

Considered: _____

WATER PERMIT NO. 1523-1

Phone: 347-3183

Name of Applicant: Ed Thompson

Post Office Address: HC 75, Box 134, Sturgis SD 57785

Amount of Water Claimed: 5.5 cfs Total Acres: 388

Source of Water Supply: dry draw

Water to be used for: irrigation County: Meade

About 13 miles East of Sturgis

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 4-19-91 Fee: \$350 Remarks some lands are covered under Water Right No. 349-1 from Alkali Creek

Corrected Application Received _____ Period of Annual Use April 1 - October 31

WATER QUALITY APPROVAL RECEIVED 6-25-91 APPROVED/CONDITIONAL (Circle one)

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

Diversion Point: NE 1/4 NW 1/4 Sec 18-T5N-R8E

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

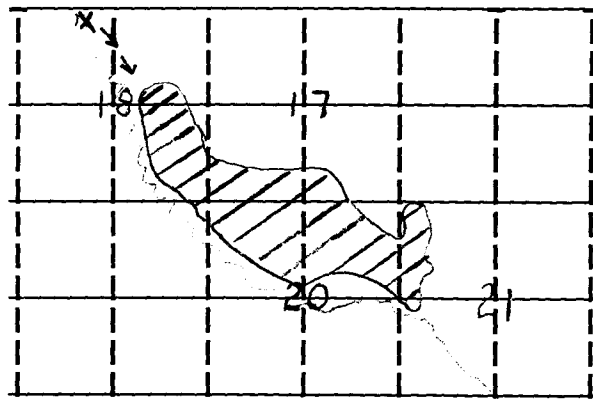
Sec 18; NE 1/4 NE 1/4 Sec 19; S 1/2 SW 1/4, SW 1/4

SE 1/4 Sec 17; N 1/2 NW 1/4, SE 1/4 NW 1/4, NE 1/4,

Sec 20; W 1/2 NW 1/4, NW 1/4 SW 1/4 Sec 21; all in T5N-R8E

Well Log: Driller: NA Licensed YES _____ NO _____

Depth of Well: _____ REMARKS _____



Type of Map: aerial PREPARED BY: Gerald Miller, SCS Reviewed and the Number

Assigned on 6-26-91 By Karen Schlaak

SOUTH DAKOTA
WATER PERMIT No. 1523-1 FOR IRRIGATION

Date of first receipt of application April 19, 1991.

Date Soil/Water Compatibility Permit received June 25, 1991.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1523-1 to Ed Thompson, HC 75, Box 134, Sturgis SD 57785 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 1523-1 appropriates 5.5 cubic feet of water per second from a dry draw to irrigate 388 acres by water spreading. The point of diversion will be located in the NE 1/4 NW 1/4 Section 18-T5N-R8E. The land to be irrigated is located in the S 1/2 NE 1/4, SE 1/4 Section 18; NE 1/4 NE 1/4 Section 19; S 1/2 SW 1/4, SW 1/4 SE 1/4 Section 17; N 1/2 NW 1/4, SE 1/4 NW 1/4, NE 1/4 Section 20; W 1/2 NW 1/4, NW 1/4 SW 1/4 Section 21; all in T5N-R8E.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 1 - October 31.
3. The date from which applicant may claim right is April 19, 1991.
4. The date of approval of Permit No. 1523-1 is October 29, 1991.
5. One-fifth of the construction is to be completed on or before April 29, 1994.
6. All construction is to be completed on or before October 29, 1996.
7. Water is to be put to beneficial use on or before October 29, 2000.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.

WATER MANAGEMENT BOARD

By: _____

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

FEB 26 1992

date

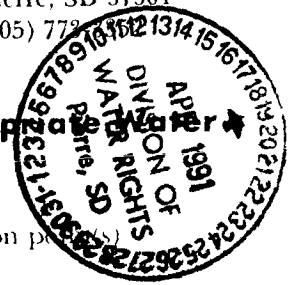
(See instructions)

No. 1523-1 Hydrologic Unit 10120202
Basin Belle Fourche River
Newspaper Meade Co. Times-Tribune, Box 69

Sturgis (Weed)

Application For Soil/Water Compatibility Permit and Permit To Appropriation

- Type of Application: ☒ New ☐ Vested Right ☐ Amend Permit No. _____
☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)
☐ Add Acreage ☐ Increase diversion rate ☐ Other _____



1. Name of Applicant Ed Thompson Phone No. 347-3183
Post Office Address HC 75 Box 134 Sturgis State SD 57785
(Street, RR or Box) (City) (Zip Code)
2. Amount of water claimed (c.f.s.) 5.5 Total acres ^{waterspread} irrigated 388
3. Source of Water supply Dry Draw
4. Location of point of diversion 10' South and 2100' East of the NW corner
Sec 18 T-5-N R-8-E, Base Grade Diversion
(NE 1/4 NW 1/4) County Meade
5. Counties where water will be used meade
6. 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.
SW 1/4 NE 1/4 18-5-8	3.4
SE 1/4 NE 1/4 18-5-8	6.4
NW 1/4 SE 1/4 18-5-8	11.9
NE 1/4 SE 1/4 18-5-8	37.0

Land Description	No. Acres Irr.
SW 1/4 SE 1/4 18-5-8	1.2
SE 1/4 SE 1/4 18-5-8	30.6
NE 1/4 NE 1/4 19-5-8	1.8
SW 1/4 SW 1/4 17-5-8	31.5

continued on map

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: _____ Other: _____ (Specify) Waterspreading
9. Crops to be irrigated: ^{waterspread} Alfalfa and Native grass
10. Give a description of proposed project. (Attach sheet if more space is needed)
system will consist of a base grade diversion outleting from a dry draw to a waterspreading system consisting of level lip ditches and/or dikes.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA

County of Meade

I, Ed Thompson for Thompson Ranch, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Ed Thompson for Thompson Ranch

Subscribed and sworn to before me this 17th day of April 1991

Carlene M. Rosenkrantz
Notary Public

My commission expires 8/19/98

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP



MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP



MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412651

Pierre, _____ April 19, 1991

RECEIVED OF Thompson Ranch, Inc., HC 75 Hereford Rt., Box 134, Sturgis, SD 57785

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

Fee for Application for Permit No. <u>1523-1</u> to Appropriate Water, to construct works and to put water to beneficial use _____	350	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 _____		
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	350 00

By John Hatch
Chief Engineer



ED THOMPSON

ASSISTED BY GERALD T MILLER, SOIL CONS.
2320 SOUTH JUNCTION, STURGIS SD

DATE

4/1/91

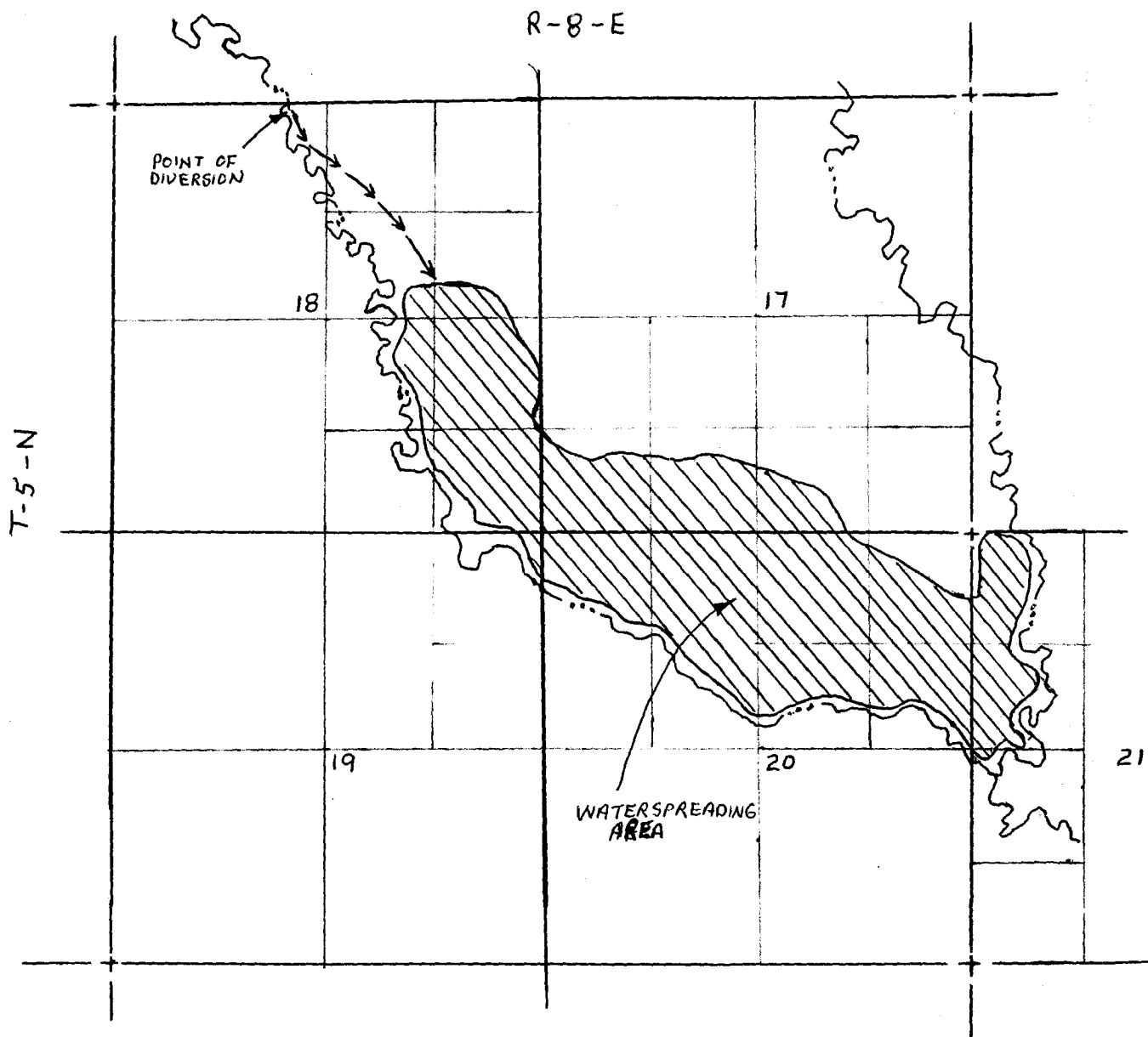
ACRES

338 ac.

OTHER

WATER RIGHT MAP

CONSERVATION PLANNING INFORMATION



Legal Description	No. Acres Irr.
SE 1/4 SW 1/4 17-5-8	27.5
SW 1/4 SE 1/4 17-5-8	13.5
NW 1/4 NW 1/4 20-5-8	25.4
NE 1/4 NW 1/4 20-5-8	38.9
SE 1/4 NW 1/4 20-5-8	10.7
NW 1/4 NE 1/4 20-5-8	39.6
NE 1/4 NE 1/4 20-5-8	22.9

Legal Description	No. Acres Irr.
SW 1/4 NE 1/4 20-5-8	22.0
SE 1/4 NE 1/4 20-5-8	25.1
NW 1/4 NW 1/4 21-5-8	18.4
SW 1/4 NW 1/4 21-5-8	19.0
NW 1/4 SW 1/4 21-5-8	0.9
TOTAL	387.7

Gerald T Miller
Soil Cons. Service

Department of Agriculture
WI#1
5/87

SOIL/WATER COMPATIBILITY PERMIT
Division of Conservation



Office Use Only

4609

WR#

OWNERS NAME: TROMPSON, ED

OWNERS ADDRESS: HC 75 BOX 134

STURGIS, SD 57785

COUNTY LAND LOCATED IN: MEADE

PHONE: 347-3183

LEGAL DESCRIPTION:

☐ Well

DRY DRAW

☒ Surface

1. LOCATION: NE 1/4 NW 1/4 18-T5N-R8E

Depth: _____

LEGAL DESCRIPTION:

SW1/4 NE1/4 18-T5N-R8E = 3.4 A., SE1/4 NE1/4 18-T5N-R8E = 6.4 A.
NW1/4 SE1/4 18-T5N-R8E = 11.9 A., NE1/4 SE1/4 18-T5N-R8E = 37.0 A.
SW1/4 SE1/4 18-T5N-R8E = 1.2 A., SE1/4 SE1/4 18-T5N-R8E = 30.6 A.
NE1/4 NE1/4 19-T5N-R8E = 1.8 A., SW1/4 SW1/4 17-T5N-R8E = 31.5 A.
SE1/4 SW1/4 17-T5N-R8E = 27.5 A., SW1/4 SE1/4 17-T5N-R8E = 13.5 A.
NW1/4 NW1/4 20-T5N-R8E = 25.4 A., NE1/4 NW1/4 20-T5N-R8E = 38.9 A.
SE1/4 NW1/4 20-T5N-R8E = 10.7 A., NW1/4 NE1/4 20-T5N-R8E = 39.6 A.
NE1/4 NE1/4 20-T5N-R8E = 22.9 A., SW1/4 NE1/4 20-T5N-R8E = 22.0 A.
SE1/4 NE1/4 20-T5N-R8E = 25.1 A., NW1/4 NW1/4 21-T5N-R8E = 18.4 A.
SW1/4 NW1/4 21-T5N-R8E = 19.0 A., NW1/4 SW1/4 21-T5N-R8E = 0.9 A.
TOTAL 387.7 ACRES

2. TYPE OF IRRIGATION: GRAVITY: _____ TOWLINE: _____ CENTER PIVOT: _____ GUN: _____ OTHER: _____ (Specify) Water spreader

3. CROPS TO BE IRRIGATED: ALFALFA AND NATIVE GRASS.

WATER QUALITY:

4. WATER SAMPLE NUMBER: DRY DRAW

7. ADJUSTED (SAR): _____

5. SALINITY (EC X 10⁶): _____

8. PERCENT SODIUM: _____

6. SODIUM (SAR): _____

Requirements:

That a water sample be taken when water is flowing.

The maximum allowable limits of salt and sodium buildup in the profile at the root zone (upper 12 inches of the soil profile) at the beginning of the growing season apply. They become applicable upon the issuing of a soil/water compatibility permit by the Division, or the Commission.

APPROVED

DISAPPROVED

WAIVER

REQUIREMENTS

Director, Division of Conservation

JUN 17, 1991

Date

Soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

SOIL GROUP DESCRIPTIONS FOR SURFACE IRRIGATION

Group 1 Surface

.1 Intake Family
Design Sheet No. 1

These are deep, moderately well and well drained soils that have silty clay or clay surface layers and clay subsoils. The underlying material is clay or clayey shale. Available water capacity is low or moderate. Permeability is slow or very slow. These soils are on uplands. Cracks form readily in these soils when they dry out.

Special treatment is needed to improve tilth and fertility, where the dense clay subsoil is exposed by land leveling. These soils are subject to compaction if farmed when wet.

Generally, these soils are suitable for irrigation with low salinity and low sodium water. Use of higher hazard water will require the use of internal drainage and salt tolerant crops.

Some of these soils are on slopes that are too steep for surface irrigation.

Artesian
Corson
Kyle ✓
Lawther

Millboro
Oko
Promise

Ridgeview
Witten

Group 2 Surface

.1 Intake Family
Design Sheet No. 1

These are deep, moderately well drained to poorly drained soils that have silty clay loam and silty clay surface layers. The underlying material is stratified silty clay, silty clay loam, and silt loam. Available water capacity is moderate or high. Permeability is moderately slow to very slow. Most of these soils are on bottom lands of major drainages and rivers. Some are subject to seasonal flooding and have a seasonal water table that fluctuates between depths of 2 and 6 feet. Specific site investigations should be made to determine feasibility of irrigation on those soils having a water table.

Special fertilizer treatment with trace elements may be needed, where the underlying alluvium is exposed by land leveling. These soils are subject to compaction if farmed when wet.

Generally, these soils are suitable for irrigation with low salinity and low sodium water. Use of higher hazard water will require the use of internal drainage and salt tolerant crops.

Albaton
Baltic(draind)
Blencoe
Clamo
Doran

Forney
Luton
Onawa
Owego
Percival

Solomon
Stetter
Verdel
Wendte
Wolf Point

Group 15
Surface

.5 Intake Family
Design Sheet Nos. 23-26

These are moderately deep, well drained soils that have loam, silt loam, or silty clay loam surface layers. The subsoil is clay loam, loam, sandy clay loam, silt loam, or silty clay loam. The underlying material at depths of 20 to 40 inches is siltstone, shale, or fine grained sandstone. Available water capacity is low. Permeability is moderate above the bedrock. These soils are on uplands.

Caution should be used when land leveling to avoid exposing the bedrock. Seepage is possible in some areas if careful water management is not practiced. Specific site investigations should be made to determine feasibility of irrigation because of the bedrock. Soil blowing could be a problem on those soils having fine sandy loam surface layers.

The depth to bedrock usually limits the use of irrigation water to that of low salinity and low sodium. The use of water of higher hazard will require the use of internal drainage systems and possible salt tolerant crops.

Some of these soils are on slopes too steep for surface irrigation.

Amor
Edgeley
Felor
Kadoka
Keota

Marmarth
Minnequa ✓
Morton
Ralph ✓

Redstoe
Reeder
Rosebud
Yegen

Group 16

0.5 Intake Family
Design Sheet Nos. 27-30

These are deep, well drained soils that have fine sandy loam, loam, silt loam, or silty clay loam surface layers and loam, clay loam, silt loam, or silty clay loam subsoils. Available water capacity is high. Permeability is moderate. These soils are on uplands.

Special treatment is needed to improve tilth and fertility in areas where the subsoil is exposed by land leveling. Trace elements will be needed in these areas. Soil blowing could be a problem where the Satanta soil has a fine sandy loam surface layer.

Generally, these soils are suitable for irrigation with medium salinity and low sodium water. If water of high salinity or medium sodium is used, extra water should be applied for leaching purposes and salt tolerant crops may be required.

Some of these soils are on slopes too steep for surface irrigation.

Agar
Beotia
Bryant
Doland
Farland
Farnuf

Flandreau
Great Bend
Hall
Hand
Highmore

Homme
Hord
Keith ✓
Moody
Nora

Norka
Paka
Poinsett
Ree
Satanta ✓

Shambo
Tilford
Vale ✓
Wentworth
Zigweid

GROUP D

SHALLOW SOILS, USUALLY STEEP

These are shallow soils that have bedrock at depths of less than 20 inches. They have very low or low available water capacity. The underlying bedrock is shale, chalkrock, sandstone, siltstone, and limestone. A few soils having sand and gravel at depths less than 10 inches are in this group.

Most of these soils are on steep slopes so they have a combination of limitations for irrigation. Small areas of these soils may occur as inclusions with irrigable soils.

GROUP E

VERY CLAYEY SOILS AND CLAYEY SOILS ON SLOPES GREATER THAN 2 PERCENT

These soils have fine textured surface layers and very dense clayey subsoils. They formed in materials weathered from clayey shales. Some of the soils contain concentrations of salts. Permeability is very slow.

Soils having extremely firm, dense, clayey subsoils and an abrupt upper boundary are also in this group. Clayey soils that are on slopes too steep for irrigation (over 2 percent) are in this group.

SOILS NOT GENERALLY
SUITED FOR SURFACE IRRIGATION

GROUP F

HIGH - SLICKSPOTS COMPLEX

SOILS HAVING CLAYPAN SUBSOILS

These soils are characterized by having dense compact subsoils. They contain an excessive amount of sodium. These soils are on broad flat areas usually characterized by small pits and mounds (micro-relief). Most areas are in native vegetation.

Many of these soils are near irrigable soils or are small areas that may be irrigated along with irrigable soils. These areas will cause severe traction problems for continuous move irrigation systems and farm implements. Poor stands are likely because of poor germination due to the high amount of sodium. Crop growth is very suppressed in these areas.

Some of these soils have fine sandy loam surface layers and columnar structured sandy clay loam subsoils.

Conversation or File Documentation

NAME OF PERSON OR FILE: Ed Thompson

ADDRESS: _____ COUNTY _____

DATE: 4/22/91 TELEPHONE 347-3183RE: Water Permit Appl.

COMMENTS:

I called Mr. Thompson regarding his current application. Portions of Acreage in the N's Section 20 is currently covered by WR. No 349-1. Mr. Thompson stated that the current application is from a dry draw where ~~Right~~ Right No. 349-1 is from Alkali Creek. He also stated that he felt the acreage acres listed on WR No. 349-1 were over-estimated at the time of licensing and that acres list on the new applic. would all be new irrigation through water spreading.

I asked him if he'd sent in a water sample and he said that the dry draw hadn't run for 3 years. I said this would be an issue between him and Jim Stukel.

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: Eric Houlens



DEPARTMENT OF AGRICULTURE

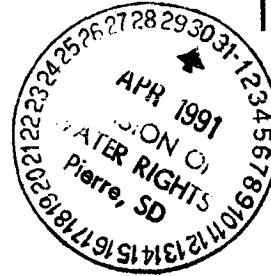
445 East Capitol Avenue
Pierre, South Dakota 57501-3188

DIVISIONS

Administration	(605) 773-3375
Conservation	773-3258
Forestry	773-3623
Regulatory Services	773-3724
FAX	773-5926

GREAT FACES. GREAT PLACES.

April 26, 1991



Ed Thompson
HC 75 Box 134
Sturgis SD 57785

RE: PERMIT #4609

Dear Ed:

In reviewing your application, the Irrigation Program staff has found that the area mapped as Hisle-Slickspots Complex ((HbB) is not suited for irrigation (see highlighted area on the attached map).

Since this area is a major component of the project, we may not issue a permit under ARSD 12:08:05:01.01. We recommend that you either remove these areas from the project or have a claypan renovation plan developed.

Please be advised, the renovation plan would be reviewed by the Department and subject to the State Conservation Commission's approval.

Please advise this office of your decision and feel free to contact us for further information, or assistance.

Sincerely,

James L. Stukel, Natural Resource Program Scientist
SOUTH DAKOTA DIVISION OF CONSERVATION

JLS/AAP

Enclosure.

cc: Eric Gronlund



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

GREAT FACES. GREAT PLACES.

July 26, 1991

Representative Kenneth McNenny
HC 75, Box 192
Sturgis, SD 57785

Dear Mr. McNenny:

I am writing to follow up on our conversation regarding the inspection of Ed Thompson's water rights. We have not sent any letters to Mr. Thompson during 1990 or 1991.

Mr. Thompson has submitted a new irrigation permit application for spreading water from Alkali Creek. The Department of Agriculture, Division of Conservation, has been in contact with Mr. Thompson regarding the Soil/Water Compatibility Permit for his new permit application. It may be that this is what Mr. Thompson was referring to in his discussions with you.

The new permit application submitted by Mr. Thompson is the result of an inspection of his vested water right claims.

Rassool Ahadi did the inspection of the claims in 1988. Mr. Thompson is adding land that was not included in the original filing of the claims.

In 1986, the South Dakota Legislature passed statutes that directed the Water Management Board to validate all vested water right claims. In 1988, notices were sent to all vested water right claim holders whose claims had never been inspected, that the claim would not be validated until an inspection had been completed. We still have some claims to inspect in Meade County. When all of the inspections have been completed, Mr. Thompson's claims will be presented, along with all the other Meade County claims, to the Board for validation.

If I can answer any other questions, please contact me.

Very truly yours,

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

Report on Water Permit Application No. 1523-1
Ed Thompson
August 14, 1991

Background

Water Permit Application No. 1523-1 requests to appropriate 5.5 cubic feet of water per second (cfs) from a dry draw to irrigate 388 acres. The diversion point will be located in the NE1/4 NW1/4 Section 18, T5N-R8E, in Meade County. The water will be used to irrigate lands located in the S1/2 NE1/4 and SE1/4 Section 18; NE1/4 NE1/4 Section 19; S1/2 SW1/4, SW1/4 SE1/4 Section 17; N1/2 NW1/4, SE1/4 NW1/4, NE1/4 Section 20; W1/2 NW1/4, NW1/4 SW1/4 Section 21; all in T5N-R8E. A water spreading system of irrigation will be used to irrigate the land.

Discussion

Approximately 193 acres located in the NW1/4 and NE1/4 Section 20, and NW1/4 Section 21, T5N-R8E, are covered under Vested Right Claim No. 349-1. Vested Right No. 349-1 claims 5.0 cfs from Alkali Creek for irrigation of 358 acres with a priority date of 1952.

The 193 acres in the application and under Vested Right No. 349-1 will be irrigated from both Alkali Creek and the dry draw. The combined diversion rates should not exceed the statutory limitation of 1 cfs for irrigation of each 70 acres.

Conclusions

1. Irrigation will be conducted whenever water is available.
2. No other water permit exists on the dry draw.
3. Vested Right Claim No. 349-1 has been inspected. The land was found to be irrigated as stated in the claim and shown on the original map.

M. Rassool Ahadi 

M. RASSOOL AHADI
Natural Resources Engineer III

Approved By:

Delvin D. Brosz
DELVIN D. BROSZ, P.E.
Natural Resources Engineer IV

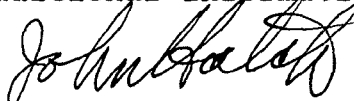
RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1523-1, Ed Thompson

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 1523-1, Ed Thompson, HC 75 Box 134, Sturgis, SD 57785.

The Chief Engineer is recommending APPROVAL of Application No. 1523-1 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.

See report on application for additional information.

A handwritten signature in black ink, appearing to read "John Hatch", is written over the typed name.

JOHN HATCH, Chief Engineer
August 16, 1991



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

August 29, 1991

Ed Thompson
HC 75 Box 134
Sturgis, SD 57785

Dear Mr. Thompson:

Water Permit Application No. 1523-1 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Meade County Times-Tribune printed at Sturgis, 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 prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



August 29, 1991

Meade County Times-Tribune
Box 69
Sturgis, SD 57785

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1523-1 to be published twice. Please publish the first notice on September 4, 1991, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Ed Thompson, HC 75 Box 134, Sturgis, SD 57785.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to
Appropriate Water by Application No. _____ which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on September 4, 1991, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1523-1 to Appropriate Water

Notice is given that Ed Thompson, HC 75 Box 134, Sturgis, SD 57785 has filed an application for a water permit to appropriate 5.5 cubic feet of water per second from a dry draw to irrigate 388 acres by water spreading. The point of diversion will be located in the NE 1/4 NW 1/4 Section 18-T5N-R8E. The land to be irrigated is located in the S 1/2 NE 1/4, SE 1/4 Section 18; NE 1/4 NE 1/4 Section 19; S 1/2 SW 1/4, SW 1/4 SE 1/4 Section 17; N 1/2 NW 1/4, SE 1/4 NW 1/4, NE 1/4 Section 20; W 1/2 NW 1/4, NW 1/4 SW 1/4 Section 21; all in T5N-R8E.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1523-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by September 23, 1991. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

If a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Board will consider this application on October 1, 1991, at 10:00 am, Embassy 1 & 2, Holiday Inn City Centre, 100 West 8th Street, Sioux Falls, SD. If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. The October 1, 1991, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by September 23, 1991.

Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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; 46-5-1 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; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Meade) ss.

I, Dorothy Allison

certify that the attached printed Notice was taken
 from the Meade County Times-Tribune

A newspaper which during the whole time of publication of
 said notice herein after stated, has been and is printed and
 published in the City of Sturgis

_____ of _____
 County of Meade and State of South Dakota;
 that the said notice was published in said newspaper on the
 following two dates:

September 4, 1991

September 11, 1991

(Signature)

Publisher

(Title)

September 12, 1991

(Date Signed)

Cost of Printing: 53.59

Notice of hearing

South Dakota
 Dept of Environment
 and Natural Resources
 Joe Foss Building
 523 East Capitol
 Pierre, SD 57501

NOTICE OF HEARING
 on Application No. 1523-1
 to Appropriate Water

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Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1523-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

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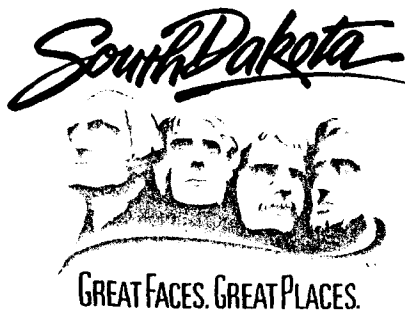
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Publ. Sept. 4, 11, 1991

Meade County, South Dakota



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 24, 1991

**NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.**

Ed Thompson
HC 75, Box 134
Sturgis SD 57785

Dear Mr. Thompson:

I am writing to advise you that the legal notice of hearing published in the Meade County Times-Tribune for Water Permit Application No. 1523-1 was not published correct. Enclosed is a copy of the Proof of Publication form that was submitted by the newspaper. We had contacted the paper to make the necessary corrections on the September 11, 1991 publication, but the corrections were not made. As a result, the legal notice will need to be readvertised. The readvertisement is needed to ensure that the Water Permit is free from legal problems due to inaccurate and incomplete public notice. The information needed to readvertise the notice is being sent to the Publisher of the Meade County Times-Tribune printed at Sturgis SD.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has also been instructed to send us the Proof of Publication. We must receive Proof of Publication before the application can be considered.

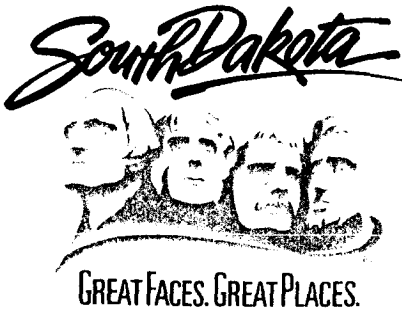
Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

cc: Meade County Times-Tribune

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 24, 1991

Meade County Times-Tribune
Box 69
Sturgis SD 57785

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1523-1 to be published twice. Please publish the first notice on or before October 2, 1991 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Ed Thompson, HC 75, Box 134, Sturgis SD 57785.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

No. _____

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Appropriate Water by Application No. _____ which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____

Newspaper _____

Instruction to Newspaper - Publish first Notice on October 2, 1991, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1523-1 to Appropriate Water

Notice is given that Ed Thompson, HC 75, Box 134, Sturgis, SD 57785 has filed an application for a water permit to appropriate 5.5 cubic feet of water per second from a dry draw to irrigate 388 acres by waterspreading. The point of diversion will be located in the NE 1/4 NW 1/4 Section 18-T5N-R8E. The land to be irrigated is located in the S 1/2 NE 1/4, SE 1/4 Section 18; NE 1/4 NE 1/4 Section 19; S 1/2 SW 1/4, SW 1/4 SE 1/4 Section 17; N 1/2 NW 1/4, SE 1/4 NW 1/4, NE 1/4 Section 20; W 1/2 NW 1/4, NW 1/4 SW 1/4 Section 21; all in T5N-R8E.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1523-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

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For purposes of publishing 1) the notice of hearing on Application No. 1523-1 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for October 29, 1991, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the October 29, 1991, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The October 29, 1991, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by October 21, 1991.

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PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Meade) ss.

Dorothy Allison

I, _____
 certify that the attached printed Notice was taken
 from the Meade County Times-Tribune

A newspaper which during the whole time of publication of
 said notice herein after stated, has been and is printed and
 published in the City of Sturgis

State of South Dakota

County of Meade and State of South Dakota;
 that the said notice was published in said newspaper on the
 following two dates:

October 2, 1991

October 9, 1991

Dorothy Allison
 (Signature)
Publisher
 (Title)
10/9/91
 (Date Signed)

Cost of Printing: 53.59

NOTICE OF HEARING

on Application No. 1523-1

to Appropriate Water

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Publ. Oct. 2, 9, 1991

Moade County Times-Tribune



FEB 26 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Ed Thompson
HC 75 Box 134
Sturgis, SD 57785

Dear Mr. Thompson:

Enclosed is Water Permit No. 1523-1 authorizing construction of your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Also enclosed is Form 10, Notice of Completion of Works and Application of Water to Beneficial Use, which you are to complete and submit to the Chief Engineer when you have completed the system and/or have put the water to beneficial use. An inspection can then be scheduled so that the Water License may be issued, thus completing your acquisition of a Water Right.

Very truly yours,

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

enclosures

PLEASE NOTE: Certain changes can be made in your permit within the five year construction period, usually without affecting the priority date provided an application to amend your permit is made within the five year period - i.e. changes in location or number of diversion points (wells) or location of land to be irrigated. Well locations for wells into the same aquifer can be moved up to 660 feet without application.

Applications to amend a permit after the five year construction period will be assigned a new priority date. Applications to change water sources, to add lands or increase original diversion rates, if approved will usually receive the date of the new application as a priority date regardless of the five year construction period.

Permit No. 1523-1
Belle Fourche River - Water District

Report of Examination of Works and/or Application of Water to Beneficial Use

TO: Chief Engineer, Water Rights Program, DENR, Foss Bldg., Pierre, SD 57501

I have this day, July 14, 1999, made a thorough examination of the water use system constructed by Ed Thompson of HC 75 Box 134, Sturgis SD 57785 holder of Permit No. 1523-1, bearing the priority of April 19, 1991 authorizing the diversion of 5.50 cu. ft. per second of the waters of a dry draw for irrigation purposes, in Meade County.

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

A. Works used to divert the water:

The irrigation system is a water spreading system. At the point of diversion a ditch has been constructed for water to enter the ditch after the dry draw flow reaches above a certain level. This uncontrolled diversion has experienced some erosion problems due to high flows and a temporary plug is in place until the eroded area is repaired.

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

- 1) Type earthen diversion ditch 2) Size 10 feet wide 3) Length 3,000 feet
 1) Type earthen ditch/dike 2) Size dike 8 feet wide at top, ditch - 1.4 to 2 feet deep 3) Length 5,700 feet
 1) Type level lip ditches 2) Size 1 foot deep, 8 feet wide 3) Length 21,000 feet

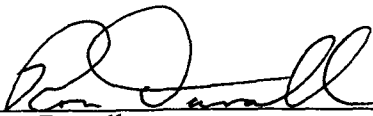
The system is in the following condition good. The point of diversion is located Dry draw: 2,100 feet E and 10 feet S from the NW corner section 18-T5N-R8E (NE¼NW¼). The works are capable of diverting and conveying to the place of use 5.50 cu. ft. per second of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows:

Sec 18-T5N-R8E:	Sec 17-T5N-R8E:	*Sec 19-T5N-R8E:	Sec 20 (continued)	Sec 20 (continued)
SE¼NE¼ 1 ac	SW¼SW¼ 33 ac	NE¼NE¼ 4 ac	NE¼NW¼ 40 ac	SW¼NE¼ 28 ac
NE¼SE¼ 38 ac	SE¼SW¼ 26 ac	*Sec 20-T5N-R8E:	SE¼NW¼ 17 ac	NE¼NE¼ 6 ac
SE¼SE¼ 33 ac	SW¼SE¼ 15 ac	NW¼NW¼ 31 ac	NW¼NE¼ 16 ac	SE¼NE¼ 11 ac

comprising a total of 299 acres of land and the license should be issued for 4.27 cfs.

Applicable permit qualifications have been complied with: Yes X No

Exceptions to compliance are: none Date report completed: September 17, 1999


 Ron Duvall
 Natural Resources Engineer
 DENR, Water Rights Program

* The acreage located in Sections 19 and 20; T5N-R8E is also covered by Vested Right No. 349-1 for irrigation from Alkali Creek. Combination of diversions from both sources may not exceed statutory limitations.

FIELD INVESTIGATION REPORT FOR PERMIT NO. 1523-1

DATE OF INVESTIGATION	July 14, 1999
NAME & ADDRESS OF INVESTIGATION CONTACT/ RELATIONSHIP TO PERMIT HOLDER, IF APPLICABLE	Ed Thompson
NAME & ADDRESS OF PERMIT HOLDER	Ed Thompson HC 75 Box 134 Sturgis SD 57785
DIVERSION POINT LEGAL LOCATION	Dry draw: 2,100 feet E and 10 feet S from the NW corner section 18-T5N- R8E (NE $\frac{1}{4}$ NW $\frac{1}{4}$)

Other permit(s) associated with the project: 349-1

DISTRIBUTION LINES OR CANALS:

- 1) Type earthen diversion ditch 2) Size 10 feet wide 3) Length 3,000 feet
1) Type earthen ditch/dike 2) Size dike 8 feet wide at top, ditch -- 1.4 to 2 feet deep 3) Length 5,700 feet
1) Type level lip ditches 2) Size 1 foot deep, 8 feet wide 3) Length 21,000 feet

SYSTEM TYPE:

The irrigation system is a water spreading system. At the point of diversion a ditch has been constructed for water to enter the ditch after the dry dray flow reaches above a certain level. This uncontrolled diversion has experienced some erosion problems due to high flows and a temporary plug is in place until the eroded area is repaired.

PERMIT QUALIFICATIONS:

- 1) Special qualifications to permit being abided by Y
2) All structures, wells and lands on map Y
3) Irrigation Questionnaires checked to determine if permit owner started irrigation by the end of construction period not applicable for water spreading

October 25, 1999

No. 1523-1

This water right permit was issued to you on February 26, 1992, for irrigation of 388 acres. The inspection found 299 acres developed for irrigation under No. 1523-1. Enclosed is a copy of the inspection report and map. Based on the inspection, Permit No. 1523-1 is ready to be licensed for 299 acres upon receipt of the \$50.00 licensing fee. Licensing this permit is the final step in obtaining a water right.

There are no applications needed to correct anything associated with this claim and no transfer of ownership is needed.

Thank you,

Ron



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 25, 1999

Ed Thompson
HC 75 Box 134
Sturgis SD 57785

Dear Mr. Thompson:

I am writing in response to inspection of several of your vested water right claims and a water right permit on July 14, 1999. After reviewing the irrigated acreage, the following actions need to be taken:

No. 345-1

This vested right claim is for 302.9 acres in sections 24, 25; all in T5N-R8E. The inspection found 302.9 acres being irrigated within the areas described on the original claim. Enclosed is a map of the irrigated acreage and a short documentation of what the inspection found. Claim No. 345-1 will be scheduled for validation by the Water Management Board for irrigation of 302.9 acres from the diversion points described on the claim. A transfer of ownership form is also enclosed to change the name on No. 345-1 from LeRoy Thompson to you.

No. 346-1

This vested right claim is for 151 acres located primarily in section 18-T5N-R8E. The inspection found that 151 acres have been developed for irrigation with 5 additional acres outside of the area described on the original claim. Enclosed is a map of the irrigated acreage and a short documentation of what the inspection found. Claim No. 346-1 will be scheduled for validation by the Water Management Board for irrigation of 151 acres from the diversion points described on the claim. Enclosed is a partially-completed application form and map for the 5 additional acres and a second diversion point not included on No. 346-1. As I recall, the second diversion point and four acres (SE $\frac{1}{4}$ NW $\frac{1}{4}$) of the five acre area were developed at a later date. If so, this application should be treated as a new application as opposed to another vested water right claim. If I am incorrect and all of the project was completed on or before March 2, 1955, then you may claim a vested right. An Affidavit of Water Use form is enclosed if you intend to claim a vested water right for the additional acreage. A transfer of ownership form is also enclosed to change the name on No. 346-1 from LeRoy Thompson to you.

During the inspection, it was also noted that a large area was also being irrigated in section 13-T5N-R7E from a diversion near the center of the section. Water Right No. 1198-1 covers this area and no action is needed.

No. 347-1

This vested right claim is for 21 acres in section 19-T5N-R8E. The inspection found that the 21 acres are being irrigated as described on the original claim. However, the legal description of the diversion point on the claim (SE $\frac{1}{4}$ NW $\frac{1}{4}$) does not match legal description on the original map (SW $\frac{1}{4}$ NE $\frac{1}{4}$) which is the actual location. To correct this error, the Notice of Validation will need to be readvertised at our expense to describe the correct location of the diversion point. After readvertisement, the vested right can be scheduled for validation by the Water Management Board for irrigation of 21 acres. Enclosed is a map of the irrigated acreage and a short documentation of what the inspection found. A transfer of ownership form is also enclosed to change the name on No. 347-1 from Keffeler Ranch Inc to you.

On a related matter, there is an additional area near the center of section 19 that you pointed out as being irrigated. This area, coincidentally, is also 21 acres in size. After reviewing our files, I could not find a water right for irrigation of the area. Enclosed is a partially-completed application form to cover the acreage with a map showing the acreage and diversion point. This application can be for either a new water right permit or a vested right claim depending on when the acreage was first developed for irrigation. In order to qualify for vested status the project needs to have been developed on or before March 2, 1955. If you intend to claim a vested right, there is an Affidavit of Water Use form that needs to be filled out to document when the project was developed.

No. 348-1

This vested right claim is for 158 acres primarily in section 28-T5N-R8E. The inspection found 158 acres being irrigated as described on the original claim with the irrigated area shifted slightly to the south since the section lines were not properly drawn on the original map. The legal description of the irrigated acreage in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ section 28 does not match legal description on the original claim (NE $\frac{1}{4}$ SE $\frac{1}{4}$). To correct this error, the Notice of Validation will need to be readvertised at our expense to describe the correct location of this part of the irrigated acreage. After readvertisement, the vested right can be scheduled for validation by the Water Management Board for irrigation of 158 acres. Enclosed is a map of the irrigated acreage and a short documentation of what the inspection found. A transfer of ownership form is also enclosed to change the name on No. 348-1 from Keffeler Ranch Inc to you.

No. 349-1

This vested right claim is for 358 acres in sections 19, 20, and 21; all in T5N-R8E. The inspection found 336 acres being irrigated within the area described on the claim. The remaining acreage (358 - 336 = 22 acres) is not being irrigated. Enclosed is a map of the irrigated acreage and a short documentation of what the inspection found. Claim No. 349-1 will be scheduled for validation by the Water Management Board for irrigation of 336 acres from the diversion points described on the claim. A transfer of ownership form is also enclosed to change the name on No. 349-1 from Keffeler Ranch Inc to you.

October 25, 1999
Ed Thompson
Page 3 of 3

No. 1523-1

This water right permit was issued to you on February 26, 1992, for irrigation of 388 acres in sections 17, 18, 19, and 20; all in T5N-R8E. Portions of the acreage in sections 19 and 20 are also irrigated from Alkali Creek under No. 349-1. The inspection found 299 acres developed for irrigation under No. 1523-1. Enclosed is a copy of the inspection report and map. Based on the inspection, Permit No. 1523-1 is ready to be licensed for 299 acres upon receipt of the \$50.00 licensing fee. Licensing this permit is the final step in obtaining a water right.

I apologize for the length of this letter and the number of enclosures. I have tried to layout the enclosures and provide directions as clearly as possible. If you have any questions, please give me a call at (605) 773-3352 and I will try to assist you.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Duvall", with a stylized, cursive script.

Ron Duvall
Natural Resources Engineer
Water Rights Program

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 12, 2000

Ed Thompson
HC 75 Box 134
Sturgis SD 57785

Dear Mr. Thompson:

I am writing to followup on my letter of October 25, 1999 regarding your vested water right claims and water right permit. Enclosed is a copy of the letter and instruction sheet.

To date, we have not received a response. Please take a look at the packet of information I sent you in October and let me know if you have any questions. I can be reached at (605) 773-3352. We can not validate your vested right claims or license your permit until we get your response to the items mentioned.

Thank you again for taking the time to show me around. I look forward to your response.

Sincerely,

Ron Duvall
Natural Resources Engineer
Water Rights Program

enclosures

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

Nº 416574

Pierre, July 6, 2000

RECEIVED OF Thompson Ranch, Inc., HC 75 Hereford Rt., Box 134, Sturgis, SD 57785-8908
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. <u>1523-1</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By Harold E. Ehlke
Chief Engineer

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1523-1

(1) Ed Thompson, HC 75 Box 134, Sturgis SD 57785 made Application No. 1523-1, April 19, 1991 for a water permit to divert 5.5 cubic feet of water per second from a dry draw, Meade County, South Dakota for irrigation purposes. Permit No. 1523-1, with a priority date of April 19, 1991 was approved October 29, 1991 and issued to the applicant for diversion of water with construction of the described water supply system to be completed on or before October 29, 1996 and for the application to beneficial use of said water on or before October 29, 2000.

(2) It is certified that the permit holder 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 4.27 cubic feet of water per second for beneficial use. The location of the diversion point is 2,100 feet east and 10 feet south from the northwest corner of Section 18-T5N-R8E (NE 1/4 NW 1/4).

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

** Acreage in
Sec 19 & 20 is
also irrigated
from Alkali
Creek authorized
by Vested Water
Right No. 349-1

All in T5N-R8E			
Section 18		Section 20	
SE ¼ NE ¼	1 acre	NW ¼ NW ¼	31 acres
NE ¼ SE ¼	38 acres	NE ¼ NW ¼	40 acres
SE ¼ SE ¼	33 acres	SE ¼ NW ¼	17 acres
Section 17		NW ¼ NE ¼	16 acres
SW ¼ SW ¼	33 acres	SW ¼ NE ¼	28 acres
SE ¼ SW ¼	26 acres	NE ¼ NE ¼	6 acres
SW ¼ SE ¼	15 acres	SE ¼ NE ¼	11 acres
Section 19			
NE ¼ NE ¼	4 acres		
Total 299 acres			

(4) Pursuant to South Dakota Water Law 46-5-30.1 Ed Thompson, HC 75, Box 134, Sturgis SD 57785 the holder and/or owner of Water Right No. 1523-1 is issued a license to appropriate water, the right to use 4.27 cubic feet of water per second from a dry draw with a priority date of April 19, 1991 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 Right No. 1523-1 and subject to South Dakota State Law.

Garland Erbele

GARLAND ERBELE, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

NOV 01 2000

date



1523-1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Ed Thompson
Thompson Ranch, Inc.
HC 75 Box 134
Sturgis SD 57785

Dear Mr. Thompson:

On September 28, 2000, the Water Management Board took action to validate and approve your water rights based on the inspections conducted by Ron Duvall, staff engineer. For your records, enclosed are the following:

- Vested Water Right and Reissued Vested Water Right No. 345-1.
- Vested Water Right No. 346-1, Water Permit No. 1731-1 and Water License No. 1731-1 (which incorporates the applicable portions of No. 346-1).
- Vested Water Right No. 347-1, Water Permit No. 1732-1 and Water License No. 1732-1 (which incorporates the applicable portions of No. 347-1).
- Vested Water Right and Reissued Vested Water Right No. 348-1.
- Vested Water Right and Reissued Vested Water Right No. 349-1.
- Water License No. 1523-1.
- Receipts for payment of transfer fee for Nos. 345-1, 346-1, 347-1, 348-1 and 349-1.
- Receipts for payment of license fee for Nos. 1731-1, 1732-1 and 1523-1.

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

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures