

No. 626-1Water Division No. 1GRAND RIVER

District

(Blank 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 Harold EkbergPostoffice address Buffalo County Harding State So. Dak.I. ~~Is a corporation?~~(a) Name of ~~company~~

(b) Date and place of incorporation

(c) Amount of capital stock

(d) ~~Where incorporated in~~

(e) Names and addresses of officers

(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, \$ Sufficient(c) ~~Treasury check~~, \$(d) ~~Money borrowed~~, \$(e) Other resources, Govt. cost-share2. Name of diversion work Harold Ekberg Water Spreading Project No. 13. Amount of water claimed 1.12 cubic feet per second4. Source of water supply Annual runoff5. Location of point of diversion See Attachmenton bank Harding County.6. Annual period or periods during which water is to be used When available

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Irrig.—gravity(a) Number of acres to be irrigated 219.2 acres.(b) Legal subdivisions to be irrigated See Attachment

(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.) Stockwater Pans No. 7, 11, 12, 13, 14, 15.

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 XXXXXX 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 NE 527-1

ATTACHMENT Form No. 2 Ques No. 11. 5

	Section	Twp.	Range
Dam No. 1. 24 rods So. & 27 rods East of the NW corner	10	17 N	6 E
Dam No. 2. 115 rods So. & 11 rods East of the NW corner	10	17 N	6 E
Dam No. 3. 114 rods No. & 12 rods East of the SW corner	10	17 N	6 E
Dam No. 4. 46 rods No. & 17 rods East of the SW corner	10	17 N	6 E
Dam No. 5. 76 rods So. & 43 rods East of the NW corner	15	17 N	6 E
Dam No. 6. 75 rods No. & 20 rods East of the SW corner	15	17 N	6 E
Dam No. 7. 74 rods So. & 50 rods West of the NE corner	21	17 N	6 E
Dam No. 8. 40 rods No. & 14 rods West of the SE corner	16	17 N	6 E
Dam No. 9. 119 rods No. & 11 rods East of the SE corner	16	17 N	6 E
Dam No. 10. 23 rods No. & 19 rods East of the SW corner	16	17 N	6 E
Dam No. 11. 107 rods So. & 106 rods East of the NW corner	20	17 N	6 E
Dam No. 12. 45 rods No. & 120 rods East of the SW corner	17	17 N	6 E
Dam No. 13. 46 rods No. & 159 rods East of the SW corner	9	17 N	6 E
Dam No. 14. 124 rods So. & 121 rods West of the NW corner	9	17 N	6 E
Dam No. 15. 76 rods No. & 33 rods East of the SW corner	4	17 N	6 E

Note: Only dams No. 7, 11, 12, 13, 14, & 15 are storage dams, the others are water spreading structures only. They store no water.

ATTACHMENT Form No. 2 Ques. No. II, 7.

LOCATION	SECTION	TOWNSHIP	RANGE	ACRES	OWNER
NW $\frac{1}{4}$ NE $\frac{1}{4}$	9	17N	6E	8.0	Harold Ekberg
NE $\frac{1}{4}$ NE $\frac{1}{4}$	9	17N	6E	20.0	" "
NW $\frac{1}{4}$ NW $\frac{1}{4}$	10	17N	6E	14.0	" "
SW $\frac{1}{4}$ NW $\frac{1}{4}$	10	17N	6E	16.0	" "
NW $\frac{1}{4}$ SW $\frac{1}{4}$	10	17N	6E	8.0	" "
SW $\frac{1}{4}$ SW $\frac{1}{4}$	10	17N	6E	11.0	" "
NW $\frac{1}{4}$ NW $\frac{1}{4}$	15	17N	6E	3.8	" "
SW $\frac{1}{4}$ NW $\frac{1}{4}$	15	17N	6E	22.0	" "
SE $\frac{1}{4}$ NW $\frac{1}{4}$	15	17N	6E	2.0	" "
NW $\frac{1}{4}$ SW $\frac{1}{4}$	15	17N	6E	22.0	" "
NE $\frac{1}{4}$ SW $\frac{1}{4}$	15	17N	6E	4.0	" "
SW $\frac{1}{4}$ SW $\frac{1}{4}$	15	17N	6E	5.0	" "
NE $\frac{1}{4}$ SE $\frac{1}{4}$	16	17N	6E	10.0	State of So. Dak.
SE $\frac{1}{4}$ SE $\frac{1}{4}$	16	17N	6E	19.0	" "
SW $\frac{1}{4}$ SW $\frac{1}{4}$	16	17N	6E	10.0	" "
SE $\frac{1}{4}$ SW $\frac{1}{4}$	16	17N	6E	8.0	" "
NE $\frac{1}{4}$ NW $\frac{1}{4}$	21	17N	6E	2.0	" "
NW $\frac{1}{4}$ NE $\frac{1}{4}$	21	17N	6E	2.0	" "
NE $\frac{1}{4}$ NW $\frac{1}{4}$	20	17N	6E	9.0	" "
SE $\frac{1}{4}$ SW $\frac{1}{4}$	17	17N	6E	4.0	" "
NW $\frac{1}{4}$ SE $\frac{1}{4}$	17	17N	6E	6.0	" "
NE $\frac{1}{4}$ SE $\frac{1}{4}$	17	17N	6E	7.0	" "
SE $\frac{1}{4}$ NE $\frac{1}{4}$	16	17N	6E	5.0	" "
NE $\frac{1}{4}$ NE $\frac{1}{4}$	21	17N	6E	1.4	" "
Total				219.2	

All State owned land listed is leased by Harold Ekberg.

ATTACHMENT		Form No. 2		Ques. No. 9, part II (a) & (b)					
Dam No.	Height	Bottom Length	Top Length	Bottom Thickness	Top Thickness	Front Slope	Back Slope	Ac. Ft. Capacity	Surface Acres
1	14	120	340	82	12	3:1	2:1	53	12
2	13.5	145	390	79	12	3:1	2:1	46	11
3	13.1	154	379	78	12	3:1	2:1	43	10
4	14.1	125	225	83	12	3:1	2:1	53	12
5	14.5	210	340	85	12	3:1	2:1	87	19
6	15	255	450	87	12	3:1	2:1	58	12
7	22	245	520	131	12	4:1	2:1	160	24
8	15.3	133	393	85	12	3:1	2:1	53	12
9	15	260	460	87	12	3:1	2:1	67	14
10	12	250	340	84	12	4:1	2:1	19	6
11	28	165	462	172	12	4:1	2:1	115	16
12	18.8	150	458	106	12	4:1	2:1	52	11
13	24	165	412	156	12	4:1	2:1	160	20
14	14	180	385	80	10	3:1	2:1	16	4
15	15	300	400	102	12	4:1	2:1	26	6

NOTE: The above list contains ALL the dams in the system.
Dams No. 7, 11, 12, 13, 14, & 15 are the diversion works. The others are water spreading structures, no water is stored in them except while land is being flooded.

ATTACHMENT

Form No. 2

Ques. No. 9 part II (b)

Depth at Outlet--Feet	Surface Area at Each 5 Feet Depth at Outlet--Acres	Acres--feet Capacity
Dam No. 7		
15	24	160
10	15	78
5	10	32
0	1	3
Dam No. 11		
20	16	115
15	10	64
10	7	39
5	4	15
0	1.5	3
Dam No. 12		
10	11	52
5	7	17
0	1	3
Dam No. 13		
10	20	160
5	14	84
0	9	36
Dam No. 14		
10	4	16
5	3	6
0	0	0
Dam No. 15		
10	6	26
5	4	11
0	0.6	0.2

8. Estimated cost of work:

(a) Head Gates, \$120,000

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

(c) Fluming, \$1925.00

(d) Canal-earth, \$1905.00

Rock, \$-----

(e) Other structures dams, ditches, dikes, \$12,441.00

Total, \$-----

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)
Pans No. 7, 11, 12, 13, 14, 15 are storage dams with 12" outlet pipes. Other dams, ditches & dikes are water spreading structures, dams have 12" to 18" drain pipes.

II. Dimensions of works: See Attachment

(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 earth -----

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

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

(c) * Head gate: Width 1.0 feet; height 1.0 feet;
Material Iron

(d) Canal: Total length 1.86 miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At 0.0 Mile	2.5 feet	10 feet	25 feet	5.28 feet
At 1.86 Mile	2.5 feet	10 feet	25 feet	5.28 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 Completed ----- years.

11. Time required for complete application of water to the proposed beneficial use 0 ----- years.

12. Choice of newspaper for publication of notice of intention to appropriate -----
Not required--Vested Right

STATE OF SOUTH DAKOTA

County of Harding

Harold M. Ekberg

I, Harold M. Ekberg, 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

Harold M. Ekberg

Subscribed and sworn to before me this 19th

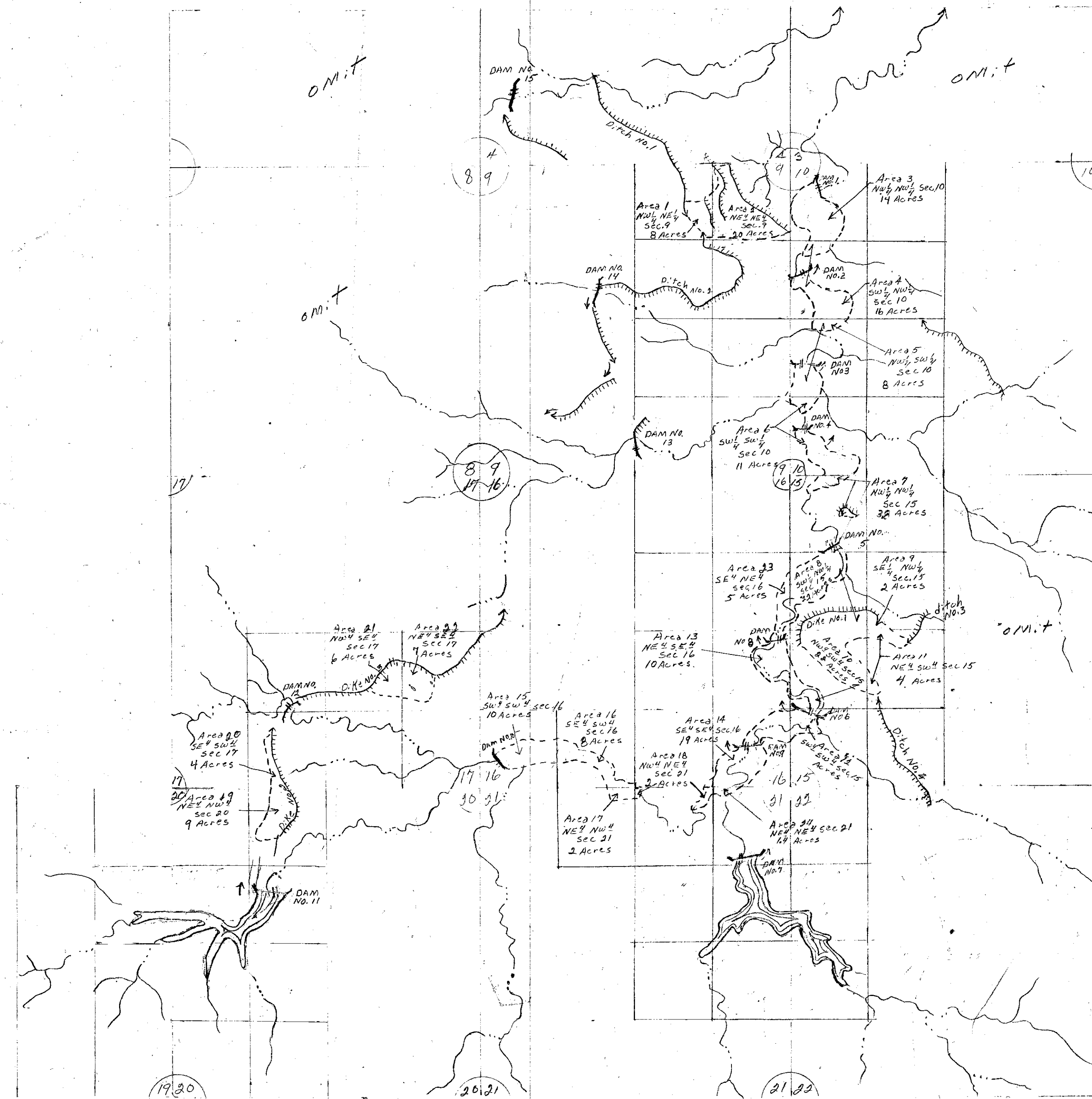
day of December

1961

DONN BENNETT

Notary Public Harding Co., S. Dak.
My Commission Expires OCT. 19, 1965

Notary Public (or other qualified officer.)



Location of Land to be Irrigated				
Location	Section	Township	Range	Acres
Area 1	9	17N	6E	8
Area 2	9	17N	6E	80
Area 3	10	17N	6E	17
Area 4	10	17N	6E	16
Area 5	10	17N	6E	8
Area 6	10	17N	6E	11
Area 7	15	17N	6E	3.8
Area 8	15	17N	6E	22
Area 9	15	17N	6E	2
Area 10	15	17N	6E	8.5
Area 11	15	17N	6E	4
Area 12	15	17N	6E	5
Area 13	16	17N	6E	10
Area 14	16	17N	6E	19
Area 15	16	17N	6E	10
Area 16	16	17N	6E	8
Area 17	21	17N	6E	2
Area 18	21	17N	6E	4
Area 19	20	17N	6E	4
Area 20	17	17N	6E	6
Area 21	17	17N	6E	6
Area 22	17	17N	6E	7
Area 23	16	17N	6E	5
Area 24	21	17N	6E	1.4
Total				219.2

Harold Ekberg
Water Spreading Project No. 1

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

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

R. 6 E.

SURVEYOR'S CERTIFICATE

I, Hollis W. Allcott do hereby certify that this map identifies a reasonably accurate record of the land of the Harold Ekberg Irr. Project No. 1 and has been prepared by the Soil Conservation Service for the Harding Soil Conservation District.

Signature: Hollis W. Allcott
Title: Agricultural Engineer
U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Subscribed and sworn to before me this 9 day of January, 1941, A.D.

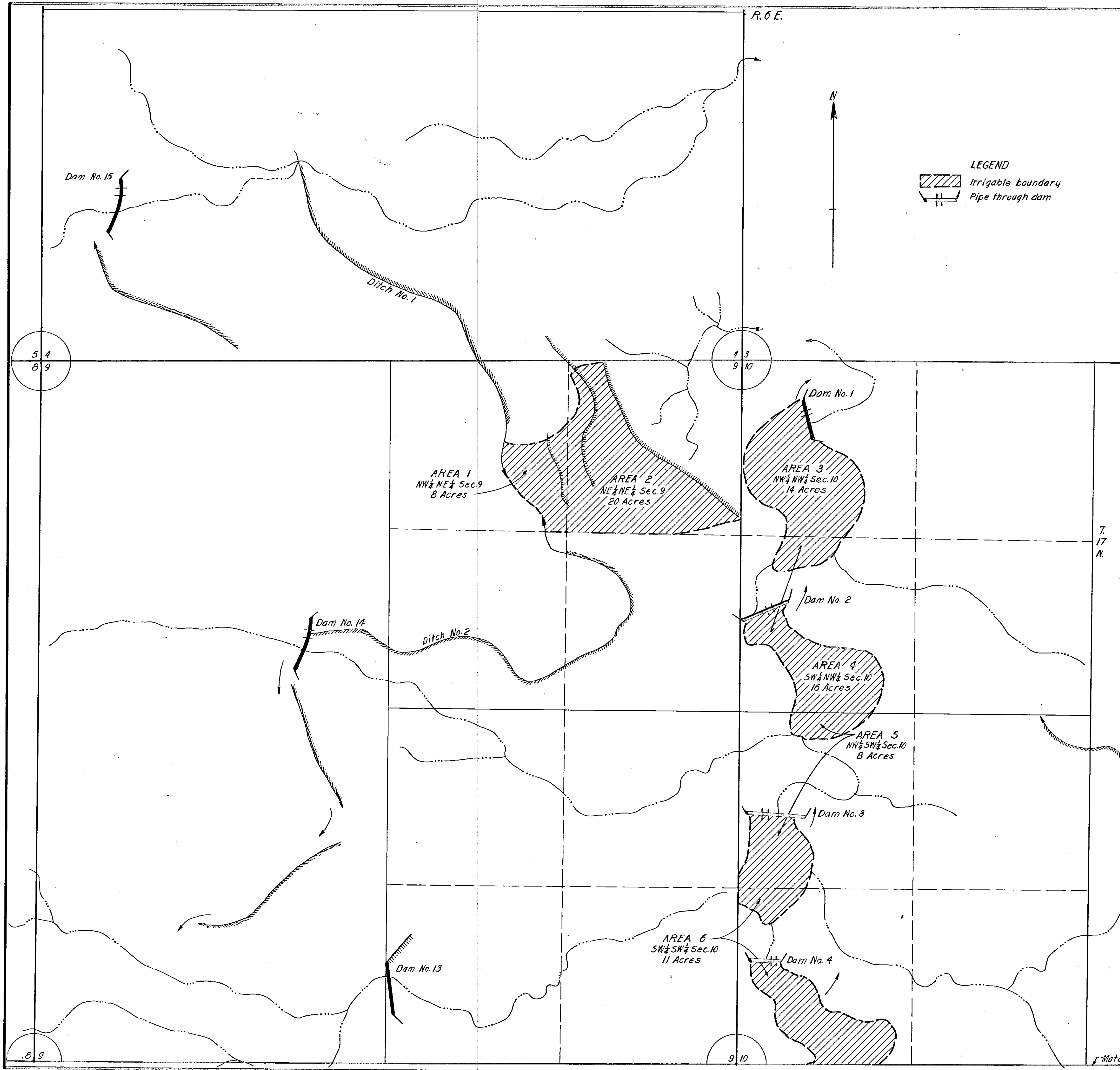
Notary Public

My Commission Expires Jan 1, 1942

LEGEND
Irrigable boundary
Pipe through dam

All lands described are owned by Harold Ekberg

LOCATION OF LAND TO BE IRRIGATED					
AREA	LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
1	NW 1/4 NE 1/4	9	17N	6E	8.0
2	NE 1/4 NE 1/4	9	17N	6E	20.0
3	NW 1/4 NW 1/4	10	17N	6E	14.0
4	SW 1/4 NW 1/4	10	17N	6E	16.0
5	NW 1/4 SW 1/4	10	17N	6E	8.0
6	SW 1/4 SW 1/4	10	17N	6E	11.0
7	NW 1/4 NW 1/4	15	17N	6E	3.8
8	SW 1/4 NW 1/4	15	17N	6E	22.0
9	SE 1/4 NW 1/4	15	17N	6E	2.0
10	NW 1/4 SW 1/4	15	17N	6E	22.0
11	NE 1/4 SW 1/4	15	17N	6E	4.0
12	SW 1/4 SW 1/4	15	17N	6E	5.0
13	NE 1/4 SE 1/4	16	17N	6E	10.0
14	SE 1/4 SE 1/4	16	17N	6E	19.0
15	SW 1/4 SW 1/4	16	17N	6E	10.0
16	SE 1/4 SW 1/4	16	17N	6E	8.0
17	NE 1/4 NW 1/4	21	17N	6E	2.0
18	NW 1/4 NE 1/4	21	17N	6E	2.0
19	NE 1/4 NW 1/4	20	17N	6E	9.0
20	SE 1/4 SW 1/4	17	17N	6E	4.0
21	NW 1/4 SE 1/4	17	17N	6E	6.0
22	NE 1/4 SE 1/4	17	17N	6E	7.0
23	SE 1/4 NE 1/4	16	17N	6E	5.0
24	NE 1/4 NE 1/4	21	17N	6E	1.4
TOTAL					219.2



T. 17 N.

Scale: 1" = 400'

HAROLD EKBERG WATER SPREADING PROJECT NUMBER 1

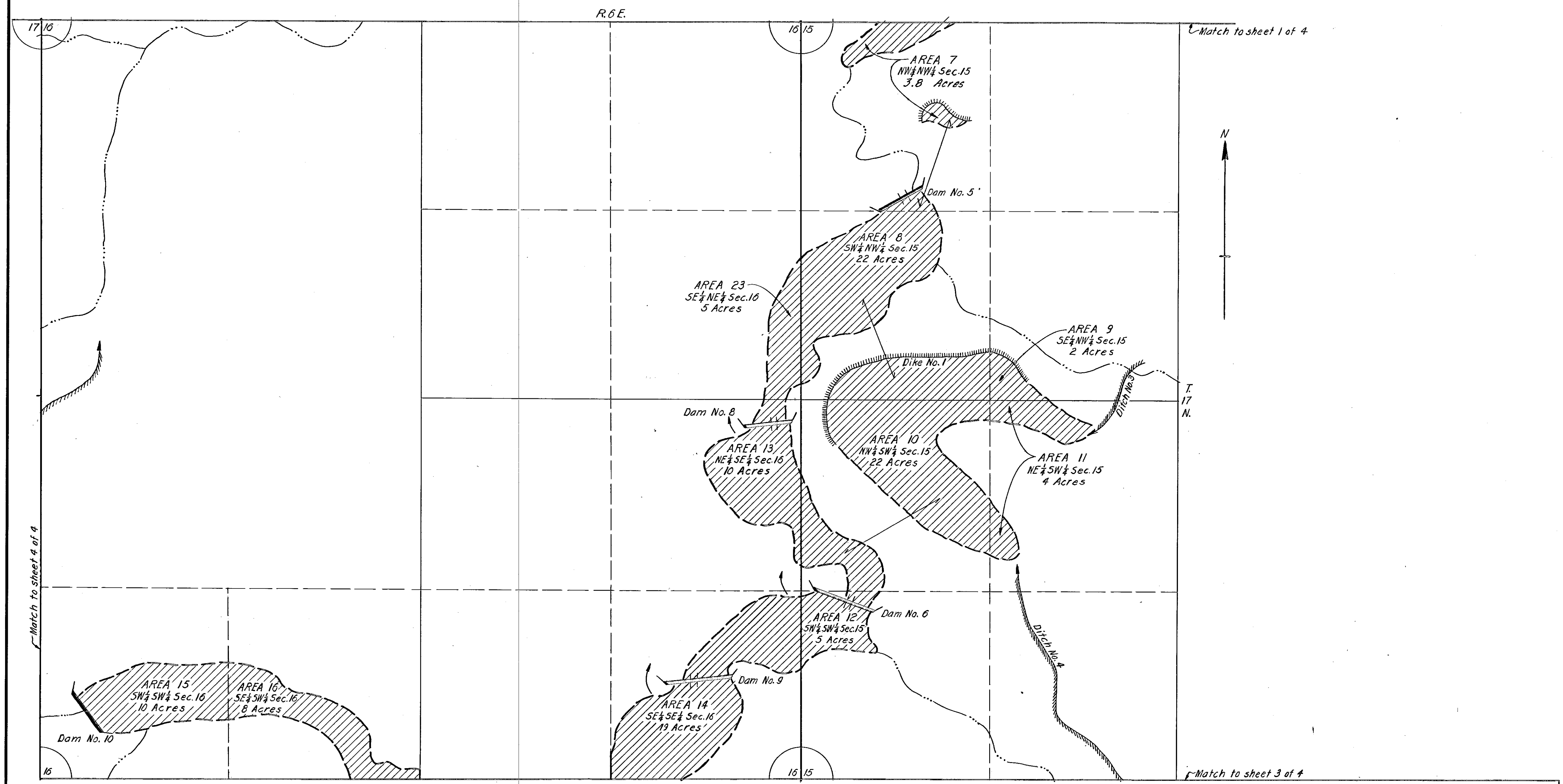
Harding County, South Dakota

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed _____	Date _____	Approved by _____
Drawn _____		Title _____
Traced _____		Title _____
Checked _____		Sheet No. 1 of 4
		Drawing No. _____

Match to sheet 2 of 4

MAP NO 527-1 (APPL NO 626-1)



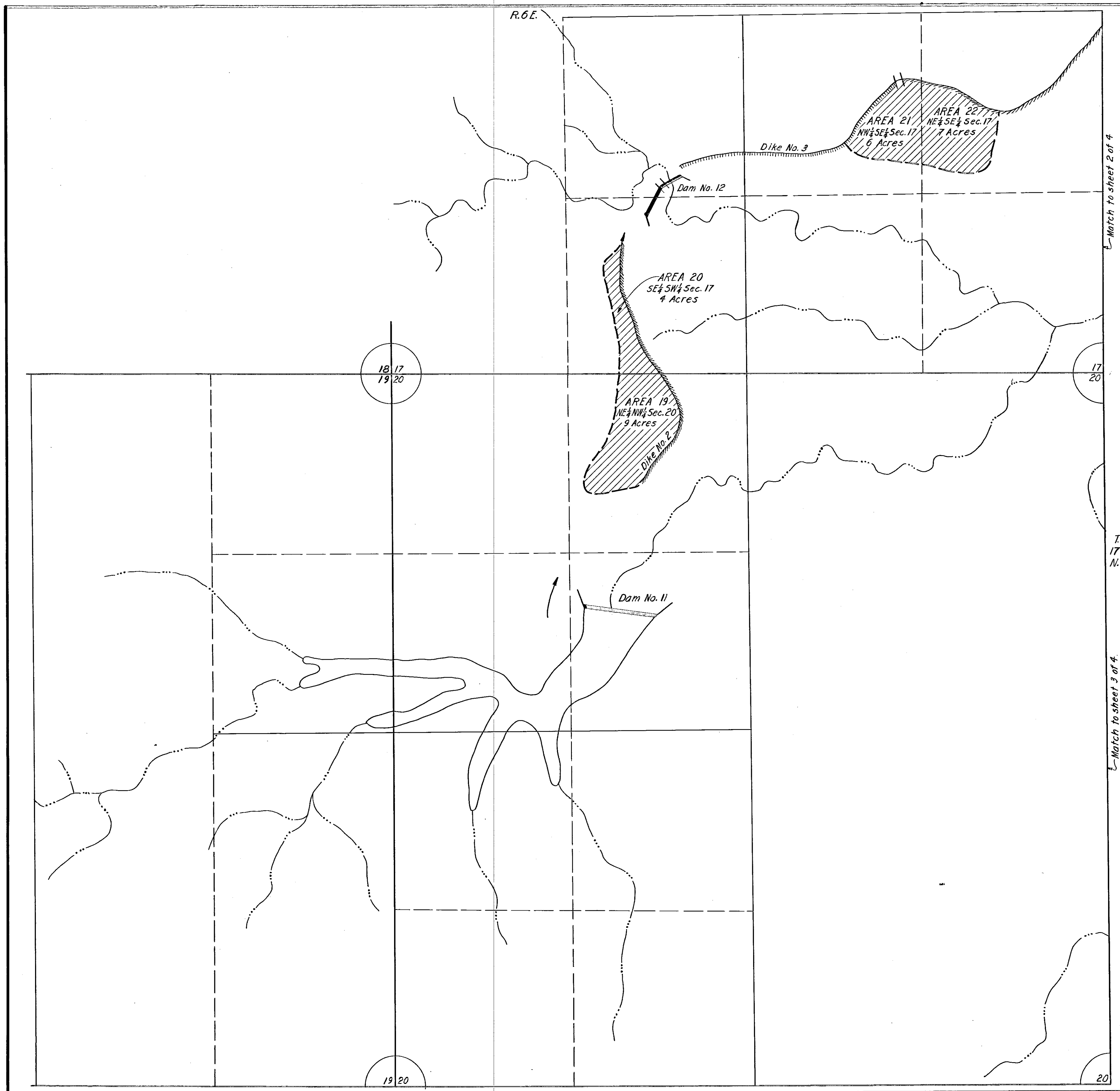
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**HAROLD EKBERG
WATER SPREADING PROJECT
NUMBER 1**

Harding County, South Dakota

**U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE**

Date		Approved by	
Designed		Title	
Drawn		Title	
Traced		Sheet No. 2 of 4	
Checked		Drawing No.	



Scale: 1" = 400'

HAROLD EKBERG
WATER SPREADING PROJECT,
NUMBER 1

Harding County, South Dakota

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Designed.....	Date.....	Approved by.....
Drawn.....	Title.....	
Traced.....	Title.....	
Checked.....	Sheet No. 4	Drawing No. 1
	of 4	

Remarks by State Water Resources Commission:

"VESTED RIGHT CLAIMED"

STATE OF SOUTH DAKOTA

County of

HUGHES

SS.

Pierre, South Dakota,

MAY 31

1962

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock

2 m. upon the 13th day of DECEMBER, 1961

State Water Resources Commission

By

Durton
for Chief Engineer, Executive Officer

Number of permit

626-1

Date of first receipt of application

December 13

1961

Date of return to applicant for correction, amendments or changes required as follows:

Dec 15

1961

Date of receipt of corrected application

December 22

1961

Date from which applicant may claim right

1951

Approved

JUNE 1

1962

Recorded in Book

7

Page

122

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

2nd. The whole of said work is to be completed on or before

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

COMPLETED

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 3.13 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 30, 1955; said water to be used during the following described annual period:

WHENEVER AVAILABLE

Witness my hand this

1st

day of

JUNE

1962

State Water Resources Commission

By:

George

Chief Engineer, Executive Officer

Certificate of Construction Issued

JUNE 1

1962

License Issued

JUNE 1

1962

STATE OF SOUTH DAKOTA

WATER LICENSE No. . . . 626-1..

WHEREAS, On the 13th day of December A. D. 1961
Harold Ekberg

of Buffalo County of Harding and State of
South Dakota duly made application (No. 626-1) to us for a vested right 3.13
cubic feet per second of the waters of dry draws
County of Harding, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 1st day of June A. D. 1962
Vested Right recognizing
Permit No. 626-1 was issued to said applicant... for the diversion of said water, ~~and for the~~
completion of the works of diversion therein described ~~xxxx~~
~~xxxx~~ and ~~for the~~ application to beneficial use of said
water ~~xxxx~~ ~~xxxx~~ ~~xxxx~~
and,

WHEREAS, On the 13th day of December A. D. 1961
the holder... of said permit duly made proof of the completion of adequate works for the diversion of 3.13
cubic feet per second of said waters, as evidenced by our Certificate No. 626-1
dated June 1, 1962 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 3.13 cubic feet per second of water, with date of
priority of 1951 ~~xxx~~ and,

WHEREAS, On the 13th day of December A. D. 1961
proof was duly made of the application to beneficial use of 3.13 cubic feet per second of said water;
for irrigation of 219.2 acres on portions of Sections 9, 10, 15,
16, 17, 20 and 21, all in T17N, R6E

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 **Harold Ekberg**

of **Buffalo** the holder and owner of said **vested right** permit No. **626-1**

a water right, dating from **1951** to the use of **3.13**

cubic feet per second of the waters of **dry draws**

in the County of **Harding** and State of South Dakota, or so much thereof as may be

necessary for the purposes hereinbelow mentioned, to be diverted ~~xx~~ **between a point in the SW $\frac{1}{4}$ Section 4, and a point in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20, all in T17N, R6E**

and conducted to and upon **portions of Sections 9, 10, 15, 16, 17, 20 and 21,**

all in T17N, R6E, 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 **1st** day of **June** A. D. Nineteen
Hundred and **sixty-two**

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. GRIMES

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 626-1Water Division No. 1 Grand River Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Harold Ekberg

of Buffalo, County of Harding, and State of South Dakota, vested right the holder of Permit No. 626-1, issued upon Application No. 626-1, bearing date of priority of 1951, authorizing the diversion of

3.13 cu. ft. per second of the waters of dry draws County of Harding, State of South Dakota between a point in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, and a point in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, all in T17N, R6E 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 recognized as ~~satisfactory~~ 3.13 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 T17N, R6E:

Section 9	NW $\frac{1}{4}$ NE $\frac{1}{4}$	8.0 acres	Section 16	SE $\frac{1}{4}$ NE $\frac{1}{4}$	5.0 acres
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	20.0 "	Section 17	SE $\frac{1}{4}$ SW $\frac{1}{4}$	4.0 "
Section 17	NW $\frac{1}{4}$ NW $\frac{1}{4}$	14.0 "		NW $\frac{1}{4}$ SE $\frac{1}{4}$	6.0 "
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	16.0 "		NE $\frac{1}{4}$ SE $\frac{1}{4}$	7.0 "
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	8.0 "	Section 20	NE $\frac{1}{4}$ NW $\frac{1}{4}$	9.0 "
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	11.0 "	Section 21	NE $\frac{1}{4}$ NW $\frac{1}{4}$	2.0 "
Section 15	NE $\frac{1}{4}$ NW $\frac{1}{4}$	3.8 "		NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.0 "
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	22.0 "		NE $\frac{1}{4}$ NE $\frac{1}{4}$	1.1 "
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	2.0 "	Total.....		219.2 "
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	22.0 "			
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	4.0 "			
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	5.0 "			
Section 16	NE $\frac{1}{4}$ SE $\frac{1}{4}$	10.0 "			
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	19.0 "			
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	10.0 "			
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	8.0 "			

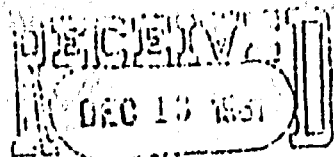
Witness my hand this 1st day of June A. D. 1962

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. GRIMES

Location No. _____



Water Division No. _____

Water District _____ STATE WATER RESOURCES COMMISSION
SIOUX FALLS, SOUTH DAKOTA

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

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

Ans. Harold Ekberg, Harding County, Rancher, Buffalo, South Dakota

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. _____

Ques. 3. State date of posting and date of recording notice of appropriation.

(1) May 19, 1953 (2) Oct. 18, 1954 (7) Dec. 9, 1954 (8) Sept. 22, 1954
 Ans. (11) June 11, 1956 (12) June 2, 1955 (13) Oct. 22, 1952
 (14) Oct. 22, 1952. Others unknown.

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

Ans. Dry draws See attachment

Ques. 5. Describe your works of diversion giving length and height of each dam 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, and date of completion of same.

Ans. See attachment

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. Water Spreading-- Acres in (see attachment)

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans. Stockwater

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

Ans. 42 Ad. ft. (amount below pipe outlets in dams No. 7, 11, 12, 13, 14, and 15.)

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. _____

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

Ans. Dams and ditches completed between 1951 and 1956, water has been used, when available, since 1951. Water is released from one dam to the other, flooding the creek bottoms, or carried from dams to the spreading area by ditches.

When sufficient water is available 219.2 acres can be irrigated.

(Sign)

Harold M. Ekeberg

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Buffalo County of Harding

State of South Dakota, on this 19th day of December A. D. 1961

Donn Bennett
Leop. E. Frank } Witnesses

Donn Bennett
Notary Public Harding County S. Dak.

I, the undersigned, do hereby certify that I am a duly qualified Commissioner of the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

H. Patterson
Arthur Jensen

Location No. _____

PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE

PETITION OF HOLDER

Amount of Water _____ c. f. s.

Source _____

County _____

Purpose _____

Place of Use _____

Date of recording _____

Received and filed _____

 **Department of
Water & Natural Resources**

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

September 21, 1988

NOTICE

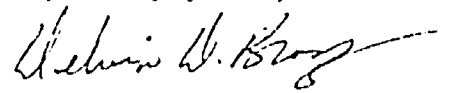
Colonel J. Vroman
RE 1
Belle Fourche SD 57717

Dear Mr. Vroman:

I am writing to notify you that pursuant to the Notice of Intent to Validate Vested Water Right Claims dated June 20, 1988 that I intend to oppose validation of your water right claim No(s). 626-1 until a field inspection has been completed. The claim has either never been inspected or an inspection was conducted so long ago that a new inspection is needed. An inspection is needed to determine the current state of your vested water right claim.

A staff member from the Division of Water Rights will be contacting you and scheduling an inspection of your water project. If we can answer any questions, please contact us.

Very truly yours,


for JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352



Water Rights Division - DWR

File No. 626-1

Conversation or File Documentation

NAME OF PERSON OR FILE: Harold Ekberg (x-number) Colonel J. VromanADDRESS: RR 1, Belle Fourche, S.D. 57717 COUNTY HardingDATE: 6-15-89 TELEPHONE 892-3811RE: Vealed Right Inspection

COMMENTS:

On Wednesday, June 7, 1989, VR # 626-1 was inspected.Accompanied by Larry Vroman (Colonel's son) the ~~the~~ dams, spreadersand the acreage were looked at. The dams and the spreaderswere all in working conditions and in a good shape.Mr. Larry Vroman stated that he sometimes flies over thearea and makes sure that the dykes and the dams are in agood condition.* Recommended validation* Transfer forms should be sent to Colonel Vroman.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: MPJ

**SOUTH DAKOTA Department of
Water & Natural Resources**

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

June 20, 1989

626-1

Colonel J Vroman
RR #1
Belle Fourche, SD 57717

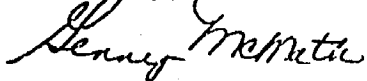
Dear Mr. Vroman:

On June 7, 1989, Rassool Ahadi, Staff Engineer with our office was accompanied by your son on an inspection of the irrigation system described in Vested Water Right Claim No. 626-1. Based upon the inspection, we will be presenting the Vested Water Right Claim to the Water Management Board for validation.

Currently, the claim is still listed in the name of Harold Ekberg. Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change. Please complete the form and sign in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

If you have any questions, please contact me.

Sincerely,

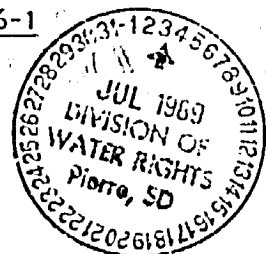


GENNY MCMATH
Natural Resources Analyst
(605) 773-3352

enclosure



NO. 626-1



NOTICE OF TRANSFER OF VESTED WATER RIGHT CLAIM

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: June 29, 1989

This is to notify you that the title to the lands described as follows:

N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 9, W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 10, W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$

Section 15, E $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 16, SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec 17, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 20,

NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec 21, T17N, R6E

formerly owned by Harold Ekberg

has been transferred to Colonel J. Vroman
R.R. 1, Box 137, Belle Fourche, SD 57717
(please include complete mailing address)

together with any rights to the beneficial use of water thereon as evidenced by

Vested

Water Right Claim No. 626-1 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

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

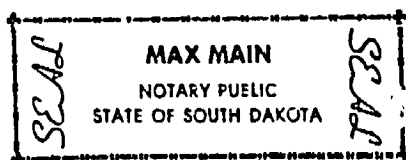
STATE OF SOUTH DAKOTA)

County of Butte) ss.

I, Colonel J. Vroman 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 I know of my own personal knowledge that the information herein stated is true.

[Signature]
(Signed)

Subscribed and sworn to before me this 29th Day of June, 1989.



Max Main
(Notary Public)

My Comm. Exps.: May 15, 1994.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, July 3, 1989

RECEIVED OF Colonel J. Vroman, IRR #1 Box 137, Belle Fourche, SD 57717

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 _____ Water Right Claim No. 626-1	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 [Signature]
Chief Engineer

SOUTH DAKOTA
Department of
Water & Natural Resources

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

July 14, 1989

Colonel J. Vroman
RR #1 Box 137
Belle Fourche, SD 57717-8912

Dear Mr. Vroman:

Enclosed is Receipt No. 411826 in the amount of \$2.50 which you paid for the transfer of Water Right No. 626-1.

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

Sincerely,

Marie R. Arthur

MARIE R. ARTHUR
Secretary
for Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352



SOUTH DAKOTA

VESTED WATER RIGHT NO. 626-1 FOR IRRIGATION

Date of Receipt of Claim December 13, 1961.

Date of Validation September 27, 1989.

The Water Management Board validated Vested Water Right Claim No. 626-1 for irrigation purposes for Colonel J Vroman, RR1, Box 137, Belle Fourche SD 57717 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 626-1 appropriates 3.13 cubic feet of water per second from dry draws to irrigate 219.2 acres. Water is diverted by a series of 15 dams to the irrigated acreage via ditches and dikes. Dam Nos. 7, 11, 12, 13, 14, and 15 have storage capacities of 160, 115, 52, 160, 16, and 26 acre-feet, respectively. The remaining dams are water spreading structures and no water is stored unless the acreage is being flooded. The diversion points are located between the SW1/4 SW1/4 section 4-T17N-R6E and the SE1/4 SW1/4 section 20; all in T17N-R6E and the irrigated acreage is located in the N1/2 NE1/4 section 9; W1/2 NW1/4, W1/2 SW1/4 section 10; W1/2 NW1/4, SE1/4 NW1/4, N1/2 SW1/4, SW1/4 SW1/4 section 15; E1/2 SE1/4, S1/2 SW1/4, SE1/4 NE1/4 section 16; SE1/4 SW1/4, N1/2 SE1/4 section 17; NE1/4 NW1/4 section 20; NE1/4 NW1/4, N1/2 NE1/4 section 21; all in T17N-R6E.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. Water is to be used during the following annual period: January 1 - December 31.
3. The priority date of the Vested Water Right is January 1, 1951.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: _____


Chief Engineer

MAY 21 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

Colonel J Vroman
RR 1, Box 137
Belle Fourche SD 57717

Dear Colonel Vroman:

The Water Management Board has validated the enclosed Vested Water Right No. 626-1. This validation gives legal status to the claim and is the final document for your vested right.

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

Very truly yours,

A handwritten signature in dark ink, appearing to read "John Hatch", is written over a circular official stamp.

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

NOV - 5 2012

WATER RIGHTS
PROGRAM

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 626-1

Date: _____

I/We request that Water Right/Permit No. 626-1 formerly owned by:
Colonel J. Vroman and Meathook Enterprises LLP be transferred to:

New Owner Name: Waurika Farms, LLCAddress: 13990 East 1990 RoadCity, State, Zip Waurika OK 73573 Telephone No. 605.642.2757

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

See Attachment.

☒ I understand that the validity of Water Right/Permit No. 626-1 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Waurika Farms, LLC, the new owner, certify that the above information is true and correct.

WAURIKA FARMS, LLC

By: _____

(signed by new owner)

Managing Member

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a 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.

RECEIVED

NOV - 5 2012

WATER RIGHTS
PROGRAM

ATTACHMENT Form No. 2 Ques. No. 11, 7.

LOCATION	SECTION	TOWNSHIP	RANGE	ACRES	OWNER
NW NE	9	17N	6E	8.0	Meathook Enterprises LLP
NE NE	9	17N	6E	20.0	" "
NW NW	10	17N	6E	14.0	" "
SW NW	10	17N	6E	16.0	" "
NW SW	10	17N	6E	8.0	" "
SW SW	10	17N	6E	11.0	" "
NW NW	15	17N	6E	3.8	" "
SW NW	15	17N	6E	22.0	" "
SE NW	15	17N	6E	2.0	" "
NW SW	15	17N	6E	22.0	" "
NE SW	15	17N	6E	4.0	" "
SW SW	15	17N	6E	5.0	" "
NE SE	16	17N	6E	10.0	State of So. Dak.
SE SE	16	17N	6E	19.0	" "
SW SW	16	17N	6E	10.0	" "
SE SW	16	17N	6E	8.0	" "
NE NW	21	17N	6E	2.0	" "
NW NE	21	17N	6E	2.0	" "
NE NW	20	17N	6E	9.0	" "
SE SW	17	17N	6E	4.0	" "
NW SE	17	17N	6E	6.0	" "
NE SE	17	17N	6E	7.0	" "
SE NE	16	17N	6E	5.0	" "
NE NE	21	17N	6E	1.4	" "

Total 219.2

All State owned land listed is leased by Meathook Enterprises LLP and the leases are being assigned to the new owner.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

RECEIVED OF Black Hills Title & Abstract Date 11/5, 20 12
PO Box 459 Spearfish SD 57783

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
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>626-1</u> <u>Waurike Farms LLC</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. **05674**

By *Garland Erbe*
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

December 27, 2012

626-1

Waurika Farms LLC
13990 East 1990 Rd
Waurika OK 73573

Dear Sirs:

I am writing to acknowledge receipt of the transfer form and filing fee submitted for transferring Vested Water Right No. 626-1.

The transfer has been completed. Vested Water Right No. 626-1 formerly held by Colonel J Vroman is now listed in the name of Waurika Farms LLC.

The receipt for the filing fee is being forwarded to the Black Hills Title and Abstract Company in Spearfish by copy of this letter. If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

Genny McMath
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

c: Black Hills Title & Abstract w/Receipt No. 05674