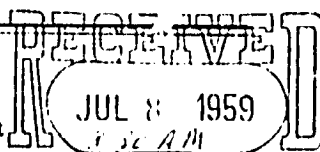


1. Considered Grand 10, 19 59 Appl. No. 644-3
2. Name of Applicant David and Eva Silberman
3. Post Office Address R.D. #2 Brookings, S.D.
4. Amount of water claimed 2.1 cfs
5. Source of water supply Ground water
6. Water to be used for Irrigation
Acres to be irrigated 1149.3
7. Water to be diverted and used in Brookings County about
5 miles southeast of Brookings
in mostly sand
8. Proof of Publication Received ☒
Not Received ☐
9. Application Approved ☐
Subject to ☐
Not approved ☐
Action deferred ☐
10. Remarks:

No. 644-3
 Water Division No. 3 Big Sioux River District
 (Blanks to be filled by the Engineer for the W. R. C.)



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 David and Eva Gilkerson
 Postoffice address RR #2, Box 37
Rt 2-2 Brookings, County Brookings, State South 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 work (Whether by contract, employment of others, or by direct labor)
Contract and direct labor adequate to accomplish work
 (b) Cash on hand, \$ 2 (c) Treasury stock, \$ -----
 (d) Bonds to be issued, \$ ----- (e) Other resources, \$ -----

2. Name of diversion work Gilkerson No. 1
 3. Amount of water claimed 2.1 cubic feet per second
 4. Source of water supply Well
 5. Location of point of diversion 1500' S 41° E from NW corner Sec 30 T 110 N R 49 W
 ----- on ----- bank Brookings County.
 6. Annual period or periods during which water is to be used April 1st through October 30th
 7. To be used for:

1. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Sprinkler
 (a) Number of acres to be irrigated 149.2 acres.

(b) Legal subdivisions to be irrigated W1/2, NW1/2, Sec. 29 and E1/2, NE1/2, Sec. 30, T. 110 N. R. 49 W
 (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 None
 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 -----

No. 490-3
Map

8. Estimated cost of work:

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

Sprinkler equipment and
(b) Pumping plant, \$..... 8000

(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.)

.....Pumping plant.....

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 CAPACITY

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

Material.....

(d) Canal: Total length.....miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	CU YDS 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.....Brookings Register.....

.....Brookings, South Dakota.....

STATE OF SOUTH DAKOTA

County of.....

I, David C. Johnson, of Brookings, 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.....

1957

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Form 2A — Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(c) Hole and casing

Size of drill hole or excavation 30', Depth 24'
Type of casing STEEL
(wood, concrete, steel, etc.)
Size of casing 18", Thickness of casing 1/4" Gal.
Length of casing 24' If collection gallery, length, size and depth of
gallery

(b) Screens

Type of perforated screen Dempster
Size of perforated screen 18" (diameter), 12' (length)
Thickness of gravel pack 6", length of gravel pack 24'

(c) Water Bearing Materials

Distance to water 7' Character of water bearing materials
Pea-size and larger gravel

Thickness of water bearing material 17'

(d) Pump and Motor

Type of pump Turbine
(centrifugal, propeller, mixed flow, etc.)
Name of pump Western, size 6'
Kind of motor Electric
(gasoline, electric, diesel, etc.)
Horsepower 40, Name of Motor 115

(e) Complete well

Capacity 500 g.p. at drawdown of 18' Estimated cost \$300.

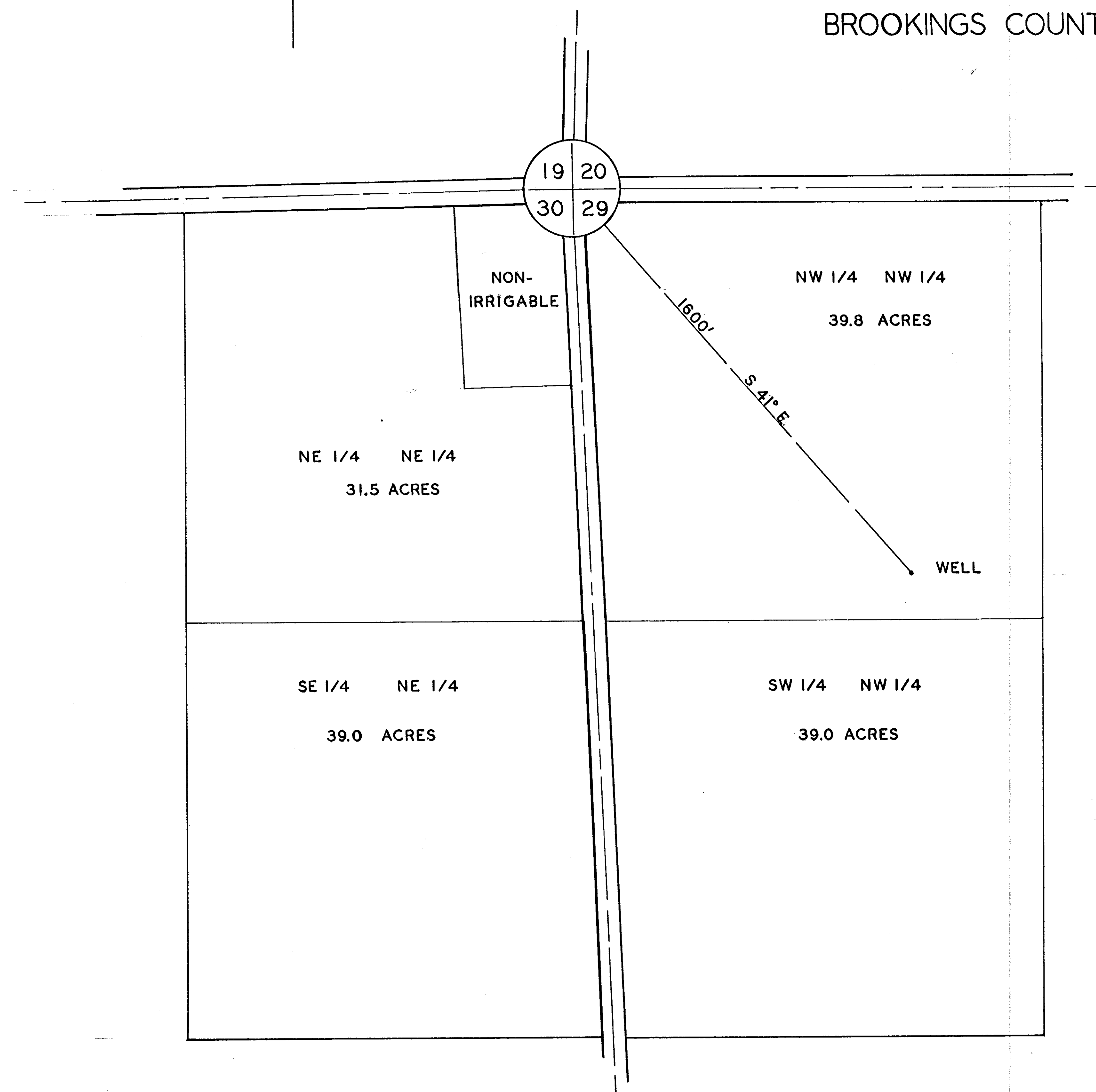
(f) Owner of land upon which well is located David & Co. Walker
Name
RFD 2, Brookings, S. Dak
Address

(g) Distance to nearest existing wells

On same owner's property 40 rods. On property owned by others 120 rods



GILKERSON IRRIGATION PROJECT NO. 1
BROOKINGS COUNTY, SOUTH DAKOTA



AREAS TO BE IRRIGATED		
(ALL IN T 110 N R 49 W)		
DAVID & EVA GILKERSON OWNERS		
AREA	SEC.	ACRES
NW 1/4 NW 1/4	29	39.8
SW 1/4 NW 1/4	29	39.0
NE 1/4 NE 1/4	30	31.5
SE 1/4 NE 1/4	30	39.0
TOTAL		149.3

NOTE: ALL IRRIGABLE LAND TO BE SPRINKLER
IRRIGATED WITH PORTABLE MAINLINE.

SCALE 1"=200'

Certified correct: Martin M. Fogel
Martin M. Fogel
Extension Irrigation Specialist
South Dakota State College
Brookings, South Dakota

Subscribed and sworn to before me
this 6th day of July, 1959
General Cress
Notary Public

Map No. 490-3 (Appl. No. 644-3)

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA

County of

Hughes

ss.

Pierre, South Dakota,

July 11, 1959

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock a.m. upon the 8 day of July, 1959.

State Water Resources Commission

By:

Jeff M. Jensen

Chief Engineer, Executive Officer

Number of permit 644-3

Date of first receipt of application

July 8, 1959

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

Date of receipt of corrected application

Date from which applicant may claim right

July 8, 1959

Approved

August 11, 1959, Recorded in Book 5 Page 202

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

February 11, 1962

2nd. The whole of said work is to be completed on or before

August 11, 1964

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

August 11, 1968

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 2.1 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 August 11, 1968; said water to be used during the following described annual period:

April to October inclusive

Witness my hand this

9 day of September, 1959

State Water Resources Commission

By:

Jeff M. Jensen

Chief Engineer, Executive Officer

Certificate of Construction issued

SEPTEMBER 26, 1969

Water License issued

SEPTEMBER 26, 1969

Permit No. 644-3

Water Diversion No. 3 BIG SIOUX RIVER Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That David and Eva Gilkerson

Permit No. 644-3, issued upon Application No. 644-3, bearing date of priority of July 8, 1959
authorizing the diversion of _____ cu. ft. per second of the waters of _____
ground water _____ County of Brookings, State of South Dakota at _____
a point 1600 feet S. 41° E. from the NW Corner, Section 30, T110N, R49W _____

_____ , for _____ Irrigation

purposes, he 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, .50 cu. ft. per second of water.

Date September 26, 1960

WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 644-3

(1) WHEREAS, On the 8th day of July A. D. 19 59
David and Eva Gilkerson

made Water Right Application No. 644-3 for a permit to use 2.1 cubic feet per second of the waters of ground water

County of Brookings, State of South Dakota, for irrigation purposes; and

(2) WHEREAS, On the 9th day of September A. D. 19 59
Permit No. 644-3, with a date of priority of July 8, 1969

was issued to said applicant 8 for the diversion of said water and provided for the completion of construction of the water supply system therein described on or before the 11th day of August A. D. 19 64 and for the application to beneficial use of said water on or before the 11th day of August A. D. 19 68

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 .50 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,

to irrigate the following described land in T110N, R49W

Section 29	NW $\frac{1}{4}$ NW $\frac{1}{4}$	39.8 acres
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	39.0 acres
Section 30	NE $\frac{1}{4}$ NE $\frac{1}{4}$	31.5 acres
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	39.0 acres
Total		149.3 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 David and Eva Gilkerson

_____ of Brookings

the holder and owner of said permit No. 644-3 a water right, dating from July 8, 1959

_____ to use of .50 cubic feet per second of the waters of ground water

in the County of Brookings and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point 1600' S. 41° E. from the NW Corner, Section 30, T110N, R49W

and conduct to and upon W½ NW¼, Section 29 and E½ NE¼, Section 30, T110N, R49W

for the purpose of irrigation

Subject to any limitations listed in Water Right Permit No. 644-3 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 26th day of September A. D.
Nineteen Hundred and Sixty-nine

WATER RESOURCES COMMISSION

By:

Chief Engineer, Executive Officer, J.W. GRIMES

(First Publication before July 17, 1959)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., July 11, 1959

Notice is hereby given that David and Eva Gilkerson whose postoffice address is R.F.D. #2, Brookings 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 2.1 cubic feet of water per second of time from ~~xxx~~ ground water through the Gilkerson No. 1, the point of diversion of which is to be located ~~xxxxx~~ xxxxx in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 29 110N Range 49W parts of Twp. 110N Range 49W. Said water to be used for the purpose of providing irrigation of the following described land:

 $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 29 and E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec 30 all in T 110N, R 49W~~xxxxx~~ ~~xxxxx~~

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 10 day of August, 1959, 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:

~~xxxxxxxxxxxxxxxxxxxx~~
~~LES WYBORN~~
Water Rights Engineer

cc: M. C. H. J. Mitchell, Publisher
The Brookings Register
Brookings, South Dakota

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Brookings } ss.

Chas. H. J. Mitchell being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the _____

Brookings Register 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 Brookings County of _____

Brookings and State of South Dakota; that the said notice was published in said newspaper on the following dates:

July 15, 1959

July 22, 1959

July 29, 1959

August 5, 1959

in each and every issue of the full number thereof, the first publication being made on the 15th day of July

19 59 and the last publication on the 5th day of

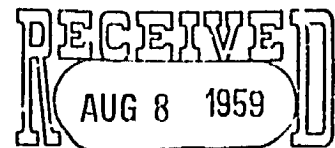
August 19 59, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was publisher the printer and publisher of the said newspaper.

Chas. H. J. Mitchell

Subscribed and sworn to before me this 5th day of August A. D. 19 59

Chas. Mitchell
 Notary Public Brookings County, S. D.

APPROPRIATION OF WATER
 Office of State Water Resources Commission,
 Pierre, S. Dak., July 11, 1959
 Notice is hereby given that David and Eva
 Glickerson whose postoffice address is R.F.D.
 2, Brookings, S. Dak., has made an applica-
 tion in accordance with the provisions of the
 water laws of South Dakota for a permit
 to appropriate for beneficial use 2.1 cubic
 feet of water per second of time from
 ground water through the Glickerson No. 1,
 the point of diversion which is to be lo-
 cated in the NW 1/4 of the NW 1/4 of Section
 29, Twp. 110N, Range 49W, Bad water to
 be used for the purpose of a filling irriga-
 tion on parts of following described land:
 W 1/2 NW 1/4 Sec. 29 and E 1/2 NE 1/4 Sec. 50, all
 in T 110N, R 49W.
 This application will be taken up by the
 State Water Resources Commission at their
 office at Pierre for consideration upon the
 10th day of August, 1959, 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: LES WYBORN,
 Water Rights Engineer
 July 19, 22, 29, 1959.



STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

REPORT OF INVESTIGATION

Unlicensed Water Permits Authorized before January 1, 1964

Water Permit No. 644-3 Approval Date August 11, 1957

This Permit authorized the diversion of 2.1 cubic feet
per second of water from well to irrigate

149.3 acres in Section 29430, Township 110N.,
Range 49W, County Brookings.

Name and Address shown on Permit David & Eva Gifferson
Rt 2 Brookings, S.D.K.

Name and Address of present owner of land Same

WATER PERMITS NOT CONSTRUCTED WITHIN THE FIVE YEAR PERIOD ARE
SUBJECT TO CANCELLATION BY ACTION OF THE WATER RESOURCES COMMISSION

Indicate the following:

1. The irrigation system was never started nor was not completed.
The present landowner has been informed that cancellation of
Water Permit No. _____ will be considered by the Water
Resources Commission and he will be notified of the date, time
and place of such consideration. _____
 2. Some questions exists and further consideration is advisable.

- ☒ The irrigation system was completed within the five year period
and is being used. A final inspection should be scheduled.

REMARKS: Son now farms. David still on farm -
uses each year, ready for inspection

Date 7-17-69

Signature Wm H Elliott Jr.

Permit No. 644-3
 Water Division 3 STIOUX 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 David and
Eva Gilkerson of Brookings holder s
 of Permit No. 644-3 bearing date of priority of July 8, 1959
 authorizing the diversion of 2.1 cu. ft. per second of the waters of a shallow well
 for irrigation purposes, in Brookings 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:

Well, 22 feet deep, 18 inch steel casing. Static water level-average 6 ft. depth.
 Berkley 5" x 4" centrifugal pump. Mod. B32RM
 Reliance Electric Motor, Mod. 28B8A-WT 15 H.P.

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

1120 feet 6" aluminum main line

C. Works used to apply water to beneficial use.

1/4 mile of 4" diameter sprinkler line with 44 sprinklers (hand moved)

The system is in the following condition: good

The point of diversion is located 1600 feet S. 41° E. from NW Corner of Section 30,
T110N, R49W

The works are capable of diverting and conveying to the place of use 1/2
 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: irrigation of

NW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 29, T110N, R49W	39.8 Acres
SW $\frac{1}{4}$, NW $\frac{1}{4}$, Section 29, T110N, R49W	39.0 acres
NE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 30, T110N, R49W	31.5 acres
SE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 30, T110N, R49W	39.0 acres

comprising a total of 149.3 acres of land.

Date August 8, 1969

Donald Driscoll
 (Signature)
 DONALD DRISCOLL, Deputy Chief Engr.
 Water Resources Commission



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

November 8, 2006

644-3

Jim Gilkerson
530 34th Ave
Brookings SD 57006

Dear Mr. Gilkerson:

Thank you for the prompt return of the 2006 irrigation questionnaires for Water Right No. 4508-3 listed in your name and Water Right No. 644-3 listed in David & Eva Gilkerson's name.

With regard to the change you wrote on No. 644-3, enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions concerning the water rights or completion of the transfer form, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

To: Chief Engineer
Water Rights Program, DENR
523 E. Capitol
Pierre, SD 57501-3181

NOV 15 2006
WATER RIGHTS
PROGRAM

No. 644-3
Date: Nov 13, 2006

I/We request that Water Right No. 644-3

formerly owned by: David & Eva Gilkerson

be transferred to: (name & address) Jim Gilkerson, 530 34th Ave, Brookings SD 57006

Telephone No. 605 693-3014

Title to the following described land(s)/property has been transferred as described above:

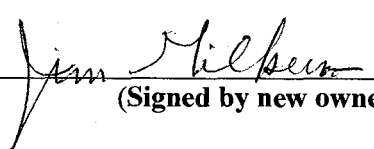
149.3 acres located in the W 1/2 NW 1/4 Section 29 and E 1/2 NE 1/4 Section 30, T110N, R49W

I/We understand that the validity of Water Right No. 644-3 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Jim Gilkerson the new owner, certify that the above information is true and correct.


(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date November 15, 2006

RECEIVED OF Jim Gilkerson, 530 34th Ave, Brookings SD 57006

The following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use		
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>644-3</u>		2 50
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

02628

By

Darland Ebele
Chief Engineer *gm*



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

November 15, 2006

644-3

Jim Gilkerson
530 34th Ave
Brookings SD 57006

Dear Mr. Gilkerson:

I am writing to acknowledge receipt of the ownership change and filing fee you submitted for transferring Water Right No. 4508-3. The transfer has been completed. The water right formerly held by David & Eva Gilkerson, is now listed in your name.

Enclosed is your Receipt No. 02628 in the amount of \$2.50. You may keep this for your records.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosure