

VESTED RIGHT

1. Considered: _____, 19____ Water Right No. 1279-1
2. Name of Applicant Cather Clanton
3. Post Office Address Box 173, Buffalo, SD 57720
4. Amount of Water Claimed 1.21 maximum acre feet 130
5. Source of Water Supply Dry Draw
6. Water to be used for IRR acres to be irrigated 85
7. County Harding about _____ miles _____ of _____
8. PROOF OF PUBLICATION: Received _____ Not Received _____
- APPLICATION: Approved _____ Subject to _____
- Not Approved _____ Action Deferred _____

PRIORITY
11/4/01

Dated Received 5/25/83 Application complete-yes xx no _____ FEE 10.50

Remarks _____

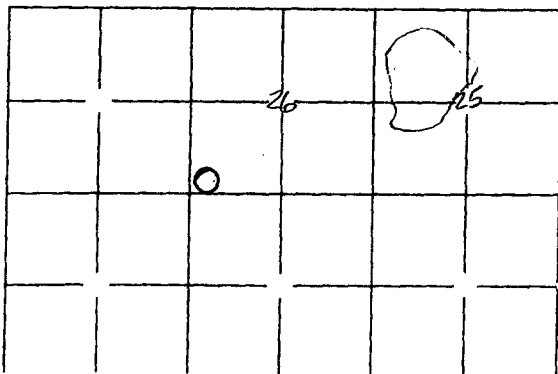
Corrected Application received _____ Period of Annual Use 4/1 thru 10/31

WATER
QUALITY

Received yes _____ no _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as application-yes _____ no _____ Remarks _____

Disapproved _____ Returned _____



Diversion Point _____

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25-16N-5E

Land to be irrigated _____

NW $\frac{1}{4}$: SW $\frac{1}{4}$ NE $\frac{1}{4}$ and N $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 25-16N-5E

WELL LOG

Driller _____ Licensed - yes _____ no _____

Depth 24' draw 130 acre feet

Remarks _____

MAP Map No. 1279-1 Map located in Water Right xx Map file _____
 Type of Map drawn Prepared by Mernaugh

+++++

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:

5/27/83

Petty Wastland
 (Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date
 F.F. & C. Final Decision, including F.F. & C. of Law were adopted _____
 OF LAW, Date
 FINAL Final Decision mailed to parties and/or parties notified that Final Decision was
 DECISIONS adopted _____
 ETC. Remarks _____



No. 1279-1
 Map No. 1279-1 Water Division No. 1 Moreau River District
 Above for Office Use 10130305

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New Vested Right X Future Use Change in Diversion Additional Diversion Change in Acreage Additional Acreage

1. Name of Applicant Cather Clanton Phone No. 375-3591
 Post Office Address Box 173 Buffalo State SD 57720
 (Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation

2. Method of accomplishing work (contract, employment of others, or by direct labor) completed3. Name of diversion work 4. Amount of water claimed (cubic feet per second) 1.215. Source of water supply Soft Water Draw

6. Location of point of diversion 1000 Ft East and 400 Ft North of SW corner of Section 26,
T16N, R5E

CountyCounty Harding7. Annual period or periods during which water is to be used April thru October8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation9. For irrigation use, Total number of acres to be irrigated 85

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 25, T16N, R5E	8
NE $\frac{1}{4}$ NW $\frac{1}{4}$ "	16
SW $\frac{1}{4}$ NW $\frac{1}{4}$ "	16
SE $\frac{1}{4}$ NW $\frac{1}{4}$ "	22

Land Description	No. Acres Irr.
SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 25, T16N, R5E	1
NW $\frac{1}{4}$ SW $\frac{1}{4}$ "	5
NE $\frac{1}{4}$ SW $\frac{1}{4}$ "	17

Attach sheet if more space is needed

10. Time required to complete construction of water supply system completed years. Additional time required to complete application of water to the proposed beneficial use years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

Storage dam with 12" pipe / head gate

NOTE: This application incorporates
Permits No. 0104-1 and 0105-1.

B. Works proposed to transport water to place of use.

supply ditch from dam to field to be irrigated

C. Works proposed to apply water to beneficial use.

flood & borders
6" siphon tubes

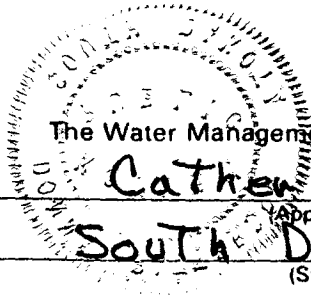
Estimated Total Cost \$

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(see instructions concerning preparation.)

STATE OF SOUTH DAKOTA)
 County of Harding) ss.

I, Cather Clanton the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed Cather Clanton
Anna Patterson 20 day of May, 1983
 Notary Public (or other qualified officer)



WATER RIGHT APPLICATION APPROVAL

recognizes

The Water Management Board hereby approves Water Right Application No. 1279-1

Cather Clanton

Box 173, Buffalo

South Dakota

(Post Office Address)

(Applicant)

(State)

With the following qualifications.

"Vested Right Claimed"

The applicable portions of Water Right Filings No. 0104-1 and 0105-1 have been incorporated into No. 1279-1 and the abandoned portions of Water Right Filings No. 0104-1 and 0105-1 have been cancelled.

Date of first receipt of application May 25, 1983

Date of return to applicant for correction, amendments or changes required —, 19—

Date of receipt of corrected application —, 19—

Approved JUNE 9, 1983, Recorded in Book — Page —

WATER RIGHT PERMIT NO. 1279-1

recognizes

The Water Management Board hereby grants and issues this Water Right Permit No. 1279-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is November 4, 1901
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before —, 19—
3. The whole of said work is to be completed on or before complete, 19—
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is —, 19—
5. The water appropriated shall be used for the purpose of irrigation

6. 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.

7. The amount of the appropriation herein granted shall not exceed 1.21 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and 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 This date, 19—; said water to be used during the following described annual period: April 1 - October 31

Witness my hand this 20th day of JUNE, 1983

THE WATER MANAGEMENT BOARD

By:

Chief Engineer, Water Rights

Certificate of Construction Issued June 21, 1983

Water License Issued June 21, 1983

0104-1

Cather Clanton
Box 173
Buffalo

Pre-Emption of Right of Way and Location of Water?

To Whom These Presents May Concern, Know ye, that I William J. Davis of the county of Butte, in the state of south Dakota, a citizen of the United States, do hereby declare and publish as a legal notice to all the world, that I claim and have a valid right to the occupation, possession and enjoyment of all and singular, all that tract or parcel of land lying and being in the County of Butte, in the State of South Dakota for the exclusive right of way for the purpose of constructing a flume or water ditch from Soft Water Stream to the NE $\frac{1}{4}$ Sec. 26 and the S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 25 in Township 16 N of Range 5 E. B.H.M, more particularly described as follows: Commencing at a point on said stream from which the Sec. corner to Sec. 26, 27, 34 and 35 in Township sixteen (16) N. of Range five (5) east B.H.M. bears south 30 degrees east 8 chains distant, canal running thence NE to and upon the above described tract of land, Said canal being six ft. wide and 1 $\frac{1}{2}$ ft. deep and one and a half miles long.

I also claim and have a valid right to the enjoyment and use of 1000 inches of water from said stream for irrigating purposes to be conveyed through such flume or water ditch to said tract of land, together with all and singular, the hereditaments and appurtenances therunto belong or in anywise appertaining.

Witness my hand and seal this 5 day of Nov. A.D. 1901.
W. J. Davis.

Notice posted on Stream Nov. 4, 1901.
Ditch commenced at stream Nov. 4, 1901.

State of south Dakota, } ss
County of Butte.

On this 5 day of Nov. 1901, before me a Notary Public in and for the county and state aforesaid, personally appeared Wm. J. Davis to me personally known to be the person who executed the foregoing written instrument, and acknowledged that he executed the same for the uses and purposes therein set forth. Witness my hand and official seal, the day and date above written.

O. O. Stokes ,

(Seal)

Notary Public.

AND UN FILLED IN BY NOTARY PUBLIC
REPRODUCTION. REPRODUCTION 232
FILE NO. 21
3-1-22
DATE OF REPRODUCTION
Dwight D. Davis

0105-1

Cather

Clanton

Pre-Emption of Right of Way and Location of Water.

To Whom These Presents May Concern, Know ye, that I

William J. Davis

of the County of Butte, in the State of South Dakota, a citizen of the United States, do hereby declare and publish as a legal notice to all the world, that I claim and have a valid right to the occupation, possession and enjoyment of all and singular, all that tract or parcel of land lying and being in the County of Butte, in the State of South Dakota, for the exclusive right of way for the purpose of constructing a flume or water ditch from Softwater Creek stream to the

Sr NE 1/4 N 2 SE 1/4 Sec 26 Sr NW 1/4 N 2 SW 1/4 NE 1/4

of Section 25 in Township 16 N of Range 3 E B 4 M more particularly described as follows: Commencing at

a point on said soft water Soan Creek at a point from which the 1/4 sec cor South of Sec 26 Tp 16 N of range 3 E bears S 75° E 26 chains distant said Canal to be 6 ft wide on water line and one ft deep to run North east to and upon the above described tract of land

I also claim and have a valid right to the enjoyment and use of 500 inches of water from said stream for irrigating purposes to be conveyed through such flume or water ditch to said tract of land, together with all and singular, the hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Witness my hand and seal this 20 day of Aug 1907

William J. Davis

Notice posted on stream August 20 1907

Ditch commenced at stream August 20 1907

State of South Dakota, }
County of Butte, }

On this 5 day of Nov 1907, before me, a Notary Public

In and for the County and State aforesaid, personally appeared

W. J. Davis

to me personally known to be the person who executed the foregoing written instrument, and acknowledged that he executed the same for the uses and purposes therein set forth. Witness my hand and official seal the day and date above written.

O. O. Stokes

Notary Public

SE 1/4

ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILATION 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN A MANNER AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROFILMOGRAPHIC REPRODUCTIONS. REDUCTION 25% ROLL NO. 1 DATE MICROFILMED 3-19-92

Cather Clanton Dam

D Well Information

- (1) Drill Hole, Diameter _____, Depth _____
- (2) Casing, Type _____, Diameter _____, Thickness _____
(wood, concrete, steel, etc.)
- (3) Screen, Type _____, Diameter _____, Length _____
- (4) Gravel Pack, Thickness _____, Length of gravel pack _____

E. Dugout Information or Estimates

- (1) Surface dimensions, _____, Depth _____

F. Fill out for Either a Well or a Dugout.

- (1) Water Bearing Materials. (Attach a copy of test well log)

Depth to top of water bearing material _____

Depth to bottom of water bearing material _____

Depth to water (ground surface to water level) _____

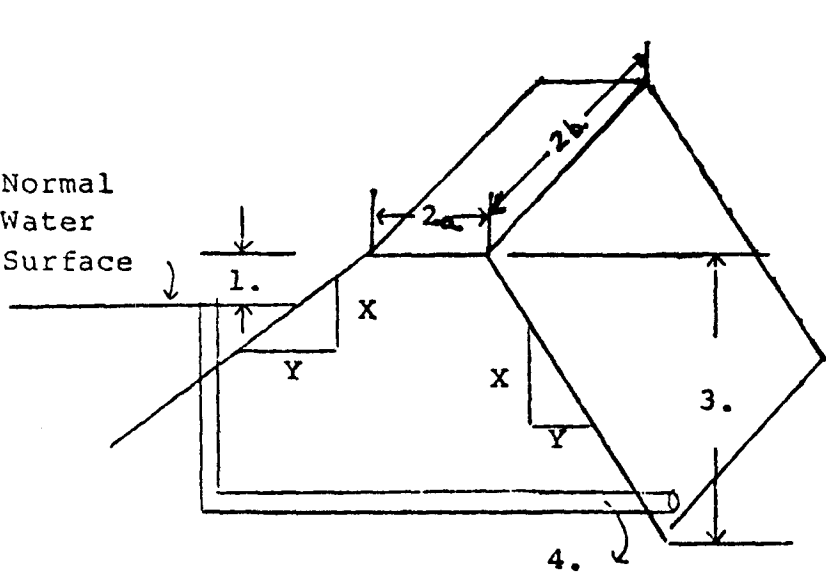
- (2) Distance to nearest existing household or livestock watering well.

On same owner's property _____ rds.

On property owned by others _____ rds.

G Water Storage Dams

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, length, maximum water depth, surface area, drainage area, storage capacity, dam slope, dimensions, location and size of outlet works, of each storage dam. The location of each water storage dam should be shown on the water right map.



1. Freeboard _____ 4'
- 2a Crest width 12' b. length _____
3. Height of Dam _____ 24'
4. Outlet dimensions: 12" / head gate
Pipe diameter _____
Spillway width _____ 40'
- X & Y slope:
Upstream _____ 3:1 rip rapped
Downstream _____ 2:1
Surface area of impoundment _____ 18
Drainage area above dam _____ 5500 acres
Water depth 18' est
18 x .4 x 18' = 130 AF storage

Cather Clanton
Signature of Applicant

Permit No. 1279-1 Vested RightWater Division 1 Moreau River Water District
10130305REPORT OF EXAMINATION OF WORKS
AND/OR APPLICATION OF WATER TO BENEFICIAL USE

TO: WATER RIGHTS, WATER MANAGEMENT BOARD / FOSS BLDG., PIERRE, SOUTH DAKOTA 57501

I have this day made a thorough examination of the water use system constructed by Cather Clanton
 of Box 173, Buffalo, S.D. 57720 holder
 of Permit No. 1279-1, bearing date of priority of November 4, 1901
 authorizing the diversion of 1.21 cu. ft. per second of the waters of Soft Water Draw
 for Irrigation purposes, in Harding 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:

storage dam with 12" CMP with head gate

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

Irrigation Ditch from Dam to Fields to be Irrigated

C. Works used to apply water to beneficial use.

Borders, Dikes and Ditches for Flood IrrigationThe system is in the following condition: GoodThe point of diversion is located 1000' E and 400' N of the SW corner
of Section 26, T16N R5EThe works are capable of diverting and conveying to the place of use 10 (est)cu. ft. per second of water which is to be used for IrrigationWater has been put to beneficial use to the maximum extent as follows: All in T16N R5E.

<u>NW$\frac{1}{4}$NW$\frac{1}{4}$</u>	<u>Sec. 25</u>	<u>8 Ac.</u>	<u>SW$\frac{1}{4}$NE$\frac{1}{4}$</u>	<u>Sec. 25</u>	<u>1 Ac.</u>
<u>NE$\frac{1}{4}$NW$\frac{1}{4}$</u>	<u>" 25</u>	<u>16 Ac.</u>	<u>NW$\frac{1}{4}$SW$\frac{1}{4}$</u>	<u>" 25</u>	<u>5 Ac.</u>
<u>SW$\frac{1}{4}$NW$\frac{1}{4}$</u>	<u>" 25</u>	<u>16 Ac.</u>	<u>NE$\frac{1}{4}$SW$\frac{1}{4}$</u>	<u>" 25</u>	<u>17</u>
<u>SE$\frac{1}{4}$NW$\frac{1}{4}$</u>	<u>" 25</u>	<u>22 Ac.</u>			

comprising a total of 85 acres of land.

Storage Dam: 130 AF.
 Freeboard 4.0 Ft.
 Crest Length 12 Ft.
 Height 24 Ft.
 Outlet Pipe 12" CMP/Hd Gate
 Side Slopes 3:1 up 2:1 down
 surface 18 Ac.
 Water Depth 18 Ft. (est)

Date October 4, 1982
Leroy J. Mernagh
 (Signature)

NOTE. This Form is supplemental to Form 2, and is to be used when an affidavit pertaining to construction and water use, already completed, is needed.

AFFIDAVIT OF CONSTRUCTION OF WATER USE
SYSTEM AND APPLICATION OF WATER TO BENEFICIAL USE

Name of Applicant (Same as Form 2) Cather Clanton

Post Office Address Box 173 Buffalo, State SD 57720

If a Corporation show date and place of incorporation _____

13. Notice of Appropriation (If available)
Date of Posting November 4, 1901 Date of Recording November 5, 1901
Recording Data _____ as per Pre-Emtion Right of Way#0104-1

14. Date of start of construction of water supply system November 4, 1901

15. Date that water was first applied to beneficial use 1901

16. Name of owner of original water supply system William J Davis

17. Amount of water originally applied to beneficial use 20 c. f. s.

18. Present Use of Water
Amount of water now being used 15 c. f. s.
Date that this amount of water was first used 1901

19. Chronological History of Water Use
William J Davis constructed and used the system in 1901 and used it continuously.
Cather Clanton purchased the land in 1934 and has continued to use the system since that time. The system has been kept in good repair throughout its usage.

Attach to this Form 2B. any copies of notices, postings, filings, publications, affidavits, or other records that apply. You may also attach any written statement by you, or by others, that you deem pertinent.

STATE OF SOUTH DAKOTA)
County of Harding) ss.

I, Cather Clanton, the applicant, certify that I have read the foregoing and that the matters therein stated are true.

Signed Cather Clanton

Subscribed and sworn to before me this 20 day of May, 1983

Anna Patterson
(Notary Public - or other qualified Officer)

I, the undersigned, do hereby certify that I know about the water use system described above that I have read the foregoing and that the matters therein stated are true.

WATER LICENSE NO. 1279-1

(1) WHEREAS, On the 25th day of May A. D. 1983

Cather Clanton

made Water Right Application No. 1279-1 for a Vested Right 1.21 cubic feet per second of the waters of Soft Water Draw

County of Harding, State of South Dakota, for Irrigation

purposes; and

(2) WHEREAS, On the 9th day of June A. D. 1983

Vested Right

Permit No. 1279-1, with a date of priority of November 4, 1901

was issued to said applicant recognizing for the diversion of said water, and ~~provided for~~ the completion of construction of the water supply system therein described ~~on or before the~~ day of A. D. 19 and for the application to beneficial use of said water ~~on or before the~~ day of A. D. 19

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 1.21 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 land all in Section 25, T16N, R5E

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 8 acres (BB)

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 16 " (BA)

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 16 " (BC)

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 22 " (BD)

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 1 " (AC)

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 5 " (CB)

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 17 " (CA)

TOTAL 85 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 Cather Clanton

_____ of Box 173, Buffalo SD 57720
the holder _____ and owner _____ of said ^{Vested Right} permit No. 1279-1 a water right, dating from November 4, 1901
_____ to use of _____ 1.21 cubic feet per second of the waters
of Soft Water Draw
in the County of Harding and State of South Dakota, or so much thereof as may be necessary for the
purposes hereinbelow mentioned, to be diverted at a point 1000'E and 400'N of the SW corner
of Section 26, T16N, R5E (CC)

and conducted to and upon portions of Section ²⁵26, T16N, R5E more fully described on the
face of this license

for the purpose of Irrigation

This Water License No. 1279-1 is based on a Vested Right Claim filed ^{with} ~~by~~ the Water Management Board.

Subject to any limitations listed in Water Right Permit No. 1279-1 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 21st day of June A. D.

Nineteen Hundred and Eighty-three

WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Executive Officer



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
(605) 773-3352

June 21, 1983

Cather Clanton
Box 173
Buffalo SD 57720

Dear Mr. Clanton:

Enclosed herewith are your Vested Right Permit, Water License No. 1279-1.
This Water License is the final water right document completing your
process of obtaining a vested water right.

As long as you use the water beneficially, as stated in the Water License,
the State Water Laws provide that you have a continuing right to use
the water.

Very truly yours,

A handwritten signature in cursive script, reading "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH:ks

enclosures

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9261

PIERRE, May 26, 1983, 19

RECEIVED OF Cather Clanton, Box 173, Buffalo, SD 57720

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

Fee for Application for Permit to Appropriate Water No. 1279-1 (examination, processing, recording and filing)	8	00
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No. 1279-1	2	50
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing		
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
TOTAL	10	50

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH *ms*

**SOUTH Dakota Department of
Water & Natural Resources**

Joe Foss Building Water Rights Division
523 East Capitol 605 773-3352
Pierre, South Dakota 57501

May 10, 1983

Cather Clanton
Box 173
Buffalo SD 57720

Dear Mr. Clanton:

In October, 1982 I visited with you regarding your irrigation project. You were irrigating under old Water Right Filing Nos. 0104-1 and 0105-1. In order to up date your permits to what is actually being irrigated, we decided at that time for you to apply for a vested right.

Enclosed are two copies of completed Form 2, "Application for Permit", two copies of form 2A for the dam information and one copy of Form 2B "Affidavit of Water Use." Would you please check the forms over and make any changes necessary to make them as accurate as possible. Then sign have all of the forms notarized where indicated. Then return all of the forms to this office with a check for \$10.50 to cover the cost of the filing fee and license.

Upon approval of the Water Management Board Water Right Filing Nos. 0104-1 and 0105-1 will be incorporated into this Water Right.

Enclosed is a map of your project. If there are no changes to this map you may keep it for your information. If there are changes please return it with your application so that we may correct our office copy. You may keep the copies of 0104-1 and 0105-1.

If you have any questions regarding this matter please feel free to contact this office.

Sincerely,

LEROY J MERNAUGH
Water Resources Engineer

LJM:ks

enclosures

Conversation or File Documentation

NAME OF PERSON OR FILE: Cather Clanton

ADDRESS: _____ COUNTY _____

DATE: April 28, 1988 TELEPHONE _____RE: ownership

COMMENTS:

Leroy Mernaugh indicated he thought
Cather Clanton was deceased.
Checked with Harding County Assessor's
office for ownership.

land owned by: Clanton Inc
Buffalo SD

% Gary Clanton

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.



NOTICE OF TRANSFER OF WATER PERMIT

TO:

Water Rights
Fees Building
Pierre, SD 57501Date: MAY 3, 1988

This is to notify you that the title to the lands described as follows:

NW 1/4, SW 1/4 NE 1/4, N 1/2 SW 1/4 Section 25, T16N, R5Eformerly owned by Cather Clantonhas been transferred to Clanton Inc. HCR 5 Box 68, Buffalo, SD 57720
(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced byWater Right Permit No. 1279-1 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Div. of Water Rights, Water Management Board as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Harding) ss.Hells M. Clantonbeing first duly sworn on my oath despose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.Clanton Inc
(Signed)Subscribed and sworn to before me this 3 day of May, 1988.Dennis Thompson
(Notary Public)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, May 4, 19 88

Clanton, Inc., HCR 5, Box 60, Buffalo SD 57707

RECEIVED OF _____

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works 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>1279-1</u>		2 50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By

Chief Engineer

JOHN HATCH (MS)



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

Phone (605) 773-3352

May 5, 1986

Clanton, Inc.
HCR 5, Box 68
Buffalo, South Dakota 57720

Dear Sir:

Enclosed is receipt No. 411238 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 1279-1.

Our records now show you as the owner of this Water Right.

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1279-1 FOR IRRIGATION

Date of Receipt of Claim May 25, 1983.

Date of Validation September 27, 1989.

The Water Management Board validated Vested Water Right Claim No. 1279-1 for irrigation purposes for Clanton Inc., HCR 5, Box 68, Buffalo SD 57720 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1279-1 appropriates 1.21 cubic feet of water per second from Soft Water Draw to irrigate 85 acres. The point of diversion is located in the SW1/4 SW1/4 section 26 (storage dam - 130 acre feet capacity) and the irrigated acreage is located in the NW1/4, SW1/4 NE1/4, N1/2 SW1/4 section 25; all in T16N-R5E.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. Water is to be used during the following annual period: April 1 - October 31.
3. The priority date of the Vested Water Right is November 4, 1901.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

The applicable portions of Water Right Filing Nos. 0104-1 and 0105-1 have been incorporated into No. 1279-1 and the abandoned portions of Water Right Filing Nos. 0104-1 and 0105-1 have been cancelled.

WATER MANAGEMENT BOARD

By: 
Chief Engineer

MAR 11 1993

date

Division of Water Rights
Dept. of Environment and Natural Resources



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

MAR 11 1993

1279-1

Clanton Inc.
HCR 5, Box 68
Buffalo SD 57720

Dear Mr. Clanton:

The Water Management Board has validated the enclosed Vested Water Right No. 1279-1. This validation gives legal status to the claim and is the final document for your vested right.

As long as you use the water beneficially, as stated in the validation, State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352

enclosure

27 26

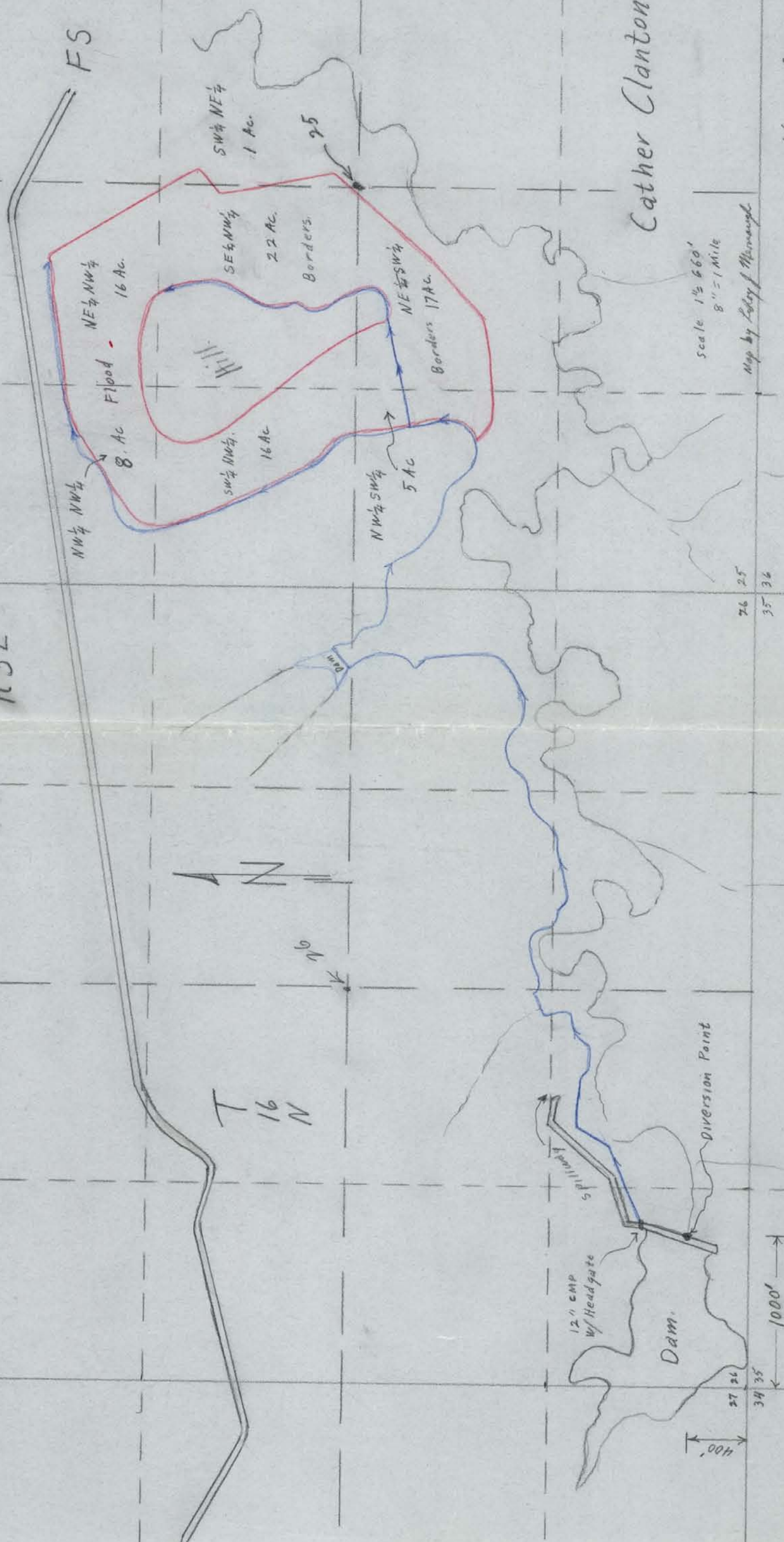
26 25

R 5 E

FS



T 16 N



Cather Clanton

Scale 1 1/2" = 660'
8" = 1 Mile

Map by Eddy & Murrell

Office Copy.

Appl & Map # 1279-1