

Considered: _____

V. R. Claim
WATER PERMIT NO. 2042-2

MAP No. same

Name of Applicant Everett Hill

Post Office Address 246 S. 8th St.
Box 727, Hot Springs, SD 57747

Amount of Water Claimed 3.48 cfs Total Acres 244

Source of Water Supply Skull Creek & dry draws 3 dams

Water to be used for irrigation County Fall River

About 3 1/2 miles N of Ardmore

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

F.F. & C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received August 31, 1987 Fee 15⁰⁰ Remarks _____

Corrected Application Received _____ Period of Annual Use Jan - Dec 31

WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point Dam No. 1: SW 1/4 NW 1/4 section 14;

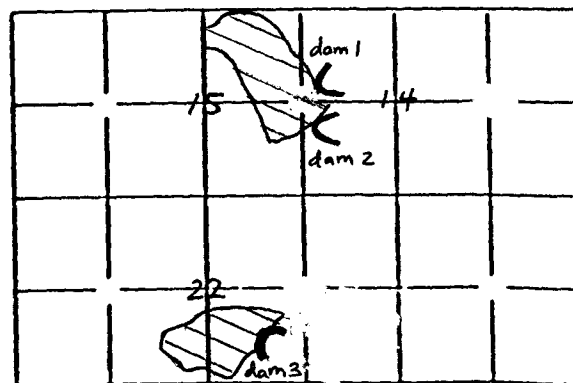
Dam No. 2: NW 1/4 SW 1/4 section 14; Dam No. 3:

E 1/2 SE 1/4 section 22; all in T11S - R4E

Land to be Irrigated NE 1/4, NE 1/4 SE 1/4 section 15;

SW 1/4 NW 1/4, NW 1/4 SW 1/4 section 14; SE 1/4, E 1/2 SW 1/4

section 22; all in T11S - R4E



Well Log: Driller NA Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map plat PREPARED BY Del Brosz Reviewed and the Number

assigned on November 13, 1987 By Ron Duval

(See instructions)

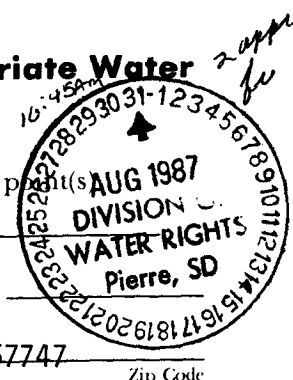
No. 2042-2 Hydrologic Unit 10120108
Basin Upper Cheyenne River
Newspaper Edgemont Herald-Tribune, Box 660

Application For Soil/Water Compatibility Permit and Permit To Appropriate Water

Type of Application: ☐ New ☒ Vested Right ☐ Amend Permit No. _____

☐ Change Acreage ☐ Change diversion point(s) ☐ Add diversion point(s)

☐ Add Acreage ☐ Increase diversion rate ☐ Other _____



1. Name of Applicant Everett Hill Phone No. _____
Post Office Address 246 South 8th Street
Box ~~727~~ Hot Springs, South Dakota State 57747 Zip Code
(Street, RR or Box) (City)

2. Amount of water claimed (c.f.s.) 3.48 Total acres irrigated 244

3. Source of Water supply Skull Creek and dry draws

4. Location of point of diversion Dam #1 - N68°E 725 ft from the West 1/4 Corner of Section 14;
Dam #2 - S55°E 800 ft from the West 1/4 Corner of Section 14; Dam #3 N56°W 1370'
from the SE Corner of Section 22; all in T11S, R4E County Fall River

5. Counties where water will be used Fall River

6. Annual period during which water is to be used January 1 - December 31

7. List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
SEE ATTACHMENT NO 1	

Land Description	No. Acres Irr.

Attach sheet if more space is needed

8. Type of Irrigation: Gravity: _____ Towline: _____ Center Pivot: _____ Gun: _____ (Specify) Water Spreading
Other: Water Spreading

9. Crops to be Irrigated: grass - pasture

10. Give a description of proposed project. (Attach sheet if more space is needed)

This is a water spreading system with three small dams that divert the water from dry draws onto grassland.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach maps, soils information and any other technical information.

STATE OF SOUTH DAKOTA)
County of Fall River)^{ss}

I, Everett Hill, the applicant, certify that I have read this application and examined the attached maps, that the water sample, if needed, has been taken by the required procedures and has not been adulterated or tampered with and is truly representative of the water to be used, and that the matters stated in this application are true and correct.

Signed Everett Hill

Subscribed and sworn to before me this 28th day of August 19 87

PATRICIA R. JACKSON, Notary Public
My Commission Expires 10-30-92

Patricia R. Jackson
Notary Public

<u>Land Description</u>	<u>No. of Acres Irrigated</u>
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 14, T11S, R4E	6
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, T11S, R4E	7
NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15, T11S, R4E	33
NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15, T11S, R4E	25
SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15, T11S, R4E	9
SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15, T11S, R4E	40
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 15, T11S, R4E	25
NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, T11S, R4E	10
SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, T11S, R4E	19
NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, T11S, R4E	27
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, T11S, R4E	27
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, T11S, R4E	14
SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 22, T11S, R4E	2
TOTAL	244 ACRES

VESTED WATER RIGHT

The Water Management Board hereby validates Vested Water Right No. 2042-2

Everett Hill
(applicant)

246 South 8th Street
(post office address)

Hot Springs, SD 57747
(state) (zip code)

Date of receipt of Application August 31, 1987.

Validated March 3, 1988.

The Water Management Board hereby validates the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Vested Water Right, subject, however, to the following limitations and conditions:

1. The date from which the applicant may claim right is Dec. 1, 1909 (2.07 cfs)
Oct. 5, 1949 (1.41 cfs).
2. The whole of said work has been completed and water has been applied to beneficial use as described on Form 2B of this application.
3. The water appropriated is used for the purpose of irrigation.
4. The prior rights 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 unlawfully impaired by this appropriation.
5. The amount of the appropriation hereby validated shall not exceed 3.48 cubic feet per second; neither shall it exceed the capacity of the above described water supply system nor shall it exceed the amount of water needed for beneficial uses served. For irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and 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 has been actually and beneficially applied for irrigation. The water is to be used during the following described annual period Jan 1 - Dec 31.

The applicable portions of Location Notice Nos. 199-2 and 699-2 have been incorporated into No. 2042-2 and the abandoned portions of Location Notice Nos. 199-2 and 699-2 have been cancelled.

WATER MANAGEMENT BOARD

By: John Hatcher

(Chief Engineer)

Division of Water Rights
Dept. of Water and Natural Resources

APR 28 1988

, 1988.

Affidavit of Water Use

No. _____

(Type or Print in Ink)

Note: This Form is supplemental to Form 2 and is to be used when an affidavit pertaining to construction and water use already constructed is needed, primarily with vested right claims.

**Affidavit Of Construction Of Water Use System
And Application Of Water To Beneficial Use**

Name of Applicant (Same as Form 2) Everett Hill
 Post Office Address Box 727, Hot Springs, South Dakota 57747
(Street, RR or Box) (State) (Zip Code)

 A. Notice of Appropriation Nov. 29, 1909 & Sept. 30, 1949 Date of Posting Aug. 26, 1907 & Sept. 30, 1949

 Date of recording Dec. 1, 1909 & Oct. 5, 1949 Recording date State of South Dakota
Where Book Page
B. Date of start of construction of water supply system 1913 & 1949C. Date that water was first applied to beneficial use 1915 & 1949D. Name of owner of original water supply system Maggie Madsen & Scott HillE. Amount of water originally applied to beneficial use 4 cfs + 5 ac-ftF. Present Use of Water - Amount of water now being used 3.5 cfsDate that this water was first used 1915 and 1949

G. Chronological History of Water Use

the two original dams in Section 14, T11S, R4E were constructed by Maggie Madsen. When these dams washed out they were replaced by the present dams around 1949 by Scott Hill. The system in section 22, T11S, R4E was completed in 1949 by Scott Hill. The land served by these projects is now owned by Everett Hill.

Attach to this Form 2B any copies of notices, postings, filings, publications, affidavits, or other records that apply. You may also attach any written statement by you, or by others, that you deem pertinent.

State of South Dakota)

SS

County of Fall River)

I, Everett Hill the applicant, certify that I have read the foregoing
(print or type)
 and that the matters therein stated are true.

 Signed Everett Hill
Subscribed and sworn to before me August 28, 1987

PATRICIA R. JACKSON, Notary Public

My Commission Expires 10-30-92

Patricia R. Jackson
 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.

Marie Hill 19____
(Print name)
Alan C. Hill 19____
(Print name)

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth of Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

2. Dugout Information Estimates

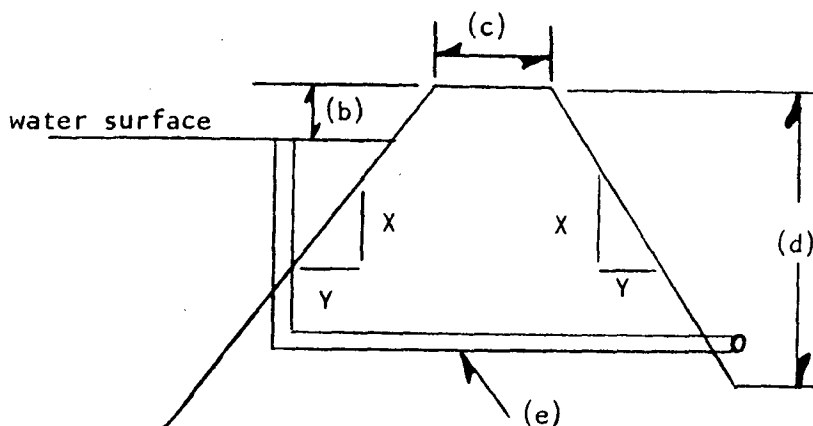
- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

DAM NO. 1

b) Freeboard 3'c) Crest Width 8'Crest Length 1100'd) Height 12'e) Outlet Dimensions: Pipe diameter NoneSpillway width 75'f) X & Y Slope Upstream 2:1Downstream 2:1Surface Area of Impoundment 2 acresStorage 7 acre feetDrainage area above dam 120 acres

Everett Hill
Signature of Applicant

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth of Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

DAM NO. 2

b) Freeboard _____ 4'

c) Crest Width _____ 10'

Crest Length _____ 1000'

d) Height _____ 20'

e) Outlet Dimensions:
Pipe diameter _____ None

Spillway width _____ 50'

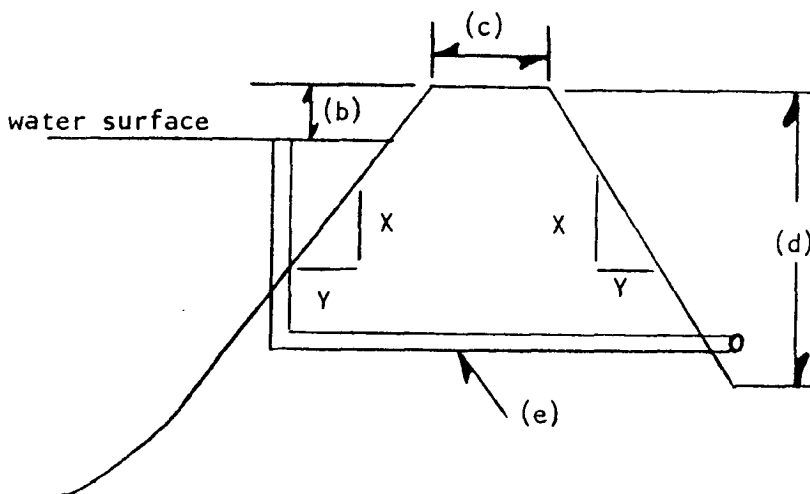
f) X & Y Slope
Upstream _____ 3:1

Downstream _____ 2:1

Surface Area of Impoundment _____ 4 acres

Storage _____ 18 _____ acre feet

Drainage area above dam _____ 1200 _____



Ernest Hill
Signature of Applicant

Supplemental Information

(type or print in ink)

1. Well Information - Proposed construction

- a) Drill Hole Diameter _____ Depth _____
- b) Casing Type _____ Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth of Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property _____ On property owned by others _____

2. Dugout Information Estimates

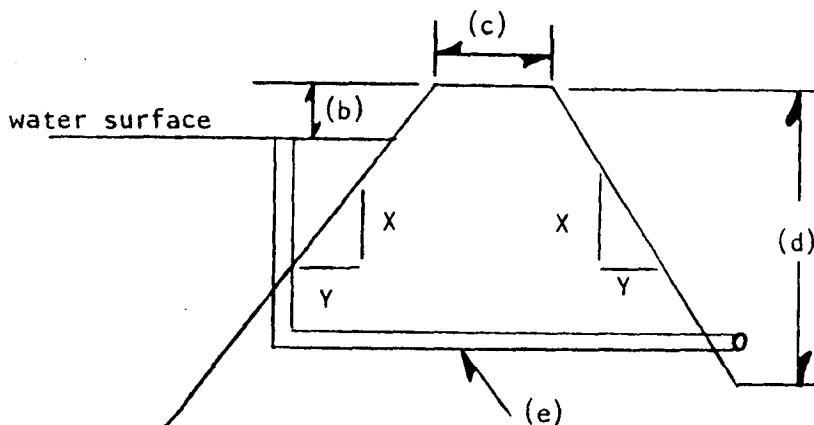
- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

- DAM NO. 3
- b) Freeboard 3'
- c) Crest Width 8'
- Crest Length 1375'
- d) Height 10'
- e) Outlet Dimensions: 16 inch
- Pipe diameter _____
- Spillway width 75'
- f) X & Y Slope 2:1
- Upstream _____
- Downstream 2:1



Surface Area of Impoundment 5 acres

Storage 14 acre feet

Drainage area above dam 400 acres

Everett Hill
 Signature of Applicant

State of South Dakota, }
County of Hughes, } ss

This certifies that Maggie Madsen whose post-office is Ardmore, Fall River County, South Dakota, has filed in this office a location notice of two dams for impounding flood waters, in accordance with the provisions of the water laws of the State of South Dakota.

Said dams are situated on Skull Creek, Dam No. 1 being in the S.W. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ of Sec. 14, T. 11 N., R. 4 E., B. H. M; and Dam No. 2 in the S.E. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ of Sec. 14, T. 11., R. 4 E. B.H.M; the lands to be irrigated being in the S.W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$, N.W. $\frac{1}{4}$ of S.W. $\frac{1}{4}$ of Section 14; S $\frac{1}{2}$ of N.E. $\frac{1}{4}$, N.E. $\frac{1}{4}$ of S.E. $\frac{1}{4}$, Township 11S., Range 4 E., B.H.M., Fall River County, So. Dakota; said lands comprising 200 acres of irrigable lands upon Desert Entry No. 801 as shown by the map accompanying her application.

The said Maggie Madsen has complied with the provisions of the water laws of South Dakota and the requirements of this office and is authorized to use sufficient water to irrigate the lands herein designated.

Witness my hand and official seal this 24th day of July 1908.

State Engineer.

Fall River
County

LOCATION NOTICE

St. Chayenne River
699-2
Dr. How Barker

1949
Program Year

RECEIVED
JUL 4 1949

KNOW ALL MEN BY THESE PRESENTS:

That Scott Hill owner of said reservoir
whose post office is Arborea, So. Dak., South Dakota, being in possession of the land covered by the above ACP farm serial number, of which the land upon which the works described below are to be constructed is a part, in Fall River County, South Dakota, availing him self of the right granted him under the provisions of Section 61.0131 South Dakota Code of 1939, has located and claims the right to construct a certain dam across a dry draw situated in the SE 1/4 of the SE 1/4 of Section 22 Township 11 Range 4E, and has located and claims the right to construct ditches and flumes for the purpose of directing flood waters from said dam for irrigation of the land first above described and for Live Stock Purposes, and claims the right of way across any land for the purpose of conveying water for said purposes.

Said locater claims for the above purpose 5.0 acre feet of water annually.

The location of the point of diversion of the reservoir is as follows:

From the SE corner of Sec 22-11-4, 30 rods north west on the line.
to the point of Diversion.

The ditch as will run in a South & Northwesternly direction to and on said land for a distance of 3486.0 feet.

Said location was made on the 30th day of September 1949
Witness my hand and seal this 30th day of September 1949

Locater

Herewith is enclosed one dollar for filing in the State Engineer's Office as required under Section 57.1206 of the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA,)
County of Fall River) ss.

On the 30th day of September 1949, before me
Clara M. Clay, a Notary Public in and for the County and State
aforesaid, personally appeared Scott Hill to me personally
known to be the person who executed the foregoing instrument and acknowledged
that he executed the same for the use and purposes therein set forth.

Witness my hand and official seal the day and date above written.

My commission expires 8-19-53

Clara M. Clay
Notary Public

LOCATION NOTICE

KNOW ALL MEN BY THESE PRESENTS:

That *Maggie Madson* . . . whose post office

is *Andover* . . . So. Dak., a citizen of the United States, above the age of 21 years, being in possession of the following described

land, to-wit: *1/4 Sec 15, T. 15 N., R. 10 E., S. 2* . . . Section *15*, and . . . township *15 N.* . . . range *10 E.* . . . B.W.M. in *Full River*.

County, South Dakota, availing *thru* self of the right granted *thru* under the provisions of Section 31 of Chapter 100 of the Session Laws of South Dakota of 1907, has located and claims the right to construct a *Certain Dam across a dry draw situated in the SE 1/4 of the SE 1/4* and another certain dam across a dry draw situated in the *SE 1/4 of the SE 1/4*,

Section *15*, township *15 N.*, range *10 E.* and has located and claims the right to construct ditches and flumes for the purpose of directing flood waters from said dam for irrigation of land first above described, and claims the right of way across any land for the purpose of conveying said waters for said purpose.

Said locator claims for the above purpose *Four* cubic feet of water per second during the following described annual periods,

From March 1st to Nov. 30th . . . inclusive, each year.

Said location was made on the *26th* day of *Aug.* . . 1907.

Witness my hand and seal this *22nd* day of *Dec.* . . 1907.

Maggie Madson . . .

State of South Dakota,)
County of *Full River* . . . ss

On the *22nd* day of *Dec.* . . , 1907. . . before me, . . .

J. B. Waller, a Notary Public in and for the County and State aforesaid, personally appeared *Maggie Madson* - to me personally known to be the person who executed the foregoing instrument and acknowledged th at he executed the same for the uses and purposes therein set forth.

Witness my hand and official seal, this day and date above written.

J. B. Waller . . .
Notary Public.

Pierre, So. Dak. *December 1st*, 1907.

This is to certify that the foregoing location notice was received at this office at *9* o'clock *A.* M. upon the *12th* day of *December* 1907. . . and after examination it was *filed for record*.

Samuel H. Lee . . .
State Engineer.

STATE OF SOUTH DAKOTA

VESTED RIGHT WATER LICENSE NO. 2042-2 FOR IRRIGATION

(1) Everett Hill of 246 South 8th St., Hot Springs, SD 57747 made Application No. 2042-2, for validation of a vested right claim to appropriate 3.48 cubic feet of water per second from Skull Creek and dry draws, Fall River County, South Dakota for irrigation purposes. Vested Water Right No. 2042-2 was validated March 3, 1988 with priority dates of (2.07 cfs) December 1, 1909 and (1.41 cfs) October 5, 1949. 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.

(2) The applicant is entitled to divert 3.48 cubic feet of water per second for beneficial use. The location of the diversion points are:

Dam #1: N68°E 725 ft from the West 1/4 corner Section 14;
Dam #2: S55°E 800 ft from the West 1/4 corner Section 14;
Dam #3: N56°W 1370 ft from the SE corner Section 22;
all in T11S, R4E

The location of the irrigated acreage is:

T11S, R4E Section 14	SW 1/4 NW 1/4	6.0	acres
	NW 1/4 SW 1/4	7.0	"
Section 15	NW 1/4 NE 1/4	33.0	"
	NE 1/4 NE 1/4	25.0	"
	SW 1/4 NE 1/4	9.0	"
	SE 1/4 NE 1/4	40.0	"
	NE 1/4 SE 1/4	25.0	"
Section 22	NE 1/4 SW 1/4	10.0	"
	SE 1/4 SW 1/4	19.0	"
	NW 1/4 SE 1/4	27.0	"
	SW 1/4 SE 1/4	27.0	"
	NE 1/4 SE 1/4	14.0	"
	SE 1/4 SE 1/4	2.0	"
	TOTAL	244.0	"

(3) Pursuant to Section 46-5-30.1 Everett Hill of 246 South 8th St., Hot Springs, SD 57747 the holder(s) and/or owner(s) of Vested Water Right No. 2042-2 is issued a license to appropriate 3.48 cubic feet of water per second from Skull Creek and dry draws with priority dates of (2.07 cfs) December 1, 1909 and (1.41 cfs) October 5, 1949 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. 2042-2 and subject to South Dakota State Law.



JOHN HATCH, Chief Engineer
Water Rights Division
Department of Water and Natural
Resources

APR 28 1988

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410072

Pierre, August 31, 1987

RECEIVED OF Everett Hill, Box 727, Hot Springs, SD 57747

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

Fee for Application for Permit No. <u>2042-2</u> to Appropriate Water, to construct works and to put water to beneficial use	15	00	VR
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 _____			
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	15	00

By John Hatch
Chief Engineer JOHN HATCH

ms

WATER RIGHTS DIVISION

(605) 773-3352

December 16, 1986

Everett Hill
Box 727
Hot Springs, South Dakota 57747

Dear Mr. Hill:

Enclosed are the application forms for a vested water right on your water spreading system near Ardmore, South Dakota. I completed forms 2 and 2A as best as I could and prepared a map of the area. Please review form 2, and 2A and the map. Make any changes that you believe need to be made.

You will need to complete Form 2B-Affidavit of Water Use. This form will be used to establish your priority date. You can use Location Notice No. 699-2 (A.C.P. No 47-024-2C-59) as documentation for dam No. 3. You will have to establish dates for dams No. 1 & 2. If Location Notice No. 199-2 applies, I don't think it does, you can use it as documentation.

All of the forms need to be signed in the presence of a notary and returned to this office with a filing fee of \$15.00. The map is yours to keep unless you make some changes on it. If you do, return it with the forms.

If I can answer any questions, please contact me.

Sincerely,

Delvin D. Brosz, P.E.
Hydrologist

DBB:ms
Enc.

March 31 1987



Helvin Broeg
Water Rights Division
Dear Mr. Broeg

I think this map is
pretty near right, I can tell pretty near
by old fences ^{that} were tore out.
This Maggie Madsen was my fathers sister,
They lost this land to Federal Land Bank,
We bought this land on Nov 1. 1951 from
my father, The dows + ditches were there
several years before this.

Yours Truly

Purett Hill

246 South 18th

Hot Springs
So. Dak

57747



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION
(605) 773-3352

July 14, 1987

Everett Hill
Box 727
Hot Springs, South Dakota 57747

Dear Mr. Hill:

Enclosed are the application forms for a vested water right claim on your water spreading system near Ardmore, South Dakota. I redid the forms so as to conform to your map. Please review all of the forms and make changes if needed.

All of the forms need to be signed in the presence of a notary and returned to this office with a filing fee of \$15.00. You will also be responsible for paying the cost of publication in the Hot Springs newspaper. You will be receiving instructions on this after you have returned the forms to us.

The maps are yours to keep. If I can answer any questions, please contact me.

Sincerely,

Delvin D. Brosz, P.E.
Hydrologist

DDB:ms
Enc.

LOCATION NOTICE

195

~~This is a~~
~~was submitted~~
~~to will be 1913-2~~

This Notice is in error
check original Notice

#199-2

KNOW ALL MEN BY THESE PRESENTS:

THAT Maggie Madsen whose post office is
Ardmore, South Dakota, a citizen of the United States, above the age of
21 years, being in possession of the following described land, to-wit: NW 1/4 NE 1/4 S 1/4 NE 1/4 SE 1/4 SW 1/4 NE 1/4 SW 1/4 section
Houston township Elexen South range Four East B. H. M.
in Fall River County, South Dakota. Said lands comprising Desert Entry No. _____
Land District, availing her self of the right granted her under the provisions
of Section 31 of Chapter 180 of the Session Laws of South Dakota of 1907, has located and claims the right to
construct a certain dam across a dry draw situated in the SE 1-4 of the SW 1-4 section Houston
township Elexen South range Four East and has located and claims the right to construct ditches and
flumes for the purpose of directing flood waters from said dam for irrigation of the land first above described, and
claims the right of way across any land for the purpose of conveying said waters for said purpose.

Said locator claims for the above purpose Four cubic feet of water per second during the following
described annual periods March 1st to November 30th inclusive, each year.

Said location was made on the 26th day of August 1917.

Witness my hand and seal this 29th day of November 1919.

Maggie Madsen

Locator.

STATE OF SOUTH DAKOTA }
COUNTY OF Fall River } ss

On the 29th day of November 1919, before me _____

J. B. Wallace, a Notary Public in and for the County and State aforesaid, personally
appeared Maggie Madsen to me personally known to be the person who executed
the foregoing instrument and acknowledged that he executed the same for the uses and purposes therein set forth.

Witness my hand and official seal, the day and date above written.

J. B. Wallace

Notary Public.

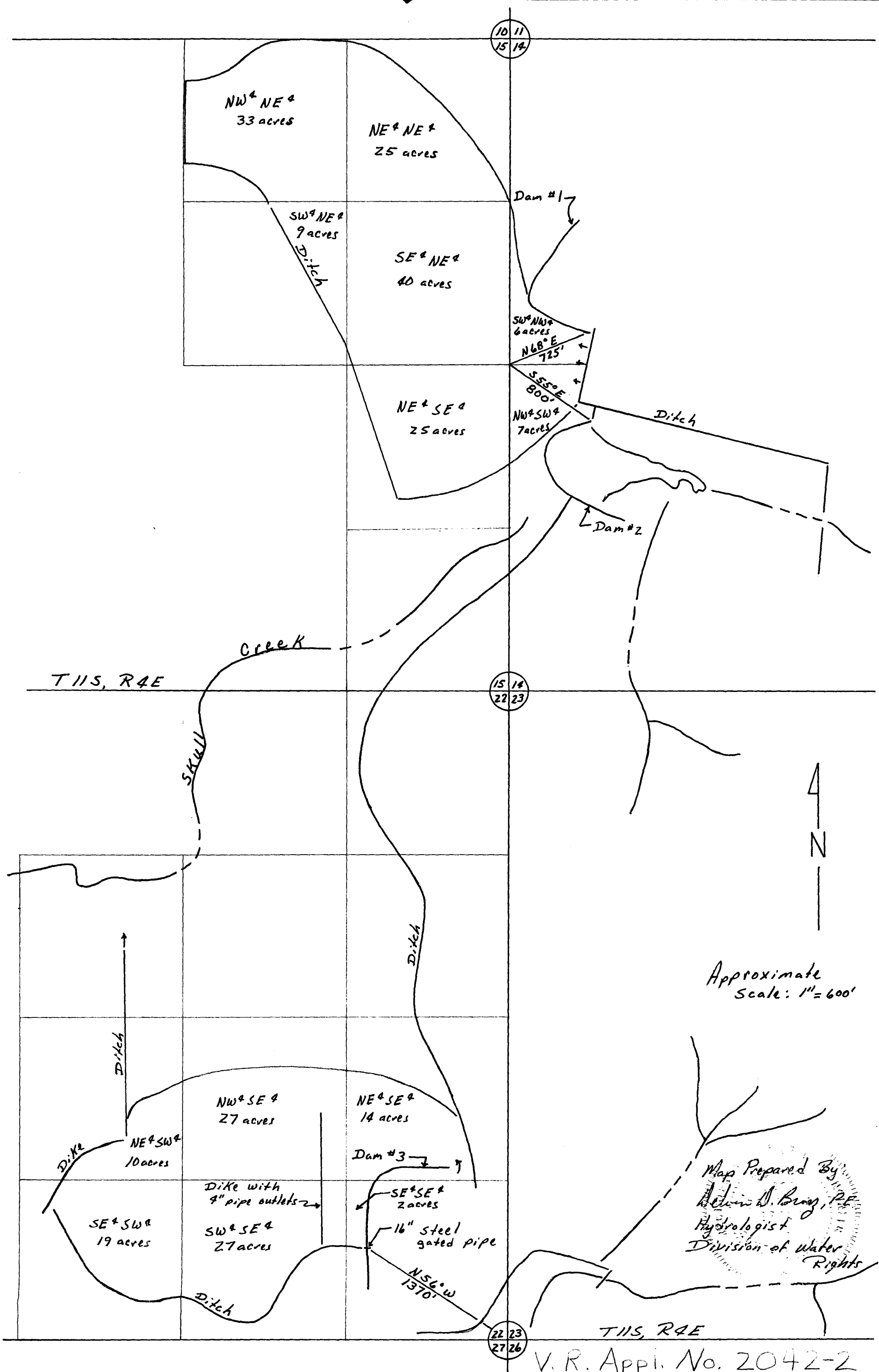
Pierre, South Dakota, December 15th 1919.

This is to certify that the foregoing location notice was received at this office at 9 o'clock a M.,
upon the 15th day of December 1919, and after examination it was filed for
record

Samuel H. Lee

State Engineer.

On Dec 10, 1913, an extension of Time for two (2) years was granted
in which to complete dam.



RECOMMENDATION OF CHIEF ENGINEER FOR VALIDATION OF VESTED WATER
RIGHT APPLICATION NO. 2042-2, Everett Hill

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Validation of Vested Water Right Application No. 2042-2, Everett Hill, Box 727, Hot Springs SD.

The Chief Engineer is recommending VALIDATION of Application No. 2042-2 for 3.48 cfs and that the applicable portions of Location Notices No. 199-2 and No. 699-2 have been incorporated into No. 2042-2 and the abandoned portions of Location Notice Nos. 199-2 and No. 699-2 have been cancelled, because 1) water has been appropriated as described for irrigation use with priority dates of December 1, 1909 for 2.07 cfs and October 5, 1949 for 1.41 cfs, 2) the use has been developed without unlawful impairment of existing rights, 3) the use is a beneficial use and 4) it is in the public interest.

See the attached report for additional information.



JOHN HATCH, Chief Engineer
October 21, 1987

Report on Vested Right Application No. 2042-2
Everett Hill
October 20, 1987

Application No. 2042-2 requests validation of a vested right claim for the appropriation of 3.48 cubic feet of water per second from dry draws to irrigate 244 acres. The water has been used since the system was constructed. The recording dates for the system are December 1, 1909 and October 5, 1949. The points of diversion are located in the SW 1/4 NW 1/4, NW 1/4 SW 1/4, Section 14 and the E 1/2 SE 1/4, Section 22, all in T11S, R4E. The irrigated acreage is located in the NE 1/4, NE 1/4 SE 1/4, Section 15; SW 1/4 NW 1/4, NW 1/4 SW 1/4, Section 14; SE 1/4, E 1/2 SW 1/4, Section 22; all in T11S, R4E.

Conclusions

1. The project is a water spreading system. It was inspected and found to exist as described.
2. Water has been put to beneficial use since the time that the system was constructed.
3. The priority dates for this vested water right claim should be December 1, 1909 for 2.07 cfs and October 5, 1949 for 1.41 cfs.
4. If Vested Water Right Application No. 2042-2 is validated, the applicable portions of Location Notice Nos. 199-2 and 699-2 should be incorporated into No. 2042-2 and the abandoned portions of Location Notice Nos. 199-2 and 699-2 cancelled.


DELVIN D BROSZ
Hydrologist III



Department of Water & Natural Resources

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

December 30, 1987

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

Everett Hill
Box 727
Hot Springs SD 57747

Dear Mr. Hill:

Your Application No. 2042-2 for a vested water right claim has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of your claim has been sent to the Publisher of the EDMONTON HERALD-TRIBUNE printed at Edgemont SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your notice of hearing to validate a vested right and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. We must receive Proof of Publication before the application can be considered by the Water Management Board.

Sincerely,

A handwritten signature in cursive script that reads "Ron Duvall".

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures



Department of Water & Natural Resources

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

December 30, 1987

EDGEMONT HERALD-TRIBUNE
Box 660
Edgemont SD 57735

Dear Sir:

Enclosed is a Notice of Hearing to Validate Vested Right Application No. 2042-2 to be published twice. Please publish the notice on or before January 13, 1988 with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Everett Hill, Box 727, Hot Springs SD 57747.

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. The permit application cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----

FIRST TRANSMITTAL NOTICE

TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to Validate A Vested Right Application which was first published in our issue of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first publication of the following Notice on or before January 13, 1988 with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING To Validate
Vested Right Application No. 2042-2 to Appropriate Water

Notice is hereby given that Everett Hill whose mailing address is Box 727, Hot Springs, South Dakota has filed an application to validate a vested right claim to appropriate a total of 3.48 cubic feet of water per second (cfs) from Skull Creek and dry draws to irrigate 244 acres via a waterspreading system with claimed priority dates of December 1, 1909 (2.07 cfs) and October 5, 1949 (1.41 cfs). The waterspreading system consists of 3 diversion dams with accompanying dikes and ditches. The dams (14, 18 and 7 acre-feet of storage) are located in the SW 1/4 NW 1/4, NW 1/4 SW 1/4 Section 14; and the E 1/2 SE 1/4 Section 22; all in T11S, R4E. The irrigated acreage is located in the NE 1/4, NE 1/4 SE 1/4 Section 15; SW 1/4 NW 1/4, NW 1/4 SW 1/4 Section 14; SE 1/4, E 1/2 SW 1/4 Section 22; all in T11S, R4E.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends VALIDATION of Vested Water Right Application No. 2042-2 for 3.48 cfs and that the applicable portions of Location Notices No. 199-2 and No. 699-2 be incorporated into No. 2042-2 and that the abandoned portions of Location Notices No. 199-2 and 699-2 be cancelled, because 1) water has been appropriated as described for irrigation with priority dates of December 1, 1909 for 2.07 cfs and October 5, 1949 for 1.41 cfs, 2) the use has been developed without unlawful impairment of existing rights, 3) it is a beneficial use of water and 4) it is in the public interest.

Validation of this application will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 East Capitol, Pierre SD at 10:00 am, March 2, 1988.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve validation, 2) approve the validation with qualifications, 3) defer, or 4) deny validation of the application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by February 19, 1988. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-18; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, 46-5-49; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15 and 74:02:01:19 thru 74:02:01:22.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by February 19, 1988.

AFFIDAVIT OF PUBLICATION

STATE OF SOUTH DAKOTA.
County of Fall River-ss.

BARB BRYAN

of said county being first duly sworn, on oath says that he is
the publisher of the

EDGEMONT HERALD-TRIBUNE

a weekly newspaper printed and published in Edgemont,
said county of Fall River, and has full and personal
knowledge of all the facts herein stated that said newspaper
is a legal newspaper and has a bona fide circulation of at
least two hundred copies weekly and has been published
within said County for fifty-two successive weeks prior to
the publication of the notice herein mentioned, and was
printed wholly or in part in an office maintained at said place
of publication; that the

Notice of Hearing

#6208



a printed copy of which, taken from the paper in which the
same was published, is attached to this sheet, and is made a
part of this affidavit, was published in said newspaper at
least once in each week for

Two successive weeks,
on the day of each week on which said newspaper was
regularly published, to-wit:

<i>Jan 6</i>	19 <i>88</i>	_____	19 _____
<i>Jan 13</i>	19 <i>88</i>	_____	19 _____
_____	19 _____	_____	19 _____
_____	19 _____	_____	19 _____
_____	19 _____	_____	19 _____
_____	19 _____	_____	19 _____

That the full amount of the fees for the publication of the
annexed notice is \$ *42.68*

Barb Bryan

Subscribed and sworn to before me this *27th*

day of *January*, 19 *88*

John C. Schroy
Notary Public.

County of Fall River, South Dakota

NOTICE OF HEARING To Validate Vested Right Application No. 2042-2 to Appropriate Water

Notice is hereby given that Everett Hill, whose mailing address is 246 South 18th, Hot Springs, South Dakota has filed an application to validate a vested right claim to appropriate a total of 3.48 cubic feet of water per second (cfs) from Skull Creek and dry draws to irrigate 244 acres via a waterspreading system with claimed priority dates of December 1, 1909 (2.07 cfs) and October 5, 1949 (1.41 cfs). The waterspreading system consists of 3 diversion dams with accompanying dikes and ditches. The dams (14, 18 and 7 acre-feet of storage) are located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14; and the E $\frac{1}{2}$ SE $\frac{1}{4}$, Section 22; all in T11S, R4E. The irrigated acreage is located in the NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15; SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 14; SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 22; all in T11S, R4E.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the WaterRights Division recommends VALIDATION of Vested Water Right Application No. 2042-2 for 3.48 cfs and that the applicable portions of Location Notices No. 199-2 and No. 699-2 be incorporated into No. 2042-2 and that the abandoned portions of Location Notices No. 199-2 and 699-2 be cancelled, because 1) water has been appropriated as described for irrigation with priority dates of December 1, 1909 for 2.07 cfs and October 5, 1949 for 1.41 cfs, 2) the use has been developed without unlawful impairment of existing rights, 3) it is a beneficial use of water and 4) it is in the public interest.

Validation of this application will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 East Capitol, Pierre, SD at 10:00 am, March 2, 1988.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve validation, 2) approve the validation with qualifications, 3) defer, or 4) deny validation of the application after it reaches a conclusion based upon facts presented at the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the applicant and the Chief Engineer by February 19, 1988. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-18; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, 46-5-49; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15 and 74:02:01:19 thru 74:02:01:22.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, Joe Foss Bldg., Pierre, SD (605-773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or person who has filed a petition to oppose or support application. The request for extension must be filed with the Chief Engineer by February 19, 1988.

(6208-1-2)

 **Department of
Water & Natural Resources**

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

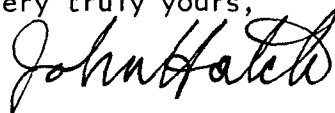
APR 28 1988

Everett Hill
246 South 8th Street
Hot Springs, South Dakota 57747

Dear Mr. Hill:

Enclosed are your Validated Vested Water Right and Water License No. 2042-2.
As long as you use the water beneficially, as stated in the Water License,
the 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

JH: ms

enclosures

Applicable portions of Location Notice Nos. 199-2 and 699-2 have been incorporated
into No. 2042-2 and the abandoned portions of Location Notice Nos. 199-2 and 699-2
have been cancelled.

Equal Opportunity Employer

SOUTH Dakota Department of
Water & Natural Resources

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

March 23, 1990

2042-2

NOTICE

TO: Everett Hill
246 SOUTH 8th ST
HOT SPRINGS, SD 57747

FROM: *for John O. Brosz*
JOHN HATCH, CHIEF ENGINEER
Water Rights Division
(605)773-3352

SUBJECT: Low Water Levels in Angostura Reservoir

The water level in Angostura Reservoir on March 6, 1990 was at 3171.1 feet above mean sea level (msl). This is approximately 16 feet below the full elevation of 3187.2 msl. The present estimates are that the Angostura Irrigation District will be able to deliver less than 50% of full service water to project lands during the 1990 irrigation season. We are contacting you to advise you of the actions we have taken due to the low water situation in Angostura Reservoir. Junior Water Right owners above Angostura have been ordered not to use water until Angostura fills.

Since your Water Right No. 2042-2 has a priority date that is senior to the April 11, 1941 priority for Angostura Irrigation Water Right No. 579-2, your permit is not directly affected by the Junior Priority Order. However, I am requesting that all Senior Water Right holders comply with any qualifications and limitations as stated on their water right. With the existing low runoff conditions, we expect to monitor all water rights above Angostura Reservoir.

I want to thank all Water Right Holders above Angostura for the cooperation that we have received up to this time. If you have any questions, please contact Del Brosz (605 773-3352).



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

September 28, 1993

John Miller
HC 46 Box 24
Oelrichs, SD 57763

Dear Mr. Miller:

Enclosed is a partially completed "Notice of Transfer of Ownership" for use in filing an ownership change with Vested Water Right No. 2042-2. The vested right is currently listed in the name of Everett Hill.

Gary Kruse, with the Soil Conservation Service, in Hot Springs contacted our office and requested a transfer form be mailed to you. I am including a copy of the vested right for you to keep for your files.

Please complete the transfer form and make any necessary corrections to the legal descriptions. Upon completion, please sign the form in the presence of a notary and return the form to our office along with a \$2.50 filing fee.

Upon receipt of the form and filing fee in our office, Vested Water Right No. 2042-2 will be transferred to your name. If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

April 25, 1995

2042-2

Rodney Vollmer, President
War Bonnet Ranch, Inc
PO Box 132
Murdo, SD 57559-0132

Dear Mr. Vollmer:

This letter is in reference to ownership of land described in Vested Water Right No. 2042-2. The vested right was formerly owned by Everett Hill. In October, 1993, John Miller filed a "Notice of Transfer of Ownership" for a portion of the land described in No. 2042-2. It is my understanding from a letter received from Mr. Miller and also from a telephone conversation of April 24, 1995 with someone from your office, that War Bonnet Ranch Inc. owns the remaining portion of the land described in the vested right.

I have enclosed copies of the Vested Water Right, map and the transfer form filed by John Miller. If you do own and irrigate the land (E 1/2 SW 1/4 and SE 1/4 Section 22, T11S, R4E), the vested right can be divided and reissued to reflect separate ownership. It is also my understanding that the land in Section 22 may no longer be irrigated. If this is the case, we would ask that you send us a letter stating the land is no longer being irrigated and the reason(s). Please include the legal descriptions of the acres not being irrigated and the diversion point location(s) no longer being used.

If after reviewing the enclosed information you feel the land is still irrigated when water is available, please complete the enclosed "Notice of Transfer of Ownership" form. The form must be signed in the presence of a notary public. Once completed, please return the form to our office with a required filing fee of \$2.50. Vested Water Right No. 2042-2 will then be divided and reissued as No. 2042A-2 and 2042B-2.

If I can answer any questions for you, please contact me.

Sincerely,

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

enclosures

May 23, 1996

Douglas Speidel
P. O. Box 87
Alzada, Montana 59311

Dear Mr. Speidel,

This letter is in reference to ownership of land described in Vested Water right No. 2042-2. The vested right was formerly owned by Everett Hill. In October, 1993, John Miller filed a "Notice of Transfer of Ownership" for a portion of the land described in No. 2042-2. It is my understanding from the Director of Equalization's Office in Hot Springs, SD that you have bought the remaining portion of the land described in the vested right from the War Bonnet Ranch, Inc.

I have enclosed copies of the Vested Water Right and the transfer form filed by John Miller. If you do own and irrigate the land E1/2 SW 1/4 and SE 1/4 Section 22, T11S, R4E, the vested right can be divided and reissued to reflect separate ownership. It is also my understanding that the land in Section 22 may no longer be irrigated. If this is the case, we would ask that you send us a letter stating the land is no longer being irrigated and the reason(s). Please include the legal descriptions of the acres not being irrigated and the diversion point location(s) no longer being used.

If after reviewing the enclosed information you feel the land is still irrigated when water is available, please complete the enclosed "Notice of Transfer of Ownership" form. The form must be signed in the presence of a notary public. Once completed, please return the form to our office with a required filing fee of \$2.50. Vested Water Right No. 2042-2 will then be divided and reissued as No. 2042A-2 and 2042B-2.

If I can answer any questions for you, please contact me.

Sincerely,

DelRon Peters
Natural Resources Eng. II
Water Rights Program
(605)394-2229

**DIVISION OF 2042-2
INTO NO. 2042A-2 AND 2042B-2**

Based on transfers of ownership, Vested Water License No. 2042-2 is being divided and reissued to reflect separate ownership as follows:

No. 2042A-2, John V & Lora J Miller – irrigation of 145 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 14; NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15; all in T11S-R4E – Priority date of December 1, 1909.

No. 2042B-2, Weinreis Brothers – irrigation of 99 acres in SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 22-T11S-R4E – Priority date of October 5, 1949.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

SEP 23 1998

Weinreis Brothers
PO Box 367
Minatare NE 69356

Dear Sirs:

Enclosed is Reissued Vested Right License No. 2042-2. Based on transfers of ownership, Vested Right License No. 2042-2 is being divided and reissued to reflect separate ownership as follows:

No. 2042A-2, John V & Lora A Miller – irrigation of 145 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 14; NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15; all in T11S-R4E – Priority date of December 1, 1909.

No. 2042B-2, Weinreis Brothers – irrigation of 99 acres in SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 22-T11S-R4E – Priority date of October 5, 1949.

As long as the water is used beneficially as stated in the Water License No. 2042B-2, South Dakota Water Laws provide that you have a continuing right to the use of the water.

Our records also show Weinreis Brothers as the owner of land covered by Vested Water Right No. 1974-2 which is land located in the E $\frac{1}{2}$ Section 33 and W $\frac{1}{2}$ Section 34; all in T11S-R3E.

If you have any questions, please contact this office.

Very truly yours,

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

ks

enclosure

c: Pat Donahue, w/receipt for payment of transfer fees