

1. Considered 7-15, 1963
2. Name of Applicant Cecil Vig
3. Post Office Address Opal
4. Amount of Water Claimed 1.8
5. Source of water supply Pine Creek
6. Water to be used for irrigation
Acres to be irrigated 143.1
7. Water to be diverted and used in Meade County about
12 Miles N of Red Owl
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☐
Subject to ☐
Not Approved ☐
Action deferred ☐
10. Remarks:

723-1



RECEIVED

No. 123-1Water Division No. 1 Sulphur Creek District
(Blanks to be filled by the Engineer for the W. R. C.)APR 6 1964
8:10 amSTATE WATER RESOURCES COMMISSION
PIERRE, S.D.APPLICATION FOR PERMIT
To appropriate Water within the State of South Dakota

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

1. Name of applicant Geoil Vir
Postoffice address Opal, County Hand, State S. 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)
Employment of others

- (b) Cash on hand, \$ Adequate (c) Treasury stock, \$ ---
- (d) Bonds to be issued, \$ --- (e) Other resources, \$ ACP - SCS

2. Name of diversion work Small loose rock dams and pump
3. Amount of water claimed 1.8 cubic feet per second4. Source of water supply Pine Creek5. Location of point of diversion See attached sheet BETWEEN A POINT IN THE SE¹/₄ NE¹/₄ Sec 21, T10N, R12E, S12E6. 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? Irrigation & waterspreading

(a) Number of acres to be irrigated 143.1 acres.(b) Legal subdivisions to be irrigated see attached sheet

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) none

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

(a) Nature of use none
Name any of the above uses claimed(b) Amount of power to be generated house 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 606-1

Item 7. I. b.

Plot No.	Description	Acres
1	NESE Sec 33 T 11 N R 13 E	7.6
2	SESE Sec 33 T 11 N R 13 E	2.8
3	SESE Sec 33 T 11 N R 13 E	6.9
4	NESE Sec 4 T 10 N R 13 E	5.2
5	SESE Sec 4 T 10 N R 13 E	3.3
6	NESE Sec 33 T 11 N R 13 E	8.0
7	SESE Sec 33 T 11 N R 13 E	4.3
8	SESE Sec 33 T 11 N R 13 E	11.3
9	SESE Sec 33 T 11 N R 13 E	2.7
10	NESE Sec 4 T 10 N R 13 E	6.3
11	SESE Sec 33 T 11 N R 13 E	6.6
12	NESE Sec 33 T 11 N R 13 E	7.7
13	SESE Sec 33 T 11 N R 13 E	3.4
14	SESE Sec 33 T 11 N R 13 E	7.5
15	NESE Sec 4 T 10 N R 13 E	1.0
16	SESE Sec 33 T 11 N R 13 E	11.8
17	NESE Sec 33 T 11 N R 13 E	6.6
18	NESE Sec 33 T 11 N R 13 E	3.6
19	SESE Sec 33 T 11 N R 13 E	4.8
20	NESE Sec 33 T 11 N R 13 E	1.3
21	NESE Sec 32 T 11 N R 13 E	13.5
22	SESE Sec 32 T 11 N R 13 E	9.9
	Total	143.1

Item 5

Points of Diversion

	Location
1	132 ft. Due West of NE Cor Sec 32 T11n R 13 E
2	2040 ft. N 5° 10' E of NE Cor Sec 5 T10 N R 13 E
3	3724 ft. S 42° 50' E of NE Cor Sec 32 T 11 N R 13 E
4	1816 ft. N 77° 50' W of NE Cor Sec 4 T10 N R 13 E
5	1520 ft. N 56° 00' W of NE Cor Sec 4 T 10 N R 13 E
6	1420 ft. Due South of NE Cor Sec 4 T 10 N R 13 E

8. Estimated cost of work:

(a) Head Gates, \$..... (b) Pumping plant, \$ 1000.00
 (c) Fluming, \$..... (d) Canal-earth, \$..... Rock, \$ 6---
 (e) Other structures Loose rock dams \$ 750.00 Total, \$ 1000.00

9. Description of diversion works:

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

10" centrifugal pump

II. Dimensions of works.

(a) Dam: Height 4.0 feet; length at bottom 10' to 15' feet; length at top 20' to 30' feet; thickness at bottom 4.1 feet; thickness at top 12' feet; slope at front water face 4:1; slope at back face 4:1
 material used in construction loose rock and dirt

(b) Reservoir: Capacity when filled none 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 4 years.

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

Faith Independent, Faith, S. Dak.

STATE OF SOUTH DAKOTA

County of Meade } ss.

I, Cecil Vig, 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

Cecil T. Vig

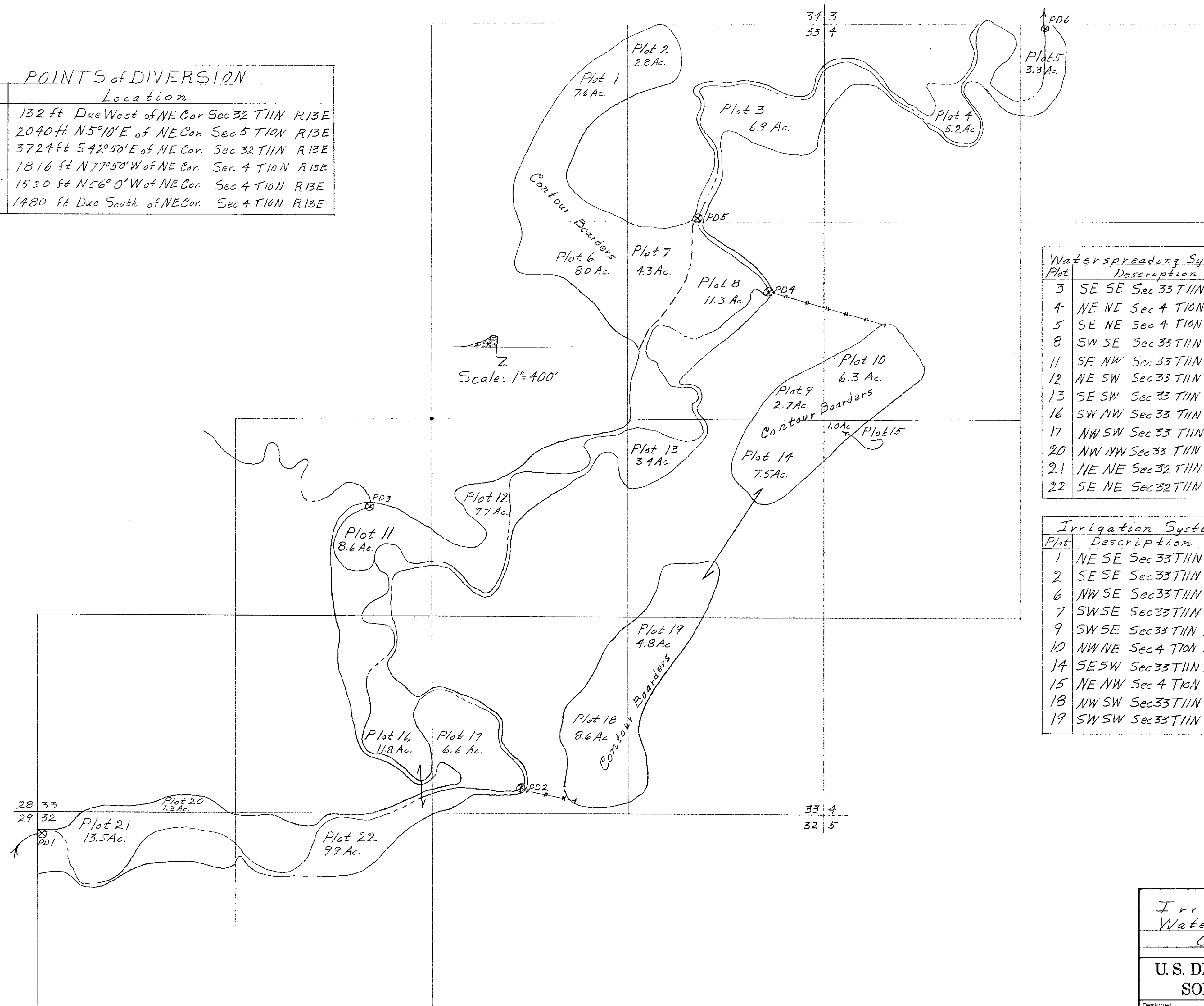
Subscribed and sworn to before me this 31st

day of March

1964

Thomas Magdon
 Notary Public (or other qualified officer.)

POINTS of DIVERSION	
No	Location
1	132 ft Due West of NE Cor Sec 32 T11N R13E
2	2040 ft N5°10'E of NE Cor Sec 5 T10N R13E
3	3724 ft S42°50'E of NE Cor. Sec 32 T11N R13E
4	1816 ft N77°50'W of NE Cor. Sec 4 T10N R13E
5	1520 ft N56°0'W of NE Cor. Sec 4 T10N R13E
6	1480 ft Due South of NE Cor. Sec 4 T10N R13E



Waterspreading System No 2		
Plot	Description	Acres
3	SE SE Sec 33 T11N R13E	6.9
4	NE NE Sec 4 T10N R13E	5.2
5	SE NE Sec 4 T10N R13E	3.3
8	SW SE Sec 33 T11N R13E	11.3
11	SE NW Sec 33 T11N R13E	8.6
12	NE SW Sec 33 T11N R13E	7.7
13	SE SW Sec 33 T11N R13E	3.4
16	SW NW Sec 33 T11N R13E	11.8
17	NW SW Sec 33 T11N R13E	6.6
20	NW NW Sec 33 T11N R13E	13
21	NE NE Sec 32 T11N R13E	13.5
22	SE NE Sec 32 T11N R13E	9.9

Irrigation System No 1		
Plot	Description	Acres
1	NE SE Sec 33 T11N R13E	7.6
2	SE SE Sec 33 T11N R13E	2.8
6	NW SE Sec 33 T11N R13E	8.0
7	SW SE Sec 33 T11N R13E	4.3
9	SW SE Sec 33 T11N R13E	2.7
10	NW NE Sec 4 T10N R13E	6.3
14	SE SW Sec 33 T11N R13E	7.5
15	NE NW Sec 4 T10N R13E	1.0
18	NW SW Sec 33 T11N R13E	8.6
19	SW SW Sec 33 T11N R13E	4.8

Irrigation System No 1 and
Waterspreading System No 2
Cecil Vig
Meade Co. S. Dak.

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

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

Map No 606-1 (App No 723-1) Form SCS-313 (November 1955)

Remarks by State Water Resources Commission:

This permit authorizes pumping diversions of the excess flows of Pine Creek. The usual low flows as needed for downstream domestic, livestock watering and prior water right use shall be by-passed.

STATE OF SOUTH DAKOTA
County of Higley

Pierre, South Dakota, September 23, 1964

This is to certify that the foregoing application was received by the Commission at 8:10 o'clock
a.m. upon the 8th day of April, 1964.

State Water Resources Commission

By: Donald Driscoll
for Chief Engineer, Executive Officer

Number of permit 723-1

Date of first receipt of application April 8, 1964

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 April 8, 1964

Approved September 17, 1964 Recorded in Book 8 Page 235

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 _____

March 17, 1967

2nd. The whole or said work is to be completed on or before September 17, 1969

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

September 17, 1973

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 _____ 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 September 17, 1973; said water to be used during the following described annual period:

April through November (inclusive)

Witness my hand this 23 day of Sept., 1964

State Water Resources Commission

By: Donald Driscoll
Chief Engineer, Executive Officer

Certificate of Construction Issued July 22, 1971

Water License issued July 22, 1971

Remarks by the Applicant:

Small loose rock check dams 4' high will be built to impound water in the channel for sub irrigation of Plots 3, 4, 5, 8, 11, 12, 13, 16, 17, 20, 21 and 22.

Contour dikes will be constructed to impound an average of approx. 6" of water on plots 1, 2, 6, 7, 9, 10, 14, 15, 18 and 19. Water will be pumped from loose rock check dams at point of diversion 2, 4 and 5.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 723-1

(1) WHEREAS, On the 8th day of April A. D. 19 64

Cecil Vig

made Water Right Application No. 723-1 for a permit to use 1.8 cubic feet per second of the waters of Pine Creek

County of Meade State of South Dakota, for irrigation

purpose; and

(2) WHEREAS, On the 23rd day of September A. D. 19 64

Permit No. 723-1, with a date of priority of April 8, 1964

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 17th day of September A. D. 19 69 and for the application to beneficial use of said water on or before the 17th day of September A. D. 19 73

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 1.8 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:

Section 4, T10N, R13E

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 5.2 acres

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 3.3 acres

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 6.3 acres

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 1.0 acres

Section 32, T11N, R13E

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 13.5 acres

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 9.9 acres

Section 33, T11N, R13E

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 1.3 acres

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 11.8 acres

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 8.6 acres

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 15.2 acres

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 7.7 acres

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 4.6 acres

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 10.9 acres

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 8.0 acres

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 7.6 acres

S $\frac{1}{2}$ SE $\frac{1}{4}$ 18.5 acres

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 9.7 acres

Total Acres 143.1 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 _____ Cecil Vig

_____ of _____ Mad Butte, S.D.

the holder _____ and owner _____ of said permit No. 723-1 a water right, dating from April 8, 1964

_____ to use of 1.8 cubic feet per second of the waters

of Pine Creek

in the County of Mendoc and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at a point 1520 feet North 56 West of the NE Corner,

Section 4, T10N, R13E

and conduct to and upon portions of Section 4, T10N, R13E and Sections 32 and 33, T11N, R13E,

described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 723-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota

this 22nd day of July A. D.

Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

Permit No. 723-1

Water Diversion No. 1 SULPHUR CREEK Water District

CERTIFICATE OF CONSTRUCTION

Cecil Vig

This is to Certify, That _____

_____ the holder _____ of
 Permit No. 723-1, issued upon Application No. 723-1, bearing date of priority of April 8, 1964
 _____ authorizing the diversion of 1.8 cu. ft. per second of the waters of _____
Pine Creek _____ County of Meade, State of South Dakota at _____
a point 1520 feet North 56° West of the NE Corner, Section 4, T10N, R13E

_____ for irrigation

_____ purposes, has ⁸ 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 up to 40 cu. ft. per second of water.

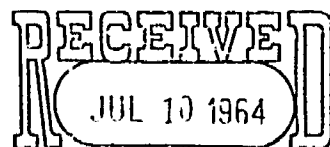
Date July 22, 1971

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Wende } ss.Kenneth Howellbeing duly
sworn, deposes and says the annexed printed copy of Notice
of Intention to Appropriate Water was taken from theFaith Independent a newspaper which
during the whole time of publication of said notice herein
after stated, has been and is printed and published in theCity of Faith County ofWende and State of South Dakota;
that the said notice was published in said newspaper on the
following dates:17 June, 196428 June, 19641 July, 19648 July, 1964in each and every issue of the full number thereof, the first
publication being made on the 17 day of June19 64 and the last publication on the 8 day ofJuly 19 64, upon which days or times
of publication aforesaid the newspaper was regularly pub-
lished, and that during the whole time of said publication hewas publisher the printer and publisher of
the said newspaper.Kenneth HowellSubscribed and sworn to before me this 9 day of JulyA. D. 19 64Estelle HowellNotary Public Wende County, S. D.STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

APPROPRIATION OF WATER

Office of State Water Resources Com-
mission, Pierre, S. Dak., June 8, 1964Notice is hereby given that Cecil
Vig whose postoffice address is Opal,
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 1.8 cubic feet of water per second
of time from Pine Creek through the
Vig diversions, the point of diversion
of which is to be located on both banks
of said stream between a point in the
SE 1/4 NE 1/4, Section 4, T 10N, R 13E,
and a point in the NE 1/4 of the NE 1/4
of Section 32 Twp. 11N Range 12E.
Said water to be used for the purpose
of providing irrigation on portions of
the following described land:
E 1/2 NE 1/4, Section 32; S 1/4 NW 1/4, SW 1/4
& SE 1/4, Section 33, T 11N, R 13E; E 1/2
NE 1/4, NW 1/4 NE 1/4 & NE 1/4 NW 1/4, Sec-
tion 4, T 10N, R 13EThis application will be taken up
by the State Water Resources Com-
mission at their office at Pierre for
consideration upon the 15th day of
July, 1964, at 2 p.m. All interested
persons may appear and be heard.Appropriate action will be taken by
the Water Resources Commission af-
ter suitable time has elapsed for the
consideration of any or all informa-
tion presented.State Water Resources Commission
By: Burton F. Jones
Water Right Specialist
Pub. June 17, to July 8, 1964

on or before
(First Publication June 18, 1964)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., June 8, 1964

Notice is hereby given that Cecil Vig whose postoffice address is Opal 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 1.8 cubic feet of water per second of time from the Pine Creek through the Vig diversions the point of diversion of which is to be located on the both between a point in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 4, T10N, R13E, and a point banks of said stream in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 32 portions of Twp. 11N Range 13E. Said water to be used for the purpose of providing irrigation on the following described land:

SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 32; S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ & SE $\frac{1}{4}$, Section 33, T11N, R13E; E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ & NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 4, T10N, R13E

XXXXXX purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of July, 1964 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.

State Water Resources Commission

By:

BURTON F. JONES
Water Right Specialist

CC: Kenneth Howell, Publisher
Faith Independent
Faith, S. Dak.

Permit No. 723-1Water Division 1 SULPHUR CREEK Water DistrictREPORT 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 CECIL
VIG of MUD BUTTE holder
of Permit No. 723-1, bearing date of priority of APRIL 8, 1964
authorizing the diversion of 1.8 cu. ft. per second of the waters of PINE CREEK
for IRRIGATION purposes, in MEADE 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:

DAM APPROX 16' HIGH W/ 5'X5' DROP INLET
TO 4' SQUARE HEADGATE THRU DAM.
CHRISTIFULL 12" PUMP POWERED BY 3010
OLIVER TRACTOR

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

800' OF 10" PIPE

C. Works used to apply water to beneficial use.

Diked AREA HAS 12" TUBES. FLOODED AREA
HAS SPREADER DIKES. CONTOURED BORDER
AREAS ARE PUMPED INTO. AREA BELOW DAM IS FLOODED
THRU HEADGATE

The system is in the following condition: GOOD

The point of diversion is located 1520' 1156° W OF THE NE CORNER,
SECTION 4, T10N, R13E

The works are capable of diverting and conveying to the place of use UP TO 40 CFS.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:

SEC 4, T10N, R13E	SEC 22, T11N, R13E	SEC 33, T11N, R13E
NE ¹ NE ¹ 5.2 AC.	NE ¹ NE ¹ 13.5 AC.	NW ¹ NW ¹ 1.3 AC.
SE ¹ NE ¹ 3.3 "	SE ¹ NE ¹ 9.9 "	SW ¹ NW ¹ 11.8 "
NW ¹ NE ¹ 6.3 "		SE ¹ NW ¹ 8.6 "
NE ¹ NW ¹ 1.0 "		NW ¹ SW ¹ 15.2 "
		NE ¹ SW ¹ 7.7 "
		SW ¹ SW ¹ 4.8 "
		SE ¹ SE ¹ 9.7 "
		NW ¹ SE ¹ 8.0 "
		NE ¹ SE ¹ 7.6 "
		SE ¹ SW ¹ 10.9 AC.

comprising a total of 143.1 acres of land.

Date

JULY 1, 1971

**OVERSIZE
DOCUMENT IS
SUPPLEMENTARY
TO MICROFILM FILE**

Water Rights Division - DWR
Conversation or File Documentation

File No. 723-1

NAME OF PERSON OR FILE: Cecil Vig

ADDRESS: _____ COUNTY Meade

DATE: April 5, 1993 TELEPHONE 748-2429

RE: Dam Failure (Merle 967-2357)

COMMENTS:

I talked to Merle Vig today (Cecil's son) about the dam failure they had on April 2, 1993. He said the dam that failed was in the very NE corner of Section 4, T10N-R13E. This is a dam they use to flood irrigate upstream land (Water Right # 723-1). He said it was approximately 28 ft high, with a 4th concrete drop inlet 8 ft below the top of dam, and a grass spillway 6 ft below the top of dam, and a gated culvert at the bottom. He said there were no fences or animal burrows that he knew of, but said it was constructed of very sandy material. He said the structure flooded approximately 75-90 acres at the drop inlet level. Sounds like there could have been 600 to 720 acres at when the dam failed. He said they thought there was approximately \$15,000 to \$20,000 damage to roads, & another \$25,000 to fences, etc. He said they were dealing with their insurance company (American Family Insurance) but they were not very agreeable about covering the damage.

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.

4/82

NAME: Tim Shaul

Water Rights Division - DWR
Conversation or File Documentation

File No. 723-1

NAME OF PERSON OR FILE: Cecil & Merle Vig

ADDRESS: _____ COUNTY Monte

DATE: April 15, 1993 TELEPHONE _____

RE: Dam Failure

COMMENTS:

On April 14, 1993, I met with Cecil & Merle Vig and inspected the dam that washed out on April 1, 1993. The dam was one of three irrigation/detention dams and was located on the very NE corner of Sec. 4-T4N-R13E. I estimated the dam to be approximately 28 ft. high and the top width of the breach to be approximately 150 ft wide. The dam was constructed of very sandy material (Fox Hills sand). The eastmost secondary spillway was approximately 6 ft. below the top of dam and the concrete drop inlet structure 2 ft. below that. The high water mark was approximately 11.75 ft below the secondary, therefore there was probably 4.5 to 6 ft of water above the drop inlet structure.

The drop inlet structure appeared to have been pored in sections, i.e. floor, walls & top separately (non-monolithic) and did not appear to be very water tight. Apparently this neighbor (Mr. Overland) saw water going over a section of the dam about 15-20 ft. wide and 6 ft. below the top of dam. My estimation of what happened is erosion or piping occurred around the conduit causing a section of the embankment to settle, allowing that portion to be overtopped. Merle Vig thinks

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.

ME: _____

Water Rights Division - DWR
Conversation or File Documentation

File No. 723-1

NAME OF PERSON OR FILE: _____

ADDRESS: _____ COUNTY _____

DATE: _____ TELEPHONE _____

RE: _____

COMMENTS:

They left the outlet gate closed longer than usual and submerged the upper portion of the embankment causing it to breach.

We looked at some of the downstream damage. The road about 1/4 mile downstream of the dam held up a major portion of the flood. It was a larger embankment than the dam with a 10 ft CRP culvert. A portion of the culvert was damaged and the road was overtopped causing some damage. We checked the George Tins home located in the SE 1/4 of Sec. 3-T10N-R13E and the Jack Overlund home located in the SE 1/4 of Sec. 11-T10N-R13E. Both of these places had damage to houses, etc. but the houses were both 10-12 feet above the flood.

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: Tim Schaaf



723-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3101

May 3, 1993

Cecil Vig
Box 32
Hud Butte, SD 57758

Dear Mr. Vig:

I am writing in reference to the recent dam failure that occurred on your property on April 1, 1993, and the investigation completed by Tim Schaal on April 15, 1993. As Mr. Schaal stated, the Division of Water Rights will need to review and approve plans and specifications before the breached dam can be repaired. The dam will need to meet the requirements in the Water Management Board's Safety of Dams Rules, Chapter 74:02:08.

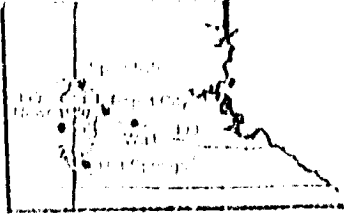
Also, we will need to review Water Right No. 723-1 to determine compliance of your irrigation system.

If you have any questions, please feel free to contact us.

Sincerely,

Gale N. Selken, P.E.
Natural Resources Engineer IV
for John Hatch, Chief Engineer
Water Rights Division
(605) 773-3352

cc: Merle Vig



Home

RCS 4-5-93

Warning limits damage from dam-break floods

People and livestock escape injury

By Pat Dobbs
West River Editor

Water bursting from a private irrigation dam southeast of Opal bulldozed Pine Creek bottom Opal lands north of Red Owl Thursday.

No one was injured and no livestock deaths were reported. Owners did not know why the dam failed.

Although flooding extensively damaged fences and calving corrals, and washed away haystacks and a few small buildings, downstream ranchers Friday credited a neighbor's warning for saving the day.

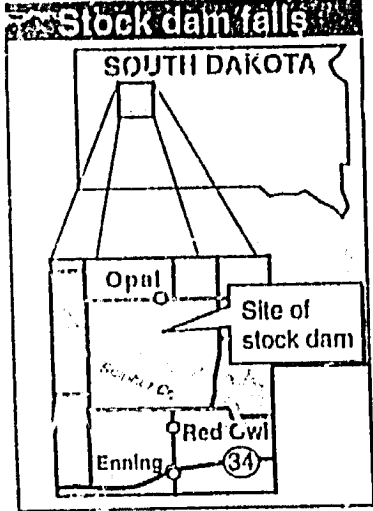
The alert gave them time to move cows and calves to high ground.

The timing was the crucial part of the matter," said Sandy Tivis, whose family's land is the first in line below the dam owned by Cecil Vig.

Edith Vig said even with spring runoff, the dam was five to six feet below full. "I don't know what caused it to go out," she said.

The family and contractors built the earthen dam. "It's been there about 25 years," she said. "It was ASCS (Agriculture Stabilization and Conservation Service) approved. We did it according to their specifications."

Jack Overland saw the top of the dam slipping about 7:30 a.m. He called



Journal Graphic/Marty Two Bulls

neighbors from Opal School.

That gave cattlemen an hour or more to move cattle. Some cows were in no mood to rush with newborn calves despite a rising wall of water 200 yards away and closing, said Tivis.

"I can sympathize with what the people in Rapid City went through in the '72 flood," said Tivis. "I've never seen anything like this."

Stacks of hay floated off as easily as wind tosses an empty paper sack. And bridge planks floated like toothpicks, she said.

Water levels were returning to normal by Friday afternoon, but Tivis said her husband, Layne, and father-in-law, George Tivis, had not totaled losses.

"There is still quite a bit of (standing) water and areas we can't get into at all," she said.

Overland, 48, is a lifelong area resident whose family has ranched for three generations in north-central Meade County. The washout wasn't the biggest flood on Pine Creek, but he found it frightening all the same.

"It was coming out at a terrible pace," he said.

Within 15 minutes, Overland said the dam opening spread from 12 to 15 feet across to 140 feet wide. The unleashed stores of irrigation water changed little Pine Creek into a nimbling river.

Typically 15 to 20 feet wide during spring runoff highs, the Pine spanned a quarter mile at Overland's property, coming within four feet of his house.

In crashing through private property, torrents washed out a county road around a culvert and undermined two bridges before dumping into Sulphur Creek eight miles from the dam.

Tom Smith reportedly lost a windbreak, Alan and Walter Price lost about a quarter mile of fencing crossing lowlands where Pine Creek usually dries up in the summer. John Miller said his winter camp at the Pine-Sulphur creeks confluence nearly escaped damage, losing maybe 10 yards of fence.

Overland, who also had fencing destroyed, said, "It's going to be quite a time for us ranchers to keep our livestock separated ... We're hoping for no storms because of the baby calves. We can't get back to our sheds."

Meade County highway crews were inspecting road damage, but county emergency and disaster officials said they had not been notified of the collapse. Nor had state dam safety program representatives, who said the dam may have been too small to register for monitoring.

2000 WATER MANAGEMENT BOARD IRRIGATION QUESTIONNAIRE
Please fill out and return before December 1, 2000

723-1
~~CRCH~~ VIG Edith Vig
BOX 32
MUD BUTTE SD 57758

CHANGES TO ADDRESS LABEL, IF ANY:

Telephone No. _____

COMPLETE AND RETURN THIS FORM TO THE WATER RIGHTS PROGRAM AT 523 E CAPITOL, PIERRE, SD 57501-3181 (605) 773-3352

1. Is the system constructed? *yes _____ no _____

*Type of system used (check all that apply):

center pivots _____ towlines _____ big gun _____

flood ☒ sprinklers _____ other _____

2. Did you irrigate in 2000? *yes _____ **no ☒

*If yes, number of acres irrigated _____

**If no, list reason(s) in comment section:

Comment Section:

Lack of rain

3. Source of water: *Run-off*

4. Is land enrolled in CRP? *yes _____ no ☒

*If yes, through what year? _____

5. Did you apply chemicals or fertilizer through the system in 2000? *yes _____ no ☒

* If yes, a separate chemigation form is NOT needed.

Office use only



The portion of the form for reporting acres irrigated is on the back of this page. Listed below are two examples of how to complete the form:

EXAMPLE 1: In June & July, 130 acres were irrigated using a pivot system (70 acres of corn & 60 acres of alfalfa). The pump rate of the pivot is 800 gallons per minute and you pumped 8 days (@ 24 hours per day) on the corn and 22 days on the alfalfa:

MONTH	CROP	ACRES	PUMP RATE	# DAYS	AVE/HRS DAY
JUNE	CORN	70	800 GPM	8	24
	ALFALFA	60	800 GPM	10	24
JULY					
	ALFALFA	60	800 GPM	12	24

EXAMPLE 2: In June, 40 acres of alfalfa were irrigated (using gated pipe @ 3000 gpm) for 5 days - 24 hours per day; 60 acres of beans were irrigated (using big gun @ 380 gpm) for 10 days at 24 hours per day:

JUNE	ALFALFA	40	3000 GPM	5	24
	BEANS	60	380 GPM	10	24

For ease in calculating water use, please specify if actual irrigation hours or kilowatt hours are being reported. For kilowatt hours, include depth to water & system pressure in comment section.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

January 2, 2001

Nos. 601-1, 601-1A and 723-1

Edith Vig
Box 32
Mud Butte SD 57758

Dear Mrs. Vig:

The Irrigation Questionnaires which you recently returned to our office indicated a possible ownership change for Water Right Nos. 601-1, 601-1A and 723-1. Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change. The water rights are currently listed in the name of Cecil Vig.

The transfer forms should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50 each (\$7.50 total).

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

File No. 601-1
601-1A
723-1

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Edith Vig, Box 32, Mud Butte, SD 57758

DATE: January 12, 2001

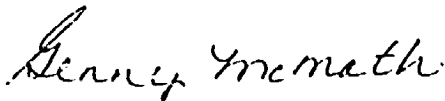
RE: ownership of land described in Water Right Nos. 601-1 601-1A and 723-1

COMMENTS:

The 2000 irrigation questionnaires returned by Edith Vig indicated that her husband Cecil Vig had passed away. Transfer forms were mailed to Mrs. Vig to transfer the ownership of the water rights to her name.

Hope Vig (Edith's daughter) and indicated that the ownership of the land was not clear at the moment because part of the land was in Cecil's estate and part was owned by Edith Vig.

We decided to leave the water rights as they are for now and put Edith's name in the files as the contact person. They will notify us when things get settled or something changes.



Genny McMath
Environmental Scientist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 21, 2017

723-1

Darrell Vig
17538 Vig Place
Mud Butte SD 57758

Dear Mr. Vig:

I am writing in follow-up to our recent phone conversation concerning ownership of land described in Water Right No. 723-1. Enclosed is a copy of the water right. The water right has been in Cecil Vig's name for years and the last notation in the file was to an "Estate" for Edith Vig. The water right was never transferred so technically, it remained in Cecil's name.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

It is very important to keep ownership records up to date. If you have any questions, please give me a call. Thank you in advance for updating the water right.

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

enclosure

RECEIVED

JAN 09 2018

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

No. 723-1

Date: 12-30-2017

I/We request that Water Right No. 723-1

formerly owned by: Cecil Vig

be transferred to: (name & address) Darrell, Dale, & Dean Vig
Note: In process of becoming 17538 Vig Place
"Triple V Angus, LLC." Mud Butte, SD 57758 Telephone No. 605-748-2016

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

143.1 acres - E 1/2 NE 1/4, NW 1/4 NE 1/4, NE 1/4 NW 1/4 Section 4, T10N, R13E; E 1/2 NE 1/4 Section 32,
W 1/2 NW 1/4, SE 1/4 NW 1/4, SW 1/4, SE 1/4 Section 33, T11N, R13E

I/We understand that the validity of Water Right No. 723-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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 required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Darrell, Dale, & Dean Vig, the new owner, certify that the above information is true and correct.

Darrell Vig
(Signed by new owner)

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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 9, 20 18

RECEIVED OF

~~Darrell and Tammy Vig 17536 Vig Place Mud Butte, SD 57758~~

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

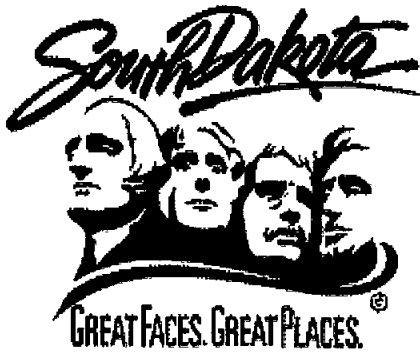
Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>723-1</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. **08468**

By

Jeanne Goodman
Chief Engineer

um



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 10, 2018

723-1

Darrell Vig
17538 Vig Place
Mud Butte SD 57758

Dear Mr. Vig:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 723-1.

The ownership change has been completed. Water Right No. 723-1, formerly listed in the name of Cecil Vig, is now listed as "Darrell, Dale & Dean Vig".

Enclosed for your records is Receipt No. 08468 in the amount of \$50. Thank you again for updating the water right. If you have any questions, please let me know.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosure