

VESTED RIGHT

1. Considered: _____, 19____ Water Right No. 1286-1
2. Name of Applicant Dean R Tarter
3. Post Office Address Marmarth Rt., Box 4, Camp Crook, SD 57724
4. Amount of Water Claimed 6.10 maximum acre feet _____
5. Source of Water Supply North Slick Creek
6. Water to be used for IRR acres to be irrigated 426
7. County Harding about 2W 8 miles north of Camp Crook
8. PROOF OF PUBLICATION: Received _____ Not Received _____
- APPLICATION: Approved 10-5-83 Subject to _____
- Not Approved _____ Action Deferred _____

PRIORITY 1903 Dated Received 6/17/83 Application complete-yes x no _____ FEE 10.50

Remarks need fee, upon approval several permits can be cancelled see Mernaugh 5/31/83 letter, will incorporate 0570-1 and 0363-1

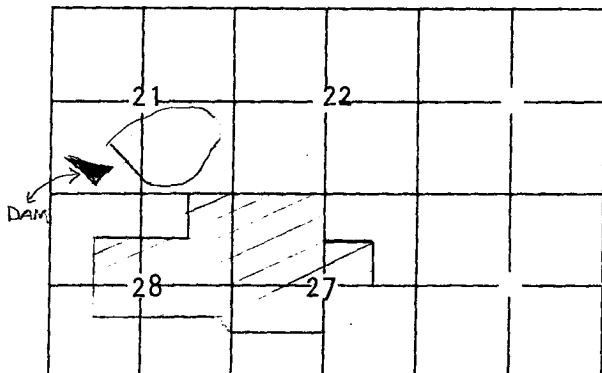
Corrected ^{fee} Application received 7/15/83 Period of Annual Use 3/1 to 10/31

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

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

n/a

Disapproved _____ Returned _____



Diversion Point _____

S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 21-T20N-R1E

Land to be irrigated _____

E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Section 21; NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ AND

N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 27; SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$

NE $\frac{1}{4}$ SW $\frac{1}{4}$ and N $\frac{1}{2}$ SE $\frac{1}{4}$, Section 28 all in T20N,

R1E

WELL LOG Driller _____ Licensed - yes _____ no _____

Depth 12' high dam storage capacity 256 acre feet

Remarks _____

MAP Map No. 1286-1 Map located in Water Right x Map file _____
 Type of Map aerial and drawn Prepared by Le Roy Mernaugh DWNR

+++++

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:

7/19/83

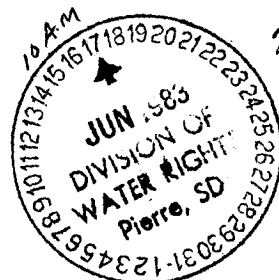
Bette Westlund
 (Signed)

+++++

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. 1286-1
 Map No. 1286-1 Water Division No. 1 Little Missouri River District
 Above for Office Use 10110201

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

Check one of the following:

New ☐ Vested Right ☒ Future Use ☐Change in Diversion ☐ Additional Diversion ☐Change in Acreage ☐ Additional Acreage ☐

1. Name of Applicant Dean R Tarter Phone No. 797-4487
 Post Office Address Marmarth Rt, Box 4 Camp Crook State SD 57724
 (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) completed

3. Name of diversion work _____

4. Amount of water claimed (cubic feet per second) 6.15. Source of water supply North Slick Creek

6. Location of point of diversion 1440 ft E and 300 Ft N of the SW corner of Section 21,
T20N, R1E (SE 1/4 SW 1/4)

County Harding7. Annual period or periods during which water is to be used March 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 426

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.
see attached sheet	

Land Description	No. Acres Irr.

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.

dam / head gates

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

ditches & pipes

C. Works proposed to apply water to beneficial use.

flood with dikes and ditches
traveling gun sprinkler

NOTE: Water Right Filings
 No. 0570-1 and 0363-1 are
 incorporated into this
 application

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, Dean Tarter 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 Dean TarterSubscribed and sworn to before me this 8th day of June, 19 83

Notary Public (or other qualified officer)

R 1 E

Dean R. Tarter

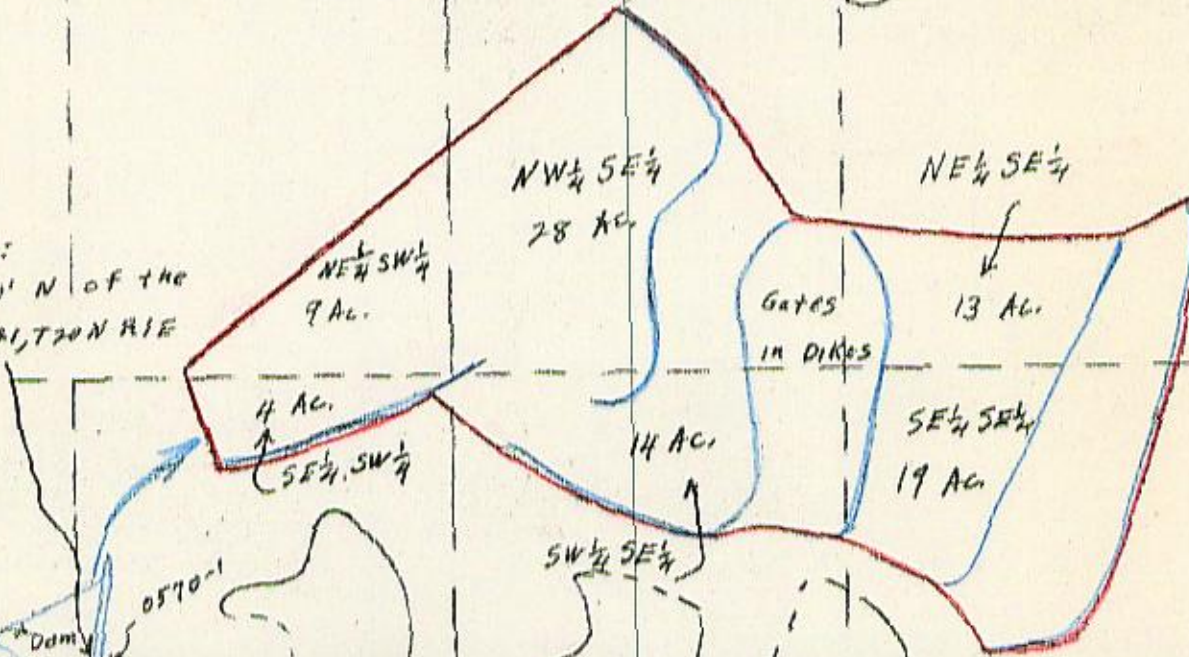
22

Office Copy

T
20
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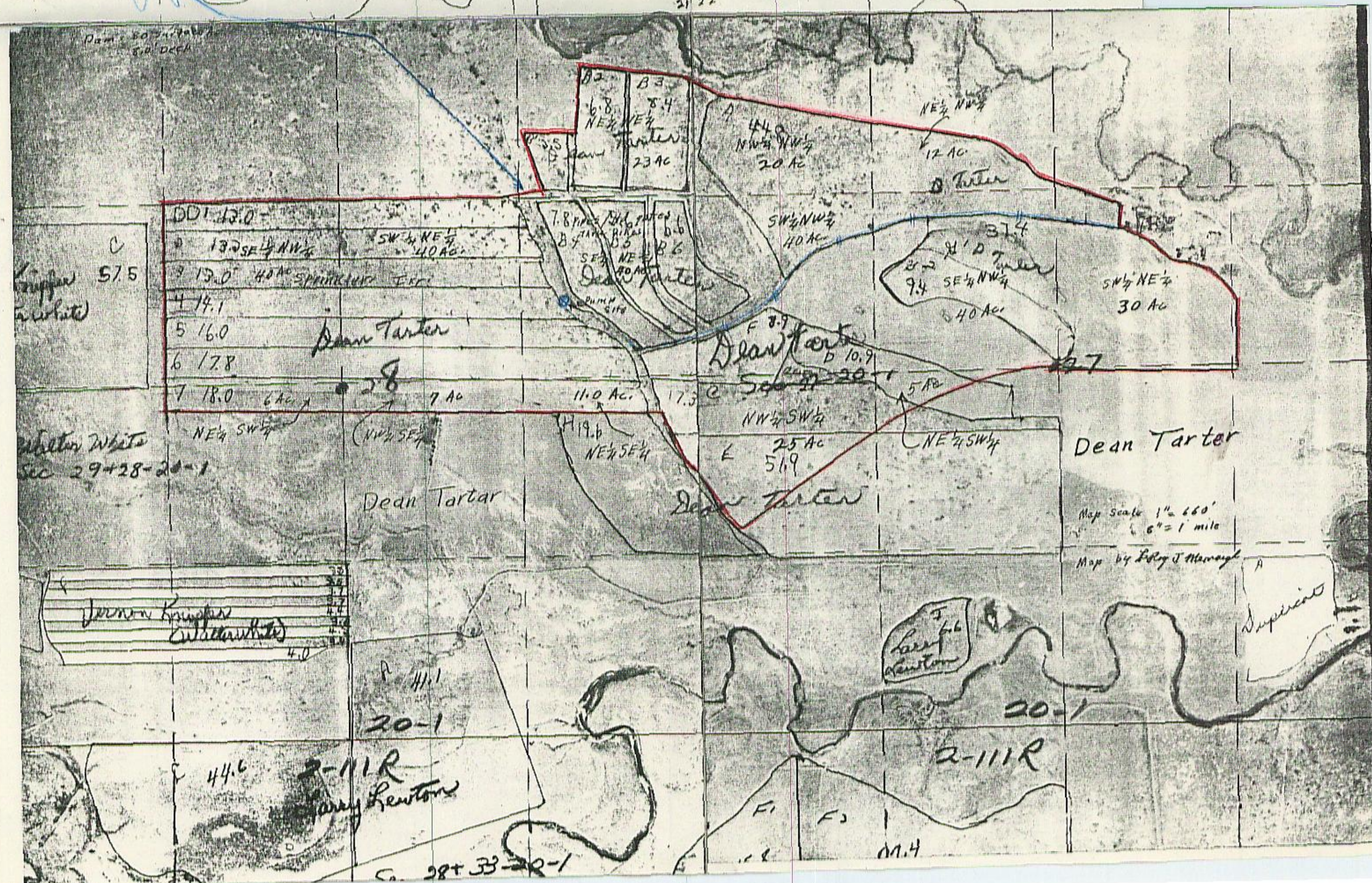
Diversion Point:
1440' E and 300' N of the
SW Cor Sec. 21, T20N R1E

Dam Surface
80 Acres
when Full
9.0' deep.



20 2-1

21 22



Office Copy

Map Scale 1" = 660'
6" = 1 mile

Map by Leroy J. Harnage

Supervisor

R I E

T
20
N

T
19
N

Dean Tarter

office copy

0252-1

920000

527000

Vested WATER RIGHT APPLICATION-APPROVAL

The Water Management Board hereby ^{recognizes Vested} ~~approves Water~~ Right Application No. 1286-1

Dean R. Tarter
(Applicant)
South Dakota
(State)

Marmarth RT. Box 4 Camp Crook
(Post Office Address)

With the following qualifications.

"Vested Right" claimed

Applicable portions of Water Right Filings 0570-1 and 0363-1 were incorporated into Vested Right No. 1286-1 and the abandoned portions of Filings No. 0570-1 and 0363-1 have been cancelled.

Date of first receipt of application June 17, 1983

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

Date of receipt of corrected application _____, 19__

~~Recognized~~ Approved October 5, 1983, Recorded in Book _____ Page _____

^{Vested} ~~WATER RIGHT PERMIT NO.~~ 1286-1

The Water Management Board hereby ^{recognizes Vested} ~~grants and issues this~~ Water Right Permit No. 1286-1 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 ^{Vested} ~~Water Right Application approval~~, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is _____, 1903

~~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~~ _____, 19__

4. The ~~limit of time from proof of~~ beneficial use of water appropriated ~~in accordance herewith~~ is completed, 19__

5. The water appropriated ^{is} ~~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 6.10 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~~ October 5, 1983; said water to be used during the following described

annual period: March 1 Thru ~~1st~~ October 31

Witness my hand this 28TH day of October, 1983

THE WATER MANAGEMENT BOARD

By: John H. Tarter
Chief Engineer, Water Rights

Certificate of Construction Issued _____, 19__

Water License Issued _____ November 16 _____, 1983

2 copies

Dean R Tarter

Vested Right Application

Land Description of Area Irrigated

NE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 21, T20N, R1E	9 acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$	"	4
NW $\frac{1}{4}$ SE $\frac{1}{4}$	"	28
NE $\frac{1}{4}$ SE $\frac{1}{4}$	"	13
SW $\frac{1}{4}$ SE $\frac{1}{4}$	"	14
SE $\frac{1}{4}$ SE $\frac{1}{4}$	"	19

NW $\frac{1}{4}$ NW $\frac{1}{4}$	Section 27, T20N, R1E	20
NE $\frac{1}{4}$ NW $\frac{1}{4}$	"	12
SW $\frac{1}{4}$ NW $\frac{1}{4}$	"	40
SE $\frac{1}{4}$ NW $\frac{1}{4}$	"	40
SW $\frac{1}{4}$ NE $\frac{1}{4}$	"	30
NW $\frac{1}{4}$ SW $\frac{1}{4}$	"	25
NE $\frac{1}{4}$ SW $\frac{1}{4}$	"	5

SE $\frac{1}{4}$ NW $\frac{1}{4}$	Section 28, T20N, R1E	40
NE $\frac{1}{4}$ NE $\frac{1}{4}$	"	23
SW $\frac{1}{4}$ NE $\frac{1}{4}$	"	40
SE $\frac{1}{4}$ NE $\frac{1}{4}$	"	40
NE $\frac{1}{4}$ SW $\frac{1}{4}$	"	6
NW $\frac{1}{4}$ SE $\frac{1}{4}$	"	7
NE $\frac{1}{4}$ SE $\frac{1}{4}$	"	11

TOTAL 426 acres

State of South Dakota

VESTED

Water License No. 1286-1

(1) Dean R. Tarter

of Marmarth Route, Box 4, Camp Crook, South Dakota

Vested Right made Application No. 1286-1, June 17, 1983 for a water permit to appropriate

6.10 cubic feet per second of water from North Slick Creek,

Harding County, South Dakota for irrigation purposes.

Vested Right / Permit No. 1286-1, with a priority date of 1903

was approved recognized October 5, 1983 and issued to applicant(s) for diversion of water with construction of the described

water supply system to be completed on or before and for the application to beneficial use of said

water on or before

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of

the construction of the water supply system and is entitled to divert 6.10 cubic feet per second of water

for beneficial use. The location of the diversion point(s) is 1440'E and 300/N of the SW Corner of

Section 21, T20N, R1E (CL)

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land all in T20N, R1E

(4) Pursuant to §46-5-30.1 Dean R. Tarter
of Marmarth Route, Box 4, Camp Crook, South Dakota
the holder(s) and/or owner(s) of Vested Right ~~Water Permit~~ No. 1286-1 is issued a license to appropriate water, the right to use
6.10 cubic feet per second of water from North Slick Creek with a priority date
of 1903 from the location specified in (2) of this license. The water to be
conducted to and upon lands specified in (3) of this license for the purpose of Irrigation

Vested Right

This license is subject to any limitations or qualifications listed in ~~Water Permit~~ No. 1286-1 and subject to South Dakota State Law.

John Hatch
Chief Engineer, Water Rights Division
Department of Water and Natural Resources **JOHN HATCH**

November 16, 1983

This Water License No. 1286-1 is based upon a Vested Right Claim filed with the Water Management Board.

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) _____

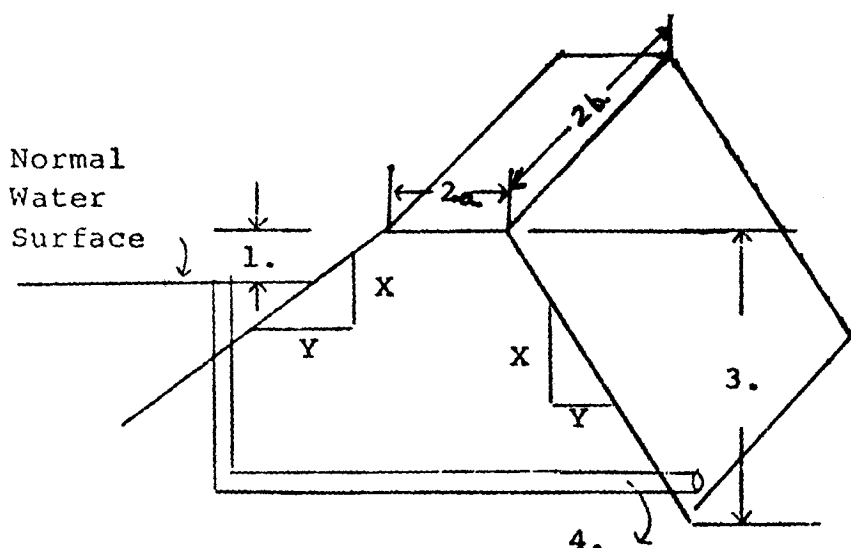
- (2) Distance to nearest existing household or livestock watering well.

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 _____
- 2a Crest width _____ b. length _____
3. Height of Dam 3.0'
4. Outlet dimensions: 12 Length 600'
- Pipe diameter 12.0'
- Spillway width _____
- X & Y slope: 15" cmp/hd gates
- Upstream 400'
- Downstream _____
- Surface area of impoundment 2:1
- Drainage area above dam 80 acres

7900 acres

Storage Capacity
80 x .4 x 8 = 256 AF

Dean Tarter
Signature of Applicant

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) Dean R Tarter
 Post Office Address Marmouth Rt, Camp Crook, State SD 57724
Box 4
 If a Corporation show date and place of incorporation _____
 Information from Water Right Filings No. 0570-1 and 0363-1

13. Notice of Appropriation (If available)
 Date of Posting _____ Date of Recording June 16, 1903
 Recording Date June 16, 1903
14. Date of start of construction of water supply system 1903
15. Date that water was first applied to beneficial use 1904
16. Name of owner of original water supply system D.M. Tarter
17. Amount of water originally applied to beneficial use 7.00 c. f. s.
18. Present Use of Water
 Amount of water now being used 7.00 c. f. s.
 Date that this amount of water was first used 1904
19. Chronological History of Water Use
 1903 to 1936. D.M. Tarter constructed the system and applied water.
 1936 to 1958. Owned by Roscoe Tarter who continued to use the system.
 1958 to present time. Dean R Tarter has continued to use the system and has made improvements on it.

NOTE: The dam for 0363-1 washed out. Portions of land irrigated under 0363-1 is now irrigated from dam under No. 0570-1.

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 Hordburg) ss.

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

Signed Dean TarterSubscribed and sworn to before me this 8th day of June, 1983Frank Klauz
(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.

Mary Tarter

0570-1

V/R for this

Dean Tarter

Location of Water.

To all whom these presents may concern. Be it known that I, D. M. Tarter of Camp Crook County of Butte State of S. D. , do hereby publish and declare as a legal notice to all the world, that I have a legal right to the use , possession and control of and claim one thousand inches or seven cubic feet of the water of North Slick Creek in the county of Butte State of S. Dak. for irrigating and other purposes. II That the special purpose for which said water is to be used and the place of intended use is to irrigate lands in Sections 28 and 29 in Township 20 N. R. 1 E. B.H.M. county of Butte , State of South Dakota. III That I will take said water out and divert it from said creek by means of a dam and ditch, dam to be located eighty rods east and twenty rods north of the south west corner of Section 21 Township 20 N. R. 1 E. B.H.M. County of Butte State of S. Dak., water to be conveyed from said dam by means of flume and ditch to and upon sections 28 and 27 and other lands in Township 20 N. R. 1 E. B.H.M. Co. of Butte State of S. Dak. IV That I took and appropriated said water on the sixteenth day of June A. D. 1903. Dated this 16th day of June 1903.

D. M^v Tarter.

Appropriator and Claimant.

Subscribed and sworn to before me this 16th day of June A. D. 1903.

A.R. McDermott.

Notary Public.

My commission expires Aug. 18th 1906.

Inc into 1286-1

Dean Tarter.

0363-1

Incorporate into Y/R Along with 0570-1

LeRoy J. Mervanagh
10-14-83

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

To Whom These Presents May Concern, Know ye, that I, D. M. Tarter and Scott Currey, 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 North Slate Creek stream to the of Sections 21, 22, 27, 28 in Township 20 North Range 1 E.H more particularly described as follows: commencing at a point ^{770'} 15 chains 50 links ^{33'} sou East of N west corner of Sec 29 Township 20 North range 1 E.H. Butte County So. Dakota, thence running in an Easterly direction to and upon Sou East $\frac{1}{4}$ of Sec 21 NW $\frac{1}{4}$ Sec 28 southwest $\frac{1}{4}$ of Section 22 N west $\frac{1}{4}$ of Sec 27.

I also claim and have a valid right to the enjoyment and use of 200 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 15 day of April, A.D. 1901.

D. M. Tarter.
Scott Currey.

Notice posted on stream 15 day of April, 1901.

Ditch commenced at stream 15 day of April 1901.

(13)
State of South Dakota, }
County of Butte. } ss

On this 11 day of May 1901, before me a Notary Public, in and for the County and State aforesaid, personally appeared D. M. Tarter and Scott Currey, to me personally known to be the person who executed the foregoing written instrument, and acknowledged that he executed the same for the uses therein set forth. Witness my hand and official seal, the day and date above written.

T. C. Pryor.

(Seal)

Notary Public.

LM 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROFILM RECORDS.

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by Dean R Tartar,
Marmarth Rt. Box 4 ~~at~~ Camp Crook, S.Dak- 57724 holder of
 Permit No. 1286-1, bearing the priority of _____ 1903 authorizing
 the diversion of 6.10 cu. ft. per second of the waters of North Slick Creek.
 for Irrigation purposes, in Harding County.

I have to report on the conditions of the same as follows:

- A. Works used to divert the water:
Storage Dam with 15" CMP/Hd Gate, Also overflow from emergency Spillway.
See form WNR-80240-779.
Pump for Traveling gun = Engine = Ford V8 428 cid, propane. est 130 HP.
Pump = Berkeley Model B4EYRMBM CW, Imp-8x7 1/8 Est 600 gpm.
- B. Works used to transport water to place of use:
Ditches and Aluminum Pipe
3/4 Miles of 6" Aluminum Pipe
- C. Works used to apply water to beneficial use:
Dikes for Flood Irrigation
Boss Traveling Gun/Nelson 200 Nozzle with 1.5" dia. Nozzle. 120 psi
600 ft 6" Flexible Hose.

The system is in the following condition GoodThe point of diversion is located 1440 ft E and 300 ft N of the SW Cor of
Section 21, T20 N R 1EThe works are capable of diverting and conveying to the place of use 20 + cfs.
 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: _____
See Attached sheetcomprising a total of 426 acres of land and the license should be issued for 6.10 cfsApplicable permit qualifications have been complied with X Yes _____ NoExceptions to compliance are: _____ Date October 14, 1982

Leroy J Mernaugh
 (signature)

Dean R Tarter.

Vested Right Application

Land Description of Area Irrigated

NE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 21, T20N R1E	9 Acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$	" 21 " "	4 "
NW $\frac{1}{4}$ SE $\frac{1}{4}$	" 21 " "	28 "
NE $\frac{1}{4}$ SE $\frac{1}{4}$	" 21 " "	13 "
SW $\frac{1}{4}$ SE $\frac{1}{4}$	" 21 " "	14 "
SE $\frac{1}{4}$ SE $\frac{1}{4}$	" 21 " "	19 "

NW $\frac{1}{4}$ NW $\frac{1}{4}$	" 27 " "	20 "
NE $\frac{1}{4}$ NW $\frac{1}{4}$	" 27 " "	12 "
SW $\frac{1}{4}$ NW $\frac{1}{4}$	" 27 " "	40 "
SE $\frac{1}{4}$ NW $\frac{1}{4}$	" 27 " "	40 "
SW $\frac{1}{4}$ NE $\frac{1}{4}$	" 27 " "	30 "
NW $\frac{1}{4}$ SW $\frac{1}{4}$	" 27 " "	25 "
NE $\frac{1}{4}$ SW $\frac{1}{4}$	" 27 " "	5 "

SE $\frac{1}{4}$ NW $\frac{1}{4}$	" 28 " "	40 "
NE $\frac{1}{4}$ NE $\frac{1}{4}$	" 28 " "	23 "
SW $\frac{1}{4}$ NE $\frac{1}{4}$	" 28 " "	40 "
SE $\frac{1}{4}$ NE $\frac{1}{4}$	" 28 " "	40 "
NE $\frac{1}{4}$ SW $\frac{1}{4}$	" 28 " "	6 "
NW $\frac{1}{4}$ SE $\frac{1}{4}$	" 28 " "	7 "
NE $\frac{1}{4}$ SE $\frac{1}{4}$	" 28 " "	11 "

Total.

426 Acres



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

May 31, 1983

Dean R Tarter
Marmarth Rt
Camp Crook SD 57724

Dear Mr. Tarter:

In October, 1982, I visited with you regarding your Water Permit Filings. We decided at that time to have you file for a Vested Right Permit with the end result you will have an accurate and up to date permit.

Enclosed are two copies of Form 2, Application for Permit, two copies of Form 2A for the dam, and one copy of Form 2B, Affidavit of Water Use and a copy of a map for your system. Would you please check over all of the forms for accuracy. Make corrections or additions where necessary. Then sign and have notarized all of the forms where shown and return all of them to this office with a check for \$10.50 to cover the cost of the examining fee and the license.

Also check over the map and make any changes or corrections necessary. If there are no changes on the map you may keep it for your use. If there are changes please return it with the forms so we can correct our office copy.

Water Right Filing Nos. 0570-1 and 0363-1 are incorporated into this Vested Right. Filing No. 0362-1 is identified with No. 0570-1 except for dates. No. 0363-1 is incorporated into this Vested Right also because it covers the SE $\frac{1}{4}$ Section 21 which you are irrigating but it is not covered under 0570-1.

I am also enclosing a topo map showing the Water Right Filings that are on or near your property along with a copy of each filing. I colored in the area I felt they could have irrigated from those filings, based on the contour lines. You may keep these for your use. Filing Nos. 0280-1 and 0362-1 will be presented for cancellation to the Water Management Board at a later date. You will be notified of the date. Nos. 0240-1, 0243-1 and 0252-1 involve several land owners, therefore these will need further investigation before being considered for cancellation.

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

Sincerely,

LERÖY J MERNAUGH
Water Resources Engineer
enclosures

WATER RIGHTS DIVISION
(605) 773-3352

June 21, 1983

Dean R. Tarter
Marmarth Route, Box 4
Camp Crook, South Dakota 57724

Dear Mr. Tarter:

Regarding your vested right filing to irrigate portions of Sections 21, 27 and 28-T20N-R1E the filing fee of \$10.50 must be received before further processing.

Sincerely,

Betty Westlund
Water Rights Specialist

BW:ms

RECEIPT

WATER RIGHTS COMMISSION

№ 4 9290

State of South Dakota

July 15

83

PIERRE,

19

Dean R. Tarter, Marmarth Route, Camp Crook, SD 57724

RECEIVED OF BOX #4

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

Fee for Application for Permit to Appropriate Water No. (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.....	2	60
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

Chief Engineer, Executive Officer

JOHN HATCH/ms



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
(605) 773-3352

November 16, 1983

Dean R. Tarter
Marmarth Route, Box #4
Camp Crook, South Dakota 57724

Dear Mr. Tarter:

Enclosed herewith are your Vested Right Permit, Water License No. 1286-1.
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 that reads "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

enclosures

Applicable portions of Water Right Filings 0570-1 and 0363-1 were incorporated
into Vested Right No. 1286-1 and the abandoned portions of Filings No. 0570-1
and 0363-1 have been cancelled.



Department of Water & Natural Resources

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

March 23, 1987

DEAN R. TARTER
MARMARTH-BOX 4
CAMP CROOK, SD 57724

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s) 1286-1, 236-1. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 2:00 pm, May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 1286-1, 236-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

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

NOTE: If the questionnaire(s) is received in this office before the hearing date, your name will be deleted from the agenda for the hearing.



Department of Water & Natural Resources

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

April 24, 1987

236-1

1286-1

Dean R Tarter
Marmarth Rt
Camp Crook, SD 57724

Dear Mr. Tarter:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaires. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Permit Nos. 236-1 and 1286-1 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,

A handwritten signature in dark ink, appearing to read "John Hatch". The signature is written in a cursive, flowing style.

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

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1286-1 FOR IRRIGATION

Date of Receipt of Claim June 17, 1983.

Date of Validation September 27, 1989.

The Water Management Board validated Vested Water Right Claim No. 1286-1 for irrigation purposes for Dean R Tarter, Marmarth Rt, Box 4, Camp Crook SD 57724 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1286-1 appropriates 6.10 cubic feet of water per second from North Slick Creek to irrigate 426 acres. Water is diverted from a storage dam (256 acre feet storage capacity) located in the SE1/4 SW1/4 section 21 to the irrigated acreage located in the E1/2 SW1/4, SE1/4 section 21; NW1/4, SW1/4 NE1/4, N1/2 SW1/4 section 27; SE1/4 NW1/4, E1/2 NE1/4, SW1/4 NE1/4, NE1/4 SW1/4, N1/2 SE1/4 section 28; all in T20N-R1E.
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: March 1 - October 31.
3. The priority date of the Vested Water Right is January 1, 1903.
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

Applicable portions of Water Right Filings 0570-1 and 0363-1 were incorporated into Vested Right No. 1286-1 and the abandoned portions of Filings No. 0570-1 and 0363-1 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

1286-1

Dean R Tarter
Marmarth Rt, Box 4
Camp Crook SD 57724

Dear Mr. Tarter:

The Water Management Board has validated the enclosed Vested Water Right No. 1286-1. 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



1286-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

www.state.sd.us/denr

January 17, 2003

NOTICE**TO:** DEAN R TARTER, HC 59 BOX 4, CAMP CROOK, SD 57724**FROM:** Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program**SUBJECT:** Reporting Requirement for 2002 Irrigation Questionnaires

Our records indicate that the 2002 Irrigation Questionnaires have not been submitted for Permit Nos. 236A-1, 236-1 & 1286-1. The request for the Questionnaires was dated October 11, 2002. The Water Management Board has directed that owners of water permits who have not submitted the 2002 Irrigation Questionnaires be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine if Permit No(s) 236-1 & 1286-1 should be amended to require the Questionnaire to be submitted each year and to determine action to be taken for violation of Water Permit No(s) 236A-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at 8:30 am, March 5, 2003 in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

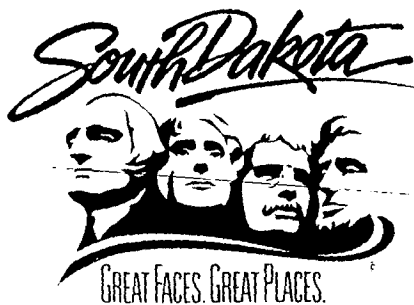
1. Suspend or cancel Permit No(s) 236A-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Amend Permit No(s) 236-1 & 1286-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
3. Postpone any action or take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaires are received in this office on/or before **February 28, 2003**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. If you have questions or need assistance in completion of the irrigation questionnaire(s), please contact Genny McMath (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

1286-1



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2003

236-1
236A-1
1286-1

Dean R Tarter
HC 59 Box 4
Camp Crook SD 57724

Dear Mr. Tarter:

I am writing to acknowledge receipt of your 2002 irrigation questionnaires. You may disregard the January 17, 2003, "Notice" concerning reporting requirements for Water Permit or Right Nos. 236-1, 236A-1 and 1286-1.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

NOT TO SCALE

Dam = 80 surface Ac
8.0' Deep

C
Knipper
to white

Walter White
Sec 29+28-20-1

Vernon Knipper
Walter White

4.0

A 41.1
20-1

2-11R
Harry Lewton

Sec 28+33-20-1

MAP
1286-1 45.

DDI 13.0

1 13.0 SE $\frac{1}{4}$ NW $\frac{1}{4}$

SW $\frac{1}{4}$ NE $\frac{1}{4}$
40 AC.

3 13.0 40 AC

SPRINKLER Irr.

4 14.1

5 16.0

Dean Tarter

6 17.8

7 18.0

6 AC.

28

7 AC

NE $\frac{1}{4}$ SW $\frac{1}{4}$

(NW $\frac{1}{4}$ SE $\frac{1}{4}$)

Dean Tarter

11.0 AC.

17.3

H 19.6
NE $\frac{1}{4}$ SE $\frac{1}{4}$

B2 B3
6.8 8.4
NE $\frac{1}{4}$ NE $\frac{1}{4}$
23 AC

7.8 PIPES Hd gates
TAPED PIPES
B4 B5 B6
SE $\frac{1}{4}$ NE $\frac{1}{4}$
40 AC

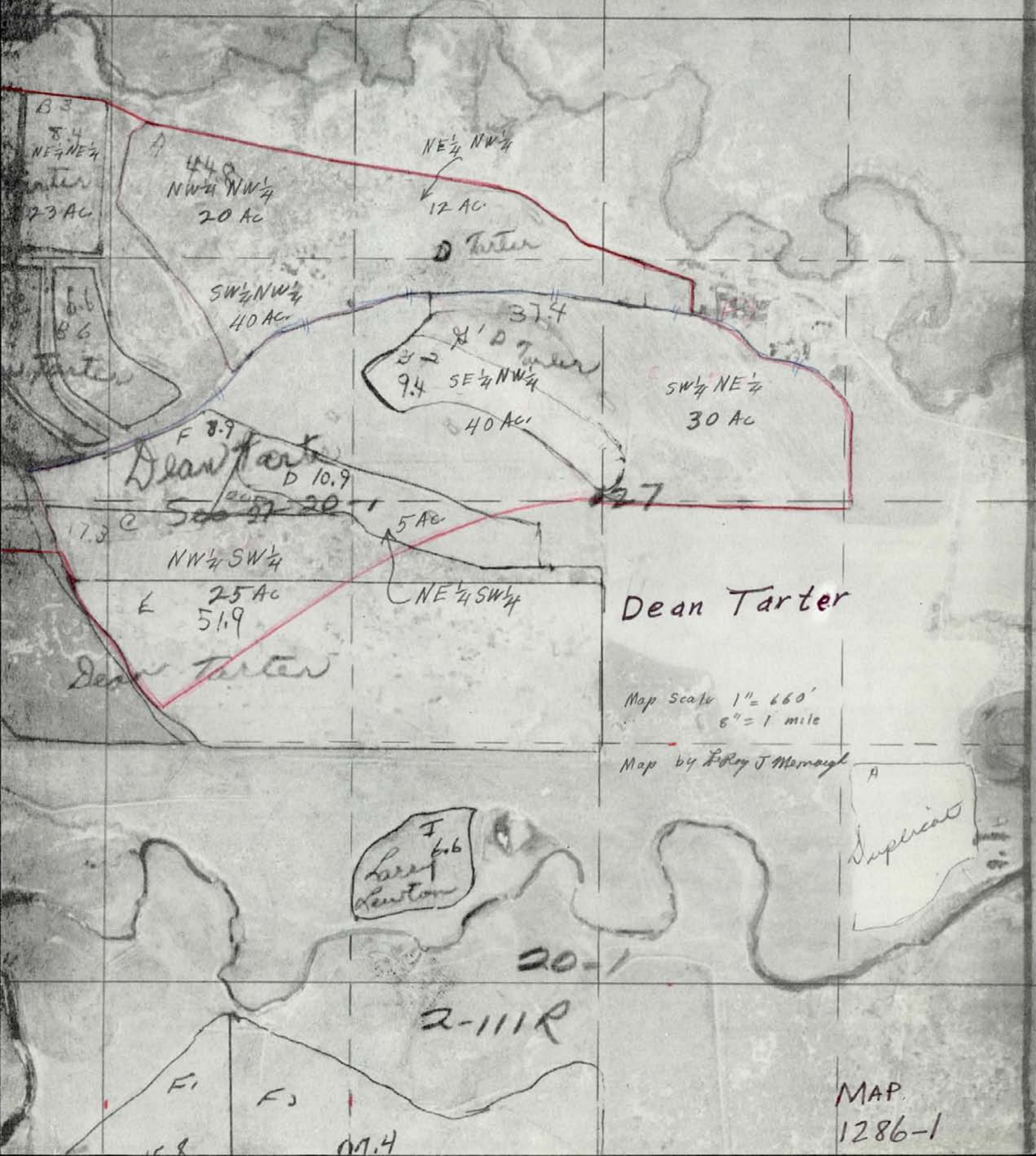
PUMP SITE

F
Dean

E

Dean

NOT TO SCALE



R I E

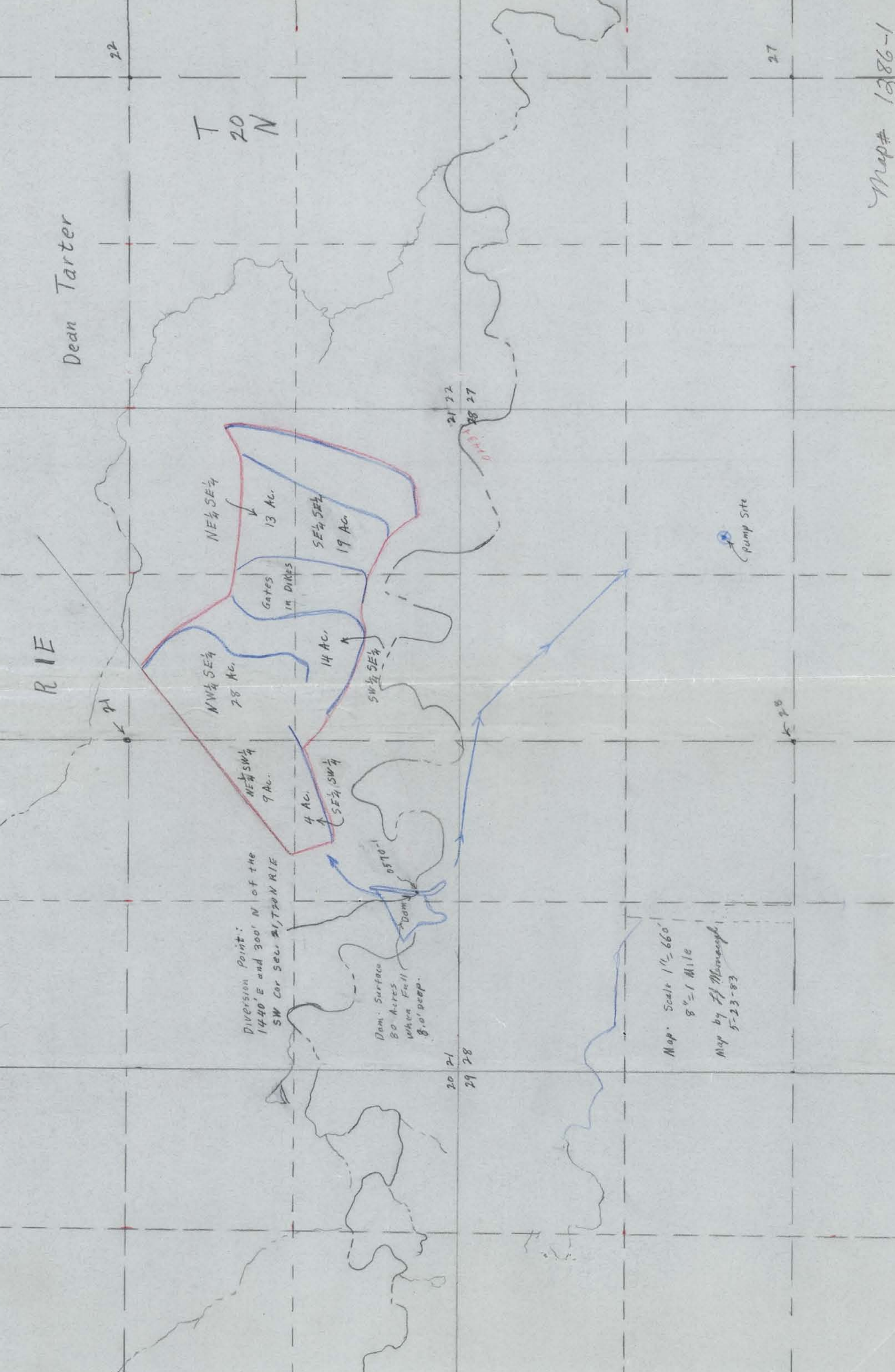
Dean Tarter

T 20 N

22

27

Map# 1286-1



Diversion Point:
1440'E and 300' N of the
SW Cor. Sec. 21, T20N R1E

Dam: Surface
80 Acres
when Full
8.0' deep.

Pump Site

Map. Scale 1" = 660'
8" = 1 Mile
Map by H. H. Monograph
5-23-83

20 21
29 28