

VESTED RIGHT

Water Right No. 1293-1

1. Considered: _____, 19____
2. Name of Applicant Eugene Turbiville
3. Post Office Address Rt. 46147, Box 3, Camp Crook, S.D. 57724
4. Amount of Water Claimed 1.39 maximum acre feet _____
5. Source of Water Supply Dry Draw
6. Water to be used for IRR acres to be irrigated 97
7. County Harding about _____ miles _____ of _____
8. PROOF OF PUBLICATION: Received _____ Not Received _____
 APPLICATION: Approved _____ Subject to _____
 Not Approved _____ Action Deferred _____

PRIORITY
1903

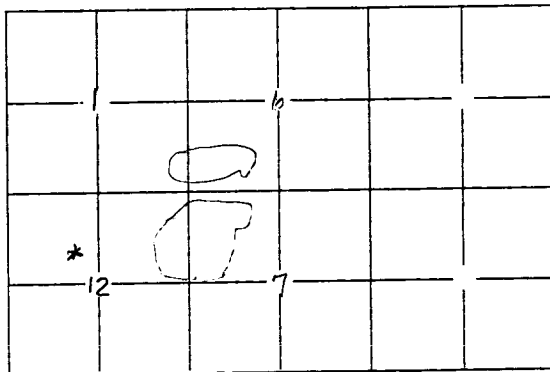
Dated Received 12/6/83 Application complete-yes x no _____ FEE 10.50
 Remarks _____

Corrected Application received _____ Period of Annual Use 3/1 thru 10/31

WATER
QUALITY

Received yes _____ no _____ APPROVED/CONDITIONAL (Circle one)
 WI-1 Description same as application-yes _____ no _____ Remarks _____
not applicable

Disapproved _____ Returned _____



Diversion Point _____
SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12-19N-1E

Land to be irrigated _____
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 1; E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 12,
both in T19N-R1E and S $\frac{1}{2}$ SW $\frac{1}{4}$, Section 6;
W $\frac{1}{2}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 7 both in
T19N-R2E

WELL LOG

Driller _____ Licensed - yes _____ no _____

Depth _____

Remarks _____

MAP Map No. 1293-1 Map located in Water Right _____ Map file _____
 Type of Map aerial-drawn Prepared by LeRoy 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:~~
12/7/83

LeRoy Mernaugh
 (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. <u>1293-1</u>	Hydrologic Unit <u>10110201</u>
Map No. <u>1293-1</u>	Basin <u>Little Missouri</u>
Newspaper <u>N/A</u>	

Application For Permit To Appropriate Water Within The State Of South Dakota

Type of Application: Check one or more of the following:

New ☐ Vested Right ☒ Future Use ☐☐ Application to amend Permit No. _____ with old priority date retained☐ Change diversion point(s) ☐ Add diversion point(s) ☐ Change acreage ☐ Other ☐☐ Application to: ☐ Change use ☐ Change diversion point(s) ☐ Add diversion point(s)☐ Add Acreage ☐ Increase diversion rate ☐ Other _____ See Permit No. _____☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____1. Name of Applicant Eugene Turbiville Phone No. 797-4449Post Office Address Route #46146, Box 3, Camp Crook State SD 57724
(Street, RR or Box) Zip Code2. Amount of water claimed (c.f.s.) 1.39 Total acres irrigated 973. Source of Water supply Dry Draw4. Location of point of diversion 2030 ft. S and 730 ft. W of the N $\frac{1}{4}$ Corner Section 12,
T19N, R1E (BD)County Harding5. Counties where water will be used Harding6. Annual period during which water is to be used March thru October

7. 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.
SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T19N, R1E	5
NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 12, T19N, R1E	13
SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 12, T19N, R1E	7
SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 6, T19N, R2E	21

Land Description	No. Acres Irr.
SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 6, T19N, R2E	14
NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 7, T19N, R2E	23
NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 7, T19N, R2E	2
SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 7, T19N, R2E	12

Attach sheet if more space is needed

8. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

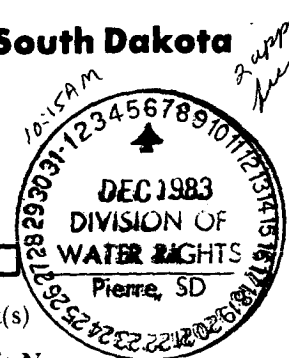
Completed - areas flood by ditches and dikes.
some areas have borders for irrigating

This Vested Right is based on Water Right Filing #0115-1

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

STATE OF SOUTH DAKOTA)
County of HARDING ssI, Eugene W. Turbiville the applicant, certify that I have read the foregoing application, 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 Eugene W. TurbivilleSubscribed and sworn to before me this 2nd day of December 1983Frank Klauzer

Notary Public (or other qualified officer)



vested Water Right

~~WATER PERMIT~~

recognizes Vested Water Right

The Water Management Board hereby ~~approves Water Permit~~ Application No. 1293-1

Eugene Turbiville

(Applicant)

Rt. 46147 Box 3 Camp Crook

(Post Office Address)

South Dakota

(State)

57724

(Zip Code)

With the following qualifications.

"Vested Right Claimed"

The applicable portions of Water Right Filing No. 0115-1 were incorporated into Vested Right No. 1293-1, and the abandoned portions of Filing No. 0115-1 have been cancelled.

Date of first receipt of application December 6, 1983

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

Date of receipt of corrected application , 19 recognized February 15, 1984

The Water Management Board hereby ~~approves this Water Permit~~ No. 1293-1 recognizing authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the ~~Water Permit approval~~, subject, however, to the following limitations and conditions:

Vested Right

1. The date from which applicant may claim right is , 1903
2. ~~One-fifth of the work is to be completed on or before~~ , 19
3. The whole of said work is ~~to be completed on or before~~ , 19
4. The ~~time limit for proof of~~ beneficial use of water is Complete, 19
5. The water appropriated ~~shall be~~ is 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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 1.39 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. 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~~ , 1983; said water to be used during the following described annual period: March 1 thru Oct. 31

WATER MANAGEMENT BOARD

By: John Hatch
Chief Engineer

Division of Water Rights
Dept. of Water and Natural Resources

April 4, 1984

State of South Dakota
Water License No. 1293-1

(1) Eugene Turbiville
of Rt 46146, Box 3, Camp Crook SD 57724
made Application No. 1293-1, December 6, 1983 for **recognition of a vested right** ~~for a water permit~~ to appropriate
1.39 cubic feet per second of water from a dry draw,
Harding County, South Dakota for irrigation purposes.
Vested Right
~~Permit~~ No. 1293-1, with a priority date of April 16, 1903
recognized February 15, 1984 **recognizing**
was ~~approved~~ 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 1.39 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 2030 feet S and 730 feet W of the
N 1/4 corner of Section 12, T19N, R1E (BD)

and

(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 described land:

T 19N, R1E

Section 1 SE 1/4 SE 1/4 5 acres (DD)

Section 12 NE 1/4 NE 1/4 13 " (AA)

SE 1/4 NE 1/4 7 " (AD)

T19N, R2E

Section 6 SW 1/4 SW 1/4 21 " (CC)

SE 1/4 SW 1/4 14 " (CD)

Section 7 NW 1/4 NW 1/4 23 " (BB)

NE 1/4 NW 1/4 2 " (BA)

SW 1/4 NW 1/4 12 " (BC)

TOTAL 97 acres

(4) Pursuant to §46-5-30.1 Eugene Turbiville
of Rt 46146, Box 3, Camp Crook, South Dakota 57724

the holder(s) and/or owner(s) of Water Permit No. 1293-1 is issued a license to appropriate water, the right to use 1.39 cubic feet per second of water from a dry draw with a priority date of April 16, 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

This license is subject to any limitations or qualifications listed in Water Permit No. 1293-1 and subject to South Dakota State Law.

Chief Engineer, Water Rights Division
Department of Water and Natural Resources

April 5, 1984

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth of Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard 3.0'

c) Crest Width 8.0'

Crest Length 700'

d) Height 15'

e) Outlet Dimensions:
Pipe diameter 12" CM/Hd Gate

Spillway width 100 ft.

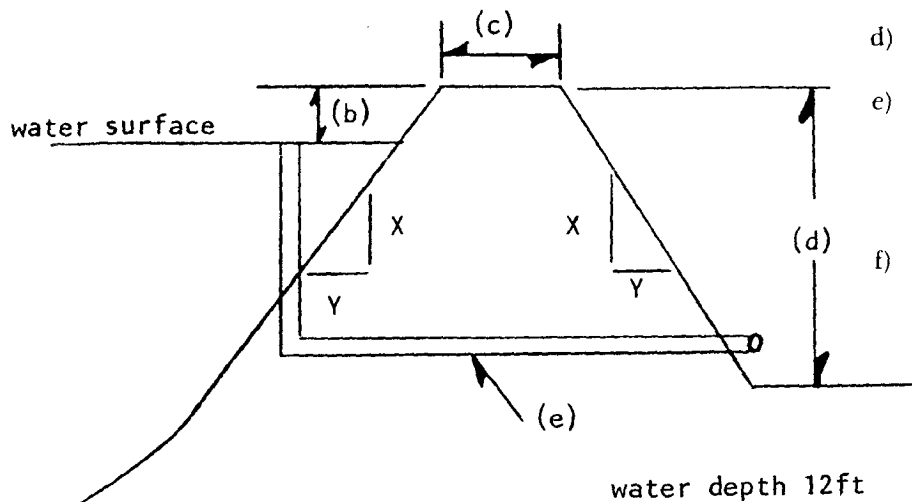
f) X & Y Slope
Upstream 4:1

Downstream 2:1

Surface Area of Impoundment 24

Storage 115. acre feet

Drainage area above dam 860 Ac.



water depth 12ft

Eugene W. Turbinville
Signature of Applicant

Affidavit of Water UseInformation based on
Water Right Filing #0115-1

No. _____

(Type or Print in Ink)

Note: This Form is supplemental to Form 2 and is to be used when an affidavit pertaining to construction and water use already constructed is needed, primarily with vested right claims.

**Affidavit Of Construction Of Water Use System
And Application Of Water To Beneficial Use**

Name of Applicant (Same as Form 2) Eugene Turbiville

Post Office Address Route #46146, Box 3, Camp Crook, SD 57724
(Street, RR or Box) (State) (Zip Code)

A. Notice of Appropriation April 16, 1903 Date of Posting April 16, 1903

Date of recording _____ Recording date _____
Where Book Page

B. Date of start of construction of water supply system 1903C. Date that water was first applied to beneficial use 1904D. Name of owner of original water supply system Jesse R. EmeryE. Amount of water originally applied to beneficial use 20 cfs (Est)F. Present Use of Water - Amount of water now being used 10 cfs (Est)Date that this water was first used 1948

G. Chronological History of Water Use

1903 System constructed by Jesse R. Emery. Later it was owned by Hickey

1939 Albert Turbiville obtained the property. 1948 the storage dam was constructed with controls

1974 Eugene Turbiville acquired the property. The system has been in continual use from 1903 until the present time.

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, Eugene W. Turbiville the applicant, certify that I have read the foregoing
(print or type)
 and that the matters therein stated are true.

Signed Eugene W. TurbivilleSubscribed and sworn to before me December 2, 1983Frank Klauzer

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.

(Print name)_____
(Print name)

Little Missouri Water District

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

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

I have this day made a thorough examination of the water use system constructed by Eugene
Turbiville Rt # 46146, Box 3, Camp Crook, S.D. 57724 holder of
Permit No. 1293-1, bearing the priority of April 16 1903 authorizing
the diversion of 1.39 cu. ft. per second of the waters of Dry Draw
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:

Dam with 12" CMP/Head Gate.
See Form 2 A for Specifications

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

Ditches to Areas Irrigated

C. Works used to apply water to beneficial use:

Works used to apply water to beneficial use:
Borders / siphons, Ditches and Dikes to flood irrigate

The system is in the following condition Good.

The point of diversion is located 2030 ft S. and 730 ft W. of the N $\frac{1}{4}$ Cor.
of sec. 12, T19N R1E

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

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

SE $\frac{1}{4}$ SE $\frac{1}{4}$ SEC. 1 T19N R1E = 5 AC.	SE $\frac{1}{4}$ SW $\frac{1}{4}$ SEC. 6 T19N R2E = 14 AC.
NE $\frac{1}{4}$ NE $\frac{1}{4}$ SEC. 12, " " = 13 AC.	NW $\frac{1}{4}$ NW $\frac{1}{4}$ " 7 " " = 23 AC.
SE $\frac{1}{4}$ NE $\frac{1}{4}$ " 12 " " = 7 AC.	NE $\frac{1}{4}$ NW $\frac{1}{4}$ " 7 " " = 2 AC.
SW $\frac{1}{4}$ SW $\frac{1}{4}$ " 6 T19N R2E = 21 AC.	SW $\frac{1}{4}$ NW $\frac{1}{4}$ " 7 " " = 12 AC.

comprising a total of 97 acres of land and the license should be issued for 1.39 cfs

Applicable permit qualifications have been complied with X Yes No

Exceptions to compliance are: _____ Date Aug 16, 1983

Leroy J. Mernaugh
(signature)

Eugene Turbiville

Scale 8" = 1 Mi

1" = 660'

Map by Ed J. Mennigh

Dike 7

Siphon tubes and openings in ditch

EUGENE TURBIVILLE

SE 1/4 SW 1/4 14 AC

SE 1/4 SE 1/4 23.5 SW 1/4 SW 1/4 21 AC

F 80

2030'

Dam 15' High
700' Long
120 steel pipe / hd gate

Head Gate

Dam
= 24 Surface Acres

NE 1/4 NE 1/4 13 AC

N 1/4 12.0

23 AC

NE 1/4 NW 1/4 2 AC

SE 1/4 NE 1/4 9 AC

SW 1/4 NW 1/4 12 AC

N 1/4 19.0

10.7

14.2

SW 1/4 NE 1/4 2 AC

NW 1/4 SE 1/4 31 AC

D 2 15

NE 1/4 SE 1/4

NW 1/4 SW 1/4 9 AC

APPL & MAP # 1293-1

RECEIPT

Division of Water Rights

No 4 9436

South Dakota Department of Water and Natural Resources

Pierre, December 6, 19 83

RECEIVED OF Eugene Turbiville, Route #46146, Box 3, Camp Crook, SD 57724

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 (Vested) _____	10 50 8 00
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. _____	250
Fee for Filing Transfer Form _____	
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	10 50

By John Hatch
Chief Engineer JOHN HATCH (MS)

November 17, 1983

Eugene Turbiville
Route #46146, Box 3
Camp Crook, South Dakota 57724

Dear Mr. Turbiville:

I visited with you several times the past two years at which time I made inspections on the irrigation systems you are now using. It was decided that you should apply for Vested Rights to cover these areas. You have three separate areas irrigated from three separate diversion points with three separate priority dates. Therefore it will be necessary for you to submit an application for each of these. This will bring your irrigation systems up to date.

Enclosed are completed copies of each of these three applications along with the map covering these areas. Would you please look these applications over and make any changes on them that is necessary to make them as correct as possible.

Then sign all and have notarized where shown on the forms. Then return all copies to this office with a check for \$31.50 to cover the cost of the examining fees and the Water License.

Please check over the maps of each of the areas. If you make any changes on them please return them to this office with the applications in order that we can correct the office copy. If you do not make any changes on them you may keep the maps for your files. Also enclosed is a mosaic map of all of your water rights permits. You may keep this for your files.

Later on in a separate letter we will send you a re-license of your Water Rights Permits No. 238-1 and 292-1. This is for the area you are now irrigating from the Little Missouri River in Section 36, T19N, R1E and Section 31, T19N, R2E.

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

Sincerely,

LeRoy J. Mernaugh
Water Resources Engineer

LJM:ms
Enc.

Equal Opportunity Employer

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
(605) 773-3352

April 6, 1984

Eugene Turbiville
Rt 46147, Box 3
Camp Crook SD 57724

Dear Mr. Turbiville:

Enclosed herewith are your Vested Right Permit, Water License No. 1293-1.
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,



JOHN HATCH, Chief Engineer
Water Rights Division

JH: ks

enclosures

NOTE: The applicable portions of Water Right Filing No. 0115-1 were
incorporated into Vested Right No. 1293-1, and the abandoned
portions of Filing No. 0115-1 have been cancelled.

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1293-1 FOR IRRIGATION

Date of Receipt of Claim December 6, 1983.

Date of Validation September 27, 1989.

The Water Management Board validated Vested Water Right Claim No. 1293-1 for irrigation purposes for Eugene Turbiville, Rt 46146, Box 3, Camp Crook SD 57724 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1293-1 appropriates 1.39 cubic feet of water per second from a dry draw (storage dam - 115 acre feet capacity) located in the SE1/4 NW1/4 section 12-T19N-R1E to irrigate 97 acres located in the SE1/4 SE1/4 section 1; E1/2 NE1/4 section 12; all in T19N-R1E; S1/2 SW1/4 section 6; N1/2 NW1/4, SW1/4 NW1/4 section 7; all in T19N-R2E.
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 April 16, 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

The applicable portions of Water Right Filing No. 0115-1 were incorporated into Vested Right No. 1293-1, and the abandoned portions of Filing No. 0115-1 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

1291-1
1292-1
1293-1

Eugene Turbiville
Rt 46146, Box 3
Camp Crook SD 57724

Dear Mr. Turbiville:

The Water Management Board has validated the enclosed Vested Water Right Nos. 1291-1, 1292-1, and 1293-1. This validation gives legal status to the claims and is the final document for your vested rights.

As long as you use the water beneficially, as stated in the validations, 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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

June 5, 2000

Eugene Turbiville
HC 59 Box 2
Camp Crook, SD 57724-9803

Dear Mr. Turbiville:

Thank you for taking the time to visit with me last week about ownership of your water rights. It is my understanding that you have sold all of the land to your son.

Enclosed are partially completed "Notice of Transfer of Ownership" forms for use in filing ownership changes on Water Right Nos. 238-1, 292-1 & 512-1 and Vested Water Right Nos. 1291-1, 1292-1 and 1293-1. The forms will need to be completed and then signed in the presence of a notary public by the new owner(s).

Upon completion, please return them to our office with a required filing fee of \$2.50 each (total of \$15.00). The check or money order for the fee can be made payable to the "Water Rights Program".

If you have any questions, please get in touch with me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP



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

No. 1293-1

Date: 11-1-00

I/We request that Vested Water Right No. 1293-1

formerly owned by: Eugene Turbiville

be transferred to: (name & address) Ronald or Laurel Turbiville

HC59 Box 2 Camp Crook SD

Telephone No. 605-797-4436

Title to the following described land(s)/property has been transferred as described above:
(diversion from dry draw storage dam)

97 acres: SE 1/4 SE 1/4 Sec 1; E 1/2 NE 1/4 Sec 12, T19N, R1E; S 1/2 SW 1/4 Sec 6, N 1/2 NW 1/4, SW 1/4 NW 1/4 Sec 7, T19N, R2E

I/We understand that the validity of Vested Water Right No. 1293-1 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.

STATE OF SOUTH DAKOTA)

County of HANDS)

I/We Ronald or Laurel Turbiville 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, and that I know of my own personal knowledge that the information herein stated is true.

Ronald Turbiville / Laurel Turbiville
(Signed)

Subscribed and sworn to before me this 1 day of Nov, 2000.

[Signature]
(Notary Public)

my Commission Expires 10/7/2002

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. 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

No 416673

Pierre, November 7, 2000

RECEIVED OF Ronald Turbiville, HC 59 Box 2, Camp Crook SD 57724
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 Water Right No. 1293-1

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By Stanley Erbele
Chief Engineer

KS



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 8, 2000

Ronald or Laurel Turbiville
HC 59 Box 2
Camp Crook, SD 57724

RE: Ownership changes for Water Right Nos. 238-2, 292-1, 512-1 and Vested Water Right
Nos. 1291-1, 1292-1 and 1293-1

Dear Mr. & Mrs. Turbiville:

Thank you for following up on the ownership changes for the above listed water rights and vested water rights. The transfers have been completed and they are now listed in your names.

Enclosed are your Receipt Nos. 416671, 416672, 416673, 416674, 416675 and 416676 in the amounts of \$2.50 each. You may keep them for your records.

If you have any questions concerning the transfers or the water rights, please get in touch with me.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

APR 18 2008

WATER RIGHTS
PROGRAM

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

No. 1293-1

Date: 4-16-08

I/We request that Vested Water Right No. 1293-1

formerly owned by: Ronald or Laurel Turbiville, HC 59 Box 2, Camp Crook SD 57724

be transferred to: (name & address) Ron Turbiville, HC 59 Box 2, Camp Crook SD 57724

Telephone No. 605 797-4614

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

97 acres - SE ¼ SE ¼ Section 1, E ½ NE ¼ Section 12 in T19N, R1E

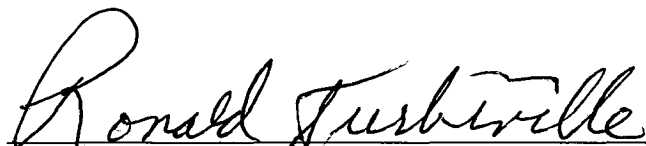
S ½ SW ¼ Section 6, N ½ NW ¼ and SW ¼ NW ¼ Section 7, T19N, R2E

I/We understand that the validity of Vested Water Right No. 1293-1 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 Ronald Turbiville, 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 4/21, 20 08

RECEIVED OF Ron Turberville HC 59 B0x 2 Camp Crook SD 57724

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	2	50
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>1293-1</u>		
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. _____	2	50
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No.

03665

By

Donald Erbe
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

April 22, 2008

Ronald Turbiville
HC 59 Box 2
Camp Crook SD 57724

RE: Water Right and Vested Water Right Nos. 238-1, 292-1, 1291-1, 1292-1 & 1293-1

Dear Mr. Turbiville:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on Water Right and Vested Water Right Nos. 238-1, 292-1, 1291-1, 1292-1 and 1293-1. The ownership changes have been completed. The above listed water rights and vested rights are now listed solely in your name.

Enclosed are your Receipt Nos. 3631, 3632, 3633, 3634 and 3635 in the amounts of \$2.50 each. You may keep these for your records.

If I can answer any questions for you, please contact me.

Sincerely,

A handwritten signature in cursive script that reads 'Genny McMath'.

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

enclosures

1293-1

McMath, Genny

From: Gronlund, Eric

Sent: Thursday, October 14, 2010 9:55 AM

To: McMath, Genny

Subject: partially completed transfer of ownership forms requested.

For Water Right Nos. 292-1, 238-1, 1291-1, 1292-1 and 1293-1 currently held in the name of Ronald Turbiville.

Please sent to Don Zacher, Belle Butte Title Company, PO Box 636, Belle Fourche SD 57717 (his phone number is 642-7304 if we have further questions). He will have the new owner complete them at closing.

I told him that we would like look at past history of water use (if pumping was involved) and let him know if there are any red flags. Being from surface water up in Harding Cty, I presume if there wasn't irrigation there could be legal excuse.

Eric Gronlund

Water Rights Program, DENR

Phone: (605) 773-3352

Fax: (605) 773-4068

Email: eric.gronlund@state.sd.us

Web: www.denr.sd.gov



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 15, 2010

Don Zacher
Belle Butte Title Company
PO Box 636
Belle Fourche SD 57717

RE: Water Right Nos. 238-1 & 292-1 and Vested Water Right Nos. 1291-1, 1292-1 and 1293-1

Dear Mr. Zacher:

I am writing in follow-up to your phone conversation with Eric Gronlund with our program.

Enclosed as discussed are partially completed Notice of Transfer of Ownership forms for filing ownership changes with Water Right Nos. 292-1 & 238-1 and Vested Water Right Nos. 1291-1, 1292-1 and 1293-1. The new owner(s) will need to sign the forms and return them to our office with a required filing fee of \$50.00 each (total of \$250.00). The check or money order for the fee can be made payable to the Water Rights Program.

Every year, we mail out irrigation questionnaires for irrigators to report how much water they pumped during the current crop year. Irrigation questionnaires for Vested Water Right Nos. 1291-1, 1292-1 and 1293-1 are not required due to the type of system used. I reviewed past irrigation questionnaires for Water Right Nos. 238-1 and 292-1 and found irrigation has taken place in most years. In years where no irrigation took place, comments were made on the questionnaires indicating they either had enough natural moisture or they lacked sufficient water.

Enclosed are excerpts of SD Water Laws and Water Management Board Rules. The excerpts outline when a water right is subject to cancellation and some of the reasons the Board has determined to be legal excuse for not irrigating.

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

RECEIVED

NOV - 2 2010

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1293-1

Date: _____

I/We request that Vested Water Right No. 1293-1

formerly owned by: Ronald Turbiville

be transferred to: (name & address)

Robert Garone

5-3-44-202 Minami Azabu

Minato-Ku Tokyo Telephone No.

106-0047

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

**97 acres – SE ¼ SE ¼ Section 1, E ¼ NE ¼ Section 12 in T19N, R1E
S ½ SW ¼ Section 6, N ½ NW ¼ & SW ¼ NW ¼ Section 7, T19N, R2E**

I/We understand that the validity of Vested Water Right No. 1293-1 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 Fifty Dollars (\$50.00) 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 Robert Garone, the new owner, certify that the above information is true and correct.

Robert F. Garone
(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 11/2, 2010

RECEIVED OF Stewart Title of the Black Hills (R Garone) PO Box 459 Spearfish SD 57783

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	50 00	
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>1293-1</u>		
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. _____	50 00	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No.

04666

By

Garland Erbe
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 2, 2010

Robert Garone
5-3-44-202 Minami Azabu
Minato-Ku Tokyo 106-0047

Dear Mr. Garone:

I am writing to acknowledge receipt of the ownership changes you filed with Water Right Nos. 238-1 & 292-1 and Vested Water Right Nos. 1291-1, 1292-1 and 1293-1.

The ownership changes have been completed. The water rights and vested water rights formerly held by Ronald Turbiville are now listed in your name. The receipts for the filing fees will be forwarded with a copy of this letter to Stewart Title Company in Spearfish SD.

Each October we mail out irrigation questionnaires to water right holders in the state for purposes of having them report how much water was diverted during the season. Both Water Right Nos. 238-1 and 292-1 require annual submission of the forms. Do you have a renter on the property you would like the correspondence sent to? Please call or drop me a line so we can edit our records accordingly.

Sincerely,

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

c: Stewart Title of the Black Hills w/Receipts

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

Water Right/Permit No. 1293-1Date: 2-9-15I/We request that Water Right/Permit No. 1293-1 formerly owned by:Robert Garone

be transferred to:

New Owner Name: John LathamAddress: Box 18

City, State, Zip

Camp Creek, SD 57724Telephone No. (605) 430-8157

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

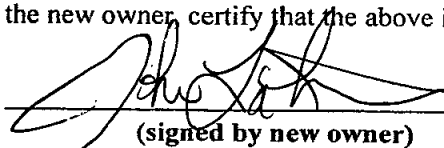
Transfer by warranty deed on 1-30-15

☒ I understand that the validity of Water Right/Permit No. 1293-1 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

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 Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, John Latham, 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.

RECEIVED
FEB 23 2015
WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 2/24, 20 15

RECEIVED OF John Latham 12296 Latham Rd Camp Creek SD 57724

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	50	00
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>1293-1</u>		
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. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No. **07294**

By

James Goodman
Chief Engineer

1293-1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

March 3, 2015

John Latham
Box 18
Camp Crook SD 57724

RE: Water Right Nos. 238-1 & 292-1 and Vested Water Right Nos. 1291-1 & 1293-1

Dear Mr. Latham:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on the above listed water rights and vested water rights held by Robert Garone.

Prior to processing the ownership changes, I need to make sure what land you purchased and if all of the land under each water right is being transferred. The forms you submitted did not include legal descriptions but contained the comment "transfer by warranty deed on January 20, 2015". This does not tell us which land was transferred.

Enclosed are copies of Water Right Nos. 238-1 & 292-1 and Vested Water Right Nos. 1291-1 & 1293-1. The legal descriptions for the land they authorize for irrigation are found within the documents. Please review them and give me a call to verify that you purchased all of the lands. Once we have the verification from you, the ownership changes will be processed.

Thank you in advance for your help.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosures

File No. 238-1
292-1
1291-1
1293-1

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: John Latham, Box 18, Camp Crook SD 57724

DATE: March 24, 2015

TELEPHONE: 605 430-8157

RE: transfer of water rights

COMMENTS:

On February 23, 2015, Mr. Latham submitted four transfer of ownership forms for Water Right Nos. 238-1 & 291-1 and Vested Water Right Nos. 1291-1 and 1293-1.

The forms did not include legal descriptions as to which land was transferred. They all included a notation indicating they were transferred by warranty deed 1-30-15.

To ensure they purchased all of the land under each water right, I sent a letter to Mr. Latham requesting clarification. The letter included copies of each water right.

Mr. Latham called on March 24th and indicated he and his brother Jason purchased all of the land. We can now proceed with processing the ownership changes. Since he filled out the top part of the form with his name and signed them all that way, the water rights will be transferred to his name only.



Genny McMath
Water Rights Program

1293-1



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

March 26, 2015

John Latham
Box 18
Camp Crook SD 57724

RE: Water Right Nos. 238-1 & 292-1 and Vested Water Right Nos. 1291-1 & 1293-1

Dear Mr. Latham:

The ownership changes for the above listed water rights and vested water rights have been completed. Enclosed for your records are Receipt Nos. 07294, 07295, 07296 and 07297 in the amount of \$50 each.

For informational purposes, each year you will receive an irrigation questionnaire for Water Right Nos. 238-1 and 292-1. The forms request information on how much water was pumped during the season. Enclosed is a sample copy of an irrigation questionnaire to give you an idea of what type of information to keep track of during the season. The forms are typically mailed out in mid-October and are due back in our office by the 1st week in December. Questionnaires are not required for Nos. 1291-1 and 1293-1 because our records show the land to be irrigated with "water spreading" systems.

If I can answer any questions for you, please let me know.

Sincerely,

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

enclosures