

Water Right Number 1288-2

1. Considered NOVEMBER 12, 19 75
2. Name of Applicant IRWIN E. JACKSON
3. Post Office Address VALENTINE, NEBRASKA
4. Amount of Water claimed 1.90
5. Source of Water supply GROUND WATER (260' DEEP WELL.)
6. Water to be used for IRRIGATION
- Acres to be irrigated 133
7. Water to be diverted and used in TODD County
about 2 W. 13 S miles of Mission
8. Proof of Publication Received 10-29-75
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action Deferred _____

10. Remarks:

Map No. 1089-2 Water Division No. 2 KEYAPAH District
 No. 1288-2
 (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 IRWIN E. JACKSON
 Postoffice address Valentine Nebraska State SO. DAKOTA
 If a corporation show date and place of incorporation _____
2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct Labor
3. Name of diversion work WACRAW Well #1
4. Amount of water claimed (cubic feet per second) 1.9 CFS MAXIMUM ALLOWABLE
40-77 CFS (Per 5-1-6-19)
5. Source of water supply 2 Wells
6. Location of point of diversion Center of Each Quarter Sec 11
NW 1/4, SECTION 11, T36N, R29W
 County Todd, SO. DAK.
7. Annual period or periods during which water is to be used EARLY SPRING LATE FALL
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 Approx 133

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.
NW - NW - SEC. 11 - 36-29	40	NE - NE - SEC. 10 - 36-29	40
NE - NW - SEC. 11 - 36-29	40	SE - NE - SEC. 10 - 36-29	40
SW - NW - SEC. 11 - 36-29	40	APPLICANT WILL USE A 133 ACRES	
SE - NW - SEC. 11 - 36-29	40	PIVOT IRRIGATOR ON THE ABOVE	

Attach sheet if more space is needed DESCRIBED LAND

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 3 years.
11. Choice of newspaper for Notice of Intent to Appropriate Water publication Todd County Tribune
12. Principal Features of the Proposed Water Supply System

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

2 Wells

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

Closed Conduit

C. Works proposed to apply water to beneficial use.

Center Pivot System
Well AZ Center.Estimated Total Cost 20000 30000Attachments: 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 ToddI, IRWIN E. JACKSON 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.

Subscribed and sworn to before me this

9thday of SEPTEMBER 19 75Signed Joseph Marshall Bricker
 Notary Public (or other qualified officer)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1288-2

IRWIN E JACKSON

(Applicant)

VALENTINE

(Post Office Address)

NEBRASKA 69201

(State)

With the following modifications:

The irrigation well approved under this Permit will be located near domestic wells and other irrigation wells which may obtain water from the same aquifer. The irrigation well owner, under this Permit, shall control his irrigation withdrawals so there is not a reduction of needed water supplies in existing domestic wells or in irrigation wells having prior water rights.

Date of first receipt of application SEPTEMBER 11 19 75

Date of return to applicant for correction, amendments or changes required SEPTEMBER 17 19 75

Date of receipt of corrected application OCTOBER 10 19 75

Approved NOVEMBER 13 19 75 Recorded in Book 14 Page 51

WATER RIGHT PERMIT NO. 1288-2

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1288-2 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 SEPTEMBER 11 19 75
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MAY 13 19 78
3. The whole of said work is to be completed on or before NOVEMBER 13 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is NOVEMBER 13 19 83
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 1.9 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 NOVEMBER 13 19 83; said water to be used during the following described annual period: APRIL THRU OCTOBER

Witness my hand this 14TH day of NOVEMBER 19 75

WATER RIGHTS COMMISSION

By:

John Hatch

Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 _____

Water License Issued _____, 19 _____

June 19, 1975

Mr. Irwin E. Jackson
Mission Route
Valentine, Nebraska 69201

Dear Mr. Jackson:

Enclosed you will find the original copy of the report of analysis of the water sample submitted here about one week ago. Also enclosed is a copy of Extension Circular 654 for your use and keeping.

The water analysis shows this to be very satisfactory water, being in the low to medium total salinity bracket and very low in sodium adsorption ratio. Thus there should be no problem with chemically-induced soil changes as a result of the use of this water. However, you are aware of the erosion hazard on some of the soils and the need for keeping this land in alfalfa and grass to preserve its productivity.

A copy of this letter and of the water analysis and your WI-1 form are being forwarded to the State Conservation Commission.

Sincerely yours,

L. O. Fine

L. O. Fine
Water Quality Lab

LOF:MRB

Enclosures

cc: State Conservation Commission
Kenneth Stephens, Todd County Extension Agent
Barrel Pahl

Conservation
Commission
Form WI #1

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION

FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED

(This Form Required for Proposed Well Irrigation Only)

FOR COMMISSION USE ONLY

Irrigation System: _____

Water Quality: _____

Soils Capability: _____

Approved: [Signature]

Disapproved: _____

NAME: Frederic E. Jackson

ADDRESS: Mission Point, Valentine, Nebraska

COUNTY: Hall County, So. Dakota

LEGAL DESCRIPTION

1. WELL LOCATION: NW 1/4 of Sec 11 Twp 36 North Range 29 West
2. AREA TO BE IRRIGATED: Same

TYPE OF IRRIGATION

3. GRAVITY SPRINKLER (Indicate Type): X
4. CROPS TO BE IRRIGATED: Alfalfa & Grass

LAND CAPABILITY FOR IRRIGATION

5. PERCENTAGE OF SLOPE: 0-6%, 0-3%, 0-3%, 3-4%, 0-2%, 9-21%
6. PHYSICAL SOILS CLASSIFICATION FOR IRRIGATION: Dreda heavy fine sandy, Tuthill silt loam,
Holt fine sandy loam, Holt Velat fine sandy loam, Anselme Velat fine sandy loam,
Anselme ~~Velat~~ - Tassel fine sandy loam

WATER QUALITY (TO BE COMPLETED BY COMMISSION)

7. SAMPLE NO.: 75-488
8. SALINITY: EC = 349 μ mhos/cm (low-med)
9. SODIUM: SAR = 0.17 (low)

I do hereby certify that a chemical analysis of the ground water to be acquired for irrigation from South Dakota State University and:

the land capability for irrigation information has been acquired from

Wild Conservation District

and:

that the legal description for the location of the well and land to be irrigated is true and correct.

Thurman E. Jackson

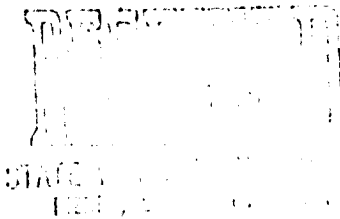
Subscribed and sworn before me this

9th day of JUNE 1975.

Joseph Donald Britton

Notary Public

(Title)



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 20", Depth 260 ft.
- (2) Casing, Type Steel Diameter 12" Thickness 3/16"
(wood, concrete, steel, etc)
- (3) Perforated Screen.
Type Slotted, Diameter 12", Length 40'
- (4) Gravel Pack, Thickness 4", Length of gravel pack 50'

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 Water log Attached
To WATER SAMPLE.

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) 32'

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

On same owner's property 160 rds. On property owned by others 160 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 of each storage dam. The location of each water storage dam should be shown on the water right map.

Frederick Jackson
Signature of Applicant

Publish first publication, on or before October 30, 1975

NOTICE
INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

October 9, 1975

Notice is hereby given that Irwin E. Jackson
whose post office address is Valentine, Nebraska ~~South Dakota~~ ~~xxxxxxx~~, has made an application in accordance
with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use
1.9 cubic feet of water per second of time from the ground water through the
Jackson Well #1, the point of diversion of which is to be located in the _____

Center of the NW $\frac{1}{4}$

of Section 11, Twp. 36N, Range 29W. Said water to be used for the purpose
of providing irrigation on portions of the following described land:

NW $\frac{1}{4}$, Section 11, E $\frac{1}{2}$ NE $\frac{1}{4}$, Section 10, T36N, R29W

This application No. 1288-2 will be considered by the Water Resources Commission at their office at
Pierre upon the 12th day of November, 1975, at 2:30 P. M. All interested
persons may appear and be heard.

WATER RESOURCES COMMISSION

By:

BURTON F. JONES
Water Rights Specialist

BFJ/lw

cc: Irwin E. Jackson, Valentine, Nebraska 69201

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

No. 1288-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Todd) ss.

I, Margaret Figert hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Todd Co. Tribune

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 Mission

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

Thursday, October 16, 1975
Thursday, October 23, 1975

Margaret Figert
(Signature)

Co-owner Newspaper
(Title)

10-24-75
(Date Signed)

Notice of Intent to
Appropriate Water

Notice is hereby given that
Irwin E. Jackson whose post
office address is Valentine, Ne-
braska, has made an application
in accordance with the provi-
sions of the water laws of South
Dakota for a permit to appropri-
ate for beneficial use 1.9 cubic
feet of water per second of time
for the ground water through the
Jackson Well No. 1, the point of
diversion which is to be
located in the Center of the NW¹/₄
of Section 11, Twp. 36N, Range
29W. and water to be used for the
purpose of providing irrigation
on the portions of the following
described land: NW¹/₄, Section
11, E¹/₂ NE¹/₄, Section 10, T36N,
R29W.

This application No. 1288-2 will
be considered by the Water
Resources Commission at their
office at Pierre upon the 12th,
day of November, 1975, at 2:30
p.m. All interested persons may
appear and be heard.

WATER RESOURCES
COMMISSION

By: Burton F. Jones
Water Rights
Specialist

Publ. Oct. 16 and 23

NOTICE OF WELL CONSTRUCTION

copy

1288-2

(1) WELL CONSTRUCTION

Location of well: Center 1/4 SE 1/4 Section 2 Township 36 Range 29

Well owner Irwin Jackson Crookston, Nebraska
(Name) (Address)

Date well drilling completed 12-19-75 Purpose of well irrigation
(domestic, irrigation, municipal, industrial, other)

WELL LOG

Layers, top to top in feet	Description of layer	Depth to top of water producing aquifer	
0-16	top soil, sand, layers mag	80	ft.
16-18	hard mag	75	ft.
18-20	sand		
20-28	sand, mag (mixed)	280	ft.
28-40	sand, ss, mag layers	280	ft.
40-42	hard mag		
42-60	cs, ss, one mag layer		
60-80	med-coarse sand, ss		
80-104	cs, ss		
104-106	hard limestone		
106-118	cs, ss		
118-120	sandy clay (mixed)		
120-140	cs, layers ss		
140-155	ss		

Attach sheet if more space is needed

cs - coarse sand
ss - sandstone

Casing information: In the space below show kind, size, weight, lengths per diameter, etc., for production casing and surface casing, if used.

Casing is 16 inch .219 wall steel

Screen information: In the space below show length of screen below bottom of casing, diameter and kind of screen or casing perforations.

Perforated casing has 40 mill slots per foot. Slots are .150 x 3 inches.

If a flowing well, flow of completed well _____ G.P.M.

Sargent Irrigation Company
Name of Drilling Contractor

(2) PUMP INSTALLATION

Company name and size of pump 8" Sargent Pipe HP 100
Type of pump turbine Capacity of installed pump 850 G.P.M.
Depth of pump placement 160 ft., Date of pump installation 1-30-76

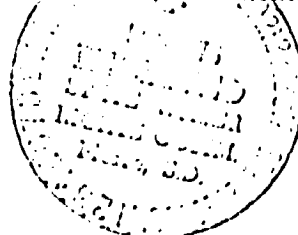
(3) WATER SURFACE MEASURING TUBE

On some wells an air-tight water surface measuring tube is required: See Section 46.408 of Chapter 46.4, MINIMUM WELL CONSTRUCTION STANDARDS.

Show exact vertical length of water surface measuring tube, when installed _____ ft., tube diameter _____, tube material _____.

155-160 clay & sandy clay
160-164 sandy clay
164-168 chunky ss
168-200 coarse sand
200-220 med-coarse sand
220-247 coarse sand
247-260 cs, trace ss
260-280 fine sand, small clay layers
280-300 Red Rock

Sargent Irrigation Company
Name of Pump Installation Contractor





United States Department of the Interior
OFFICE OF THE SOLICITOR

ROOM 211 - FEDERAL BUILDING
P.O. BOX 519
ABERDEEN, SOUTH DAKOTA 57401

October 28, 1975

Mr. Burton F. Jones
Water Rights Specialist
Water Resources Commission
Pierre, South Dakota 57501

Dear Mr. Jones:

The Area Director, Bureau of Indian Affairs, has advised that on November 12, 1975, at 2:30 p.m. a Hearing will be held by the Water Resources Commission at their office at Pierre, South Dakota on the applications of Irwin E. Jackson, Valentine, Nebraska, for permits to appropriate for beneficial use 1.9 cubic feet of water per second of time from ground water, the points of diversion being in the Center of the SE $\frac{1}{4}$, Sec. 2 T. 36 N., R 29 W. and the Center of the NW $\frac{1}{4}$ of Sec. 11, T. 36N., R 29W for the purposes of irrigation.

This letter will serve as our written objection to such application for permits to appropriate ground water from within the boundaries of the Rosebud Indian Reservation. The issuance of such permits would be contrary to established law, which declares that the State lacks jurisdiction with respect to the adjudication of the waters of, or the lands within, the exterior boundaries of an Indian Reservation. See 25 U.S.C.A., Sec. 381; Winters v. United States, 207 U.S. 564, 28 S. Ct. 207; United States v. Powers, 94 F 2d 783; United States v. McIntire, 101 F 2d 650; and United States v. Alexander, 313 F 2d 359.

In filing this objection to the issuance of such proposed permit and in writing this letter to you, we do not waive our right to challenge the State's jurisdiction by legal action or otherwise, and merely intend to call the State's attention to the fact that the State lacks jurisdiction in this matter.

Very truly yours,


Wallace G. Dunker
Field Solicitor

cc: Office of the Area Director, Aberdeen, South Dakota
Superintendent, Rosebud Indian Reservation
Mr. Parnell Hagen, Area Soil Conservationist, BIA, Aberdeen, SD
Mr. Irwin E. Jackson, Valentine, Nebraska 69201

LICENSE FOR PERMIT NUMBER 1288-2 Irwin Jackson

1. Legal location of wells: Center of SE $\frac{1}{4}$ 2 1320'N 1386'W of SE corner

Sec 2-36-29

dams & structures: _____

2. Well Information: Well Drilling Firm Sargent

No. of wells 1 Depth 280

Casing a) diameter 16" Screen a) type perforated
b) length 80 b) length 200
c) type steel Static Water Level 75 ft

Pump a) make Sargent Motor a) make US High Thrust
Serial # 1876 b) model _____ b) model no. NRR N5003694
c) size 12EMC c) horsepower rating 100 HP
d) capacity 850 GPM d) motor efficiency rating _____
e) turbine pump
no. of stages 4

3. Distribution lines:

a) size of lines 6"
b) type steel
c) length 30'

4. Dam Information:

a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____

i) Outlet tubes:

1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

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 _____

5. System Type: c) center pivot

- 1) make Electrogator - Reinke
- 2) number of towers 8
- 3) distance between towers
150
- 4) overall length 1200
- 5) End gun (Y/N) Y
- 6) high or low pressure High
- 7) make & size of nozzles

- 8) PSI reading while system is
running 70
- 9) GPM 850

g) Gun

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

d) Gate Pipe

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

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

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

h) Hydraulic

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

YES	NO	Check Items
<u>X</u>	___	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.

REMARKS:

Acres Irrigated: NE $\frac{1}{4}$ SE $\frac{1}{4}$ = 32.0
 NW $\frac{1}{4}$ SE $\frac{1}{4}$ = 32.2
 SW $\frac{1}{4}$ SE $\frac{1}{4}$ = 34.5
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ = 33.7
132.4

No. 1289-2

1288-2

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

August 2, 1983

Irwin E. Jackson
Valentine, Nebraska 69201

Dear Mr. Jackson:

Enclosed herewith is, Water License No. 1289-2. 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: ms

Enclosures

Whereas, on the 23rd day of June, 1983 the applicable portions of Permit No. 1288-2 have been incorporated into this Water License No. 1289-2.

WNR-817 3/83
Transmittal of Water License

75.1

(1-99)

IRWIN JACKSON
Stock Well
↓

↓
Irrig. Well

Irwin
Jackson

Kenneth W. Stephens
Todd Co. Extension Office

41.5

29.7

152.1

Stock Well
→

Robert
Hill

36-29

MAP NO 1084-2 (APPL NO 1288-2)