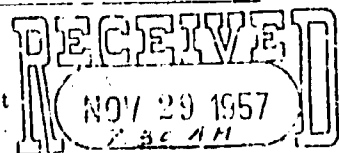


Belle Fourche

Form 2--Application for Permit to Appropriate Water--Original

No. 513-1

Water Division No. 1 Belle Fourche Pier. District
(Blanks to be filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE--Draw a line through items not applicable.)

1. Name of applicant Montana-Dakota Utilities Company
406 NORTH FOURTH ST.
Postoffice address 831 Second Avenue South County Hennepin, State Minnesota
Minneapolis 2, Bismarck, ND 58501

I. If a corporation:

- (a) Name of same Montana-Dakota Utilities Company
(b) Date and place of incorporation Delaware - 1924
(c) Amount of capital stock 337,313,503.00
(d) Amount paid in 337,313,503.00
(e) Names and addresses of directors See Attached Sheet

(NOTE--A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work

3. Amount of water claimed 20,000 cubic feet per second

4. Source of water supply Lakota Canal

5. Location of point of diversion Lakota Canal, 1/4 Section 19, T. 12 N., R. 2 E., Sec. 19 - T. 12 N. - R. 2 E. on bank Sec. 19, T. 12 N. - R. 2 E. County.

6. Annual period or periods during which water is to be used Continuous

7. To be used for:

- I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity and Compressor Plant.

(a) Number of acres to be irrigated acres.

Where water is to be used:

Sec. 19, T. 12 N. R. 2 E.

(b) Legal subdivisions to be irrigated Sec. 20, T. 12 N., R. 1 E., part of Lot 2
(NOTE--A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown in accompanying map.)

(c) Statement as to domestic use (giving location, etc.)

II. Stockwatering, mining, milling, power, fish culture, fire protection and public recreation:

(a) Nature of use Compressor plant plus water use for four families.
Name any of the above claimed

(b) Amount of power to be generated horse power.

Amount claimed for engine cooling 3,000 cu. ft. per year

(c) Location of plant W. 1/4 Sec. 19, T. 12 N. R. 2 E.

(d) Method of developing power Generator

(e) Point where water will be returned to stream Not Returned

8. Estimated cost of work:

(a) Head Gates, \$-----

(b) Pumping plant, \$-----

(c) Fluming, \$-----

(d) Canal-earth, \$-----

Rock, \$-----

(e) Other structures ----- \$-----

Total, \$-----

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)

II. Dimensions of works:

(a) Dam: Height ----- feet; length at bottom ----- feet; length at top ----- feet; thickness at bottom ----- feet; thickness at top ----- feet; slope at front water face -----; slope at back face -----

material used in construction -----

(b) Reservoir: Capacity when filled ----- acre feet. Surface area at highwater mark ----- acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT OUTLET--ACRES	FEET	ACRE-Feet CAPACITY

(c)* Head gate: Width ----- feet; height ----- feet;

Material -----

(d) Canal: Total length ----- miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet
At ----- Mile	----- feet	----- feet	----- feet	----- feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work ----- years.

11. Time required for complete application of water to the proposed beneficial use ----- years.

12. Choice of newspaper for publication of notice of intention to appropriate -----

STATE OF ~~MINNESOTA~~ **SOUTH DAKOTA**

County of -----

I, Cecil W. Smith

being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of ~~owner~~ **President**, that I have read the above foregoing statement, ~~examined the map accompanying the same~~ **and that I know of my own personal knowledge that the matters therein stated and shown are true.**

Signed -----

Cecil W. Smith
Cecil W. Smith

President - Montana-Dakota Utilities Co.

Subscribed and sworn to before me this 25th day of November, 1927.

Wendell A. Sater
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Notary Public for the State of Montana,
My Comm. Expires -----

Form 2A -- Wells (Supplement to Form 2)

9. (Continued)

III. Well Specifications

(a) Hole and casing

Size of drill hole or excavation $7 \frac{5}{8}$ " Depth 3,207'

Type of casing Steel (wood, concrete, steel, etc.)

Size of casing 5 1/2 C. D. Thickness of casing 0.228"

Length of casing 3,150' If collection gallery, length, size and depth of gallery

(b) Screens

Type of perforated screen

Size of perforated screen (diameter) (length)

Thickness of gravel pack length of gravel pack

(c) Water Bearing Materials

Distance to water 3,150' Character of water bearing materials

Lakota Sand South White Sand South

Thickness of water bearing material

(d) Pump and Motor

Type of pump Screw Propeller (centrifugal, propeller, mixed flow, etc.)

Name of pump Peerless Hy lift size

Kind of motor Electric (gasoline, electric, diesel, etc.)

Horsepower 7 1/2 H. P. Name of Motor U. S. Electric Motor

(e) Complete well

Capacity 22 GAL/MIN at drawdown of Estimated cost

(f) Owner of land upon which well is located Montana-Dakota Utilities Co. Name

821 Second Avenue South, Minneapolis 2, Minnesota Address

(g) Distance to nearest existing wells

On same owner's property None rods. On property owned by others None rods

The following is a list of the directors and principal officers of the Company:

<u>Name</u>	<u>Address</u>
R. B. Heskett	831 Second Avenue South Minneapolis, Minnesota
C. W. Smith	831 Second Avenue South Minneapolis, Minnesota
Ayten P. Woodson	c/o Yankey Lumber Company Wausau, Wisconsin
F. R. Gamble	831 Second Avenue South Minneapolis, Minnesota
W. L. Hayes	831 Second Avenue South Minneapolis, Minnesota
H. J. Hagge	c/o Employers Mutual Liability Insurance Company of Wisconsin Wausau, Wisconsin
Fred Goodstein	Jasper, Wyoming
J. E. Moore	Billings, Montana

Remarks by State Water Resources Commission:

"Vested Right" Claimed

STATE OF SOUTH DAKOTA
County of Flagler } ss.

Pierre, South Dakota, December 26, 1957

This is to certify that the foregoing application was received by the Commission at 9:30 o'clock
on the 29 day of December, 1957

State Water Resources Commission

By:

W. J. O'Brien
Chief Engineer, Executive Officer

Vested Right
Number of permit 313-1

Date of first receipt of application December 29, 1957

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

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right April 1, 1953

Approved December 23, 1957 Recorded in Book 4 Page 197

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____

Completed, 19____

2nd. The whole of said work is to be completed on or before Completed, 19____

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is _____

Completed, 19____

4th. The water appropriated shall be used for the purpose of industrial use

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 0.048 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must 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:

Continuously

Witness my hand this 10 day of January, 1958

State Water Resources Commission

By:

W. J. O'Brien
Chief Engineer, Executive Officer

Certificate of Conservation Issued _____

Water License Issued _____

January 10, 1958
January 10, 1958

STATE OF SOUTH DAKOTA

WATER LICENSE No. 313-1

WHEREAS, On the 29th day of November A. D. 1957

the Montana-Dakota Utilities Company

831 Second Ave., South
of Minneapolis County of Hennepin Vested Right and State of
Minnesota duly made application (No. 313-1) to us for ✓ permit to use 0.048
cubic feet per second of the waters of ground water
County of Butte State of South Dakota, for industrial
purposes, and

WHEREAS, On the 10th day of January A. D. 1958
Vested Right 313-1 recognizing
/ Permit No. 313-1 was issued to said applicant for the diversion of said water, and providing for the
completion of the works of diversion therein described on or before the XXXXXXX day of XXXX
in April 1953 XXXX and for the application to beneficial use of said
water XXXXXXX the XXXX in April 1953 XXXXXX
and,

WHEREAS, On the 29th day of November A. D. 1957
the holder of said permit duly made proof of the completion of adequate works for the diversion of 0.048
cubic feet per second of said waters, as evidenced by our Certificate No. 313-1
dated January 10, 1958 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 0.048 cubic feet per second of water, with date of
priority of April 1953 XXXX and,

WHEREAS, On the 29th day of November A. D. 1957
proof was duly made of the application to beneficial use of 0.048 cubic feet per second of said water;
for industrial use on the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 24, T 12 N, R 1 E, part
of lot 2, Sec. 19, T 12 N, R 2 E.

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to the Montana-Dakota Utilities Company
831 Second Ave., South Vested Right 313-1
of Minneapolis 2, Minnesota the holder and owner of said permit No. _____
a water right, dating from April 1953 to the use of 0.048
cubic feet per second of the waters of ground water
In the County of Butte and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted at 1854 feet south of the north
line, 555 feet east of west line, of Sec. 19, T 12 N, R 2 E
and conducted to and upon SE 1/4, Sec. 24, T 12 N, R 1 E, and
part of Lot 2, Sec. 19, T 12 N, R 2 E
for the purpose of industrial use

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the
State, and subject, also to the local or community customs, rules and regulations which have been or may be
adopted from time to time by a majority of the users from a common source of supply, canal or lateral from
which such water may be taken, when such rules and regulations have for their object the economical use of such
water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 10th day of January A. D. Nineteen
Hundred and Fifty-eight

State Water Resources Commission

By:

J. W. GRIMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 313-1
Belle Fourche
 Water Division No. 1 River Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That the Montana-Dakota Utilities Company
831 Second Ave., South
 of Minneapolis 2, County of Hennepin, and State of Vested Right
Minnesota, the holder of permit No. 313-1, issued upon Application
 No. 313-1, bearing date of priority of April 1953, authorizing the diversion of
0.048 cu. ft. per second of the waters of ground water
 County of Butte, State of South Dakota, at 1854 South of the
north line, 555 feet east of the west line of Sec. 19, T 12 N,
R 2 E, for industrial use
 purposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of
Vested Right
 completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory
 condition for diverting and conveying to the place of intended use 0.048 cu. ft.
 per second of water; and that the ~~rights proposed to be acquired by~~ use of said water ~~is~~ is described as follows,
 to-wit: for industrial use in the SE 1/4, Sec. 24, T 12 N, R 1 E and
part of Lot 2, Sec. 19, T 12 N, R 2 E.

Witness my hand this 10th day of January A. D. 1958

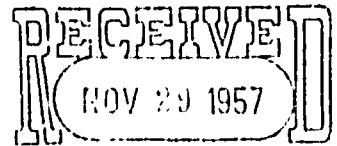
State Water Resources Commission

By:

J. W. GRIMS, Chief Engineer, Executive Officer

Location No. 313-1Water Division No. 1Belle Fourche
River

Water District

STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Cecil M. Smith, President Montana-Dakota Utilities Co.,
Montana-Dakota Utilities Co., 831 Second Avenue South, Minneapolis 2, Minnesota

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans. President, Montana-Dakota Utilities Co.

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans. Filed Application for Vested Right Permit on 14th day of November 1957.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Lakota South Sand, 1,850' South of North Line, 555' East of West Line,
Sec. 19 - T. 12N - R. 2E

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. Drilled Water Well to 3,220' Total Depth

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

Ans. Compressor plant and home use for four families.

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans. Well has a 7 1/2 H.P. electric motor.

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 22 GPM

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

Ques. 10. State when, how, in what amount and to what extent, the water diverted under above mentioned permit has been used.

Ans. Since April 1953 water has been used in the compressor plant and in homes of four families at the plant at a rate of 22 GPM.

(Sign) Cecil W. Smith
Cecil W. Smith

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Minneapolis, County of Hennepin, State of Minnesota, on this 11th day of November, A. D. 1957.

Witnesses. Wendell A. Sullivan
Notary Public, Hennepin County, Minn.
Residing at Minneapolis, Minn.
My Commission Expires Jan. 15th, 1958

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

Location No. _____

PROOF OF APPLICATION OF
WATER TO BENEFICIAL USE

PETITION OF HOLDER

Amount of Water _____ c. f. s.

Source _____

County _____

Purpose _____

Place of Use _____

Date of recording _____

Received and filed _____

313-1, 467-2, 312-1

August 9, 1979

R.L. Schwappach
400 N 4th Street
Bismark, ND 58501

Dear Mr. Schwappach:

In regards to your phone call August 8, 1979 inquiring about the Montana-Dakota Utilities Company's Vested Right Water Permit: Nos. 313-1, 312-1, and 467-2. Enclosed are copies of the permits and Water License.

Also it was noted the address on the permits is 831 2nd Avenue So., Minneapolis, MN. Has the address changed, if so please inform this office and we will make the change.

If you have any further questions, feel free to contact this office.

Sincerely,

BETTY WESTLUND
Water Rights Specialist I

BW/gy

encl

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: March, 1985

This is to notify you that the title to the lands described as follows:

Belle Fourche Compressor Station, Butte County, SD

W1/2SW1/4NW1/4 Sec. 19-T12N-R2E

formerly owned by Montana-Dakota Utilities Co.

has been transferred to Williston Basin Interstate Pipeline Company
Suite 200, 304 East Rosser Avenue, Bismarck, ND 58501

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 313-1 as provided for in SDCL 46-2-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Rights, Water Management Board as evidence of the change of ownership.

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

NORTH DAKOTA
STATE OF ~~SOUTH DAKOTA~~)
County of Burleigh) ss.

I, David P. Price being first duly sworn on my oath depose and say:
That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

David P. Price
President (Signed)

Williston Basin Interstate Pipeline Company

Subscribed and sworn to before me this 1st Day of March, 1985.

Leonie Orchard
(Notary Public)

Leonie Orchard
LEONIE OPCHARD
NOTARY PUBLIC, BURLEIGH CO., ND
MY COMMISSION EXPIRES OCT 22, 1989



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

No 4 9968

Pierre, March 12, 1985

Williston Basin Interstate Pipeline Co.
Suite 200, 304 E. Rosser Avenue, Bismarck, ND 58501

RECEIVED OF

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 _____		
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 313-1 _____	2	50
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	2	50

By John Hatch
Chief Engineer JOHN HATCH

No.

313-1

312-1



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

Phone (605) 773-3352

March 18, 1985

Williston Basin Interstate Pipeline Co.
Suite 200, 304 E. Rosser Avenue
Bismarck, South Dakota 58501

Dear Sir:

are 4 9969 &
Enclosed ~~is~~ receipt No. 4 9968 in the amount of \$2.50 each which you
paid for transfer of Water Right No.s 312-1 and 313-1

~~this~~
Our records now show you as the owner of ~~this~~ Water Right.

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

WNR-821-7/79

Receipt & Notice of filing of Transfer of Water Right

 **Department of
Water & Natural Resources**

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

September 21, 1988

NOTICE

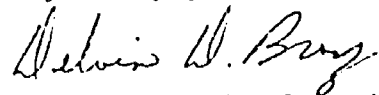
Williston Basin Pipeline Co.
304 E Rosser Ave
Bismarck ND 58501

Dear Sir:

I am writing to notify you that pursuant to the Notice of Intent to Validate Vested Water Right Claims dated June 20, 1988 that I intend to oppose validation of your water right claim No(s). 313-1, 312-1 until a field inspection has been completed. The claim has either never been inspected or an inspection was conducted so long ago that a new inspection is needed. An inspection is needed to determine the current state of your vested water right claim.

A staff member from the Division of Water Rights will be contacting you and scheduling an inspection of your water project. If we can answer any questions, please contact us.

Very truly yours,


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



 **Department of
Water & Natural Resources**

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

December 1, 1988

Vested Water Right
Claim No. (313-1) 312-1

Williston Basin Pipeline Co.
Fred D. Wosick
304 E Rosser Ave
Bismarck ND 58501

Dear Mr. Wosick:

Enclosed is a copy of a letter received from the U.S. Department of Interior, Bureau of Reclamation. The Bureau of Reclamation is opposing those vested water right claims in Pennington, Perkins, Butte and Fall River counties which have never been investigated by the Division of Water Rights. Earlier, you received a letter stating that I was opposing your claim until an investigation can be completed.

After the investigation has been completed, you and the Bureau of Reclamation will be notified as to the date, place and time of the hearing on your vested water right claim. At that time all parties of record will have an opportunity to testify on the validation.

If we can answer any questions, please contact us.

Very truly yours,



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

cc: Bruce Laymon, Bureau of Reclamation



Water Rights Division - DVNR

File No. 313-1

Conversation or File Documentation

NAME OF PERSON OR FILE: Williston Basin Interstate Pipeline Co.ADDRESS: 304 E. Rosser Ave. Bismark ND 58501 COUNTY ButteDATE: 6-14-89 TELEPHONE (Contact Person - Clint Bryson)RE: Vested Right Inspection 892-2110 (0)
892-2195 (11)

COMMENTS:

On Monday June 5, 1989, accompanied by Mr. Clint BrysonThe well authorized under VR # 313-1 was inspected. The well is locatedin the SW 1/4 NW 1/4 Section 19, T12N-R2E. The well was still beingused. The pump, however, is capable to pump 50 gpm whichis slightly more than the vested right is authorized for.* Recommend Validation

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: NRB/...

313-1

**South Dakota Department of
Water & Natural Resources**

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

March 28, 1991

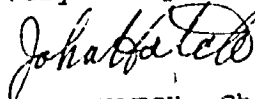
Williston Basin Pipeline Company
Suite 200, 304 E Rosser Ave
Bismarck ND 58501

Dear Sir:

The Water Management Board has validated the enclosed Vested Water Right No. 313-1. This validation gives legal status to the claim and is the final document for your vested right.

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

Very truly yours,



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

enclosure

SOUTH DAKOTA

VALIDATION OF VESTED WATER RIGHT CLAIM NO. 313-1

Date Claim Accepted For Filing November 29, 1957.

Date of Validation September 27, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim No. 313-1 for Williston Basin Pipeline Company, Suite 200, 304 E Rosser Avenue, Bismarck, North Dakota 58501 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 313-1 appropriates 0.05 cubic feet of water per second from one well approximately 2207 feet deep. The well is located in the SW 1/4 NW 1/4, Section 19, T12N, R2E.
2. The appropriated water is used for supplying the Williston Pipeline Company Plant and may not exceed the amount of water needed for beneficial use for industrial purposes.

The water is to be used during the following annual period:
January 1 - December 31
3. The priority date of the Vested Water Right is: April 1, 1953.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water Rights obtained in compliance with the laws of the State of South Dakota must not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: John H. H. H.
Chief Engineer
Division of Water Rights
Dept. of Water and Natural Resources

MAR 28 1991

date

3/3-1



United States Department of the Interior

BUREAU OF RECLAMATION

Great Plains Region
Belle Fourche Projects Office
P.O. Box 226
Newell, South Dakota 57760-0226



WTR 4.10
BF-430

AUG 18 1993



Mr. John Hatch, Chief Engineer
Water Rights Division
South Dakota Department of Water and Natural Resources
523 E. Capitol
Pierre SD 57501-3181

Subject: Vested Water Right Claims in Western South Dakota (Your Letter
Dated April 20, 1993) (Water Rights)

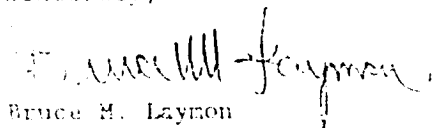
Dear Mr. Hatch,

We have reviewed the vested water right claims located in Perkins, Pennington, Fall River, and Butte Counties as listed in your letter dated April 20, 1993. We have also discussed these rights with contract water users. We appreciate the assistance of your staff in providing documentation of inspections and validation proceedings for specific claims as we requested.

We are satisfied with all of the actions taken by the board. Our intent in opposing validation of the water rights was to assure that all of the rights were reviewed prior to validation. That review has been completed by your staff. Thank you for notifying us of the board's actions and extending the opportunity to reconsider the actions if it would have been deemed necessary. We understand that future notification will be made in advance of board actions.

If we can be of further assistance, please contact Craig Kjar or me at (605) 456-2695.

Sincerely,


Bruce M. Laymon
Project Manager

cc: Mr. Joe Kramer, Manager
Angostura Irrigation District
PO Box 346
Oral SD 57766

Mr. James E. Winterton, Project Manager
Belle Fourche Irrigation District
PO Box 225
Newell SD 57760