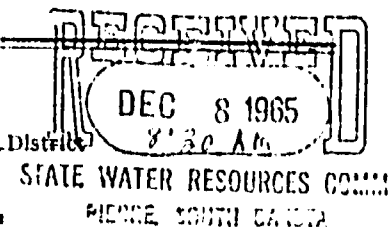


688-1A

1. Considered 1-19, 1960
2. Name of Applicant John C. Simpson
3. Post Office Address Alameda
4. Amount of water claimed 7.37 cu. ft. annually
5. Source of water supply Winn Creek
6. Water to be used for stock raising
- Acres to be irrigated 0
7. Water to be diverted and used in Alameda County about
miles 0.5 of at Winn Creek
8. Proof of Publication Received 10
Not Received 0
9. Application Approved 0
Subject to 0
Not Approved 0
Action deferred 0

10. Remarks:

See letter

No. 688-1AWater Division No. 1 RAPID CREEK
(Blanks to be Filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

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

1. Name of applicant Tom C. Simpson Trout Haven
Postoffice address Nemo Rt., Deadwood, County Lawrence, State So. 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)
Direct labor and employment of others

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

2. Name of diversion work Trout Haven
Storage of up to 2.37 acre feet
3. Amount of water claimed 2.37 acre feet
4. Source of water supply Jim Creek
5. Location of point of diversion in the SW 1/4 Section 7, T. 2 N., R. 5 E.
_____ on _____ bank Lawrence County.
_____ Year around use and also year around
6. Annual period or periods during which water is to be used use for water use authorized in
Permit No. 688-1
7. To be used for:

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

(a) Number of acres to be irrigated _____ acres.

(b) Legal subdivisions to be irrigated _____

(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 Fish culture
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 South Corner of property
approximately 400 feet from entrance

SEE MAP 673-1

8. Estimated cost of work:

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

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

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

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

Rock, \$-----

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

Total, \$2,000.00

9. Description of diversion works:

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

Dam

II. Dimensions of works.

(a) Dam: Height 7 feet; length at bottom 100 feet; length at top ----- feet; thickness at bottom ----- feet; thickness at top 8' feet; slope at front water face 3-1; slope at back face 2-1 material used in construction earth fill

(b) Reservoir: Capacity when filled 2.37 acre feet. Surface area at highwater mark 0.79 acres.

DEPTH AT OUTLET-Feet	SURFACE AREA AT EACH DEPTH AT CUTLET--ACRES	FEET	ACRE-Feet CAPACITY
5.0			2.37
3.0			.46

(c)* Head gate: Width 5' feet; height 5' feet; Material Concrete

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

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LEVEL	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 2 years.

11. Time required for complete application of water to the proposed beneficial use 2 years.

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

Deadwood Pioneer Times Deadwood, S. Dak.

STATE OF SOUTH DAKOTA

County of Remington

ss.

I, Tom C. Klingner, 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 Tom C. Klingner

Subscribed and sworn to before me this 7 day of Dec 1965

Leila Hable
Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

Notary Public State of S. Dak.

Commission expires July 8, 1971

Remarks by State Water Resources Commission:

APPROVAL OF THIS PERMIT IS CONTINGENT UPON
THE DAM BEING OPERATED SO AS NOT TO CAUSE
A DETRIMENTAL EFFECT ON DOWNSTREAM FLOWS.

STATE OF SOUTH DAKOTA

County of HUGHES } ss.

Pierre, South Dakota, JANUARY 20, 1966

This is to certify that the foregoing application was received by the Commission at 8:30 o'clock
8 a.m. upon the 8TH day of DECEMBER, 1965

State Water Resources Commission

By:

Burton Z. Jones
for Chief Engineer, Executive Officer

Number of permit 6813-1A

Date of first receipt of application DECEMBER 8, 1965

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

Date of receipt of corrected application —, 19—

Date from which applicant may claim right DECEMBER 8, 1965

Approved JANUARY 19, 1966 Recorded in Book 9 Page 73

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 JANUARY 19, 1967

2nd. The whole of said work is to be completed on or before JANUARY 19, 1968

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

JANUARY 19, 1970

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

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 2.37 ACRES FEET ANNUALLY
~~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~~
USED FOR FISH CULTURE

and beneficially applied for irrigation on or before JANUARY 19, 1970; said water to be used during the following described annual period:

CONTINUOUSLY

Witness my hand this 20TH day of JANUARY, 1966

State Water Resources Commission

By:

W. B. Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued OCTOBER 14, 1966

Water License Issued OCTOBER 14, 1968

Remarks by the Applicant:

// This dam will have more than one beneficial use.

#1. It is my intention to catch spring snow run off in the dam to help the underground water supply and improve the stream flow. In the past 10 years 3 of those years were dry and the stream didn't run. One of the many reasons it didn't run was that we had an early thaw in Feb. when the ground was still frozen and it didn't absorb the moisture. This dam will enable me to hold back a portion of the run off to help insure water flow which is essential to trout culture.

// #2. It will be used for swimming, raising fish, and flood control.

STATE OF SOUTH DAKOTA

WATER LICENSE No. 688-1A.

WHEREAS, On the 8th day of December A. D. 19 65
Tom C. Simpson

of Deadwood County of Lawrence and State of South Dakota
 duly made application (No. 688-1A) to us for a permit to use 2.37
~~acre feet~~ acre feet of the waters of Jim Creek
 County of Lawrence, State of South Dakota, for fish culture
 purposes; and

WHEREAS the 20th day of January A. D. 19 66
 Permit No. 688-1A was issued to said applicant for the diversion of said water, and providing for the
 completion of the works of diversion therein described on or before the 19th day of
January A. D. 19 68 and for the application to beneficial use of said
 water on or before the 19th day of January A. D. 19 70
 and,

WHEREAS, On the 26th day of September A. D. 19 68
 the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.37
~~acre feet~~ acre feet of said waters, as evidenced by our Certificate No. 688-1A
 dated October 14, 1968 certifying the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 2.37 acre feet of water, with date of
 priority of December 8, 1968 and,

WHEREAS, On the 26th day of September A. D. 19 68
 proof was duly made of the application to beneficial use of 2.37 acre feet
~~of said water~~ to be used for fish culture purposes

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 Tom C. Simpson
of Deadwood the holder and owner of said permit No. 686-1A
a water right, dating from December 8, 1965 to the use of 2.37 acre feet

~~of the waters of~~ of the waters of _____
in the County of Lawrence and State of South Dakota, or so much thereof as may be
necessray for the purposes hereimbelow mentioned, to be diverted at a point in the SW 1/4 SW 1/4
Section 7, T2N, R5E
and ~~stored in place~~ stored in place _____

for the purpose of fish culture, subject to any limitations listed in the
Permit to Appropriate Water, and

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 14th day of October A. D. Nineteen
Hundred and Sixty-eight.

State Water Resources Commission

By:

J. W. GRIMES
Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

in Book _____ of _____ Page _____

Permit No. 688-1AWater Division No. 1 RAPID CREEK Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Tom C. Simpson

of Deadwood, County of Lawrence, and State of South Dakota, the holder of Permit No. 688-1A, issued upon Application No. 688-1A, bearing date of priority of May December 8, 1965, authorizing the diversion of 2.37 acre feet ~~xxxxxx~~ of the waters of Jim Creek, County of Lawrence, State of South Dakota, at a point in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 7, T2N, R5E

for fish culture

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 2.37 acre feet ~~xxxxxx~~

~~xxxxxx~~ of water; and that the lands ~~xxxxxx~~ for the use of said water are described as follows:

to-wit: to be used for fish culture in connection with operation of Trout Haven.

Witness my hand this 14th day of October, A. D. 1968

State Water Resources Commission

By:

J.W. GRIME
Chief Engineer, Executive Officer

Permit No. 688-1ARapidWater Division No. 1Creek Water District**Certificate of Examination of Works****Report of Examining Engineer**

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated _____

1968, I have this day made a thorough examination of the diversion works constructed by _____Tom C. Simpson, of Nemo R.T., Deadwood,Lawrence County, South Dakota, holder of Permit No. 688-1A, issuedupon Application No. 688-1A, bearing date of priority of December 8, 1968, authorizing thestorage of 2.37 acre-feet ~~cu. ft. per second~~ of the waters of Jim Creek for Fish culture

purposes. I have to report on the condition of the same as follows:

The diversion works comprise: Earth fill dam, concrete outlet structure,
stop log type. Capacity of pond is 2.37 acre-foot. Surface
area when full is 0.79 acresand the system is in the following condition: GoodThe point of diversion is located As shown on water right map
573-1The works are capable of diverting and ~~conveying~~ ^{storing} to the place of use 2.37 acre-foot
cu. ft. per second of water, which is to be used for Fish culture

The legal sub-divisions to be irrigated are: _____

_____ comprising a total of _____ acres of land.

The domestic use intended comprises _____

The utilization for power, mining, or other beneficial uses comprises: _____

Witness my hand, this 26th day of September, A. D. 1968.

—SEAL—

Daniel Durcail

Examining Engineer.

Deputy Chief Engineer
Water Resources Commission

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
 County Lawrence } ss.

Milton B. Chilcott being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the

Deadwood Pioneer Times a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the

City Deadwood of Lead County of Lawrence and State of South Dakota;

that the said notice was published in said newspaper on the following dates:

December 15, December 22, December 29, 1965

January 5, 1966

in each and every issue of the full number thereof, the first publication being made on the 15th day of December

1965 and the last publication on the 5th day of

January 1966, upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he

was General Manager the printer and publisher of the said newspaper.

Milton B. Chilcott

Subscribed and sworn to before me this 5th day of January A. D. 19 66

Notary Public Lawrence County, S. D.

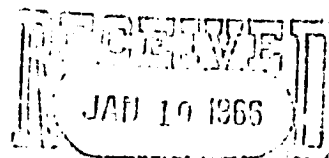
No. 688-1A
 APPROPRIATION OF WATER
 Office of State Water
 Resources Commission
 Pierre, S. D.
 December 10, 1965

Notice is hereby given that Tom C. Simpson, whose postoffice address is Deadwood, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to store for beneficial use 2.37 acre feet of water annually from Jim Creek through the Trout Haven Storage, the point of diversion of which is to be located in the SW¹/₄ of the SW¹/₄ of Section 7, Twp. 2N, Range 6E. Said water to be used for the purpose of providing water for fish culture.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 19th day of January, 1966, at 2 P.M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission
 By: Burton F. Jones,
 Water Right Specialist
 Dec. 15-22-29-Jan. 6



STATE WATER RESOURCES COMMISSION
 PIERRE, SOUTH DAKOTA

on or before December 23, 1965
(First Publication)

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak., December 10, 1965

Notice is hereby given that Tom C. Simpson whose postoffice address is Deadwood S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate ~~store~~ ^{2.37} annually ~~2.37~~ cubic feet of water ~~per second~~ ^{from the} Jim Creek through the Trout Haven Storage, the point of diversion of which is to be located on the ~~bank of said stream~~ in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 7 Twp. 2N Range 5E. Said water to be used for the purpose of providing irrigation ~~for the~~ ^{providing water for fish culture.}

and for ~~irrigation~~ ^{providing water for fish culture.}

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 19th day of January, 1966, at 2 P. M. All interested persons may appear and be heard.

Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.

State Water Resources Commission

By:

BURTON F. JONES
Water Right Specialist

CC: Mr. M. B. Chilcott, Manager
Deadwood Pioneer Times
Deadwood, S.D.

Permit No. 388-1A

JAN 26 1966

Water Division No. 1Rapid
Creek

Water District WATER RESOURCES COM. PIERRE SOUTH DAKOTA

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) Nemo Rt., Deadwood, S. Dak.(Date) January 24, 1966

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the 19th day of January 1966, at Trout Haven County of Lawrence State of South Dakota, before _____ proof will be submitted of the application to beneficial use of 2.37 acre annually cubic feet per second of the waters of Jim Creek

_____ In accordance with the terms and conditions of Permit No. 388-1A heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are _____

Tom C. Simpson Trout Haven Nemo Rt.Deadwood, S. Dak.2. The use to which said water has been applied is Fish culture3. The amount applied to beneficial use is 2.37 acre feet annually

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) Trout Haven

5. The name of the canal or ditch or other works by which said water is conducted to such place of use is

Jim Creek6. The right to take the water from such works is based upon permit No. 388-1A7. The source of supply from which such water is diverted is Jim Creek8. The date of priority which said user is prepared to establish is 8 December 1965

(Sign)

Tom C. Simpson

Permit No. 688-1A

JAN 26 1966

Water Division No. 1Rapid
CreekWater District STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTA**NOTICE OF COMPLETION OF WORKS**

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) Homo Rt., Deadwood, S. Dak.(Date) JANUARY 24, 1966

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of 2.37 acre feet annually from 46 per second of the waters of the state from Jin Creek through the Trout Haven dam for fish culture purposes

In accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota,

1. The name of the person or corporation holding said permit is Tom C. Simpson of Trout Haven

2. The postoffice address of such person or the place of business of such corporation is Homo Rt.
Deadwood
County of LAWRENCE State of S. Dak.

3. The number of such permit is 688-1A and the date set for the completion of such work is JANUARY 19, 1966

4. Said water to be used for fish culture purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is _____ cubic feet per second.

6. The amount of land for which said water is available is _____ acres, particularly described as follows: Trout Haven dam

I hereby certify that the facts set forth in the above notice are true.

(Signature of Owner's)

Tom C. Simpson

**OVERSIZE
DOCUMENT IS
SUPPLEMENTARY
TO MICROFILM FILE**



April 2, 1996

688-1A

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

Debby Klima
HC 73 Box 1806
Deadwood, SD 57732

688-1

688-1A

Dear Ms. Klima:

Enclosed, as we discussed, are partially completed "Notice of Transfer of Ownership" forms for use in filing an ownership change on Water Right Nos. 688-1 and 688-1A. The water rights are currently listed in the name of Tom C Simpson.

Please review the forms for accuracy and complete where needed. They will need to be signed in the presence of a notary public by the new owner. Once completed, please return the transfer forms to our office with a required filing fee of \$2.50 each (total of \$5.00).

Thank you for contacting us regarding the ownership change. If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

enclosures

688-1A

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 688-1A

Date: 4-4-96

I/We request that Water Right No. 688-1A

formerly owned by: Tom C Simpson

be transferred to: (name & address) Steve & Debbie Klima, HC73, Box 1806
Deerwood, SD 57732 Telephone No. 605-342-6009

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

SW 1/4 SW 1/4 Section 7, T2N, R5E

I/We understand that the validity of Water Right No. 688-1A 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 attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Pennington)

I/We Steve & Debbie Klima 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.

(Signed) Debbie Klima

Subscribed and sworn to before me this 4th day of April, 19 96

James J. McDaniel
(Notary Public)

My commission expires
September 25, 1999

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 three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Division of Water Rights

414893

South Dakota Department of Environment and Natural Resources

Pierre, _____ April 5, 19 96

RECEIVED OF Trout Haven, Steve & Debbie Klima, HC 73, Box 1806, Deadwood, SD 57732

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 <u>Water Right No. 688-1A</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By *John Hatch*
Chief Engineer



688-1A

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 11, 1996

No. 688-1

688-1A

Steve and Debbie Klima
HC 73, Box 1806
Deadwood, SD 57732

Dear Mr. and Ms. Klima:

Enclosed are receipts in the amount of \$2.50 each which you paid for the transfer of Water Right Nos. 688-1 and 688-1A.

Our records now show you as the owner of Water Right Nos. 688-1 and 688-1A.

Sincerely,

Cheryl F. Frost
Cheryl F. Frost

Secretary
Water Rights Program
(605) 773-3352

enclosure

Garland Erbele,

We sold Trout Haven
1 1/2 years ago. The new
owners are:

Barb & Lanny Bisson.

HC 73, Box 1900

Deadwood, SD 57732

605-341-4440

Deb Kline



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 23, 2001

688-1 (688-1A)

Barb & Lanay Bisson
HC 73 Box 1900
Deadwood SD 57732

Dear Mr. & Mrs. Bisson:

Recent correspondence with Steve & Debbie Klima indicates that they sold Trout Haven to you. Enclosed are partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right Nos. 688-1 and 688-1A. The water rights are currently listed in the name of Steve & Debbie Klima.

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 (\$5.00 total).

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NE 416797

Pierre, March 19, 2001

RECEIVED OF Lenny or Barb Bissen, PO Box 1900, Deadwood, SD 57730
the following amount in fees for services rendered as provided for by law: (Steve & Debbie Kline)

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 regain 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 Ex S-1A

Fee for Filing Extension Request _____

Fee for _____

2 50

(Any Other Work Provided by Law)

Total

2 50

By David White
Chief Engineer

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 688-1A

Date: 3-9-01

I/We request that Water Right No. 688-1A

formerly owned by: Steve & Debbie Klima

be transferred to: (name & address) LARRY OR BARRY BISON

HC 73 Box 1900 Deadwood SD Telephone No. 605-541-6313

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

2.37 acre-feet storage dam located in SW 1/4 SW 1/4 Section 7-T2N-R5E

I/We understand that the validity of Water Right No. 688-1 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 attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Lawrence)

I/We Larry Barb Bison 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.

Larry Barb Bison
(Signed)

Subscribed and sworn to before me this 9th day of March, 2001.

CINDY HERMANN, Notary Public
My Commission Expires
April 4, 2001

Cindy Hermann
(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 three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.



March 28, 2001

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

688-1
688-1A

Lanny or Barb Bisson
HIC 73 Box 1900
Deadwood, SD 57732

Dear Mr. & Mrs. Bisson:

Thank you for following up on the ownership change for Water Right Nos. 688-1 and 688-1A. The transfers have been completed. The water rights formerly listed in the name of Steve & Debbie Klima are now listed in your names.

Enclosed are your Receipt No. 416797 and 416798 in the amount of \$2.50 each. If I can answer any questions for you, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures

2005 South Dakota Water Use Questionnaire

To:**Address correction requested:**

LANNY OR BARB BISSON
HC 73 BOX 1900
DEADWOOD SD 57732

One questionnaire is being provided for each permitted water source. The following information is based on Water Permit/Right No. 688-1. If you have other permits/rights in the same water source, also include water use under those permits/rights on this questionnaire.

Water Source: JIM CREEK
Aquifer: NOT APPLICABLE
Management Unit: NOT APPLICABLE

County: LAWRENCE
Pumping Pt. Legal: SEC 07-T002N-R05E
Type of Water Use: FISH AND WILDLIFE
PROPAGATION

- 1) Please estimate your year 2005 water use from the above water source: _____ gallons
2) If no water use in 2005, please list the reason(s) why in the comments section.

Comments:

Mail to -
Darlene Fowler
Trout Haven
Hwy 385
Deadwood SD 57732

Contact Person:

Trout Haven has been
sold.

Telephone No:

Questions? Please call Mark Rath or Ron Duvall at 605 773-3352 for assistance.

Thank you for completing the 2005 water use questionnaire.

Water Rights on the Web: www.state.sd.us/denr/wr

RECEIVED

FEB 24 2006

WATER RIGHTS
PROGRAM



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 27, 2006

No. 688-1
688-1A

Darlene Fowler
Trout Haven
Hwy 385
Deadwood SD 57732

Dear Ms. Fowler:

The 2005 SD Water Use Questionnaire for Water Right No. 688-1 and 688-1A was returned by Lanny and Barb Bisson indicating they had sold Trout Haven to you. The questionnaire and partially completed "Notice of Transfer" forms for use in filing a transfer on Water Right Nos. 688-1 and 688-1A are enclosed. I have also enclosed copies of the water rights for your records.

Also, enclosed are partially completed "Notice of Transfer" forms for use in filing an ownership change on Water Right Nos. 688-1 and 688-1A.

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

Karen Schlaak
Water Rights Program
605 773-3352
email: karen.schlaak@state.sd.us

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

May 16, 2006

No. 688-1
688-1A

Darlene Fowler
Trout Haven
Hwy 385
Deadwood SD 57732

Dear Ms. Fowler:

On February 27, 2006, I wrote you concerning Water Right Nos. 688-1 and 688-1A listed in the name of Lanny and Barb Bisson. The return of the 2005 SD Water Use Questionnaire indicated that Trout Haven had been sold and you were the contact person. This is a reminder that we have not received the *Notice of Transfer of Ownership* forms.

Enclosed are another two partially completed *Notice of Transfer of Ownership* forms. The transfer forms should be completed, checked over for accuracy and **signed by the new owner.** Upon completion, return the form to our office with a required filing fee of \$2.50 each (\$5.00 total).

It is important to us to keep our records current. If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Environmental Scientist
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosure

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 688-1A

Date: _____

I/We request that Water Right/Permit No. 688-1A

formerly owned by: Lanny or Barb Bisson

be transferred to: (name & address)

Darlene Fowler
22485 US Hwy 385
Deadwood SD 57132

Telephone No. 605-341-4440

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

2.37 acre feet storage dam located in the SW ¼ SW ¼ Sec 7-T2N-R5E

I/We understand that the validity of Water Right/Permit No. 688-1A 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.

I/We Darlene Fowler, the new owner, certify that the above information is true and correct.

Darlene Fowler

(Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. 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 three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIVED
AUG 15 2006
WATER RIGHTS
PROGRAM

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date August 15, 2006

RECEIVED OF Darlene Fowler, 22485 US Hwy 385, Deadwood SD 57732

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	2	50
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>688-1A</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	2	50
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	
		2.50

No.

02545

By

Darlene Ebel
Chief Engineer

688-1A



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

August 15, 2006

688-1
688-1A

Darlene Fowler
22485 US Hwy 385
Deadwood SD 57732

Dear Ms. Fowler:

Thank you for following up on the ownership changes for Water Right Nos. 688-1 and 688-1A. The transfers have been completed. The water rights formerly listed in the names of Lanny or Barb Bisson are now listed in your name.

Enclosed are your Receipt Nos. 02549 and 02550 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352
email: genny.mcmath@state.sd.us

enclosures