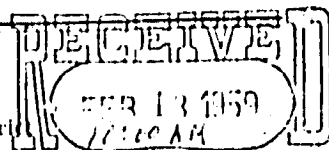
STATE WATER RESOURCES COMMI.
PIERRE, SOUTH DAKOTANo. 375-1Water Division No. 1

(Blanks to be filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES COMMI.
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

10120202

1. Name of applicant C. L. ARNOLD DAVISPostoffice address WILLIAMSBURG, County BRADY, State S. D.

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 & OWN LABOR

(b) Cash on hand, \$ _____ (c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work C. DAVIS WATER DIVERSION3. Amount of water claimed 1.3 cubic feet per second4. Source of water supply 2 DAY SPRINGS5. Location of point of diversion 1120' E. N. 1/2 Sec. 23, T. 2 N. R. 2 E. and 23.5' E. of S. 1/2 Sec. 23, T. 2 N. R. 2 E. on R. 2 E. bank County BRADY6. Annual period or periods during which water is to be used APRIL - OCTOBER INCLUSIVE

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? GRAVITY IRRIGATION(a) Number of acres to be irrigated 90.7 acres.(b) Legal subdivisions to be irrigated ALL IN SEC. 23, T. 2 N. R. 2 E.

(NOTE—A list of lands to be irrigated, giving each subdivision and 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.) STATIONARY ENGINE ROOM

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

(a) Nature of use STATIONARY ENGINE

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 _____

8. Estimated cost of work:

(a) Head Gates, \$----- *DIVERSION*
 (c) Fluming, \$----- *DAMS & DIVERSIONS*
 (e) Other structures *DAMS* \$----- *\$ 100,000*
 (b) Pumping plant, \$-----
 (d) Canal-earth, \$----- *\$ 100,000*
 Rock, \$-----
 Total, \$-----

9. Description of diversion works:

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

II. Dimensions of works:

(a) Dam: Height *12.17* feet; length at bottom *12.00* feet; length at top *10.17* feet; thickness at bottom *2.00* feet; thickness at top *1.00* feet; slope at front water face *1:1*; slope at back face *1:1*; material used in construction *CRUSHED ROCK*
 (b) Reservoir: Capacity when filled *2* acre feet. Surface area at highwater mark *0.2* acres.

DEPTH AT OUTLET-FEET	SURFACE AREA AT EACH DEPTH AT OUTLET-ACRES	ACRE-FOOT CAPACITY
<i>0</i>	<i>0.2</i>	<i>2</i>

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

Material-----

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

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
A-----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 *Butte* } ss.

I, *Thomas E. Day*, 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 *Thomas E. Day*Subscribed and sworn to before me this *3rd* day of *March* 19*59*

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Remarks by State Water Resources Commission:

"Vested Right" claimed

STATE OF SOUTH DAKOTA
County of Hughes ss.

Pierre, South Dakota, February 26, 1959

This is to certify that the foregoing application was received by the Commission at 10:00 o'clock
A.m. upon the 13 day of February, 1959

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Vested Right
Number of permit 375-1

Date of first receipt of application February 13, 1959

Date of return to applicant for correction, amendments or changes required as follows: February 24, 1959

Date of receipt of corrected application March 5, 1959

Date from which applicant may claim right Summer season of 1956

Approved March 6, 1959, Recorded in Book 5, Page 118

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

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

Completed, 19

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

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

Completed, 19

4th. The water appropriated shall be used for the purpose of 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 1.29 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, 19; said water to be used during the following described annual period:

April 1 to October inclusive

Witness my hand this 18 day of March, 1959

State Water Resources Commission

By:

Chief Engineer, Executive Officer

Certificate of Construction Issued March 18, 1959

Water License Issued March 18, 1959

Permit No. 375-1Belle FourcheWater Division No. 1 River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Clarence Davisof Belle Fourche, County of Butte, and State of South Dakota, the holder of Vested Right Permit No. 375-1, Issued upon ApplicationNo. 375-1 bearing date of priority of the summer season of 1956 authorizing the diversion of1.29 cu. ft. per second of the waters of 2 dry drawsCounty of Butte, State of South Dakota, at 112.0 rods N 61° 30'E,
214.2 rods N 85° 00' E and 93.9 rods S 63° 30'E of the SW Cor. Sec. 23,
T 10 N, R 2 Efor irrigationpurposes, 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 Vested Right Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 1.29 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: <u>SW 1/4 NE 1/4 T 10 N, R 2 E</u>	<u>11.0 acres</u>
<u>NE 1/4 SW 1/4 T 10 N, R 2 E</u>	<u>2.7 acres</u>
<u>NW 1/4 SW 1/4 T 10 N, R 2 E</u>	<u>35.0 acres</u>
<u>SE 1/4 SW 1/4 T 10 N, R 2 E</u>	<u>30.4 acres</u>
<u>SW 1/4 SE 1/4 T 10 N, R 2 E</u>	<u>11.6 acres</u>
Total	<u>90.7 acres</u>

Witness my hand this 18th day of March A. D. 1959

State Water Resources Commission

By:

J. W. GRIMES,

Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

WATER LICENSE No... 375-1

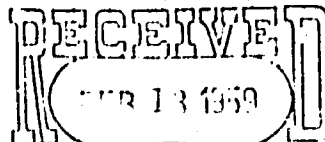
WHEREAS, On the 13th day of February A. D. 1959
 Clarence Davis

of Belle Fourche County of Butte and State of
 South Dakota duly made application (No. 375-1) to us for Vested Right permit to use 1.29
 cubic feet per second of the waters of 2 dry draws
 County of Butte, State of South Dakota, for irrigation
 purposes; and

WHEREAS, On the 18th day of March A. D. 1959
 Vested Right Permit No. 375-1 was issued to said applicant... recognizing
 completion of the works of diversion therein described ~~XXXXXX~~ during the summer season of 1956 ~~XXXXXX~~ and ~~XXXXXX~~ application to beneficial use of said
 water ~~XXXXXX~~ during the summer season of 1956
 and, ~~XXXXXX~~

WHEREAS, On the 13th day of February A. D. 1959
 the holder... of said permit duly made proof of the completion of adequate works for the diversion of 1.29
 cubic feet per second of said waters, as evidenced by our Certificate No. 375-1
 dated March 18, 1959 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 1.29 cubic feet per second of water, with date of
 priority of the summer season of 1956 ~~XXX~~ ~~XXXX~~

WHEREAS, On the 13th day of February A. D. 1959
 proof was duly made of the application to beneficial use of 1.29 cubic feet per second of said water;
 on 90.7 acres located in the W₁SE₁, E₁SW₁, and SW₁NE₁ more particularly
 described in Certificate of Completion of Works No. 375-1.

Location No. 375-1Water Division No. 1Water District Belle Fourche RiverSTATE 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. CLARENCE D. MITCHELL, RANCHER

8477 S.W., BELLE FOURCHE, S.D. 57513

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. _____

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

Ans. 2ND APT. DITCH - 112' E. OF S.W. 1/4, SEC. 23, T10N, R24E

N 116° 30' E. 1/4 SW 1/4 SEC. 23, T10N, R24E

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. 2ND APT. DITCH (112' E. OF S.W. 1/4, SEC. 23, T10N, R24E) WAS CONSTRUCTED BY DITCH CO. IN 1958.

FILL TO DITCH 2ND APT. DITCH 112' E. OF S.W. 1/4, SEC. 23, T10N, R24E

DITCH WAS CONSTRUCTED WITH 2ND APT. DITCH AND 2ND APT. DITCH DITCH

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.)

SW 1/4 SEC. 23, T10N, R24E

Ans. SW 1/4 SEC. 23, T10N, R24E

SW 1/4 SEC. 23, T10N, R24E

SW 1/4 SEC. 23, T10N, R24E

SW 1/4 SEC. 23, T10N, R24E

SW 1/4 SEC. 23, T10N, R24E

ALL IN SEC. 23, T10N, R24E

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. 2ND APT. DITCH 112' E. OF S.W. 1/4, SEC. 23, T10N, R24E

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. _____

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 Clarence Davis
of Belle Fourche Vested Right
the holder and owner of said permit No. 375-1
a water right, dating from the summer season of 1956 to the use of 1.29
cubic feet per second of the waters of 2 dry draws
in the County of Butte and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted at 112 rods N 61° 30'E; 214.2 rods
N 85° 00'E; and 93.9 rods S 63° 30'E all from the SW Cor., Sec. 23, T 10 N,
R 2 E
and conducted to and upon 1/4 SE 1/4, E 1/4 SW 1/4 and SW 1/4 NE 1/4 all in Sec. 23, T 10 N, R 2 E
more particularly described in Certificate of Completion of Works
No. 375-1
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 18th day of March A. D. Nineteen
Hundred and Fifty-nine

State Water Resources Commission

By:

J.W.CRIMES,

Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

of Supply _____

County _____

c. f. s. _____

of Diversion _____

of Use _____

e _____

Priority _____

Ad _____

of _____ Page _____

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

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

WATER RIGHTS DIVISION
(605) 773-3352

374-1

375-1

309-1

June 12, 1985

Tom C. Davis
Hwy 85 N
Belle Fourche, South Dakota 57717

Dear Mr. Davis:

Please find enclosed copies of the Notice of Transfer of Water Permit form. The forms must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50 each, total of \$7.50.

Upon receipt of the enclosed forms and the \$7.50 filing fee the permits will be transferred to the proper name. South Dakota Water Law 46-5-30.1 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,

Genny McMath
Natural Resources Analyst

GM:ms
Enc.

NO. 375-1

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:

50.7 Acres - SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 23, T10N, R2E

formerly owned by Clarence Davis

has been transferred to Tom C. Davis, Hwy 85N, Belle Fourche, SD 57717

(please include complete mailing address)

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

Water Right Permit No. 375-1 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 Div. 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.

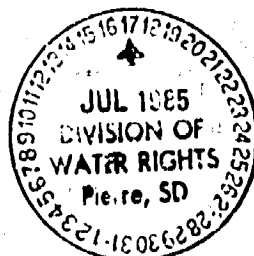
STATE OF SOUTH DAKOTA)
County of Butte) ss.

I, Tom C. Davis 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.

Tom C. Davis
(Signed)

Subscribed and sworn to before me this 13 Day of June, 1985.

Robert Clark
(Notary Public)
My Commission Expires 6-26-90



WNR-820-9/83
Notice of Transfer of Water Permit

RECEIPT

Division of Water Rights

No 410119

South Dakota Department of Water and Natural Resources

Pierre, July 17, 1935

RECEIVED OF Tom C. Davis, Hwy 85N, Belle Fourche, SD 57717

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 375-1 _____	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer JOHN HATCH (MS)

No. _____

374-1
375-1

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

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

Phone (605) 773-3352

July 18, 1965

Tom Davis
Box 85 North
Belle Fourche, South Dakota 57717

Dear Mr. Davis:

Enclosed is receipt No. 4 10119 & 1/4 10117 in the amount of \$2.50 each which you
paid for transfer of Water Right No. 374-1 and 375-1

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

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.



Department of Water & Natural Resources

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

September 21, 1988

NOTICE

Tom C. Davis
Hwy 85N
Belle Fourche SD 57717

Dear Mr. Davis:

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). 374-1, 375-1 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
for JOHN HATCH, Chief Engineer
Water Rights Division
605 773-3352





Department of Water & Natural Resources

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

December 1, 1988

Vested Water Right
Claim No. 374-1, (375-1)

Tom C. Davis
Hwy 85N
Belle Fourche SD 57717

Dear Mr. Davis:

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

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

If we can answer any questions, please contact us.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Right Division
605 773-3

cc: Bruce Laymon, Bureau of Reclamation



Water Rights Division - DWNR
Conversation or File Documentation

File No. 374-1
375-1

NAME OF PERSON OR FILE: Tom C. Davis

ADDRESS: Hwy 85 N. Bolla Kowich, S.D. 57717 COUNTY Butte

DATE: 5/5/89 TELEPHONE 892-2217

RE: ~~VR~~ VR inspection

COMMENTS:

On Monday April 17, 1989 water rights # 374 and 375-1

were inspected. Accompanied by Mr. T. Davis drove around in both

areas. The dykes and spreaders seemed to be in good shape.

The area was free of sage brush and covered with grass.

The area irrigated seemed to be the same as ^{on} the original map

submitted on the file.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

NAME: MR. [Signature]

375-1



Department of Water & Natural Resources

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

March 28, 1991

Tom C Davis
Hwy 85 N
Belle Fourche SD 57717

Dear Mr. Davis:

The Water Management Board has validated the enclosed Vested Water Right Nos. 374-1 and 375-1. This validation gives legal status to the claim and is the final document for your vested right.

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

Very truly yours,

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

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

enclosure

SOUTH DAKOTA

VALIDATION OF VESTED WATER RIGHT CLAIM NO. 375-1 FOR IRRIGATION

Date Claim Accepted For Filing February 13, 1959.

Date of Validation September 27, 1989.

Pursuant to SDCL 46-2A-17 the Water Management Board validated Vested Water Right Claim Permit No. 375-1 for irrigation purposes for Tom C Davis, Highway 85 North, Belle Fourche, South Dakota 57717 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 375-1 appropriates 1.29 cubic feet of water per second from dry draws to irrigate 90.7 acres. The diversion points are located in the SE 1/4 SW 1/4 and SW 1/4 SE 1/4 and the irrigated acres are located in the W 1/2 SE 1/4, E 1/2 SW 1/4 and SW 1/4 NE 1/4; all in Section 23, T10N, R2E.
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 year for each acre of irrigated land. The water is to be used during the following annual period: April 1 - October 31.
3. The priority date of the Vested Water Right is January 1, 1956.
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.

WATER MANAGEMENT BOARD

By: _____

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

MAR 28 1991

date



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 3, 1992

233-1

374-1

375-1

George Davis
Box 17
Camp Crook, SD 57724

Dear Mr. Davis:

Our office was notified by Tom Davis and the Harding County Register of Deeds that you were in the process of buying land described under Water Right No. 233-1 and Vested Water Right Nos. 374-1 and 375-1.

Enclosed are copies of Nos. 233-1, 374-1 and 375-1 for your files. Also enclosed are three "Notice of Transfer of Ownership" forms for use in filing an ownership change on them. Tom Davis only spoke of the water right from the Little Missouri River (No. 233-1). If the land described under that water right is all that will be transferred, please disregard the other two forms.

Please complete the form(s) and return them to our office with a \$2.50 filing fee for each transfer to be filed. The transfer form(s) must be signed in the presence of a notary.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

375-1



United States Department of the Interior

BUREAU OF RECLAMATION

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



WIR 4.10
BF-430

AUG 18 1993



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

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

Dear Mr. Hatch,

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

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

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

Sincerely,

Eric M. Layton
Eric M. Layton
Project Manager

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

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