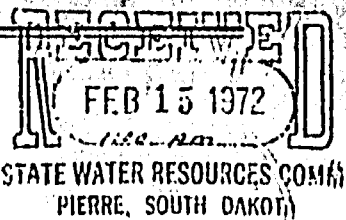


Water Right Number 1100-2

1. Considered March 15, 19 72
2. Name of Applicant W.R. Osborn
3. Post Office Address Belvidere, S.D.
4. Amount of water claimed .94
5. Source of water supply Dry Draw - waterspreading
6. Water to be used for irrigation
Acres to be irrigated 65.90
7. Water to be diverted and used in Washabaugh County
about 2 miles East and 6 Miles South of Belvidere
8. Proof of Publication
Received 3.10.72
Not received _____
9. Application
Approved _____
Subject to _____
Not approved _____
Action deferred _____

10. Remarks:

No. 1100-2Water Division No. 2 WHITE RIVER District
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

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

1. Name of applicant W. R. (H.) OSBORN
Postoffice address RELVILLE, County WASHTABAUGH, State SOUTH DAKOTA

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)

Contract and Direct Labor

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

2. Name of diversion work W. R. OSBORN Water Spreading Project No. 1
3. Amount of water claimed .94 cubic feet per second All Electrical Equipment
4. Source of water supply Dug Dams Water Spreading
5. Location of point of diversion See attached sheet
_____ on _____ bank Washabaugh County.
6. Annual period or periods during which water is to be used Water Spreading During Rain-Off
7. To be used for:

1. Irrigation or Domestic use: Gravity, overhead sprinkling or combination system?
- Gravity

- (a) Number of acres to be irrigated _____ 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.) _____

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

- (a) Nature of use _____
Name any of the above uses claimed
(b) Amount of power to be generated _____ horse power.
Amount claimed for engine cooling _____
(c) Location of plant _____
(d) Method of developing power _____
(e) Point where water will be returned to stream _____

MAP 1100-934-2

8. Estimated cost of work:

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

(c) Fluming, \$-----

(e) Other structures -----

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

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

Rock, \$-----

Total, \$-----

9. Description of diversion works:

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

Dam, Diversion Dam

II. Dimensions of works.

(a) Dam: Height 20 feet; length at bottom 60 feet; length at top 100 feet; thickness at bottom 12 feet; thickness at top 12 feet; slope at front water face 3:1; slope at back face 2:1

material used in construction CLAY LON

(b) Reservoir: Capacity when filled 15 acre feet. Surface area at highwater mark 1.0 acres.

DEPTH AT OUTLET-FEET	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-FOOT 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 ----- years.

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

Kadoka Press, Kadoka, South Dakota

STATE OF SOUTH DAKOTA

County of Hughes ss.

I, W. B. Osburn, 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 W. B. Osburn

Subscribed and sworn to before me this 15th day of February 1972

Betty Westlund
Notary Public (or other qualified officer.)

Technical Assistant, W.B.C.

*Each diversion must have a headgate or measuring device.

Remarks by State Water Resources Commission:

LOW FLOWS AS NEEDED FOR DOWNSTREAM DOMESTIC
USE, INCLUDING LIVESTOCK WATERING, MUST BE
BYPASSED

STATE OF SOUTH DAKOTA
County of HUGHES ss.

Pierre, South Dakota, MARCH 17, 1972

This is to certify that the foregoing application was received by the Commission at 11:00 o'clock

P. m. on the 15TH day of FEBRUARY, 1972

State Water Resources Commission

By:

[Signature]
for Chief Engineer, Executive Officer

Number of permit 1100-2

Date of first receipt of application FEBRUARY 15, 1972

Date of return to applicant for correction, amendments or charges required as follows: —, 19—

Date of receipt of corrected application —, 19—

Date from which applicant may claim right FEBRUARY 15, 1972

Approved MARCH 15, 1972, Recorded in Book 12 Page 67

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

SEPTEMBER 15, 1974

2nd. The whole of said work is to be completed on or before MARCH 15, 1977

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

MARCH 15, 1981

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 .94 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 MARCH 15, 1972; said water to be used during the following described annual period:

DURING RUN-OFF

Witness my hand this 17TH day of MARCH, 1972

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued APRIL 20, 1976

Water License Issued APRIL 20, 1976

Jones, Engineer

Remarks by the Applicant:

Area: No. 11

FT. Division, No. 11

Shown

will be water spreading from
(Dry Draw). The balance of area

W.R. (H.L) Osborn

AREA	SECTION	TWP	RANGE	ACRES
1	NW 1/4 SE 1/4 27	44	33	4.0
2	SE 1/4 SW 1/4 27	44	33	14.0
3	SW 1/4 SE 1/4 27	44	33	12.0
4	NE 1/4 NW 1/4 34	44	33	13.0
5	NW 1/4 NE 1/4 34	44	33	6.5
6	NE 1/4 NW 1/4 34	44	33	1.5
7	NW 1/4 NE 1/4 34	44	33	8.0
8	NW 1/4 NE 1/4 34	44	33	4.0
9	SE 1/4 NW 1/4 34	44	33	0.2
10	SW 1/4 NE 1/4 34	44	33	0.7
11	SW 1/4 NE 1/4 34	44	33	2.0
				65.9 Ac

Dimension Points

Drwg. Drawn: a point in the SW 1/4 NE 1/4 SEC. 34 Twp 44 Rge. 33
a point in the SW 1/4 NE 1/4 SEC. 34 Twp 44 Rge. 33
a point in the NW 1/4 NE 1/4 SEC. 34 Twp 44 Rge. 33

Form 15.

Permit No. 1100-2

Water Diversion No. 2 WHITE RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That W.R. Osborn

_____ the holder _____ of
Permit No. 1100-2, issued upon Application No. 1100-2, bearing date of priority of February 15,
1972 authorizing the diversion of .94 cu. ft. per second of the waters of _____
dry draws Counties of Washabaugh and Mellette
points in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34, T44N, R33W
State of South Dakota at

_____ for irrigation

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

Date Apr 11 20, 1976

By: WATER RIGHTS COMMISSION
John Hatch
JOHN HATCH, Chief Engineer

WATER LICENSE NO. 1100-2

(1) WHEREAS, On the 15th day of February A. D. 19 72

W. R. Osborn

made Water Right Application No. 1100-2 for a permit to use .94 cubic feet per second of the waters of GRY CREEK

~~XXXXX~~ **Counties** Washabaugh & Mellette, State of South Dakota, for irrigation

_____ purposes; and

(2) WHEREAS, On the 17th day of March A. D. 19 72

Permit No. 1100-2, with a date of priority of February 15, 1973

was issued to said applicant _____ for the diversion of said water, and provided for the completion of construction of the water supply system therein described on or before the 15th day of March A. D. 19 77 and for the application to beneficial use of said water on or before the 15th day of March A. D. 19 81

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 .94 cubic feet per second of water for beneficial use and,

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

for irrigating the following land in T44N, R33W

Section 27		Acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$		4.0
SE $\frac{1}{4}$ SW $\frac{1}{4}$		14.0
SW $\frac{1}{4}$ SE $\frac{1}{4}$		12.0
Section 34	NE $\frac{1}{4}$ NW $\frac{1}{4}$	13.0
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	6.5
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.5
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	8.0
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	4.2
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	0.7
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	2.0
	Total	65.9 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 W.R. Osborn

_____ of Belvidere, S.D.

the holder _____ and owner _____ of said permit No. 1100-2 a water right, dating from February 15, 1972

_____ to use of .94 cubic feet per second of the waters

dry draws

Counties of Washabaugh and Mellette
in the ~~XXXXXX~~ _____ and State of South Dakota, or so much thereof as may be necessary for the

purposes hereinbelow mentioned, to be diverted at _____

points in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34, T44N, R33W

_____ portions of Sections 27 and 34, T44N, R33W more
and conduct to and upon _____
fully described on the face of this License

_____ for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 1100-2 and subject to the laws of the State of South Dakota.

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

this 20th day of April A. D.

Nineteen Hundred and Seventy-six

WATER RIGHTS COMMISSION

By:

John Hatch
Chief Engineer, Executive Officer JOHN HATCH

Publish first publication, on or before February 17, 1972

**NOTICE
INTENT TO APPROPRIATE WATER**

Pierre, South Dakota 57501

February 15, 1972

Notice is hereby given that W.R. Osborn

whose post office address is Belvidere, South Dakota, has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use

.94 cubic feet of water per second of time from the a dry draw through the

Osborn Waterspreading Project #1, the point of diversion of which is to be located by the
between points in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and in the NW $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 34, Twp. 44N, Range 33W. Said water to be used for the purpose
of providing irrigation on portions of the following described land:

W $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 27; E $\frac{1}{2}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$ NE $\frac{1}{4}$, Section 34, T44N, R33W

This application No. 1100-2 will be considered by the Water Resources Commission at their office at
Pierre upon the 15th day of March, 1972, at 2:00 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

cc: W.R. Osborn, Belvidere, S.D. 57521

Form 10.

No. _____

NOTICE OF COMPLETION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE

Post Office BEAVERDALE, S.D. 57527

Date JULY 14 1972

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

Dear Sirs:

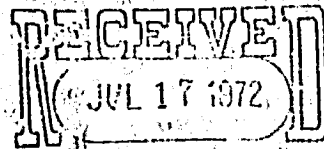
This is to inform you that I have completed the construction of the water diversion system and/or that I have put the water to beneficial use to the maximum extent it is going to be used, not exceeding the amounts as specified in Water Right Permit No. 1100 -2.

Water Right Permit No. 1100-2 states that the diversion system is to be constructed by JUNE 30, 1972 and that the water is to be put to beneficial use by June 30, 1972, 19 .

The diversion system was completed on JUNE 30, 19 . Applying the water to beneficial use was completed on JUNE 30, 1972.

You may schedule an inspection so that the Certificate of Construction and/or the Water License may be issued, thus completing my acquisition of a water right.

W. R. Osborn
(Signature)



STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Permit No. 1100-2Water Division 2 White River Water District

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

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

I have this day made a thorough examination of the water use system constructed by W. R.
Ostern of Belvidere, South Dakota holder
of Permit No. 1100-2, bearing date of priority of February 15, 1972
authorizing the diversion of .94 cu. ft. per second of the waters of dry draws
for irrigation purposes, in Washabaugh, & Mellette 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:

Diversion dam 2-4' high

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

Diversion dikes

C. Works used to apply water to beneficial use.

12 inch steel culverts with gates flood irrigates

The system is in the following condition: goodThe point of diversion is located "see attachment"The works are capable of diverting and conveying to the place of use 10cu. 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:

"See Attachment"comprising a total of 65.9 acres of land.Date 2-25-76

(Signature)

Thomas A. Gardner

Water Rights Engineer

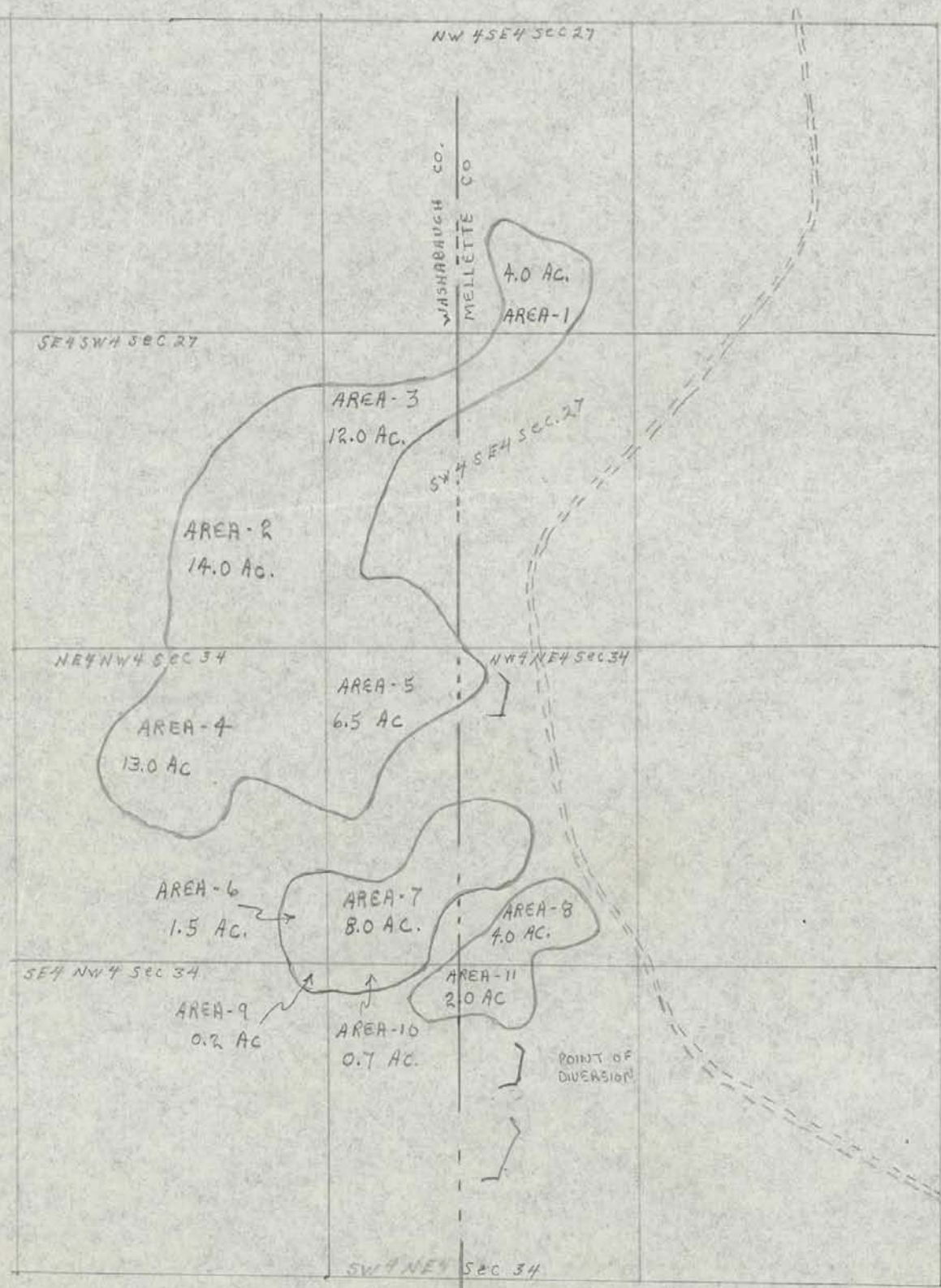
"ATTACHMENT"

AREA	SECTION	TWP	RANGE	ACRES
1	NW 1/4 SE 1/4 27	44	33	4.0
2	SE 1/4 SW 1/4 27	44	33	14.0
3	SW 1/4 SE 1/4 27	44	33	12.0
4	NE 1/4 NW 1/4 34	44	33	13.0
5	NW 1/4 NE 1/4 34	44	33	6.5
6	NE 1/4 NW 1/4 34	44	33	1.5
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10	SW 1/4 NE 1/4 34	44	33	0.7
11	SW 1/4 NE 1/4 34	44	33	2.0
				<u>65.9 AC</u>

Dimension Points

Dwy Dwyer : a point in the SW 1/4 NE 1/4 SEC 34 Twp 44 Rge 33
 a point in the SW 1/4 NE 1/4 SEC 34 Twp 44 Rge 33
 a point in the NW 1/4 NE 1/4 SEC 34 Twp 44 Rge 33

Map 934



SCALE - 8" = 1 MILE

W.R. (H.) OSBORN WATERSPREADING PROJECT NO 1

W.R. (H.) OSBORN