

820-2

1. Considered 5-6, 1968
2. Name of Applicant Dept of Game Fish & Parks
3. Post Office Address Pierre
4. Amount of Water Claimed 1.7
5. Source of water supply Missouri River
6. Water to be used for irrigation
Acres to be irrigated 122
7. Water to be diverted and used in Gregory County about
14N 7E Miles _____ of Gregory
8. Proof of Publication Received 12
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 320-2Water Division No. 2White River
(Blanks to be Filled by the Engineer for the W. R. C.)

District

STATE WATER RESOURCES COM. PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of applicant Department of Game, Fish and ParksPostoffice address Pierre, County Hughes, State S.D.

I. If a corporation

(a) Name of same

(b) Date and place of incorporation

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

contract(b) Cash on hand, \$ adequate

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work Burvanek Area3. Amount of water claimed 1.7 cubic feet per second4. Source of water supply Missouri River - Ft. Randall ReservoirNE 1/4, Sec. 1, T99N R 71W5. Location of point of diversion Between boundary of South side of Sec. 1 and a parallel line 160 N in T 99N R 71W on East bank Gregory County.6. Annual period or periods during which water is to be used May through September

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Sprinkling(a) Number of acres to be irrigated 160± 122 acres.SE 1/4 Sec. 1 NE 1/4 Sec. 12(b) Legal subdivisions to be irrigated W 1/2 SW 1/4 Sec. 6 T99N R 70W

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.)

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

(a) Nature of use

Name any of the above uses claimed

(b) Amount of power to be generated horse power.

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

Map No 706-2

8. Estimated cost of work:

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

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

(c) Fluming, \$.....

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

Rock, \$.....

(e) Other structures

Total, \$ 6,000.00

9. Description of diversion works:

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

Pumping plant type not known at this time

II. Dimensions of works.

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

(b) Reservoir: Capacity when filledacre feet. Surface area at highwater mark.....acres.

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

(c)* Head gate: Width.....feet; heightfeet; Material

(d) Canal: Total lengthmiles.

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 work5.....years.

11. Time required for complete application of water to the proposed beneficial use4..... years.

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

STATE OF SOUTH DAKOTA

County of Hughes

ss.

Director)

I, Dept. of Game, Fish & Parks (Walter J. Fillmore), being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed

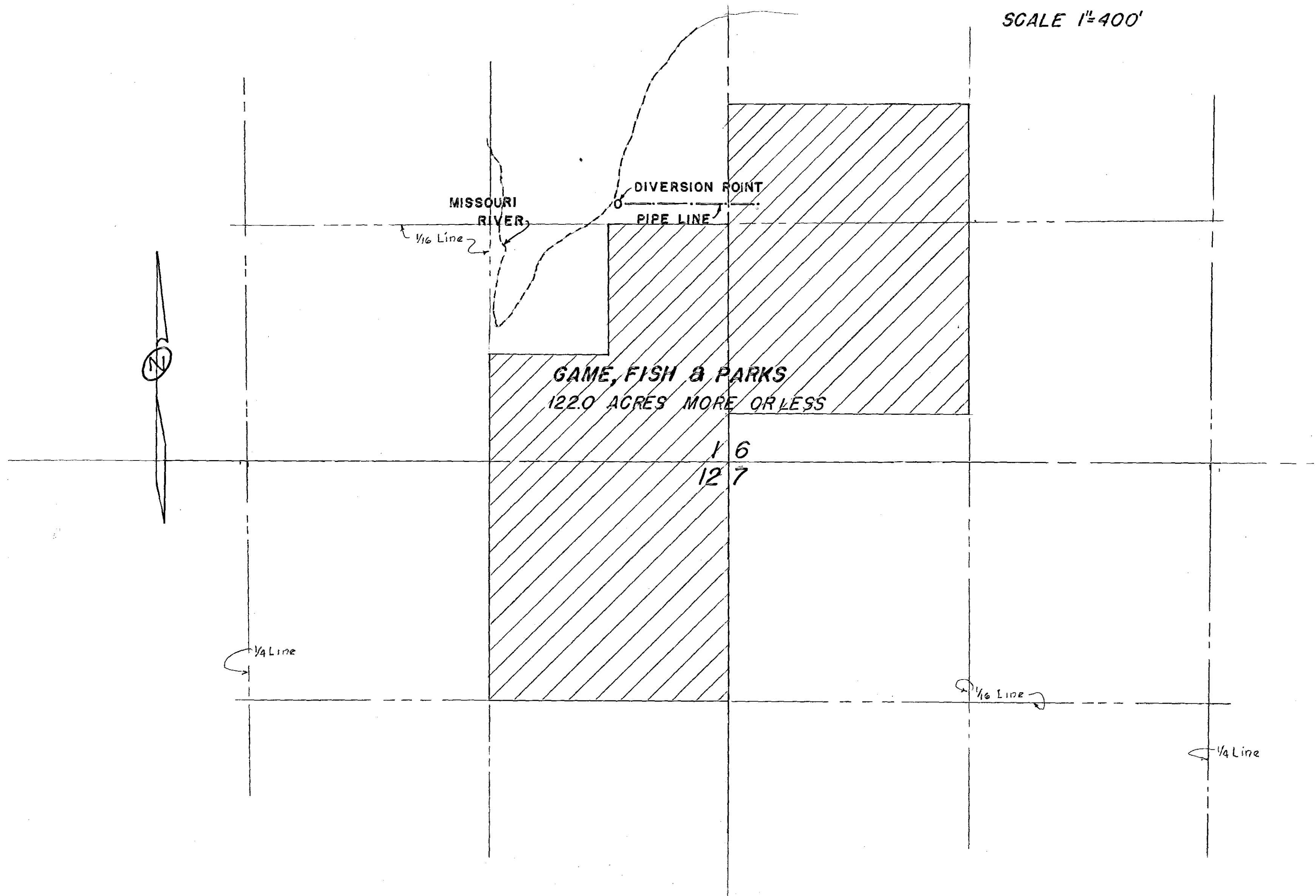
Subscribed and sworn to before me this

day of

19.....

Notary Public (or other qualified officer.)

PLAT SHOWING LOCATION OF THE DIVERSION FROM THE MISSOURI RIVER SECTIONS 1, 6 & 12,
TOWNSHIP 99, RANGE 71, GREGORY COUNTY, SOUTH DAKOTA.



CERTIFICATE OF SURVEYOR

I, MUREL L. TRIMBLE, REGISTERED LAND SURVEYOR DO HEREBY CERTIFY THAT AT THE DIRECTION OF THE SOUTH DAKOTA DEPARTMENT OF GAME, FISH AND PARKS I HAVE PREPARED THE ABOVE PLAT AND THAT THE ABOVE PLAT SHOWS THE LOCATION OF THE DIVERSION POINT FROM THE MISSOURI RIVER. LOCATED AND OBTAINED FROM AIRIAL PHOTO. BY U.S.A.A.F. PROJECT 5M 339, MARCH-JUNE 1946.
IN WITNESS WHEREOF, I HAVE SET MY HAND AND SEAL THIS 25th DAY OF March, 1966 A.D.

Murel L. Trimble
SURVEYOR

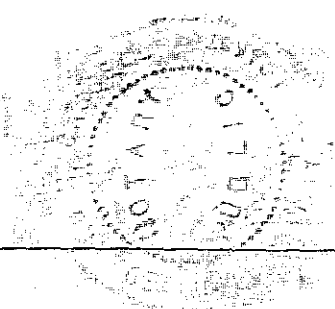
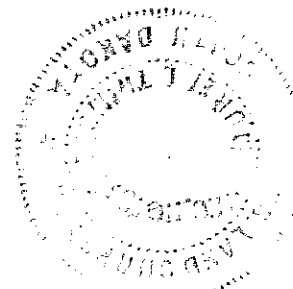
ACKNOWLEDGMENT

STATE OF SOUTH DAKOTA }
COUNTY OF Hughes } SS

BE IT REMEMBERED THAT ON THIS 25th DAY OF Mar, 1966, BEFORE ME, Edward M. Cuell THE UNDERSIGNED OFFICER, PERSONALLY APPEARED Murel Trimble KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME

MY COMMISSION EXPIRES Jan 18 - 1966

Edward M. Cuell
TITLE OF OFFICER



STATE OF SOUTH DAKOTA
County of Hughes ss.

Pierre, South Dakota, May 20, 1964

This is to certify that the foregoing application was received by the Commission at 1:30 o'clock
9 m. upon the 30th day of March, 1964

State Water Resources Commission

By:

Durston Jones
for Chief Engineer, Executive Officer

Number of permit B20-2

Date of first receipt of application March 30, 1964

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 March 30, 1964

Approved May 6, 1964, Recorded in Book 8 Page 221

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 November 6, 1966
- 2nd. The whole of said work is to be completed on or before May 6, 1969
- 3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is May 6, 1973
- 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 1.7 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 May 6, 1973; said water to be used during the following described annual period:

May thru September
20th day of May, 1964

State Water Resources Commission

By:

Cecil B. Jones

Chief Engineer, Executive Officer

Certificate of Construction issued July 24, 1972

Water License issued July 24, 1972

Permit No. 820-2

Water Diversion No. 2 ~~WHITE RIVER~~ Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That the Department of Game, Fish and Parks
_____ the holder _____ of
Permit No. 820-2, issued upon Application No. 820-2, bearing date of March 30, 1964
_____ authorizing the diversion of 1.7 cu. ft. per second of the waters of
the Missouri River _____ County of Gregory, State of South Dakota, ~~xxx~~
from SE Corner of Section 1, T99N, R71E, between points 2400' due North and
1320' North and 1200' West
_____ for irrigation

purposes, has 8 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 3.0 cu. ft. per second of water.

Date July 24, 1974

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 820-2

(1) WHEREAS, On the 30th day of March A. D. 19 64
the Department of Game, Fish and Parks

made Water Right Application No. 820-2 for a permit to use 1.7 cubic feet per second of the waters
of the Missouri River

County of Gregory, State of South Dakota, for irrigation

purposes; and
(2) WHEREAS, On the 20th day of May A. D. 19 64
Permit No. 820-2 with a date of priority of March 30, 1964

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 6th day of May A. D. 19 69 and for the
application to beneficial use of said water on or before the 6th day of May A. D. 19 73

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 1.7 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 described land:

Section 1, T99N, R71W	SE $\frac{1}{4}$ SE $\frac{1}{4}$	30 acres
Section 12, T99N, R71W	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40 acres
Section 6, T99N, R70W	SW $\frac{1}{4}$ SW $\frac{1}{4}$	32 acres
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	20 acres
Total		122 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 the Department of Game, Fish and Parks

_____ of Pierre, South Dakota
the holder _____ and owner _____ of said permit No. 820-2 a water right dating from March 30, 1964
_____ to use of 1.7 cubic feet per second of the waters
of the Missouri River

in the County of Gregory and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinafter mentioned, to be diverted from SE Corner of Section 1, T99N, R71W, between
points 2400' due North and 1320' North and 1300' West

and conduct to and upon portions of Section 1 and 12, T99N, R71W, and Section 6, T99N,
R 70W, more fully described on the face of this License

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 820-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 24th day of July A. D.
Nineteen Hundred and Seventy-two

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer J.W. GRINE S

APPROPRIATION OF WATER

Pierre, S. Dak., March 31, 1964

~~SECRET~~ ~~SECRET~~

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

By:

~~Chief Engineer, Executive Officer~~
~~XXXXXXXXXXXXXXXXXXXXXXXXXXXX~~
BURTON F. JONES
Water Right Specialist

BEST IMAGE POSSIBLE FROM POOR ORIGINAL

Form 11—Proof of Publication—Appropriation of Water.

No. _____

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA } ss.
County Gregory

Roseen Peppel being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the Bonesteel Enterprise 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 Bonesteel County of Gregory and State of South Dakota; that the said notice was published in said newspaper on the following dates:

April 2, 1964
" 9 "
" 16 "
" 23 "

In each and every issue of the full number thereof, the first publication being made on the 2nd day of April 1964 and the last publication on the 23rd day of April 1964, 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.

Roseen Peppel

Subscribed and sworn to before me this 1st day of May A. D. 1964

W. B. Hill

Notary Public Gregory County, S. D.

APPROPRIATION OF WATER

No. 820 - 2
Office of State Water Resources Commission, Pierre, S. D., March 31, 1964.

Notice is hereby given that the Department of Game, Fish and Parks, whose postoffice address is Pierre, 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 1.7 cubic feet of water per second of time from the Missouri River (Ft. Randall) through the Buryanah Diversion, the point of diversion of which is to be located on the right bank of said stream in the NE 1/4 of the SE 1/4 of Section 1 Twp. 24N, Range 71W. Said water to be used for the purpose of providing irrigation on portions of the following described land: W 1/2 SW 1/4, Section 6, T24N, R71W, NE 1/4 NE 1/4, Section 12, SE 1/4 SE 1/4, Section 2, T 24N, R71W.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 6th day of May, 1964, at 2:00 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 BURTON F. JONES
Water Right Specialist
AS-6-18-64

Permit No. 820-2Water Division 2 WHITE RIVER Water District

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

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

I have this day made a thorough examination of the water use system constructed by Game, Fish and Parks Department of Pierre, S.D. holder _____
of Permit No. 820-2, bearing date of priority of March 30, 1964
authorizing the diversion of 1.7 cu. ft. per second of the waters of the Missouri River
for irrigation purposes, in Gregory County.

I have to report on the condition of the same as follows: Irrigation equipment is used interchangeably for irrigation under Permit No. 962-2

The Water Use System consists of,

A. Works used to divert the water:

Stock dam capacity 50 acre feet, surface area 7 acres. Three centrifugal pumps, two 4 inch diameter and one 3 inch diameter. Three Chrysler industrial motors - propane - 318 cu.in. disp.

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

3000 feet of 6 and 8 inch aluminum main line

C. Works used to apply water to beneficial use.

1200 feet of 8 inch diameter gated pipe
3000 feet of 4 inch hand moved sprinkler pipe

The system is in the following condition: Good

The point of diversion is located From SE $\frac{1}{4}$ Corner of Section 1, T9N, R71W - between points (2400' due N.) and (1320' N. and 1300' W.)

The works are capable of diverting and conveying to the place of use 3
cu. ft. per second of water which is to be used for irrigation

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

SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 1, T9N, R71W	30 acres
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 12, T9N, R71W	40 acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6, T9N, R70W	32 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6, T9N, R70W	20 acres

comprising a total of 122 acres of land.

Date July 7, 1972

Donald Driscoll
(Signature)

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

**Department of
Water & Natural Resources**

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

February 8, 1989

DEPT OF GAME, FISH & PARKS
ANDERSON BLDG.
PIERRE, SD 57501

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). 820-2. 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, 1-90 at LaCrosse, Rapid City SD.

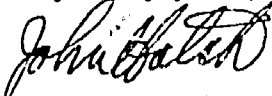
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s). 820-2 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 23, 1989

820-2

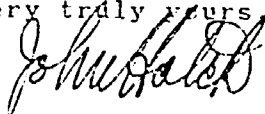
Ron Koth
Dept of Game, Fish & Parks
Anderson Building
Pierre, SD 57501

Dear Mr. Koth:

I am writing to acknowledge receipt of your 1988 irrigation questionnaire for Water Permit No. 820-2. 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

