No. **1052-2**Water Division No. **2 RAPID CREEK**

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

VESTED RIGHTS**APPLICATION FOR PERMIT (Vested Rights)****To Appropriate Water within the State of South Dakota**

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

1. Name of applicant Walter C. Taylor Triple T Ranch
 Postoffice address RR #2 Box 625 County Pennington State South Dakota

1. 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)

Employment of others and by direct labor.(b) Cash on hand, \$ Sufficient

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work Taylor irrigation canal3. Amount of water claimed 1.77 cubic feet per second4. Source of water supply Rapid Creek - Pactola Reservoir5. Location of point of diversion Cyclone Ditch Head Gate on Rapid Creek
from cyclone ditch at SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25 T1N R8Eon Right bank Pennington County.6. Annual period or periods during which water is to be used March 1st to November 1st

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 124 acres(b) Legal subdivisions to be irrigated See remarks by applicant.

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction of acreage thereof, should be written and attached as a part of this application. Same must also be shown on accompanying map.)

(c) Statement as to domestic use (giving location, etc.) Water in ditch and check dams
to be used for stockwater

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

(a) Nature of use stockwater

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 913-2

Remarks by the Applicant:

Legal Subdivisions to be irrigated

Subdivision	Section	Area
NW $\frac{1}{4}$ NW $\frac{1}{4}$	36 - T1N R8E	8
SW $\frac{1}{4}$ NW $\frac{1}{4}$	36	22
SE $\frac{1}{4}$ NW $\frac{1}{4}$	36	20
NW $\frac{1}{4}$ SW $\frac{1}{4}$	36	23
NE $\frac{1}{4}$ SW $\frac{1}{4}$	36	11
SW $\frac{1}{4}$ NE $\frac{1}{4}$	36	1
NW $\frac{1}{4}$ SE $\frac{1}{4}$	36	7
SW $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	36	10
SE $\frac{1}{4}$ SE $\frac{1}{4}$	36	18
NE $\frac{1}{4}$ SE $\frac{1}{4}$	36	4
Total		124 Ac.

The above described lands have been watered from the Cyclone Ditch over the years. Photos in 1938 indicate application of water by means of the Cyclone Ditch to a large amount of the above lands. Since that known date additions and revisions of ditches have occurred, resulting in the present system.

I am requesting that this application with attached sketch be approved as a Vested Right which will also enable me to purchase additional water from Pactola Reservoir.

8. Estimated cost of work:

(a) Head Gates, \$ 500. (b) Pumping plant, \$ _____
 (c) Fluming, \$ _____ (d) Canal-earth, \$ 1,000. Rock, \$ _____
 (e) Other structures _____ \$ 500. Total, \$ _____

9. Description of diversion works:

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

Check dam and earthen ditches

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	ACRE-FEET CAPACITY

(c)* Head gate: Width 1.5' X 10' feet; height _____ feet;
 Material CMP with gate
 (d) Canal: Total length 1.5 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 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 Rapid City Journal,
Rapid City, South Dakota NOT APPLICABLE

STATE OF SOUTH DAKOTA

County of DeWitt } ss.

I, Walter Taylor, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed Walter Taylor

Subscribed and sworn to before me this 12 day of September 19 71

J. R. Morrison
 Notary Public (or other qualified officer.)

Remarks by State Water Resources Commission:

THIS WATER PERMIT NO 1052-2 RECORDS THE "VESTED
RIGHT" OF WALTER C. TAYLOR TO IRRIGATE 124
ACRES IN SECTION 36, T1N, R9E WITH UNAPPROPRIATED
WATER OF RAPID CREEK, CARRIED THROUGH THE CYCLONE
DITCH

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, MARCH 17, 1971

This is to certify that the foregoing application was received by the Commission at 8:00 o'clock
a.m. upon the 24TH day of FEBRUARY, 1971

State Water Resources Commission

By:

Benton Zinner
for Chief Engineer, Executive Officer

Number of permit 1052-2

Date of first receipt of application FEBRUARY 24, 1971

Date of return to applicant for correction, amendments or changes required as follows: MARCH 8, 1971

Date of receipt of corrected application MARCH 16, 1971

Date from which applicant may claim right 1938

Approved MARCH 10, 1971, Recorded in Book 11 Page 253

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 ~~now~~ completed on or before

2nd. The whole of said work is ~~now~~ 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 1.77 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 JUNE 30, 1955; said water to be used during the following described annual period:

MARCH 1 TO NOVEMBER 1

Witness my hand this 17TH day of MARCH, 1971

State Water Resources Commission

By:

Joel Guine
Chief Engineer, Executive Officer

Certificate of Construction Issued MARCH 17, 1971

Water License Issued MARCH 17, 1971

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1052-2

(1) WHEREAS, On the 24th day of February A. D. 19 71
Walter C. Taylor

made Water Right Application No. 1052-2 for Vested Right permit to use 1.77 cubic feet per second of the waters of Rapid Creek County of Pennington State of South Dakota, for Irrigation purposes; and

(2) WHEREAS, On the 17th day of March A. D. 19 71
 Permit No. 1052-2 with a date of priority of 1938

was issued to said applicant recognizing for the diversion of said water ~~and~~ the completion of construction of the water supply system therein described ~~as before the~~ and ~~the~~ application to beneficial use of said water ~~on or before the~~

and:

(3) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to completion of the construction of the water supply system and is entitled to divert 1.77 cubic feet per second of water for beneficial use and,

(4) WHEREAS, It is hereby certified that the applicant has complied with the provisions of the laws of the State of South Dakota relating to the application of water to beneficial use of the following extent.

for irrigating the following land in Section 36, T1N, R6E

	Acres
NW 1/4 NW 1/4	8
SW 1/4 NW 1/4	22
SE 1/4 NW 1/4	20
NW 1/4 SW 1/4	23
NE 1/4 SW 1/4	11
SW 1/4 NE 1/4	1
NW 1/4 SE 1/4	7
SW 1/4 SE 1/4	10
SE 1/4 SE 1/4	18
NE 1/4 SE 1/4	4
Total	124 Acres

(5) 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 Walter C. Taylor

_____ of Rapid City, S.D.

the holder _____ and owner _____ of said Vented Right permit No. 1052-2 water right, dating from 1938

_____ to use of 1.77 cubic feet per second of the waters of Rapid Creek

in the County of Pennington and State of South Dakota, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 25, T1N, R8E

and conduct to and upon _____ portions of Sections 36, T1N, R8E, described on the face of this License

for the purpose of Irrigation

Subject to any limitations listed in Water Right Permit No. 1052-2 and subject to the laws of the State of South Dakota.

WITNESS, My hand and seal of our office at Pierre, South Dakota
this 17th day of March A. D.
Nineteen Hundred and Seventy-one

WATER RESOURCES COMMISSION

By:

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

Form 15.

Permit No. 1052-2

Water Diversion No. 2 RAPID CREEK Water District

CERTIFICATE OF CONSTRUCTION

This is to Certify, That Walter C. Taylor

Vested Right

/ Permit No. 1052-2, issued upon Application No. 1052-2, bearing date of priority of 1938

authorizing the diversion of 1.77 cu. ft. per second of the waters of

Rapid Creek County of Pennington, State of South Dakota at

a point in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 25, T1N, R8E

, for irrigation

purposes, has 8 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 to be~~ **recognized as** satisfactory ~~condition~~ for diverting and conveying to the place of intended use 1.77 cu. ft. per second of water.

Date March 17, 1971

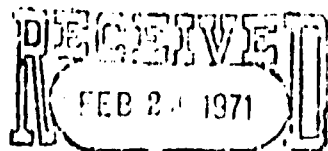
WATER RESOURCES COMMISSION

By:

J.W. GRIMES, Executive Officer

Location No. _____

Water Division No. _____ Water District _____



STATE WATER RESOURCES COMMISSION

DATE RECEIVED

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

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

Ans. Walter C. Taylor, Rapid Valley, Rancher

RR #2, Box 625, Rapid City, South Dakota

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

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

Ans. February 16, 1971

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

Ans. Rapid Creek - Pactola Reservoir, Cyclone Ditch head gate

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. Taylor Irrigation Ditch (2 CFS) Via Cyclone Ditch (15 CFS)

completed years ago.

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 to be used for irrigation and stockwater, all in Sec. 36 T1N R8E;

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 8 Ac, SW $\frac{1}{4}$ NW $\frac{1}{4}$ 22 Ac, SE $\frac{1}{4}$ NW $\frac{1}{4}$ 20 Ac, NW $\frac{1}{4}$ SW $\frac{1}{4}$ 23 Ac, NE $\frac{1}{4}$ SW $\frac{1}{4}$ 11 Ac,
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 1 Ac, NW $\frac{1}{4}$ SE $\frac{1}{4}$ 7 Ac, SW $\frac{1}{4}$ SE $\frac{1}{4}$ 10 Ac, SE $\frac{1}{4}$ SW $\frac{1}{4}$ 18 Ac, and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ^{4 ac.} all in Sec. 36.

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

Ans. Also used as source of water for livestock.

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

Ans. Total of 5 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. Approximately 1.7 CFS used for irrigation and livestock water.

(Sign) Walter E. Taylor

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 Dunnington, S.D., County of Dunnington

State of South Dakota, on this 10 day of September, A. D. 1971

Witnesses. H. R. Wimmer
Notary Public

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

Howard Braden
8-15-71

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 _____	

I visited with Mr. Walter C. Taylor on March 8, 1971 about his Water Right Application No. 1052-2.

It is his intent to have his Vested Right record filed only, and he does not wish to advertise for a new water right.

He will submit a amended "Proof of Application of water to Beneficial Use" form.

Mr. Taylor approved changes in his Vested Right application to accomplish this intent.

Donald Driscoll

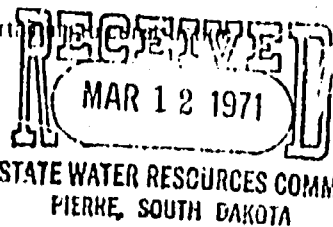
DONALD DRISCOLL

Deputy Chief Engineer

DD/bw

March 9, 1971

NOTE: This Form is supplemental to Form 2, and is to be used when an affidavit pertaining to water use, already completed, is needed.



**AFFIDAVIT OF CONSTRUCTION OF WATER USE
SYSTEM AND APPLICATION OF WATER TO BENEFICIAL USE**

Name of Applicant (Same as Form 2) Walter C. Taylor
 Post Office Address R.R. #2, Box 625, Rapid City, State South Dakota
 If a Corporation show date and place of incorporation _____

13. Notice of Appropriation (If available)

Date of Posting _____ Date of Recording _____
 Recording Date _____

14. Date of start of construction of water supply system 1938

15. Date that water was first applied to beneficial use 1938

16. Name of owner of original water supply system Walter C. Taylor on leased State owned land

17. Amount of water originally applied to beneficial use 1.0 c. f. s.

18. Present Use of Water

Amount of water now being used 1.77 c. f. s.

Date that this amount of water was first used 1942

19. Chronological History of Water Use

Work began on the system in 1938 and was completed in 1942 and has been used since as indicated when water was available as needed.

Attach to this Form 28, any copies of notices, postings, filings, publications, affidavits, or other records that apply. You may also attach a written statement by you, or by others, that you deem pertinent.

STATE OF SOUTH DAKOTA)
) ss.
 County of Minnehaha)

I, Walter C. Taylor, the applicant, certify that I have read the foregoing and that the matters therein stated are true.

Signed Walter C. Taylor

Subscribed and sworn to before me this 11th day of March, 1971

William L. Williamson
 (Notary Public or other qualified Officer)

I, the undersigned, do hereby certify that I know about the water use system described above that I have read the foregoing and that the matters therein stated are true.

"Remains by state water resources commission"

This Water Permit No 1052.2 records the
"Vested Right" of Walter C. Taylor
to irrigate 124 acres in section 36,
T14N R3E, with high unappropiated
water of Rapid creek, carried through
the cyclone ditch, ~~and~~
~~and~~.

Priority Date " 1938

The system includes about 1 1/2 mile of
ditch 3' x 1 1/2' and two stockwater
dams.

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 6346

PIERRE, February 13, 1978, 19

RECEIVED OF Lee Ahrens, Triple T Ranch, 408-7th St., Rapid City, SD 57701
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 water right permit # 1052-2		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 John Hatch
Chief Engineer, Executive Officer
JOHN HATCH

9Y

Form 20.

No. 1052-2

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
Foss Building
Pierre, South Dakota 57501

Date: February 2, 1978

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

a point in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25, T1N, R8E a $\frac{1}{2}$ described on

water permit No. 1052-2.

formerly owned by Walter Taylor, Rapid City, SD 57701

has been transferred to Triple T. Ranch, Rt #2, Box 625, Rapid City, SD

together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 1052-2 as provided for in Section 61.0127 of the 1960
Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water
Permit" in its appropriate file at the Office of Water Rights Commission 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 Section 61.0159 of the 1960 Supplement to the South
Dakota Code of 1939..

STATE OF SOUTH DAKOTA)
) SS.
County of _____)

I, Lee Chihai being first duly sworn on my oath despose
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.

Lee Chihai
(Signed)

Subscribed and sworn to before me this 10 day of February
19 78.

Lucas J. Haynes
(Notary Public)



Water Rights Division - DWR

File No. 1052-2

Conversation or File Documentation

NAME OF PERSON OR FILE: Triple T Ranch - Lees OrchardsADDRESS: R.C.COUNTY DATE: 6/4/81TELEPHONE 348-4422RE: IQ

COMMENTS:

called Orchards operator of farm is Don Kirsane - 348-1192

Mr. Kirsane said they flood irrigate out of - South Side -
Cyclone & Rapid Valley Ditches - no pump. Irrigated
2 weeks out of 3 each month May - Sept.
600 acres - 124 pasture rest alfalfa.

6/6/84

Now says we do not need to send a
questionnaire to this one
Benny

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.

4/82

NAME: Deely Westland



January 11, 1993

1052-2

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

✓ Lee Arhlin
✓ Triple T Ranch
✓ Rt. 8, Box 4566
✓ Rapid City SD 57701

418 Fox Run Place

Dear Mr. Arhlin:

The original Notice of Intent to Validate Vested Water Right Claims was published with an error. The location of the point of diversion from Rapid Creek for your Vested Water Right No. 1052-2 was advertised incorrectly. Therefore, the notice needs to be readvertised to correct the error. The Readvertisement of the Notice of Intent to Validate Vested Water Right Claims has been sent to the Publisher of the Rapid City Journal printed at Rapid City SD. For your information, a copy of the notice is enclosed. Please review the notice prior to publication and notify this office, if you have any corrections or questions.

The cost of publication of this notice will be paid by the Division of Water Rights. Please contact us if you have any questions.

Sincerely,

Eric Gronlund

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

1052-2

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Pennington) SS

I, Helena M. Bauer

certify that the attached printed Notice was

taken from the Rapid City Journal

printed and published in Rapid City

County of Pennington and State of

South Dakota. The notice was published in the newspaper on the following two dates:

January 20, 1993

January 27, 1993

Cost of Printing: 11 7/16 inch legal

@ 5.10 per inch printed 2 times \$116.68

(Signature)

Bookkeeping

(Title)

January 27, 1993

(Date Signed)

READVERTISEMENT OF NOTICE OF INTENT TO VALIDATE VESTED WATER RIGHT CLAIMS

Notice is given that the following vested water right claims in Pennington 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. Re-advertisement of the original notice of intent to validate these claims, as published on June 23 and 30, 1993 in the Rapid City Journal, is necessary to correct errors in the previously published notice.

Vested Water Right No. 6072, Roy and Donna Alexander, Box 615, Hill City, SD 57745, appropriates 3,022 cubic feet of water per second (cfs) from one well located in Lot 18, Section 12-125-R4E. The water is for commercial use. The priority date is 1/1/1930.

Vested Water Right No. 7492, Gilbert L. Shearer, Wall, SD 57790, appropriates 4.0 cfs from dry draws for recreational use and to irrigate 285.2 acres. The points of diversion are located in the NE1/4 SW1/4, NE1/4 SE1/4 Section 21-T1N-R16E. The irrigated lands are located in the SW1/4 NW1/4, NE1/4 NW1/4, SW1/4 NE1/4, NW1/4 SW1/4, SE1/4 SW1/4 and SE1/4 Section 21-T1N-R16E. The priority date is 1/1/1935.

Vested Water Right No. 10522, Lee Ahrlin, Triple T Ranch, 418 Fox Run Place, Rapid City, SD 57701, appropriates 1.77 cfs from Rapid Creek to irrigate 124 acres. The point of diversion is located in the SE1/4 SE1/4 Section 8-T1N-R1E. The irrigated lands are located in the NW1/4 NW1/4, SW1/4 NW1/4, SW1/4 NE1/4 and SE1/4 Section 36-T1N-R1E. The priority date is 1/1/1935.

18738

Any person who wishes to oppose validation of any of the re-advertised vested right claims shall file a petition of intent to oppose the validation by February 22, 1993 with the Chief Engineer, Water Rights Division, 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.

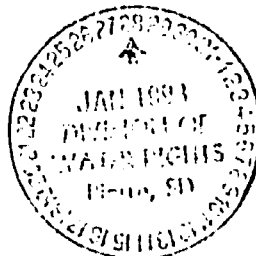
If a petition of intent to oppose the validation of a recognized vested water right claim is filed, the Water Management Board will conduct a hearing on the opposed claim at 10:00 a.m., March 2, 1993, Floyd Matthews Training Center, Joe Foss Building, 523 E. Capitol, Pierre, S.D. The March 2, 1993, hearing 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 February 22, 1993.

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-11 thru 46-2A-15, 46-2A-22; 46-3-1 thru 46-3-6.1, 46-3-8.2, 46-3-13 thru 46-3-15, 46-3-20.2 thru 46-3-17.1, 46-5-45, 46-5-49; 46-6-1 thru 46-6-2; 46-6-6, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21, 46-7-1 thru 46-7-3.3, 46-7-12, 46-7-14, 46-7-15 and Board Rules ARSD 74-02-01:01 thru 74-02-01:05:13 and 74-02-01:20 thru 74-02-01:22.

Contact Eric Gronlund by February 22, 1993, at the above Water Rights Division address for: 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.

Robert E. Roberts
Secretary
Department of
Environment
and Natural Resources





1052-2

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 17 1993

Lee Ahrlin
Triple T Ranch
418 Fox Run Place
Rapid City SD 57701

Dear Mr. Ahrlin:

The Water Management Board has validated the enclosed Vested Water Right No. 1052-2. This validation gives legal status to the claim and is the final document for your vested right. Enclosed is the reissued water license which reflects the correct location of the Cyclone Ditch diversion point.

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,

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

enclosure

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1052-2 FOR IRRIGATION

Date of Receipt of Claim February 24, 1971.

Date of Validation March 3, 1993.

The Water Management Board validated Vested Water Right Claim No. 1052-2 for irrigation purposes for Lee Ahrlin, Triple T. Ranch, 418 Fox Run Place, Rapid City, South Dakota, 57701 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1052-2 appropriates 1.77 cubic feet per second of water from Rapid Creek to irrigate 124 acres. The point of diversion is located in the SE1/4 SE1/4, Section 8, T1N, R8E. The irrigated lands are located in NW1/4 NW1/4, S1/2 NW1/4, N1/2 SW1/4, SW1/4 NE1/4 and SE1/4 all in Section 36, T1N, 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: March 1 to November 1.
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 may not be unlawfully impaired by this appropriation.

QUALIFICATION

This Water Right records the Vested Right to irrigate 124 acres in Section 36, T1N, R8E with unappropriated water of Rapid Creek, carried through the Cyclone Ditch.

WATER MANAGEMENT BOARD

By: 
Chief Engineer

SEP 17 1993

date

Division of Water Rights
Dept. of Environment and Natural Resources

STATE OF SOUTH DAKOTA

REISSUED VESTED RIGHT WATER LICENSE NO. 1052-2

(1) Walter Taylor, Rapid City, SD, made Application No. 1052-2, February 24, 1971 for validation of a vested right claim to appropriate 1.77 cubic feet of water per second from Rapid Creek (via Cyclone Ditch), Pennington, County, South Dakota, for irrigation purposes. On February 13, 1978, Vested Right Claim No. 1052-2 was transferred to Triple T Ranch. Vested Water Right No. 1052-2 was validated March 3, 1993 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.

The original water license, issued on March 17, 1971, described the Cyclone Ditch diversion point as being in the SW 1/4 SW 1/4 Section 25, T1N, R8E. The actual diversion point is in the SE 1/4 SE 1/4 Section 8, T1N, R8E. Based on the validation of No. 1052-2, the license is being reissued to correct the error.

(2) The vested right owner is entitled to divert 1.77 cubic feet of water per second for beneficial use. The location of the diversion point is: in the SE 1/4 SE 1/4 Section 8, T1N, R8E.

The location of the irrigated acreage is all in Section 36, T1N, R8E

NW 1/4 NW 1/4	8 acres	SW 1/4 NE 1/4	1 acre
SW 1/4 NW 1/4	22 acres		
SE 1/4 NW 1/4	20 acres	NW 1/4 SE 1/4	7 acres
		SW 1/4 SE 1/4	10 acres
NE 1/4 SW 1/4	23 acres	SE 1/4 SE 1/4	18 acres
NE 1/4 SW 1/4	11 acres	NE 1/4 SE 1/4	4 acres
		Total	124 acres

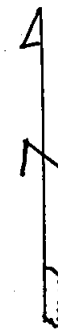
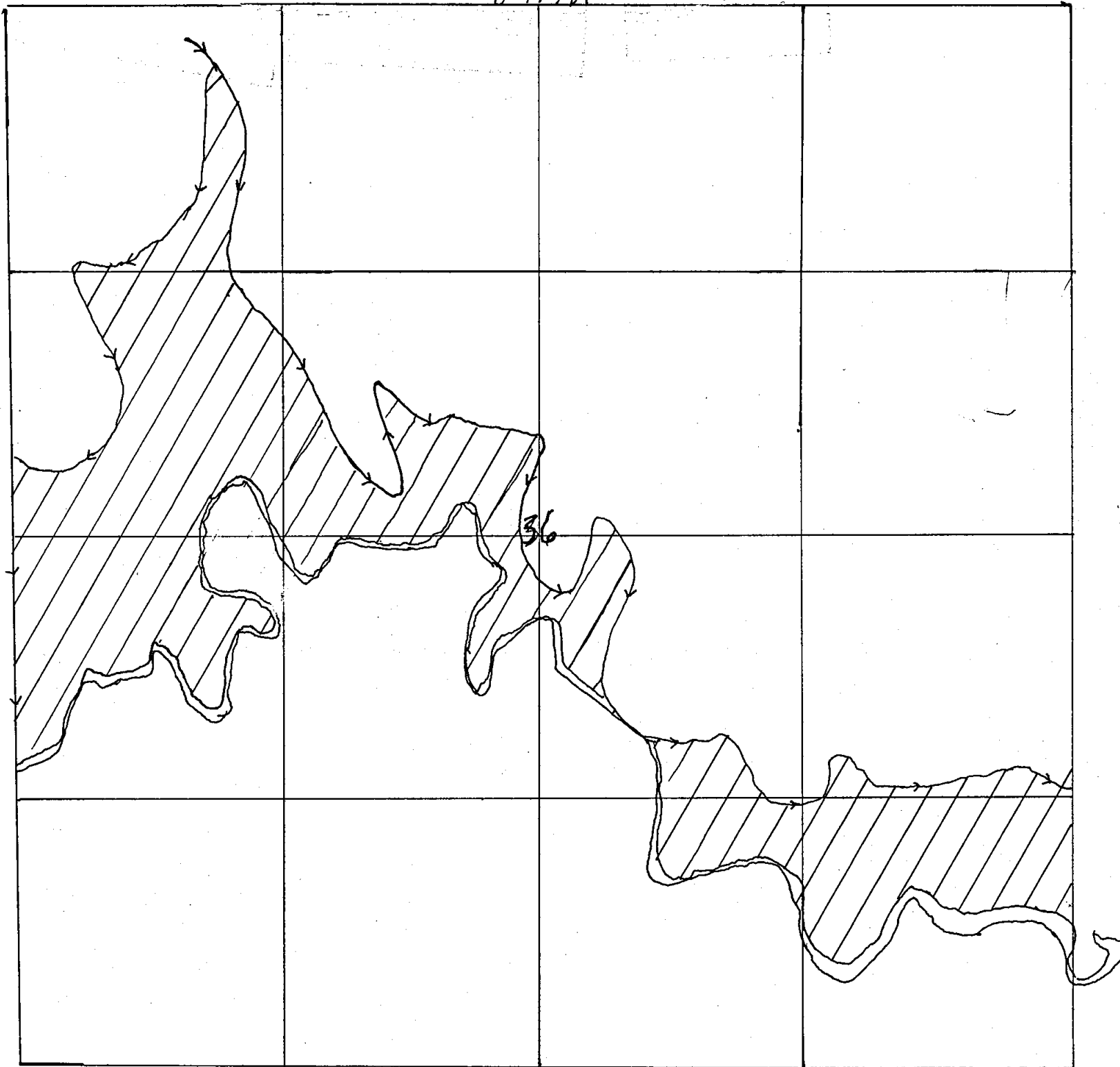
(3) Pursuant to Section 46-5-30.1 Lee Ahrlin, Triple T Ranch of 418 Fox Run Place the holder and/or owner of Vested Water Right No. 1052-2 is issued a license to appropriate 1.77 cubic feet of water per second from Rapid Creek with a priority date of January 1, 1938 from the location specified in (2) 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. 1052-2 and subject to South Dakota State Law.

 SEP 17 1993
JOHN HATCH, Chief Engineer
Water Rights Division
Department of Environment and Natural Resources

TIN

RBE

BHM



Walter C. Taylor

MAP NO 913-2
(APPL NO 1052-2)