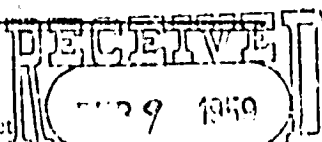
Water Division No. 2

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

STATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTASTATE WATER RESOURCES COMMISSION
PIERRE, SOUTH DAKOTA

APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

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

1. Name of applicant A.J. LandersPostoffice address Hot Springs, County Fall River, State So. Dak.

to clarify my rights, and establish my rights as owner of lands, formerly owned by James M. Brady and William Landers, Jr.

I. If a corporation

(a) Name of same

(b) Date and place of incorporation

(c) Amount of capital stock

(d) Amount paid in

(e) Names and addresses of directors

(NOTE--A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

(a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)

Direct labor.

(b) Cash on hand, \$

(c) Treasury stock, \$

(d) Bonds to be issued, \$

(e) Other resources, \$

2. Name of diversion work Landers #13. Amount of water claimed 3.0 cubic feet per second4. Source of water supply Hat Creek.5. Location of point of diversion See Attachment West side of Hat Creek in Section 36.T.9.S.R.4.E.on West bank Fall River County.6. Annual period or periods during which water is to be used Crop season

7. To be used for:

I. Irrigation or domestic use: Gravity overhead sprinkling or combination system? Gravity(a) Number of acres to be irrigated 220 211.4 acres in 24 & 80 A in Sec 13.(b) Legal subdivisions to be irrigated In Section 13 & 24 T.9.S.R.4. See Attachment

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

(c) Statement as to domestic use (giving location, etc.)

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

(a) Nature of use

Name any of the above uses claimed

(b) Amount of power to be generated None horse power.Amount claimed for engine cooling None(c) Location of plant None(d) Method of developing power Gravity flow.(e) Point where water will be returned to stream None returned except seepage.

8. Estimated cost of work:

(a) Head Gates, \$----- (b) Pumping plant, \$-----
 (c) Fluming, \$----- (d) Canal-earth, \$1,500.00 Rock, \$-----
 (e) Other structures Control dam & Pipe \$1,000.00 Total, \$2,500.00

9. Description of diversion works:

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

Control dam and ditches.

II. Dimensions of works:

(a) Dam: Height 15 feet; length at bottom 500 feet; length at top 450 feet; thickness at bottom 150 feet; thickness at top 10 feet; slope at front water face 4 to 1; slope at back face 1- to 1 material used in construction Dirt

(b) Reservoir: Capacity when filled -----acre feet. Surface area at highwater mark -----acres. Does not fill, has two foot free-board and water diverted.

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

2 two foot culverts.

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

(d) Canal: Total length 2 1/2 miles miles.

LOCATION BELOW HEADGATE	DEPTH	FOTTON 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 three years.

11. Time required for complete application of water to the proposed beneficial use 3 yrs years.

12. Choice of newspaper for publication of notice of intention to appropriate Hot Springs Star
Hot Springs, S.Dak.

STATE OF SOUTH DAKOTA

County of Fall River } ss.

I, A.J. Sanders, 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, examine the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed A.J. Sanders

Subscribed and sworn to before me this 6th day of February 1959

Wm J. Bishop
 Notary Public (or other qualified officer.)

Clerk of Courts Fall River Co, S.Dak.

Remarks by State Water Resources Commission:

'Vested Right Claimed'

This is a portion of water right 0610-2
issued to James M. Brady

STATE OF SOUTH DAKOTA
County of Hughes } ss.

Pierre, South Dakota, February 26, 1960

This is to certify that the foregoing application was received by the Commission at 10:00 o'clock
A. m. upon the 9th day of February, 1960

State Water Resources Commission

By:

John H. Miller

Chief Engineer, Executive Officer

Number of permit 5192

Date of first receipt of application February 9, 1959

Date of return to applicant for correction, amendments or changes required as follows: February 17, 1957

Date of receipt of corrected application February 27, 1957

Date from which applicant may claim right February 25, 1896

Approved February 26, 1960, Recorded in Book 5 Page 316

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 3.0 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion work, 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 February 25, 1896; said water ~~to be~~ used during the following described annual period:

during growing season

Witness my hand this 26th day of February, 1960

State Water Resources Commission

By:

John H. Miller

Chief Engineer, Executive Officer

Certificate of Construction Issued

February 26, 1960

Water License Issued

February 26, 1960

Area	Description	Acres
1.	SW 1/4 13-T9S-R4E	28.0
2.	SE SW	31.2
3.	SW SE	12.0
4.	NW NW 24 " "	18.0
5.	NE NW	31.2
6.	NW NE	1.6
7. SW 1/4	SW NW	14.0
8.	SE NW	22.8
9.	SW NE	2.0
10.	NW SW	21.2
11.	NE SW	22.0
12.	NW SE	3.6
13.	SW SE	3.2

Point of diversion for A.J. Sanders
Vested Right

from the NE corner of section 36-
T9S and R4E; B.H.M.

West, 120 rods 11° South,

STATE OF SOUTH DAKOTA

WATER LICENSE No. . . . 519-2 . . .

WHEREAS, On the 9th day of February A. D. 1959

A. J. Landers

of Exc. Springs County of Fall River and State of South Dakota duly made application (No. 519-2) to us for a vested right 1.7 cubic feet per second of the waters of Hat Creek County of Fall River, State of South Dakota, for irrigation purposes; and

WHEREAS, On the 26th day of February A. D. 1960

vested right

Permit No. 519-2 was issued to said applicant... for the diversion of said water, and recognizing the completion of the works of diversion therein described xxxxxx xxxxxx xxxxxx xxxxxx xxxxxx and for the application to beneficial use of said water xxxxxx xxxxxx xxxxxx xxxxxx xxxxxx

WHEREAS, On the 9th day of February A. D. 1959

the holder... of said permit duly made proof of the completion of adequate works for the diversion of 1.7 cubic feet per second of said waters, as evidenced by our Certificate No. 519-2 dated February 26, 1960 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 3.0 cubic feet per second of water, with date of priority of February 25, 1896 xxxx and,

WHEREAS, On the 9th day of February A. D. 1959

proof was duly made of the application to beneficial use of 3.0 cubic feet per second of said water, for irrigating 211.4 as shown on Certificate of Completion of Works

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 A.J. Landers
of Hot Springs the holder and owner of ^{vested right} said permit No. 19-2
a water right, dating from February 25, 1896 to the use of 3.0
cubic feet per second of the waters of Hot Creek
In the County of Fall River and State of South Dakota, or so much thereof as may be
necessray for the purposes hereinbelow mentioned, to be diverted at a point S 11° W 120 rods from the
NE Corner of Sec 36 T 9S, R 4E
and conducted to and upon lands in Sections 21 & 13, more specifically described
in 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, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 26th day of February A. D. Nineteen
Hundred and sixty

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. 519-2.

Water Division No. 2 South Cheyenne River

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That A. J. Lauferof Hot Springs, County of Fall River, and State ofSouth Dakota, the holder of vested right Permit No. 519-2, Issued upon ApplicationNo. 519-2, bearing date of priority of February 25, 1896, authorizing the diversion of1.7 cu. ft. per second of the waters of Hot CreekCounty of Fall River, State of South Dakota, at a point 3.11 degreesN 120 rods from the NE corner of Sec 36, T 9S, R 4Efor irrigation

purposes, has A fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said vested right permit; that said works are recognized as satisfactory condition for diverting and conveying to the place of intended use 3.0 cu. ft.

per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

all in T 9S R 4E

Sec 13	SW $\frac{1}{4}$ SW $\frac{1}{4}$	28.0 acres
Sec 13	SE $\frac{1}{4}$ SW $\frac{1}{4}$	31.2 acres
Sec 13	SW $\frac{1}{4}$ SE $\frac{1}{4}$	12.0 acres
Sec 24	NW $\frac{1}{4}$ NW $\frac{1}{4}$	18.0 acres
Sec 24	NE $\frac{1}{4}$ NW $\frac{1}{4}$	31.8 acres
Sec 24	NW $\frac{1}{4}$ NE $\frac{1}{4}$	1.6 acres
Sec 24	SW $\frac{1}{4}$ NW $\frac{1}{4}$	11.0 acres
Sec 24	SE $\frac{1}{4}$ NW $\frac{1}{4}$	22.8 acres
Sec 24	SW $\frac{1}{4}$ NE $\frac{1}{4}$	2.0 acres
Sec 24	NW $\frac{1}{4}$ SW $\frac{1}{4}$	21.2 acres
Sec 24	NE $\frac{1}{4}$ SW $\frac{1}{4}$	22.0 acres
Sec 24	NW $\frac{1}{4}$ SE $\frac{1}{4}$	3.6 acres
Sec 24	SW $\frac{1}{4}$ SE $\frac{1}{4}$	3.2 acres

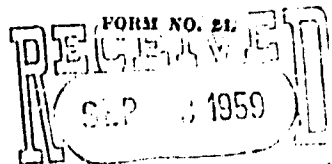
Witness my hand this 26th day of February A. D. 19. 60

State Water Resources Commission

By:

J.W. GRIMES,

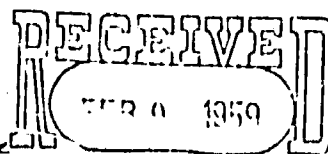
Chief Engineer, Executive Officer



Location No. 579-2

Water Division No. 2

South Cheyenne
River Water District



STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTA

STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTA

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

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

Ans. A.J.Landers, Hot Springs, Fall River Co, S.Dak.

Occupation Rancher and Farmer.

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

Ans. _____

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

Ans. _____

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

Ans. West bank of Hat Creek in Sec 36. T.9.S.R.4 E.

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. Have diversion dam and two foot free-board. About 2 1/2 miles of dirt canal.

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. For irrigation during growing season. Irrigate about 120 acres in Section 24 and about 80 acres in Sec 13. T.9.S.R.4.E.B.H.M.

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

Ans. NIL;-

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

Ans. Dont know

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. Original permit was issued to James M.Brady No 0610-2 and one to my father William Landers, Sr.

Ques. 10. State when, how, in what amount and to what extent, the water diverted under above mentioned permit has been used.

Ans. To some extent since 1896 , whenever water has been available.

(Sign)

A. J. Landers

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 Hot Springs, County of Fall River

State of South Dakota, on this 6th day of February A. D. 1959

Witnesses.

W. J. Fisher
Clerk of Courts, Fall River Co., S. Dak.

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 -----

March 19, 1965

Mr. Laurence T. Price
Tri State Company
Box 727
Newcastle, Wyoming 82701

Dear Mr. Price:

Per your request, we are sending you a print of the sketch map received with Mr. Landers' vested right application. Also enclosed are the necessary forms.

It should be pointed out that the United States, through the Bureau of Reclamation, has a prior right to the flows of the Cheyenne River and Hat Creek for storage in Angostura Reservoir under U. S. Withdrawal #579-2.

Should you have further questions, feel free to contact this office.

Sincerely,

BURTON F. JONES
Water Right Specialist

BFJ:mf

Encls: Sketch Map
Form 2 (2)
Instruction Sheet
Water Laws

Water Rights Division - DWR

File No. 0610-2

Conversation or File Documentation

NAME OF PERSON OR FILE: Ralph Landers - Star Cattle Co.ADDRESS: Star Rt, Box 159B, Hot Springs, ^{SD} COUNTY Fall RiverDATE: Nov. 6, 1988 TELEPHONE _____RE: Water Right Filing 0610-2 and Water Right 519-2

COMMENTS:

Water Right Filing 0610-2 has been used for
Vested Right 519-2. It should be incorporated with
519-2. I discussed this with Mr. Landers on
Oct. 31, 1988. The irrigation system is still
operating as outlined in the Water License 519-2.

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: Delvin D. Burg, P.E.
Hydrologist

South Dakota Department of
Water & Natural Resources

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

September 21, 1988

NOTICE

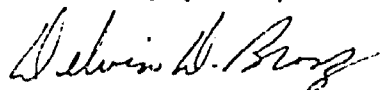
A.J. Landers
% Ralph Landers
St Rt, Box 1598
Hot Springs SD 57747

Dear Mr. Landers:

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). 519-2 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,

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



SOUTH



Department of Water & Natural Resources

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

December 1, 1988

Vested Water Right
Claim No. 519-2

A.J Landers
% Ralph Landers
St Rt, Box 159B
Hot Springs SD 57747

Dear Mr. Landers:

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

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

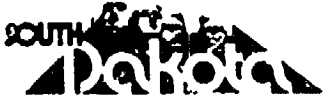
If we can answer any questions, please contact us.

Very truly yours,

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

cc: Bruce Laymon, Bureau of Reclamation





Department of Water & Natural Resources

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

March 23, 1990

519-2

NOTICE

TO: A J Landers
HOT SPRINGS, SD 57747

FROM: *for Delvin D. 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. 519-2 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).

South Dakota

GREAT FACES. GREAT PLACES.

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

May 15, 1991.

A. J. Landers
% Ralph Landers
Star Route, Box 159B
Hot Springs, SD 57747

Dear Mr. Landers:

On the morning of April 14, 1991, we were notified that you were pumping water from the Cheyenne River for irrigation. Del Brosz, from this office called you that afternoon and informed you that you were in violation of your water rights. Vested Right Claim No. 519-2 is for diversion from Hat Creek and is senior to the Angostura Water Right. Water Right No. 866-2 is for diversion from the Cheyenne River and is junior to the Angostura Water Right.

You were informed by Notice on March 19, 1990 and March 14, 1991 not to divert from the Cheyenne River until Angostura Reservoir has filled. Subsequent violations of your water rights will result in a hearing before the Water Management Board. The Water Management Board can suspend a water right, if the holder violates conditions of the right.

If you have any questions, please contact Del Brosz, Division of Water Rights, 523 East Capitol, Pierre, SD 57501. Phone - (605) 773-3352.

Very truly yours,

John Hatch

John Hatch, Chief Engineer
Division of Water Rights

cc: Angostura Irrigation District

John Hatch
Notary Public



JUN 29 1991

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

A. J. Landers
St Rt, Box 159B
Hot Springs SD 57747

Dear Mr. Landers:

The Water Management Board has validated the enclosed Vested Water Right No. 519-2. 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 point of diversion.

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. 519-2 FOR IRRIGATION

Date of Receipt of Claim February 9, 1959.

Date of Validation May 6, 1992.

The Water Management Board validated Vested Water Right Claim No. 519-2 for irrigation purposes for A.J. Landers, St R., Box 159B, Hot Springs SD 57747 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 519-2 appropriates 3.0 cubic feet of water per second from Hat Creek located in the NW 1/4 NE 1/4 Section 36; to irrigate 211.4 acres located in the S 1/2 SW 1/4, SW 1/4 SE 1/4 Section 13; NW 1/4, W 1/2 NE 1/4, N 1/2 SW 1/4, W 1/2 SE 1/4 Section 24; all in T9S-R4E.
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 February 25, 1896.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: _____


Chief Engineer

JUN 29 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources

STATE OF SOUTH DAKOTA

VESTED RIGHT WATER LICENSE NO. 519-2 FOR IRRIGATION

(1) A. J. Landers of St. Rt. Box 159B, Hot Springs, SD 57747 made Application No. 519-2, February 9, 1959 for validation of a vested right claim to appropriate 3.00 cubic feet of water per second from Hat Creek, Fall River County, South Dakota for irrigation purposes. Vested Water Right No. 519-2 was validated May 6, 1992 with a priority date of February 25, 1896. 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.

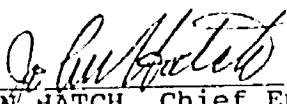
A July 31, 1990, inspection of Vested Right Claim No. 519-2 found the water use system to exist as described in the claim. However, the diversion point location was incorrectly described in the original water license, dated February 26, 1960. The water license is being reissued to correct the error.

(2) The applicant is entitled to divert 3.0 cubic feet of water per second for beneficial use. The location of the diversion point is W 11 degrees S 120 rods from the NE corner of Section 36, T9S, R4E

The location of the irrigated acreage is:

T9S, R4E Section 13	SW 1/4 SW 1/4	28.0 Acres
	SE 1/4 SW 1/4	31.2 Acres
	SW 1/4 SE 1/4	12.0 Acres
Section 24	NW 1/4 NW 1/4	18.0 Acres
	NE 1/4 NW 1/4	31.8 Acres
	SW 1/4 NW 1/4	14.0 Acres
	SE 1/4 NW 1/4	22.8 Acres
	NW 1/4 NE 1/4	1.6 Acres
	SW 1/4 NE 1/4	2.0 Acres
	NW 1/4 SW 1/4	21.2 Acres
	NE 1/4 SW 1/4	22.0 Acres
	NW 1/4 SE 1/4	3.6 Acres
	SW 1/4 SE 1/4	3.2 Acres
	Total-----	211.4 Acres

(3) Pursuant to Section 46-5-30.1 A. J. Landers of St. Rt. Box 159B, Hot Springs, SD 57747 the holder(s) and/or owner(s) of Vested Water Right No. 519-2 is issued a license to appropriate 3.00 cubic feet of water per second from Hat Creek with a priority date of February 25, 1896 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. 519-2 and subject to South Dakota State Law.


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

JUN 29 1992

Water Rights Division - DWR
Conversation or File Documentation

File No. 519-2

NAME OF PERSON OR FILE: A. J. Landers

ADDRESS: St. Rt. Box 159B, Hot Springs, SD COUNTY Fall River

DATE: August 15, 1990 TELEPHONE _____

RE: Inspection of Vested Water Right Claim No. 519-2

COMMENTS:

I inspected this claim on July 31, 1990 and was accompanied on the inspection by Ralph Landers. The diversion point is incorrectly described on the Water Licence. The correct location is: W 11° S 120 rods from the NE corner of Sec 36, T9S, R4E. This location is in the NW 1/4 NE 1/4 of section 36 and was correctly advertised in the publication notice. The diversion point consists of a 100 foot channel from Hat Creek to a gated 36" Cmp which controls the water that flows through the diversion ditch. The irrigated lands are located as described on the claim.

The Water Licence needs to be reissued after the claim has been validated.

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.

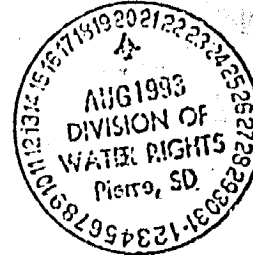
NAME: Alvin H. Burg, P.E.
N.R. Engineer

WTR 4.10
BF-430

TAKE PRIDE IN AMERICA

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

AUG 18 1993



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

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

Dear Mr. Hatch,

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

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

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

Sincerely,

Bruce M. Laymon
Project Manager

cc: Mr. Joe Kramer, Manager
Angostura Irrigation District
PO Box 346
Oral SD 57756

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