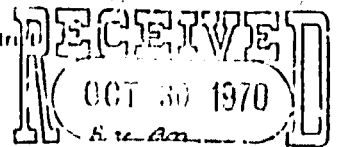


No. 914-1Map No. 230-1Water Division No. 1LITTLE MISSOURI RIVER

(Blanks to be Filled by the Engineer for the W. R. C.)

VESTED RIGHT

APPLICATION FOR PERMIT

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant Kenneth Burghduff, Gerald
 Postoffice address Camp Crook State South Dakota
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Vested Right - Completed
3. Name of diversion work Burghduff Spreader and Gravity System
4. Amount of water claimed (cubic feet per second) 3.97
5. Source of water supply Wagon Creek and Local runoff
6. Location of point of diversion between a point on NW Corner of the NE 1/4 SE 1/4, Section 12, T20N, R1E, and point located 1350 ft. due west of the SE Corner of Sec. 7, T20N, R2E. also a point located 500 ft. South and 200 ft. West of the NE Corner of Section 13, T20N, R1E County Harding
7. Annual period or periods during which water is to be used April 1 through November
8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation
9. For irrigation use, Total number of acres to be irrigated 338- 278

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
see attached list			

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Was in place when land was purchased in 1946 and some dike work after. All work except maintenance was done before 1957 years. Additional time required to complete application of water to the proposed beneficial use _____ years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication n/a
12. Principal Features of the Proposed Water Supply System.
- A. Works proposed to divert water from its natural source.
Dykes - Dams with ditches and gates
- B. Works proposed to transport water to place of use.
Dykes and Ditches
- C. Works proposed to apply water to beneficial use.
Spreader dykes

Estimated Total Cost \$ 5,000.00Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of HardingI, Kenneth Burghduff, the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed Kenneth BurghduffSubscribed and sworn to before me this 22 day of October 1970

Notary Public (or other qualified officer)

May 20, 1978

NOT TO SCALE

20-1
I 32

T 3983

Gerald Burghdall

443

T 3985

Gerald

20-1
I 32

12

Not Cultivated

18
30-2

20
30-2

T 3983

Gerald Burghdall

443

NOT TO SCALE

20-2

Not Cultivated

covered under
1246-1
160

12 2
13 18

7 8
18 12

Drain
Ingrate Ditch
T 3983
Gerald Burghdall
443
Land Not Cultivated

Not Cultivated

6-15-88

24 H
340

20-2

23 H

Kenneth Borghduff, ~~KMM. KMM.~~

Description and acreages of lands irrigated by existing spreader and gravity system.

Section 12, T20N, R1E

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

Acres

20
40

} part transferred to
Edith Mae Borghduff

Section 7, T20N, R2E

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

5
40
15

Section 18, T20N, R2E

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

35
25
40

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

23

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

20
40
30

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

5

Total

338 Acres

278

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 914-1
Kenneth Burghdurf CAMP CROOK
 (Applicant) (Post Office Address)
SOUTH DAKOTA With the following modifications:
 (State)

"VESTED RIGHT" CLAIMED

Date of first receipt of application OCTOBER 30 19 70
 Date of return to applicant for correction, amendments or changes required --- 19 ---
 Date of receipt of corrected application --- 19 ---
 Approved NOVEMBER 4 19 70 Recorded in Book 11 Page 204

WATER RIGHT PERMIT NO. 914-1

The Water Resources Commission hereby grants and issues this Water Right Permit No. 914-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is --- 19 46
2. The equivalent of at least one-fifth of the work above specified is ~~to be~~ completed ~~on or before~~ --- 19 ---
3. The whole of said work is ~~to be~~ completed ~~on or before~~ --- 19 ---
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is COMPLETED
5. The water appropriated shall be used for the purpose of IRRIGATION

6. 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.

7. The amount of the appropriation herein granted shall not exceed 4.83 ^{3.97} cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and 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 ^{was} actually and beneficially applied for irrigation on or before JUNE 30 19 55; said water to be used during the following described annual period: APRIL 1 THEN NOVEMBER

Witness my hand this 6TH day of NOVEMBER 19 70

WATER RESOURCES COMMISSION

By:

[Signature]
 Chief Engineer, Executive Officer

Certificate of Construction Issued NOVEMBER 6 19 70
 Water License Issued NOVEMBER 6 19 70

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 914-1

Lm
101120201(1) WHEREAS, On the 30th day of October A. D. 19 70Kenneth Burghdoffmade Water Right Application No. 914-1 Vested Right 4.03 cubic feet per second of the waters of Wagon Creek and surface runoffCounty of Harding, State of South Dakota, for irrigation

purposes; and

(2) WHEREAS, On the 6th day of November A. D. 19 70Vested Right 914-1, with a date of priority of 1946was issued to said applicant recognizing for the diversion of said water recognizing the completion of construction of the water supply system therein described and for the application to beneficial use of said water recognizing

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 4.83 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.

Section 12, T20N, R1E		Acres	} Transferred to Edith Mae Burghdoff 62 acres @ .80 cfs
NW 1/4 SE 1/4		20	
SE 1/4 SE 1/4		40	
Section 7, T20N, R2E			
NW 1/4 SW 1/4	C.B.	5	
SW 1/4 SW 1/4	C.C.	40	
SE 1/4 SW 1/4	C.D.	15	
Section 18, T20N, R2E			
NW 1/4 NW 1/4	B.P.	35	
NW 1/4 NW 1/4	B.D.	25	
SW 1/4 NW 1/4	B.C.	40	
NE 1/4 SW 1/4	B.H.	23	
NE 1/4 NE 1/4	A.F.	20	
SW 1/4 NE 1/4	B.P.	40	
SW 1/4 NE 1/4	A.S.	30	
NW 1/4 SE 1/4	D.P.	5	
Total		335 Acres	

278

(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 confer to Kenneth Burghdoff

_____ of Camp Crook, S.D.
the holder _____ and owner Vested Right of said permit No. 914-1 a water right, dating from 1946
_____ to use of 4.83 cubic feet per second of the waters
of Wagon Creek and surface runoff

in the County of Barding 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 on NW Corner of the NE 1/4 Sec. 12,
T20N, R1E and a point located 1350' due west of the SE Corner of Sec. 7, T20N, R2E, also a
point located 500' S. and 200' West of the NE Corner of Sec. 13, T20N, R1E

and conduct to and upon portions of Section 12, T20N, R1E and Sections 7 and 18, T20N, R2E,
described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 914-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 6th day of November A. D.
Nineteen Hundred and Seventy

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

AND OF RECORD IN WHICH MEET THE REQUIRED RECORDING REQUIREMENTS OF THE NATIONAL BUREAU OF SURVEYS FOR RECORDING AND
REPRODUCTIONS. REDUCTION 25% ROLL NO 8
DATE RECORDED 3-11-83
CLERK

Permit No. 914-1Water Diversion No. 1 LITTLE MISSOURI RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Kenneth Burghdoff

Vested Right 914-1 the holder _____ of
 Permit No. 914-1, issued upon Application No. 914-1, bearing date of priority of 1946
 _____ authorizing the diversion of 4.83 cu. ft. per second of the waters of _____
Wagon Creek and surface runoff County of Harding, State of South Dakota between
a point on NW Corner of the NE 1/4 SE 1/4, Sec. 12, T20N, R1E and a point located 1350'
due west of the SE Corner of Sec. 7, T20N, R2E, also a point located 500' S. and
200' West of the NE Corner of
Sec. 13, T20N, R1E, for irrigation

purposes, has ^B 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 ^{recognized as} are ~~found~~ in satisfactory
~~condition~~ for diverting and conveying to the place of intended use 4.83 cu. ft. per second of water.

Date November 6, 1970

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

NOTE: This Form is supplemental to Form 2, and is to be used when an affidavit pertaining to construction and water use, already completed, is needed.

**AFFIDAVIT OF CONSTRUCTION OF WATER USE
SYSTEM AND APPLICATION OF WATER TO BENEFICIAL USE**

Name of Applicant (Same as Form 2) Kenneth Borghdoff

Post Office Address Camp Crook, State South Dakota

If a Corporation show date and place of incorporation _____

13. Notice of Appropriation (If available)

Date of Posting 1946 Date of Recording 1946
Recording Data _____

14. Date of start of construction of water supply system 1946

15. Date that water was first applied to beneficial use 1946

16. Name of owner of original water supply system _____

17. Amount of water originally applied to beneficial use part of local runoff xxxx

18. Present Use of Water

Amount of water now being used all local runoff xxxxxx
Date that this amount of water was first used 1946

19. Chronological History of Water Use

This spreader and gravity system was started in 1946 and completed before 1955 and has been used as indicated since.

Attach to this Form 2B, any copies of notices, postings, filings, publications, affidavits, or other records that apply. You may also attach any written statement by you, or by others, that you deem pertinent.

STATE OF SOUTH DAKOTA)

County of Hand)^{ss}

I, Kenneth Borghdoff, the applicant, certify that I have read the foregoing and that the matters therein stated are true.

Signed

Kenneth Borghdoff

Subscribed and sworn to before me this 27 day of October, 1946

Walter C. [Signature]
(Notary Public or other qualified Officer)

I, the undersigned, do hereby certify that I know about the water use system described above that I have read the foregoing and that the matters therein stated are true.

FORM 20

NO. 914-1

NOTICE OF TRANSFER OF WATER PERMIT



TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Mar 8, 1980

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

W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 7, 20N, 2E; NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$,

NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 18, T20N, R2E 278 acres

formerly owned by Kenneth Burghduff, Camp Crook, SD

has been transferred to Gerald Burghduff, Camp Crook, SD

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

Water Right Permit No. 914-1 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 Office of the Board of Water Management 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 Harding) ss.

I, Gerald Burghduff, 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.

Gerald Burghduff
(Signed)

Subscribed and sworn to before me this 11 Day of March, 19 80.

Lyle Sandberg
(Notary Public)

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7403

PIERRE, March 18, 1930

RECEIVED OF Gerald Burghdoff, Camp Crook, SD 57724
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____	
Fee for inspecting Construction, and issuing Cert. of Construction No. _____	
Fee for inspecting Beneficial Use, and issuing Water License No. _____	
Fee for issuing Location Certificate-Dry Draw, No. _____	2 50
Fee for filing transfer of water right No. 914-1 _____	
Fee for certified copy of _____	
Fee for Print copy of map _____	
Fee for Certifying _____	
Fee for _____ (any other work as provided by law)	
TOTAL	2 50

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH (9)

914-

January 13, 1984

Gerald Burghduff
Marmarth Route
Camp Crook, South Dakota 57724

Dear Mr. Burghduff:

With reference to the enclosed letter from Mr. Mernaugh for filing fees we are returning your check in the amount of \$10.50.

We need \$10.50 to cover the cost of filing fees and the Water License plus the \$2.50 to cover the cost of filing the transfer, making a total of \$13.00. Please forward your check for this amount and further processing of your Water Permit will proceed.

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 1-4-84

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

E½ SE¼ Section 12, T20N, R1E - 60 acres

formerly owned by Edith Mae Burghduff

has been transferred to Gerald Burghduff, Marmarth Rt., Camp Crook SD 57724

(please include complete mailing address)

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

Water Right Permit No. 914-1A 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.

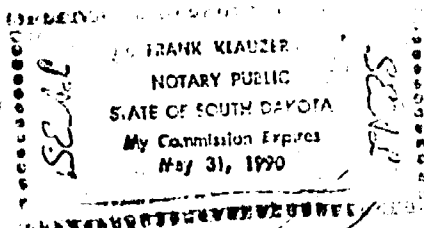
STATE OF SOUTH DAKOTA)

County of Harding) ss.

I, Gerald Burghduff 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.

Gerald Burghduff
(Signed)

Subscribed and sworn to before me this 11th Day of January, 1984.



Frank Klauser
(Notary Public)

WNR-820-9/33
Notice of Transfer of Water Permit



State of South Dakota

to combine
No. 914-1 and No. 914-1A

REISSUE OF VESTED RIGHT Water License No. 914-1

(1) Kenneth Burghduff
of Box 7, Camp Crook, South Dakota 57724
made Application No. 914-1, November 6, 1970, for a water permit to appropriate
4.83 cubic feet per second of water from Wagon Creek and surface runoff
Harding County, South Dakota for Irrigation purposes.

Permit No. _____, with a priority date of 1946
was approved _____ and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before _____ and for the application to beneficial use of said
water on or before _____

On March 18, 1980, lands irrigated under Vested Right Water License No. 914-1 were transferred to two new owners. The license was divided into 914-1, Gerald Burghduff and 914-1A, Edith Mae Burghduff.

On February 1, 1984, a notice of transfer was filed to transfer lands under 914-1A, Edith Mae Burghduff, to Gerald Burghduff. The lands under 914-1 and 914-1A are now owned solely by Gerald Burghduff.

Vested Right Water License No. 914-1 is being reissued to combine Nos. 914-1 and 914-1A. The lands contained in No. 914-1 and No. 914-1A are now listed under 914-1 as they were originally filed for. No. 914-1A has been superseded by the reissuance of Water License No. 914-1

and _____ Right Water License No. 914-1 authorizes diversion of
(2) It is certified that _____ has complied with the provisions of South Dakota State Law relating to completion of
the described _____ apply system and is entitled to divert 4.83 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is between a point on NW Corner of the NE 1/4 SE 1/4,
Section 12, T20N, R1E and a point 1350'W of the SE Corner of Section 7, T20N, R2E,
also a point located 500'S and 200'W of the NE Corner of Section 13, T20N, R1E

and

to combine
No. 914-1 and No. 914-1

(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, Vested Right Water License No. 914-1 authorizes

irrigation of the following land:

T20N, R1E				T20N, R2E (Section 18 continued)			
Section 12	NE $\frac{1}{4}$ SE $\frac{1}{4}$	20 Acres	(DA)	NE $\frac{1}{4}$ SW $\frac{1}{4}$	23 Acres	(CA)	
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	40 Acres	(DD)	NE $\frac{1}{4}$ NE $\frac{1}{4}$	20 Acres	(AA)	
T20N, R2E				NW $\frac{1}{4}$ NE $\frac{1}{4}$	40 Acres	(AB)	
Section 7	NW $\frac{1}{4}$ SW $\frac{1}{4}$	5 Acres	(CB)	SW $\frac{1}{4}$ NE $\frac{1}{4}$	30 Acres	(AC)	
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	40 Acres	(CC)	NW $\frac{1}{4}$ SE $\frac{1}{4}$	5 Acres	(DB)	
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	15 Acres	(CD)	TOTAL 338 ACRES			
Section 18	NE $\frac{1}{4}$ NW $\frac{1}{4}$	35 Acres	(BA)				
	NW $\frac{1}{4}$ NW $\frac{1}{4}$	25 Acres	(BB)				
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	40 Acres	(BC)				

(4) Pursuant to §46-5-30.1 Gerald Burghduff
of Box 7, Harmarth Route, Camp Crook, South Dakota 57724
the holder(s) and/or owner(s) of Vested Right Water Permit No. 914-1 is issued a license to appropriate water, the right to use
4.83 cubic feet per second of water from Wagon Creek and surface runoff with a priority date
of 1946 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 Vested Right Water Permit No. 914-1 and subject
to South Dakota State Law.

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

April 12, 1984

914-1
914-1A

WATER RIGHTS DIVISION
(605) 773-3352

April 12, 1984

Gerald Burghduff
Harmarth Route
Cap Crook, South Dakota 57724

Dear Mr. Burghduff:

Enclosed is Receipt No. 4 9524 in the amount of \$2.50 which you paid for the transfer of Water Right No. 914-1A to your name. Also enclosed is your Vested Right Water License No. 914-1.

In 1980, the lands irrigated under Vested Right No. 914-1 were transferred to two owners. The license was divided into 914-1, Gerald Burghduff and 914-1A, Edith Mae Burghduff. Since you now own all of the lands covered under No. 914-1 and No. 914-1A, the license has been reissued to combine the water rights into their original form under No. 914-1. No. 914-1A has been superseded by the reissuance of Water License No. 914-1.

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

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division

JH:DM:ms
Enc.

 **Department of
Water & Natural Resources**

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

September 21, 1988

NOTICE

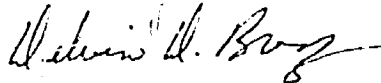
Gerald Burghduff
Marmarth Rt, Box 7
Camp Crook SD 57724

Dear Mr. Burghduff:

I am writing to notify you that pursuant to the Notice of Intent¹⁷⁰ to Validate Vested Water Right Claims dated June 20, 1988 that I intend to oppose validation of your water right claim No(s). 914-1 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



Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

I have this day made a thorough examination of the water use system constructed by Kenreth Burghduff (X-owner)
Gerald Burghduff-present owner of Harmarth Rt., Box 7, Camp Crook, SD holder of
 7724

Permit No. 914-1, bearing the priority of _____ 19 46 authorizing
the diversion of 4.83 cu. ft. per second of the waters of Wagon Creek and Surface Runoff
for irrigation purposes, in Harding County

A. Works used to divert the water:

A dam, 20 feet high, 15 acre-feet capacity.

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

Irrigation Ditches, 10 feet wide, 5 feet deep, 2000 feet long.

Spreader dyke, 4 feet high, 5 feet wide, 1300 feet long.

C. Works used to apply water to beneficial use:

Gravity system of irrigation.

The system is in the following condition good

The point of diversion is located Points in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, T20N-R1E, and a point approximately
2280 feet west from the Southeast corner of Section 7, T20N-R2E (SW $\frac{1}{4}$ SE $\frac{1}{4}$)

The works are capable of diverting and conveying to the place of use 3.5⁺
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: _____

Section 12, T20N-R1E		Section 7, T20N-R2E		Section 18, T20N-R2E	
SE $\frac{1}{4}$ SE $\frac{1}{4}$	34.0 ac.	SW $\frac{1}{4}$ SW $\frac{1}{4}$	38.0 ac.	NW $\frac{1}{4}$ NW $\frac{1}{4}$	15 ac.
		NW $\frac{1}{4}$ SW $\frac{1}{4}$	1.5 ac.	NE $\frac{1}{4}$ NW $\frac{1}{4}$	13 ac.
		SE $\frac{1}{4}$ SE $\frac{1}{4}$	2.5 ac.		
		SE $\frac{1}{4}$ SW $\frac{1}{4}$	6.0 ac.	NW $\frac{1}{4}$ NE $\frac{1}{4}$	31 ac.
				SW $\frac{1}{4}$ NE $\frac{1}{4}$	23 ac.

comprising a total of 184.0 acres of land and the license should be issued for 2.63 cfs

Applicable permit qualifications have been complied with X Yes No

Exceptions to compliance are: _____ Date: 6/6/89

(signature)

NR 2 had:

LICENSE FOR PERMIT NUMBER 914-1

1. Legal location of wells: NA

dams & structures: SW 1/4 SE 1/4 Section 7, T20N-R2E

2. Well Information: Well Drilling Firm NA

Completion Report Yes No 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

e) turbine pump - no. of stages

f) operating PSI

3. Distribution lines or canals

a) size 10 feet wide, 5 feet deep

b) type Earthen

c) length 2000 feet

Spreader dyke: 4 feet high,

5 feet wide, 1300 feet long.

4. Dam Information:

a) height to crest 20 feet m) Outlet tubes: NA

b) height to primary spillway 14 feet 1) diameter

c) height to secondary spillway NA 2) type

d) crest width 12 feet 3) valved (Y/N)

e) crest length 250 feet 4) valve type

f) spillway length 650 feet 5) location on structure

g) spillway width 40 feet

h) approx. storage 15 acre-feet n) Category of Dam 3

i) approx. storage to crest 21 acre-feet

j) date constructed 30's

k) inspection sheet completed (Y/N) H

l) Name of Contractor Unknown

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 _____

c) gun

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____
- 4) hose size _____
- 5) hose length _____

e) gated pipe

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

f) portable boom

- 1) make _____
- 2) nozzle size _____
- 3) capacity (GPM) _____

b) towline:

- 1) length _____ feet
- 2) make, model & number of sprinklers _____
- 3) spacing of sprinklers _____
- 4) nozzle size _____

d) 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) capacity (GPM) _____

g) siphons

- 1) size _____
- 2) number _____

NOTE: For Permits with additional wells or changes in well locations, record the following for each well: pumping capacity, date constructed, well driller and if a well log is available.

Indicate any other permit(s) which are associated with project _____

Yes	No	Check Items
___	NA___	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit?
<u>X</u>	___	2. Special qualifications to permit being abided by?
<u>X</u>	___	3. All structures, wells and lands on map?
___	NA___	4. Irrigation Questionnaires checked to determine if permit owner started irrigation by end of construction period?
___	<u>X</u>	5. Is chemigation used?
___	NA___	6. If yes, does equipment comply with chemigation rules?

PEM WKS:

SOUTH DAKOTA

VESTED WATER RIGHT NO. 914-1 FOR IRRIGATION

Date of Receipt of Claim October 30, 1970.

Date of Validation September 27, 1989.

The Water Management Board validated Vested Water Right Claim No. 914-1 for irrigation purposes for Gerald Burghdoff, Marmarth Rt., Box 7, Camp Crook SD 57724 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 914-1 appropriates 2.63 cubic feet of water per second from Wagon Creek and surface runoff to irrigate 184 acres. Water is diverted to the irrigated acreage via a dam (15 acre-feet storage capacity), spreader dike, and irrigation ditches. Diversion points are located between the NE1/4 SE1/4 section 12-T20N-R1E and the SW1/4 SE1/4 section 7-T20N-R2E and the irrigated acreage is located in the W1/2 SW1/4, SE1/4 SW1/4 section 7; N1/2 NW1/4, NE1/4 section 18; T20N-R2E; SE1/4 SE1/4 section 12-T20N-R1E.
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: April 1 - November 30.
3. The priority date of the Vested Water Right is January 1, 1946.
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.

QUALIFICATIONS

WATER MANAGEMENT BOARD

By: John H. Hartz
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

MAY 21 1992

Gerald Burghduff
Marmarth Rt, Box 7
Camp Crook SD 57724

Dear Mr. Burghduff:

The Water Management Board has validated the enclosed Vested Water Right No. 914-1. This validation gives legal status to your claim.

The diversion rate and the number of acres validated are based on an inspection that was conducted by the Division of Water Rights. Enclosed is a copy of a map prepared from the inspection. If you do not agree with these numbers, please contact us immediately.

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 cursive script, which appears to read "John Hatch".

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

enclosure

STATE OF SOUTH DAKOTA

REISSUED VESTED RIGHT WATER LICENSE NO. 914-1 FOR IRRIGATION

(1) Gerald Burghduff of Marmarth Route, Box 7, Camp Crook, SD 57724 made Application No. 914-1, October 30, 1970 for validation of a vested right claim to appropriate 4.83 cubic feet of water per second from Wagon Creek & surface runoff, Harding County, South Dakota for irrigation purposes. Vested Water Right No. 914-1 was validated September 27, 1989 with a priority date of January 1, 1946. Construction of the described water supply system and application of water to beneficial use has been completed and complies with applicable provisions of South Dakota State Law.

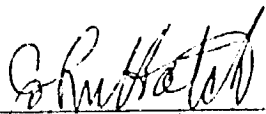
A June 6, 1989, inspection of the water use system found the acreage irrigated had been decreased. Based upon the inspection and subsequent validation of the claim, the water license is being reissued to reflect what is actually being irrigated.

(2) The applicant is entitled to divert 2.63 cubic feet of water per second for beneficial use. The location of the diversion points are between a point in the NW corner of the NE 1/4 SE 1/4 Section 12, T20N, R1E and a point 2280 feet west of the SE corner (SW 1/4 SE 1/4) of Section 7, T20N, R2E. Water is diverted to the irrigated acreage via a dam (15 acre-feet storage capacity) spreader dikes and ditches.

The location of the irrigated acreage is:

T20N, R1E Section 12	SE 1/4 SE 1/4	34.0 Acres
T20N, R2E Section 7	SW 1/4 SW 1/4	38.0 Acres
	NW 1/4 SW 1/4	1.5 Acres
	SE 1/4 SW 1/4	6.0 Acres
Section 18	NW 1/4 NW 1/4	15.0 Acres
	NE 1/4 NW 1/4	13.0 Acres
	NW 1/4 NE 1/4	31.0 Acres
	NE 1/4 NE 1/4	20.0 Acres
	SE 1/4 NE 1/4	2.5 Acres
	SW 1/4 NE 1/4	23.0 Acres
	Total-----	184.0 Acres

(3) Pursuant to Section 46-5-30.1 Gerald Burghduff of Marmarth Route, Box 7, Camp Crook, SD 57724 the holder(s) and/or owner(s) of Vested Water Right No. 914-1 is issued a license to appropriate 2.63 cubic feet of water per second from Wagon Creek & surface runoff with a priority date of January 1, 1946 from the location specified in (2) of this license. The water is to be used for the purpose of irrigation. This license is subject to any limitations, conditions or qualifications listed in Vested Water Right No. 914-1 and subject to South Dakota State Law.


JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and
Natural Resources

JUL 16 1992



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3131

JUL 16 1992

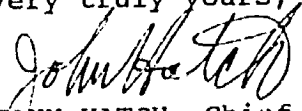
914-1

Gerald Burghduff
Marathon Route, Box 7
Camp Crook, SD 57724

Dear Mr. Burghduff:

Enclosed is reissued Water License No. 914-1 which reflects the diversion rate and number of acres based on the inspection conducted by the Water Rights Division. 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
(605) 773-3352

enclosures

TO SCALE

