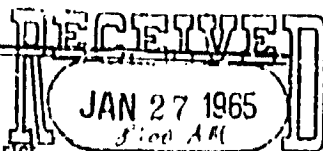


855-2

1. Considered 2-10, 1960
2. Name of Applicant WILLIAM J. ALBERT
3. Post Office Address DRAPER
4. Amount of water claimed 42.7 (42.7 Acres Feet Storage)
5. Source of water supply DON DRAY
6. Water to be used for IRRIGATION
Acres to be irrigated 42.7
7. Water to be diverted and used in JONES County about
4 1/2 miles 1 1/2 of DRAPER
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved _____
Subject to _____
Not Approved _____
Action deferred _____
10. Remarks:

No. 855-2Water Division No. 2 BAD RIVER
(Thanks to be Filled by the Engineer for the W. R. C.)District
STATE WATER RESOURCES COMM.
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 William J. Nielson Nielson
Postoffice address Draper _____, County Jones _____, State S. Dak. _____

I. Is a corporation None _____

(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)

Direct Labor

(b) Cash on hand, \$ 450.00 _____

(c) Treasury stock, \$ N.A. _____

(d) Bonds to be issued, \$ N.A. _____

(e) Other resources, \$ _____

2. Name of diversion work Nielson's Flood Irrigation Project _____

3. Amount of water claimed Not Applicable .61 cubic feet per second _____

4. Source of water supply Dr. Draw 560 acres drainage (flsh) _____

5. Location of point of diversion Not Diverted 1.782.0 feet south 72 degrees west of the NE corner of the SE 1/4, Sec. 31, T. 2 N. R. 30 E BHM Jonas County.
N.W. 1/4 _____

6. Annual period or periods during which water is to be used Runoff only _____

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Irrigation _____

(a) Number of acres to be irrigated 42.7 _____ acres.

NW 1/4, & SESE 1/4, SWSE 1/4, & SESW 1/4, Sec. 31, T. 2 N. R. 30 E., & NWNE 1/4 Sec. 6, T. 1 N.,
R. 30 E. (See map)

(b) Legal subdivisions to be irrigated _____
(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.) None _____

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

(a) Nature of use N.A. _____
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 Not Diverted _____

MAP 110 220

8. Estimated cost of work:

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

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

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

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

Rock, \$.....

(e) Other structures Detention Dike and Culvert \$ 450.00

Total, \$.....

9. Description of diversion works:

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

Detention Dike and culvert with headgate

II. Dimensions of works.

(a) Dam: Height 9.9 feet; length at bottom 80 feet; length at top 350 feet; thickness at bottom 60 feet; thickness at top 10 feet; slope at front water face 2 1/2 to 1; slope at back face 3 to 1; material used in construction Earth

(b) Reservoir: Capacity when filled 0.0 acre feet. Surface area at highwater mark 42.7 acres.

DEPTH AT OUTLET- FEET	SURFACE AREA AT EACH DEPTH AT OUTLET- ACRES	FEET	ACRE- FEET CAPACITY
	N.A.		
	See Remarks		

(c)* Head gate: Width 12 inches feet; height Material feet;

(d) Canal: Total length None miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At <u> </u> Mile	<u> </u> feet	<u> </u> feet	<u> </u> feet	<u> </u> feet
At <u> </u> Mile	<u> </u> feet	<u> </u> feet	<u> </u> feet	<u> </u> feet
At <u> </u> Mile	<u> </u> feet	<u> </u> feet	<u> </u> feet	<u> </u> feet
At <u> </u> Mile	<u> </u> feet	<u> </u> feet	<u> </u> feet	<u> </u> feet
At <u> </u> Mile	<u> </u> feet	<u> </u> feet	<u> </u> feet	<u> </u> feet
At <u> </u> Mile	<u> </u> feet	<u> </u> feet	<u> </u> feet	<u> </u> feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work Completed years.

11. Time required for complete application of water to the proposed beneficial use 1 1/2 years.

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

Murdo Coyote, Murdo, S. Dak.

STATE OF SOUTH DAKOTA

County of

ss.

I, William J. Murdo, 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.

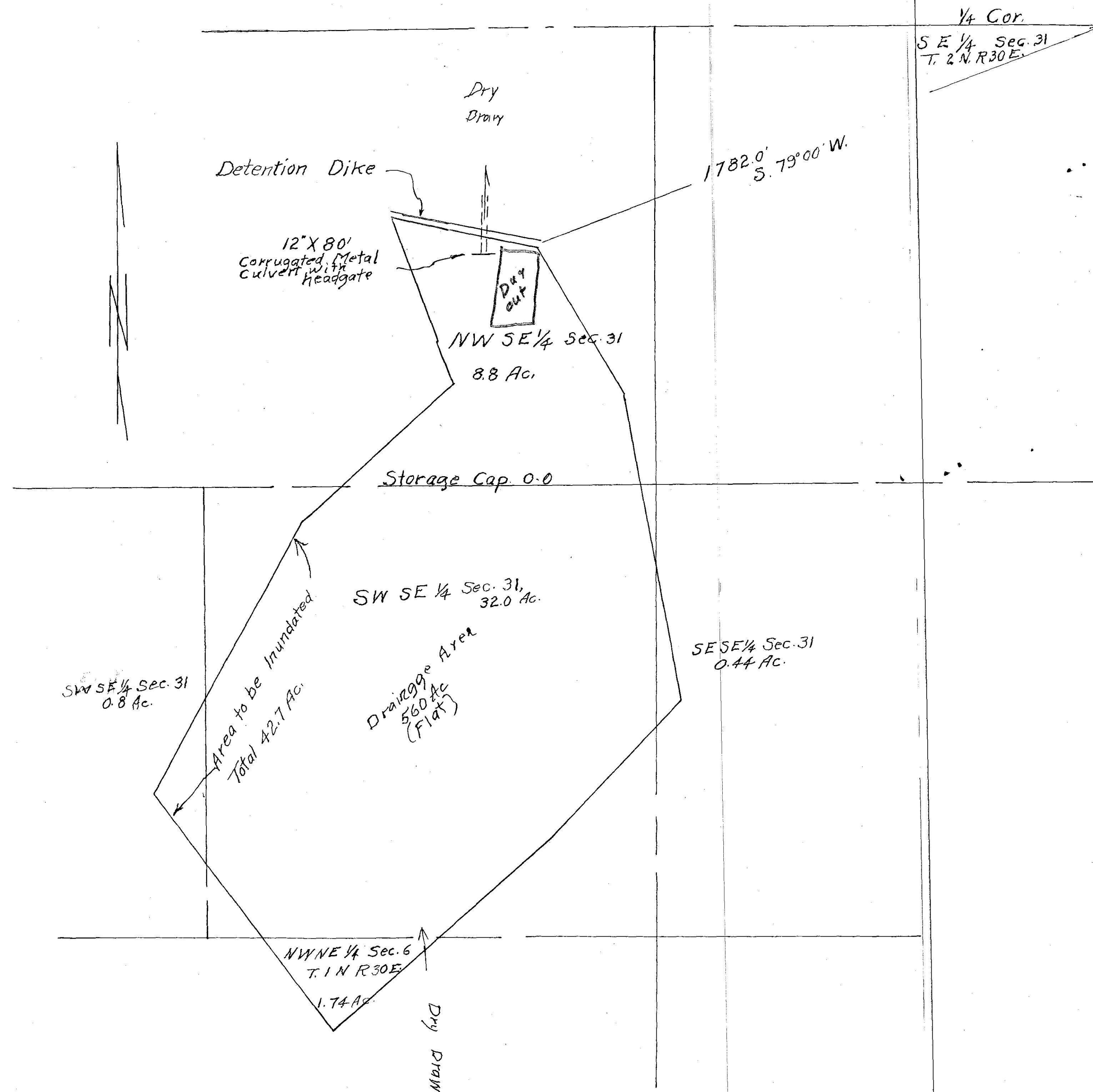
Signed William J. Murdo

Subscribed and sworn to before me this 21

day of June

1945

Notary Public (or other qualified officer.)



NIELSON'S FLOOD IRRIGATION PROJECT JONES COUNTY SOUTH DAKOTA Scale: 1" = 200'

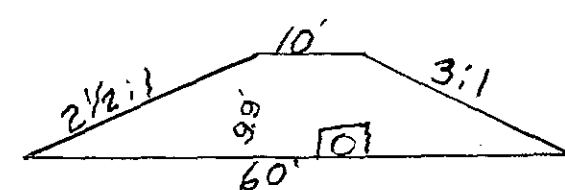
Surveyor's Certificate:

I, J.R. Richardson, Registered Professional Engineer and Land Surveyor No. 219 State of South Dakota do hereby certify I have surveyed and platted Nielson's Flood Irrigation Project and attached plat is true and correct. Witness my hand and seal this 26 day of January, 1965.

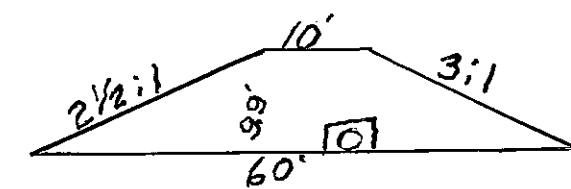
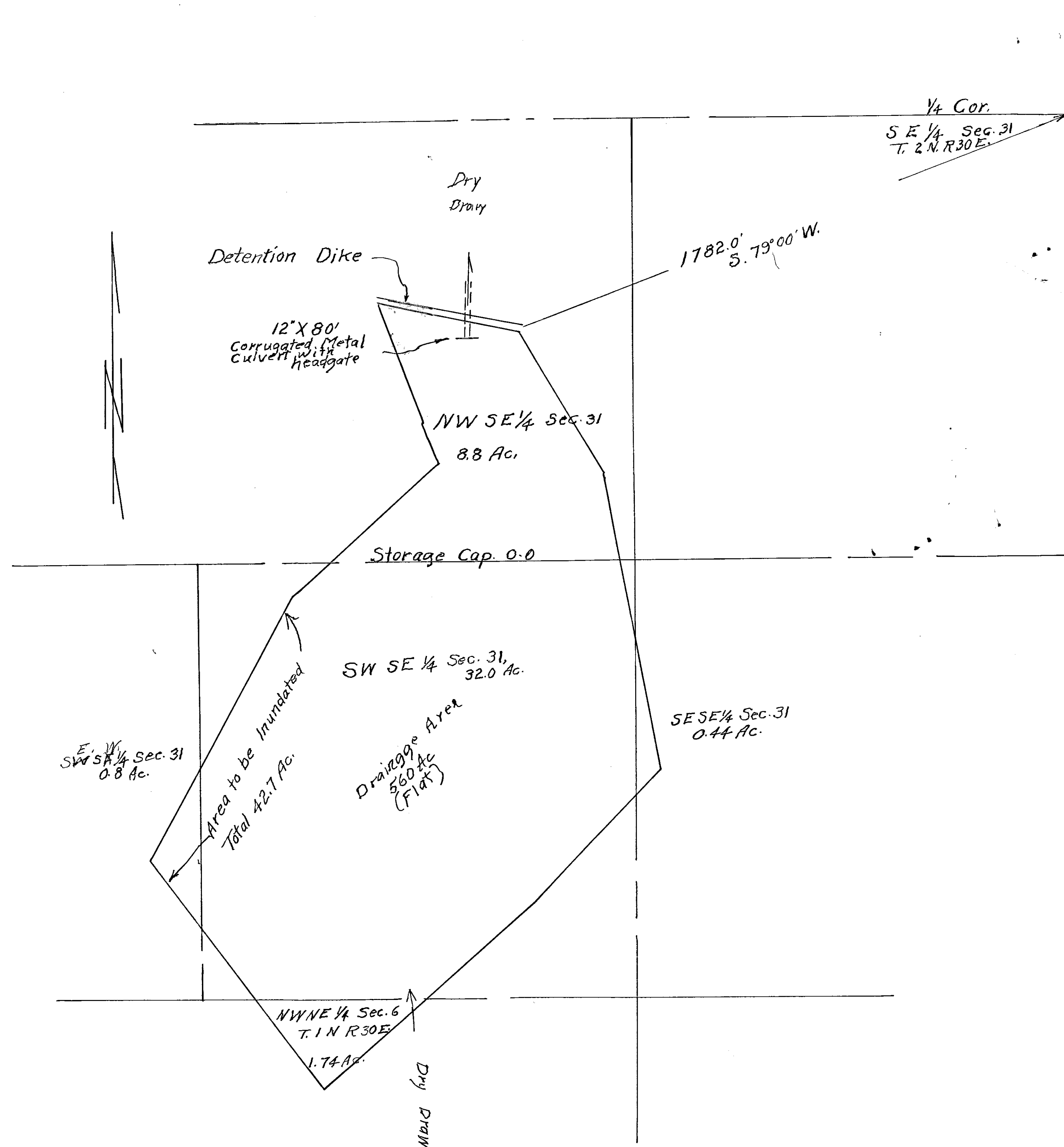
J.R. Richardson
Reg. Prof. Engr and Land Sur.

Subscribed and sworn to before me a Notary Public this 26 day of January, 1965.

James W. Barker
Notary Public - My Commission expires 1-26-68



Typical Section of Detention Dike



Typical Section of Detention Dike

NIELSON'S FLOOD IRRIGATION PROJECT JONES COUNTY SOUTH DAKOTA Scale: 1" = 200'

Surveyor's Certificate:

I, J.R. Richardson, Registered Professional Engineer and Land Surveyor No. 219 State of South Dakota do hereby certify I have surveyed and plotted Nielson's Flood Irrigation Project and attached plat is true and correct. Witness my hand and seal this 26 day of January, 1965.

J.R. Richardson
Reg. Prof. Engr and Land Sur.

Subscribed and sworn to before me a Notary Public this 26 day of January, 1965.

James W. Warden
Notary Public - My Commission expires 6-1-68

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, MARCH 12, 1965

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
8 a.m. upon the 27TH day of JANUARY, 1965

State Water Resources Commission

By: Justin Jones

for Chief Engineer, Executive Officer

Number of permit 855-2

Date of first receipt of application JANUARY 27, 1965

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 JANUARY 27, 1965

Approved MARCH 10, 1965, Recorded in Book 8 Page 311

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~~ _____

2nd. The whole of said work is ~~to be~~ completed ~~on or before~~ _____, 19____

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

MARCH 10, 1966
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 .61 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 10, 1965, said water to be used during the following described annual period:

DURING RUNOFF PERIODS
Witness my hand this 12TH day of MARCH, 1965

State Water Resources Commission

By: J. M. Jones

Chief Engineer, Executive Officer

Certificate of Construction issued SEPTEMBER 28, 1967

Water License issued SEPTEMBER 28, 1967

Remarks by the Applicant:

Water to be detained by Detention Dike when runoff occurs and held on inundated area a short time- then released through 12 inch culvert

on or before
(First Publication February 11 , 19 65.)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., January 28 , 19 65

Notice is hereby given that William C. Nielson whose postoffice address is Draper 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 .61 cubic feet of water per second of time from the a dry draw through the Nielson's Flood Irrigation Project, the point of diversion of which is to be located on the both banks of said stream in the NW 1/4 of the SE 1/4 of Section 31 portions of Twp. 2N Range 50E. Said water to be used for the purpose of providing irrigation on the following described land:

SW 1/4 SW 1/4, W 1/2 SE 1/4, SE 1/4 SE 1/4, Section 31, T2N, R30E; NW 1/4 NE 1/4 Section 6, T1N, R30E

and for purpose.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 10th day of March , 19 65 , 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

CC: Mr. M. H. Ingalls, Publisher
Murdo Coyote
Murdo, S. Dak.

By:
BURTON F. JONES
Water Right Specialist

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA

County Jones ss.M. H. Ingalls being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the

Murdo Coyote a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in theCity of Murdo County ofJones and State of South Dakota;

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

Feb. 11, 1965Feb. 18, 1965Feb. 25, 1965Mar. 4, 1965

in each and every issue of the full number thereof, the first

publication being made on the 11th day of Feb.1965 and the last publication on the 11th day ofMar. 1965, upon which days or times

of publication aforesaid the newspaper was regularly pub-

lished, and that during the whole time of said publication he

was the printer and publisher X of

the said newspaper.

APPROPRIATION OF WATER

Office of State Water Resources Commission,
Pierre, S. Dak., January 28, 1965

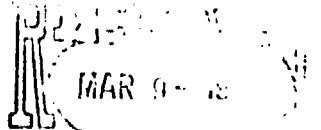
Notice is hereby given that William J. Nielson whose post-office address is Draper S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 3.7 acre feet of water annually from a dry draw through the Nielson Wildlife Refuge, the point of diversion of which is to be located on both banks of said stream in the NE 1/4 of the NW 1/4 of Section 31 Twp. 2N Range 30E. Said water to be stored in place for a wildlife refuge and public recreation.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 10th day of March, 1965, 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: BURTON F. JONES
Water Right Specialist
CC: Mr. M. H. Ingalls, Publisher
Murdo Coyote
Murdo, S. Dak.

Pub: Feb: 11, 18, 25 March

Subscribed and sworn to before me this 8th day of March A. D. 1965STATE WATER RESOURCES
PIERRE SOUTH DAKNotary Public JONES County, S. D.

Permit No. 655-2Water Division No. 2 BAD RIVER Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That William J. Nielsenof Draper, County of Jones, and State of South Dakota, the holder of Permit No. 655-2 issued upon ApplicationNo. 655-2 bearing date of priority of January 27, 1965, authorizing the diversion of .61 cu. ft. per second of the waters of a dry drawCounty of Jones, State of South Dakota, at a point 579° W. 1782 feet from the E $\frac{1}{2}$ corner, Section 31, T2N, R30Efor irrigationpurposes, has fully 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 .61 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

Section 31, T2N, R30E	SE $\frac{1}{4}$ SW $\frac{1}{4}$	0.30 acres
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	8.80 acres
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	32.00 acres
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	.44 acres
Section 6, T1N, R30E	NW $\frac{1}{4}$ NE $\frac{1}{4}$	1.74 acres

Total 43.78 acres
Witness my hand this 28th day of September A. D. 1965

State Water Resources Commission

By:

J.W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No. 855-2

WHEREAS, On the 27th day of January A. D. 1965
William J. Nielsen

of Draper County of Jones and State of
South Dakota duly made application (No. 855-2) to us for a permit to use .61
cubic feet per second of the waters of a dry draw
County of Jones, State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 12th day of March A. D. 1965
Permit No. 855-2 was issued to said applicant for the diversion of said water, and providing for the
completion of the works of diversion therein described on or before the 10th day of
March A. D. 1966 and for the application to beneficial use of said
water on or before the 10th day of March A. D. 1966
and,

WHEREAS, On the 7th day of September A. D. 1967
the holder of said permit duly made proof of the completion of adequate works for the diversion of
.61 cubic feet per second of said waters, as evidenced by our Certificate No. 855-2
dated September 28, 1967 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use .61 cubic feet per second of water, with date of
priority of January 27, 1965 and,

WHEREAS, On the 7th day of September A. D. 1967
proof was duly made of the application to beneficial use of .61 cubic feet per second of said water;
for irrigation of 43.78 acres in portions of Section 6,
T1N, R30 E and Section 21, T2N, R30E

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 William J. Nielsen
of Draper the holder and owner of said permit No. 855-2
a water right, dating from January 27, 1965 to the use of .61
cubic feet per second of the waters of a dry draw
In the County of Jones and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted at a point 175⁰ W. 1782 feet from
the N¹/₄ corner, Section 31, T2N, R30E
and conducted to and upon portions of Section 6, T1N, R30E and Section 31, T2N,
R30E. more specifically described in the Certificate of Completion of
Works
for the purpose of irrigation, subject to any limitations listed in the
Permit to appropriate water, and
subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the
State, and subject, also to the local or community customs, rules and regulations which have been or may be
adopted from time to time by a majority of the users from a common source of supply, canal or lateral from
which such water may be taken, when such rules and regulations have for their object the economical use of such
water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 28th day of September A. D. Nineteen
Hundred and Sixty-seven.

State Water Resources Commission

By:

T. W. SHIMMS
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. -----

Source of Supply -----

County -----

ft. ----- c. f. s. -----

Point of Diversion -----

Purpose of Use -----

Proposed -----

Order of Priority -----

Recorded -----

Book ----- of ----- Page -----

Permit No. 855-2Water Division No. 2 Bad River Water District**Certificate of Examination of Works****Report of Examining Engineer**

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated _____
 1965, I have this day made a thorough examination of the diversion works constructed by _____
William J. Nelson of Deer, Jones
 _____ County, South Dakota, holder of Permit No. 855-2, issued
 upon Application No. 855-2, bearing date of priority of Jan 27 1965, authorizing the
 diversion of 0.61 cu. ft. per second of the waters of a Dry Draw for irrigation
 purposes. I have to report on the condition of the same as follows:

The diversion works comprise: A Dam approx 400' long and 12'
high. Dam has a 12" controlled outlet. Irrigation
is accomplished by flooding above the dam.
Just upstream of Dam is stockwater dugout
which has approx 1 acre foot of storage.
 and the system is in the following condition: Good

The point of diversion is located NW 4 SE 4 Section 31, T2N, R30E
as shown on map.

The works are capable of diverting and conveying to the place of use 0.61 cu. ft. per second of water,
 which is to be used for irrigation

The legal sub-divisions to be irrigated are: portions of the NW 4 SE 4, SW 4 SE 4,
SE 4 SW 4, and SE 4 SE 4 Section 31, T2N, R30E.
NW 4 NE 4, Section 6, T1N, R30E

_____ comprising a total of 427 43.78 acres of land.
 The domestic use intended comprises stockwater

The utilization for power, mining, or other beneficial uses comprises: None

Witness my hand, this 24 day of September, A. D. 1965

—SEAL—

Richard F. Schryver
 Examining Engineer,
 Water Right Specialist.

Permit No. 855-2Water Division No. 2 Yell River Water District

MAR 2 1965

STATE WATER RESOURCES COMMISSION

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) Duaper, S. Dak(Date) March 18, 1965

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the _____ day of _____
 19____, at _____ County of _____ State of South Dakota,
 before _____ proof will be submitted of the application to beneficial use
 (Examining Engineer or Officer) _____
 of _____ cubic feet per second of the waters of _____
 _____ in accordance with the terms and conditions of Permit No. _____
 heretofore issued by the Water Resources Commission of South Dakota.

- The name and postoffice address of the person or corporation holding said permit are
William Nielsen, Duaper, South Dakota
- The use to which said water has been applied is Stock irrigation
- The amount applied to beneficial use is 6.1 cu. ft. per second
- The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated)
NW 1/4, SE 1/4, SE 1/4, SW 1/4, SW 1/4, Sec 31
T2N R30E
NW 1/4, NE 1/4, S6 T1N R30E
- The name of the canal or ditch or other works by which said water is conducted to such place of use is _____
- The right to take the water from such works is based upon permit No. 855-2
- The source of supply from which such water is diverted is Dry draw
- The date of priority which said user is prepared to establish is March 18, 1965

(Sign)

William Nielsen

Permit No. 855-2

MAR 2 1965

Water Division No. 2Red River Water District No. 1 S. D. J. R. C. M. M.

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) Draper, South Dakota(Date) March 14, 1965

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of not diverted cu. ft. per second of the waters of the state from through the for irrigation purposes

In accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is William J. Nielsen
2. The postoffice address of such person or the place of business of such corporation is Draper County of Dorris State of S. Dak.
3. The number of such permit is 855-2 and the date set for the completion of such work is completed
4. Said water to be used for flood irrigation purposes.
5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 42.7 cubic feet per second.
6. The amount of land for which said water is available is 42.7 acres, particularly described as follows: NW, SE $\frac{1}{4}$ + SE SE $\frac{1}{4}$, SW SE $\frac{1}{4}$, + SW SE $\frac{1}{4}$, Sec. 31 T. 2 N. R. 30 E
NW NE $\frac{1}{4}$ Sec. 6 T. 1 N. R. 30 E.

I hereby certify that the facts set forth in the above notice are true.

William J. Nielsen

(Signature of Owners)