgen
 3. Post Office Address Sturgis
 4. Amount of water claimed .34
 5. Source of water supply ground water
 6. Water to be used for irrigation
Acres to be irrigated 95.2
 7. Water to be diverted and used in Medard County about
5 N miles Sturgis of _____.
 8. Proof of Publication Received ☒
Not Received _____
 9. Application Approved _____
Subject to With restriction
Not approved _____
Action deferred _____

10. Remarks:

See Appx 556-1

No. 555-1Water Division No. 1 BELLE FOURCHE RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)STATE WATER RESOURCES COMMISSION
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 Philip Steve Reagen RR 2, Box 24
1447 Main Street Box 24
Postoffice address Sturgis, County Meade, State So. Dak.

I. If a corporation Not 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 Reagen's Backache Number 13. Amount of water claimed 0.334 cubic feet per second4. Source of water supply Flowing well5. Location of point of diversion See remarks section

_____ on _____ bank Meade County.
6. Annual period or periods during which water is to be used April to October inclusive
Year-around.

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? overhead sprinkling and domestic.(a) Number of acres to be irrigated 95.2 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 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.) Stockwatering near well and adjoining areas.

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use Stockwatering.

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 472-1

8. Estimated cost of work:

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

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

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

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

Rock, \$-----

(e) Other structures, Pump and sprinkler.....\$3000.00

Total, \$-----

9. Description of diversion works:

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

Flowing wall, pump and sprinklers.....

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 filledacre 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; heightfeet;

Material

(d) Canal: Total lengthmiles.

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 work1.....years.

11. Time required for complete application of water to the proposed beneficial use1..... years.

12. Choice of newspaper for publication of notice of intention to appropriate Sturgis Tribune.....
Sturgis, South Dakota.....

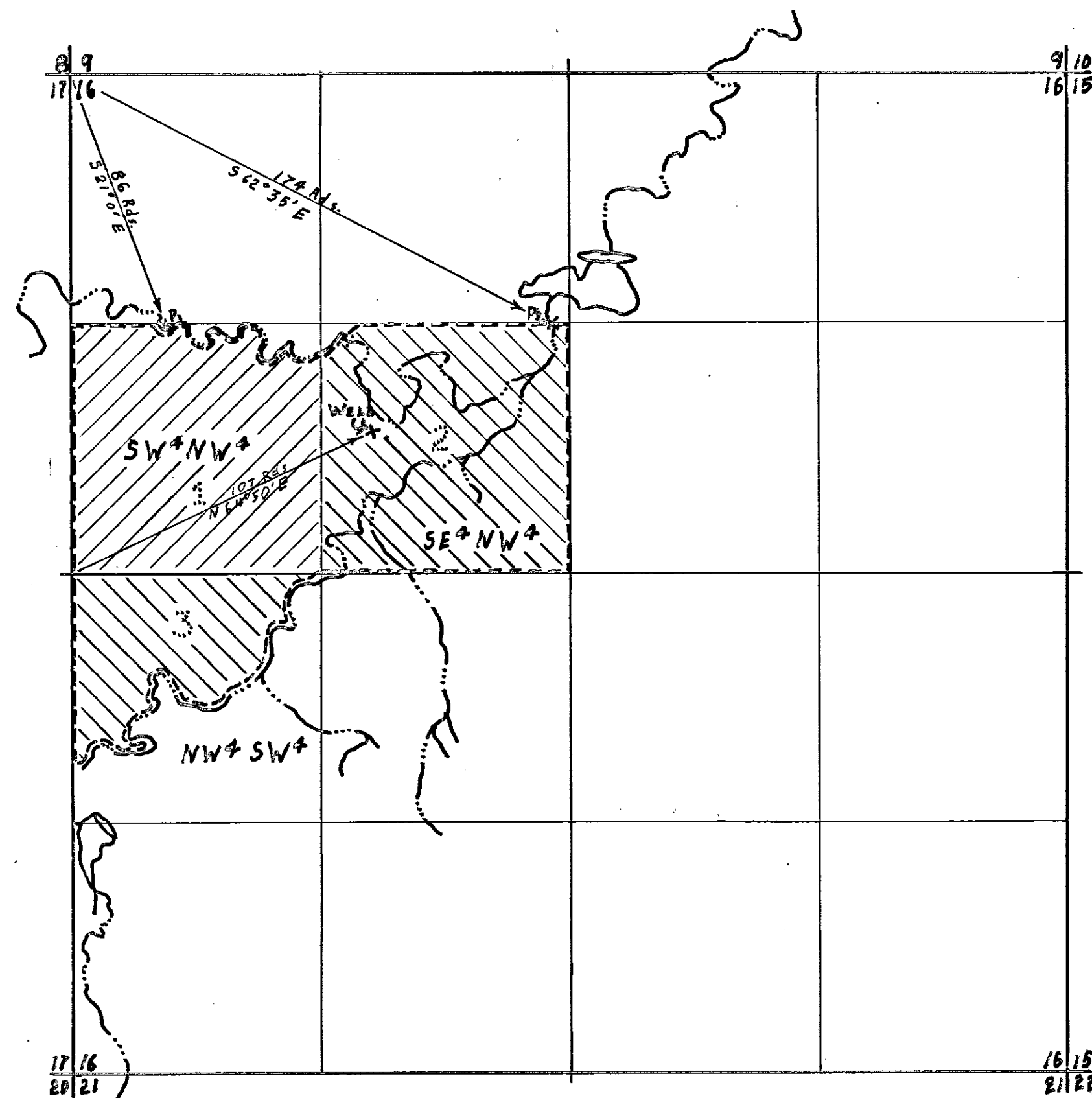
STATE OF SOUTH DAKOTA

County of Meade.....} ss.I, Steve Bestgen....., 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 Steve Bestgen.....Subscribed and sworn to before me this12..... day of March..... 19. 61

My commission expires 12/7/68

James B. Boring
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



Scale: 8"=1 Mile
(from aerial photo)
Irrigable.....
P₁ and P₂ are points
of diversion

Location of Lands to be Irrigated					
Area	Location	Sec.	Tshp	Range	Acres
1	SW+NW+	16	6N	5E	39.6
2	SE+NW+	16	6N	5E	38.2
3	NW+SW+	16	6N	5E	17.4
TOTAL					95.2

BESTGEN'S BACKACHE #1 AND #2

ALL LANDS DESCRIBED HEREIN ARE OWNED BY JOHN BESTGEN

SURVEYOR'S CERTIFICATE

STATE OF SOUTH DAKOTA } ss
COUNTY OF MEADE

I, Meric D. Giegar, 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 hereunto set my hand and official seal on this 15th day of March, 1961.

Meric D. Giegar
Registered Land Surveyor #1007

STATE OF SOUTH DAKOTA } ss
COUNTY OF MEADE

On this 15th day of March, 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 12/7/68.

James B. Kinney
James B. Kinney / Notary Public

Remarks by State Water Resources Commission:

This well must be valued and closed when water is not used for irrigation purposes.

This well appears to be in an ~~artesian~~ ^{artesian} basin having limited supplies, and restrictions as to flow and time of flow may be made by the Commission to protect prior water rights. Pumping of the well to increase the flow will not be allowed under this permit.

STATE OF SOUTH DAKOTA

County of Hughes ss.

Pierre, South Dakota, July 27, 1961

This is to certify that the foregoing application was received by the Commission at 8:45 o'clock a m. upon the 21st day of March, 1961.

State Water Resources Commission

By: [Signature]

Chief Engineer, Executive Officer

Number of permit 555-1

Date of first receipt of application March 21, 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 March 21, 1961

Approved July 19, 1961, Recorded in Book 6 Page 279

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 _____

JANUARY 19, 1962

2nd. The whole of said work is to be completed on or before July 19, 1962

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

July 19, 1963

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 334 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 June 19, 1961; said water to be used during the following described annual period:

April To October, inclusive

Witness my hand this 27th day of July, 1961

State Water Resources Commission

By: [Signature]

Chief Engineer, Executive Officer

Certificate of Construction Issued AUGUST 25, 1967

Water License Issued AUGUST 25, 1967

Remarks by the Applicant:

LOCATION OF LANDS TO BE INR/C/TED

AREA	LOCATION	SEC.	T'SHP	RANGE	ACRES
1	SW $\frac{1}{4}$ NW $\frac{1}{4}$	16	6N	5E	39.6
2	SE $\frac{1}{4}$ NW $\frac{1}{4}$	16	6N	5E	38.2
3	NE $\frac{1}{4}$ SW $\frac{1}{4}$	16	6N	5E	17.4
				TOTAL	95.2

Point of diversion is a flowing well 107 rods from the west $\frac{1}{4}$ corner of Sec. 16 T6N R5E on a bearing of N 64 50' E

Address any Engineering corrections to;

Gigear Surveying
1054 Park Street
Sturgis So. Dak.

Form 2A -- Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation 6 inch, Depth 444 feet

Type of casing steel
(wood, concrete, steel, etc.)

Size of casing 4 inch Thickness of casing heavy duty

Length of casing 390 feet If collection gallery, length, size and depth of
gallery natural gallery Lakota sand

(b) Screens

Type of perforated screen no screen

Size of perforated screen
(diameter) (length)

Thickness of gravel pack none, length of gravel pack

(c) Water Bearing Materials

Distance to water 390 feet Character of water bearing materials Lakota sand

Thickness of water bearing material 54 feet

(d) Pump and Motor

Type of pump flowing well
(centrifugal, propeller, mixed flow, etc.)

Name of pump size

Kind of motor
(gasoline, electric, diesel, etc.)

Horsepower Name of Motor

(e) Complete well

Capacity 150 gal./min drawdown of actual cost \$2500.00
Estimated cost

(f) Owner of land upon which well is located John Bestgen
Name

1447 Main Street Sturgis, So. Dak.
Address

(g) Distance to nearest existing wells

On same owner's property 1 1/4 miles On property owned by others 1 mile

STATE OF SOUTH DAKOTA

WATER LICENSE No. 555-1

WHEREAS, On the 21st day of March A. D. 1961
Steve Beasgen

of Sturgis County of Meade and State of
South Dakota duly made application (No. 555-1) to us for a permit to use 33
cubic feet per second of the waters of artesian ground water
County of Meade, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 27th day of July A. D. 1961
Permit No. 555-1 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 19th day of
July A. D. 1962 and for the application to beneficial use of said
water on or before the 19th day of July A. D. 1963
and,

WHEREAS, On the 11th day of July A. D. 1967
the holder of said permit duly made proof of the completion of adequate works for the diversion of .26
cubic feet per second of said waters, as evidenced by our Certificate No. 555-1
dated August 25, 1967 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use .26 cubic feet per second of water, with date of
priority of March 21, 1961 and,

WHEREAS, On the 11th day of July A. D. 1967
proof was duly made of the application to beneficial use of .26 cubic feet per second of said water;
for irrigating 95.2 acres in portions of Section 16, T6N, R5E

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
Steve Bestgen
 We hereby grant and confirm to _____
Sturgis
 of _____ the holder_____ and owner_____ of said permit No. **555-1**
 a water right, dating from **March 21, 1961** to the use of **.26**
 cubic feet per second of the waters of **artesian ground water**
 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 **a point N64° 50' E. 107 rods**
from the W¼ corner, Section 16, T6N, R5E.
 and conducted to and upon **portions of Section 16, T6N, R5E, more specifically**
described in the Certificate of Completion of Works

for the purpose_____ of **irrigation, subject to any limitations listed in the**
permit to appropriate water, and

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.

WITNESSES, My hand and seal of our office at Pierre, South Dakota,
 this **25th** day of **August** A. D. Nineteen
 Hundred and **Sixty-seven**

State Water Resources Commission

By.

J.W. GRIMES
 Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Acres _____ c. f. s. _____

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 555-1Water Division No. #1 **BELLE FOURCHE**
RIVER Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Steve Bestgen

of Sturgis, County of Blaine, and State of
South Dakota, the holder of Permit No. 555-1, issued upon Application
 No. 555-1, bearing date of priority of March 21, 1961, authorizing the diversion of
.33 cu. ft. per second of the waters of artesian ground water

County of Meade, State of South Dakota, at a point N64°50'E, 107
rods from the W $\frac{1}{4}$ corner, Section 16, T6N, R5E

, 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 .26 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: All in Section 16, T6N, R5ESW $\frac{1}{4}$ NW $\frac{1}{4}$ 39.6 AcresSE $\frac{1}{4}$ NW $\frac{1}{4}$ 38.2 AcresNW $\frac{1}{4}$ SW $\frac{1}{4}$ 17.4 AcresTotal 95.2 AcresWitness my hand this 25th day of August, A. D. 1967.

State Water Resources Commission

By:

J.W. GRIMES
Chief Engineer, Executive Officer

Permit No. 555-1Water Division No. 1Belle Fourche River
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~~~~to-wit~~, I have this day made a thorough examination of the diversion works constructed bySteve Baatgen, of SturgisMeade County, South Dakota, holder of Permit No. 555-1, issuedupon Application No. 555-1, bearing date of priority of March 21, 1961, authorizing thediversion of 0.334 cu. ft. per second of the waters of 450' Well for irrigation

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

The diversion works comprise: 1200 g.p.m. flaring well, flaring into stock div,
river, 10 H.P. Diesel Eng. Drilling 3" x 4" pump, 900 g.p.m.,
1200' 5" aluminum main line, 1200' 5" perforated pipe7 1/2 Electric motor and Dempster 3" x 4" to be installed
and the system is in the following condition: FairThe point of diversion is located As shown on water right map No 972-1The works are capable of diverting and conveying to the place of use 0.267 cu. ft. per second of water,
which is to be used for irrigation

The legal sub-divisions to be irrigated are:

95.2 acres as shown on water right map No. 972-1comprising a total of 95.2 acres of land.

The domestic use intended comprises

livestock watering

The utilization for power, mining, or other beneficial uses comprises:

Witness my hand, this 11th day ofJulyA. D. 1961.

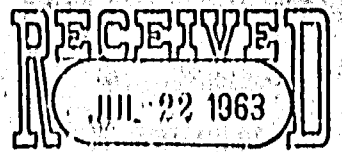
—SEAL—

Donald Driscoll

Examining Engineer.

Deputy Chief Engineer

Water Resources Commission

Permit No. 555-1Water Division No. 1B.E.R. 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.) Sturgis, S. Dak.(Date) July 15, 1963

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

334 cu. ft. per second of the waters of the state from well
through the Bestgen's Backhoe #1
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

Steve Bestgen

2. The postoffice address of such person or the place of business of such corporation is Sturgis

County of Meade State of S. Dak.

3. The number of such permit is 555-1 and the date set for the completion of such work is

July 17, 1963

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 334 cubic feet per second.

6. The amount of land for which said water is available is 75.2 acres,

particularly described as follows: SW 1/4 NW 1/4 - SE 1/4 NW 1/4 -
NW 1/4 SW 1/4 - sec 16, township 6, Range 5

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

Steve Bestgen

(Signature of Owners)

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

April 8, 1961

April 15, 1961

April 22, 1961

April 29, 1961

in each and every issue of the full number thereof, the first publication being made on the 8 day of April

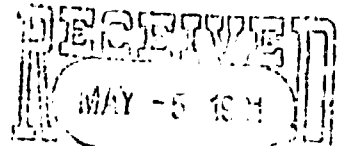
1961 and the last publication on the 29 day of

April 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 X of the said newspaper.

Morris G. Hallock

Subscribed and sworn to before me this 11 day of May A. D. 1961

Bob Lee
 Bob Lee
 Notary Public Meade County, S. D.
 My Commission Expires
Apr 12, 1963



STATE WATER RESOURCES COMMISSION
 WATER RIGHT SECTION

No. 555-1
 APPROPRIATION OF WATER
 Office of State Water Resources
 Commission
 Pierre, S. Dak., April 3, 1961
 Notice is hereby given that Steve Bestgen whose post office address is Sturgis, 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 2 1/2 cubic feet of water per second of time from ground water through Bestgen's Backache No. 1, the point of diversion of which is to be located in the SE 1/4 of the NW 1/4 of Section 16 Twp. 6N Range 4E. Said water to be used for the purpose of providing irrigation on portions of the following described land: S 1/4 NW 1/4 and NW 1/4 SW 1/4, Section 16, T 6N, R 5E.
 This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 10th day of May, 1961, at 1 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
 Press April 8-15-22-23

(First Publication on or before April 15, 1961)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., April 1, 1961

Notice is hereby given that Steve Bestgen whose postoffice address is Sturgis 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 .33 cubic feet of water per second of time from the ~~xxx~~ ground water through the ~~xxx~~ Bestgen's Backache #1, the point of diversion of which is to be located on the ~~bank of said stream~~ in the ~~SE 1/4~~ SE 1/4 of the ~~NW 1/4~~ NW 1/4 of Section 16 Twp. 6N Range 5E. Said water to be used for the purpose of providing irrigation on ~~the following~~ portions of the following described land:

SE 1/4 NW 1/4 and NW 1/4 SW 1/4, Section 16, T. 6N, R. 5E.

~~under~~ xxxxxx

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 10th day of May, 1961, at 2 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.

cc: Morris G. Hallock - Publisher
Black Hills Press
Sturgis, South Dakota

State Water Resources Commission

By: BURTON F. JONES
Water Right Specialist
~~Public Information Officer~~



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

NOV 5 1993

1499-1

Philip Bestgen
RR 2, Box 24
Whitewood, SD 57793

Dear Mr. Bestgen:

Enclosed is Water License No. 1499-1 and Receipt No. 414494 for \$50.00 which was assessed for an investigation and issuance of the license. Water License No. 1499-1 is the final document which completes the process of obtaining a water right.

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

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Program
(605) 773-3352

ks
enclosures

NOTE: The applicable portions of No. 555-1 and 1449-1 are incorporated into License No. 1499-1.