

901-2

- 1. Considered May 17, 1967
- 2. Name of Applicant Ernest Ferguson
- 3. Post Office Address Kadoka
- 4. Amount of water claimed 0.57
- 5. Source of water supply Dry Draw
- 6. Water to be used for irrigation
Acres to be irrigated 41.3
- 7. Water to diverted and used in Texas County
about 4.5 miles 11 W of Kadoka.
- 8. Proof of Publication Received May 9
Not Received _____
- 9. Application Approved X
Subject to _____
Not Approved _____
Action deferred _____

10. Remarks:

No. 701-2

WHITE

Water Division No. 2Red River

District

FEB 20 1967

11:30 A.M.

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

STATE WATER RESOURCES COMMISSION

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 Irwin Ferguson
 Postoffice address Kadoka, County Jackson, State S. Dak.

- I. If a corporation _____
- (a) Name of same None
- (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 this 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) _____

(b) Cash on hand, \$ _____ (c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work Base Grade Diversion Ferguson #13. Amount of water claimed 0.59 cubic feet per second4. Source of water supply Dry draw Between E. point of NW 1/4 Sec. 27 and SE 1/4 Sec. 275. Location of point of diversion NW 1/4 SE 1/4 Sec. 27

_____ on _____ bank _____ County.

6. Annual period or periods during which water is to be used Whenever runoff occurs

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Waterspreading(a) Number of acres to be irrigated 41.3 acres.(b) Legal subdivisions to be irrigated SW NE, SE NE, NW SE, NE SE Sec. 27

(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, 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 # 785-2

8. Estimated cost of work:

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

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

(e) Other structures

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

\$.....

Earth Work \$905.00
Controls 510.00
Drains 480.00
(b) Pumping plant, \$.....

Rock, \$.....

Total, \$1,895.00

9. Description of diversion works:

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

Dikes

II. Dimensions of works. Base Grade Diversion

(a) Dam: Height.....feet; length at bottomfeet; length at top

.....feet; thickness at bottomfeet; thickness at top

feet; 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	FEET	ACRE-Feet CAPACITY
	N. A.		

(c)* Head gate: Width.....feet; height.....feet;

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 work³.....years.

11. Time required for complete application of water to the proposed beneficial use³.....years.

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

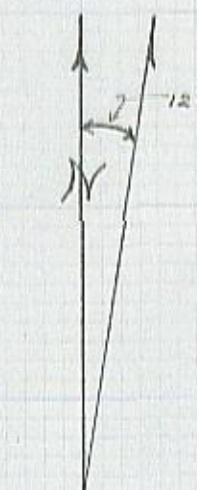
STATE OF SOUTH DAKOTA

County of Hughes } ss.

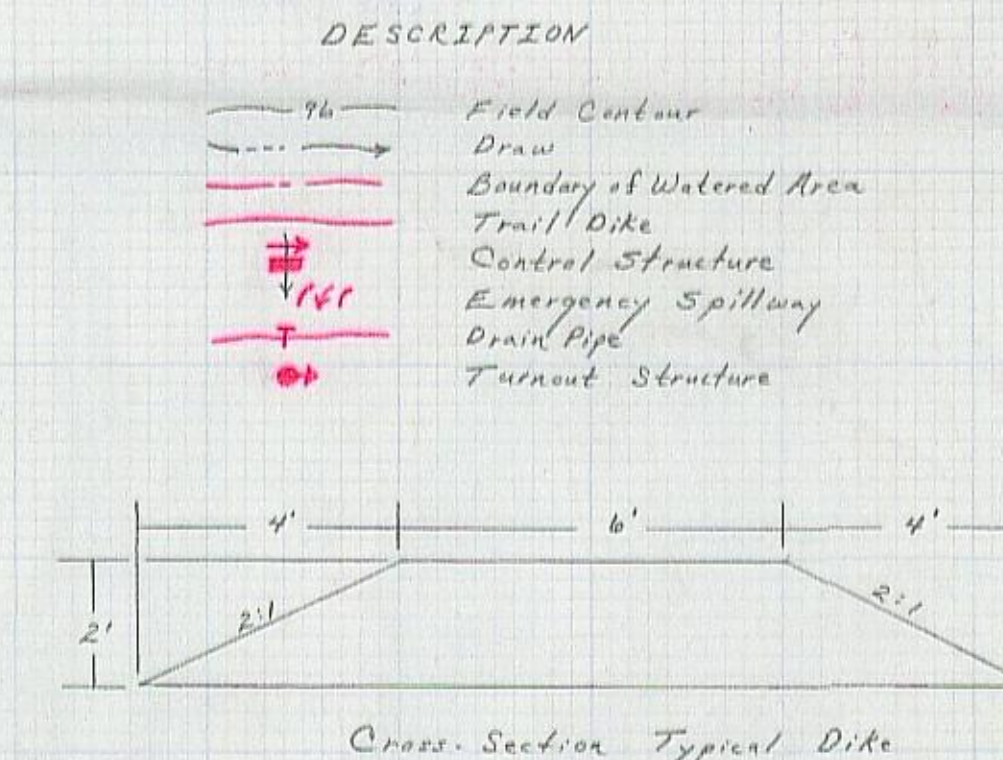
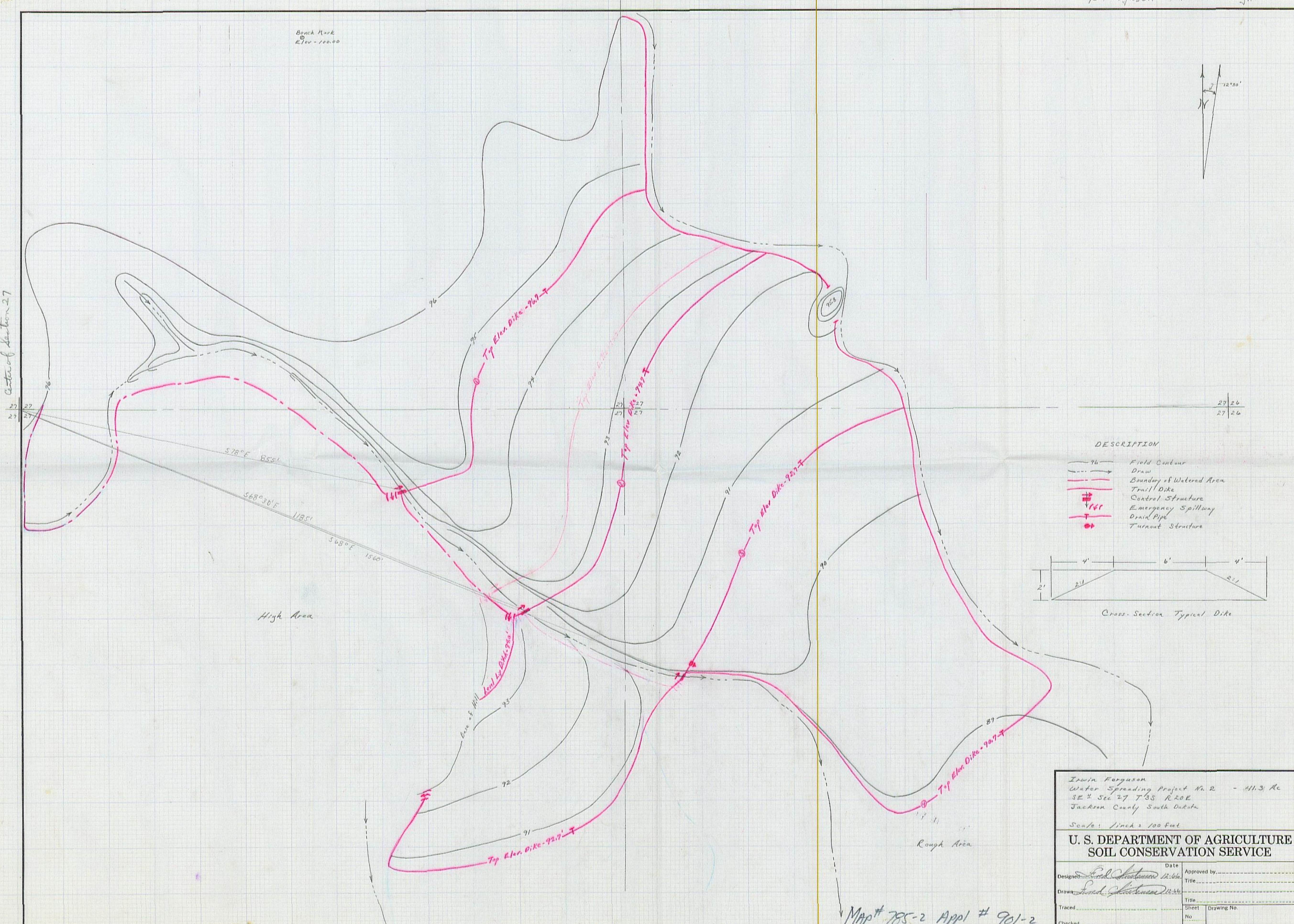
I, Irwin Ferguson, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed Irwin Ferguson on 20th day of Sept 1907
Subscribed and sworn to before me this 20th day of Sept 1907
Edwin M. Cecil
Notary Public (or other qualified officer.)

Bench Mark
Elev - 100.00



Center of Section 27



Irwin Ferguson
Water Spreading Project No. 2 - 111.3 Ac
SE 1/4 Sec 27 T8S R20E
Jackson County South Dakota

Scale: 1/4 inch = 100 feet

**U. S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE**

Designed by <u>Irwin Ferguson</u> Date <u>12-6-60</u>	Approved by _____
Drawn by <u>Irwin Ferguson</u> Date <u>12-6-60</u>	Title _____
Traced _____	Title _____
Checked _____	Sheet _____
	No. _____
	Drawing No. _____

Map # 785-2 Appl # 901-2

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, May 19, 1967

This is to certify that the foregoing application was received by the Commission at 11:30 o'clock A.m. upon the 20th day of February, 1967.

State Water Resources Commission

By: Richard D Schreyer
For Chief Engineer, Executive Officer

Number of permit 701-2

Date of first receipt of application February 20, 1967

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 20, 1967

Approved May 17, 1967, Recorded in Book 9 Page 260

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 17, 1968

2nd. The whole of said work is to be completed on or before May 17, 1970

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

May 17, 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 0.59 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 17, 1973; said water to be used during the following described annual period:

April 1st through November 1st

Witness my hand this 19th day of May, 1967.

State Water Resources Commission

By: Richard D Schreyer
Chief Engineer, Executive Officer

Certificate of Construction Issued NOVEMBER 2, 1971

Water License Issued NOVEMBER 2, 1971

on or before April 20, 1967
(First Publication)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., March 23, 1967

Notice is hereby given that Irwin Ferguson whose postoffice address is Kadoka 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 0.59 cubic feet of water per second of time from ~~xxx~~ a dry draw through the Ferguson #1 the point of diversion of which is to be located on ~~the~~ both banks of said stream/in the NE 1/4 of the SE 1/4 of Section 27 Twp. 38 Range 20E Said water to be used for the purpose of providing irrigation on the following described land:

8 1/2 NW 1/4 and N 1/4 SE 1/4 Section 27, T38, R20E

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of May, 1967, 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:

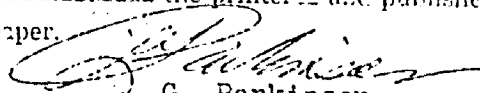
~~THOMAS H. HICKS, Chairman~~
RICHARD D. SCHMOYER
Water Right Specialist

CC: Mr. L. G. Parkinson, Publisher
Kadoka Press
Kadoka, S.D.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Jackson } ss.L. G. Parkinson being duly sworn, deposes and says the annexed printed copy of Notice

of Intention to Appropriate Water was taken from the _____

Kadoka Press 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 Kadoka, _____ County ofJackson and State of South Dakota: that the said notice was published in said newspaper on the following dates:March 20, 1967April 6, 1967April 13, 1967April 20, 1967in each and every issue of the full number thereof, the first publication being made on the 30th day of March1967 and the last publication on the 20th day ofApril, 1967, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication hewas publisher the printer and publisher of the said newspaper.
L. G. Parkinson

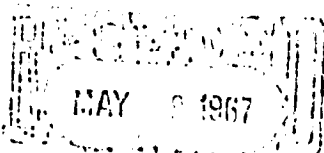
APPROPRIATION OF WATER

Office of State Water Resources Commission, Pierre, South Dakota, March 23, 1967

Notice is hereby given that Irwin Ferguson whose postoffice address is Kadoka, So. 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 0.59 cubic feet of water per second of time from a dry draw through the Ferguson No. 1 the point of diversion of which is to be located on both banks of said stream between a point in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and a point in the NE $\frac{1}{4}$ of the SE $\frac{1}{2}$ of Section 27 Twp. 3S Range 20E. Said water to be used for the purpose of providing irrigation on portions the following described land:S $\frac{1}{2}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 27, T3S, R20E

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 17th day of May, 1967, 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: Richard D. Schmoyer
Water Right Specialist
Pub. March 30. April 6-13-20Subscribed and sworn to before me this 20th day of April, A. D. 1967Alvina Parkinson
Notary Public Jackson County, S. D.

Permit No. 901-2Water Division 2 WHITE RIVER Water DistrictREPORT 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 IRWIN
FERGUSON of KAROKA holder
of Permit No. 901-2, bearing date of priority of FEBRUARY 20, 1967
authorizing the diversion of .59 cu. ft. per second of the waters of A DRY DRAW
for IRRIGATION purposes, in JACKSON 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 DIVERSION DAMS APPROX 8' HIGH
WITH 16" CMP OUTLETS - GATED

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

5 CONTOUR DIKES WITH 2 12" CMP
DRAINS

C. Works used to apply water to beneficial use.

SMALL SPREADER DIKES

The system is in the following condition: GOOD

The point of diversion is located BETWEEN POINTS S78°E, 855' AND
S68°30'E, 1185' FROM THE CENTER, SECTION 27, T3S, R20E

The works are capable of diverting and conveying to the place of use UP TO 10 CFS.cu. ft. per second of water which is to be used for IRRIGATION

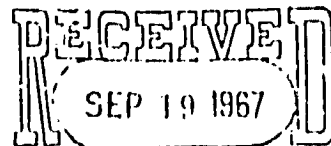
Water has been put to beneficial use to the maximum extent as follows:

PORTIONS OF THE S²NE⁴ AND N²SE⁴, SECTION 27,
T3S, R20E

comprising a total of 41.3 acres of land.

Date JUNE 23, 1971
Dustin Zinner
(Signature)
WATER RIGHT SPECIALIST
WATER RESOURCES COMMISSION

Permit No.


 Water Division No. Water District STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

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.)

Madison, S.D.

(Date)

9/18/67

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 0.59 cubic feet per second of the waters of dry draw..... in accordance with the terms and conditions of Permit No. 901-2

heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are

Ervin Ferguson, Madison, S.D.

2. The use to which said water has been applied is

water spreading

3. The amount applied to beneficial use is

4. The place where said water is used is (If for irrigation, give full and accurate description of the lands irrigated)

S4 NE, S5 NE, NWSE, NESE, Sec 27, T3S, R20E

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is

6. The right to take the water from such works is based upon permit No.

901-2

7. The source of supply from which such water is diverted is

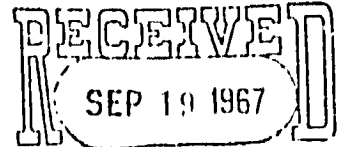
dry draw

8. The date of priority which said user is prepared to establish is

9/18/67

(Sign)

Ervin Ferguson

Permit No. 901-2Water Division No. 22

Water District

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

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.) Radoka, S.D.(Date) 9/18/67

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 _____
0.57 _____ cu. ft. per second of the waters of the state from _____
through the _____
for water spreading _____ purposes
_____ In accordance with the terms and con-
ditions 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 Bruce Ferguson
2. The postoffice address of such person or the place of business of such corporation is Radoka
County of Jackson State of South Dakota
3. The number of such permit is 901-2 and the date set for the completion of such work is _____
4. Said water to be used for water spreading _____ 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 0.59 _____ cubic feet per second.

6. The amount of land for which said water is available is 41.3 _____ acres,
particularly described as follows: SW NE, SE NE, NW SE, NE SE, Sec 27, T35, R20E

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

(Signature of Owners)

WATER LICENSE NO. 901-2

(1) WHEREAS, On the 20th day of February A. D. 1967

Irvin Ferguson

made Water Right Application No. 901-2 for a permit to use .59 cubic feet per second of the water of a dry draw

County of Jackson, State of South Dakota, for Irrigation

purpose and

(2) WHEREAS, On the 19th day of May A. D. 1967

Permit No. 901-2 with a date of priority of February 20, 1967

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 17th day of May A. D. 1970 and for the application to beneficial use of said water on or before the 17th day of May A. D. 1972

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 .59 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 41.3 acres in the S½ NE¼ and N½ SE¼, Section 27, T3S, R20E

(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 Irvin Ferguson

_____ of Kadoka, South Dakota
the holder _____ and owner _____ of said permit No. 901-2 a water right, dating from February 20, 1967
_____ to use of .59 cubic feet per second of the waters
of a dry draw

is the County of Jackson and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted ~~at~~ between points South 73° East, 875 feet and South
68° 30' East, 1185 feet from the center of Section 27, T3S, R20E

and conduct to and upon portions of the S₁ 1/2 and R₁ 1/2, Section 27, T3S, R20E

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 901-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 2nd day of November A. D.

Nineteen Hundred and Seventy-one

WATER RESOURCE COMMISSION

By:

Chief Engineer, Executive Officer, C.W. CREMES