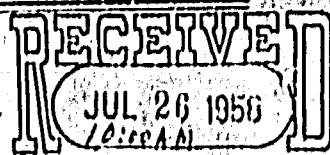


No. 334-1  
 Water Division No. 1 Belle Fourche River District  
 (Blanks to be filled by the Engineer for the W. R. C.)



STATE WATER RESOURCES COMM.  
 PIERRE, SOUTH DAKOTA

## APPLICATION FOR PERMIT To appropriate Water within the State of South Dakota

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

1. Name of applicant: ~~Swenson & Lloyd~~ and Carol Rathke & Walter Strong  
 Hereford Pte.,  
 Postoffice address Sturgis, County Meade, State South Dakota

- I. If a corporation Partnership Carol Rathke & Walter Strong  
 806 Harmon St  
 Sturgis, SD 57785
- (a) Name of same Strong & Lloyd (Partnership)
- (b) Date and place of incorporation
- (c) Amount of capital stock
- (d) Amount paid in
- (e) Names and addresses of directors

(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)

Contract

- (b) Cash on hand, \$
- (c) Treasury stock, \$
- (d) Bonds to be issued, \$
- (e) Other resources, \$

2. Name of diversion work: Strong and Lloyd Irrigation Project No. 1
3. Amount of water claimed: 13.19 c.f.s. maximum allowable
4. Source of water supply: Alkali Creek and Tributaries dry draws
5. Location of point of diversion: See Attachment to this Permit
- 100 rods south and 90 rods west of the N.E. corner of  
Section 26, T. 8, R. 8 on North bank Meade County.
6. Annual period or periods during which water is to be used: April - August
7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Gravity

(a) Number of acres to be irrigated: 200-223.3 acres.

(b) Legal subdivisions to be irrigated: See Valuation attached to this permit

(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 on 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: Name any of the above uses claimed

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

Amount claimed for engine cooling

(c) Location of plant

(d) Method of developing power

(e) Point where water will be returned to stream

Map No. 301-1

## 8. Estimated cost of work:

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

(b) Pumping plant, \$1,400.00.

(c) Fluming, \$.....

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

Rock, \$.....

(e) Other structures ..... Total ..... \$2,750.00

Total, \$.....

## 9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.) Diversion dam for pumping water out of Alkali Creek, storage dams and ditches necessary to get water to area to be irrigated.....

## II. Dimensions of works:

(a) Dam: Height.....121.....feet; length at bottom .....1801.....feet; length at top .....feet; thickness at bottom .....100.....feet; thickness at top .....12.....feet; slope at front water face .....4:1.....; slope at back face .....2:1..... material used in construction .....Earth.....

(b) Reservoir: Capacity when filled .....23.6.....acre feet. Surface area at highwater mark.....9.....acres.

| DEPTH AT<br>OUTLET-FEET | SURFACE AREA AT EACH<br>DEPTH AT OUTLET-ACRES | FEET | ACRE-FEET<br>CAPACITY |
|-------------------------|-----------------------------------------------|------|-----------------------|
|                         |                                               |      |                       |
|                         |                                               |      |                       |
|                         |                                               |      |                       |
|                         |                                               |      |                       |
|                         |                                               |      |                       |
|                         |                                               |      |                       |
|                         |                                               |      |                       |
|                         |                                               |      |                       |
|                         |                                               |      |                       |
|                         |                                               |      |                       |

(c) \* Head gate: Width.....feet; height.....feet; Material.....

(d) Canal: Total length .....2.....miles.

| LOCATION BELOW<br>HEADGATE | DEPTH    | BOTTOM<br>WIDTH | WIDTH AT<br>WATER-LINE | GRADE<br>PER MILE |
|----------------------------|----------|-----------------|------------------------|-------------------|
| At ..... Mile              | 0.5 feet | 5 feet          | feet                   | .2/100 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 Completed in 1949 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 SOUTH DAKOTA

County of Wheat

ss.

I, Walter Strong

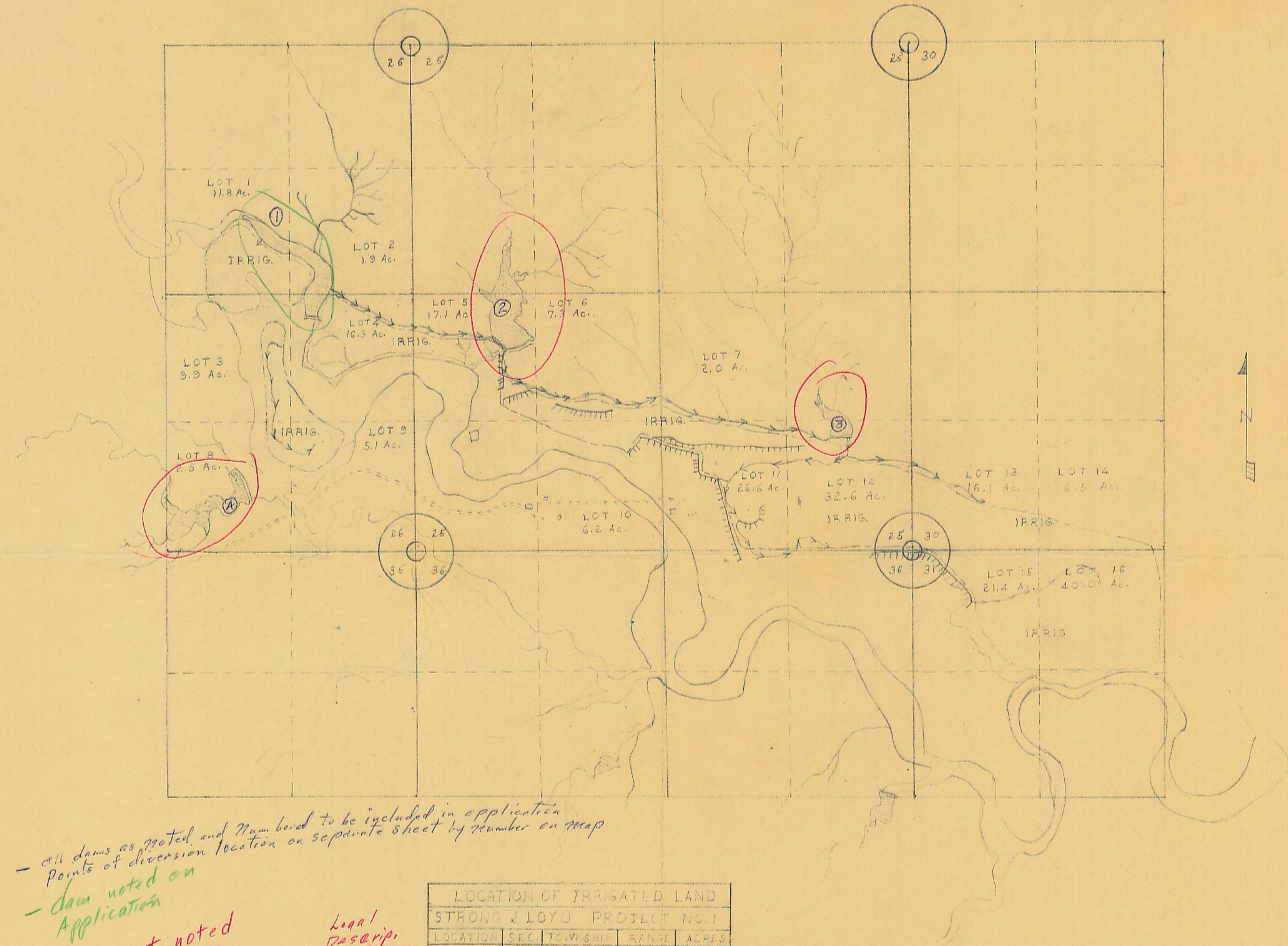
being first duly sworn

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, 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 Walter Strong a partnerSubscribed and sworn to before me this 24<sup>th</sup>day of July1948Paul R. Smith  
Notary Public (or other qualified officer.)

\*Each diversion must have a headgate or measuring device.

Wheat Co. Clerk & Courts



- all dams as noted and numbered to be included in application
- Points of diversion location on separate sheet by number on map
- dam noted on Application
- dams not noted on Application

Legal  
Description

| LOCATION OF IRRIGATED LAND  |      |          |       |       |
|-----------------------------|------|----------|-------|-------|
| STRONG & LOYD PROJECT NO. 1 |      |          |       |       |
| LOCATION                    | SEC. | TOWNSHIP | RANGE | ACRES |
| LOT 1                       | 26   | 5N       | 8E    | 11.8  |
| LOT 2                       | 26   | 5N       | 8E    | 1.9   |
| LOT 3                       | 26   | 5N       | 8E    | 9.9   |
| LOT 4                       | 26   | 5N       | 8E    | 16.3  |
| LOT 5                       | 26   | 5N       | 8E    | 17.1  |
| LOT 6                       | 26   | 5N       | 8E    | 7.3   |
| LOT 7                       | 26   | 5N       | 8E    | 2.0   |
| LOT 8                       | 26   | 5N       | 8E    | 2.5   |
| LOT 9                       | 26   | 5N       | 8E    | 5.1   |
| LOT 10                      | 26   | 5N       | 8E    | 6.2   |
| LOT 11                      | 26   | 5N       | 8E    | 26.6  |
| LOT 12                      | 26   | 5N       | 8E    | 32.6  |
| LOT 13                      | 30   | 5N       | 9E    | 16.1  |
| LOT 14                      | 30   | 5N       | 9E    | 6.5   |
| LOT 15                      | 31   | 5N       | 9E    | 21.4  |
| LOT 16                      | 31   | 5N       | 9E    | 40.0  |
| TOTAL                       |      |          |       | 223.3 |

Soil Conservation  
Designation

Map No. 301-1  
Appl. No. 334-1

|                                                                                        |                   |
|----------------------------------------------------------------------------------------|-------------------|
| STRONG & LOYD<br>IRRIGATION PROJECT<br>NUMBER 1<br>MEADE COUNTY, SO. DAK. SCALE 1"=66' |                   |
| U.S. DEPARTMENT OF AGRICULTURE<br>SOIL CONSERVATION SERVICE                            |                   |
| Designed _____                                                                         | Date _____        |
| Drawn _____                                                                            | Approved _____    |
| Typed _____                                                                            | Checked _____     |
| Sheet No. 1 of 1                                                                       | Drawing No. _____ |

Remarks by State Water Resources Commission:

"Vested Right" claimed

The diversion rate limitation of 1 cubic foot per second for each 70 acres irrigated shall not apply to this Dry Draw Irrigation diversion during periods of flood flow, when such flows are in excess of the amount of water required to satisfy domestic use requirements and other water rights.

STATE OF SOUTH DAKOTA  
County of Hughes } ss.

Pierre, South Dakota,

August 9, 1958

This is to certify that the foregoing application was received by the Commission at 10:00 o'clock  
9 m. upon the 26 day of July, 1958

State Water Resources Commission

By:

W. J. Brinner

Chief Engineer, Executive Officer

Number of permit 334-1

Date of first receipt of application

July 26, 1958

Date of return to applicant for correction, amendments or changes required as follows: August 8, 1958

Date of receipt of corrected application August 18, 1958

Date from which applicant may claim right 0.67 c.f.s. - November 1948; 0.13 c.f.s. - August 1948; 0.04 c.f.s. - August 1949; 0.22 c.f.s. - September 1944

Approved August 18, 1958, Recorded in Book 319 Page 26

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, 1958

2nd. The whole of said work is to be completed on or before Completed, 1958

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is Completed, 1958

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

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 3.19 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 Completed, 1958; said water to be used during the following described annual period:

April to August inclusive

Witness my hand this 6 day of October, 1958

State Water Resources Commission

By:

W. J. Brinner

Chief Engineer, Executive Officer

Certificate of Construction Issued October 6, 1958

Water License Issued October 6, 1958

Point of diversion No. 1 SE NE Sec 26-5-8 2430' South and 1140' West of NE Cor.  
Sec 26-5-8.  
TN

Point of Diversion No. 2 NW SW Sec 25-5-8 2250' N and 300' E of the SW Cor. of  
Sec 25-5-8.  
TN

Point of Diversion No. 3 SE SE Sec 25-5-8 950' W 1290' N of the SE Cor of  
Sec 25-5-8.  
TN

Point of Diversion No. 4 SW SE Sec 26-5-8 1250' N and 2460' W of the SE Cor.  
Sec 26-5-8.  
TN

# LOCATION OF TRIBUTED LAND STRONG LOYD PROJECT NO. 1

| LOCATION                       | SEC. | T. & R. | RANGE | ACRES |
|--------------------------------|------|---------|-------|-------|
| <del>SW 1/4 NE 1/4 GT 1</del>  | 26   | 51      | 8E    | 11.8  |
| <del>SE 1/4 NE 1/4 GT 2</del>  | 26   | 51      | 8E    | 1.9   |
| <del>NW 1/4 SE 1/4 GT 3</del>  | 26   | 51      | 8E    | 9.9   |
| <del>NE 1/4 SE 1/4 GT 4</del>  | 26   | 51      | 8E    | 16.3  |
| <del>NW 1/4 SW 1/4 GT 5</del>  | 26   | 51      | 8E    | 17.1  |
| <del>NE 1/4 SW 1/4 GT 6</del>  | 26   | 51      | 8E    | 7.3   |
| <del>NW 1/4 SE 1/4 GT 7</del>  | 26   | 51      | 8E    | 2.0   |
| <del>SW 1/4 SE 1/4 GT 8</del>  | 26   | 51      | 8E    | 1.4   |
| <del>SE 1/4 SE 1/4 GT 9</del>  | 26   | 51      | 8E    | 1.1   |
| <del>SE 1/4 SW 1/4 GT 10</del> | 26   | 51      | 8E    | 6.2   |
| <del>SW 1/4 NW 1/4 GT 11</del> | 26   | 51      | 8E    | 26.6  |
| <del>SE 1/4 NW 1/4 GT 12</del> | 26   | 51      | 8E    | 32.6  |
| <del>SW 1/4 NW 1/4 GT 13</del> | 30   | 51      | 9E    | 16.1  |
| <del>SE 1/4 NW 1/4 GT 14</del> | 30   | 51      | 9E    | 6.5   |
| <del>NW 1/4 NW 1/4 GT 15</del> | 31   | 51      | 9E    | 21.4  |
| <del>NE 1/4 NW 1/4 GT 16</del> | 31   | 51      | 9E    | 20.0  |
| TOTAL                          |      |         |       | 273.3 |

273.3

## STATE OF SOUTH DAKOTA

## WATER LICENSE No. . . . 334-1 . . .

WHEREAS, On the 26th day of July A. D. 1958Curland W. Lloyd and Walter Strongof Hereford Route, Sturgis County of Meade Vested Right and State of  
South Dakota duly made application (No. 334-1) to us for a permit to use 6cubic feet per second of the waters of Alkali Creek & tributaries (dry draws)County of Meade, State of South Dakota, for irrigation  
purposes; andWHEREAS, On the 6th day of October A. D. 1958  
Vested Right 3.19 cubic feet per second recognizing  
/ Permit No. 334-1 was issued to said applicant for the diversion of said water, and  
completion of the works of diversion therein described XXXXXX in September 1944 XXXXXXAugust 1948; August 1949; & Nov, 1949 XXXXXX and on the application to beneficial use of said  
in September 1944; August 1948; August 1949; and November 1949  
water XXXXXX XXXXXX XXXXXX  
and,WHEREAS, On the 26th day of July A. D. 1958  
the holder s of said permit duly made proof of the completion of adequate works for the diversion of 3.4  
cubic feet per second of said waters, as evidenced by our Certificate No. 334-1  
dated October 6, 1958 confirming the completion of works of sufficient capacity for  
diverting and conveying to the place of intended use 3.4 cubic feet per second of water, with date of  
priority of 0.67 cfs Nov 1949, 0.13 XXXX cfs August 1948 2.04 cfs August 1949,  
0.35 cfs, September 1944WHEREAS, On the 26 day of July A. D. 1958  
proof was duly made of the application to beneficial use of 3.19 cubic feet per second of said water;  
on 223.3 acres located in N½ SW¼, SE¼ SW¼, S½ SE¼ and NW¼ SE¼, Sec 25,  
T 5N, R 8E; S½ NE¼ and SE¼, Sec 26, T 5N, R 8E; S½ SW¼, Sec 22, T 5N,  
R 9E and N½ NW¼, Sec 31, T 5N, R 9E more particularly described in  
the Certificate of Completion of Works No. 334-1.

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 Gurland W. Lloyd and Walter Strong  
of Hereford Route, Sturgis the holder S and owner H of said permit No. 334-1  
a water right, dating from November 1949- 0.67 cfs August 1948 0.13 cfs 3.19  
August 1949 2.04 cfs September 1944 0.35 cfs  
cubic feet per second of the waters of Alkali Creek & Tributaries (dry draws)  
In the County of Meade and State of South Dakota, or so much thereof as may be  
necessray for the purposes hereinbelow mentioned, to be diverted at See below on this Water License  
and conducted to and upon N $\frac{1}{2}$  SW $\frac{1}{4}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$ , S $\frac{1}{2}$  SE $\frac{1}{4}$  and NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec 25, S $\frac{1}{2}$  SW $\frac{1}{4}$ , Sec 30,  
T 5N, R 8E; S $\frac{1}{2}$  NE $\frac{1}{4}$  and SE $\frac{1}{4}$ , Sec 26, T 5N R 8E; S $\frac{1}{2}$  SW $\frac{1}{4}$  Sec 30, T 5N, R 9E;  
N $\frac{1}{2}$  NW $\frac{1}{4}$  Sec 31, T 5N, R 9E more particularly described in Certificate of  
Completion of Works No. 334-1.  
for the purpose of irrigation

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 6th day of October A. D. Nineteen  
Hundred and fifty-eight

State Water Resources Commission

By:

**J. W. GRINES,** Chief Engineer, Executive Officer

Point of diversion No. 1 SE NE Sec 26-5-8 2430' S and 1140' W of NE Cor.  
Sec 26-5N-8E

Point of Diversion No. 2 NW SW Sec 25-5-8 2250' N and 800' E of the SW Cor  
of Sec 25-5N-8E

Point of Diversion No. 3 SE SE Sec 25-5-8 950' W 1290' N of the SE Cor  
of Sec 25-5N-8E.

Point of Diversion No. 4 SW SE Sec 26-5-8 1250' N and 2460' W of the SE  
Cor. Sec 26-5N-8E.

STATE OF SOUTH DAKOTA

Water License No. \_\_\_\_\_

To \_\_\_\_\_

Source of Supply \_\_\_\_\_

County \_\_\_\_\_

Acreage \_\_\_\_\_ c. f. s.

Point of Diversion \_\_\_\_\_

Place of Use \_\_\_\_\_

Purpose \_\_\_\_\_

Date of Priority \_\_\_\_\_

Recorded \_\_\_\_\_

In Book \_\_\_\_\_ of \_\_\_\_\_ Page \_\_\_\_\_

Point of Diversion No. 1 SE NE Sec 26-5-8 2430' South and 1140' West of NE Cor.  
Sec 26-5-8.

Point of Diversion No. 2 NW NW Sec 25-5-8 2250' N and 800' E of the SW Cor. of  
Sec 25-5-8.

Point of Diversion No. 3 SE SE Sec 25-5-8 950' W 1290' N of the SE Cor of  
Sec 25-5-8.

Point of Diversion No. 4 SW SE Sec 26-5-8 1250' N and 2460' W of the SE Cor.  
Sec 26-5-8.

Permit No. 334-1

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 Gurland W. Lloyd and Walter Strong

of Hereford Route, Sturgis, County of Meade, and State of

South Dakota the holder of Permit No. 334-1, Issued upon Application

No. 334-1, bearing date of priority of Nov. 1949 0.57 cfs August 1948 0.13 cfs, authorizing the diversion of

3.19 cu. ft. per second of the waters of Alkali Creek tributaries (dry draws)

County of Meade, State of South Dakota, at see reverse side of this

## Certificate of completion of Works

for Irrigation

purposes, have fully complied with the provisions of the laws of the State of South Dakota relating to proof of 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 3.19 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,

|                         |       |
|-------------------------|-------|
| 26                      | 11.8  |
| 26                      | 1.9   |
| 26                      | 9.9   |
| 26 all in Twp 5N Rge 8E | 16.3  |
| 25                      | 17.1  |
| 25                      | 7.3   |
| 25                      | 2.7   |
| 26                      | 2.5   |
| 26                      | 5.1   |
| 25                      | 6.2   |
| 25                      | 26.6  |
| 25                      | 32.2  |
| 30                      | 16.1  |
| 30 all in Twp 5N Rge 9E | 6.5   |
| 31                      | 21.4  |
| 31                      | 40.0  |
| TOTAL                   | 223.3 |

Witness my hand this 6th day of October A. D. 1958

State Water Resources Commission

By:

J. W. CRIMES, Chief Engineer, Executive Officer

Permit No. ....  
Water Div. No. .... Water Dist. ....  
**Certificate of  
Completion of Works**

Dated ..... 19 ..  
Stream .....  
County .....  
Amount .....  
Date of Priority .....  
Recorded in Book .....  
of ..... page .....

Point of diversion No. 1 SE NE Sec 26-5-8 2430' South and 1140' West of NE Cor. Sec 26-5N-8E.

Point of diversion No. 2 NW SW Sec 25-5-8 2250' N and 800' E of the SW Cor. of Sec 25-5-8.

Point of Diversion No. 3 SE SE Sec 25-5-8 950' W 1290' N of the SE Cor., of Sec 25-5-8

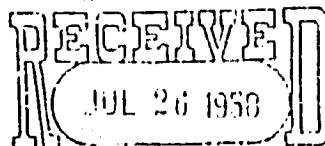
Point of Diversion No. 4 SW SE Sec 26-6-8 1250' N and 2640' W of the SE Cor. Sec 26-5-8.

Point of diversion No. 1 SE NE Sec 24-5-8 2430' South and 1140' West of NE Cor.  
Sec 24-5-8.

Point of Diversion No. 2 NW SW Sec 25-5-8 2250' N and 800' E of the SW Cor. of  
Sec 25-5-8.

Point of Diversion No. 3 SE SE Sec 25-5-8 950' W 1290' N of the SE Cor of  
Sec 25-5-8.

Point of Diversion No. 4 SW SE Sec 26-5-8 1250' N and 2460' W of the SE Cor.  
Sec 26-5-8.

Location No. 334-1Water Division No. 1Bele Fouere  
Pierre Water DistrictSTATE 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. Guriland W. Lloyd and Walter Strong, Meade County, Ranching and Farming,  
Hereford Rte., Sturgis, South Dakota

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. Strong & Lloyd Partnership, Hereford Rte., Sturgis, South Dakota

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

Ans. \_\_\_\_\_

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

Ans. Alkali Creek - 193 rods south and 96 rods west of the N.E. corner of  
Section 26-5-8 on North bank of Meade County

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.

Completed in XXXX 1949 HEIGHT, 19 ft. length at  
Ans. Diversion dam for pumping water out of Alkali Creek. XXXXXXXXXXXXXXXXXXXXXXX  
bottom: 180 ft., thickness at bottom: 100 ft., thickness at top: 1 ft., slope at water  
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX  
front: water face: 4:1, slope at back face 2:1, material used: earth, Capacity when filled:  
23.6 acre ft., Highwater mark: 9 acres. Also storage dam and ditches necessary to get  
water to area to be irrigated. Depth 0.5 ft. Bottom width: 5 ft. Grade per mile: .2/100

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. Irrigation for 200 acres. Canal: total length - 2 miles

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

Ans. \_\_\_\_\_

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

Ans. 6 cubic feet per second

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. Irrigation for from April to August inclusive

Sept. 1949

Aug. 1949

Aug. 1949

Aug. 1949 - See Ques. # 5 of this form and Item # 10 of App. Form 2

(Sign) *Walter Strong & Associates*

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 Sturgis, County of Moore

State of South Dakota, on this 24th day of July A. D. 1950

*E. H. Landman*  
*Ralph A. Cole*

Witnesses,

*Wm. H. Laughlin*  
*Notary Public*

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 \_\_\_\_\_

May 1949 #1 SENE Sec 25-8-3  
Point of Diversion No 1 2450 South and  
1110 West of the Sec 25-8-3

August 1948 #2  
Point of Diversion No 2 NW SW-35 5-8-8  
225' N and 900' E of the SW corner Sec 25-8-3

Sept 1949 #3  
Point of Diversion No 3 SE SE Sec 25-8-3  
950' W and 1110' N of the SE corner Sec 25-8-3

Sept 1944 #4  
Point of Diversion No 4 SW SE Sec 25-8-3  
1250' N and 240' W of the SE corner Sec 25-8-3

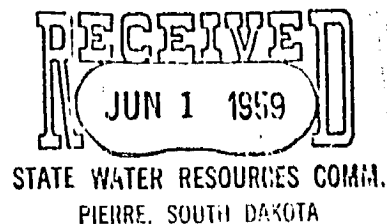
223.3  
(261.3) acres are irrigated under the system.  
Location, Date and points of diversion for  
each dam in the system mentioned above.  
please make the necessary corrections to my  
application.

March 1949

*Orig  
6-24-59*

LOYD & STRONG  
Hereford Route  
Sturgis, South Dakota

May 29, 1959



State Water Resources Commission  
State Office Building  
Pierre, South Dakota

Attention: J.V. Grimes

We have a Vested Right Permit to Appropriate Water, Water licenses No. 334-1, located in Section 25, all in Township 5N Range 8 East, in Meade County South Dakota.

It is our understanding that this is a prior right and should prohibit anyone from performing any act which would reduce or destroy this right. Four dams have been built above our property thereby shutting off our water supply completely. The only way for us to get any water is during a period of flood.

Due to the above described condition, we wish to file a protest and ask that your office check this matter for us. Thank you.

Very truly yours,

Gurland Loyd & Walter Strong

By

Walter Strong

*Phone to ...*

June 30, 1959

Mr. Walter Strong  
Hereford Route  
Sturgis, South Dakota

Dear Mr. Strong:

I am sorry to be so slow answering your letter of May 29 about the dams which have been built above your property.

All irrigation water rights under state water laws are held subject to development of needed water supplies for "domestic purposes" including stockwater.

If the four dams above your property are stock water dams, state water laws grant preference for their use of water over your irrigation use of water under your water right: 334-1.

However, if the upstream dams are used for irrigation purposes, the upstream owners must curtail their irrigation use of water when such use interferes with your irrigation water supplies.

I hope this information clarifies the priority question concerning your water right. If I can help, please advise.

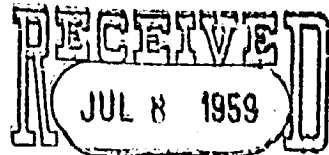
Sincerely,

J. W. GRIMES  
Chief Engineer

JWG:ls

LLOYD & STRONG  
Hereford Route  
Sturgis, South Dakota

July 6, 1959



STATE WATER RESOURCES COMM.  
PIERRE, SOUTH DAKOTA

State Water Resources Commission  
State Office Building  
Pierre, South Dakota

Attention: J. W. Grimes

In reply to your letter of June 30, 1959 concerning water rights, we wish to advise that the dams above our property are being used exclusively for irrigation purposes. In accordance with the terms of your letter, this would be in direct violation of the state water rights laws.

Is it the duty of your office to correct these violations? We do not know what steps we must take to protect our rights and therefore ask you to please advise.

Thank you for your cooperation.

Very truly yours,

Loyd & Strong

By

Garland W. Lloyd

## NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Resources Commis  
State Office Building No. 2  
Pierre, South Dakota 57501

Date January 6, 1970

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

Portions of Sections 25 and 26, T5N, R8E and Sections 30 and 31, T5N, R9E,  
described in Water Right 334-1

formerly owned by Gurleand W. Lloyd and Walter Strong

has been transferred to Walter Strong and Dewey D. Rathke

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No.  
334-1 as provided for in Section 61.0127 of the 1960 Supplement to the South Dakota Code of 1939.

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

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

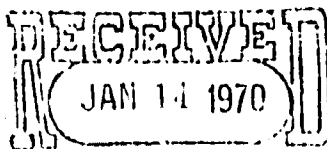
STATE OF SOUTH DAKOTA )  
County of PENNINGTON ) ss.

I, WALTER STRONG 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.

Walter Strong  
(Signed)

Suscribed and sworn to before me this 12 TH day of JANUARY, 19 70

Garry H. Denker  
(Notary Public)



STATE WATER RESOURCES COM.  
PIERRE, SOUTH DAKOTA

**SOUTH DAKOTA Department of  
Water & Natural Resources**

Joe Foss Building                      WATER RIGHTS DIVISION  
523 East Capitol                      (605) 773-3352  
Pierre, South Dakota 57501-3181

334  
335

June 28, 1988

Carol Rathke  
806 Harmon Street  
Sturgis, South Dakota 57785

Dear Ms. Rathke:

Please find enclosed copies of Notice of Transfer of Water Permit forms. These forms must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50 for each, total of \$5.00 for two transfers.

Upon receipt of the enclosed forms and the \$2.50 filing fee for each the permits will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

Maxine Stirling  
Secretary

ms/  
Enc.2



334-1

**South Dakota** Department of  
**Water & Natural Resources**  
Joe Foss Building  
523 East Capitol  
Pierre, South Dakota 57501-3181

September 21, 1988

NOTICE

Walter Strong & Carol Rathke  
806 Harmon  
Sturgis SD 57785

Dear Mr. Strong & Ms. Rathke:

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). 334-1, 335-1 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,

*Delois W. Brey*  
for JOHN HATCH, Chief Engineer  
Water Rights Division  
605 773-3352



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

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

March 16, 1990

Second Notice  
VRC (334-1)/335-1

Carol Rathke  
806 Harmon Street  
Sturgis, SD 57785

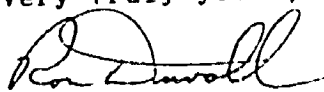
Dear Ms. Rathke:

On June 28, 1988 notice was sent to you concerning the transfer of Vested Water Right Claim Nos. 334-1 and 335-1 in the name of Carol Rathke and Walter Strong. To date, we have not heard from you on this matter.

Transfer forms were previously sent to you, enclosed are additional forms. Please sign, have notarized and return the forms to this office with the required filing fee of \$2.50 each (total of \$5.00). The vested water right claims can then be transferred to your name. If you are not the present owner of the land covered under these claims, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact Genny McMath, (605) 773-3352.

Very truly yours,



RON DUVALL  
Natural Resources Engineer  
for John Hatch, Chief Engineer  
Water Rights Division

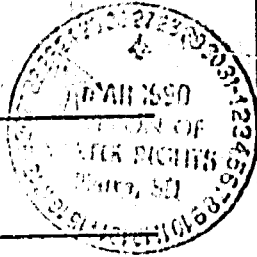
enclosures

NOTICE OF TRANSFER OF OWNERSHIP

No. 334-1

TO: Chief Engineer  
Water Rights Division, DWR  
523 East Capitol  
Pierre, SD 57501-3181

Date: 3-24-90



I/We request that Vested Water Right Claim No. 334-1

formerly owned by: Carol Rathke and Walter Strong

be transferred to: (name & address) Carol Rathke

806 Harmon Sturgis, S.D. 57785 (telephone No.) 347-3258

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

N½ SW¼, SE¼ SW¼, S½ SE¼, NW¼ SE¼ Sec 25, T5N, R8E; S½ NE¼, SE¼ Sec 26, T5N, R8E;

S½ SW¼ Sec 30, T5N, R9E; N½ NW¼ Sec 31, T5N, R9E

I/We understand that the validity of Vested Water Right Claim No. 334-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA )

County of Meade )

I/We Carol Rathke being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Carol Rathke  
(Signed)

Subscribed and sworn to before me this 26 day of March, 1990.

Vicki L Bradley  
(Notary Public)

Vicki L. Bradley  
NOTARY PUBLIC  
My Commission Expires June 21, 1990

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

# RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412169

Pierre, March 27, 1990

RECEIVED OF Rathke Ranch Partnership, 806 Harmon, Stedals, SD 57785  
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 <u>Vested Right Claim No. 334-1</u>                                                           | 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 [Signature]  
Chief Engineer



Department of  
**Water & Natural Resources**

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

March 28, 1990

No. 334-1  
335-1

Carol Rathke  
806 Harmon  
Sturgis SD 57785

Dear Ms. Rathke:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Vested Water Right Claim Nos. 334-1 and 335-1.

Our records now show you as the owner of these Water Rights.

Sincerely,

KAREN SCHLAACK  
Senior Secretary  
Water Rights Division  
605 773-3352

enclosure

*South Dakota*

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

May 28, 1991

Nancy Collins  
HC 75, Box 278  
Sturgis, SD 57785

Dear Ms. Collins:

We have two Vested Water Right Claims on file for Carol Rathke.  
I have enclosed copies of the Water Licenses for the claims.

As per your request, I have also enclosed transfer forms and the  
General Rules for Water Rights. In the General Rules, I have  
high lighted the sections for a declaratory ruling. As I stated  
to you on the telephone, it would be best if we did an on site  
inspection before you request a declaratory ruling.

If you have any other questions, please contact me.

Sincerely,

*Delvin D. Brosz*

Delvin D. Brosz, PE  
Natural Resources Engineer  
Division of Water Rights  
(605) 773-3352

enclosures



DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES  
JOE FOSS BUILDING  
523 EAST CAPITOL  
PIERRE SOUTH DAKOTA 57501-3181

February 14, 1992

334-1  
335-1

Rathke Ranch Partnership  
c/o Mary Ellen Cammack  
HC 75 Box 278  
Sturgis, SD 57785

Dear Ms. Cammack:

Enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Vested Water Right Claim Nos. 334-1 and 335-1. They are currently listed in the name of Carol Rathke.

The transfer forms should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 each (total of \$5.00).

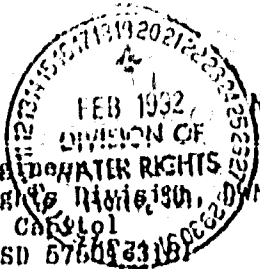
South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,

Genny McMath  
Natural Resources Analyst  
(605) 773-3352

enclosure



## NOTICE OF TRANSFER OF OWNERSHIP

No. 334-1

TO: Chief Engineer  
Water Rights Division  
523 East Capitol  
Pierre, SD 57501

Date: February 18, 1992I/We request that Water Permit/Right No. 334-1formerly owned by: Carol Reddickbe transferred to: (name & address) Nancy L. & Todd J. Collins and Ready or  
Mary Ellen Cronanack, HC 75, Box 280, Sturgis SD 57782 (telephone No.) 317-3956

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

N 1/4 SW 1/4, SE 1/4 SW 1/4, S 1/2 SE 1/4 and NW 1/4 SE 1/4, T6N, R9E, S 1/2 NE 1/4, SE 1/4 Sec 26,  
T6N, R9E, S 1/2 SW 1/4 Sec 20, T6N, R9E, N 1/4 NW 1/4 Sec 21, T6N, R9E

I/We understand that the validity of Water Permit/Right No. 334-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA )

County of Pennington )

I/We Nancy L. Collins being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Nancy L. Collins  
(Signed)

Subscribed and sworn to before me this 18 day of February, 19 92

Charles M. Thorsen  
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, \_\_\_\_\_ 19\_\_

RECEIVED OF \_\_\_\_\_

Mayor of Todd Collins, He 75, Benton St., Pierre, S.D.

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 _____                                                                                         |  |
| 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                                                                                                                      |  |

By \_\_\_\_\_  
Chief Engineer



February 24, 1992

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

No. 334-1  
335-1

Nancy L. or Todd J. Collins  
and Randy or Mary Ellen Cammack  
HC 75, Box 280  
Sturgis, SD 57785

Dear Sirs:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Vested Right Claim Nos. 334-1 and 335-1.

Our records now show you as the owners of Vested Right Claim Nos. 334-1 and 335-1.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cheryl F. Frost".

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

enclosure

Permit No. 334-1

Belle Forche River Water District

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

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

I have this day made a thorough examination of the water use system constructed by Walter Strong and Carol Rathke of Sturgis, SD holder of Permit No. 334-1, bearing the priority of 9/1/1944 - 0.35cfs, 8/1/1948 - 0.13 cfs, 8/1/1949 - 2.04 cfs & 11/1/1949 - 0.67 authorizing the diversion of 3.19 cu. ft. per second and/or the storage of none listed acre-feet of the waters of surface water for irrigation purposes, in Heade County.

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

A. Works used to divert the water:

Three dams: Dam 1 located on Alkalai Creek in the SE1/4 NE1/4 in Section 26, Dam 2 from a dry draw NW1/4 SW1/4 Section 25, Dam 3 SE1/4 SE1/4 Section 25 all in T5N-R8E.

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

Series of Ditches.

C. Works used to apply water to beneficial use:

Irrigation system is a water spreading system.

The system is in the following condition good. The point of diversion is located Dam 1 - SE1/4 NE1/4 of Section 26, Dam 2 - NW1/4 SW1/4 of Section 25, Dam 3 - SE1/4 SE1/4 of Section 25 all in T5N-R8E. The works are capable of diverting and conveying to the place of use 2.84 cu. ft. per second of water and/or storing none listed acre-feet of water which is to be used for irrigation. Water has been put to beneficial use to the maximum extent as follows: Land located in Section 26-T5N-R8E:

SW1/4 NE1/4 - 12 ac NW1/4 SE1/4 - 9 ac NE1/4 SE1/4 - 18 ac SE1/4 SE1/4 - 2 ac  
SW1/4 SE1/4 - 2 ac

Land located in Section 25-T5N-R8E:

NW1/4 SW1/4 - 10 ac NE1/4 SW1/4 - 15 ac SE1/4 SW1/4 - 5 ac NW1/4 SE1/4 - 8 ac  
SW1/4 SE1/4 - 31 ac SE1/4 SE1/4 - 35 ac

Land located in T5N-R9E:

SW1/4 SW1/4 Section 30 - 4 ac NW1/4 NW1/4 Section 31 - 24 ac NE1/4 NW1/4 - 24 ac

comprising a total of 199 acres of land and the license should be issued for 2.84 cfs  
and/or none listed acre-feet of storage.

Application permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: none Date 6/3/1991



Mark D. Rath  
Natural Resources Engineer II  
DENR, Water Rights Division

*South Dakota*

334-1

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

August 28, 1992

NOTICE

TO: Nancy L Collins, Todd J Collins and Randy Cammack  
HC 75, Box 280  
Sturgis SD 57785

FROM: John Hatch, Chief Engineer  
Water Rights Division  
605 773-3352

*John Hatch*

SUBJECT: Hearing to Consider Validation of Recognized Vested Right Claim No. 334-1

A Notice of Intent to validate Claim No. 334-1 was published on July 6 and 13, 1988 in the Black Hills Press, Sturgis SD. The Water Rights Division opposed validation of No. 334-1 for purposes of completing an on-site inspection of the claim. The inspection of Claim No. 334-1 was completed on June 3, 1991, by Mark Rath, staff engineer. The inspection found that the number of acres being irrigated has been reduced from 223.3 acres to 199 acres due to portions of the acreage not being irrigated. The diversion rate is to be reduced, accordingly, from 3.19 cubic feet of water per second (cfs) to 2.84 cfs. This reduced diversion rate is based on the statutory application rate of 1 cfs per 70 acres (199 acres/70 = 2.84 cfs).

The Water Management Board will consider validation of Claim No. 334-1 at 10:00 am, September 30, 1992, in the Floyd Matthews Training Center, Joe Foss Building, 523 E Capitol, Pierre SD. The agenda time is an estimate. The actual time of the hearing may be later than 10:00 am due to prior agenda items.

Pursuant to the findings of the on-site inspection, validation of Claim No. 334-1 is recommended for a diversion rate of 2.84 cfs from Alkali Creek & dry draws to irrigate 199 acres. Following the hearing, the Board is authorized to 1) validate the claim as recommended for 199 acres and 2.84 cfs, 2) validate the claim as licensed prior to the on-site inspection, 3) validate the claim based on evidence presented at the public hearing, or 4) defer validation of the claim. Applicable provisions of the published notice of intent to validate Claim No. 334-1 will still apply at this hearing. A copy of the July 6 and 13, 1988, publication is available upon request.

This hearing is an adversary proceeding. You have the right to be represented by a lawyer. 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.

cc: Diane Best, Assistant Attorney General

334-1

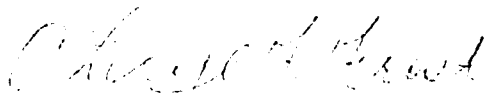
## CERTIFICATION

I hereby certify that on August 28, 1992, I have personally deposited with the United States Mail at Pierre, South Dakota, first class postage, prepaid envelopes containing a Notice dated August 28, 1992, regarding Hearing to Consider Validation of Recognized Vested Right Claims addressed as stated below:

- V.R. Claim #334-1: Nancy L. Collins, Todd J. Collins and Randy Cammack, HC 75, Box 280, Sturgis, SD 57785.
- V.R. Claim #352-1: Lyle D. Weiss, HCR 71, Box 39, Faith, SD 57626.
- V.R. Claim #380-1: Walter C. Miller, HC 75, Box 14, Sturgis, SD 57785.
- V.R. Claim #391-3: Arthur Bieber, RR 1, Box 87, Java, SD 57452.
- V.R. Claim #564-1: John Miller, Star Rt. 1, Box 5A, Red Owl, SD 57777.
- V.R. Claim #572-1: Wilbur Bachand, Faith Rt., Sturgis, SD 57785.
- V.R. Claim #610-1: Lillie Holst, Box 377, Newell, SD 57760.
- V.R. Claim #746-1: Rick Soelzer, P.O. Box 196, Piedmont, SD 57769.
- V.R. Claim #746-1: Angenetca Schemmel, 801 2nd Ave. SE, Pipestone, MN 56164.
- V.R. Claim #460-2: Willard Bloom, Rt 2, Box 1, Wall, SD 57790.
- V.R. Claim #523-2: William Beaudette, Horse Creek Campground, HC 33, Box 2800, Rapid City, SD 57702.
- V.R. Claim #4794-3: Thomas M. Tobin and Larry Lovett, Box 1766, Aberdeen, SD 57401.

A copy of the above listed Notices was sent Inter-office to:

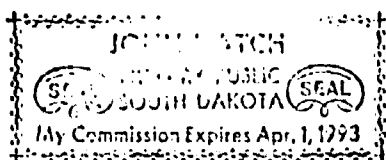
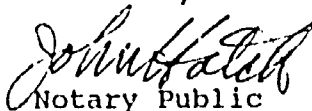
Diane Best, Assistant Attorney General, Capitol Building.



Cheryl F. Frost  
Secretary

STATE OF SOUTH DAKOTA )  
 ) SS  
COUNTY OF HUGHES )

Sworn to, before me, this 9th day of September, 1992.

Notary Public

SOUTH DAKOTA

VESTED WATER RIGHT NO. 334-1 FOR IRRIGATION

Date of Receipt of Claim July 26, 1958.

Date of Validation September 30, 1992.

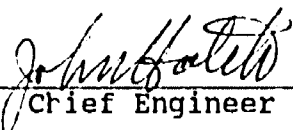
The Water Management Board validated Vested Water Right Claim No. 334-1 for irrigation purposes for Nancy L. Collins, Todd J. Collins and Randy Cammack, HC 75, Box 280, Sturgis, SD, 57785 with the following limitations conditions and qualifications:

1. Vested Water Right No. 334-1 appropriates 2.84 cubic feet per second of water from Alkali Creek and dry draws to irrigate 199 acres. The points of diversion are located in the SE1/4 NE1/4, SEC 26, NW1/4 SW1/4, AND SE1/4 SE1/4 SEC 25; all in T5N, R8E. The irrigated lands are located in the N1/2 SW1/4, SE1/4 SW1/4, N1/4 SE1/4 AND S1/2 SE1/4 SEC 25, T5N, R8E; SW1/4 NE1/4 AND SE1/4 SEC 26, T5N, R8E; SW1/4 SW1/4 SEC 30, T5N, R9E; and N1/2 NW1/4 SEC 31, in T5N, R9E.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. Water is to be used during the following annual period: April 1 to August 31.
3. The priority dates of the Vested Water Right are:  
.13 cfs - August 1, 1948  
2.04 cfs - August 1, 1949  
.67 cfs - November 1, 1949
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

The diversion rate limitation of 1 cubic foot per second for each 70 acres irrigated shall not apply to this dry draw irrigation diversion during periods of flood flows, when such flows are in excess of the amount of water required to satisfy domestic use requirements and other water rights

WATER MANAGEMENT BOARD

By:   
Chief Engineer

DEC 24 1992

date

Division of Water Rights  
Dept. of Environment and Natural Resources

## STATE OF SOUTH DAKOTA

### VESTED RIGHT WATER LICENSE NO. 334-1 FOR IRRIGATION

(1) Walter Strong and Carol Rathke of Sturgis, SD 57785, made Application No. 334-1, July 26, 1958 for validation of a vested right claim to appropriate 3.19 cubic feet of water per second from Alkali Creek and dry draws, Meade, County, South Dakota, for irrigation purposes. On February 19, 1992, No. 334-1, was transferred to Nancy L Collins, Todd J Collins and Randy Cammack, HC 75 Box 280, Sturgis, SD 57785. Vested Water Right No. 334-1 was validated September 30, 1992 with priority dates of August 1, 1948 (0.13 cfs), August 1, 1949 (2.04 cfs), and November 1, 1949 (0.67 cfs). Construction of the described water supply system and application of water to beneficial use has been completed and complies with applicable provisions of South Dakota State Law.

On June 3, 1991, a field inspection was conducted on the water use system described in Vested Right Claim No. 334-1. The field inspection found 199 acres were still being irrigated from the original 223.3 acres claimed. Based upon the inspection and the subsequent validation of No. 334-1, this license is being issued to reflect the acreage actually irrigated and to define the diversion points still being utilized.

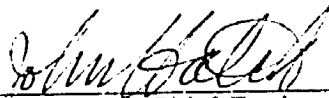
(2) The vested right owner is entitled to divert 2.84 cubic feet of water per second for beneficial use. The location of the diversion points are: Dam #1 - 2430'S and 1140'W of the NE corner Section 26 (SE 1/4 NE 1/4); Dam #2 - 2250'N and 800'E of the SW corner Section 25 (NW 1/4 SW 1/4); Dam #3 - 1290'N and 950'E of the SE corner Section 25 (SE 1/4 SE 1/4), all in T5N, R8E.

The location of the irrigated acreage is:

|          |                          |               |           |
|----------|--------------------------|---------------|-----------|
| T5N, R8E | Section 26               | SW 1/4 NE 1/4 | 12 acres  |
|          |                          | NW 1/4 SE 1/4 | 9 acres   |
|          |                          | NE 1/4 SE 1/4 | 18 acres  |
|          |                          | SE 1/4 SE 1/4 | 2 acres   |
|          |                          | SW 1/4 SE 1/4 | 2 acres   |
|          | Section 25               | NW 1/4 SW 1/4 | 10 acres  |
|          |                          | NE 1/4 SW 1/4 | 15 acres  |
|          |                          | SE 1/4 SW 1/4 | 5 acres   |
|          |                          | NW 1/4 SE 1/4 | 8 acres   |
|          |                          | SW 1/4 SE 1/4 | 31 acres  |
| T5N, R9E | Section 30<br>Section 31 | SE 1/4 SE 1/4 | 35 acres  |
|          |                          | SW 1/4 SW 1/4 | 4 acres   |
|          |                          | NW 1/4 NW 1/4 | 24 acres  |
|          |                          | NE 1/4 NW 1/4 | 24 acres  |
|          |                          | TOTAL         | 199 acres |

**Vested Right Water License No. 334-1**  
**Page 2**

(3) Pursuant to Section 46-5-30.1 Nancy L Collins, Todd J Collins and Randy Cammack of HC 75 Box 280, Sturgis, SD 57785 the holders and/or owners of Vested Water Right No. 334-1 is issued a license to appropriate 2.84 cubic feet of water per second from Alkali Creek and dry draws with priority dates of August 1, 1948 (0.13 cfs), November 1, 1949 (0.67 cfs) and August 1, 1949 (2.04 cfs) from the location specified in (2) of this license. The water is to be used for the purpose of irrigation. This license is subject to any limitations, conditions or qualifications listed in Vested Water Right No. 334-1 and subject to South Dakota State Law.



DEC 24 1992

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



334-1

DEPARTMENT of ENVIRONMENT  
and NATURAL RESOURCES

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

DEC 24 1992

Nancy L. Collins, Todd J. Collins and Randy Cammack  
HC 75, Box 280  
Sturgis SD 57785

Dear Ms. Collins, Mr. Collins and Mr. Cammack:

The Water Management Board has validated the enclosed Vested Water Right No. 334-1. This validation gives legal status to the claim and is the final document for your vested right. Enclosed is the reissued water license which reflects the storage and diversion rate as validated by the Board.

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.

Sincerely yours,

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

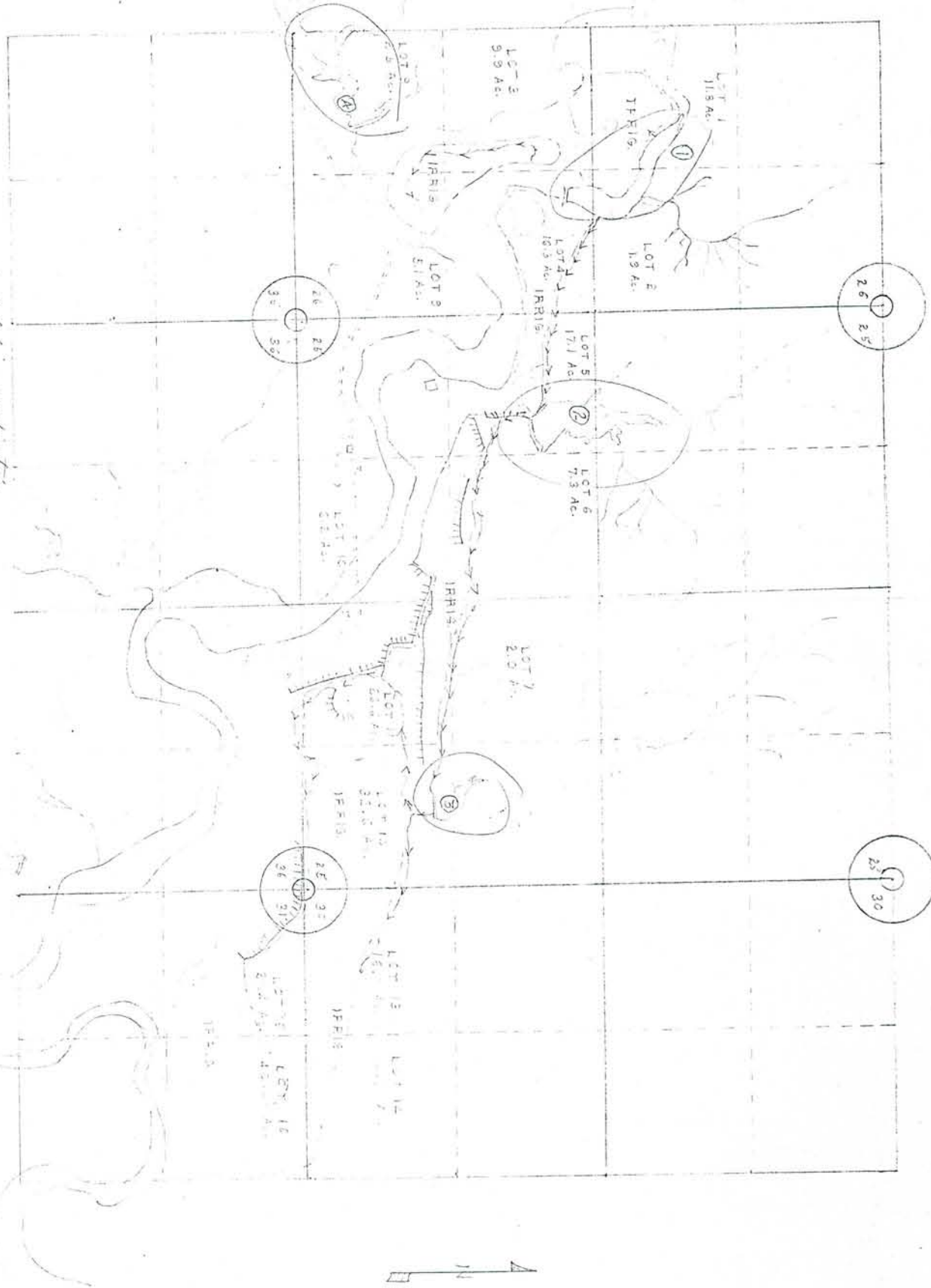
enclosure



# NOT TO SCALE

17800





- all shows as noted and from hand to be included in application map  
 - points of diversion location on separate sheet by number on map  
 - done not noted  
 - done not noted  
 - done not noted

Local Description

| Lot     | Area | Acres |
|---------|------|-------|
| LOT 1   | 2.5  | 2.5   |
| LOT 2   | 2.5  | 2.5   |
| LOT 3   | 2.5  | 2.5   |
| LOT 4   | 2.5  | 2.5   |
| LOT 5   | 2.5  | 2.5   |
| LOT 6   | 2.5  | 2.5   |
| LOT 7   | 2.5  | 2.5   |
| LOT 8   | 2.5  | 2.5   |
| LOT 9   | 2.5  | 2.5   |
| LOT 10  | 2.5  | 2.5   |
| LOT 11  | 2.5  | 2.5   |
| LOT 12  | 2.5  | 2.5   |
| LOT 13  | 2.5  | 2.5   |
| LOT 14  | 2.5  | 2.5   |
| LOT 15  | 2.5  | 2.5   |
| LOT 16  | 2.5  | 2.5   |
| LOT 17  | 2.5  | 2.5   |
| LOT 18  | 2.5  | 2.5   |
| LOT 19  | 2.5  | 2.5   |
| LOT 20  | 2.5  | 2.5   |
| LOT 21  | 2.5  | 2.5   |
| LOT 22  | 2.5  | 2.5   |
| LOT 23  | 2.5  | 2.5   |
| LOT 24  | 2.5  | 2.5   |
| LOT 25  | 2.5  | 2.5   |
| LOT 26  | 2.5  | 2.5   |
| LOT 27  | 2.5  | 2.5   |
| LOT 28  | 2.5  | 2.5   |
| LOT 29  | 2.5  | 2.5   |
| LOT 30  | 2.5  | 2.5   |
| LOT 31  | 2.5  | 2.5   |
| LOT 32  | 2.5  | 2.5   |
| LOT 33  | 2.5  | 2.5   |
| LOT 34  | 2.5  | 2.5   |
| LOT 35  | 2.5  | 2.5   |
| LOT 36  | 2.5  | 2.5   |
| LOT 37  | 2.5  | 2.5   |
| LOT 38  | 2.5  | 2.5   |
| LOT 39  | 2.5  | 2.5   |
| LOT 40  | 2.5  | 2.5   |
| LOT 41  | 2.5  | 2.5   |
| LOT 42  | 2.5  | 2.5   |
| LOT 43  | 2.5  | 2.5   |
| LOT 44  | 2.5  | 2.5   |
| LOT 45  | 2.5  | 2.5   |
| LOT 46  | 2.5  | 2.5   |
| LOT 47  | 2.5  | 2.5   |
| LOT 48  | 2.5  | 2.5   |
| LOT 49  | 2.5  | 2.5   |
| LOT 50  | 2.5  | 2.5   |
| LOT 51  | 2.5  | 2.5   |
| LOT 52  | 2.5  | 2.5   |
| LOT 53  | 2.5  | 2.5   |
| LOT 54  | 2.5  | 2.5   |
| LOT 55  | 2.5  | 2.5   |
| LOT 56  | 2.5  | 2.5   |
| LOT 57  | 2.5  | 2.5   |
| LOT 58  | 2.5  | 2.5   |
| LOT 59  | 2.5  | 2.5   |
| LOT 60  | 2.5  | 2.5   |
| LOT 61  | 2.5  | 2.5   |
| LOT 62  | 2.5  | 2.5   |
| LOT 63  | 2.5  | 2.5   |
| LOT 64  | 2.5  | 2.5   |
| LOT 65  | 2.5  | 2.5   |
| LOT 66  | 2.5  | 2.5   |
| LOT 67  | 2.5  | 2.5   |
| LOT 68  | 2.5  | 2.5   |
| LOT 69  | 2.5  | 2.5   |
| LOT 70  | 2.5  | 2.5   |
| LOT 71  | 2.5  | 2.5   |
| LOT 72  | 2.5  | 2.5   |
| LOT 73  | 2.5  | 2.5   |
| LOT 74  | 2.5  | 2.5   |
| LOT 75  | 2.5  | 2.5   |
| LOT 76  | 2.5  | 2.5   |
| LOT 77  | 2.5  | 2.5   |
| LOT 78  | 2.5  | 2.5   |
| LOT 79  | 2.5  | 2.5   |
| LOT 80  | 2.5  | 2.5   |
| LOT 81  | 2.5  | 2.5   |
| LOT 82  | 2.5  | 2.5   |
| LOT 83  | 2.5  | 2.5   |
| LOT 84  | 2.5  | 2.5   |
| LOT 85  | 2.5  | 2.5   |
| LOT 86  | 2.5  | 2.5   |
| LOT 87  | 2.5  | 2.5   |
| LOT 88  | 2.5  | 2.5   |
| LOT 89  | 2.5  | 2.5   |
| LOT 90  | 2.5  | 2.5   |
| LOT 91  | 2.5  | 2.5   |
| LOT 92  | 2.5  | 2.5   |
| LOT 93  | 2.5  | 2.5   |
| LOT 94  | 2.5  | 2.5   |
| LOT 95  | 2.5  | 2.5   |
| LOT 96  | 2.5  | 2.5   |
| LOT 97  | 2.5  | 2.5   |
| LOT 98  | 2.5  | 2.5   |
| LOT 99  | 2.5  | 2.5   |
| LOT 100 | 2.5  | 2.5   |

Soil Description  
 Designation  
 223.3

12  
 62  
 52  
 84

Map No. 301-1  
 Appl. No. 334-1  
 STRONG & LOYD  
 IRRIGATION PROJECT  
 U.S. DEPARTMENT OF AGRICULTURE  
 SOIL CONSERVATION SERVICE