

No. 32-3

Office of State Engineer
DOCUMENT FILE

City of Ashland

Spencer Co.

Little Creek

Municipal Park Pump House

Page 474-475, Bk 2

NO. **23-3**Water Division No. _____
(Blanks to be filled by the State Engineer.)

District
RECEIVED
MAR 6 1940
1:00 P.M.
OFFICE OF STATE ENGINEER
PIERRE, S. DAK.

APPLICATION FOR A PERMIT To Appropriate Water Within the State of South Dakota

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

1. Name of applicant City of Redfield
Postoffice address Redfield, County Spink, State So. Dakota

- 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 the 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 works Municipal Park Pump house
3. Quantity of water claimed 42 cubic feet per second.
4. Source of water supply Turtle Creek
5. Location of point of diversion 1270 feet South 87 degrees 45 minutes East of N.W. corner of section 10-116-64 on right bank.
(Right or left bank looking down stream.)
6. Annual periods during which water is to be used April 1st to November 1st
7. To be used for:

I. Irrigation or domestic use:

- (a) Number of acres to be irrigated 47 acres
SW 1/4 of section 3-116-64 - 40 Ac.
North 360 feet of NW 1/4 of sec. 10-116-64 - 7 Ac.
- (b) Legal subdivisions to be irrigated.....
- (c) Statement as to domestic use (giving location, etc.)

(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.)

II. Mining, power, manufacturing, transportation, or other purposes:

- (a) Nature of use.....
- (b) Amount of power to be generated.....horse power.
- (c) Location of plant.....
- (d) Method of developing power.....
- (e) Point where water will be returned to stream.....

8. Estimated cost of works:

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

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

(c) Fluming, \$..... (d) Canal-earth, \$..... Rock, \$.....

(e) Other structures..... \$..... Total, \$.....

9. Description of diversion works:

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

*Reservoir and overflow dam, one pump 55 G.P.M.
see plans.*

II. Dimensions of works:

(a) Dam: Height *7* feet; length at bottom *100* feet; length at top *100* feet; thickness at bottom *45* feet; thickness at top *10* feet; slope of front (water) face *3 to 1*; slope of back face *2 to 1*; material used in construction *earth and stone*(b) Reservoir; Capacity when filled *30.0* acre feet. Surface area at highwater mark *9.7* acres.

DEPTH AT OUTLET—FEET	SURFACE AREA AT EACH DEPTH AT OUTLET—ACRES	FEET OF	CAPACITY ACRE-FEET

(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
AtMile	feet	feet	feet	feet
AtMile	feet	feet	feet	feet
AtMile	feet	feet	feet	feet
AtMile	feet	feet	feet	feet
AtMile	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 *9* years.

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

Redfield Press

STATE OF SOUTH DAKOTA,

County of *Hughes* } ss.I *P. H. Harrison*, being first duly swornon my oath depose and say: That my relation to the above described undertaking is that of *City Auditor*....., that I have read the above and
(owner, manager, engineer.)

foregoing statement, and 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 *P. H. Harrison*Subscribed and sworn to before me this *6th* day of *December*, 19.....*N. B. Savage*
Notary Public (or other qualified officer.)

STATE OF SOUTH DAKOTA,

County of Hughes

ss.

Pierre, South Dakota, April 26, 1940

This is to certify that the foregoing application was received at this office at 1:00 o'clock P. m. upon the 6th day of March 1940 and that after examination it was found to conform to the Water Laws of South Dakota and a "Notice of Intention" was advertised as required by law and the matter was taken up by the State Engineer at his office at Pierre on April 19, 1940 and no objection to the appropriation was received or made.

Dean W. Loucks, State Engineer.

Number of permit 23-3

Date of first receipt of application 1:00 P. M., March 6, 1940

Date of return to applicant for correction 19

Date of receipt of corrected application 19

Date from which applicant may claim right 1:00 P. M., March 6, 1940

Approved April 26, 1940, Recorded in Book 2 Page

This is to certify that I have examined the foregoing application for a permit to appropriate water of the state of South Dakota, and I 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 Oct. 26, 1942

2nd. The whole of said work is to be completed on or before April 26, 1945

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is April 26, 1949.

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 0.42 cubic feet of water per second of time; 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 April 26, 1949; said water to be used during the following described annual periods:

April 1st to November 1st.

Witness my hand this 26th day of April 1940

License Issued
2-4-49

Dean W. Loucks, State Engineer.

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 23-3

WHEREAS, On the 6th day of March A. D. 1940
the CITY OF REDFIELD
of Redfield County of Spink and State of
South Dakota duly made application (No. 23-3) to me for a permit to use 0.42
cubic feet per second of the waters of Turtle River
County of Spink State of South Dakota, for irrigation
purposes; and

WHEREAS, On the 26th day of April A. D. 1940
Permit No. 23-3 was issued to said applicant for the diversion of said water, and providing for the com-
pletion of the works of diversion therein described on or before the 26th day of
April A. D. 1941 and for the application to beneficial use of said
water on or before the 26th day of April A. D. 1949
and,

WHEREAS, On the 1st day of February A. D. 1949
the holder of said permit duly made proof of the completion of adequate works for the diversion of
0.42 cubic feet per second of said waters, as evidenced by my Certificate No. 3
dated February 4, 1949 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 0.42 cubic feet per second of water,
with date of priority of March 6, 1940 and,

WHEREAS, On the 1st day of February A. D. 1949
proof was duly made of the application to beneficial use of 0.42 cubic feet per second of
said water;

NOW, THEREFORE, By virtue of the authority vested in me by the laws of the State of South Dakota, I hereby grant and confirm to City of Redfield of Redfield the holder and owner of said permit No. 23-3 a water right, dating from March 6, 1940 to the use of 0.42 cubic feet per second of the waters of Turtle River in the County of Spink and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 1270 feet S. 87° - 45' E. of the N.W. Corner of Sec. 10-116-64, and conducted to and upon the SW 1/4 Sec. 3-116-64 and the N. 360 feet of the NW 1/4 of Sec. 10-116-64

for the purpose of irrigation

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 the seal of my office at Pierre, South Dakota, this 4th day of February A. D. Nineteen Hundred and Forty-nine

DEAN W. LOUCKS, State Engineer.

STATE OF SOUTH DAKOTA

Water License No. 23-3

To CITY OF REDFIELD

Source of Supply Turtle River

Spink County

Amount 0.42 Sec. Feet

Point of Diversion 1270' S. 87°-45' E
of N.W. Corner, Sec. 10-116-64

Place of Use SW 1/4 Sec. 3-116-64

N 360' NW 1/4 Sec. 10-116-64

Purpose Irrigation

Date of Priority March 6, 1940

Recorded April 26, 1940

in Book 2 of Water Rights Page 474-475

Permit No. 23-3Water Division No. 3 James River Water District

Certificate of Construction of Works.

No. 3

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That the CITY OF REDFIELD

of Redfield County of Spink and State of
South Dakota the holder of Permit No. 23-3 issued upon Application
 No. 23-3 bearing date of priority of March 6, 1940 authorizing the diversion of
0.42 second-feet of the waters of Turtle River

County of Spink State of South Dakota, at a point 1270 feet

S. 87° - 45' E. of N.W. Corner of Sec. 10 Twp. 116N, Range 64 W

for irrigation
 purposes, 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 adequate for divert-
 ing and conveying to the place of intended use 0.42

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

S.W. 1/4 N.W. 1/4 of Section 3 Twp. 116 N. Range 64W - 40 Ac. North 360 feet of

NW 1/4 NW 1/4 of Sec. 10, Twp. 116 N, Range 64W - 7 Ac.

Witness my hand this 14th day of February A. D. 1949

DEAN W. LOUCYS, State Engineer of South Dakota.

Location No.

Water Division No. 23-

3

Water District.

Proof of Application of Water to Beneficial Use

Petition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. O.G. Hopkins, Mayor, Redfield, South Dakota

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans. City of Redfield, Redfield, South Dakota.

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans. March 6, 1940 - April 26, 1940

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Turtle Creek. 1370 feet South 87°45' east of the Northwest corner of section 10-116-64

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. Pump house located on bank of Turtle Creek pumping out of creek into a system of pipes to City Park. Work completed 1942.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. Water is used for watering purposes in the City park. There are 30 acres so watered located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ section 3-116-64 lying west of Turtle Creek.

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans.

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 0.42 Cubic feet per second.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Water is used during summer and fall months as needed.

(Sign) *O. P. Stephens*

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me at my office in Redfield, County of Spink, State of South Dakota, on this 12 day of February, A. D. 1949.

Witnesses.

W. H. Blaine
City Auditor

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

Location No.

Purpose of Application of Water to
Beneficial Use

PETITION OF HOLDER

Amount of water second feet

Source

County

Purpose

Place of use

Date of recording

Received and filed

Permit No. 23-3

Water Division No.

Water District:

Certificate of Examination of Works

Report of Examining Engineer

To the State Engineer, Pierre, South Dakota:

Dear Sir: I hereby certify that in accordance with your letter of authorization dated Dec. 3, 1948, I have this day made a thorough examination of the diversion works constructed by City of Redfield Spink County, South Dakota, holder of permit No. 23-3 issued upon application No. 23-3, bearing date of priority of March 6, 1940, authorizing the diversion of 0.42 second feet of the waters of Turtle Creek for irrigation purposes. I have to report on the condition of the same as follows:

The diversion works comprise: Pump house housing one Myers piston pump size 5"x5" discharge 2 1/2" capacity 55 G.P.M. 400 feet of 1 1/2" galv. pipe; 1100 feet of 1" galv. pipe and 1100 feet of 3/4" galv. pipe.

and the system is in the following condition: very good

The point of diversion is located 1270 feet South 87 degrees 45' East of N.W. corner Section 10-116-64

The works are capable of diverting and conveying to the place of use second-feet of water, which is to be used for irrigation in city park

The legal sub-divisions to be irrigated are: All of the SW 1/4 SW 1/4 of Section 3-116-64 lying west of Turtle Creek

comprising a total of 30 acres of land.

The domestic use intended comprises

The utilization for power, mining, or other beneficial uses comprises:

Witness my hand, this 12th day of February, 1949

February 12, 1949
 Examining Engineer.

SOUTH DAKOTA Department of
Water & Natural Resources

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

December 18, 1987

Curtis E. Kludt
City of Redfield
626 N. Main Street
Redfield, South Dakota 57469

Dear Mr. Kludt:

The intent of my letter was not for you to provide fake data on the Irrigation Questionnaire for Water Right No. 23-3 and Water Permit No. 20-3. As stated in the previous letters the questionnaire is an annual requirement by qualification or Water Management Board rules. I am sure that the City of Redfield realizes this since in previous years the questionnaires have been completed as required.

Since data is not available, the questionnaires will be filed as such. You will need to record the necessary data in future years, so that the questionnaires can be completed. Irrigation Water Permits or Water Rights that do not meet Board rules or permit qualifications are presented to the Water Management Board for action. The Board can amend a permit or suspend it for one year for not properly submitting the questionnaire.

If I can answer any questions, please contact me.

Sincerely,

Delvin D. Brosz, P.E.
Hydrologist

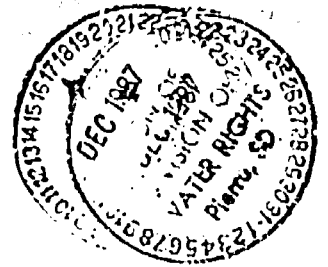
City of Redfield
CITY HALL

626 N. Main Street

Redfield, South Dakota 57469

Telephone 472-0660

December 16, 1987



Mr. Delvin Brosz
Hydrologist
South Dakota Department of Water & Natural Resources
523 East Capitol
Pierre, SD 57501-3181

Re: Irrigation Questionnaire

Dear Mr. Brosz:

In response to your letter of December 14th, please be advised I do not provide fake data for anybody. When I list "no data available" that is precisely what the situation is in our files.

If you have some magic numbers please use them as anything I could provide would have no factual basis.

Respectfully submitted,

CITY OF REDFIELD

Curtis E. Kludt
Curtis E. Kludt
Municipal Finance Officer

CEK/jlg

20-3
23-9

WATER RIGHTS DIVISION
(605) 773-3352

December 14, 1987

City of Redfield
626 Main Street
Redfield, South Dakota 57469

Dear Sirs:

I am returning your 1987 Irrigation Water Use Questionnaire. The Division of Water Rights needs to determine how much water you used during the 1987 irrigation season.

As stated in the October 8th letter, Water Management Board rules or water permit qualifications require questionnaires to be submitted each year. The questionnaires need to be completed in such a way that actual water use can be determined for a particular crop and acreage. Stating that no data is available is not acceptable.

The questionnaires will have to be completed and returned by December 31, 1987.

If you have any questions, please contact me.

Sincerely,

Delvin D. Brosz, P.E.
Hydrologist

DDB:ms
Enc.

Scale $1'' = 100\text{ft.}$

Signed this 5th day of March 1940

Arthur L. Kames
Reg. Prof. Engr. & Surveyor.

15-3
WR #23-3

SURVEY BY
ARTHUR S. MANNESS
Consulting Engineer
Aberdeen, S.D.