

1. Considered July 16, 1969 869-1
2. Name of Applicant John Newman
3. Post Office Address Leimmon, S.D.
4. Amount of water claimed 6.66
5. Source of water supply Hat Creek
6. Water to be used for Irrigation
Acres to be irrigated 466.5
7. Water to be diverted and used in Perkins county
about _____ miles _____ of _____
8. Proof of Publication Received _____
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

Mr. Allison indicates this is strictly water preheating system

John Derschan
Lexmon, S.D.

Proposed Area to be Irrigated

No.	Legal Description						Acres
1	NE $\frac{1}{4}$	SW $\frac{1}{4}$	Sec. 17	Twp. 22N	-	Rge. 15E	5.0
2	SE $\frac{1}{4}$	SW $\frac{1}{4}$	Sec. 17	"	"	"	16.4
3	SE $\frac{1}{4}$		Sec. 17	"	"	"	156.0
4	NE $\frac{1}{4}$	NW $\frac{1}{4}$	Sec. 20	"	"	"	23.0
5	SE $\frac{1}{4}$	NW $\frac{1}{4}$	Sec. 20	"	"	"	24.4
6	NW $\frac{1}{4}$	NE $\frac{1}{4}$	Sec. 20	"	"	"	38.0
7	NW $\frac{1}{4}$	NE $\frac{1}{4}$	Sec. 20	"	"	"	36.0
8	SW $\frac{1}{4}$	NE $\frac{1}{4}$	Sec. 20	"	"	"	19.2
9	SE $\frac{1}{4}$	NE $\frac{1}{4}$	Sec. 20	"	"	"	35.0
10	NW $\frac{1}{4}$	SE $\frac{1}{4}$	Sec. 20	"	"	"	4.5
11	NE $\frac{1}{4}$	SE $\frac{1}{4}$	Sec. 20	"	"	"	36.0
12	SE $\frac{1}{4}$	SE $\frac{1}{4}$	Sec. 20	"	"	"	28.0
13	NW $\frac{1}{4}$	SW $\frac{1}{4}$	Sec. 21	"	"	"	39.0
14	SW $\frac{1}{4}$	SW $\frac{1}{4}$	Sec. 21	"	"	"	24.0

Total 466.5 Acres

Points of Diversion

- No. 1 - 2920 ft. N 35° 0' west of NE corner of Sec. 21-T22N-R15E
 No. 2 - 1430 ft. N 06° 30' east of NE corner of Sec. 29-T22N-R15E

NW $\frac{1}{4}$ SE $\frac{1}{4}$
 SE $\frac{1}{4}$ NE $\frac{1}{4}$

Wrong
not a SW
this way
all from
of Apple
BWS
10/22/61

8. Estimated cost of work:

(a) Head Gates, \$500.00

(b) Pumping plant, \$1,500.00

(c) Fluming, \$

(d) Canal-earth, \$

Rock, \$

(e) Other structures Dikes

\$2000.00

Total, \$5000.00

9. Description of diversion works:

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

Direct diversion and pumping plant.

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 two feet; height eight feet;

Material Iron

(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 8 years.

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

Lemmon, South Dakota

STATE OF SOUTH DAKOTA

County of Perkins

ss.

I, _____, 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

Subscribed and sworn to before me this 15

day of May

1899

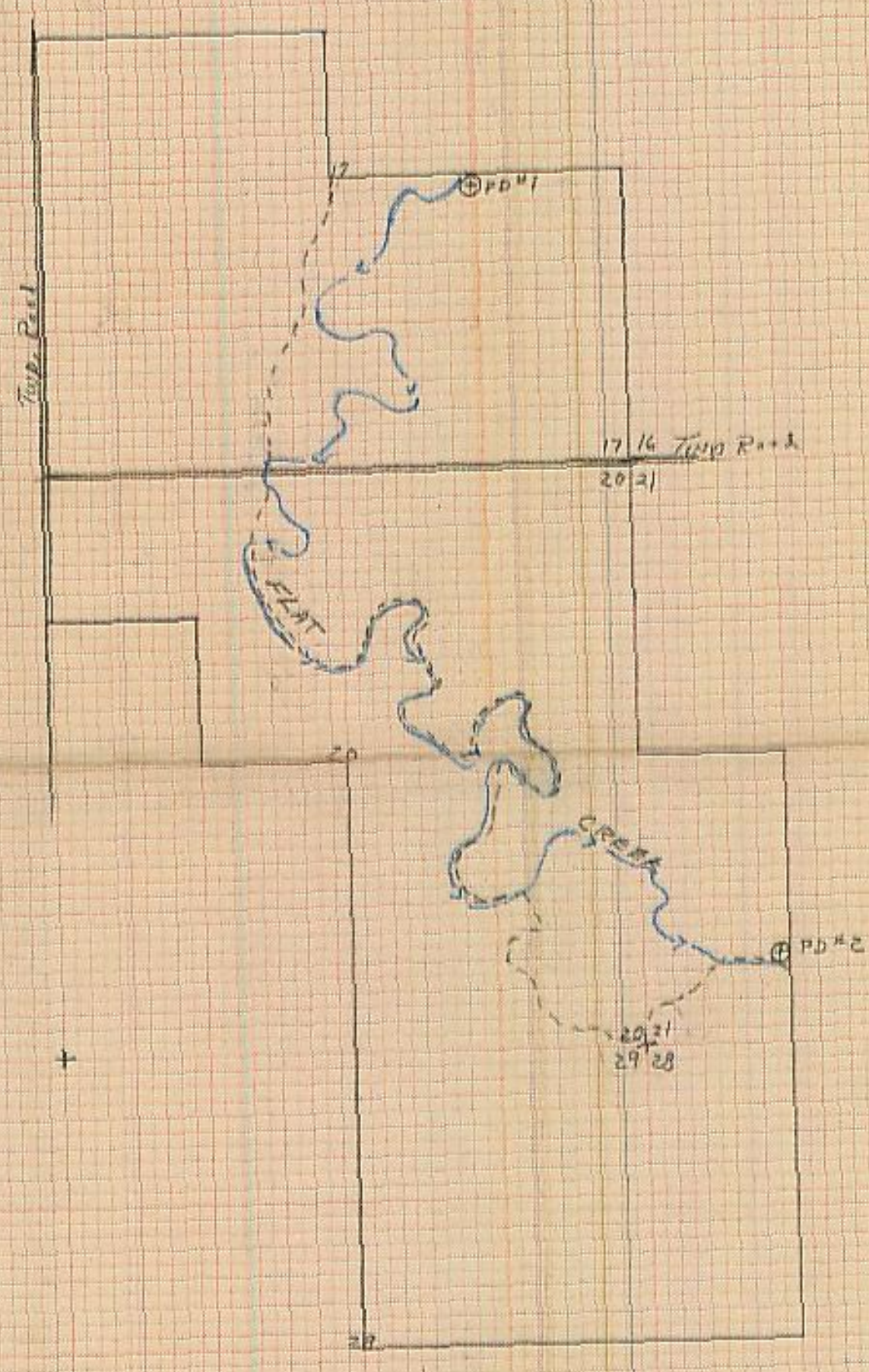
Notary Public (or other qualified officer.)

ROBERT P. KELLEY

NOTARY PUBLIC,

COMMISSION EXPIRES 6-30-00

*Each diversion must have a headgate or measuring device.



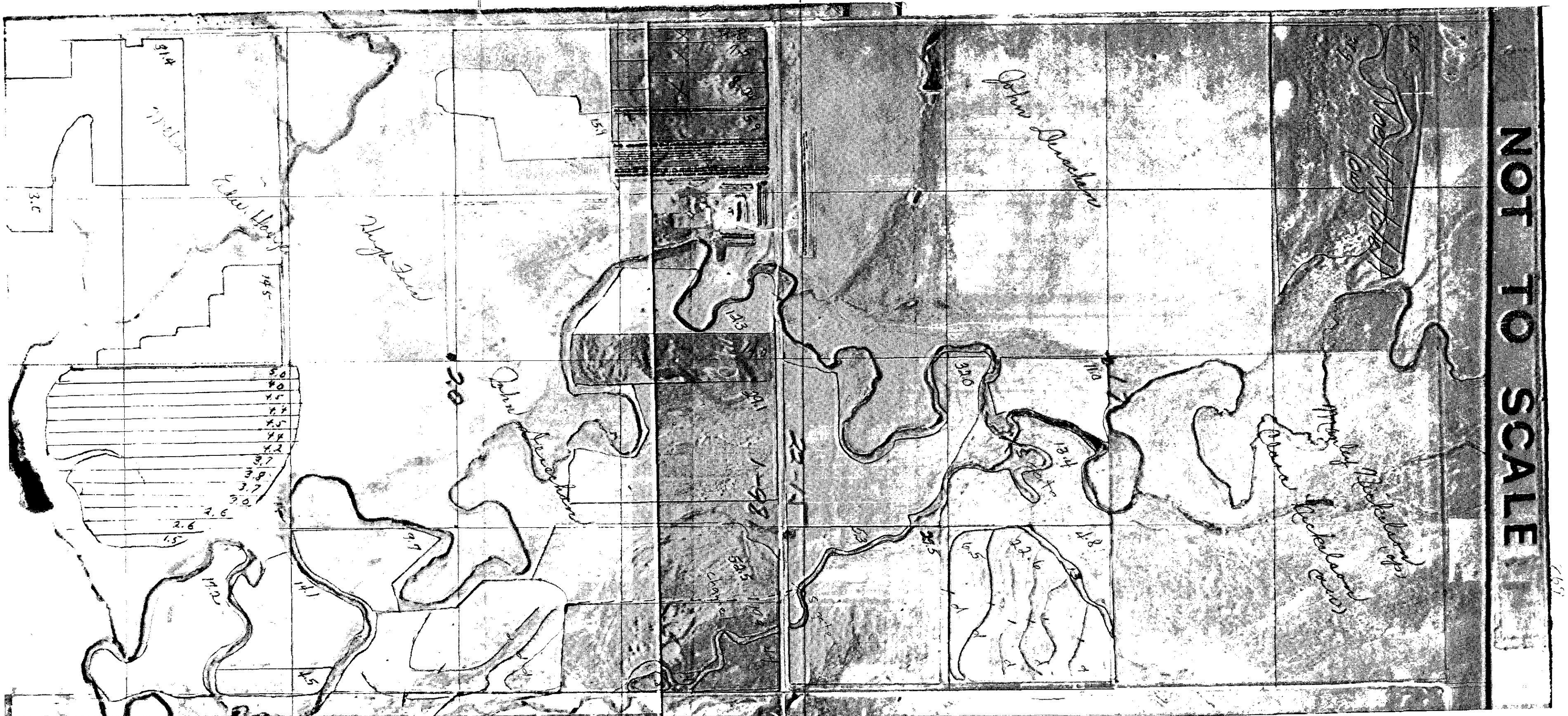
Twp-22N-Range-15E

John Derschen Irrigation System #1
R.R.
Lomman, S. Dak 57620 Revere, S. Dak

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

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

NOT TO SCALE



NOT TO SCALE



Remarks by State Water Resources Commission:

LOW FLOWS AS NEEDED FOR DOWNSTREAM DOMESTIC
USE, INCLUDING LIVESTOCK WATERING, AND PRIOR
WATER RIGHTS SHALL BE BY-PASSED.

STATE OF SOUTH DAKOTA
County of HUGHES } 35.

Pierre, South Dakota, AUGUST 11 1969

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
9 a.m. upon the 23RD day of MAY, 1969.

State Water Resources Commission

By: Durton

for Chief Engineer, Executive Officer

Number of permit 869-1

Date of first receipt of application MAY 23, 1969

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 MAY 23, 1969

Approved JULY 16, 1969, Recorded in Book 11 Page 26

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____

JANUARY 16, 1972

2nd. The whole of said work is to be completed on or before JULY 16, 1974

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

JULY 16, 1977

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 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 6.66 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 JULY 16, 1977; said water to be used during the following described annual period:

SPRING & SUMMER

Witness my hand this 11TH day of AUGUST, 1969.

State Water Resources Commission

By: James

Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19____

Water License Issued _____, 19____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Perkins } ss.

Jane Boorman being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the -----

Lemmon Leader a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the city ----- of Lemmon County of

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

June 19, 1969

June 26, 1969

July 3, 1969

July 10, 1969

in each and every issue of the full number thereof, the first publication being made on the 19th day of June

1969 and the last publication on the 10th day of

July 1969, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was editor ~~XXXXXXXXXXXXXXXXXXXX~~ of the said newspaper.

Jane Boorman

Subscribed and sworn to before me this 10th day of July A. D. 1969

Notary Public Perkins County, S. D.

No. 869-1
 APPROPRIATION OF WATER
 Office of State Water Resources
 Commission,
 Pierre, S. Dak. June 10, 1969
 Notice is hereby given that John Derschan whose postoffice address is Lemmon 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 6.66 cubic feet of water per second of time from Flat Creek through the John Derschan No. 1, the point of diversion of which is to be located on either bank of said stream between points in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 17 and in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 21 Twp. 22N Range 15E. Said water to be used for the purpose of providing irrigation on portions of the following described land: E $\frac{1}{4}$ NW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 17; E $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 20; W $\frac{1}{4}$ SW $\frac{1}{4}$ Section 21, all in T22N, R15E.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 16th day of July, 1969 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
 Burton F. Jones
 Water Rights Specialist
 cc: John Derschan, Lemmon, S. D.
 (File June 19-July 10)

RECEIVED
 AUG - 1 1969

STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

on or before

June 29

69

(First Publication _____, 19____)

APPROPRIATION OF WATER

Office of State Water Resources Commission.

June 10

69

Pierre, S. Dak., _____, 19____

John Derschan

Notice is hereby given that _____ whose postoffice
 address is _____ 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 _____

the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use _____
 between points in the NW $\frac{1}{4}$ of Section 17, and to be located on the _____
 bank of _____ stream in the _____ 1/4 of the _____ 1/4 of Section _____
 Twp. _____ Range _____ Sald water to be used for the purpose of providing irrigation on the _____

Elbow, and NW $\frac{1}{4}$ of Section 17; E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ and SE $\frac{1}{4}$, Section 20; W $\frac{1}{2}$ SW $\frac{1}{4}$, Section 21,
 and in T22N, R15E

and for _____

This application will be taken up by the State Water Resources Commission at their office at Pierre for
 consideration upon the _____ day of _____, 19____, at _____ M. All interested persons
 may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for
 the consideration of any or all information presented.

cc: John Derschan, Lumberton, S. D.

State Water Resources Commission

By:

XXXXXXXXXXXXXXXXXXXXX
 Chief Engineer, Executive Officer
Burton P. Jones
 Water Rights Specialist



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 869-1

December 19, 1983

John Derschan
Box 88
Larmon SD 57638

Dear Mr. Derschan:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 869-1 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

KAREN SCHLAACK
Administrative Aide

NOTE: On form of payment, please include the number of the water permit. This insures proper handling of the fee.

DWNR-814 8/83



Department of Water & Natural Resources

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

SECOND NOTICE

March 16, 1984

Permit No. 869-1

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

John Derschan
Box 88
Lemmon, South Dakota 57638

Dear Mr. Derschan:

December 19, 1983 you were notified the final inspection fee of \$50.00 is due before Water License No. 869-1 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-13(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

S508.WR

Equal Opportunity Employer

Permit No. 869-1Grand River Water District**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by John
Derschan of Box 88, Lemmon, SD 57638 holder of
 Permit No. 869-1, bearing the priority of May 23 19 69 authorizing
 the diversion of 6.66 cu. ft. per second of the waters of Flat Creek
 for irrigation purposes, in Perkins County.

I have to report on the conditions of the same as follows: **Dikes:** size: 3-4 ft high, 3 ft wide

A. Works used to divert the water:

type: earth

length: 2.8 miles

12 culverts (18 in) in dikes

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

Canal: size: 3 ft deep, 8 ft wide

type: earth

length: 1900 ft

C. Works used to apply water to beneficial use:

The system is in the following condition good

The point of diversion is located 1980 ft. W and 1848 ft. N; 825 ft. W and
112 ft. N; both from the SE corner of sec. 17, T22N, R15E

The works are capable of diverting and conveying to the place of use 1.79cu. ft. per second of water which is to be used for irrigationWater has been put to beneficial use to the maximum extent as follows: all in T22N, R15E

		Acres			Acres
<u>NE 1/4 SE 1/4</u>	<u>sec 17</u>	<u>30.4</u>	<u>NW 1/4 SW 1/4</u>	<u>sec. 21</u>	<u>28.5</u>
<u>SE 1/4 SE 1/4</u>	<u>"</u>	<u>29.5</u>	<u>SW 1/4 SW 1/4</u>	<u>"</u>	<u>7.9</u>
<u>SE 1/4 NE 1/4</u>	<u>sec 20</u>	<u>17.4</u>			
<u>NE 1/4 SE 1/4</u>	<u>"</u>	<u>11.9</u>			

comprising a total of 125.6 acres of land and the license should be issued for 1.79 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ NoExceptions to compliance are: _____ Date Sept. 28, 1983

Ron Duvall
 (signature)

LICENSE FOR PERMIT NUMBER 869-1

1. Legal location of wells: _____

dams & structures: _____

2. Well Information: Well Drilling Firm _____

No. of wells _____ Depth _____

Casing a) diameter _____ Screen a) type _____

b) length _____ b) length _____

c) type _____ Static Water Level _____

Pump a) make _____ Motor a) make _____

b) model _____ b) model no. _____

c) size _____ c) horsepower rating _____

d) capacity _____ GPM d) motor efficiency rating _____

e) turbine pump _____

no. of stages _____

3. Distribution lines: Dikes : 12 culverts (18in) located on dikes

a) size of lines 3-4 ft high, 3 ft wide at top

b) type earth

c) length 2.8 miles

4. Dam Information:

a) height to crest _____

b) height to spillway _____

c) crest width _____

d) crest length _____

e) spillway length _____

f) spillway width _____

g) approx. storage _____

h) Distribution lines or canals:

1) size 3 ft deep, 8 ft wide

2) type earth

3) length 1900 ft

On canal
i) ~~Outlet tubes~~:

1) diameter 24 in & 30 in

2) type _____

3) valued (Y/N) _____

4) valve type screw

5) location on structure _____

5. System Type: a) sideroll:

1) length _____ feet

2) diameter of pipe _____

3) make, model & number of sprinklers _____

4) spacing of sprinklers _____

5) nozzle size _____

b) towline:

1) length _____ feet

2) make, model & number of sprinklers _____

3) spacing of sprinklers _____

4) nozzle size _____

5. System Type: c) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running _____
- 9) GPM _____

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length _____
- 2) diameter _____
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES

NO

Check Items

- | | | |
|-------|-------|---|
| _____ | _____ | 1. Soil and water permit lands agree with lands being irrigated and lands listed on permit. |
| _____ | _____ | 2. Special Qualifications to permit being abided by. |
| _____ | _____ | 3. All Structures, wells and lands on map. |

REMARKS:

State of South Dakota
Water License No. 869-1

(1) John Darschan
of RR#2, Box 88, Lemmon, South Dakota 57638
made Application No. 869-1 on May 23, 1969 for a water permit to appropriate
6.66 cubic feet per second of water from Flat Creek
Perkins County, South Dakota for Irrigation purposes.
Permit No. 869-1, with a priority date of May 23, 1969
was approved July 16, 1969 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before July 16, 1974 and for the application to beneficial use of said
water on or before July 16, 1977.

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 1.79 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 1980 ft W and 1848 ft N (DB); 825 ft W and
112 ft N (DD); both from the SE Corner of Section 17, T22N, R15E

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, ~~to irrigate the following land all in T22N, R15E~~

Section 17	NE1/4SE1/4	30.4 Acres	(DA)
	SE1/4SE1/4	29.5 Acres	(DB)
Section 20	SE1/4NE1/4	17.4 Acres	(AD)
	NE1/4SE1/4	11.9 Acres	(DA)
Section 21	NW1/4SW1/4	28.5 Acres	(CB)
	SW1/4SW1/4	7.9 Acres	(CC)
TOTAL		125.6 ACRES	

(4) Pursuant to §46-5-30.1 John Darachan
of RR#2, Box 88, Lammon, South Dakota 57638
the holder(s) and/or owner(s) of Water Permit No. 869-1 is issued a license to appropriate water, the right to use
1.79 cubic feet per second of water from Flat Creek with a priority date
of May 23, 1969 from the location specified in (2) of this license. The water to be
conducted to and upon lands specified in (3) of this license for the purpose of Irrigation

This license is subject to any limitations or qualifications listed in Water Permit No. 869-1 and subject
to South Dakota State Law.


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

March 22, 1984

RECEIPT

Division of Water Rights

No 4 9595

South Dakota Department of Water and Natural Resources

Pierre, March 21, 1984

RECEIVED OF John Derschan, Route #2, Box 88, Lemmon, SD 57638

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. 869-1 _____	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fees for Certifying _____		
Fees for _____		
(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer JOHN HATCH/ms

No. 869-1

SOUTH DAKOTA Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

March 22, 1984

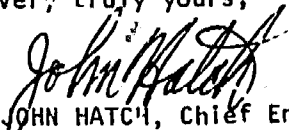
John Derschan
RR#2, Box 88
Lemmon, South Dakota 57638

Dear Mr. Derschan:

Enclosed herewith is, Water License No. 869-1. This is the final water right document completing your process of obtaining a water right.

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

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

JH:ms

Enclosures

WNR-817 3/83
Transmittal of Water License