

1144.2

1. Considered JULY 18, 1973
2. Name of Applicant DONALD L. FERGUSON
3. Post Office Address PHILIP
4. Amount of water claimed 8.00
5. Source of water supply DRY DRAW DAM (250 AC. FT.)
6. Water to be used for IRRIGATION
Acres to be irrigated 579.60
7. Water to be diverted and used in HAARON County
about 20N 10W miles of PHILIP
8. Proof of Publication
Received 6-25-73
Not Received
9. Application
Approved
 Subject to
Not Approved
Action deferred
10. Remarks:

No. 144-2Map No. 974-2 Water Division No. 2 EAST CHEYENNE RIVER District 1

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

RECEIVED
MAY 2 1973
SOUTH DAKOTA

APPLICATION FOR PERMIT

STATE WATER RESOURCES COM.
SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable)

1. Name of Applicant Donald W. Ferguson
 Postoffice address Philip, State S. Dak.
 If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) _____

3. Name of diversion work _____

4. Amount of water claimed (cubic feet per second) EB5. Source of water supply earthen dam on dry draw

6. Location of point of diversion Pump site #1 60 Rods S 9°00' E of N.W. corner
of Section 16, T4N-R19E, alternate pump site #2 65 Rods
S 22° 30' W of NE corner of Sec. 3, T4N-R19E County Haskell

7. Annual period or periods during which water is to be used APRIL THRU OCTOBER8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, 1579.6 Total number of acres to be irrigated

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.
1 E 1/2 E 1/2 NW 1/4, Sec. 8, T4N-R19E	40.0	7 N 1/2 N 1/2 S 1/2 SW 1/4, Sec. 9, T4N-R19E	18.0
2 W 1/2 of NE 1/4	80.0	8 NE 1/4 SE 1/4, Sec. 8, T4N-R19E	9.0
3 SE 1/4 of NE 1/4	19.0	9 SE 1/4 SE 1/4	32.0
4 S 1/2 of NW 1/4, Sec. 9, T4N-R19E	60.0	10 W 1/2 SE 1/4	80.0
5 N 1/2 of SW 1/4		11	16.0

6. Attach sheet floor space is needed SW 1/4

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 4 years.

11. Choice of newspaper for Notice of Intent to Appropriate Water publication Pioneer Review, Philip, S. Dak.

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

B. Works proposed to transport water to place of use.

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ _____

Attachments: 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 Haskell) ss.

I, Donald W. Ferguson 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 Donald W. FergusonSubscribed and sworn to before me this 30th day of Apr 1973

Harvey L. Kunkle
 Notary Public (or other qualified officer)

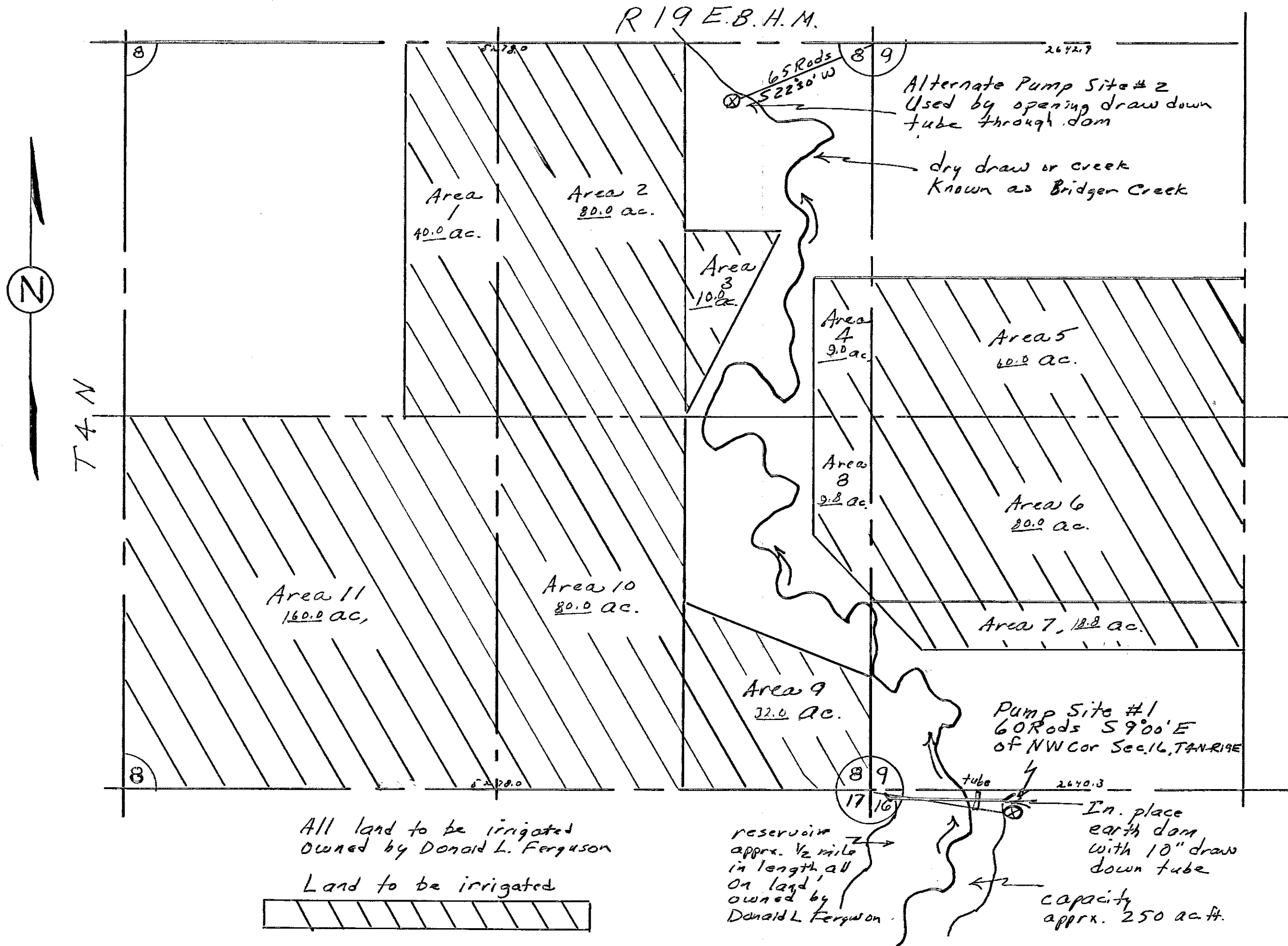
DONALD L. FERGUSON

IRRIGATION PROJECT NO. 1

Haakon County

South Dakota

Scale, 8" = 1 mile



AREA	LOCATION	ACRES
1	E 1/2 of E 1/2 of NW 1/4, Section 8, T4N-R19E	40.0
2	W 1/2 of NE 1/4, " "	80.0
3+4	SE 1/4 of NE 1/4, " "	10.0
5	S 1/2 of NW 1/4, Section 9, T4N-R19E	60.0
6	N 1/2 of SW 1/4, " "	80.0
7	N 1/2 of N 1/2 of SW 1/4 of SW 1/4, " "	18.0
8	NE 1/4 of SE 1/4 of Section 8, T4N-R19E	9.0
9	SE 1/4 of SE 1/4, " "	32.0
10	W 1/2 of SE 1/4, " "	80.0
11	SW 1/4, Section 8, T4N-R19E	160.0
Total		579.6

B/D
A/B/C
AD
B/C/D
C/A/B
C/A/B/C
DA
DD
D/B/C
C

SURVEYOR'S CERTIFICATE

I, R. V. Summerside, Registered Land Surveyor, State of South Dakota, do hereby certify that, at the direction of Donald Ferguson, I have surveyed the tract of land as shown, and that the above drawn plat is a reasonably accurate description of the land of the proposed irrigation project. In witness whereof I have set my hand and seal this 19th day of January, 1973, A.D.

R. V. Summerside
REGISTERED LAND SURVEYOR

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1144-2

DONALD L. FERGUSON

PHILIP

(Applicant)

(Post Office Address)

SOUTH DAKOTA

(State)

With the following modifications:

APPROVAL OF THIS PERMIT AUTHORIZES STORAGE OF
250 ACRE FEET OF WATER ANNUALLY

Date of first receipt of application MAY 2 ~~JULY 20~~, 19 73

Date of receipt of application for correction, amendments or changes required —, 19 —

Date of receipt of corrected application —, 19 —

Approved JULY 18, 19 73, Recorded in Book 12 Page 230

WATER RIGHT PERMIT NO. 1144-2

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1144-2 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 MAY 2, 19 73

2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JANUARY 18, 19 76

3. The whole of said work is to be completed on or before JULY 18, 19 78

4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 18, 19 82

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 8.0 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 is actually and beneficially applied for irrigation on or before JULY 18, 19 82; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 20TH day of JULY, 19 73

WATER RESOURCES COMMISSION

By:

Donald Driscoll

Chief Engineer, Executive Officer

Certificate of Construction Issued —, 19 —

Water License Issued —, 19 —

Form 2A - Wells, Dugouts or Water Storage Dams (Supplement to form 2)

12. Principal Features of the Proposed Water Supply System (continued.)

D. Well Information or Estimates

- (1) Drill Hole, Diameter _____, Depth _____
- (2) Casing, Type _____ Diameter _____ Thickness _____
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type _____, Diameter _____, Length _____
- (4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates.

- (1) Surface dimensions _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Please attach a copy to test well log if available.)

Character of Water bearing materials _____

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Thickness of water bearing material _____

Depth to water (ground surface to water level) _____

- (2) Distance to nearest existing household or livestock watering wells.

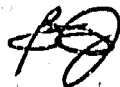
On same owner's property _____ rds. On property owned by others _____ rds.

G. Water Storage Dams.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity, each storage dam. The location of each water storage dam should be shown on the water right map.

DAM HEIGHT 23'
SURFACE AREA 20
STORAGE 250 AC. FT

PER PHONE CALL W/ MR. FERGUSON
ON 6-5-73



Signature of Applicant

Donald L. Ferguson

1144-2

267

lot

out-

down

As of 11/1/50
2-27-50
1/1/50

from
the house

TAN RIFE

out
3.2

out

14.2
Ac

down

pulls

out

one lot

out down

out

down

out

in

down
the hill

8

8 4

26-517

Alternate Pump Site # 2
Used by opening draw down
tube through dam

dry draw or creek
Known as Bridger Creek

Area 1
40.0 ac.

Area 2
80.0 ac.

Area 3
10.8 ac.

Area 4
9.0 ac.

Area 5
60.0 ac.

Area 6
80.0 ac.

Area 8
9.8 ac.

Area 7, 13.8 ac.

Area 10
80.0 ac.

Area 11
150.0 ac.

Area 9
22.0 ac.

Pump Site #1
60 Rods S 90° E
of NW Cor Sec 16, T4N R19E

8

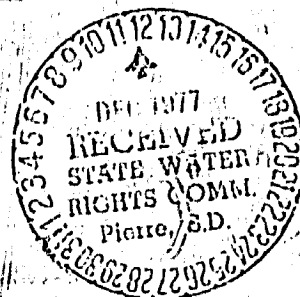
8 9

Tube

1670.8

Form 10.

No. 1144-2



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

Post Office Philip S. Dak

Date Dec 5 - 1977

TO: ^{Rights} Water ~~Resource~~ 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. 1144-2.

Water Right Permit No. 1144-2 states that the diversion system is to be constructed by April 30, 1978 and that the water is to be put to beneficial use by April 30, 1982.

The diversion system was completed on Feb 15, 1977. Applying the water to beneficial use was completed on _____, 19____.

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.

Donald J. Ferguson
(Signature)

I finished final construction last winter.
However The system has been in use for
3 years

Publish first publication, on or before July 4, 1973NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

June 7, 1973Notice is hereby given that Donald L. Ferguson

whose post office address is Philip, 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 8.0 cubic feet of water per second of time from ~~xxx~~ a dry draw through the Ferguson Irrigation Project, the point of diversion of which is to be located ~~xxxxx~~

between points in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8, and in the NW $\frac{1}{4}$ NW $\frac{1}{4}$

of Section 16, Twp. 4N, Range 18E. Said water to be used for the purpose of providing irrigation on all or portions of the following described land:

E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ and SE $\frac{1}{4}$, Section 8; S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 9, T4N, R19E

This application No. 1144-2 will be considered by the Water Resources Commission at their office at Pierre upon the 18th day of July, 1973, at 2:00 P. M. All interested persons may appear and be heard.

cc: Donald L. Ferguson,
Star Route, Box 20
Philip, S.D. 57567

WATER RESOURCES COMMISSION

By:

BURTON P. JONES, Water Rights Specialist

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 1114-2

RECEIVED
JUN 25 1973

PROOF OF PUBLICATION

STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTA

STATE OF SOUTH DAKOTA)
County Wakarusa) ss.

I, Les Ravellotto hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Pioneer Reserve

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 Phillip

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

June 14, 1973

June 21, 1973

Les Ravellotto
(Signature)

Sec.
(Title)

June 22, 1973
(Date Signed)

NOTICE
INTENT TO APPROPRIATE
WATER
Notice is hereby given that
Donald L. Ferguson whose post
office address is Phillip, South
Dakota, has made an application
in accordance with the provi-
sions of the water laws of South
Dakota for a permit to appro-
priate for beneficial use 8.0 cubic
feet of water per second of time
from a dry draw through the Fer-
guson Irrigation Project, the
point of diversion of which is to
be located between points in the
NE1/4, NE1/4, Section 8, and in
the NW1/4, NW1/4 of Section 16,
T4N, R19E, Range 18E. Said water
to be used for the purpose of pro-
viding irrigation on all or por-
tions of the following described
land:
E1/2NW1/4, W1/2 NE1/4,
SE1/4 NE1/4, SW1/4 and
SE1/4, Sec. 8, S1/2 NW1/4,
SW1/4, Section 9, T4N,
R19E.
This application No. 1144-2
will be considered by the Water
Resources Commission at their
office at Pierre upon the 18th day
of July, 1973, at 2:00 p.m. All
interested persons may appear
and be heard.
cc: Donald L. Ferguson
Star Route, Box 20
Phillip, S.D. 57567
WATER RESOURCES COM-
MISSION
By: Burton F. Jones
Burton F. Jones, Water
Rights Specialist
(Publish June 14, & 21, 1973)

#1144-2 Donald L. Ferguson Philip, S.D.

9-15-80 Crisafulli Pump, Ser # 7276.

Pumps 3500 gpm for Water Water spreading

1700' 10" Alum Pipe

10" PVC To North CP pad and Thence To SW CP pad

3145 V8 Caterpillar, Diesel, Ser # 96M417, 120 HP.

Pump = Coriel Model 4462B 4-2 - 16 1/2"

Ser # E1383

Electrgator Cp. 130 Ac., 900 gpm @ 85 PSI.

Model 5E5, Ser # 973C1643, 1280' long.

10" PVC to N CP.

8" PVC 1st to 2nd

Moves CP. to 2 Pads.



10-3-80

Ferguson called this date and said he had in the works to run a ditch on the east side of draw this fall which will add more to the Area Irrigated.

Recheck 1981

State of South Dakota

Water License No. 1144-2

(1) Donald L. Ferguson
of St Rt, Box 20, Philip, South Dakota 57567
made Application No. 1144-2, May 2, 1973 for a water permit to appropriate
8.0 cubic feet per second of water from a dry draw
Haakon County, South Dakota for Irrigation purposes.
Permit No. 1144-2, with a priority date of May 2, 1973
was approved July 18, 1973 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before July 18, 1978 (and for the application to beneficial use of said
water on or before July 18, 1982.

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 4.86 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is on dry draw-NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16,
(large dam) (BB) and NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8 (small dam) (DA); all in T4N, R19E

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 T4N, R19E

Section 8 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 29.4 (CD)	Section 8 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 27.9 (DD)
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 31.3 (CA)	Section 9 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 19.0 (CB)
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 29.4 (CC)	SW $\frac{1}{4}$ SW $\frac{1}{4}$ 8.7 (CC)
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 31.3 (CD)	TOTAL 340.2 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 15.9 (BD)	
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.7 (BA)	
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 18.5 (AB)	
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 (AC)	
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 24.2 (AD)	
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 16.1 (DA)	
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 23.0 (DB)	
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 31.8 (DC)	

(4) Pursuant to §46-5-30.1 Donald L. Ferguson

of Star Route, Box 20, Philip SD 57567

the holder(s) and/or owner(s) of Water Permit No. 1144-2 is issued a license to appropriate water, the right to use 4.86 cubic feet per second of water from a dry draw with a priority date of May 2, 1973 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. 1144-2 and subject to South Dakota State Law.

John H. Heston
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

December 28, 1983

Permit No. 1144-2East Cheyenne R. Water District
(Lower) 10/20/12**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Donald L. Ferguson of Philip, SD holder of Permit No. 1144-2, bearing the priority of May 2 1973 authorizing the diversion of 8.00 cu. ft. per second of the waters of a dry draw for irrigation purposes, in Haakon County.

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

Pump: Cornell

Motor: 8cyl Cat Diesel

Pump and motor being repaired (not available)

A. Works used to divert the water:

Crisafulli, PTO pump

Capacity - 3000 gpm

S.N. 7876

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

Distribution lines:

size - 10in diam

type - Aluminum

length - 1400ft.

C. Works used to apply water to beneficial use:

Electrotator centerpivot, 9 tower
length - 1280 ft.

PSI - 90

Capacity - 980 gpm

The system is in the following condition good

Dam information: 2 dams

crest height 30 ft., 8 ft.crest width 15 ft., 8 ft.crest length 600 ft., 300 ft.spillway height 24 ft., 5 ft.spillway width 180 ft., 60 ft.spillway length 1300 ft., 300 ft.approx. storage 180 ac-ft., 9 ac-ft.

Outlet tube (large dam)

inlet 12in diam., 20ft long

outlet 36in diam., 100ft long

type - culvert

valve type - screw

location - dam midsection

Large dam drains to pump site at the small dam.

The point of diversion is located dry draw: NW 1/4 NW 1/4 of sec. 16 (large dam) and NE 1/4 SE 1/4 of sec. 8 (small dam); all in T4N, R19E

The works are capable of diverting and conveying to the place of use 8.84cu. 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:

	Acres		Acres		Acres		Acres
NW 1/4 SW 1/4 sec 8	29.4	SE 1/4 NW 1/4 sec 8	15.9	SE 1/4 NE 1/4 sec 8	24.2	SE 1/4 SE 1/4 sec 8	27.9
NE 1/4 SW 1/4 sec 8	31.3	NE 1/4 NW 1/4 sec 8	2.7	NE 1/4 SE 1/4 sec 8	16.1	NW 1/4 SW 1/4 sec 9	10.0
SW 1/4 SW 1/4 sec 8	29.4	NW 1/4 NE 1/4 sec 8	19.5	NW 1/4 SE 1/4 sec 8	23.0	SW 1/4 SW 1/4 sec 9	9.7
SE 1/4 SW 1/4 sec 8	31.3	SW 1/4 NE 1/4 sec 8	40.0	SW 1/4 SE 1/4 sec 8	31.8		

comprising a total of 340.2 acres of land and the license should be issued for 4.86 cfsApplicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: _____

Date Oct. 17, 1983

Ron Duwall
(signature)

LICENSE FOR PERMIT NUMBER 1144-2

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:

a) size of lines 10 in.

b) type Aluminum

c) length 1400 ft

4. Dam information:

8 ft a) height to crest 30 ft

5 ft b) height to spillway 24 ft

8 ft c) crest width 15 ft

300 ft d) crest length 600 ft

300 ft e) spillway length 1300 ft

60 ft f) spillway width 180 ft

9 ac-ft g) approx. storage 180 ac-ft

h) Distribution lines or canals:

1) size _____

2) type _____

3) length _____

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 _____

i) Outlet tubes: large dam

1) diameter inlet - 12 in, outlet - 36 in

2) type culvert

3) valued (V/N)

4) valve type screw

5) location on structure

midsection

5. System Type: c) center pivot

- 1) make Electrogator
- 2) number of towers 9
- 3) distance between towers _____
- 4) overall length 1280 ft
- 5) End gun (Y/N) _____
- 6) high or low pressure high
- 7) make & size of nozzles _____
- 8) PSI reading while system is running 80
- 9) GPM 980

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 240 ft
- 2) diameter 10 in.
- 3) spacing of gates 5 ft.

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:

pump: Cornell

motor: 8cyl. Cat Diesel

pump: Crisa Fulli, PTO
Capacity 3000 gpm
S.N. 7876

pump and motor are being repaired
more information was not available

SOUTH DAKOTA

Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1144-2

December 7, 1983

Donald L. Ferguson
Philip, South Dakota 57567

Dear Mr. Ferguson:

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. 1144-2 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,

Maxine Stirling
Staff Assistant

ms/

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

DWNR-814 8/83

RECEIPT

Division of Water Rights

No 4 9445

South Dakota Department of Water and Natural Resources

Pierre, December 19 1983

RECEIVED OF Donald L. Ferguson, Star Route, Box 20, Phillip, SD 57567

this 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. 1144-2	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By John Hatch
Chief Engineer JOHN HATCH/ms



No. 1144-2

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

December 29, 1983

Donald Ferguson
St Rt, Box 20
Philip SD 57567

Dear Mr. Ferguson:

Enclosed herewith is, Water License No. 1144-2. 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:ks

Enclosures

WNR-817 3/83
Transmittal of Water License

 **Department of
Water & Natural Resources**

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

February 8, 1989

DONALD L FERGUSON
SR, BOX 20
PHILIP, SD 57567

NOTICE

RE: Violation of Requirement to Submit 1988 Irrigation Questionnaire

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 1144-2. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of hearing to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

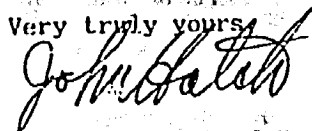
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s). 1144-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire is received in this office before the March 1st hearing date, your name will be deleted from the agenda for the hearings.

Very truly yours,



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



**South Dakota Department of
Water & Natural Resources**

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

February 24, 1989

1144-2

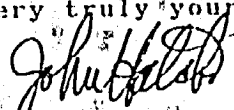
Don Ferguson
Oasis Ranch
HCR 02 Box 20
Philip, SD 57567

Dear Mr. Ferguson:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 1144-2. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire. With receipt of the questionnaire your name has been deleted from the March Water Management Board meeting agenda.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Very truly yours,


JOHN HATCH, Chief Engineer
Water Rights Division

South Dakota
Department of
Water & Natural Resources

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

#1144-2

February 23, 1989

Don Ferguson
Oasis Ranch
HCR 02, Box 20
Philip, SD 57567

Dear Mr. Ferguson:

On October 6, 1988, the Water Management Board adopted rules to implement a 1988 law for application of chemicals through irrigation systems. The rules establish equipment standards, performance standards and installation requirements for irrigation systems that apply chemicals (fertilizers, insecticides, or herbicides) with irrigation water.

You have indicated on your 1988 Water Management Board Irrigation Questionnaire that you do apply chemicals with irrigation water. A copy of the new rules for chemigation are enclosed for your information.

The new standards include:

- * a check valve between the irrigation pump and the point of chemical injection;
- * a vacuum relief valve on top of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a low-pressure drain on the bottom of the pipeline between the irrigation pump and the irrigation pipeline check valve;
- * a chemical injection line check valve between the chemical injection pump and the point at which the chemical is injected into the irrigation line; a second check valve is required if the chemical injection pump is not a positive displacement pump;
- * an interlock system which ensures that the chemical injection pump will stop whenever the irrigation pump stops;
- * an inspection port between the irrigation pump and the check valve on the irrigation line;

February 23, 1989
Ferguson
page 2

Each of these equipment requirements are discussed more thoroughly in Sections 74:02:09:05 through 74:02:09:10 of the enclosed rules. Appendix A contains diagrams of the arrangements of these anti-pollution devices.

The equipment must be installed according to the manufacturer's specifications, calibrated, and maintained in good working condition. All chemical product labels must be followed and warning signs must be posted. These rules also require reporting of all spills, accidents, and system malfunctions. A 24-hour telephone number is provided.

The chemigation rules contain notification and record keeping requirements. Prior to using chemigation, notification must be given to the Chief Engineer on the enclosed Form 1C. Information that must be provided in this notification includes the water permit or right number, the name, address, and telephone number of the water permit or right holder and of the system operator, and the legal description of the lands on which the system is located. A record of the name, quantity, dates and hours of each chemical applied must be provided to the Chief Engineer on Form 2C. A copy of this form is also enclosed for your information. It will be mailed with the annual irrigation questionnaire and must be returned with the questionnaire by the date specified.

If you have any questions regarding these rules or need additional copies of the forms, please contact Susan Bowar, Water Rights Engineer (605-773-3352).

Very truly yours,

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

Copy of original

1144-2

11-9-82

1144-2

DONALD L. FERGUSON
ST RT BOX 20
SHELBY
SD 57567

HK/LC

S

This is the water management Board data
sheet for recording 1982 SURFACE WATER
source irrigation estimates.

September, 1982

For Dept. Use Only

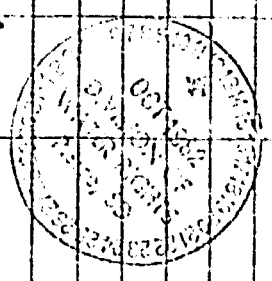
10

Please fill out and return at once.
No. acres actually irrigated with surface water _____
If you did not irrigate during 1982-check this box ☐
If your system has not been constructed-check this box ☐

Type of Power	No. acres irrigated
1. Electric	
2. Gravity	
3. Gasoline	
4. Hot Gas pipeline	
5. Diesel	100
6. Propane	
7. Other	

Type of System	
1. Hand Moved Sprinklers	
2. Portable booms	
3. Center pivots (# of)	2
4. Gated pipes	
5. Sidewheel	
6. Towlines	
7. Gun type	
8. Hydromatic	
9. Siphons	
10. Flood	
11. Other	

Month	# days pumped	Average # hours per day	Average pump rate (gpm)	Acres of Crop Irrigated and Estimated Water Use					
				Crop	Acres	Water Used	Crop	Acres	Water Used
April									
May									
June	7	20	4500	Corn	65	570000			
July									
August	4	20	4500	Corn	65	570000			
Sept.									
Oct.									
Other Month									



Comments: Because of the shortage of water this year we
didn't have to pump as much water as we used to.

Complete and return to: WATER MANAGEMENT BOARD

Water Rights Division
Joe Foss Building
Pierre, SD 57501

Owner or address change, if any: we have two pivots that we
change the pivot on every other year.
We also have 100 ac that we want to irrigate
from ditches. We would like to have an extra
than 100 ac Don Ferguson



1144-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JCE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

February 7, 1995

DONALD L FERGUSON
HCR 2 BOX 20
PHILIP SD 57567

NOTICE

RE: Violation of Requirement to Submit 1994 Irrigation Questionnaire

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No 1144-2. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:30 am, March 8, 1995, in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 220 S Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No 1144-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire is received in this office on/or before March 3, 1995 your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete item 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to: 1144-2

DONALD L FERGUSON
HCR 2 BOX 20
PHILIP, SD 57567

4a. Article Number

P837692700

4b. Service Type

- ☐ Registered ☐ Insured
☒ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

2-8-95

5. Signature (Addressee)

6. Signature (Agent)

Leonard Johnson

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1991

U.S. GPO: 1992-352-714

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.



1144-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

February 10, 1995

1144-2

Donald L Ferguson
HCR 2 Box 20
Phillip, SD 57567

Dear Mr. Ferguson:

I am writing to acknowledge receipt of your 1994 Irrigation questionnaire. The questionnaire was completed for you following our February 9, 1995 telephone conversation. You may disregard the February 7, 1995, Notice of Violation of the Requirement to Submit the 1994 Irrigation Questionnaire.

The questionnaire was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Division
(605) 773-3352

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

3. Article Addressed to:

1144-2
DONALD L FERGUSON
HCR 2 BOX 20
PHILIP SD 57567

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X Leonard Thorsen

PS Form 3811, December 1994

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

4a. Article Number

Q 378 081 310

4b. Service Type

- ☐ Registered ☒ Certified
- ☐ Express Mail ☐ Insured
- ☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

2-6-97

8. Addressee's Address (Only if requested and fee is paid)

Domestic Return Receipt

Thank you for using Return Receipt Service.



February 4, 1997

1144-2
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

NOTICE

TO: DONALD L FERGUSON, HCR 2 BOX 20, PHILIP, SD 57567

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 1144-2. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 2:30 pm, March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1144-2 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before February 28, 1997, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181

February 6, 1997

1144-2

Donald Ferguson
HCR 2 Box 20
Philip, SD 57567

Dear Mr. Ferguson:

I am writing to acknowledge receipt of your 1996 irrigation questionnaire. You may disregard the February 4, 1997, Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaire.

I completed a questionnaire for you based on our February 6th telephone conversation. The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

Thank you for calling and if you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

faxed to: 859-3299

2001 Water Management Board Irrigation Questionnaire

Please fill out and return before December 1, 2001

Div 1144-2

No. 1144-2

DONALD L FERGUSON
HCR 2 BOX 20
PHILIP SD 57567

Any address corrections?

Telephone No.

(605) 859-2302

Return the completed 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 2001? *yes ___ **no ☒

*If yes, number of acres irrigated ___

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

Comment Section

The system was a center
Pivot but discontinued
Use several years ago.

The dam is now used for flood
control of stock water in
Creek

3. Is land enrolled in CRP? *yes ___ no ☒

*If yes, through what year? ___

4. Did you apply chemicals or fertilizer through the
system in 2001? yes ___ no ☒

5. If permitted for more than one water source, circle
each source used. 1: DRY DRAW

2:

3:

BB	BA	AB	AA
(B)			(A)
BC	BD	AC	AD
CB	CA	DB	DA
(C)			(D)
CC	CD	DC	DD

1 square mile

Office use only



Acreage permitted for irrigation under No. 1144-2

(see above section map for help reading legal descriptions)

sec 08-T004N-R19E, CB -- 29.40 acres
sec 08-T004N-R19E, CA -- 31.30 acres
sec 08-T004N-R19E, CC -- 29.40 acres
sec 08-T004N-R19E, CD -- 31.30 acres
sec 08-T004N-R19E, BD -- 15.90 acres
sec 08-T004N-R19E, BA -- 2.70 acres
sec 08-T004N-R19E, AB -- 18.50 acres
sec 08-T004N-R19E, AC -- 40.00 acres
sec 08-T004N-R19E, AD -- 24.20 acres
sec 08-T004N-R19E, DA -- 16.10 acres
sec 08-T004N-R19E, DB -- 23.00 acres
sec 08-T004N-R19E, DC -- 31.80 acres
sec 08-T004N-R19E, DD -- 27.90 acres
sec 09-T004N-R19E, CB -- 10.00 acres
sec 09-T004N-R19E, CC -- 8.70 acres

Please provide your 2001 water use to irrigate the above acreage on the REVERSE side of this form.

For a sample completed questionnaire, please refer to the reverse side of your cover letter.

Year	Period	Birth	Mar	County	Mar	Franchise	License	C/C	Added	Address	City	State	Zip	We	Not	ring	Not	Contr	Prac	rate	Final	acre	Reid
1985	1144-2	LC	HK	DONALD L	FERGUSON					SR, BOX 20	PHILIP	SD	575670001						4.86		340.2		340.2
1983	1144-2	LC	HK	DONALD L	FERGUSON					ST RT BOX 20	PHILIP	SD	575670000						8		579.6		579.6
1984	1144-2	LC	HK	DONALD L	FERGUSON					SR, BOX 20	PHILIP	SD	575670000						4.86		340.2		340.2
1985	1144-2	LC	HK	DONALD L	FERGUSON					SR, BOX 20	PHILIP	SD	57567						4.86		340.2		340.2
1987	1144-2	LC	HK	DONALD L	FERGUSON					SR, BOX 20	PHILIP	SD	57567						4.86		340.2		340.2
1988	1144-2	LC	HK	DONALD L	FERGUSON					HCR 02 BOX 20	PHILIP	SD	57567						4.86		340.2		340.2
1989	1144-2	LC	HK	DONALD L	FERGUSON					HCR 02 BOX 20	PHILIP	SD	57567						4.86		340.2		340.2
1990	1144-2	LC	HK	DONALD L	FERGUSON					HCR 02 BOX 20	PHILIP	SD	57567						4.86		340.2		340.2
1991	1144-2	LC	HK	DONALD L	FERGUSON					HCR 02 BOX 20	PHILIP	SD	57567						4.25		340.2		0.00
1992	1144-2	LC	HK	DONALD L	FERGUSON					HCR 02 BOX 20	PHILIP	SD	57567						4.86		340.2		0
1993	1144-2	LC	HK	DONALD L	FERGUSON					HCR 02 BOX 20	PHILIP	SD	57567						4.86		340.2		0
1994	1144-2	LC	HK	DONALD L	FERGUSON					HCR 2 BOX 20	PHILIP	SD	57567						4.86		340.2		0
1995	1144-2	LC	HK	DONALD L	FERGUSON					HCR 2 BOX 20	PHILIP	SD	57567										
1996	1144-2	LC	HK	DONALD L	FERGUSON					HCR 2 BOX 20	PHILIP	SD	57567										
1997	1144-2	LC	HK	DONALD L	FERGUSON					HCR 2 BOX 20	PHILIP	SD	57567										
1998	1144-2	LC	HK	DONALD L	FERGUSON					HCR 2 BOX 20	PHILIP	SD	57567										
1999	1144-2	LC	HK	DONALD L	FERGUSON					HCR 2 BOX 20	PHILIP	SD	57567										
2000	1144-2	LC	HK	DONALD L	FERGUSON					HCR 2 BOX 20	PHILIP	SD	57567										

File No. 1144-2

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Donald L Ferguson, HCR 2 Box 20, Philip, SD 57567

DATE: April 11, 2002

TELEPHONE: 605 859-2302

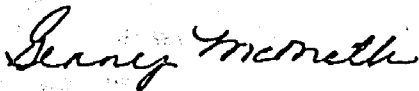
RE: Water Right No. 1144-2

COMMENTS:

On the 2001 irrigation questionnaire submitted by Mr. Ferguson, he wrote that he discontinued irrigation years ago and that the dam is now used for flood control and stock water. A review of past irrigation questionnaire returns found the land was last irrigated in 1988.

I called and spoke with Mr. Ferguson about the questionnaire. He confirmed that he no longer irrigates. I asked whether or not both dams still existed and he said yes. He indicated the smaller dam is more like a "pooling" of water that he used to pump out of when irrigating.

I talked to him about reissuing the water license for stock water purposes and deleting the irrigation portion. By doing this, he would no longer be required to file a yearly irrigation questionnaire. He agreed and requested that we go ahead with updating his water license.



Genny McMath
Environmental Scientist

Licensing of Irrigation Water Permit for Stock Watering

NAME: Donald L Ferguson

ADDRESS: HCR 2 Box 20, Philip SD 57567

DATE: April 15, 2002

COUNTY: Haakon

TELEPHONE: (605) 859-2302

AUTHORITY

Pursuant to SDCL 46-5-31.1, if permitted irrigation use from a storage dam is abandoned or forfeited but the storage dam is used for stock watering, stock watering may be added to the license or permit upon the request of the permit or license holder.

REQUEST

On April 11, 2002, Genny McMath visited with Mr. Ferguson via telephone about his 2001 irrigation questionnaire in which Mr. Ferguson indicated that he discontinued irrigation years ago. Mr. Ferguson confirmed that he no longer irrigates and that the dams used as part of the irrigation project still exist and are used for stock water. An inspection completed by Ron Duvall for licensing of the permit in 1983 also found two dams in existence. Ms. McMath discussed reissuing the license for stock watering with the irrigation portion being deleted. Mr. Ferguson agreed to removal of irrigation use from the water license and reissuance for stock watering only from the two dams.

RECOMMENDED ACTION

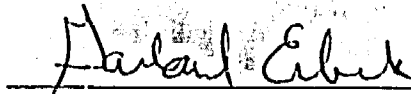
Based on the above request, it is recommended that the water license be issued for stock watering.



Ron Duvall, Natural Resources Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant to SDCL 46-5-31.1 that:

This addition of stock watering does not impair existing water rights and no diversion of water will be made from the stock dam. Licensing of the water permit for stock watering may occur without application or publication pursuant to SDCL 46-2A-4.



Garland Erbele, Chief Engineer
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

MAY 31 2002

1144-2

Donald L Ferguson
HCR 2 Box 20
Philip, SD 57567

Dear Mr. Ferguson:

Enclosed is your Reissued Water License No. 1144-2.

The original water license was reissued to delete the irrigation portion of the water right and to add domestic livestock watering. Pursuant to SDCL 46-5-31.1, stock watering may be added as a water use to a license provided no diversion is made from the dam(s).

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

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosure

STATE OF SOUTH DAKOTA

REISSUED WATER LICENSE NO. 1144-2

(1) Donald L. Ferguson, HCR 2 Box 20, Philip, SD 57567 was issued Water License No. 1144-2, December 28, 1983 for a water right to divert 4.86 cubic feet of water per second from a dry draw (two storage dams), Hakon County, South Dakota for irrigation purposes. Water License No. 1144-2, with a priority date of May 2, 1973 was issued to the permit holder for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

The original water permit and subsequent license authorized irrigation of land from two dry draw dams. The water right holder has indicated irrigation has been discontinued. The storage dams are still in existence with water being used for domestic purposes.

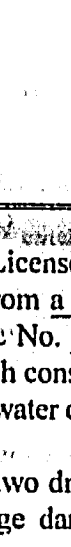
Pursuant to SDCL 46-5-31.1, stock watering may be added as a water use to the license provided no diversion is made from the dam. The Chief Engineer makes a finding that the addition of stock watering does not impair existing water rights.

(2) It is certified that the water right holder 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 impound 189 acre feet of water for beneficial use. The storage dams are located as follows:

- large dam (180 acre feet) – NW ¼ NW ¼ Section 16, T4N, R19E
- small dam (9 acre feet) – NE ¼ SE ¼ Section 8, T4N, R19E

(3) The water right holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use for livestock watering purposes.

(4) Pursuant to South Dakota Water Law 46-5-30.1 Donald L. Ferguson, HCR 2 Box 20, Philip, SD 57567 the holder and/or owner of Water Right No. 1144-2 is issued a license to appropriate water, the right to impound 189 acre feet of water from a dry draw (two storage dams) with a priority date of May 2, 1973 from the locations specified in (2) of this license. The water is to be used for the purpose of livestock watering. This license is subject to any limitations or qualifications listed in Water Right No. 1144-2 and subject to South Dakota State Law.



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAY 31 2002

date



1144-2

26.7

lot

out

dam

5.7 A

out

out

3.3 A

T4N R19E

Donald L. Ferguson

1144-2

ASGS 8"/mi. Overlay

9-29-80

by L.J. Mernaugh

CP

8" PVC

58

Pump site

dam

out

14.2

Ac

out

out dam

Irr

out

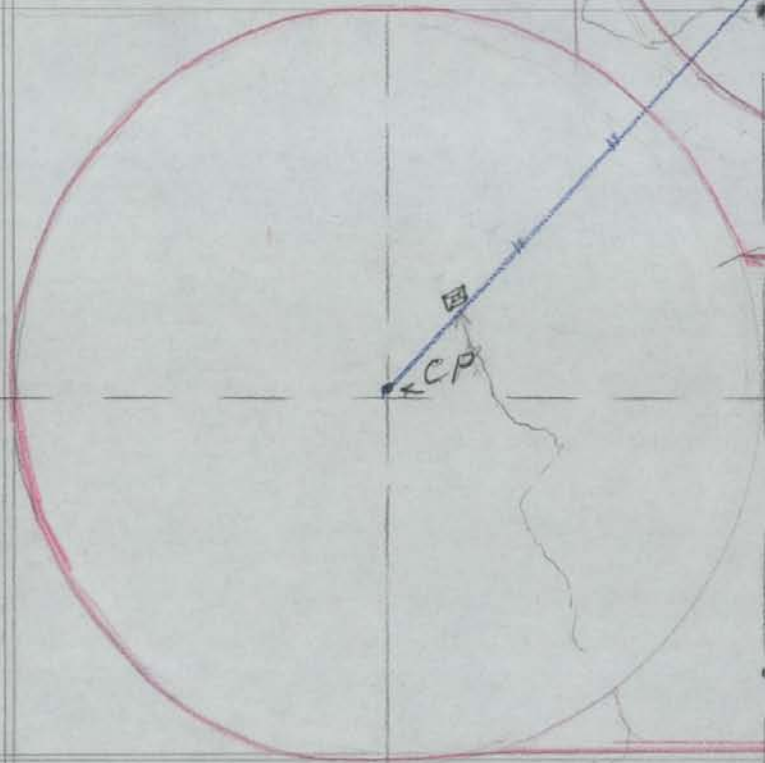
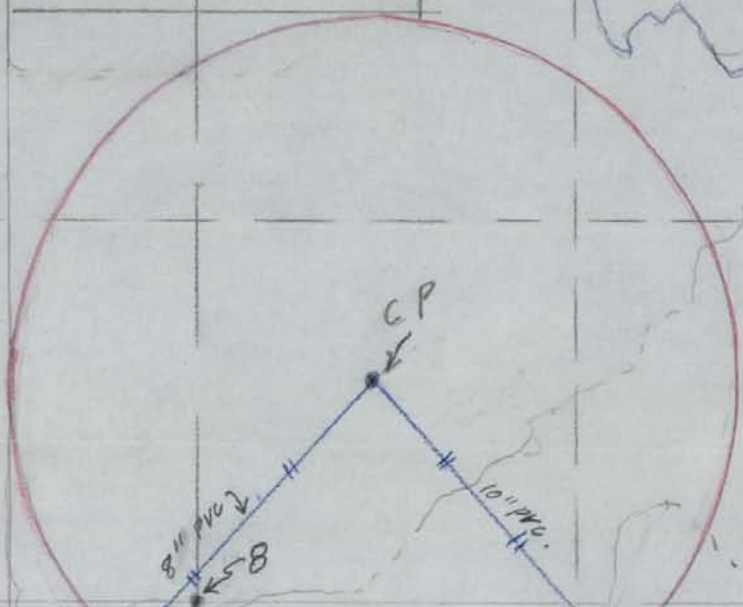
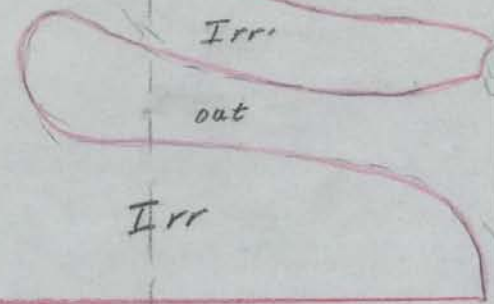
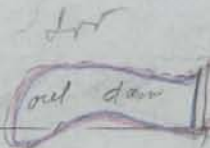
Irr

Tube

Spillway

Dam

Flood



26.7

1.0*

out

dam

5.7

out

out

3.3

T4N R19E

out

14.2

Ac

out

Pump
site

dam

Irr

out dam

Irr

out

Irr

Tube

Flood

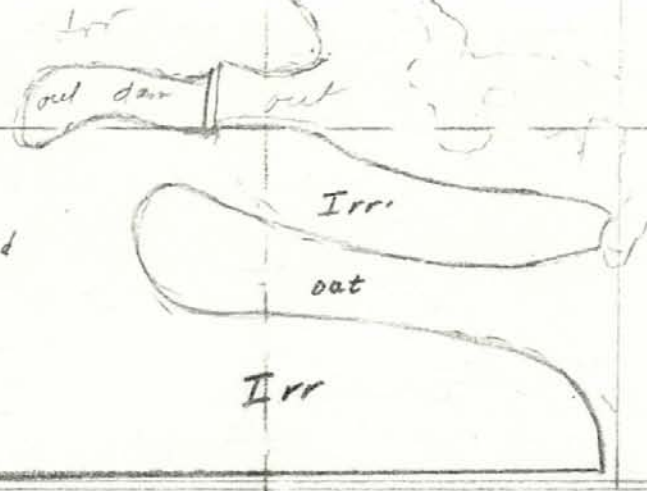
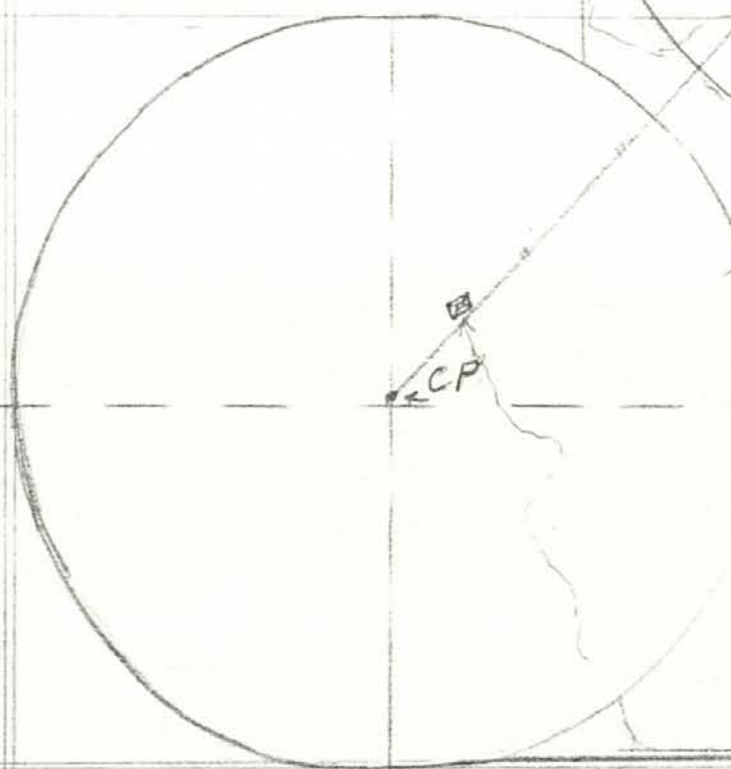
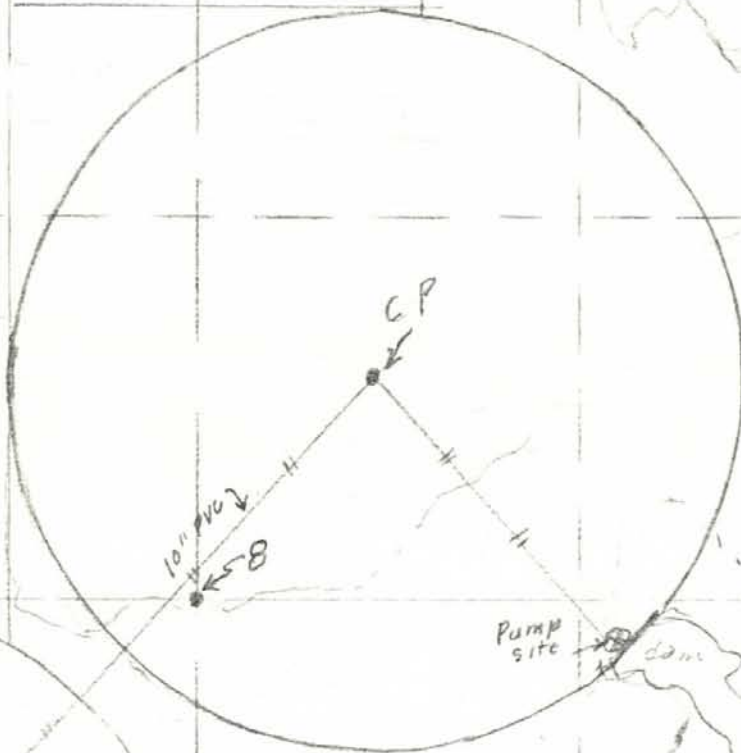
Donald L. Ferguson

1144-2

ASCS 8"/mi. Overlay

9-29-80

by L.J. McNaught



767

lot

out

dam

5.7

out.

out
3.3

T4N R19E

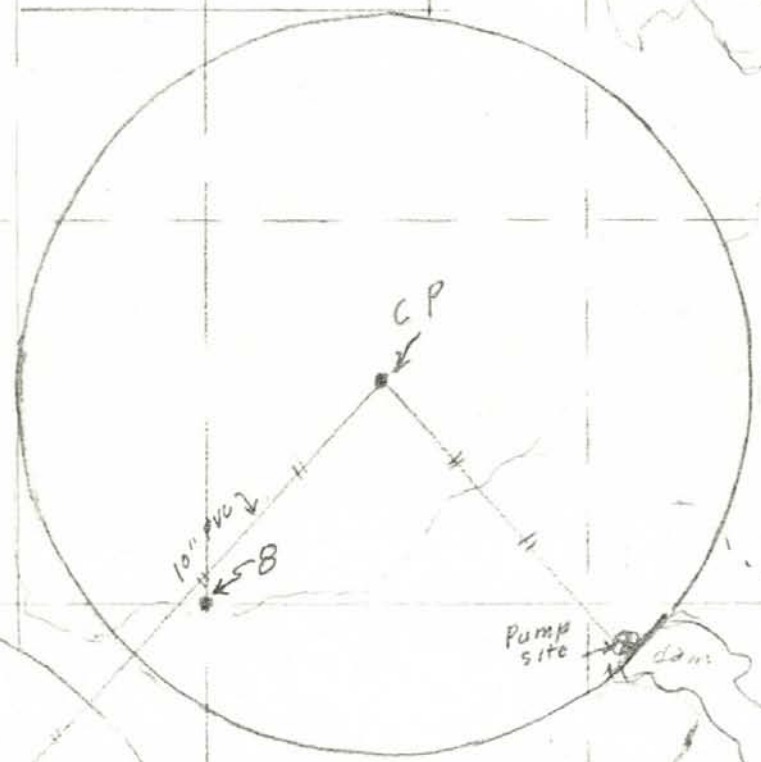
Donald L. Ferguson

1144-2

ASCS 8"/mi. Overlay

9-29-80

by L.J. McNaugh



Pump
site

dam

out.
14.2
Ac

out.

out dam

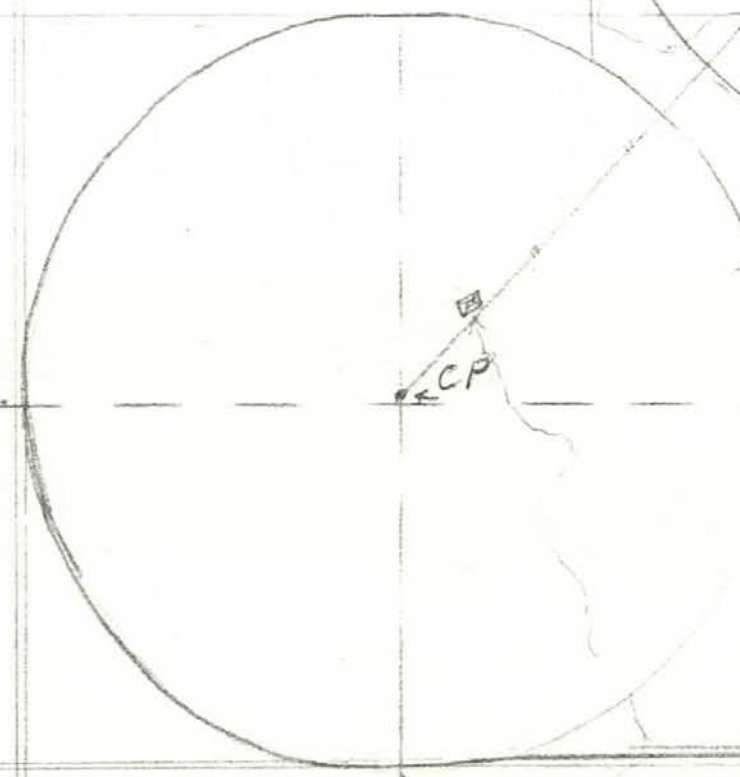
Irr.

out

Irr

Tube

Flood



Sal and Mgs
frontship

More
approx

Area
1
40.0 ac.

Area 2
80.0 ac.

Area
3
10.0 ac.

Area
4
9.0 ac.

Area 5
60.0 ac.

Area
8
9.8 ac.

Area 6
80.0 ac.

Area 7, 18.8 ac.

Area 11
160.0 ac.

Area 10
80.0 ac.

Area 9
22.0 ac.

Pump Site #1
60 Rods S 9°00' E
of NW Cor Sec. 16, T4N-R19E

Alternate Pump Site #2
Used by opening draw down
tube through dam

dry draw or creek
Known as Bridger Creek

65 Rods
S 22°30' W

Pump site
holding pond

tube

2640.3



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Lacreek National Wildlife Refuge

29746 Bird Road

Martin, South Dakota 57551-9510

605/685-6508

www.lacreek.fws.gov



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NOV 12 2008

WATER RIGHTS
PROGRAM

November 6, 2008

Dept. of Environment & Natural Resources

Water Rights Program

Joe Foss Building

523 East Capital Ave.

Pierre, SD 57501

Mr. Timothy G. Schaal, P.E.,

This letter is to notify the Water Rights Division that a large dam located in Haakon County, was recently repaired under the State's definition of "maintenance" of a structure. This dam is located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 16 Township 4N, Range 19E. This structure is known as the Ferguson Dam and is currently under the ownership of Francis (Mark) Buchholz of Philip, South Dakota. This structure is covered under a Reissued Water License No. 1144-2 dated May 31, 2002. This maintenance was completed with assistance from the U.S. Fish & Wildlife Services Partners for Fish & Wildlife Program. Financial assistance was provided by the U.S. Fish & Wildlife Service, the SD Game, Fish & Parks, and the private landowner. The structure received a new primary spillway that consisted of a new 48" poly coated CMP drop inlet with a 36" outlet. Some refacing of the structure also was performed; the emergency spillway of the structure is intact and required no work. All NEPA requirements were also completed for this site.

Sincerely,

Joseph E. Nichols; Wildlife Biologist
Partners for Fish & Wildlife Program

Cc: Kurt Forman; Wildlife Biologist



Francis (Mark) Buchholz Haakon County



0 0.2 0.4 0.8 Miles

-  Project Boundary
-  Embankment
-  Wetland Created



RECEIVED

NOV 12 2008

WATER RIGHTS
PROGRAM







**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

May 22, 2025

1144-2

Francis M Buchholz
PO Box 728
Philip SD 57567

Dear Mr. Buchholz:

I am writing you today in regard to SD Water Right No. 1144-2, which is currently held in the name of Donald L Ferguson. Water Right. No. 1144-2 authorizes the impoundment of water in two dams; one large and one small, located in Sections 8 & 16; all in T4N-R19E, with water being used for the purpose of livestock watering.

Our records indicate that ownership of the property on which the dams are located is now held by you, suggesting that ownership of Water Right No. 1144-2 should be transferred.

For your convenience I have enclosed a partially completed "Notice of Transfer of Ownership" form for you to review, sign, and return in the prepaid envelope. The fee associated with this transfer action would be \$50.00, payable by check (made out to SD Water Rights) or by calling our Fiscal Office and submitting payment over the phone (605) 773-5559.

Please let me know if you have any questions or concerns.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

enclosures