

714-1

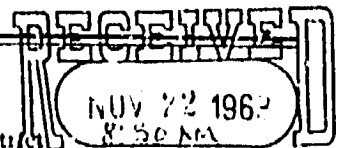
1. Considered 1-15, 1964
2. Name of Applicant Jens Nelson
3. Post Office Address Redia
4. Amount of water claimed 1101
5. Source of water supply Dike Draw
6. Water to be used for irrigation
Acres to be irrigated 79
7. Water to be diverted and used in Harding County about
2 1/2 miles SW of Redia
8. Proof of Publication Received 12
Not Received ---
9. Application Approved ---
Subject to ---
Not Approved ---
Action deferred ---
10. Remarks:

ORIGINALY REC'D
10-23-63 @ 8:05 am

Form 2—Application for Permit to Appropriate Water—Original

No. 714-1

Water Division No. 1 MOREAU 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 JENS NELSON
Postoffice address REDIG, County HARDING, State SO. DAK.

I. If a corporation

- (a) Name of same _____
(b) Date and place of incorporation _____
(c) Amount of capital stock _____
(d) Amount paid in _____
(e) Names and addresses of directors _____

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor) _____
(b) Cash on hand, \$ _____ (c) Treasury stock, \$ _____
(d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work THE NELSON DIKE DRAW SPREADER PROJECT
3. Amount of water claimed 1.1 cubic feet per second
4. Source of water supply DIKE DRAW 1/4 Sec 35 T16 N R4 E BHM
S 23° E 924 ft. from the W 1/4 Cor. Sec. 35, T.16 N., R.4 E-BHM
5. Location of point of diversion _____
_____ on Lt. (North) Harding County.
April 1st thru October 1st.
6. Annual period or periods during which water is to be used
7. To be used for:

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

(a) Number of acres to be irrigated 79 acres.
SW-SW-10 ac., SE-SW-32 ac., Sec. 34, T.16 N., R.4 E/ Total 43 ac
(b) Legal subdivisions to be irrigated
(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.)
NW-SW-12 ac., SW-SW-25 ac Sec. 35, T.16 N., R; 4 E-BHM Total 37 ac
(c) Statement as to domestic use (giving location, etc.) _____ Total _____ 79 ac.

Stockwater and irrigation

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

- (a) Nature of use Stockwater and irrigation
Name any of the above uses claimed
(b) Amount of power to be generated None horse power.
Amount claimed for engine cooling None
(c) Location of plant None
(d) Method of developing power None
(e) Point where water will be returned to stream X X X X

MAP NO 597-1

8. Estimated cost of work:

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

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

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

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

Rock, \$.....

(e) Other structures ~~OTHER~~ Dikes \$..... 200.00

Total, \$..... 200.00

9. Description of diversion works:

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

Spreader dikes

II. Dimensions of works

(a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....material used in construction.....

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

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

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

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

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER LINE	GRADE PER MILE
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet
At.....Mile	feet	feet	feet	feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work.....5.....years.

11. Time required for complete application of water to the proposed beneficial use.....5.....years.

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

THE TIMEG-HERALD, BUFFALO, SO. DAK.

STATE OF SOUTH DAKOTA.

County of HARDING

ss.

I, JENS NELSON, 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

Jens Nelson

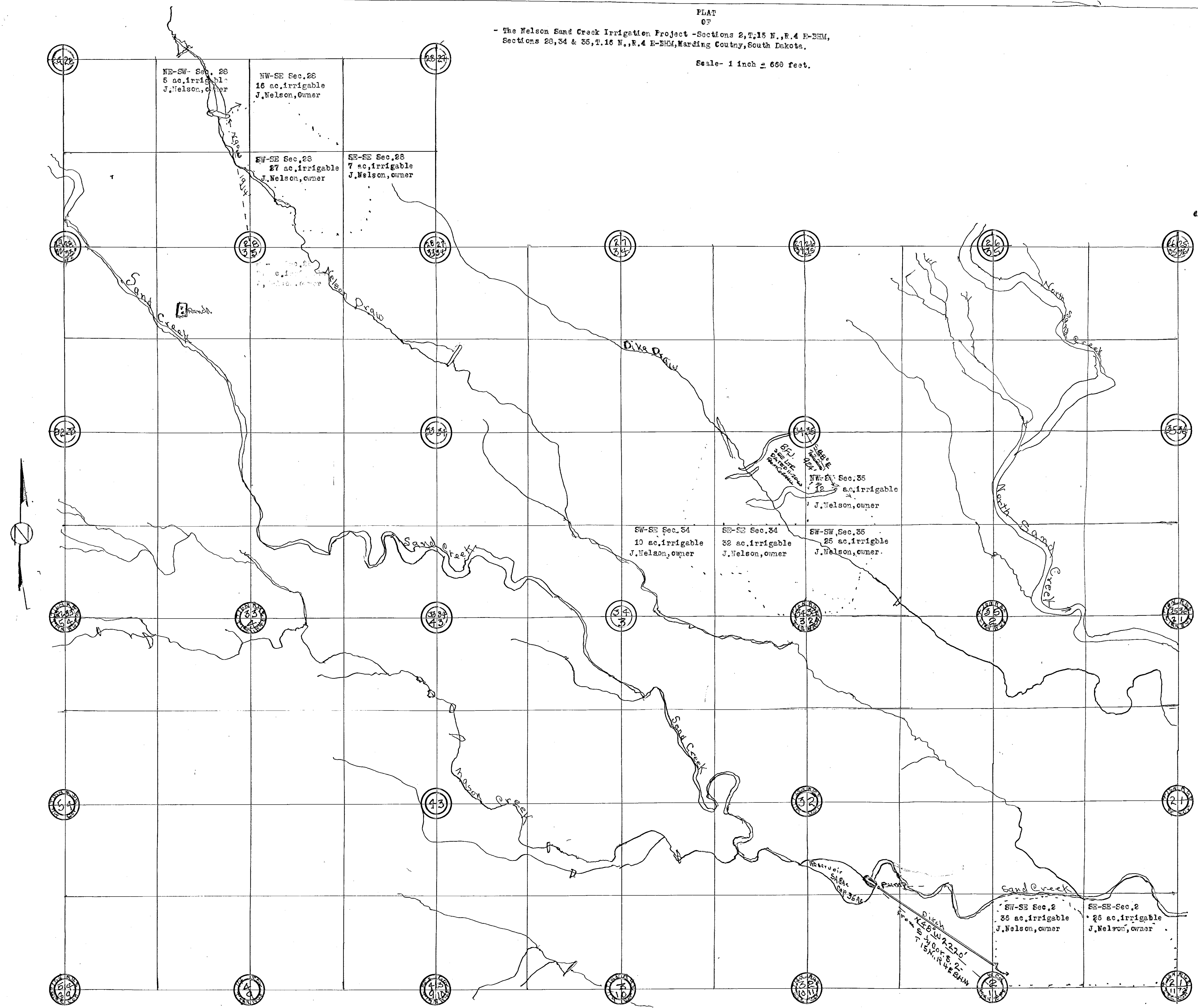
Subscribed and sworn to before me this 15th day of November, 1903.

Carl A. Cornell

Notary Public (or other authorized officer.)

PLAT
OF
The Nelson Sand Creek Irrigation Project - Sections 2, T.15 N., R.4 E-BHM,
Sections 28, 34 & 35, T.16 N., R.4 E-BHM, Harding County, South Dakota.

Scale- 1 inch = 660 feet.



SURVEYOR'S CERTIFICATE - -
I, Carl M. Cornell, Licensed Surveyor, in and for the State of South Dakota, do hereby certify that, at the request of Jens Nelson of Redia, South Dakota, I have made a survey of and drawn this plat of the irrigable areas shown hereon, for the purpose of furnishing the required plat as a part of his application for a Permit to Appropriation water for irrigation purposes, and showing the irrigable area which is embraced in the entire project.

I further certify that the lengths and bearings of the several lines shown hereon and their location, with reference to the Government Land Corners shown, are correct, to the best of my knowledge and belief.

Subscribed and sworn to at Buffalo, South Dakota this 15th day of October 1963.

SIGNED Carl M. Cornell, Buffalo, S.D.
Licensed Surveyor # 144. (SEAL)

Subscribed and sworn to before me at Buffalo, South Dakota this 15th day of October 1963.

SIGNED M. R. Hann
Notary Public (SEAL)

MAP NO 597-1
APPL NO 712-1
713-1
714-1

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, January 17, 1964

This is to certify that the foregoing application was received by the Commission at 8:05 o'clock a.m. upon the 23rd day of October, 1963

State Water Resources Commission

By:

Durton J. Jura
for Chief Engineer, Executive Officer

Number of permit 714-1

Date of first receipt of application October 23, 1963

Date of return to applicant for correction, amendments or changes required as follows: Nov. 12, 1963

Date of receipt of corrected application November 22, 1963

Date from which applicant may claim right October 23, 1963

Approved January 15, 1964, Recorded in Book 8 Page 156

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

July 15, 1966

2nd. The whole of said work is to be completed on or before January 15, 1969

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

January 15, 1969

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 1.10 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 January 1, 1969; said water to be used during the following described annual period:

April 1 thru November 15

Witness my hand this 17th day of January, 1964

State Water Resources Commission

By:

Geo. B. Jura
Chief Engineer, Executive Officer

Certificate of Construction Issued DECEMBER 30, 1974

Water License Issued DECEMBER 30, 1974

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 714-1

(1) WHEREAS, On the 23rd day of October A. D. 19 74
Jens Nelson

made Water Right Application No. 714-1 for a permit to use 1.1 cubic feet per second of the waters
of Dike Draw

County of Harding, State of South Dakota, for irrigation
purposes; and

(2) WHEREAS, On the 17th day of January A. D. 19 64

Permit No. 714-1, with a date of priority of October 23, 1963

was issued to said applicant for the diversion of said water, and provided for the completion of construction of the water
supply system therein described on or before the 15th day of January A. D. 19 69 and for the
application to beneficial use of said water on or before the 15th day of January A. D. 19 69

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to completion of the construction of the water supply system and is entitled to divert 1.1 cubic feet
per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota
relating to the application of water to beneficial use of the following extent.

for irrigating the following land in T16N, R4E

Section 34 SW $\frac{1}{4}$ SE $\frac{1}{4}$ 10 acres

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 32 acres

Section 35 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 12 acres

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 25 acres

Total 79 acres

(5) NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota, We hereby grant and confirm to Jens Nelson

_____ of Redig, S.D.
the holder _____ and owner _____ of said permit No. 714-1 a water right, dating from October 23, 1963
_____ to use of 1.1 cubic feet per second of the waters
of Dike Draw

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 at _____

a point South 28° East, 924 feet from the W $\frac{1}{2}$ Corner, Section 35, T16N, R4E

and conduct to and upon portions of Sections 34 and 35, T16N, R4E more fully described on
the face of this license

for the purpose of Irrigation

Subject to any limitations listed in Water right Permit No. 714-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 30th day of December A. D.
Nineteen Hundred and Seventy-four

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer DONALD DRISCOLL

Form 15.

Permit No. 714-1

Water Diversion No. 1 Moreau River Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Jens Nelson

_____ the holder _____ of
Permit No. 714-1, issued upon Application No. 714-1, bearing date or priority of October 23,
1963 authorizing the diversion of 1.1 cu. ft. per second of the waters of _____
Dike Draw County of Harding, State of South Dakota at _____
a point South 28° East, 924 feet from the W½ Corner, Section 35,
T16N, R4E
_____, for irrigation.

_____ purposes, has _____ complied with the provisions of the laws of the State of South Dakota relating to proof of
completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
condition for diverting and conveying to the place of intended use 10.0 cu. ft. per second of water.

Date December 30, 1974

By: **WATER RIGHTS COMMISSION**

DONALD DRIECOLL, Chief Engineer

(First Publication On or before December 19, 1963)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., December 2, 1963

Notice is hereby given that Jens Nelson, whose postoffice address is Redig, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.9 cubic feet of water per second from the Nelson Draw, Sand Creek and Dike Draw, plus storage of 35 acre feet annually, through the Nelson Spreader Projects, the point of diversion of which is to be located on both banks of said stream from Nelson Draw at a point in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28, T16N, R4E; from Dike Draw at a point in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 35, T16N, R4E; and from Sand Creek at a point in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 2, T15N, R4E. Said water is to be used for the purpose of providing irrigation on portions of the following described land:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$, Section 28, T16N, R4E; S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 34 and W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 35, T16N, R4E; and S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 2, T15N, R4E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of January, 1964, 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: Mr. D. L. Carmack, Publisher
Buffalo Times-Herald
Buffalo, South Dakota

Permit No. 714-1Water Division I Moreau River Water District

**REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE**

TO: Water Resources Commission, State Office Building No. 2, Pierre, South Dakota 57501

I have this day made a thorough examination of the water use system constructed by Jens Nelson
 of Redig, South Dakota holder
 of Permit No. 714-1, bearing date of priority of October 23, 1963
 authorizing the diversion of 1.10 cu. ft. per second of the waters of Dike draw
 for irrigation (water spreading) purposes, in Harding County.

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

The Water Use System consists of,

A. Works used to divert the water:

Has two dugout type dams

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

Gravity flow

C. Works used to apply water to beneficial use.

Has four spreader dykes to hold and spread water over area.

The system is in the following condition: Fair condition

The point of diversion is located S 28° E 924' from the W $\frac{1}{4}$ Cor Sec 35
T16N R4E

The works are capable of diverting and conveying to the place of use 10
 cu. ft. per second of water which is to be used for water spreading (irrigation)

Water has been put to beneficial use to the maximum extent as follows: NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 35: 12 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 34 : 10 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 35: 25 acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec 34 : 32 acres

comprising a total of 79.0 acres of land.Date 12/10/74

Marvin T. Knecht
 (Signature)

Marvin T. Knecht
 Water Resources Technician