

8. Estimated cost of work:

(a) Head Gates, \$----- (b) Pumping plant, \$-----
 (c) Fluming, \$----- (d) Canal-earth, \$----- Rock, \$-----
 (e) Other structures ----- \$----- Total, \$-----

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.) Diversion dam in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T17N, R2E diverts water through ditch and dikes to 83 acres. Small plugs in creek divert water onto small meadows adjacent to creek.

II. Dimensions of works.

(a) Dam: Height ----- feet; length at bottom ----- feet; length at top ----- feet; thickness at bottom ----- feet; thickness at top ----- feet; slope at front water face -----; slope at back face -----
 material used in construction -----
 (b) Reservoir: Capacity when filled ----- acre feet. Surface area at highwater mark ----- acres.

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

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

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

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

(Give dimensions where reductions in size are made.)

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

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

12. Choice of newspaper for publication of notice of intention to appropriate ----- Not applicable -----

STATE OF SOUTH DAKOTA

County of Harding } ss.

I, Vernon Wammenn of Chris Wammen & Sons, 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.

By: Chris Wammen & Sons
 Signed Vernon Wammenn

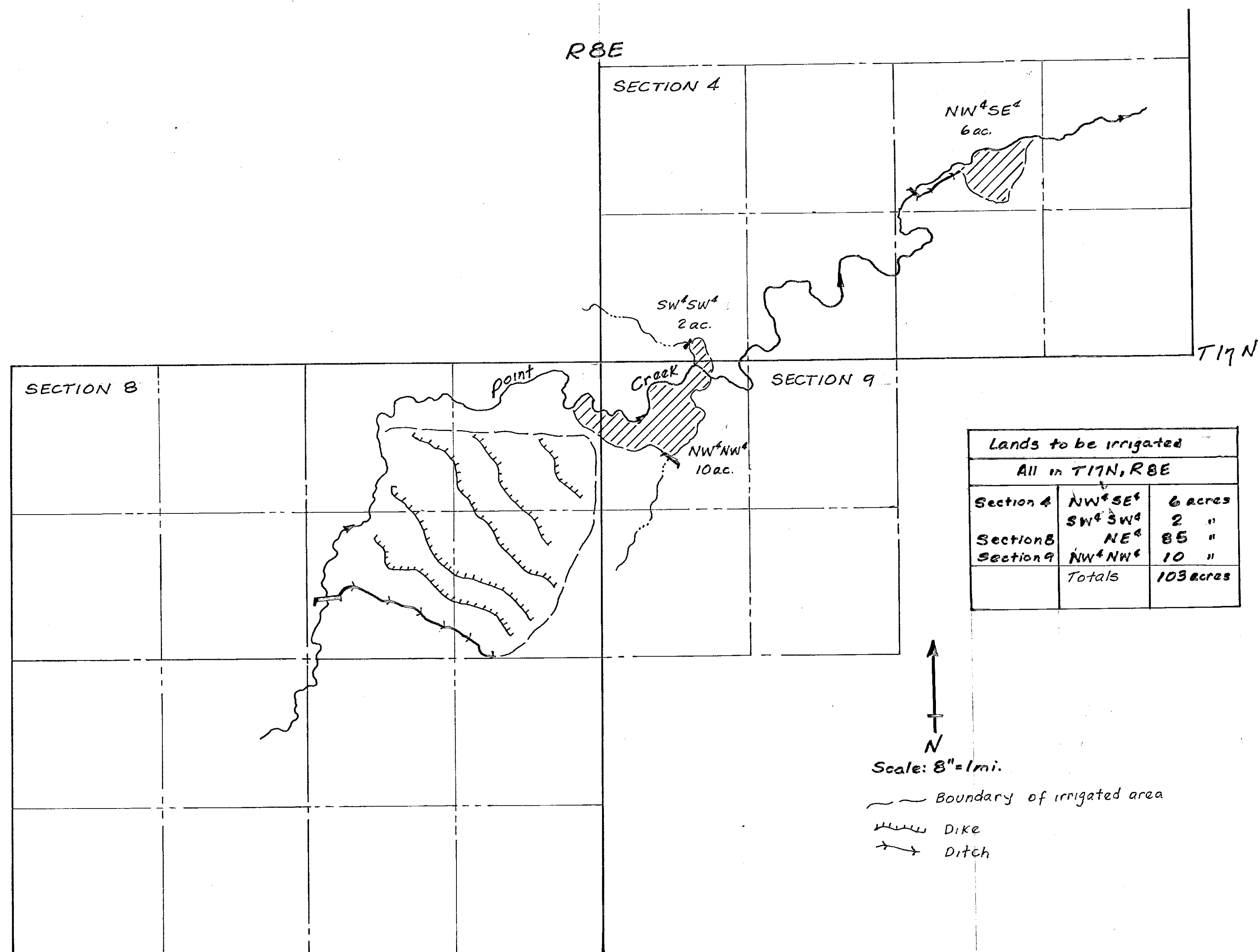
Subscribed and sworn to before me this 5th day of January, 1967

Notary Public (or other qualified officer.)

*Each diversion must have a headgate or measuring device

NOTARY PUBLIC
 Notary Public, State of S. D.

Chris Wammen & Sons
Irrigation Project #2



Remarks by State Water Resources Commission:

"VESTED RIGHT" CLAIMED. THIS IS A MODERNIZATION
OF AN OLD SPREADER SYSTEM, AND INCORPORATES
LOCATION NOTICES 1194-1, 3224-1 & 4928-1.

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, JANUARY 20, 1967

This is to certify that the foregoing application was received by the Commission at 8:05 o'clock
A m. upon the 11TH day of JANUARY, 1967.

State Water Resources Commission

By:

Burton J. Jones
for Chief Engineer, Executive Officer

Number of permit 787-1

Date of first receipt of application JANUARY 11, 1967

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 NOVEMBER 23, 1953

Approved JANUARY 19, 1967, Recorded in Book 9 Page 190

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~~ _____

2nd. The whole of said work is ~~to be~~ completed ~~on or before~~ _____

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

COMPLETED
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 1.47 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~~ was actually

and beneficially applied for irrigation on or before JUNE 30, 1955; said water to be used during the following described annual period:

WHEN AVAILABLE
Witness my hand this 20TH day of JANUARY, 1967.

State Water Resources Commission

By:

William Jones
Chief Engineer, Executive Officer

Certificate of Construction Issued JANUARY 20, 1967

Water License Issued JANUARY 20, 1967

STATE OF SOUTH DAKOTA

WATER LICENSE No. 787-1

WHEREAS, On the 11th day of January A. D. 1967
Chris Wammen & Sons

of Sorum County of Perkins and State of
South Dakota duly made application (No. 787-1) to us for a Vested Right 1.47
cubic feet per second of the waters of Point Creek - a dry draw
County of Harding, State of South Dakota, for Irrigation
purposes; and

WHEREAS, On the 20th day of January A. D. 1967
Vested Right recognizing
/Permit No. 787-1 was issued to said applicant for the diversion of said water, ~~XXXXXXXXXX~~ for the
completion of the works of diversion therein described ~~XXXXXXXXXX~~
~~XXXXXX~~ and ~~XXXXXX~~ application to beneficial use of said
water on or before the 30th day of June A. D. 1955
and,

WHEREAS, On the 11th day of January A. D. 1967
the holder of said permit duly made proof of the completion of adequate works for the diversion of 1.47
cubic feet per second of said waters, as evidenced by our Certificate No. 787-1
dated January 20, 1967 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 1.47 cubic feet per second of water, with date of
priority of November 23, 1953 ~~xxx~~ and,

WHEREAS, On the 11th day of January A. D. 1967
proof was duly made of the application to beneficial use of 1.47 cubic feet per second of said water;
for irrigating 103 acres in portions of Sections 4, 8, and 9, T17N, R8E

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 **Chris Wammen & Sons**

of **Sorum** the holder and owner of said **Vested Right** permit No. **787-1**

a water right, dating from **November 23, 1953** to the use of **1.47**

cubic feet per second of the waters of **Point Creek - a dry draw**

in the County of **Harding** and State of South Dakota, or so much thereof as may be

necessary for the purposes hereinbelow mentioned, to be diverted **between points in the SW 1/4 NE 1/4,**

Section 8, and in the NW 1/4 SE 1/4, Section 4, T17N, R8E

and conducted to and upon **portions of Sections 4, 8, and 9, T17N, R8E, more specifically**

described in the Certificate of Completion of Works

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, each 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 **20th** day of **January** A. D. Nineteen
Hundred and **Sixty-Seven**

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. 787-1Water Division No. 1 Moreau River Water District**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Chris Wammen & Sons

of Sorum, County of Perkins, and State of South Dakota, the holder of Veased Right Permit No. 787-1, issued upon Application No. 787-1, bearing date of priority of November 23, 1953, authorizing the diversion of 1.47 cu. ft. per second of the waters of Point Creek (dry draw) County of Harding, State of South Dakota, between points in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 8, and in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4, T17N, R8E for irrigation

purposes, has ve 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 recognized as satisfactory ~~for~~ for diverting and conveying to the place of intended use 1.47 cu. ft. per second of water; and that the lands ~~permitted~~ irrigated by the use of said water are described as follows,

to-wit: All in T17N, R8E

Section 4	SW $\frac{1}{4}$ SW $\frac{1}{4}$	2 acres
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	6 "
Section 8	NE $\frac{1}{4}$	85 "
Section 9	NW $\frac{1}{4}$ NW $\frac{1}{4}$	10 "
Total -		103 "

Witness my hand this 20th day of January A.D. 1967

State Water Resources Commission

By:

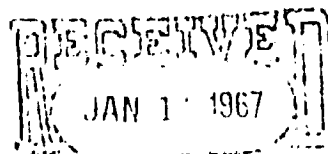
J. W. GRIMES

Chief Engineer, Executive Officer

Location No.-----

Water Division No.-----

Water District-----

STATE OF NORTH DAKOTA
DEPARTMENT OF AGRICULTURE
DIVISION OF WATER RESOURCES

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

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

Ans. Chris Wammen and Sons (William & Vernon) Ranchers, Sorum, S. Dak.

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. Location Notices 1194-1 received 11-30-1949; and 3224-1 received 11-23-1951

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

Ans. Point Creek, between points in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9 and in the LW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4, T17N, R8E

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. Diversion Dam in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8 conveys water through a series of ditches and dikes to 33 acres. Small dams or plugs divert water to the additional acreage.

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.)

Section 4	NW $\frac{1}{4}$ SE $\frac{1}{4}$	6 acres
-----------	-----------------------------------	---------

Section 8	SW $\frac{1}{4}$ SW $\frac{1}{4}$	2 "
	NE $\frac{1}{4}$	85 "

Section 9	NW $\frac{1}{4}$ NW $\frac{1}{4}$	10 "
-----------	-----------------------------------	------

Total -	103 "
---------	-------

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. 103 acre feet

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 has been in since 1951, and water has been diverted each year, when available, since project was completed.

BY: Chris Wammen & Sons
(Sign) *(Vernon) Wammen*

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 Buffalo, County of Harding

State of South Dakota, on this 5th day of January A. D. 19 67

Witnesses.

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 -----

OVERSIZE

DOCUMENT IS

SUPPLEMENTARY

TO MICROFILM FILE



Department of Water & Natural Resources

Joe Foss Building
623 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 786-1

787-1

788-1

August 28, 1984

Wammen Ranch
Box 35
Sorum, South Dakota 57654

Dear Sir:

are copies

Please find enclosed ~~a copy~~ of a Notice of Transfer of Water Permit forms. These ~~XXXX~~ forms must be signed by the owner before a notary and returned to this office with a filing fee of \$2.50. for each transfer, total of \$7.50. ~~XXXX~~ for each, total of \$7.50. Upon receipt of the enclosed forms and the \$2.50 filing fee the permits will be transferred to the proper name. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

Please advise if you have any questions.

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

DWNR-820A-8/83

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 10/15/84

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

Portions of the SW1/4 and NW1/4 of Section 4; NE1/4 of Section 8 and NW1/4
of Section 10, All in T17N, R8E

formerly owned by Chris Wammen & Sons

has been transferred to Wammen Ranch, Box 35, Sorum, SD 57654

(please include complete mailing address)
together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 787-1 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 Hawarden) ss.

I, Vernon Wammen 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.

Vernon Wammen
(Signed) General Partner

Subscribed and sworn to before me this 17 Day of Oct, 1984



Erwin Tenold
(Notary Public)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

No 4 9800

Pierre, October 18, 1984

19

RECEIVED OF Wanmen Ranch, SR, Box 35, Sorum, SD 57654

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>787-1</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	2	50

By

Chief Engineer

JOHN HATCH/ms

no. 786-1
787-1
788-1

SOUTH DAKOTA Department of
Water & Natural Resources
Joe Foss Building Water Rights Division
Pierre, South Dakota 57501 Phone (605) 773-3352

October 19, 1984

Wammen Ranch
SR Box 35
Sorum, South Dakota 57654

Dear Sir:

Enclosed is receipt No. 4 9800,
4 9801 & 4 9802 in the amount of \$2.50 each which you
paid for transfer of Water Right Nos 786-1, 787-1, 788-1.

Our records now show you as the owner of ^{these} this Water Rights.

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc. 3

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3161

September 21, 1988

NOTICE

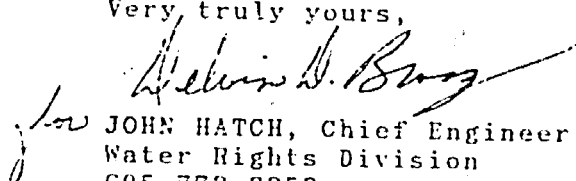
Vernon Wammen
Wammen Ranch
SR Box 35
Sorum SD 57654

Dear Mr. Wammen:

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). 786-1 (787-1), 788-1 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 Division - DWR
Conversation or File Documentation

786-1
787-1
788-1
File No.

NAME OF PERSON OR FILE: Whitten Ranch - Vernon & Wamman

ADDRESS: SR Box 35, Sorum, SD 57654 COUNTY Harding

DATE: 6-27-89 TELEPHONE 642-7195

RE: Vested Right Inspection

COMMENTS: On Wednesday, June 7, 1989, Vested Right NOS 786-1,

787-1, and 788-1 were inspected. Accompanied by Mr.

Wamman. The land under all three vested rights was inspected.

The land seemed to be the same as plotted on maps #660-1 for Application

No. 787-1, map No. 659-1 for Application No. 786-1, and the

map on microfilm for Application No. 788-1. The spreader

ditches and irrigation ditches were all in good to partially

fair shape but still functioning.

Recommend Validation

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

NAME: MSHadi

SOUTH DAKOTA

VESTED WATER RIGHT NO. 787-1 FOR IRRIGATION

Date of Receipt of Claim January 11, 1967.

Date of Validation September 27, 1989.

The Water Management Board validated Vested Water Right Claim No. 787-1 for irrigation purposes for Wammen Ranch SR, Box 35, Sorum SD 57654 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 787-1 appropriates 1.47 cubic feet of water per second from Point Creek to irrigate 103 acres. Water is diverted to the irrigated acreage via a diversion dam and small dams or plugs. Diversions are made between points in the SW1/4 NE1/4 section 8 and the NW1/4 SE1/4 section 4 and the irrigated acreage is located in the SW1/4 SW1/4, NW1/4 SE1/4 section 4; NE1/4 section 8; NW1/4 NW1/4 section 9; all in T17N-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. Water is to be used during the following annual period: January 1 - December 31.
3. The priority date of the Vested Water Right is November 23, 1953.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

WATER MANAGEMENT BOARD


Chief Engineer

MAY 21 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources



MAY 21 1992

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

Wammen Ranch
SR, Box 35
Sorum SD 57654

Dear Sir:

The Water Management Board has validated the enclosed Vested Water Right Nos. 787-1 and 788-1. These validations give legal status to the claims and are the final document for your vested rights. As long as you use the water beneficially, as stated in the validations, State Water Laws provide that you have a continuing right to use the water.

Vested Right No. 786-1 needs to be readvertised to correct a publication error concerning an omission of some irrigated acreage. Legislation was enacted during the last legislative session which simplifies the readvertising procedure. This legislation becomes effective after July 1, 1992. You will be contacted after this date concerning readvertisement of No. 786-1.

Please contact Ron Duvall, staff engineer, if you have any questions.

Very truly yours,

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

enclosure.