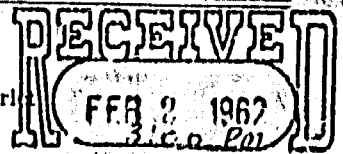


742-3

1. Considered 3-7-1952, at
2. Name of Applicant Benjamin J. Selman
3. Post Office Address
4. Amount of water claimed 1.69
5. Source of water supply
6. Water to be used for
Acres to be irrigated 117.7
7. Water to be diverted and used in County about
4.1 miles SE of
8. Proof of Publication Received
Not Received 124
9. Application Approved
Subject to
Not approved
Action deferred

10. Remarks:

A B.B.

No. 742-2Water Division No. 2 WHITE RIVER Distri
(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 WENDELL GILMAN
Postoffice address KENNEBEC, County JYLLIAN, State S. DAK.

- 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 work and financial resources of the applicant:
- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)
Self and employment of others.

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

2. Name of diversion work WENDELL GILMAN IRRIGATION PROJECT
3. Amount of water claimed 1.68 cubic feet per second
4. Source of water supply Two un-na dry draws
5. Location of point of diversion See under "REMARKS BY THE APPLICANT"
on bank County.

6. Annual period or periods during which water is to be used March through October

7. To be used for:
- 1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity

(a) Number of acres to be irrigated 117.7 acres.

(b) Legal subdivisions to be irrigated: See under "REMARKS BY THE APPLICANT"

(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 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 NO 646-2

8. Estimated cost of work:

(a) Head gates, \$ 100 (b) Pumping plant, \$ ---
 (c) Fluming, \$ --- (d) Canal-earth, \$ --- Rock, \$ ---
 (e) Other structures Earth ditches & dikes \$ 2500 Total, \$ 2900

9. Description of diversion works:

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

Diversion of runoff by ditches and earth dikes.

II. Dimensions of works:

(a) Dam: Height --- feet; length at bottom --- feet; length at top --- feet; thickness at bottom --- feet; thickness at top --- feet; slope at front water face ---; slope at back face ---
 material used in construction ---

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

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-Feet CAPACITY

(c)* Head gate: Width --- 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 --- 4 --- years.

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

Kennebec Advocate Leader

STATE OF SOUTH DAKOTA

County of Hughes ss.

I, Wendell Gilman

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 by my own personal knowledge that the matters therein stated and shown are true.

Signed

Wendell Gilman

Subscribed and sworn to before me this

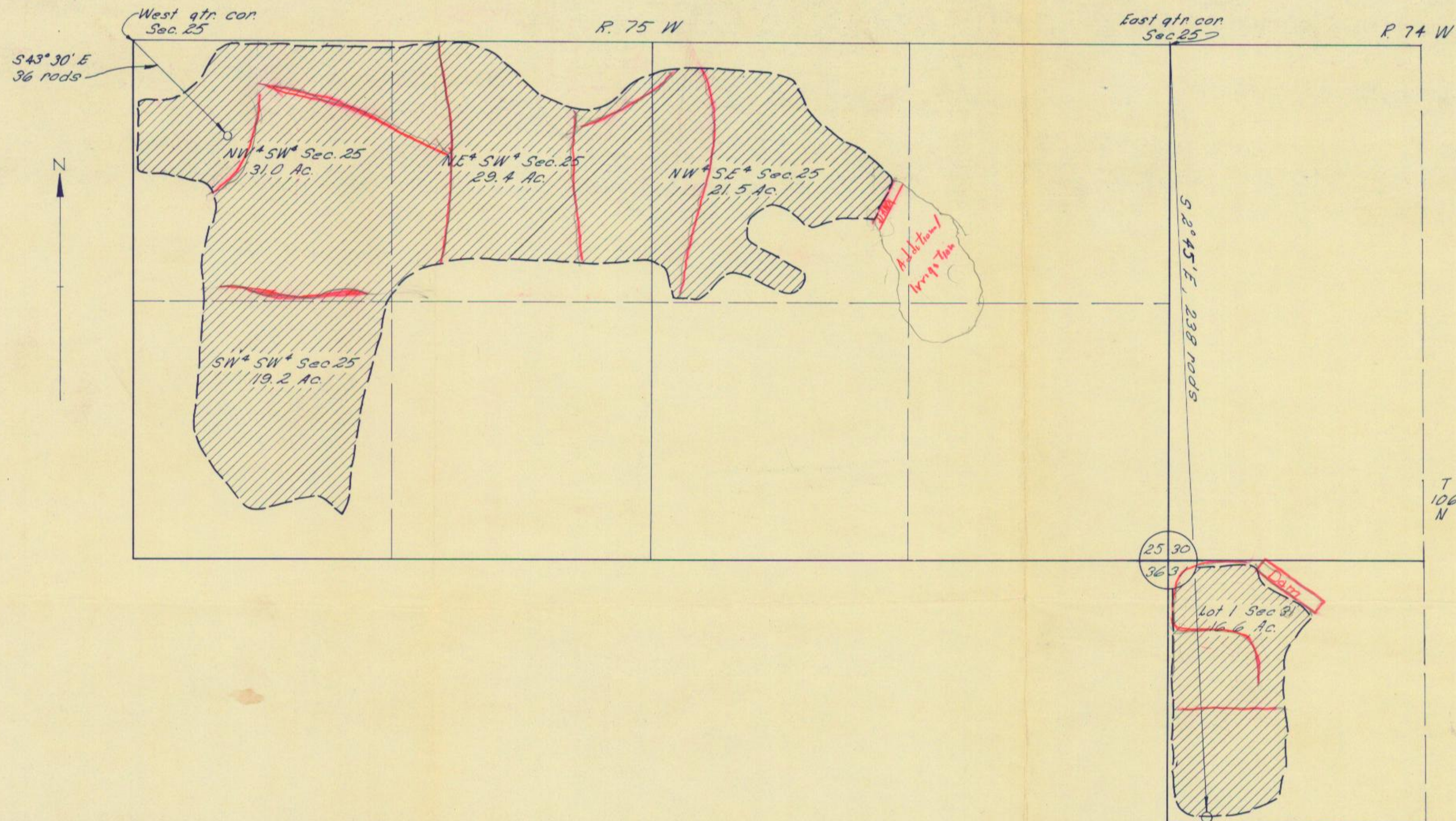
2nd

day of

Feb 1912

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



All Lands described are owned by Wendell Gilman

LOCATION OF LAND TO BE IRRIGATED				
LOCATION	SECTION	TOWNSHIP	RANGE	ACRES
NW 1/4 SW 1/4	25	106N	75W	31.0
SW 1/4 SW 1/4	25	106N	75W	19.2
NE 1/4 SW 1/4	25	106N	75W	29.4
NW 1/4 SE 1/4	25	106N	75W	21.5
LOT 1	31	106N	74W	16.6
TOTAL				117.7

SURVEYOR'S CERTIFICATE

I, HENRY V. DAHLQUIST, DO HEREBY CERTIFY THAT THIS MAP IDENTIFIES A REASONABLY ACCURATE RECORD OF THE LAND OF THE Wendell Gilman Irrigation Project AND HAS BEEN PREPARED BY THE SOIL CONSERVATION SERVICE FOR THE AMERICAN CREEK SOIL CONSERVATION DISTRICT.

SIGNATURE: Henry V. Dahlquist
TITLE: AGGR. ENGINEER

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

SUBSCRIBED AND SWORN TO BEFORE ME THIS 31st DAY OF January, 1967, A.D.

Agnes Phipps
NOTARY PUBLIC

MY COMMISSION EXPIRES 2-2, 1969.

Scale: 1" = 400'

WENDELL GILMAN IRRIGATION PROJECT

Lyman County, South Dakota

U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

Date	Approved by
Designed	Title
Drawn	Title
Traced	Sheet
Checked	No. 1
	of 1
	Drawing No.

MAP N° 646-2 (APPL N° 742-2)

Remarks by State Water Resources Commission:

The diversion rate limitation of 1 cubic foot per second for each 70 acres irrigated shall not apply to this Dry Draw irrigation diversion during periods of flood flows, when such flows are in excess of the amount of water required to satisfy domestic use requirements and other water rights.

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, April 4, 1962

This is to certify that the foregoing application was received by the Commission at 3:00 o'clock
p.m. upon the 2nd day of FEBRUARY, 1962

State Water Resources Commission

By:

Durston Jones
for Chief Engineer, Executive Officer

Number of permit 742-2

Date of first receipt of application FEBRUARY 2, 1962

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right FEBRUARY 2, 1962

Approved MARCH 7, 1962, Recorded in Book 7 Page 81

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 7, 1964

2nd. The whole of said work is to be completed on or before MARCH 7, 1967

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

MARCH 7, 1971

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 1.68 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 7, 1971; said water to be used during the following described annual period:

MARCH THRU OCTOBER

Witness my hand this 4TH day of APRIL, 1962

State Water Resources Commission

By:

W. A. Bunn
Chief Engineer, Executive Officer

Certificate of Construction Issued MAY 31, 1973

Water License Issued MAY 31, 1973

Remarks by the Applicant:

5. Location of point of diversion:

a. In Sec. 25 - T106N - R75W: from the West Quarter Corner, Sec. 25, South 43 deg. 30 min. East, 36 rods.

b. In Sec. 31 - T106N - R74W: From the East Quarter Corner, Sec. 25 - T106N - R75W, South 2 deg. 45 min. East, 238 rods.

7. I (b) Legal sub-divisions to be irrigated--

NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25 - T106N - R75W	31.0 Acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25 - T106N - R75W	19.2 Acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25 - T106N - R75W	29.4 Acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 25 - T106N - R75W	21.5 Acres
Lot 1 Sec. 31 - T106N - R74W	16.6 Acres

TOTAL 117.7 Acres

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 742-2

(1) WHEREAS, On the 2nd day of February, A. D. 19 62
Wendell Gilman

made Water Right Application No. 742-2 for a permit to use 1.68 cubic feet per second of the water of dry draws

County of Lyman, State of South Dakota, for irrigation

purpose; and

(2) WHEREAS, On the 4th day of April, A. D. 19 62

Permit No. 742-2 with a date of priority of February 2, 1962

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 7th day of March, A. D. 19 67 and for the application to beneficial use of said water on or before the 7th day of March, A. D. 19 71

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 1.68 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:

T106N, R75W, Section 25	NW $\frac{1}{4}$ SW $\frac{1}{4}$	21.0 acres
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	29.4 acres
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	19.2 acres
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	21.5 acres
T106N, R74W, Section 31	Lot 1	16.6 acres
Total		117.7 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 Wendell Gilman

_____ of Kennebec, South Dakota

the holder _____ and owner _____ of said permit No. 742-2 a water right, dating from February 2, 1962

_____ to use of 1.68 cubic feet per second of the waters of dry draws

in the County of Lyman and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at Point #1, South 43° 30' East, 36 rods from the W $\frac{1}{2}$ Corner, Section 25, T106N, R75W, and Point #2, South 2° 45' East, 238 rods from the E $\frac{1}{2}$ Corner, Section 25, T106N, R75W

and conduct to and upon portions of Section 25, T106N, R75W and Section 31, T106N, R74W, more fully described on the face of this license

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 742-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 31st day of May A. D.
Nineteen Hundred and Seventy-three

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer J.W. GRIMS

Form 15.

Permit No. 742-2

Water Diversion No. 2 WHITE RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify That Wendell Gilman

_____ the holder _____ of
Permit No. 742-2, issued upon Application No. 742-2, bearing date of priority of February 2,
1962 authorizing the diversion of 1.68 cu. ft. per second of the waters of _____
dry draws _____ County of Lyon _____, State of South Dakota at _____
Point #1, South 43° 30' East, 36 rods from the NW Corner, Sec. 25, T106N, R75W, and
Point #2, South 2° 15' East, 238 rods from the NW Corner, Section 25, T106N, R75W
_____, 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 up to 25 cu. ft. per second of water.

Date May 21, 1973

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

on or before February 8, 1962
(First Publication)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., February 2, 1962

Notice is hereby given that Wendell Gilman whose postoffice address is Kennebec S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.68 cubic feet of water per second of time from dry draws through the Gilman Irrigation Project the point of diversion of which is to be located on the both at a point in the NW 1/4 Sec. 25, T106N, R75W and a point in banks of said stream NW 1/4 Lot 1 of Section 31 portions of Twp. 106N Range 74W. Said water to be used for the purpose of providing irrigation on the following described land:

SW 1/4 and NW 1/4 SE 1/4, Sec. 25, T106N, R75W, and Lot 1, Sec. 31, T106N, R74W

~~XXXXX~~ ~~XXXXXX~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 7th day of March, 1962, at 2 P. M. All interested persons may appear and be heard.

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

State Water Resources Commission

By:

CC: C. L. Flint, Publisher
Kennebec Advocate Leader
Kennebec, S. Dak.

~~XXXXXXXXXXXXXXXXXXXX~~
BURTON F. JONES
Water Right Specialist

DATE MICROFILMED

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Lynn } ss.Ed. Hines being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the -----

Alberta Leader a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in theTown of Kennebec County, of Lynn and State of South Dakota;

that the said notice was published in said newspaper on the following dates:

February 8th, 15th, 22nd
and March 1, 1962in each and every issue of the full number thereof, the first publication being made on the 8th day of February 1962 and the last publication on the 1st day of March 1962, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was ----- the printer (and publisher) of the said newspaper.Ed. HinesSubscribed and sworn to before me this 3 day of April A. D. 1962D. E. JonesNotary Public Lynn County, S. D.

Notice of Intention to Appropriate Water

Notice is hereby given that Wendell Gilman whose postoffice address is Kennebec, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 1.68 cubic feet of water per second of time from dry draws through the Gilman Irrigation Project, the point of diversion of which is to be located on both at a point in the NW 1/4 SW 1/4, Sec. 25,

T706N, R75W and a point on said stream Lot 1 of Section 31 Twp. 106N Range 74W. Said water to be used for the purpose of providing irrigation portions of the following land: SW 1/4 and NW 1/4 SE 1/4, Sec. 25, T106N, R75W, and Lot 1, Sec. 31, T706N, R74W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 7th day of March, 1962, at 2 P.M. All interested persons may appear and be heard. State Water Resources Commission
Burton F. Jones,
Water Right Specialist. 4-m1

Permit No. 742-2
 Water 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 Wendell Gilman
 of R.R. Kennebec, S.D. holder
 of Permit No. 742-2, bearing date of priority of February 2, 1962
 authorizing the diversion of 1.68 cu. ft. per second of the waters of two dry draws
 for irrigation purposes, in Lyman 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:
 Two dams plus dike system (Approx. 2000 lin. feet of dike construction)

B. Works used to transport water to place of use,
 Dikes plus gated tubes through dikes

C. Works used to apply water to beneficial use.

Spreader system plus water retained back of dikes for measured periods of time and then released through gated tubes.

The system is in the following condition: very good for such an old system

The point of diversion is located (1) S. 43° 30' E. 36 rods from the W½ Cor. Sec. 25, T106N, R75W,
(2) S. 2° 45' E., 238 rods from the E½ Cor. Sec. 25, T106N, R75W

The works are capable of diverting and conveying to the place of use up to 25
 cu. ft per second of water which is to be used for spreader and flood irrigation

Water has been put to beneficial use to the maximum extent as follows:

Section 25, T106N, R75W	
NW¼ SW¼ 21.0 acres	lot 1, Sec. 31, T106N, R74W 16.6 acres
NE¼ SW¼ 29.4 acres	
SW¼ SW¼ 12.2 acres	
NW¼ SE¼ 21.5 acres	

comprising a total of 117.7 acres of land.

Plus additional acres indicated on Water Right Map No. 646-2

Date May 4, 1973

Donald Driscoll
 (Signature)

DONALD DRISCOLL, Deputy Chief Engineer, W.R.C.