

WATER PERMIT NO. 1303-1MAP No. 1303-1Name of Applicant Frank LathamPost Office Address Box 4, Camp Crook, S.D. 57724Amount of Water Claimed 0.59 Total Acres 41Source of Water Supply Little Missouri RiverWater to be used for IRR County Harding

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved April 25, 1984 Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received 2/23/84 Fee 10.50 Remarks _____1/1/52 upon approval V/R this permit will be incorporated in to a
re license of permits No. 246-1 and 279-1Corrected Application Received _____ Period of Annual Use 4/15 to 11/15

WATER QUALITY APPROVAL RECEIVED _____ APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

not applicableDiversion Point between points located inthe NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31-T20N-R2E³⁶Land to be Irrigated SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 36;W $\frac{1}{2}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31-all in T20N-R2E

Well Log: Driller _____ Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map drawn PREPARED BY LeRoy Mernaugh Reviewed and the Numberassigned on 2/28/84 By Giveslund2/28/84
Copies to Nelson & Hansen

No. 1303-1 Hydrologic Unit 10110201
Map No. 1303-1 Basin L. Missouri River
Newspaper N/A

Mail to: Water Rights Div.
DWNR, Foss Bldg.
Pierre, SD 57501
(605) 773-3352

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 Frank Latham Phone No. 797-4448

Post Office Address Box #4, Camp Crook, South Dakota State 57724
(Street, RR or Box) Zip Code

2. Amount of water claimed (c.f.s.) .59 Total acres irrigated 41

3. Source of Water supply Little Missouri River

4. Location of point of diversion Between Point "A" 500 ft E and 100 ft S of W $\frac{1}{4}$ Corner of (NW SW)
Section 31, and Point "B" 660 ft W of N $\frac{1}{4}$ Corner of Section 31, T20N, R2E N. NW $\frac{1}{4}$
County Harding

5. Counties where water will be used Harding

6. Annual period during which water is to be used April 15 to November 15

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 $\frac{1}{4}$ NE $\frac{1}{4}$ Section 36 T20N R2E	18
NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31 T20N R2E	15
SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 31 T20N R2E	6
NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31 T20N R2E	2

Land Description	No. Acres Irr.

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)

Note: Upon approval of this Vested Right Permit by the Water Management Board, this permit will be incorporated into a relicense of Permits No. 246-1 and No. 279-1

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 ss

I, Frank Latham 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 Frank Latham

Subscribed and sworn to before me this 18th day of February 1984

Frank Klausner
Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. _____

(Post Office Address)

(Applicant)

With the following qualifications.

(State)

(Zip Code)

See Form UR-1

Date of first receipt of application _____, 19____

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

Date of receipt of corrected application _____, 19____. Approved _____, 19____

The Water Management Board hereby approves this Water Permit No. _____ 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:

1. The date from which applicant may claim right is _____, 19____
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 _____, 19____
5. The water appropriated shall be used for the purpose of _____
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right the use of water must not be unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed _____ 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 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 _____, 19____; said water to be used during the following described annual period: _____

WATER MANAGEMENT BOARD

By: _____ Chief Engineer

Division of Water Rights
Dept. of Water and Natural Resources

_____, 19____

VESTED WATER RIGHT

The Water Management Board hereby recognizes Vested Water Right No. 1303-1

Frank Latham

(applicant)

Box 4Camp Crook

(post office address)

South Dakota

(state)

57724

(zip code)

Date of receipt of Application February 23, 1984

Recognized April 25, 19 84

The Water Management Board hereby recognizes 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 Vested Water Right, subject, however, to the following limitations and conditions:

1. The date from which the applicant may claim right is September 6, 1952.
2. The whole of said work has been completed and water has been applied to beneficial use as described on Form 2B of this application.
3. The water appropriated is used for the purpose of Irrigation.
4. The prior rights 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.
5. The amount of the appropriation hereby recognized shall not exceed 0.59 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 has been actually and beneficially applied for irrigation. The water is to be used during the following described annual period April 15 to November 15.

WATER MANAGEMENT BOARD

By: John Hatch

(Chief Engineer)

JOHN HATCH

Division of Water Rights

Dept. of Water and Natural Resources

May 21, 1984

State of South Dakota

VESTED RIGHT Water License No. 1303-1

(1) Frank Latham

of Box 4, Camp Crook, South Dakota 57724

made Application No. 1303-1, February 23, 1984 for recognition of a vested right ~~for a water permit~~ to appropriate

0.59 cubic feet per second of water from the Little Missouri River,

Harding County, South Dakota for Irrigation purposes.

Vested Right Permit No. 1303-1, with a priority date of September 6, 1952

recognized was approved April 25, 1984 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

The applicable portions of Water Right Nos. 246-1 and 279-1 have been incorporated into this Vested Right Water License No. 1303-1. Lands covered under Water Right No. 246-1 are also authorized by Water Right No. 279-1. The September 6, 1952 priority date of Water Right No. 246-1 will be retained for all lands and water.

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 1.71 cubic feet per second of water

for beneficial use. The location of the diversion point(s) is between point "A" 500 feet East and 100

feet South of the West 1/4 corner of Section 31 and point "B" 660 feet West of the

North 1/4 corner of Section 31, T20N, R2E

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 land,

Section 36, T20N, R1E SE $\frac{1}{4}$ NE $\frac{1}{4}$ 18 acres (AD)

Section 31, T20N, R2E NW $\frac{1}{4}$ NW $\frac{1}{4}$ 15 " (BB)

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 32 " (BA)

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 30 " (BC)

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 16 " (BD)

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 7 " (AC)

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2 " (CB)

TOTAL 120 acres

(4) Pursuant to §46-5-30.1 Frank Latham

of Box 4, Camp Crook SD 57724

Vested Right
the holder(s) and/or owner(s) of Water Permit No. 1303-1 is issued a license to appropriate water, the right to use 1.71 cubic feet per second of water from the Little Missouri River with a priority date of September 6, 1952 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 Vested Right Water Permit No. 1303-1 and subject to South Dakota State Law.

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

December 3, 1984

Permit No. 1303-1

Relicense # 246-1 & 279-1
1/4 mi. for SE 1/4 NW 1/4 - 36 T20N R1E
9 1/2 mi. NW 1/4 T20N R2E

Little Missouri River Water District 10110201

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 Frank Latham
Box 4, Camp Crook a S.Dak. 57724 holder of
Permit No. 1303-1, bearing the priority of September 6 1952 authorizing
the diversion of 0.59 cu. ft. per second of the waters of Little Missouri River
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:

Engine - Chrysler Industrial - Propane.

Pump - CMC portable, Pumps 800 gpm. - 600 gpm when Sprinkling

Engine - IHC Diesel 406 - 4 cyl.

Pump - Pacific / Johnson Head - 12", pumps 2000 gpm. for Flood Irrigation

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

1/4 Mile of 4" and 5" Aluminium Pipe

1/4 Mile of 14" dia Plastic Pipe

Ditches

C. Works used to apply water to beneficial use:

Sprinklers - Hand Moved.

Borders + Siphons

Dikes

The system is in the following condition Fair

The point of diversion is located Between Pt "A" 500 ft E and 100 ft S of W 1/4 Cor. of
Sec. 31 and Pt "B" 660 ft W of N 1/4 Cor. of Sec. 31, T20N R2E

The works are capable of diverting and conveying to the place of use 6.22

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:

<u>SE 1/4 NE 1/4 Sec. 36, T20N R1E = 18 Ac.</u>	<u>SE 1/4 NW 1/4 Sec. 31 T20N R2E = 16 Ac</u>
<u>NW 1/4 NW 1/4 Sec. 31 T20N R2E = 15 Ac.</u>	<u>SW 1/4 NE 1/4 " 31 " " = 7 Ac.</u>
<u>(Lot 1) NE 1/4 NW 1/4 " 31 " " = 32 Ac.</u>	<u>NW 1/4 SW 1/4 " 31 " " = 2 Ac.</u>
<u>(Lot 4) SW 1/4 NW 1/4 " 31 " " = 30 Ac.</u>	

comprising a total of 120 acres of land and the license should be issued for 1.71 cfs

Applicable permit qualifications have been complied with Yes No

Exceptions to compliance are: _____ Date October 25, 1983

LeRoy J. Mernaugh
(signature)

Affidavit of Water Use

Based on Water Right
Permit No 246-1

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) Frank Latham

Post Office Address Box #4, Camp Crook, South Dakota 57724
(Street, RR or Box) (State) (Zip Code)

A. Notice of Appropriation September 6, 1952 Date of Posting _____

Date of recording _____ Recording date _____
Where Book Page

B. Date of start of construction of water supply system 1952

C. Date that water was first applied to beneficial use June 1953

D. Name of owner of original water supply system Frank Latham

E. Amount of water originally applied to beneficial use 2.0 cfs

F. Present Use of Water - Amount of water now being used 6.22

Date that this water was first used _____

G. Chronological History of Water Use

The areas applied for in this Vested Right application were developed and used at the same time as those developed for Water Permit No. 246-1. The areas should have been included on that permit.

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

Signed Frank Latham

Subscribed and sworn to before me February 18, 1984

Frank Klauza
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.

Ervin LATHAM FEB 18 1984
(Print name)

NEIL LATHAM FEB 18 1984
(Print name)

R1E

R2E

25

30

29

28

Oley

Creek

Frank Latham

Caroline Butte

T
20
N

T
19
N

LITTLE

MISSOURI

RIVER

(CAMP CROOK)
5275 III SW

584

55'

585

INTERIOR—GEOLOGICAL SURVEY, RESTON, VIRGINIA
5870000

SCALE 1:24 000

ROAD CLASSIFICATION

NOT TO SCALE

R1E R2E

T
20
N

Frank Latham

Pt. "B"

660'

A 8.7

Latham 2-113R

Painter

Sprinkle

NW 1/4 NW 1/4
15 Ac.

B 46.31

Borders & Siphons

SW 1/4 NW 1/4
30 Ac.

SE 1/4 NW 1/4
16 Ac.

7 Ac.

SW 1/4 NE 1/4

SE 1/4 NE 1/4
C 18 Ac.
19.2

Sprinkle

Pt. "A"

500'

100'

NW 1/4 SW 1/4
2 Ac.

Frank Latham

Office Copy

36 31
1 6

Office Copy

A/M # 1303-1

RECEIPT

Division of Water Rights

No 4 9559

South Dakota Department of Water and Natural Resources

Pierre, February 23, 1984

RECEIVED OF Frank Latham, Box #4, Camp Crook, South Dakota 57724

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

Fee for Application for Permit No. <u>1303-1</u> to Appropriate Water, to construct works and to put water to beneficial use _____	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. _____	2	50
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

Water Rights Division - DWNR
Conversation or File Documentation

File No. 246-1
279-1

NAME OF PERSON OR FILE: Erwin Latham
ADDRESS: Box 4, Camp Crook, S.D. 57724 COUNTY Harding
DATE: January 31, 1984 TELEPHONE 797-4448
RE: Vested Right Permit and Permits No. 246-1 and 279-1

COMMENTS:

I called Erwin Latham at 8:30 AM and discussed
Frank Lathams permits with him. I told Erwin that there
were areas that were not covered under permits No 246-1
and 279-1. He said that these areas were all developed in
1952 when permit no 246-1 was developed. Apparently
the engineer assisting with the permit at that time did
not include these ~~some~~ areas for some reason or other.
The area in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ section 31, T20N R2E has always
been owned by ^{the} U.S.A. and this may have been why that was left
off. I said I would send out some completed application
forms and he could make the corrections if any and return
them to the Water Rights office. I also said we would
incorporate all three permits into one license once the
Vested Right application is approved. This will simplify
handling of these permits in the future.

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.

NAME: LeRoy J. Mernaugh

February 8, 1984

Frank Latham
Box 4
Camp Crook, South Dakota 57724

Dear Mr. Latham:

On October 12, 1983 I, along with Erwin Latham, made an inspection of your Water Permits No. 246-1 and 279-1. It was found that you are irrigating some lands that were not on your permits. Therefore in order to comply with the South Dakota Water Laws you will need to make an application to cover these areas. The areas will qualify for a Vested Right.

To assist you with your application I am enclosing two completed copies of Form 2 B "Affidavit of Water Use". Please check over these forms and make any changes necessary to make them as accurate as possible. On Form 2B paragraph "F" would you put in the year that you started using the 2000 gpm pump. Then sign the forms where shown and have them notarized and return all of them to this office with a check for \$10.50 to cover the cost of the examining fee and the Water License.

Also enclosed are two maps. The one map shows in the orange cross hatch the area not included on Permit No. 246-1. This is the area this Vested Right will cover. The area you are now irrigating is outlined in red. The aerial map also shows the area you are now irrigating and is easier to understand. Please check these maps over and make any changes necessary to have them as accurate as possible. If you make any changes on the maps please return them to this office along with the forms so that we may correct our office copy. If there are no changes you may keep the maps for your use.

When the Vested Right Application is approved we will then issue you a license that will incorporate this permit and permits No. 246-1 and 279-1 into one license. This will simplify the handling of these permits in the future.

If you have any questions regarding the matter please feel free to contact this office. The phone number of the Water Rights Office is 773-3352.

Sincerely,

LeRoy J. Mernaugh
Water Resources Engineer

LJM:ms
Enc.

Equal Opportunity Employer



No. 1303-1

Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
(605) 773-3352

December 4, 1984

Frank Latham
Box 4
Camp Crook SD 57724

Dear Mr. Latham:

Enclosed herewith are your Vested Right Permit, Water License No. 1303-1.
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 Rights No. 246-1 and 279-1
have been incorporated into this Vested Right Water License
No. 1303-1.



DEPARTMENT OF WATER & NATURAL RESOURCES

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

April 26, 1991

Frank Lathan
Box 18
Camp Crook, SD 57724

Dear Mr. Lathan:

I am writing this letter in answer to your question as to the amount of water that can be appropriated under Vested Water Right No. 1303-1. You indicated to me that you believed the authorized diversion rate should be 2000 gallons per minute (gpm) or 4.44 cubic feet of water per second (cfs) rather than 1.71 cfs (770 gpm). A review of Vested Water Right License No. 1303-1 shows that the diversion rate should be 1.71 cfs.

An inspection of your irrigation project on October 25, 1983 found that 120 acres were being irrigated. The inspection also found that you had a pump that was capable of diverting 2000 gpm. South Dakota water law allows for a diversion rate of 1 cfs per 70 acres. Therefore, by law, you are allowed to divert 1.71 cfs for the 120 acres irrigated.

If you have any other questions, please contact me.

Very truly yours,

John Hatch, Chief Engineer
Division of Water Rights
(605) 773-3352



DEPARTMENT OF WATER & NATURAL RESOURCES

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

April 26, 1991

1303-1

FRANK LATHAM
BOX 4
CAMP CROOK, SD 57724

Dear Mr. LATHAM:

I am writing to follow up on Montana Water Permit Application No. 76844-S39F, Charles Oleson, for irrigation from the Little Missouri River, in Montana. During the April 16, 1991 informal hearing in Camp Crook by the Montana Department of Natural Resources and Conservation, Mr. Oleson agreed to a minimum flow bypass to protect of downstream water right holders, including those in South Dakota. Mr. Oleson agreed to condition his permit so that he can only pump when at least 30 cubic feet of water per second (cfs) is flowing at the U.S. Geological Survey (USGS) gaging station at Camp Crook. We have checked with USGS concerning the April 10 flow that was discussed April 16. The USGS inspected the gage April 11 and the April 10 flow was actually 11 cfs. On April 25, 1991, the flow at the Camp Crook gage was 7.5 cfs.

I have enclosed a list of South Dakota Water Rights on the Little Missouri River. The list includes priority dates. If at any time you wish to know the flow at the Camp Crook gage or have any questions, contact either Del Brosz or Mark Rath, Water Rights Division, telephone number (605) 773-3352.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division

enclosure

1303-1

SOUTH DAKOTA WATER RIGHTS/PERMITS ON THE LITTLE MISSOURI RIVER

PERMITNUM	FIRSTNAME	LASTNAME	CORPNAME	PRIORITY	DIVRATE
945-1			CATRON LAND CO	5/12/1971	3.33
270-1A			DAHL RANCH INC	2/06/1956	0.80
251-1B			MOSELEY BROS	4/01/1905	2.20
251-1				3/09/1953	2.25
1302-1			PAINTER INC	6/25/1903	3.86
178-1				4/25/1946	1.40
1072-1	REX L	BURGHDUFF		8/14/1975	2.30
268-1	JOHN B	CATRON		12/20/1955	6.63
1327-1	RICHARD/BERNICE	CUNDY		4/27/1903	0.47
233-1	THOMAS	DAVIS		8/01/1951	1.97
265-1	LYLE/SHARON	GUNDERSON		7/26/1955	2.00
247-1	JOSEPH	HEGGEM		5/24/1941	2.10
1303-1	FRANK	LATHAM		9/06/1952	1.71
236-1	DEAN R	TARTER		9/10/1951	1.10
238-1	EUGENE	TURBIVILLE		10/24/1951	1.20
292-1	EUGENE			2/23/1957	3.00



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 6, 1992

1303-1

Latham Ranch Partnership
Ervin Latham, General Partner
Box 18
Camp Crook, SD 57724

Dear Mr. Latham:

I am contacting you in reference to ownership of land described under Vested Right No. 1303-1. You notified our office awhile back that the vested right should be listed under Latham Ranch Partnership instead of Frank Latham.

In order to change the name of the vested right, you will need to file a "Notice of Transfer of Ownership". I have enclosed a partially completed form. Please check over the form and sign in the presence of a notary public. Upon completion, return the form to us with a required filing fee of \$2.50.

Just a reminder, the 1992 irrigation questionnaires will be mailed on October 16, 1992. I have changed the name on the questionnaire mailing from Frank Latham to your name to ensure the form reaches you promptly.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosure: transfer form

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1303-1

Date: OCT 12 1992



I/We request that Vested Water Right No. 1303-1

formerly owned by: Frank Latham

be transferred to: (name & address) Latham Ranch Partnership

Box 18 Comp Creek SD. 57724

Telephone No. 605-797-4448

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

120 acres, SE 1/4NE 1/4 Section 36, T20N, R1E; NW 1/4, SW 1/4NE 1/4, NW 1/4SW 1/4 Section 31, T20N, R2E

We understand that the validity of Vested Water Right No. 1303-1 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 at the Division of Water Rights, as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)

County of Harding)

I/~~we~~ Erwin Latham 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.

Latham Ranch Partnership Erwin Latham Gen. Part.
(Signed)

Subscribed and sworn to before me this 12 day of October, 19 92.

Neil E. Turbiville
(Notary Public)

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

413467

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____, October 15, 19 92

RECEIVED OF Erwin Latham, Box 18, 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 <u>Vested Water Right No. 1303-1</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 4, 1992

No. 1303-1

Erwin Latham
Latham Ranch Partnership
Box 18
Camp Crook, SD 57724

Dear Mr. Latham:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 1303-1.

Our records now show you as the owner of Water Right No. 1303-1.

Sincerely,

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

enclosure

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1303-1 FOR IRRIGATION

Date of Receipt of Claim February 23, 1984.

Date of Validation September 27, 1989.

The Water Management Board validated Vested Water Right Claim No. 1303-1 for irrigation purposes for Frank Latham, Box 18, Camp Crook SD 57724 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1303-1 appropriates 1.71 cubic feet of water per second from the Little Missouri River to irrigate 120 acres. The points of diversion are located between the NW1/4 SW1/4 and the NE1/4 NW1/4 section 31-T20N-R2E and the irrigated acreage is located in the SE1/4 NE1/4 section 36-T20N-R1E; NW1/4, SW1/4 NE1/4, NW1/4 SW1/4 section 31-T20N-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: April 15 - November 15.
3. The priority date of the Vested Water Right is September 6, 1952.
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.

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

1297-1
1303-1

Frank Latham
Box 4
Camp Crook SD 57724

Dear Mr. Latham:

The Water Management Board has validated the enclosed Vested Water Right Nos. 1297-1 and 1303-1. 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
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

October 22, 2009

1303-1

Darwin Latham
PO Box 98
Camp Crook SD 57724

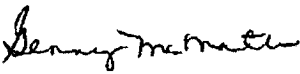
Dear Mr. Latham:

Thank you for contacting us concerning the ownership change needed for Vested Water Right No. 1303-1. Enclosed is a copy for your records.

Enclosed is a partially completed Notice of Transfer of Ownership form for filing an ownership change. Please review the form and make any necessary corrections. Upon completion, please sign the form and return it to our office with a required filing fee of \$50.00. The check or money order for the fee can be made payable to the Water Rights Program.

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

enclosures

RECEIVED

OCT 27 2009

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1303-1

Date: 10-26-09

I/We request that Vested Water Right No. 1303-1

formerly owned by: Latham Ranch Partnership

be transferred to: (name & address) Darwin + Kay Latham
12076 N. Camp Creek Road
Camp Creek, SD 57724 Telephone No. (605) 797-4451

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

120 acres – SE ¼ NE ¼ Section 36, T20N, R1E; NW ¼, SW ¼ NE ¼ and NW ¼ SW ¼ Section 31,
T20N, R2E

I/We understand that the validity of Vested Water Right No. 1303-1 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 Darwin + Kay Latham, the new owner, certify that the above information is true and correct.

Darwin Latham Kay Latham
(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 10/27, 2009

RECEIVED OF Lathan Ranch PO Box 98 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	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>1303-1</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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 04167

By

Harold White
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

October 27, 2009

1297-1
1303-1

Darwin & Kay Latham
12676 N Camp Crook Rd
Camp Crook SD 57724

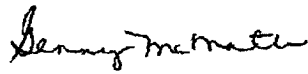
Dear Mr. & Mrs. Latham:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on Vested Water Right Nos. 1297-1 and 1303-1.

The ownership changes have been completed. Both vested water rights are now listed in your names. Enclosed are your Receipt Nos. 04236 and 04237 in the amount of \$50.00 each. You may keep these for your records.

If you have any questions, please contact me.

Sincerely,


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

enclosures