

Considered: _____

Vested Right
WATER PERMIT NO. _____

1357-1

MAP No. _____

SAME

Name of Applicant Short Pines Land & Cattle Company

Post Office Address 1/2 John B. Catron, Camp Crook, SD 57724

Amount of Water Claimed 5.96 w/50 acre feet storage Total Acres 417

Source of Water Supply dry draws

Water to be used for IRR County Harding

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received 8/8/86 Not Received _____

APPLICATION: Approved Sept. 3, 1986 Subject to _____

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

PRIORITY _____ Date Received July 15, 1985 Fee \$10.50 Remarks _____

1/1/1953

Corrected Application Received _____ Period of Annual Use 4/1 - 10/31

WATER QUALITY APPROVAL RECEIVED n/a APPROVED/CONDITIONAL (Circle one)

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

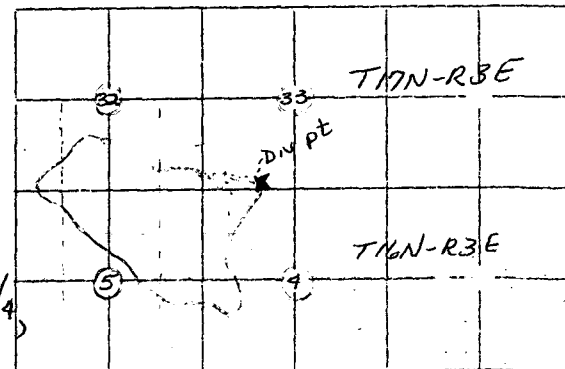
Diversion Point SE 1/4 SW 1/4 Section 33, T17N-R3E

Land to be Irrigated NE 1/4 SW 1/4, S 1/2 SW 1/4, NW 1/4 SE 1/4, S 1/2 SE 1/4

of Section 32, SW 1/4 SW 1/4 Section 33, T17N-R3E

N 1/2 NW 1/4, SW 1/4 NW 1/4, NW 1/4 SW 1/4 Section 4, N 1/2 NW 1/4, SE 1/4 NW 1/4,

NE 1/4, N 1/2 SE 1/4 Section 5, T16N-R3E



Well Log: Driller n/a Licensed YES _____ NO _____

Depth of Well n/a REMARKS _____

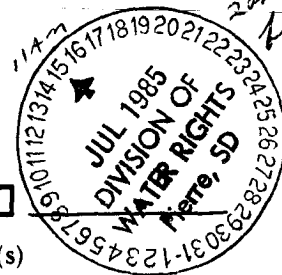
Type of Map drawn PREPARED BY LeRoy Mernaugh Reviewed and the Number

assigned on May 27, 1986 By Lenny Mernaugh

No. 1357-1 Hydrologic Unit 10110201
 Map No. 1357-1 Basin Little Missouri
 Newspaper Nation's Center News

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 Short Pines Land & Cattle Company Phone No. 797-4474Post Office Address c/o John B. Catron, Camp Crook, South Dakota State 57724
(Street, RR or Box) Zip Code2. Amount of water claimed (c.f.s) 5.96 50 ac-ft storage Total acres irrigated 4173. Source of Water supply Dry Draws4. Location of point of diversion 200 feet N and 1060 feet W of the S $\frac{1}{2}$ Corner of Section 33,
T17N, R3ECounty Harding5. Counties where water will be used Harding6. Annual period during which water is to be used April thru October 31

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.
SEE ATTACHED SHEET	

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)

Water is diverted out of a dam that has a storage capacity of 50.00 af into an irrigation supply ditch. The ditch has openings in it to spread water. There are spreader dikes that assist in spreading water.

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, John B. Catron 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 John B. CatronSubscribed and sworn to before me this 12th day of July 1985

FRANK KLAUSNER
 NOTARY PUBLIC
 STATE OF SOUTH DAKOTA
 My Commission Expires
 May 21, 1990

Notary Public (or other qualified officer)

WATER PERMIT

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

(Applicant)

(Post Office Address)

(State)

(Zip Code)

With the following qualifications.

SEE VR-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 to 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 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 _____, 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____

Short Pines Land and Cattle Co.

Area Irrigated in T17N, R3E

NE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 32	8 Acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 32	17 Acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 32	39 Acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$	Section 32	2 Acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$	Section 32	28 Acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 32	21 Acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 33	8 Acres

Area Irrigated in T16N, R3E

NW $\frac{1}{4}$ NW $\frac{1}{4}$	Section 4	33 Acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$	Section 4	7 Acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$	Section 4	28 Acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 4	25 Acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$	Section 5	5 Acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$	Section 5	30 Acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$	Section 5	5 Acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$	Section 5	33 Acres
NE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 5	33 Acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$	Section 5	33 Acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$	Section 5	40 Acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$	Section 5	3 Acres
NE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 5	19 Acres

TOTAL	417	ACRES
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VESTED WATER RIGHT

The Water Management Board hereby validates Vested Water Right Claim No. 1357-1.

Short Pines Land & Cattle Company
(applicant)

% John B Catron, Camp Crook
(post office address)

South Dakota 57724

(state)

(zip code)

Date of receipt of Application July 15, 19 85.

Validated September 3, 19 86.

The Water Management Board hereby validates 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 January 1, 19 53.
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 validated shall not exceed _____
5.96 cubic feet per second; ^{and storage of 50 acre-feet} 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 1 - Oct 31.

WATER MANAGEMENT BOARD

By: John B Catron

(Chief Engineer)

Division of Water Rights
Dept. of Water and Natural Resources

NOV 25 1986

, 19 ____.

State of South Dakota

VESTED RIGHT Water License No. 1357-1

(1) Short Pines Land & Cattle Company
of & John B Catron, Camp Crook SD 57724
made Application No. 1357-1, July 15, 1985 for validation of a
vested right claim and storage of 50 acre feet of water annually
5.96 cubic feet per second of water from from dry draws
Harding County, South Dakota for irrigation purposes.
Vested Water
Right Permit No. 1357-1, with a priority date of January 1, 1953
validated September 3, 1986
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 completed.

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 5.96 cubic feet per second of water
and store 50 acre feet of water annually
for beneficial use. The location of the diversion point(s) is 200'N and 1060'W of the S₁ corner
of Section 33, T17N, R3E (CD)

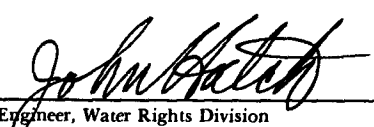
and

(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:

T17N, R3E				T16N, R3E (continued)			
Section 32 NE $\frac{1}{4}$ SW $\frac{1}{4}$ 8 acres				Section 4 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 25 acres			
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 17 "				Section 5 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 5 "			
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 39 "				NE $\frac{1}{4}$ NW $\frac{1}{4}$ 30 "			
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 2 "				SE $\frac{1}{4}$ NW $\frac{1}{4}$ 5 "			
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 28 "				NW $\frac{1}{4}$ NE $\frac{1}{4}$ 33 "			
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 21 "				SW $\frac{1}{4}$ NE $\frac{1}{4}$ 33 "			
Section 33 SW $\frac{1}{4}$ SW $\frac{1}{4}$ 8 "				SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 "			
T16N, R3E				NW $\frac{1}{4}$ SE $\frac{1}{4}$ 3 "			
Section 4 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 33 "				NE $\frac{1}{4}$ SE $\frac{1}{4}$ 19 "			
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 7 "				TOTAL 417 acres			
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 28 "							

(4) Pursuant to §46-5-30.1 Short Pines Land & Cattle Company
of % John Catron, Camp Crook SD 57724
the holder(s) and/or owner(s) of Vested Water Right
Water Permit No. 1357-1 is issued a license to appropriate water, the right to use
5.96 cubic feet per second of water and to store 50 acre feet of water annually
from dry draws with a priority date
of January 1, 1953 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 Water Right
Water Permit No. 1357-1 and subject
to South Dakota State Law.


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

NOV 25 1986

Supplemental Information

Short Pine Land & Cattle Co.

(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 _____ 4.0 feet

c) Crest Width _____ 12 feet

Crest Length _____ 100 feet

d) Height _____ 20 feet

e) Outlet Dimensions:
Pipe diameter _____ 18" cmp

Spillway width _____ 100 +

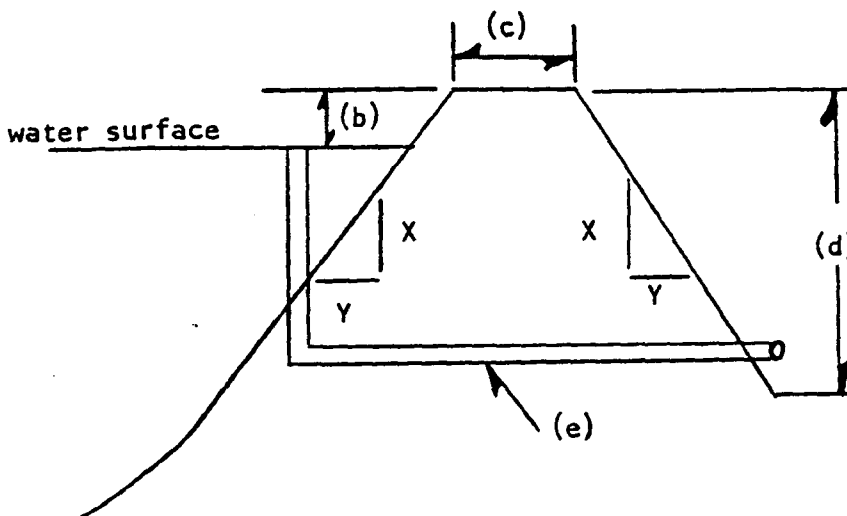
f) X & Y Slope
Upstream _____ 4:1

Downstream _____ 2:1

Surface Area of Impoundment _____ 9 ac

Storage _____ 50 _____ acre feet

Drainage area above dam _____ 2200 ac



Signature of Applicant

Affidavit of Water Use

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) Short Pine Lane & Cattle Co., c/o John B. Catron, Pres.

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

A. Notice of Appropriation _____ Date of Posting _____

Date of recording _____ Recording date _____
Where Book Page

B. Date of start of construction of water supply system 1953C. Date that water was first applied to beneficial use 1953D. Name of owner of original water supply system Mackey BrothersE. Amount of water originally applied to beneficial use 15 cfs

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

Date that this water was first used 1953

G. Chronological History of Water Use

Mackey Brothers owned and constructed the system and used it. 1973 John B. Catron purchased the property and has continued to use the system.

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 Ward)
SS

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

Signed John B. CatronSubscribed and sworn to before me July 12, 1985

Frank Klauser
 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.

GEORGE DAVIS 1985
(Print name)

Leora Turberville 1985
(Print name)

Permit No. 1357-1Little 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 Short Pine Land & Cattle Co.9. John B. Catron, Pres. • Camp Crook, S.Dak. 57724 holder ofPermit No. 1357-1, bearing the priority of _____ 19 1953 authorizingthe diversion of 5.96 cu. ft. per second of the waters of Dry Drawsfor 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; - Length - 1000'; Height - 20'; Side Slopes 2:1 + 4:1; Water Depth - 14.0'
Surface Ac. = 9 Ac; Freeboard = 4'; spillway Width = 100 + ft.; Top Width - 12';
Outlet Pipe = 18" dia. / Hd gate. Storage 50 AF

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

Irrigation Supply Ditch

C. Works used to apply water to beneficial use:

Dikes and Ditches with openings to spread waterThe system is in the following condition Fair.The point of diversion is located 200' N and 1060' W of the S 1/4 Cor. of
Sec. 33, T17N R3EThe works are capable of diverting and conveying to the place of use 15.0cu. 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: _____

(See Reverse Side of this sheet)comprising a total of 417 acres of land and the license should be issued for 5.96 cfsApplicable permit qualifications have been complied with X Yes _____ NoExceptions to compliance are: _____ Date October 27, 1983LeRoy J. Mernaugh
(signature)

Area Irrigated

The following in T17N R3E

NE $\frac{1}{4}$ SW $\frac{1}{4}$	Sec. 32	= 8 Ac
SW $\frac{1}{4}$ SW $\frac{1}{4}$	" 32	= 17 Ac
SE $\frac{1}{4}$ SW $\frac{1}{4}$	" 32	= 39
NW $\frac{1}{4}$ SE $\frac{1}{4}$	" 32	= 2
SW $\frac{1}{4}$ SE $\frac{1}{4}$	" 32	= 28
SE $\frac{1}{4}$ SE $\frac{1}{4}$	" 32	= 21

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33 = 8 Ac.

~~NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 4 = 33 Ac.~~

The Following in T16N R3E

NW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec. 4	= 33 Ac.
NE $\frac{1}{4}$ NW $\frac{1}{4}$	" 4	= 7
SW $\frac{1}{4}$ NW $\frac{1}{4}$	" 4	= 28
NW $\frac{1}{4}$ SW $\frac{1}{4}$	" 4	= 25

NW $\frac{1}{4}$ NW $\frac{1}{4}$	Sec 5	= 5 Ac
NE $\frac{1}{4}$ NW $\frac{1}{4}$	" 5	= 30
SE $\frac{1}{4}$ NW $\frac{1}{4}$	" 5	= 5
NW $\frac{1}{4}$ NE $\frac{1}{4}$	" 5	= 33
NE $\frac{1}{4}$ NE $\frac{1}{4}$	" 5	= 33
SW $\frac{1}{4}$ NE $\frac{1}{4}$	" 5	= 33
SE $\frac{1}{4}$ NE $\frac{1}{4}$	" 5	= 40
NW $\frac{1}{4}$ SE $\frac{1}{4}$	" 5	= 3
NE $\frac{1}{4}$ SE $\frac{1}{4}$	" 5	= 19

Total 417 Ac

Catron

17-3

1-49

R 3E

T 17
11

32

33

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 8 AC
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 2 AC
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 17 AC
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 39 AC
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 28 AC
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 21 AC
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 8 AC

200'

T 16
11

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 5 AC
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 30 AC
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 33 AC
NE $\frac{1}{4}$ NE $\frac{1}{4}$ 33 AC
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 33 AC
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 5 AC
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 33 AC
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 AC
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 28 AC
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 9 AC
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 3 AC
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 7 AC
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 1060'
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 28 AC
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 25 AC

6

5

John B. Catron

Office Copy

16-3

3-90

RECEIPT

Division of Water Rights

No 4 10113

South Dakota Department of Water and Natural Resources

Pierre, July 15, 195

RECEIVED OF Short Pines Land & Cattle Co., c/o John B. Catron, 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 _____	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

Chief Engineer

JOHN HATCHMS

WATER RIGHTS DIVISION
(605) 773-3352

July 8, 1985

Short Pines Land & Cattle Company
c/o John B. Catron, President
Camp Crook, South Dakota 57724

Dear Mr. Catron:

On October 27, 1983 I talked to you about a Vested Right in Section 32 and 33, T17N, R3E and Sections 4 & 5, T16N, R3E. I also made an inspection of the system. On June 18, 1985 I visited with you about the Vested Right as I had a question about an area that I was not sure should be included in this Vested Right.

In order to assist you in applying for the Vested Right I am enclosing two completed copies of Form 2, "Application for Permit" and two copies of Form 2A, "Supplemental Information" and one copy of Form 2B, "Affidavit of Water Use". Please check these forms over and make any corrections necessary so they will be as accurate as possible. Then sign all of the forms and have them notarized and return all of the forms to this office with a check for \$10.50 to cover the cost of examining fee and the Water License.

Also enclosed is a copy of the map of the area. Please check this over and make any corrections necessary to make it as accurate as possible. If you do make corrections on the map please return it to this office along with the forms so that we can correct our office copy. If you do not make any changes on the map you may keep it for your use.

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

Sincerely,

LeRoy J. Mernaugh
Natural Resources Engineer

LJM:ms
Enc.

REPORT ON VESTED RIGHT APPLICATION NO. 1357-1

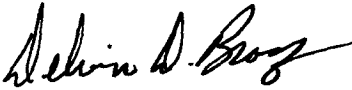
SHORT PINES LAND & CATTLE CO.

July 22, 1986

Water Permit Application No. 1357-1 requests validation of a vested right claim to appropriate 5.96 cfs and store 50 acre feet per year from dry draws. The system was constructed and water used after January 1, 1953 to irrigate 417 acres. The storage dam and point of diversion are located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33-T17N-R3E. The irrigated acreage is located in Sections 32 and 33 of T17N-R3E and in Section 4 and 5 of T16N-R3E.

Conclusions

1. The project is a water spreading system. It was inspected by LeRoy Mernaugh and found to exist as described.
2. The system was constructed in 1953 and water was put to beneficial use. It is recommended that the priority date be January 1, 1953.
3. It is recommended that the vested right claim be validated.



Delvin D. Brosz, P.E.
Hydrologist

~~RECOMMENDATION OF CHIEF ENGINEER FOR VALIDATION OF VESTED WATER~~

RIGHT APPLICATION NO. 1357-1

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Validation of Vested Water Right Application No. 1357-1, Short Pines Land & Cattle Co, c/o John B Catron, Camp Crook SD.

The Chief Engineer is recommending VALIDATION of Application No. 1357-1 because 1) water has been appropriated as described for irrigation with a January 1, 1953 priority date, 2) the use has been developed without unlawful impairment of existing rights, 3) the use is a beneficial use and 4) it is in the public interest.

See the attached report for additional information.

A handwritten signature in cursive script that reads "John Hatch".

JOHN HATCH, Chief Engineer
July 25, 1986

Instruction to Newspaper - Publish first publication of the following Notice on or before August 6, 1986 with 2nd publication 1 week later.

NOTICE OF HEARING To Validate

Vested Right Application Nos. 1358-1 and 1357-1 to Appropriate Water

Notice is hereby given that K/O Ranches, Box 53, Ludlow, South Dakota has filed Application No. 1358-1 to validate a vested right claim to appropriate 3.36 cubic feet of water per second and store 160 acre-feet annually from Coal Creek to irrigate 235 acres with a priority date of May 15, 1903. The 160 acre-feet storage dam and point of diversion are located in the SW 1/4 SE 1/4 of Section 22, T20N, R7E. The irrigated acreage is located in the SE 1/4 SE 1/4 Section 23; W 1/2 NW 1/4 Section 25; N 1/2, NW 1/4 SE 1/4 Section 26; NE 1/4 NE 1/4 Section 27; all in T20N, R7E.

Notice is hereby given that Short Pines Land & Cattle Co., c/o John B Catron, Camp Crook, South Dakota has filed Application No. 1357-1 to validate a vested right claim to appropriate 5.96 cubic feet of water per second and store 50 acre-feet of water annually from dry draws to irrigate 417 acres with a priority date of January 1, 1953. The point of diversion (50 acre-feet storage dam) is located in the SE 1/4 SW 1/4 Section 33, T17N, R3E. The irrigated acreage is located in the NE 1/4 SW 1/4, S 1/2 SW 1/4, NW 1/4 SE 1/4, S 1/2 SE 1/4 Section 32; SW 1/4 SW 1/4 Section 33; all in T17N, R3E; N 1/2 NW 1/4, SW 1/4 NW 1/4, NW 1/4 SW 1/4 Section 4; N 1/2 NW 1/4, SE 1/4 NW 1/4, NE 1/4, N 1/2 SE 1/4 Section 5; all in T16N, R3E.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends VALIDATION of Vested Water Right Application Nos. 1358-1 and 1357-1 because 1) water has been appropriated as described for irrigation with the above priority dates, 2) the use has been developed without unlawful impairment of existing rights, 3) it is a beneficial use of water and 4) it is in the public interest.

Validation of these applications will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD on September 3, 1986 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve validation, 2) approve the validation with qualifications, 3) defer, or 4) deny validation of an application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by August 22, 1986. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

These applications are made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-18; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, 46-5-49 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15 and 74:02:01:19 thru 74:02:01:22.

These hearings are adversary proceedings. The applicant or any person, after filing a petition, have 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 State Supreme Court as provided by law.

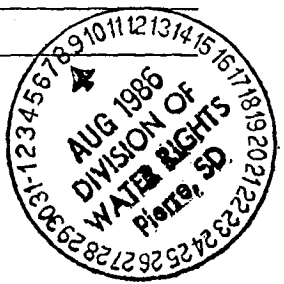
Any person wishing a copy of the Chief Engineer's recommendation, further information on an application or to assure access to the hearing by the handicapped can contact the Water Rights Division, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by August 22, 1986.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Harding) ss.
Bonnie Glines hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Nation's Center News
newspaper which during the whole time of publication of said notice
after stated, has been and is printed and published in the
town of Buffalo
County of Harding and State of South Dakota;
the said notice was published in said newspaper on the following
dates:
July 30, 1986
August 6, 1986

Bonnie K. Glines
(Signature)
Business Manager
(Title)
August 8, 1986
(Date Signed)

Cost of Printing: .192 x number of lines
9 lines @ .192 per line
26.69 per week
26.69 x 2 weeks = \$53.38



NOTICE OF HEARING
To Validate
Vested Right Application
Nos. 1358-1 and 1357-1 to
Appropriate Water

Notice is hereby given that
K/O Ranches, Box 53, Ludlow,
South Dakota has filed Appli-
cation No. 1358-1 to validate a
vested right claim to appropriate
3.36 cubic feet of water per
second and store 160 acre-feet
annually from Coal Creek to
irrigate 235 acres with a priority
date of May 15, 1903. The 160
acre-feet storage dam and point
of diversion are located in the
SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, T20N,
R7E. The irrigated acreage is
located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section
23; W $\frac{1}{4}$ NW $\frac{1}{4}$ Section 25; N $\frac{1}{4}$,
NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26;
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27; all in
T20N, R7E.

Notice is hereby given that
Short Pines Land & Cattle Co.,
c/o John B. Catron, Camp Crook,
South Dakota has filed Appli-
cation No. 1357-1 to validate a
vested right claim to appropriate
5.96 cubic feet of water per
second and store 50 acre-feet of
water annually from dry draws to
irrigate 417 acres with a priority
date of January 1, 1953. The
point of diversion (50 acre-feet
storage dam) is located in the
SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, T17N,
R3E. The irrigated acreage is
located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$,
S $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{4}$ SE $\frac{1}{4}$
Section 32; SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section
33; all in T17N, R3E; N $\frac{1}{4}$ NW $\frac{1}{4}$,
SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section
4; N $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$,
N $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5; all in T16N,
R3E.

Pursuant to SDCL 46-2A-2 the
Chief Engineer of the Water
Rights Division recommends
VALIDATION of Vested Water
Right Application Nos. 1358-1
and 1357-1 because 1) water has
been appropriated as described
for irrigation with the above
priority dates, 2) the use has
been developed without unlawful
impairment of existing rights, 3)
it is a beneficial use of water and
4) it is in the public interest.

Validation of these applications
will be considered by the Water
Management Board in Room 216,
Joe Foss Building, 523 E. Capi-
tol, Pierre, SD on September 3,
1986 at 10:00 a.m.

The recommendation of the
Chief Engineer is not final or
binding upon the Board and the

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 State
Supreme Court as provided by
law.

Any person wishing a copy of
the Chief Engineer's recommen-
dation, further information on an
application or to assure access to
the hearing by the handicapped
can contact the Water Rights
Division, Joe Foss Bldg., Pierre,
SD (605-773-3352) for assistance
prior to the hearing date. The
time of the hearing will be auto-
matically extended for at least
twenty days upon written request
of the applicant or person who
has filed a petition to oppose or
support the application. The re-
quest for extension must be filed
with the Chief Engineer by
August 22, 1986.
7-30, 8-6

point of diversion (50 acre-foot storage dam) is located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, T17N, R3E. The irrigated acreage is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 32; SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33; all in T17N, R3E; N $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4; N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 5; all in T16N, R3E.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends VALIDATION of Vested Water Right Application Nos. 1358-1 and 1357-1 because 1) water has been appropriated as described for irrigation with the above priority dates, 2) the use has been developed without unlawful impairment of existing rights, 3) it is a beneficial use of water and 4) it is in the public interest.

Validation of these applications will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 E. Capitol, Pierre, SD on September 3, 1986 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve validation, 2) approve the validation with qualifications, 3) defer, or 4) deny validation of an application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by August 22, 1986. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

These applications are made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-18; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, 46-5-49 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15 and 74:02:01:19 thru 74:02:01:22.

These hearings are adversary proceedings. The applicant or any person, after filing a petition, have the right to be present or to be represented by a

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Water & Natural Resources

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

July 25, 1985

Short Pines Land & Cattle Co.
c/o John B Catron
Camp Crook SD 57724

Dear Mr. Catron:

Your Application No. 1357-1 for a vested water right claim has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of your claim has been sent to the Publisher of the NATION'S CENTER NEWS printed at Buffalo SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice and notify this office, if you have any corrections or questions.

The cost of publication of this notice will be paid for by the Water Rights Division.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures



Department of Water & Natural Resources

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

July 28, 1986

NATION'S CENTER NEWS
Box 107
Buffalo SD 57720

Dear Sir:

Enclosed is a Notice of Hearing to Validate Vested Right Applications No. 1358-1 and 1357-1. Please publish this notice once each week for two consecutive weeks in your paper. The first publication should be on or before August 6, 1986.

Please bill the Water Rights Division for the cost of the publication.

Please receipt for the notice IMMEDIATELY after first publication attaching a copy of the first publication so that it may be compared with the records. For your convenience, you may use the printed form below for this purpose.

After final publication please complete and mail to this office, the enclosed Form to furnish Proof of Publication. The application can not be considered by the Water Management until proof of publication has been received.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----
Date _____ TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

We are in receipt of your letter of _____ enclosing
Notice of Hearing to Validate Vested Right Applications which was
first published in our issue of _____.
ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____ Newspaper _____



Department of Water & Natural Resources

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

NOV 25 1986

Short Pines Land & Cattle Company
% John B Catron
Camp Crook SD 57724

Dear Mr. Catron:

Enclosed are your Validated Vested Water Right and Water License No. 1357-1.
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 black ink that reads "John Hatch". The signature is written in a cursive style.

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

JH: ks

enclosures