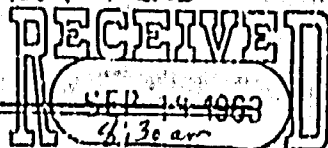


ORIGINALY REC'D

8:10 am

9-6-63



No. 807-2

 Water Division No. 2 SOUTH CHEYENNE RIVER District
 (Blanks to be filled by the Engineer for the W. P. C.)
STATE WATER RESOURCES COMM.
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 BERT THOMPSON
 Postoffice address ORAL, County FALL RIVER, State S. DAK.

- I. Is 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)

AREA WAS DEVELOPED BEFORE 1945

(b) Cash on hand, \$ _____ (c) Treasury stock, \$ _____

(d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work BERT THOMPSON IRRIGATION PROJECT #13. Amount of water claimed 2.42 cubic feet per second4. Source of water supply FLAT CREEK - A DRY DRAW5. Location of point of diversion SEE ATTACHMENT_____ on _____ bank FALL RIVER County.6. Annual period or periods during which water is to be used MARCH THROUGH NOVEMBER

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? WATERSPREADING(a) Number of acres to be irrigated 164.1725 acres.(b) Legal subdivisions to be irrigated 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 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 _____ horse power.

Amount claimed for engine cooling _____

(c) Location of plant _____

(d) Method of developing power _____

(e) Point where water will be returned to stream _____

8. Estimated cost of work:

(a) Head Gates, \$.....

(b) Pumping plant, \$.....

(c) Fluming, \$.....

(d) Canal-earth, \$.....

Rock, \$.....

(e) Other structures

\$ 6000

Total, \$.....

9. Description of diversion works:

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

KICKER DIKES TO PUT WATER ON ADJACENT FLATS

II. Dimensions of works.

(a) Dam: Height.....feet; length at bottom.....feet; length at top.....feet; thickness at bottom.....feet; thickness at top.....feet; slope at front water face.....; slope at back face.....material used in construction

(b) Reservoir: Capacity when filled.....acre feet. Surface area at highwater mark.....acres.

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

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

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

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

(Give dimensions where reductions in size are made.)

10. Time required for completion of work COMPLETED years.11. Time required for complete application of water to the proposed beneficial use COMPLETED years.

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

STATE OF SOUTH DAKOTA

County of Fall River

SS.

I, Bark Thompson 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.

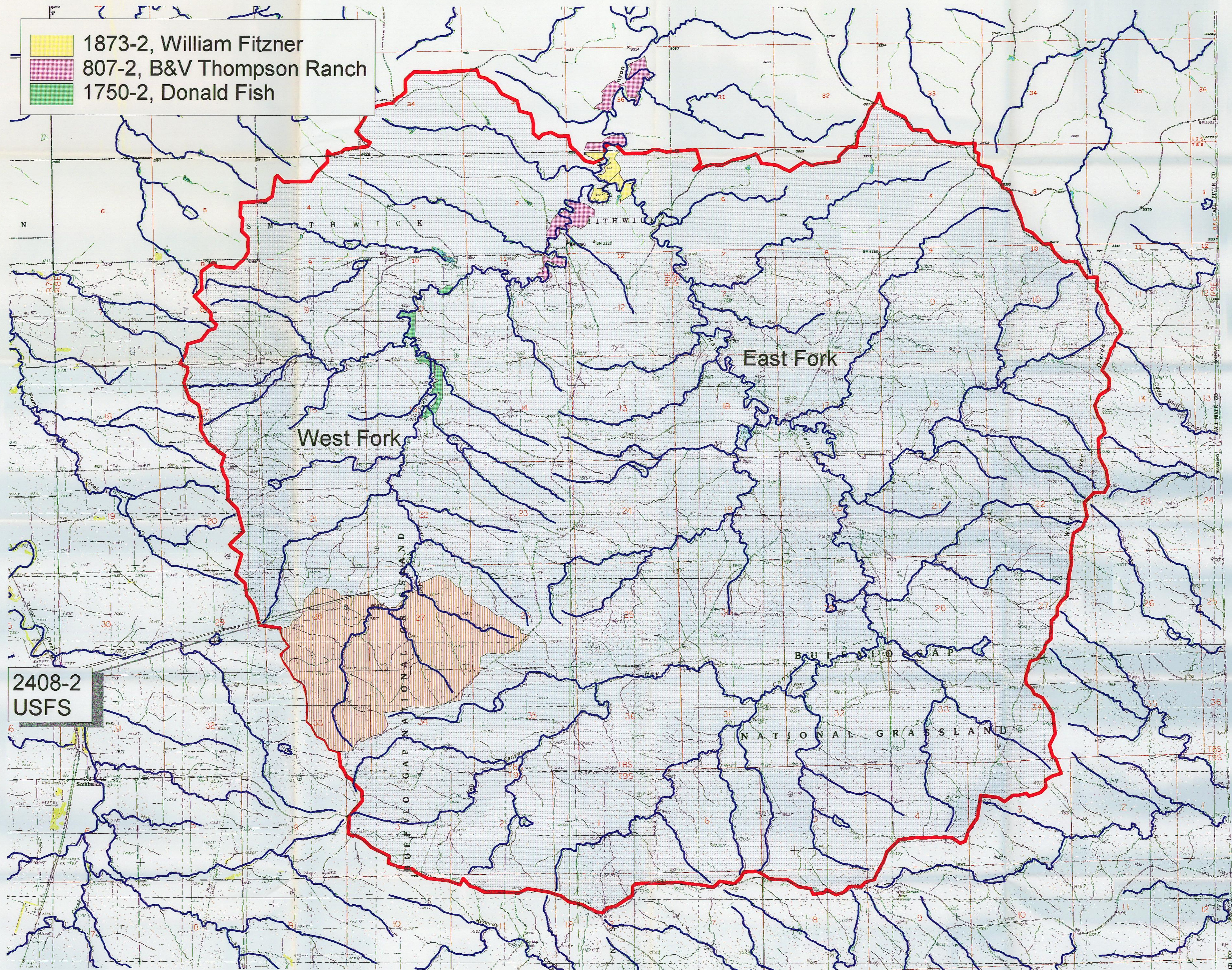
Signed

Bark ThompsonSubscribed and sworn to before me this 17th day of September 1963Helen Heggen
Helen Heggen (or other qualified officer.)

*Each diversion must have a headgate or measuring device.

2408-2

- 1873-2, William Fitzner
- 807-2, B&V Thompson Ranch
- 1750-2, Donald Fish



2408-2
USFS

Remarks by State Water Resources Commission:

"VESTED RIGHT"

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Platte, South Dakota, SEPTEMBER 20, 1963

This is to certify that the foregoing application was received by the Commission at 8:10 o'clock
m. upon the 6TH day of SEPTEMBER, 1963

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Number of permit 807-2

Date of first receipt of application SEPTEMBER 6, 1963

Date of return to applicant for correction, amendments or changes required as follows: SEPTEMBER 12, 1963

Date of receipt of corrected application SEPTEMBER 19, 1963

Date from which applicant may claim right 1945, 1963

Approved SEPTEMBER 20, 1963 Recorded in Book 8 Page 130

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~~, 1963

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

COMPLETED, 1963

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 2.42 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water ~~is~~ actually

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

MARCH THRU NOVEMBER

Witness my hand this 20TH day of SEPTEMBER, 1963

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction issued SEPTEMBER 20, 1963

Water License issued SEPTEMBER 20, 1963

Bert Thompson

NE¹ NE¹, Sec 11, T¹ S, R¹ E

Location of point of diversion - 99 rods S 30° W to 131 rods N 7° E from the NW corner of section 11 R-8-T-8 and 132 rods N 90° E from SE corner of section 36 8-7, to 96 rods S 83° W from NE corner of Section 36.

NE¹ NE¹, Sec 36, T¹ S, R¹ E

Location	Section	R	T	Ac.
SE 1/4 NW 1/4	36	8	7	7
NW 1/4 NE 1/4	36	8	7	16
NE 1/4 NE 1/4	36	8	7	3.2
SE 1/4 NE 1/4	36	8	7	3.5
SW 1/4 NE 1/4	36	8	7	30.8
NW 1/4 SE 1/4	36	8	7	14.5
SW 1/4 SE 1/4	36	8	7	14.5
SE 1/4 SW 1/4	36	8	7	14
SW 1/4 SW 1/4	36	8	7	1.5
NE 1/4 SW 1/4	36	8	7	8
Total				99.5 ac.
				92.5 "

Location	Section	R	T	Ac.
NE 1/4 NE 1/4	11	8	8	18
SE 1/4 SE 1/4	2	8	8	18
NE 1/4 SE 1/4	2	8	8	16
NW 1/4 SW 1/4	1	8	8	28
Total				80 ac

STATE OF SOUTH DAKOTA

WATER LICENSE No. 807-2

WHEREAS, On the 6th day of September A. D. 1963
Lert Thompson

of Oral County of Fall River and State of
South Dakota vested Right 2.42
duly made application (No. 807-2) to us for a permit to use
cubic feet per second of the waters of Hay Creek (a dry draw)
County of Fall River, State of South Dakota, for Irrigation
purposes; and

WHEREAS, On the 20th day of September A. D. 1963
Vested Right recognizing
/Permit No. 807-2 was issued to said applicant for the diversion of said water, and providing for the
completion of the works of diversion therein described
and application to beneficial use of said
water
and,

WHEREAS, On the 6th day of September A. D. 1963
the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.42
cubic feet per second of said waters, as evidenced by our Certificate No. 807-2
dated September 20, 1963 confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 2.42 cubic feet per second of water, with date of
priority of 1945 and,

WHEREAS, On the 6th day of September A. D. 1963
proof was duly made of the application to beneficial use of 2.42 cubic feet per second of said water;
for irrigation of 172.5 acres in Sections 1, 2 and 11, 12S, R8E and Section 36, T7S, R8E

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to Bert Thompson
of Oral ----- the holder ----- and owner ----- Vested Right of sale/permit No 807-2
a water right, dating from 1945 ----- to the use of 2.42
cubic feet per second of the waters of Hay Creek (a dry draw)
In the County of Fall River ----- and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinafter mentioned, to be diverted at between a point in the NE 1/4 NE 1/4,
Section 11, and a point in the NW 1/4 SW 1/4, Sec. 1, T8S, R8E; and between a point in the
NE 1/4 NE 1/4, Section 36, and a point in the SE 1/4 SW 1/4, Section 36, T2S, R8E
and conducted to and upon portions of Sections 1, 2 and 11, T2S, R8E and Section 36, T2S, R8E
more specifically described in the Certificate of Completion of Works

for the purpose of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the
State, and subject, also to the local or community customs, rules and regulations which have been or may be
adopted from time to time by a majority of the users from a common source of supply, 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 20th day of September ----- A. D. Nineteen
Hundred and Sixty-Three -----

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. 807-22 So. Cheyenne River
Water Division No. _____ Water District _____**Certificate of Completion of Works**

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Bert Thompson

of Ors1, County of Fall River, and State of South Dakota,
 the holder of Permit No. 807-2, issued upon Application
 No. 807-2, bearing date of priority of 1945, authorizing the diversion of
2.42 cu. ft. per second of the waters of Hay Creek (a dry draw)

County of Fall River, State of South Dakota, at between a point in the
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 11, & a point in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 1, T8S, R9E; & between a point in
the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 36, & a point in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, T2S, R9E
for Irrigation

purposes, 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 for diverting and conveying to the place of intended use 2.42 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: Section 36, T2S, R9E SE $\frac{1}{4}$ NW $\frac{1}{4}$ 7.0 acres

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 16.0 "

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 3.5 "

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 3.5 "

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 30.0 "

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 4.5 "

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 4.5 "

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 14.0 "

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 1.5 "

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 8.0 "

Section 1, T8S, R9E NW $\frac{1}{4}$ SW $\frac{1}{4}$ 26.0 "

Section 2, T8S, R9E SE $\frac{1}{4}$ SE $\frac{1}{4}$ 18.0 "

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 16.0 "

Section 11, T6S, R9E NE $\frac{1}{4}$ NE $\frac{1}{4}$ 18.0 "

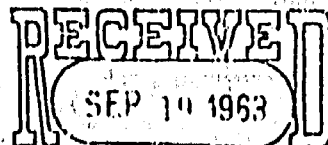
Total - 172.5 "

Witness my hand this 20th day of September A. D. 1963

State Water Resources Commission

By: J. W. GRIMES
 Chief Engineer, Executive Officer

Location No.



Water Division No.

Water Division No. STATE WATER RESOURCES COMM.
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. Bert Thompson Oral So. Dak
Rancher.

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. not applicable

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

Ans. Sept 6 1963

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

Ans. See Supplement attached

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. This information shown on map attached
to Form 2 submitted to Water Resources Comm. Sept 4
1963

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. Irrigation See attachment

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

Ans. not applicable

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

Ans. 338 acres feet annually

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. not applicable

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

Ans. Since 1945 approximately
338 acres feet annually
by use of diversions when
flood flow occurred.

(Sign) Bert Thompson

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 17th day of September A. D. 1942

Kay Benson }
Dagna Harrison } Witnesses, Helen Mages
Notary Public

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

William A. Stealy

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 _____

SOUTH DAKOTA
Department of
Water & Natural Resources

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

September 21, 1988

NOTICE

Bert Thompson
Oral SD 57766

Dear Mr. Thompson:

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). 807-2 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 Hatch

for 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. 807-2

Bert Thompson
Oral SD 57766

Dear Mr. Thompson:

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

cc: Bruce Laymon, Bureau of Reclamation

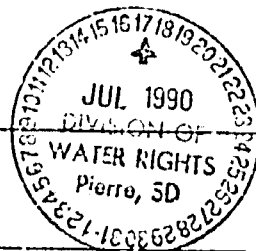


NOTICE OF TRANSFER OF OWNERSHIP

No. 807-2

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

Date: _____



I/We request that Vested Water Right Claim No. 807-2

formerly owned by: Bert Thompson

be transferred to: (name & address) B & V Thompson Ranch, Inc
Box 65A, Oral, SD 57766

(telephone No.) 404-221-1111

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

172.5 Acres - SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 36, T7S, R8E

NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 1; E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec 2; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec 11; T8S, R8E

I/We understand that the validity of Vested Water Right Claim No. 807-2 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 FALL RIVER)

I/We Bert Thompson 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.

Bert Thompson Ranch, Inc.
By Bert Thompson (Owner)
(Signed)

Subscribed and sworn to before me this 11th day of July, 19 90.

Richard D. 2 Rogers
(Notary Public)

Richard D. Rogers, Notary Public
My Commission Expires April 5, 1992

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

Division of Water Rights

South Dakota Department of Water and Natural Resources

412317

Pierre, July 17, 1990

RECEIVED OF BSV Thomppon RR #1 Box 65, Oral, SD 57766

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>Vested Water Right claim No. 807-2</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By [Signature]
Chief Engineer

SOUTH DAKOTA
Department of
Water & Natural Resources

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

July 23, 1990

No. 807-2

B & V Thompson Ranch, Inc.
Box 65
Oral SD 57766

Dear Sir:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Vested Water Right Claim No. 807-2.

Our records now show you as the owner of this Vested Water Right Claim.

Sincerely,

Karen Schlaak

KAREN SCHLAAK
Senior Secretary
Water Rights Division
605 773-3352

enclosure

DATE FILED/NOTED

CLERK OPERATOR

Water Rights Division - DWR
Conversation or File Documentation

File No. 807-2

NAME OF PERSON OR FILE: Bert Thompson

ADDRESS: _____ COUNTY Fall River

DATE: June 27, 1990 TELEPHONE _____

RE: Inspection of Vested Right Claim No 807-2

COMMENTS:

I inspected this claim, accompanied by Leonard Benson on June 20, 1990. Driving through the project area, the system seems to have been constructed as outlined on the maps filed with the claim.

Mr. Bert Thompson is deceased. The claim should be transferred to: B & V Thompson Ranch, Inc.

Box 65A

Oral, SD 57766

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:

William V. Bragg, P.E.
Natural Resources Engineer

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3101

June 28, 1990

807-2

B & V Thompson Ranch, Inc
Box 65A
Oral, SD 57766

Dear Sirs:

Enclosed is a partially completed "Notice of Transfer" form for use in filing an ownership change on Vested Water Right Claim No. 807-2. The claim is currently listed in the name of Bert Thompson.

The transfer form should be checked over for accuracy and signed in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,



Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosure

SOUTH DAKOTA

VESTED WATER RIGHT NO. 807-2 FOR IRRIGATION

Date of Receipt of Claim September 6, 1963.

Date of Validation May 6, 1992.

The Water Management Board validated Vested Water Right Claim No. 807-2 for irrigation purposes for B & V Thompson Ranch, Inc., Box 65, Oral SD 57766 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 807-2 appropriates 2.42 cubic feet of water per second from Hay Creek located between a point in the NE 1/4 NE 1/4 Section 11 and a point in the NW 1/4 SW 1/4 Section 1; both in T8S-R8E, and between a point in the NE 1/4 NE 1/4 and the SE 1/4 SW 1/4 Section 36-T7S-R8E to irrigate 172.5 acres located in the SE 1/4 NW 1/4, NE 1/4, W 1/2 SE 1/4, S 1/2 SW 1/4, NE 1/4 SW 1/4 Section 35-T7S-R8E, NW 1/4 SW 1/4 Section 1, E 1/2 SE 1/4 Section 2, NE 1/4 NE 1/4 Section 11; all in T8S-R8E.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. Water is to be used during the following annual period: March 1 - November 30.
3. The priority date of the Vested Water Right is January 1, 1945.
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. Galt
Chief Engineer

JUL 1 1992

date

Division of Water Rights
Dept. of Environment and Natural Resources



807-2

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

JUL 1 1992

B & V Thompson Ranch, Inc.
Box 65
Oral SD 57766

Dear Sir:

The Water Management Board has validated the enclosed Vested Water Right No. 807-2. 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

DATE MICROFILMED

CAMERA OPERATOR

807-2



PIERRE
SOUTH DAKOTA

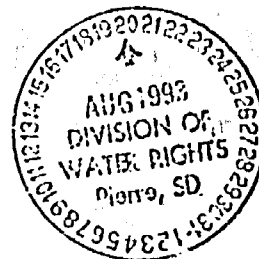
WTR 4.10
BF-430

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

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)

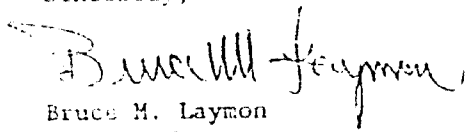
Dear Mr. Hatch,

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.

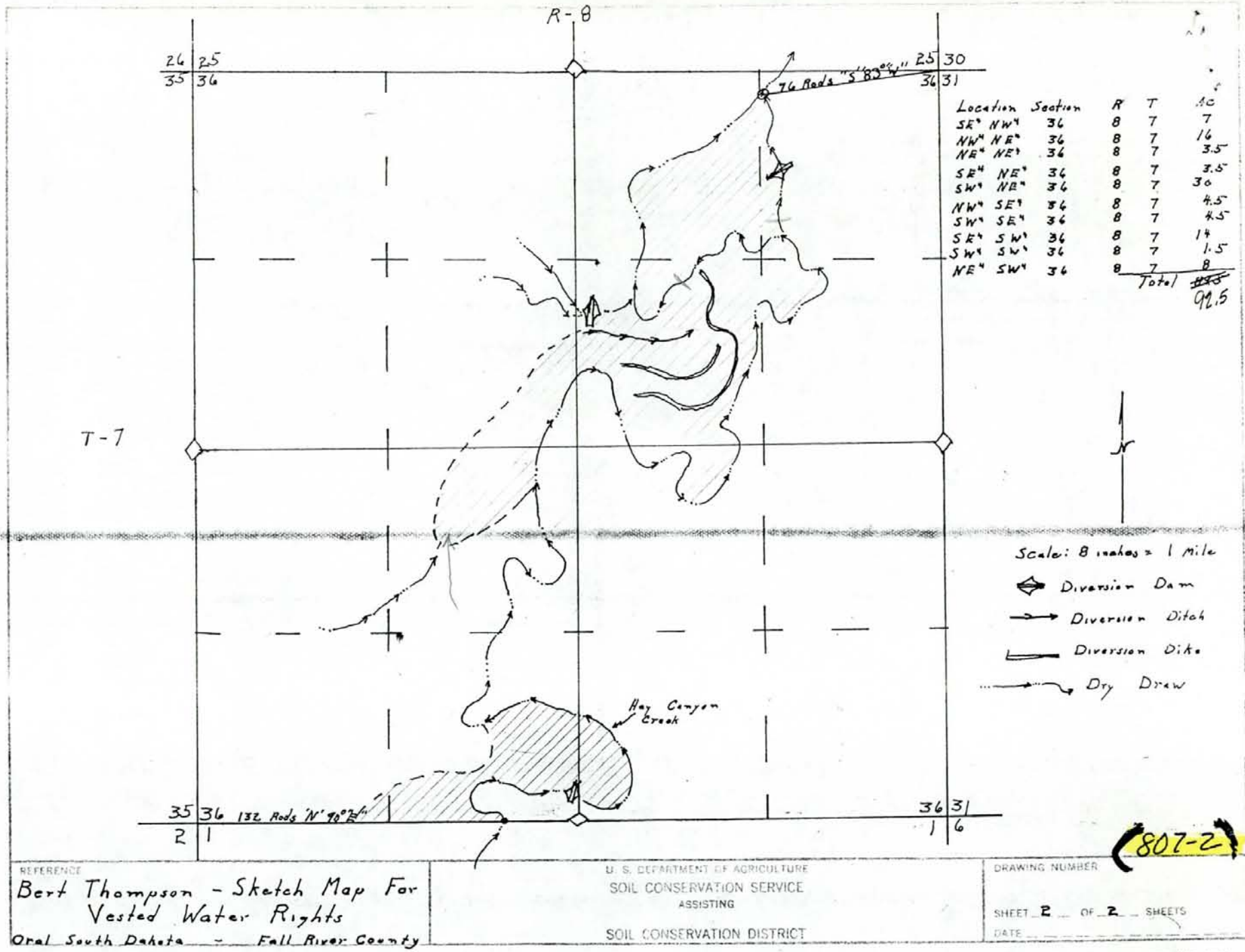
If we can be of further assistance, please contact Craig Kjar or me at (605) 456-2695.

Sincerely,


Bruce M. Laymon
Project Manager

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

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



Location	Section	R.	T.	Ac.
NE ¹	NE ⁴	11	8	8
SE ¹	SE ⁴	2	8	8
NE ¹	SE ⁴	2	8	8
NE ¹	SW ⁴	1	8	8
Total				28
				80 Ac

Range 8 E

2 35
1 36

12 1
12 1

12 1
12 1

Scale: 8 inches = 1 mile
 N
 Diversion Dam
 Diversion Dike
 Diversion Ditch
 Dry Draw

T-7

T-8

(807-2)

REFERENCE
 Bert Thompson - Sketch Map For
 Vested Water Rights
 Oral South Dakota - Fall River County

U. S. DEPARTMENT OF AGRICULTURE
 SOIL CONSERVATION SERVICE
 ASSISTING
 SOIL CONSERVATION DISTRICT

DRAWING NUMBER

SHEET 1 OF 2 SHEETS
 DATE

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

MAR 04 2015

WATER RIGHTS
PROGRAM

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

No. 807-2

Date: 2-25-15

I/We request that Vested Water Right No. 807-2

formerly owned by: B & V Thompson Ranch Inc, % Leonard Benson, President

be transferred to: (name & address) Carl & Carol Sanders
14366 W 6 Flat
Oral SD 57766 Telephone No. 605-890-2113

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

172.5 acres - SE 1/4 NW 1/4, NE 1/4, W 1/2 SE 1/4, S 1/2 SW 1/4, NE 1/4 SW 1/4 Section 36, T7S, R8E

NW 1/4 SW 1/4 Section 1, E 1/2 SE 1/4 Section 2 and NE 1/4 NE 1/4 Section 11, T8S, R8E

I/We understand that the validity of Vested Water Right No. 807-2 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 Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Carl Sanders, the new owner, certify that the above information is true and correct.

CS

(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 3/4, 20 15

RECEIVED OF Carl Sanders 14366 WG Flat Oral SD 57766

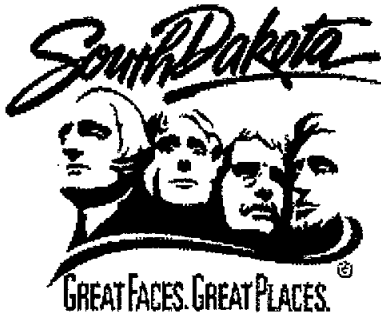
The following amount in fees for services rendered as provided for by law:

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
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>807-2</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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 07309

By James Gooden
Chief Engineer

807-2



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

March 5, 2015

807-2
1873-2
2488-2

Carl & Kari Sanders
14366 WG Flat
Oral SD 57766

Dear Mr. & Mrs. Sanders:

I am writing to acknowledge receipt of the transfer forms and filing fees you submitted for changing ownership on Vested Water Right Nos. 807-2 & 1873-2 and Water Right No. 2488-2.

The ownership changes have been completed. Vested Water Right No. 807-2 and Water Right No. 2488-2 formerly held by B & V Thompson Ranch Inc., is now listed in your names. Vested Water Right No. 1873-2, formerly held by William Fitzner is also now listed in your names.

Enclosed for your records are Receipt Nos. 07309, 07310 and 07311. The receipts are for the filing fees you paid for the ownership changes.

If you have any questions, please contact me.

Sincerely,

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

enclosures