

Water Division No. 1

No. 348-1

Belle Fourche River

District

SEP 5, 1950

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 James C. Carlsson, Kotteler Ranch, Inc.
26 Horeford Route
 Postoffice address Box 66, Sisseton, County, Minnehaha, State South Dakota

I. If a corporation

- (a) Name of same _____
 (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)

Contractor and own labor

(b) Cash on hand, \$ _____

(c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____

(e) Other resources, \$ _____

2. Name of diversion work
- Cottonwood Creek
- Alkali Creek

3. Amount of water claimed
- 22
- cubic feet per second

4. Source of water supply
- Cottonwood Creek
- ALKALI CREEK

5. Location of point of diversion
- 2930 ft S & 400 ft E of the NW corner section 28 T 5 N R 8 E
-
- 1960 ft S & 2040 ft W of the NE corner section 28 T 5 N R 8 E
-
- on _____ bank _____ County.

6. Annual period or periods during which water is to be used
- when creek flows

7. To be used for:

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

- (a) Number of acres to be irrigated
- 158
- acres.

(NOT)	Area 5	SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21)	4 acres
	Area 6	SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 21)	1 acre
	Area 7	NW $\frac{1}{4}$, Sec. 28)	33 acres
	Area 8	NE $\frac{1}{4}$, Sec. 28)	50 acres
	Area 9	SW $\frac{1}{4}$, Sec. 28)	25 acres
	Area 10	SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28)	10 acres
			<u>158 acres</u>

- (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. 314-1

8. Estimated cost of work:

(a) Head Gates, \$ 200.00

(b) Pumping plant, \$

(c) Fluming, \$ (d) Canal-earth, \$ 300.00

Rock, \$ 50.00

(e) Other structures, ditches, etc., \$ 450.00

Total, \$ 1000.00

9. Description of diversion works:

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

Dam and ditch

II. Dimensions of works:

(a) Dam: Height, 6 feet; length at bottom, 29 feet; length at top, 10 feet; thickness at bottom, 10 feet; thickness at top, 2 feet; slope at front water face, vertical; slope at back face, vertical

material used in construction, rock and concrete

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

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

(c) Head gate: Width, 12 feet; height, 4 feet

Material, Rock and concrete

(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 SOUTH DAKOTA

County of

I, Louis Carlson, 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

Subscribed and sworn to before me this

2nd day of Sept 1958

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.



LOUIS CARLSON.

Area	Location	Acres
1	NE 1/4 sec 19 - T34 N R2 E	3
2	NE 1/4 sec 20	11/2
3	NE 1/4 sec 20	96
4	NE 1/4 sec 21	22
5	SE 1/4 sec 21	1
6	NE 1/4 sec 22	64
7	NE 1/4 sec 22	50
8	NE 1/4 sec 22	25
9	NE 1/4 sec 22	21
10	NE 1/4 sec 22	21
11	NE 1/4 sec 22	21
12	NE 1/4 sec 22	21
13	NE 1/4 sec 22	21
14	NE 1/4 sec 22	21

Map No. 314-1
 Appls. Nos. 347-1
 348-1
 349-1

Remarks by State Water Resources Commission:

"Vastad 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 flows, 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 } 53.

Pierre, South Dakota, September 25, 1958

This is to certify that the foregoing application was received by the Commission at 9.00 o'clock A m. upon the 5th day of September, 1958.

State Water Resources Commission

By:

J. G. Ruess
Chief Engineer, Executive Officer

Number of permit 348-1

Date of first receipt of application September 5, 1958

Date of return to applicant for correction, amendments or changes required as follows: Sept 17, 1958

Date of receipt of corrected application August 14, 1959

Date from which applicant may claim right September 23, 1959

Approved September 23, 1959, Recorded in Book 5 Page 218

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 2.2 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, 1959; said water to be used during the following described annual period:

Witness my hand this 23rd day of September, 1959

State Water Resources Commission

By:

J. G. Ruess
Chief Engineer, Executive Officer

Certificate of Construction issued September 23, 1959

Water License issued September 23, 1959

STATE OF SOUTH DAKOTA

WATER LICENSE No. 348-1

WHEREAS, On the 5th day of September A. D. 1958

Louie Carlson

of Sturgis County of Meade and State of South Dakota duly made application (No. 348-1) to us for a permit to use 2.2 cubic feet per second of the waters of Cottonwood Creek ALKALI CREEK County of Meade, State of South Dakota, for irrigation purposes; and

WHEREAS, On the 23rd day of September A. D. 1959 Permit No. 348-1 was issued to said applicant for the diversion of said water, and ~~recognizing~~ the completion of the works of diversion therein described ~~on or before~~ 1938 and ~~for the~~ application to beneficial use of said water ~~on or before~~ the 1938 in 1938 and, end,

WHEREAS, On the 10th day of September A. D. 1959 the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.2 cubic feet per second of said waters, as evidenced by our Certificate No. 348-1 dated September 23, 1959 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 2.2 cubic feet per second of water, with date of priority of 1938 and,

WHEREAS, On the 10th day of September A. D. 1959 proof was duly made of the application to beneficial use of 2.2 cubic feet per second of said water; on 158 acres located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 21, NE $\frac{1}{4}$, NW $\frac{1}{4}$, SW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 28, all in T 5 N, R 8 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 Louis Carlson

of Sturgis, South Dakota the holder and owner of said permit No. 348-1

a water right, dating from 1938 to the use of 2.2

cubic feet per second of the waters of Cottonwood-Creek ALKALI CREEK

In the County of Meade and State of South Dakota, or so much thereof as may be

necessary for the purposes hereinbelow mentioned, to be diverted at a point 2930' E and 400' E of
the NW Corner Sec. 28, T 3 N, R 8 E and a point 1960' E and 2040' W of
the NE Corner, Sec. 28, T 5 N, R 8 E

and conducted to and upon

158 acres located in SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 21, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ and
NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 28, all in T 5 N, R 8 E more specifically described in

the Certificate of Completion of Works 348-1

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 23rd day of September A. D. Nineteen
Hundred and Fifty-nine

State Water Resources Commission

By:

J. W. GRIMES,

Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Amt. _____ C. F. S. _____

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. **348-1**Water Division No. **1** **Belle Fourche**
River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That **Louis Carlson**of **Sturgis**, County of **Moade**, and State of **South Dakota**, the holder of Permit No. **348-1**, Issued upon ApplicationNo. **348-1**, bearing date of priority of **1938**, authorizing the diversion of**2.2** cu. ft. per second of the waters of **Gettonwood Creek ALKALI CREEK**County of **Moade**, State of South Dakota, at **a point 2930' S 400' E****of the NW Corner Sec. 28 and a point 1960' S 2040' W of the NE corner, Sec.****28, both in T 5 N, R 8 E**, for **irrigation**purposes, has 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 **2.2** cu. ft.

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

to-wit: SE 1/4 SW 1/4	Sec. 21	4 acres
SW 1/4 SE 1/4	Sec. 21	1 acre
NW 1/4	Sec. 28	all in 60 acres
NE 1/4	Sec. 28	T 5 N, R 8 E 50 acres
SW 1/4	Sec. 28	25 acres
NE 1/4 SE 1/4	Sec. 28	10 acres
		138 acres

Witness my hand this **23rd** day of **September** A. D. 19 **59**

State Water Resources Commission

By:

J. W. GRIMES,

Chief Engineer, Executive Officer

Location No.

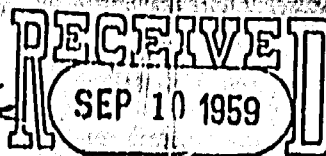
348-1

Belle Fourche

Water Division No.

1

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. Louis Carlson Sturgis South Dakota Rancher

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.

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

Ans. work was done by GOC in 1938 was not recorded

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

Ans. 2930 ft S and 400 ft E of the NW corner section 28 T 5 N R 8 E
1960 ft S and 2040 ft W of the NE corner section 28 T 5 N R 9 E

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. One canal 600 yards long 6 ft deep 20 ft wide with spreader
diversion gates each 100 yards into a ditch 10 ft wide 1 foot deep
with spreader diversion gates which is $\frac{1}{2}$ mile long into two dikes
600 ft long

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. water is used to irrigate pasture land and supply stock water
dam will irrigate approximately 158 acres

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.

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. System was put in in 1938 and water has been used in any amount available since that time

(Sign) Louis Carlson

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 Meads

State of South Dakota, on this 3rd day of September A. D. 1958

Dorothy L. Keagler
Clara J. Johnson } Witnesses Walter A. Miller Jr.

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 _____
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RECEIVED
1958 SEP 10 10 10 AM
STURGIS, S. D.

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 8308

June 23 19 81

PIERRE,

Keffeler Ranch Inc, 26 Hereford Rt., Sturgis, SD 57785

RECEIVED OF

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

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing transfer of WR# 348-1		2.50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for (any other work as provided by law)		
	TOTAL	2.50

WATER RIGHTS COMMISSION

By

Chief Engineer, Executive Officer

JOHN HATCH / DE

NO. 348-1

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: _____

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

SE $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 21; T5N, R8E; and NW $\frac{1}{4}$, NE $\frac{1}{4}$, SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 28

T5N, R8E

formerly owned by Louis Carlson

has been transferred to Keffeler Ranch Inc., 26 Hereford Pt., Sturgis, SD 57785

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

Water Right Permit No. 348-1 as provided for in SDCL 46-5-32 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.

STATE OF SOUTH DAKOTA)
County of Meade) ss.

Mark Keffeler 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.

Keffeler Ranch, Inc.
By [Signature]
(Signed) President

Subscribed and sworn to before me this 22nd Day of June, 1981.

[Signature]
(Notary Public)

JANICE LUNDGREN
NOTARY PUBLIC

My Commission Expires: Nov. 24 1983

 **Department of
Water & Natural Resources**

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

September 21, 1988

NOTICE

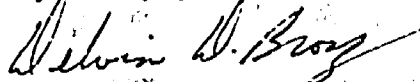
Thompson Ranch, Inc.
HC 75, Box 134
Sturgis SD 57785

Dear Sir:

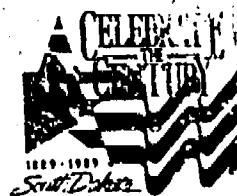
I am writing to notify you that pursuant to the Notice of Intent to Validate Vested Water Right Claims dated June 20, 1988 that I intend to oppose validation of your water right claim No(s). 345-1, 346-1, 347-1, 348-1 and 349-1 until a field inspection has been completed. The claim has either never been 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,



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



Water Rights Program -- File Documentation

NAME: Ed Thompson (need to transfer ownership from Keffeler Ranch Inc.)

ADDRESS: HC 75 Box 134, Sturgis SD 57785

DATE: September 20, 1999 COUNTY: Meade

RE: Validation Investigation of Vested Right Claim No. 348-1

COMMENTS:

On September 21, 1988, Notice was given to Thompson Ranch, Inc. that the Chief Engineer was opposing validation of No. 348-1 until a field inspection could be completed. The basis for the opposition was to determine if the project was developed as described on the original claim since no inspection had been completed.

INVESTIGATION RESULTS:

On July 14, 1999, a field inspection with Ed Thompson found the irrigation project still in use with the same diversion points, diversion works, and irrigated acreage as described on the Proof of Application of Water to Beneficial Use and on the Certificate of Completion of Works form. However, the legal descriptions are slightly shifted South since the section lines were not drawn properly on a map of the project. All of the following irrigated acreage is located in **Section 28-T5N-R8E**:

NW¼NW¼	4 ac	NW¼NE¼	29 ac
NE¼NW¼	34 ac	NE¼NE¼	3 ac
SE¼NW¼	31 ac	SW¼NE¼	17 ac
NE¼SW¼	28 ac	*NW¼SE¼	6 ac
NW¼SW¼	6 ac	Total	158 ac

* The irrigated acreage in the NW¼SE¼ section 28-T5N-R8E is correctly displayed on the file map but is incorrectly listed as being in the NE¼SE¼ on the vested right claim.

RECOMMENDED ACTION:

Since a portion of the legal description is incorrect as listed above, a readvertisement to correct the legal description is needed pursuant to SDCL 46-2A-22. If no one contests the readvertisement of Vested Right Claim No. 348-1, then the claim can be scheduled for validation for 158 acres with a diversion rate of 2.20 cfs. Since the location of the irrigated acreage is slightly changed, Notice should be given to Mr. Thompson of the proposed action.



Ron Duvall, Natural Resources Engineer
Water Rights Program



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-R3E. 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,



Ron Duvall
Natural Resources Engineer
Water Rights Program

enclosures

October 25, 1999

No. 348-1

Enclosed is a short documentation of what the inspection found and a map showing the irrigated area. This claim will be scheduled for validation by the Water Management Board for irrigation of 158 acres. Notice of the time and place of hearing will be provided to you. Prior to scheduling the claim for validation it will need to be readvertised to correct the legal description of a portion of the irrigated acreage. This readvertisement will be completed free of charge to you and a copy of the readvertisement notice will be provided to you.

There are no applications needed to correct anything associated with this claim. Please complete the transfer of ownership form in the manila folder containing all of the transfer forms. 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

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

NE 416572

Pierre, _____ July 6, 2000

RECEIVED OF Thompson Ranch, Inc., HC 75 Hereford Rt., Box 134, Sturgis, SD 57765-8908
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. _____

Fee for Filing Transfer Form Vested Water Right No. 348-1

Fee for Filing Extension Request _____

Fee for _____

2 50

Total

2 50

(Any Other Work Provided by Law)

By Harold E. Schell (P)
Chief Engineer

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 348-1



Date: Nov. 22, 1999

I/We request that Vested Water Right No. 348-1

formerly owned by: Keffeler Ranch, Hereford Route, Sturgis SD 57785

be transferred to: (name & address) Thompson Ranch, Inc. HC 75 Box 134, Sturgis, SD 57785

Telephone No. 605-347-3183

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

All of the following irrigated acreage is located in Section 28-T5N-R8E:

NW¼NW¼ 4 ac	NW¼NE¼ 29 ac
NE¼NW¼ 34 ac	NE¼NE¼ 3 ac
SE¼NW¼ 31 ac	SW¼NE¼ 17 ac
NE¼SW¼ 28 ac	NW¼SE¼ 6 ac
NW¼SW¼ 6 ac	Total 158 ac

I/We understand that the validity of Vested Water Right No. 348-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

STATE OF SOUTH DAKOTA)

County of Meade)

I/We Thompson Ranch, Inc. 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.

Thompson Ranch, Inc.
by Ed Thompson
(Signed)

Subscribed and sworn to before me this 28th day of January 2000

Margaret Rickisch
(Notary Public)

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

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



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

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

August 17, 2000

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

Dear Mr. Thompson:

Thank you for finishing up the applications I sent to you. I have completed a report on each application and the chief engineer has prepared a recommendation for each application. A copy of the report and recommendation is enclosed for Application Nos. 1731-1 and 1732-1.

The next step is to publish a notice for Application No. 1731-1 and 1732-1. A copy of the notice is enclosed for your review and a copy of the notice has also been sent to the Meade County Times-Tribune at Sturgis SD -- phone 347-2503. Be sure to contact the newspaper to authorize publication of your Notice. You will be responsible for the cost of publishing this notice.

In addition, a second notice that needs to be published is enclosed for your review. This notice is a readvertisement to correct publication errors made concerning two of your vested rights -- Nos. 347-1 and 348-1. These errors concerned the legal description of the diversion point and irrigated acreage published back in 1988 when all of the vested rights in the state were being advertised for validation. The cost of this readvertisement publication will be paid by the Water Rights Program and a copy of this Notice has also been provided to the Meade County Times-Tribune. The paper has been directed by us to publish this notice since we are paying for the notice. However, feel free to remind the paper to publish the notice when you call concerning the notice for Application Nos. 1731-1 and 1732-1.

Finally, there is one more notice enclosed which does NOT need to be published. This is personal notice to you that the Water Management Board will consider validation of your Vested Water Right No. 349-1. You are being given personal notice concerning this vested right because we are recommending the vested right be validated for fewer acres than described on the vested right claim. Based on my inspection last year, we are recommending validation of 336 acres rather than for the 358 acres described on the original claim. All of your other vested rights will be validated by the board for the same number of acres and same amount of water as described on the original vested right claims.

Please feel welcome to attend the Water Management Board on September 28, 2000 at the Radisson Motel in Rapid City SD. However, if no one contests anything in the publication notices and you agree with validation of No. 349-1 for 336 acres, then there is no reason that you would need to attend the board meeting. But again, you are certainly welcome to attend anyway.

If you have any questions, please give me a call at 605 773-3152. I will try to help in any way possible. Thank you again for all of your help.

Sincerely,



Ron Duvall
Natural Resources Engineer
Water Rights Program

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 publication notices. The Water Management Board will then consider your concerns during the hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

August 17, 2000

Meade Co. Times-Tribune
Box 69
Sturgis SD 57785-0069

Attn: Legal Department

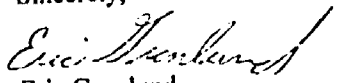
Enclosed is a Readvertisement of Notice of Intent to Validate Vested Water Right Claims to be published twice. Please publish the first notice on August 17, 2000 with the second publication 7 days later.

Please bill the Water Rights program for the cost of the advertisement

Please send the Water Rights Program the first publication immediately. The publication is checked for accuracy so any corrections can be made in the second publication. You may use the form below or fax a copy of the first publication. Any fax should be sent to the attention of Karen Schlaak at (605) 773-4068. Publication errors can invalidate the public notice.

After the second publication, please send us an affidavit or use the enclosed Proof of Publication form. The applicant pays the cost of publication, but the Water Rights Program records require an affidavit or Proof of Publication. Delays in receiving the affidavit can be costly to the applicant.

Sincerely,


Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

CUT HERE

No. 347-1 & 348-1

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

Date _____
We are in receipt of your letter of August 17, 2000 enclosing Notice of Hearing to Appropriate Water by Application Nos. 347-1 & 348-1 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 August 23, 2000 with the second publication 7 days later. The Water Rights Program is responsible for payment.

READVERTISEMENT OF NOTICE OF INTENT TO VALIDATE VESTED WATER RIGHT CLAIMS

Notice is given that the following vested water right claims in Meade County are eligible for validation by the Water Management Board pursuant to SDCL 46-2A-17 without a hearing unless a petition to oppose the validation is filed pursuant to SDCL 46-2A-22. Readvertisement of the original notice of intent to validate these claims, as published on June 22 and 29, 1988 in the Meade County-Times Tribune is necessary to correct errors in the previously published notice.

Recognized Vested Water Right No. 347-1 claims 0.30 cubic feet of water per second (cfs) from South Alkali Creek located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 19 to irrigate 21 acres located in the S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 19; all in T5N-R8E. The priority date is January 1, 1953. The original publication notice incorrectly advertised the diversion point as being in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 19-T5N-R8E

Recognized Vested Water Right No. 348-1 claims 2.2 cfs from Alkali Creek located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28 to irrigate 158 acres. The corrected location of the irrigated acreage is the N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28; all in T5N-R8E

Any person who wishes to oppose validation of any of the readvertised vested right claims shall file a petition of intent to oppose the validation by September 11, 2000 with the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources, Joe Foss Building, 523 East Capitol, Pierre, SD 57501-3181 (605 773-3352) and with the vested water right holder at the listed address. The petition may be informal, but it must include a statement describing the petitioner's interest in the vested water right claim, the reasons for the petitioner's opposition to the claim, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained.

If a petition of intent to oppose the validation of a recognized vested water right claim is filed, the Water Management Board will conduct a hearing on the opposed claim at 8:30 am, September 28, 2000, Radisson (Angostura Room), 445 Mt. Rushmore Road, Rapid City SD. The September 28, 2000 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 11, 2000.

If no person opposes validation of a recognized vested water right claim pursuant to SDCL 46-2A-16, the Water Management Board will issue an order pursuant to SDCL 46-2A-17, validating the vested water right claim.

These validations are made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-16 thru 46-2A-18, 46-2A-22; 46-5-1 thru 46-5-6.1, 46-5-8.2, 46-5-13 thru 46-5-15, 46-5-30.2 thru 46-5-37.1, 46-5-46, 46-5-49; 46-6-1 thru 46-6-3, 46-6-6, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-7-1 thru 46-7-5.3, 46-7-12, 46-7-14, 46-7-15 and Board Rules ARSD 74:02:01:01 thru 74:02:01:05.03 and 74:02:01:20 thru 74:02:01:22.

Contact Eric Gronlund by September 15, 2000, at the above Water Rights Program address to: 1) request copies of information pertaining to a vested right claim or a copy of the vested water right claim list for another county; 2) obtain a summary of South Dakota Water Law and Water Rights Information; 3) to assure access to the hearing by the handicapped; or 4) obtain an interpreter for the hearing impaired. Steven M Pirner, Secretary, Department of Environment and Natural Resources

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County of Meade) SS

I, Joan Lewis

certify that the attached printed Notice was taken

from the Meade County Times

printed and published in Sturgis

County of Meade and

state of South Dakota. The notice was published

in the newspaper on the following two dates:

Aug. 23, 2000

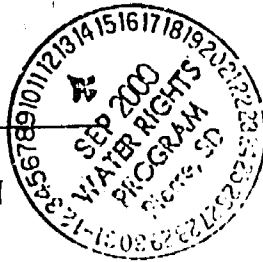
Aug. 30, 2000

Cost of Printing 59.85

Joan M. Lewis
 (Signature)

Bookkeeper
 (Title)

9/1/2000
 (Date Signed)



Water application

READVERTISMENT OF NOTICE OF

INTENT TO VALIDATE VESTED WATER RIGHT CLAIMS

Notice is given that the following vested water right claims in Meade County are eligible for validation by the Water Management Board pursuant to SDCL 46-2A-17 without a hearing unless a petition to oppose the validation is filed pursuant to SDCL 46-2A-22. Roadvertisement of the original notice of intent to validate these claims, as published on June 22 and 29, 1988 in the Meade County-Times Tribune is necessary to correct errors in the previously published notice.

Recognized Vested Water Right No. 347-1 claims 0.30 cubic feet of water per second (cfs) from South Alkali Creek located in the SW 1/4 NE 1/4 Section 19 to irrigate 21 acres located in the S1/2 NE 1/4 Section 19; all in T5N-R8E. The priority date is January 1, 1953. The original publication notice incorrectly advertised the diversion point as being in the SE 1/4 NW 1/4 Section 19-T5N-R8E.

Recognized Vested Water Right No. 348-1 claims 2.2 cfs from Alkali Creek located in the NW 1/4 SW 1/4 and the SW 1/4 NE 1/4 Section 28 to irrigate 158 acres. The corrected location of the irrigated acreage is the N1/2 NW 1/4, SE 1/4 NW 1/4, N1/2 SW 1/4, N1/2 NE 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4, Section 28; all in T5N-R8E.

Any person who wishes to oppose validation of any of the readvertised vested right claims shall file a petition of intent to oppose the validation by September 11, 2000 with the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources, Joe Foss Building, 523 East Capitol, Pierre, SD 57501-3181 (605 773-3352) and with the vested water right holder at the listed address. The petition may be informal, but it must include a statement describing the petitioner's interest in the vested water right claim, the reasons for the petitioner's opposition to the claim, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained.

If a petition of intent to oppose the validation of a recognized vested water right claim is filed, the Water Management Board will conduct a hearing on the opposed claim at 8:30 am, September 28, 2000, Radisson (Angostura Room), 445 Mt. Rushmore Road, Rapid City SD. The September 28, 2000 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 11, 2000.

If no person opposes validation of a recognized vested water right claim pursuant to SDCL 46-2A-16, the Water Management Board will issue an order pursuant to SDCL 46-2A-17, validating the vested water right claim.

These validations are made pursuant to the provisions of SDCL 46-1-9, 46-1-14; 46-2-3.1, 46-2-11, 46-2-17; 46-2A-16 thru 46-2-18, 46-2A-22; 46-5-1 thru 46-5-6.1, 46-5-13 thru 46-5-15, 46-5-30.2 thru 46-5-37.1, 46-5-46, 46-5-49; 46-6-1 thru 46-6-3, 46-6-6, 46-6-8.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-7-1 thru 46-5-3, 46-7-12, 46-7-14, 46-7-15 and Board Rules ARSD 74:02:01:01 through 74:02:01:05.03 and 74:02:01:20 through 74:02:01:22.

Contact: Eric Gronlund
 September 15, 2000, at the above Water Rights Program address to: 1) request copies of information pertaining to a vested right claim; or a copy of the vested water right claim; list for another court; 2) obtain a summary of South Dakota Water Law and Water Rights Information; 3) to assure access to the hearing by the handicapped; or 4) obtain an interpreter for the hearing impaired. Steven Pirner, Secretary, Department of Environment and Natural Resources

Publ Aug. 23 and 30, 2000
 Meade County Times-Tribune

PAYMENT REQUEST FORM

PAYEE: Meade County Times
PO Box 69
Sturgis SD 57785

FROM: Water Rights Program
523 E. Capitol
Pierre, SD 57501-3181

DESCRIPTION OF SERVICE, PRODUCE OR TRANSFER

Readvertisement of Notice of Intent to Validate Vested Water Right
Claims for Thompson Ranch, Inc.

AMOUNT: \$59.85

FUNDING SOURCE:

GENERAL: X

FEDERAL:

COMMENTS:

AUTHORIZATION: _____

Darrel Ehle

9/12/00

I declare and affirm under the penalties of perjury that this claim is
in all things, true and correct. I further agree to comply with the
provisions of the Civil Rights Act of 1964 and regulations issued
thereunder relating to nondiscrimination in federal assisted programs.

SOUTH DAKOTA

VESTED WATER RIGHT NO. 348-1 FOR IRRIGATION

Date of Receipt of Claim September 5, 1958.

Date of Validation September 28, 2000.

The Water Management Board validated Vested Water Right Claim No. 348-1 for irrigation purposes for Thompson Ranch, Inc., IIC 75, Box 134, Sturgis SD 57785 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 348-1 authorizes 2.2 cubic feet of water per second from Alkali Creek located in the NW ¼ SW ¼ and the SW ¼ NE ¼ Section 28 to irrigate 158 acres located in the N ½ NW ¼, SE ¼ NW ¼, N ½ SW ¼, N ½ NE ¼, SW ¼ NE ¼, NW ¼ SE ¼, Section 28; all in T5N-R8E.
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. 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 January 1, 1938.
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.

QUALIFICATION

The diversion rate limitation of 1 cubic feet of water 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: _____

Garland Erbele, Chief Engineer

Water Rights Program

Department of Environment and Natural Resources

NOV 01 2000

date



REISSUED STATE OF SOUTH DAKOTA
VESTED RIGHT WATER LICENSE NO. 348-1 FOR IRRIGATION

(1) Louis Carlson, Sturgis SD was issued Vested Water Right License No. 348-1, September 23, 1959 for a right to appropriate 2.2 cubic feet of water per second from Alkali Creek, Meade County, South Dakota, for irrigation purposes. Vested Water Right No. 348-1 with a priority date of January 1, 1938. 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 February 9, 2000, Vested Right No. 348-1 was transferred to Thompson Ranch, Inc.

On September 28, 2000, the Water Management Board validated Vested Right No. 348-1. Vested Right No. 348-1 is being reissued to correct the location of the irrigated acreage to the actual location, based on a July 14, 1999 inspection of the system.

(2) It is certified that the vested right owner is entitled to divert 2.2 cubic feet of water per second for beneficial use. The location of the diversion points are: 2,100 feet west and 2,100 feet south of the northeast corner (SW ¼ NE ¼) and 3,150 feet south and 200 feet east from the northwest corner (NW ¼ SW ¼); both in Section 28-T5N-R8E.

The location of the irrigated acreage is:

Section 28-T5N-R8E			
NW ¼ NW ¼	4 acres	NW ¼ NE ¼	29 acres
NE ¼ NW ¼	34 acres	NE ¼ NE ¼	3 acres
SE ¼ NW ¼	31 acres	SW ¼ NE ¼	17 acres
NE ¼ SW ¼	28 acres	NW ¼ SE ¼	6 acres
NW ¼ SW ¼	6 acres		
Total 158 acres			

(3) Pursuant to Section 46-5-30.1 Thompson Ranch, Inc., HC 75, Box 134, Sturgis SD 57785 the holder and/or owner of Vested Water Right No. 348-1 is reissued a license to appropriate 2.2 cubic feet of water per second from Alkali Creek with a priority date of January 1, 1938 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. 348-1 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





NOV 01 2000

348-1
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 Ren 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.

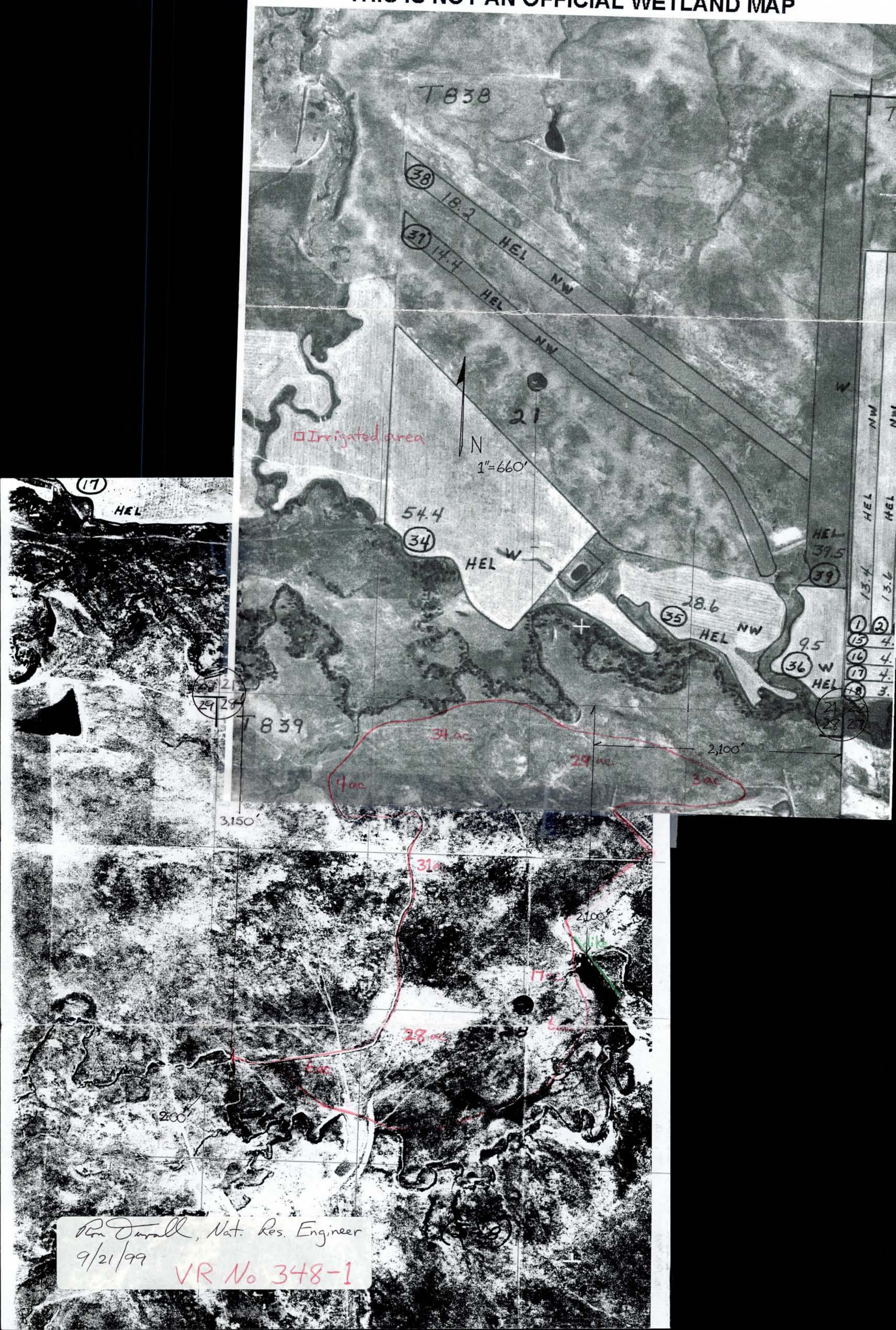
As long as you use the water beneficially, as stated in the Water Licenses, State Water Laws provide that you have a continuing right to use the water.

Sincerely,

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

enclosures

MAP NOT TO SCALE
THIS IS NOT AN OFFICIAL WETLAND MAP



Ron Durrall, Nat. Res. Engineer
9/21/99
VR No 348-1