

No. 542-2
 Water Division No. 2 White River District
 (Blanks to be filled by the Engineer for the W. R. C.)

STATE WATER RESOURCES COMM.
 PIERRE, SOUTH DAKOTA

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

Box 29

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

1. Name of applicant J. Ray Harrison JAMES M. WHITE
Route 4 Chadron, Nebr.
 Postoffice address Mailing Address, County Fall River, State S.D.

I. ~~Not a corporation~~

(a) ~~Name of corporation~~

(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)

Already completed

(b) ~~Cash on hand, \$~~

(c) ~~Treasury stock, \$~~

(d) ~~Bonds to be issued, \$~~

(e) ~~Other resources, \$~~

2. Name of diversion work Harrison Diversion No. 1

3. Amount of water claimed 4.52 cubic feet per second 506.6 Acre Feet

4. Source of water supply Surface runoff from local watersheds

5. Location of point of diversion from NE corner Sec. 26 T. 10 S. R. 9 E BLM 135 rods
West, 11° South on both bank Fall River County.

6. Annual period or periods during which water is to be used Whenever flow occurs during annual
period

7. To be used for:

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

- (a) Number of acres to be irrigated 302.2 acres.

(b) Legal subdivisions to be irrigated See attached 1/16 Sec. map
 (NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

- (c) Statement as to domestic use (giving location, etc.) None

II. ~~Not related to irrigation, mining, milling, power, fish culture, fire protection and public recreation:~~

- (a) ~~Not related to irrigation, mining, milling, power, fish culture, fire protection and public recreation:~~
 Name any of the above uses claimed

- (b) ~~Amount of power to be generated~~ hydro power
~~Amount claimed for engine cooling~~

- (c) ~~Location of plant~~

- (d) ~~Method of developing power~~

- (e) ~~Plant subject to be sold or returned to stream~~

8. Estimated cost of work:

(a) Head Gates, \$----- (b) Pumping plant, \$-----
 (c) Fluming, \$----- (d) Canal earth, \$----- Rock, \$-----
 (e) Other structures ----- \$----- Total, \$-5,700.00

9. Description of diversion works:

I. Nature of works: (Reservoir, dam, ditch, flume, pumping plant, etc.)
Diversion from stream directly into spreading area, then through a system of ditches and dikes, to complete the coverage.

II. Dimensions of works:

(a) Dam: Height 12.6 feet; length at bottom 81 feet; length at top 139 feet; thickness at bottom 73 feet; thickness at top 10 feet; slope at front water face 3 to 1; slope at back face 2 to 1
 material used in construction earth
 (b) Reservoir: Capacity when filled No storage 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 ----- feet; height ----- feet;

Material -----

(d) Canal: Total length None used 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 ----- years.

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

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

STATE OF SOUTH DAKOTA

County of Lincoln

ss.

I, J. Ray Harrison, 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

J. Ray Harrison

Subscribed and sworn to before me this 11 day of June 1957

Wm. W. Wray
 Notary Public (or other qualified officer.)

Remarks by State Water Resources Commission:

"Vested Right Claimed"

The diversion rate limitation of 1 cubic foot per second for each 70 acres irrigated shall not apply to this Dry Draw irrigation diversion during periods of flood flows, when such flows are in excess of the amount of water required to satisfy domestic use requirements and other water rights.

STATE OF SOUTH DAKOTA
County of Hughes ss.

Pierre, South Dakota, January 11, 1960

This is to certify that the foregoing application was received by the Commission at 10:10 o'clock A.m. upon the 11 day of June, 1959

State Water Resources Commission

By: [Signature]

Chief Engineer, Executive Officer

Number of permit 545-2

Date of first receipt of application June 11, 1959

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

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right 1950, 19____

Approved January 11, 1960, Recorded in Book 5 Page 295

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~~ _____, 19____

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is completed, 19____

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 4.31 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 1950; said water to be used during the following described annual period:

During growing season

Witness my hand this 11 day of January, 1960

State Water Resources Commission

By: [Signature]

Chief Engineer, Executive Officer

Certificate of Construction issued January 11, 1960

Water License issued January 11, 1960

Arer. No.	Legal Description	Acres
1.	NW NE Sec. 26	10.8
2.	NE NE	28.0
5.	SW NE	8.0
6.	SE SE	20.0
9.	NW SE	24.4
10.	NE SE	18.0
3.	NW NW Sec. 25	30.8
4.	NE NW	22.0
7.	SW NW	25.2
8.	SE NE	11.2
11.	NW SW	25.8
12.	NE SW	30.2
13.	SE SW	12.0
14.	NE NW Sec. 36	30.2

All descriptions above are located in T 10 S R 9 E BHM

STATE OF SOUTH DAKOTA

WATER LICENSE No... 545-2 ...

WHEREAS, On the 11th day of June A. D. 1959

J. Ray Harrison

of Chadron ~~Nebraska~~ and State of Nebraska duly made application (No. 545-2) to us for Vested Right permit to use 4.31 cubic feet per second of the waters of dry draws County of Fall River, State of South Dakota, for irrigation purposes; and

WHEREAS, On the 11th day of January A. D. 1960
Vested Right Permit No. 545-2 was issued to said applicant... for the diversion of said water, and recognizing ~~XXXXXX~~ the completion of the works of diversion therein described ~~XXXXXX~~ the ~~XXXXXX~~ ~~XXXXXX~~ and ~~XX~~ the application to beneficial use of said water ~~XXXXXX~~ ~~XXXXXX~~ ~~XXXXXX~~ and,

WHEREAS, On the 11th day of June A. D. 1959
Vested Right the holder... of said permit duly made proof of the completion of adequate works for the diversion of 4.31 cubic feet per second of said waters, as evidenced by our Certificate No. 545-2 dated January 11, 1960 confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 4.31 cubic feet per second of water, with date of priority of 1950 ~~XXXX~~ and,

WHEREAS, On the 11th day of June A. D. 1959
 proof was duly made of the application to beneficial use of 4.31 cubic feet per second of said water; to be used for irrigating 302.2 acres on portions of Sec. 25, 26, and 36, T 10 S, R 9 E.

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 J. Ray Harrison Vested Right
of Chadron, Nebraska the holder and owner of salv permit No. 545-2
a water right, dating from 1950 to the use of 4.31
cubic feet per second of the waters of dry draws
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 W 11° S 135 rods
from the NE corner Sec. 26, T 10 S, R 9 E
and conducted to and upon portions of Sec. 25, 26, & 36, T 10 S, R 9 E, more
specifically described in Certificate of Completion of Works 545-2
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 11th day of January 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. 545-2Water Division No. 2 White River Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That J. Ray Harrisonof Chadron, ~~Nebraska~~ Vested Right, and State of Nebraska, the holder of Permit No. 545-2, issued upon Application No. 545-2, bearing date of priority of 1950 authorizing the diversion of4.31 cu. ft. per second of the waters of dry drawsCounty of Fall River, State of South Dakota, at a point W 11° S 135 rods from the NE corner Sec. 26, T 10 S, R 9 Efor irrigationpurposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are recognized as satisfactory~~XXXXXX~~ for diverting and conveying to the place of intended use 4.31 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 10 S, R 9 E

NW 1/4 <u>NE 1/4</u>	<u>Sec. 26</u>	<u>10.8</u>	<u>acres</u>
NE 1/4 <u>NE 1/4</u>	<u>Sec. 26</u>	<u>28.0</u>	<u>"</u>
SW 1/4 <u>NE 1/4</u>	<u>Sec. 26</u>	<u>6.0</u>	<u>"</u>
SE 1/4 <u>SE 1/4</u>	<u>Sec. 26</u>	<u>38.0</u>	<u>"</u>
NW 1/4 <u>SE 1/4</u>	<u>Sec. 26</u>	<u>20.0</u>	<u>"</u>
NE 1/4 <u>SE 1/4</u>	<u>Sec. 26</u>	<u>24.4</u>	<u>"</u>
NW 1/4 <u>NW 1/4</u>	<u>Sec. 25</u>	<u>18.0</u>	<u>"</u>
NE 1/4 <u>NW 1/4</u>	<u>Sec. 25</u>	<u>30.8</u>	<u>"</u>
SW 1/4 <u>NW 1/4</u>	<u>Sec. 25</u>	<u>22.0</u>	<u>"</u>
SE 1/4 <u>NW 1/4</u>	<u>Sec. 25</u>	<u>25.2</u>	<u>"</u>
NW 1/4 <u>SW 1/4</u>	<u>Sec. 25</u>	<u>11.2</u>	<u>"</u>
NE 1/4 <u>SW 1/4</u>	<u>Sec. 25</u>	<u>25.6</u>	<u>"</u>
SE 1/4 <u>SW 1/4</u>	<u>Sec. 25</u>	<u>30.2</u>	<u>"</u>
NE 1/4 <u>NW 1/4</u>	<u>Sec. 36</u>	<u>12.0</u>	<u>"</u>
		<u>302.2</u>	<u>acres</u>

Witness my hand this 11th day of January A. D. 19 60

State Water Resources Commission

By: J. W. GRIMES,

Chief Engineer, Executive Officer

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Resources Commission
State Office Building No. 2
Pierre, South Dakota 57501

Date February 11, 1970

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

Portions of the NE $\frac{1}{4}$ and SE $\frac{1}{4}$, Section 26, NW $\frac{1}{4}$ and SW $\frac{1}{4}$, Section 25 and

NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 36, 110S, R9E, described in Water Right 545-2.

formerly owned by J. Ray Harrison, Chadron, Nebraska

has been transferred to James M. White, Chadron, Nebraska

together with any rights to the beneficial use of water thereon as evidenced by Water Right Permit No. 545-2 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 Resources Commission as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

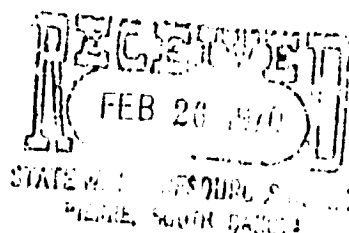
STATE OF SOUTH DAKOTA)
County of Fall River) ss.

I, James M. White, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and I know of my own personal knowledge that the information herein stated is true.

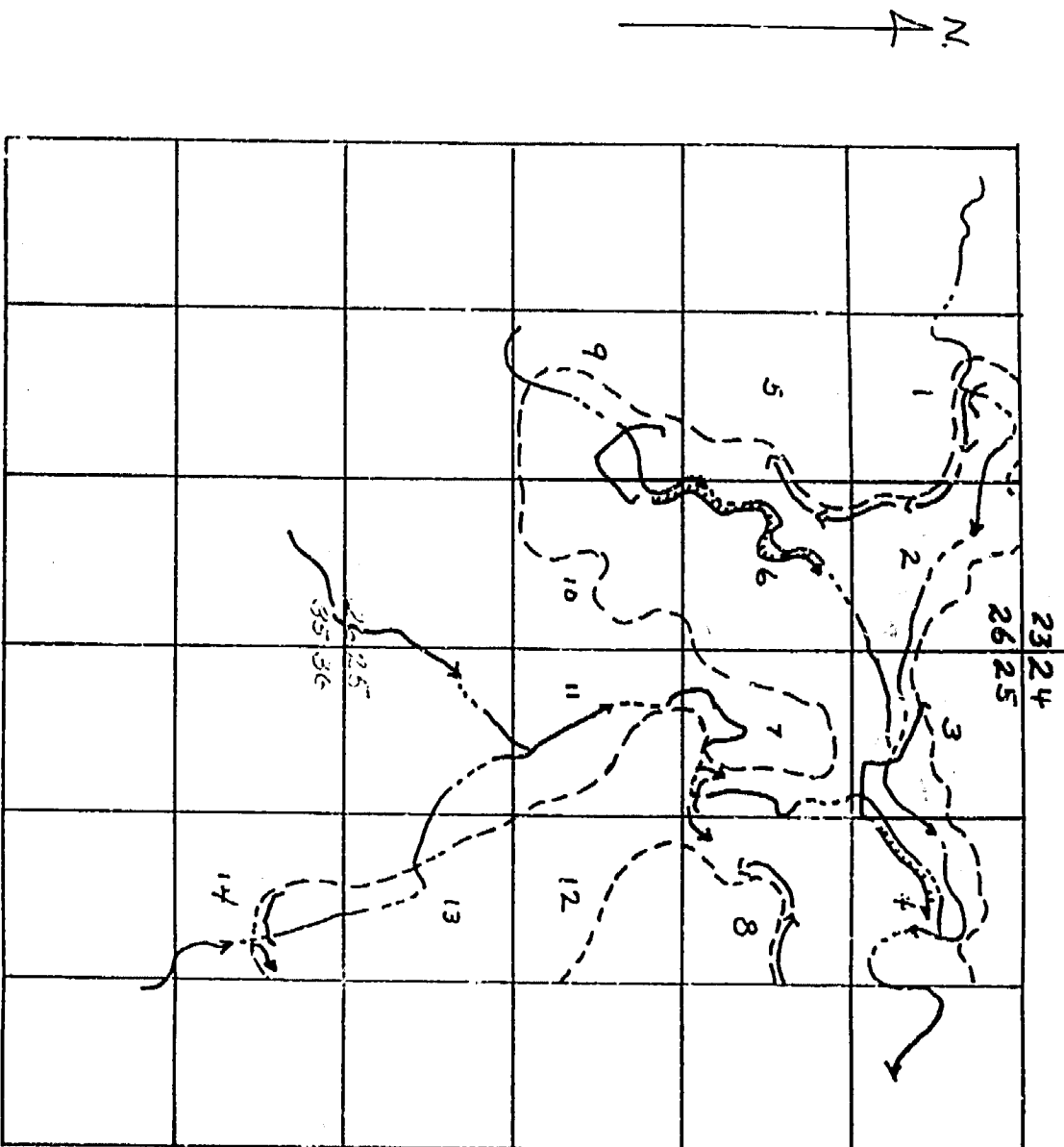
James M. White
(Signed)

Suscribed and sworn to before me this 18th day of February, 1970

Shanda M. Humiston
(Notary Public)



J. Ray Harrison



Water Right Number 545-2/

County Fall River

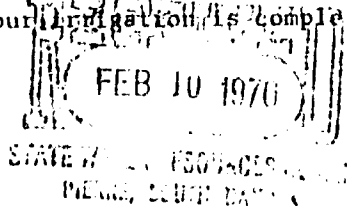
Name of Irrigator J. Ray Harrison James M. White

Source of Water (over)

Type of Pump Power W/S spreading
(Electric, gasoline, diesel, propane, natural gas pipeline or other)

Month	Number of Days Pumped	Average No. of Hrs. Pumped Per Day	Average Pumping Rate (g.p.m.)	Acres of Crop Irrigated and Proportion of Water Used		
				Crop	Acres	% of Water Used for Each Crop
May						
June						
July						
August						
September						

This is the Water Resources Commission data sheet for recording 1969 irrigation estimates. When your irrigation is completed, or after October 1, 1969 send this completed data sheet to:



WATER RESOURCES COMMISSION
State Office Building #2
Pierre, South Dakota 57501

If no irrigation withdrawals were made in 1969, please so state.

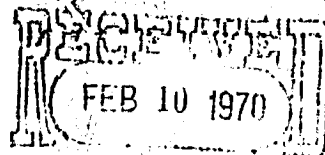
Dear Sir:

I purchased the ranch from J. Roy Harrison on May 29, 1969. To my knowledge there was no irrigation, other than natural runoff and a flood diversion system, on this place in 1969.

I would appreciate more information about the water right on this land or rather an explanation on the relationship of this water right to this land and what kind of irrigation it covers.

Thank you,

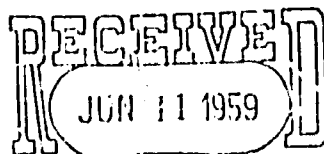
Yours truly,
James M. White



STATE WATER RESOURCES COM.
PIERRE, SOUTH DAKOTA

Location No. 545-2Water Division No. 2White River

Water District

STATE WATER RESOURCES COM. L.
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. J. Ray Harrison, Oelrichs, S. D. Rancher PO Address--Route 4 Chadron, Nebr.

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. Vested Right is being submitted along with APPLICATION FOR PERMIT TO APPROPRIATE WATER.

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

Ans. From surface runoff of local watersheds. From NE corner Sec. 26 T 10 S RSE BHM 135 rods West, 11° South.

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. Spillways and spreading area is adequate to carry maximim of 906.6 Ac. Ft.

during annual period of use. Harrison Diversion No 1 was completed in summer of 1960.

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 is used for irrigation by gravity. See attached map for legal

description of land that has been irrigated.

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

Ans. _____

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

Ans. 4.32 CFS or 206.6 Ac. Ft. per year.

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. Whenever flow occurs during annual period by gravitational means through a series of ditches and dikes, in the amount available, not to exceed the maximum allowable, of 906,8 Ac Ft. per year.

(Sign)

Ray Harrison

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 *Williston*, County of *Fall River*

State of South Dakota, on this *8th* day of *June* A. D. 19 *57*

Edith M. DeLong
Marion DeLong

Witnesses.

Marion DeLong

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 -----

 **Department of
Water & Natural Resources**

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

September 21, 1988

NOTICE

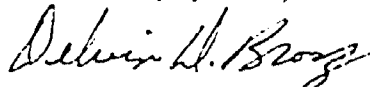
James M. White
Rt 4, Box 29
Chadron NE 69337

Dear Mr. White:

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). 545-2 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,



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



**SOUTH Dakota Department of
Water & Natural Resources**

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

December 1, 1988

Vested Water Right
Claim No. 545-2

James M. White
Rt 4, Box 29
Chadron NE 69337

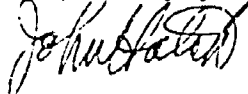
Dear Mr. White:

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



Water Rights Division - DWNR

File No. 545-2

Conversation or File Documentation

NAME OF PERSON OR FILE: James M. WhiteADDRESS: Rt 4, Box 29, Chadron, NE 69337 COUNTY Fall RiverDATE: July 6, 1989 TELEPHONE _____RE: Validation of Vested Right Claim No. 545-2

COMMENTS:

I discussed and inspected this claim with Mr.
White on June 30, 1989. This system was constructed
and operates as filed on the claim.

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 W. Brooz, P.E.Hydrologist

File No. 545-2

Water Rights Division -DENR
Conversation or File Documentation

NAME OF PERSON OR FILE: James M. White

ADDRESS: Rt 4, Box 29, Chadron, NE 69337

COUNTY: Fall River

DATE: 6/7/91

TELEPHONE: 535-6533

RE: Vested Right Claim Inspection

COMMENTS: On June 4, 1991, I contacted Mr. White's residence and talk to his daughter. Mr. White was not available. I obtained their permission to go on their land to inspect the claim. I also asked if they still use water for irrigation? She said yes.

On June 5, 1991, I inspected the land. Due to standing water I was not able to inspect the entire area. The inspection showed that water is being put to beneficial uses for irrigation. The dike and the dam that I inspected were in working condition.

** Recommend validation of Vested Right Claim No. 545-2.

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.



M. RASSOOL AHADI
Natural Resources Engineer III
DENR, Water Rights Division

SOUTH DAKOTA

VESTED WATER RIGHT NO. 545-2 FOR IRRIGATION

Date of Receipt of Claim June 11, 1959.

Date of Validation May 6, 1992.

The Water Management Board validated Vested Water Right Claim No. 545-2 for irrigation purposes for James M. White, Rt 4, Box 29, Chadron NE 69337 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 545-2 appropriates 4.31 cubic feet of water per second from a dry draw located in the NW 1/4 NE 1/4 Section 26; to irrigate 302.2 acres located in the N 1/2 NE 1/4, SW 1/4 NE 1/4, SE 1/4 SE 1/4, N 1/2 SE 1/4 Section 26; NW 1/4, N 1/2 SW 1/4, SE 1/4 SW 1/4 Section 25; and the NE 1/4 NW 1/4 Section 36; all in T10S-R9E.
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 January 1, 1950.
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: John H. Hest
Chief Engineer

JUN 29 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JUN 29 1992

James M White
Rt 4, Box 29
Chadron NE 69337

Dear Mr. White:

The Water Management Board has validated the enclosed Vested Water Right No. 545-2. This validation gives legal status to the claim and is the final document for your vested right.

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

NOTICE OF TRANSFER OF OWNERSHIP

No. 545-2

TO: Chief Engineer
Water Rights Division, DWR
523 East Capitol
Pierre, SD 57501-3181

Date: December 15, 1992

I, We request that Water Permit/Right No. 545-2

formerly owned by: James H. White

be transferred to: (name & address) Earl and Terry Stombaugh, HC 56, Box 11,

Buffalo Gap SD 57722-9714

(telephone No.) 333-2935

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

Portions of the NE 1/4 and SE 1/4, Section 26, NW 1/4 and SW 1/4 Section 25 and

NE 1/4 NW 1/4 Section 36; all in T10S-R9E

I, We understand that the validity of Water Permit/Right No. 545-2 has not been determined by this transfer action. If I, We have any questions on validity, I, We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Hughes)

I, We Earl Stombaugh being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Earl Stombaugh
(Signed)

Subscribed and sworn to before me this 15th day of December, 1992.

KAREN SCHLAACK
NOTARY PUBLIC
SOUTH DAKOTA
My Commission Expires Apr. 1, 1993

Karen Schlaack
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction within the five year construction period. Once a water permit is developed and the water used, the permit becomes a water right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

413542

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ December 15, 19 92

RECEIVED OF Earl Storlaugh, EC 56, Box 11, Buffalo Gap SD 57722-9714

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water, for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Water Right No. 545-2</u>	2	50
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	2 50

By John H. Hatcher
Chief Engineer 125

545-2



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3131

December 17, 1992

No. 545-2

Earl and Terry Stombaugh
HC 56, Box 11
Buffalo Gap, SD 57722-9714

Dear Sirs:

The transfer of Water Right No. 545-2 has been completed. The receipt for the filing fee you paid was given to you at the time you completed the transfer form.

Our records now show you as the owner of Water Right No. 545-2.

Sincerely,

A handwritten signature in cursive script, which appears to read "Cheryl F. Frost".

Cheryl F. Frost
Secretary
Water Rights Division
(605) 773-3352

enclosure

545-2



United States Department of the Interior

BUREAU OF RECLAMATION

Great Plains Region

Belle Fourche Projects Office

P.O. Box 226

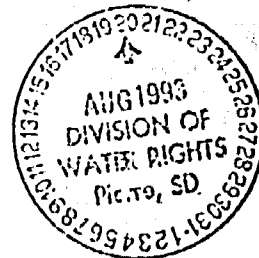
Newell, South Dakota 57760 0226



WTR 4.10
BF-430

WTR 4.10
BF-430

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

Bruce M. Laymon
Project Manager

cc: Mr. Joe Kramer, Manager
Angostura Irrigation District
PO Box 346
Oral SD 57766

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

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 545-2

Date: May 6, 2002

I/We request that Water Right/Permit No. 545-2

formerly owned by: Earl and Terry Stombaugh, HC 56 Box 11, Buffalo Gap SD 57722-9714

✓ be transferred to: (name & address) Russell Maddox - Mildred Maddox
P.O. Box 195, Del Rio, South Dakota 57763 Telephone No. 605-535-2136

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

N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ section 26; NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ section 25; NE $\frac{1}{4}$ NW $\frac{1}{4}$ section 36; all in 10S-9E

I/We understand that the validity of Water Right/Permit No. 545-2 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

✓ A fee of Two Dollars and Fifty Cents (\$2.50) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

STATE OF SOUTH DAKOTA)

County of Fall River)

I/We _____ being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Mildred Maddox
Russell Maddox
(Signed by new owner)

Subscribed and sworn to before me this 7th day of May, 2002

RECEIVED

MAY 10 2002

WATER RIGHTS
PROGRAM

Darcy Papas
(Notary Public)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NR 417164

RECEIVED OF Maddox & Sons Family Ranch, PO Box 195, Oelrichs, SD 57763 Pierre, May 10, 2002, 20
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct
and to put water to beneficial use _____

Fee for Application for Permit No. _____ to Appropriate Water, for Future
Use _____

Fee to retain Future Use Permit No. _____ after period of seven years.

Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water
License No. _____

Fee for Filing Transfer Form _____ Water Right No. 545-2

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

By

Chief Engineer

GARLAND FEDELE



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 10, 2002

545-2

Randall & Mildred Maddox
PO Box 195
Oelrichs, SD 57763-0195

Dear Mr. & Mrs. Maddox:

Thank you for following up on the ownership change for Vested Water Right No. 545-2. The transfer has been completed. The vested water right formerly listed in the names of Earl and Terry Stombaugh is now listed in your names..

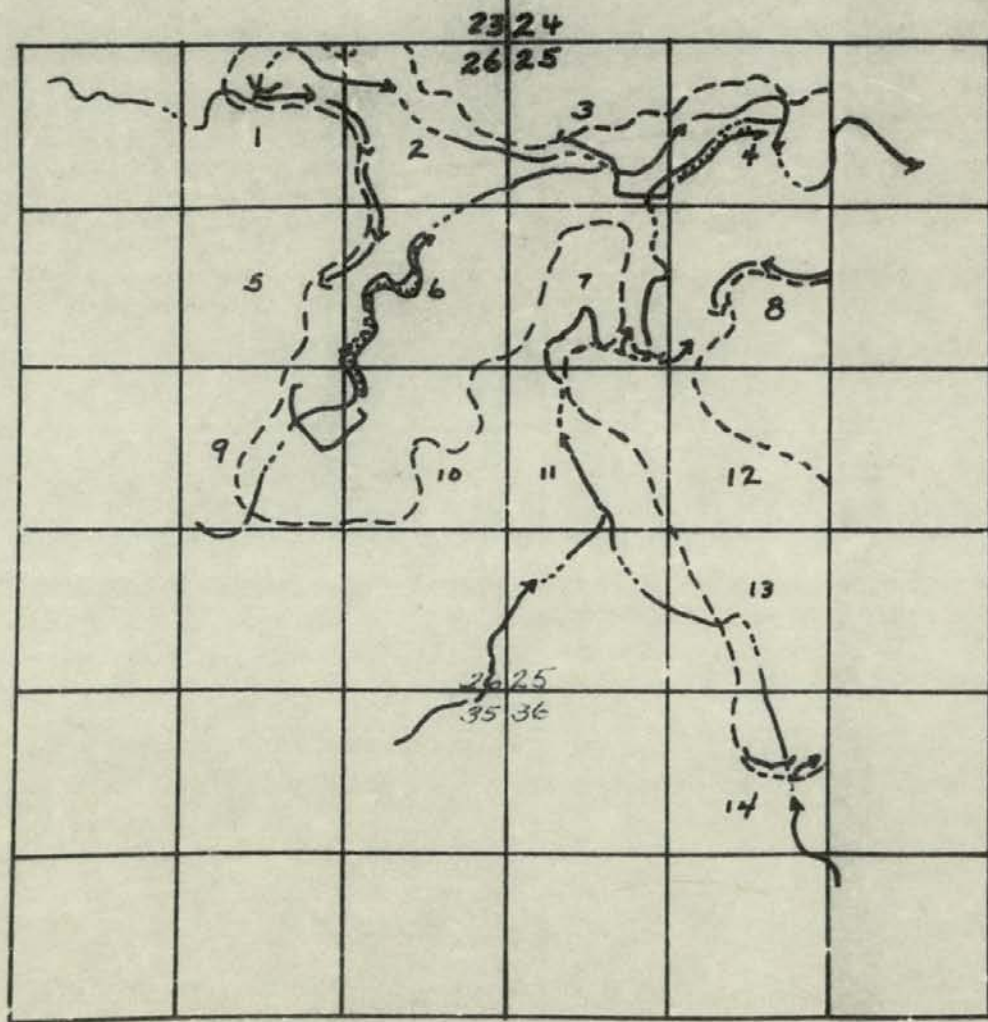
Enclosed is your Receipt No. 417164 in the amount of \$2.50. If I can answer any questions for you, please contact me.

Sincerely,

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

enclosure

N
4



J. Ray Harrison

NOTICE OF TRANSFER OF OWNERSHIP

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

Water Right/Permit No. 545-2

Date: 12/28/06

I/We request that Water Right/Permit No. 545-2 formerly owned by:

Randall Maddox and Mildred Maddox

be transferred to:

New Owner Name: Clinton L. Goodman and Julie M. Goodman

Address: P.O. Box 40 125

City, State, Zip Del Rio, SD 57763

Telephone No. (605) 734-6494

535-2208

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

N1/2NE1/4, SW1/4NE1/4, N1/2SE1/4, SE1/4SE1/4, Section 26;
NW1/4, N1/2SW1/4, SE1/4SW1/4, Section 25;
NE1/4NW1/4, Section 36;
all in 10S-9E

☒ I understand that the validity of Water Right/Permit No. 545-2 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is included to cover the filing fee as required by SDCL 46-2-13.

Clinton L. Goodman and
I, Julie M. Goodman, the new owner, certify that the above information is true and correct.


Clinton L. Goodman


Julie M. Goodman (Signed by new owner)

NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date January 2, 20 07

RECEIVED OF Julie Goodman, PO Box 125, Oelrichs SD 57763

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	2 50	
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>545-2</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	2 50	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	2.50

No.

02740

By

Darland Eide
Chief Engineer gm



545-2
**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 3, 2007

531-2
545-2

Clinton L & Julie M Goodman
PO Box 125
Oelrichs SD 57763-0125

Dear Mr. & Mrs. Goodman:

I am writing to acknowledge receipt of the ownership changes you filed for Vested Water Right Nos. 531-2 and 545-2.

The transfers have been completed. The vested water rights formerly held by Randall and Mildred Maddox are now listed in your names.

Enclosed are your Receipt Nos. 02739 and 02740 in the amount of \$2.50 each. You may keep these for your records. If you have any questions, please contact me.

Sincerely,

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

enclosures