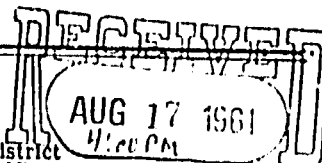


No. 817-3Water Division No. 3 Missouri River District

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

STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA**VESTED RIGHT**
APPLICATION FOR PERMIT**To Appropriate Water within the State of South Dakota**

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

1. Name of applicant South Dakota Department of Game, Fish and Parks
 Postoffice address Pierre, County Hughes, State South Dakota

- 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)

- (b) Cash on hand, \$ _____ (c) Treasury stock, \$ _____
 (d) Bonds to be issued, \$ _____ (e) Other resources, \$ _____

2. Name of diversion work MATSKE LAKE - Campbell County
As required to fill lake to outlet level - approximately 435
 3. Amount of water claimed acre feet per year cubic feet per second _____
 4. Source of water supply Dry Run Creek
 5. Location of point of diversion One point in the watershed located in the SE 1/4 Sec. 15,
T 127, R 74, Campbell County.
 _____ on _____ bank _____ County.
 6. Annual period or periods during which water is to be used all year round
 7. To be used for:

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

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

- (b) Legal subdivisions to be irrigated _____

(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.) To the ordinary high water mark of
the inundated portions of the E 1/4 Sec. 15, N 1/4 Sec. 22, T 127, R 74, Campbell County

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

- (a) Nature of use
- Public recreational uses
-
- 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) Canalearth, \$..... Rock, \$.....
 (e) Other structures \$..... Total, \$.....

9. Description of diversion works:

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

II. Dimensions of works. Information requested not applicable. Matsko Lake is a meandered lake. Maximum depth approximately 10 feet deep.

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

(b) Reservoir: Capacity when filled580.....acre feet. Surface area at highwater mark.....145.....acres.

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

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

(d) Canal: Total lengthmiles.

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 workyears. Not applicable - a meandered lake
 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 ofHughes..... } ss.

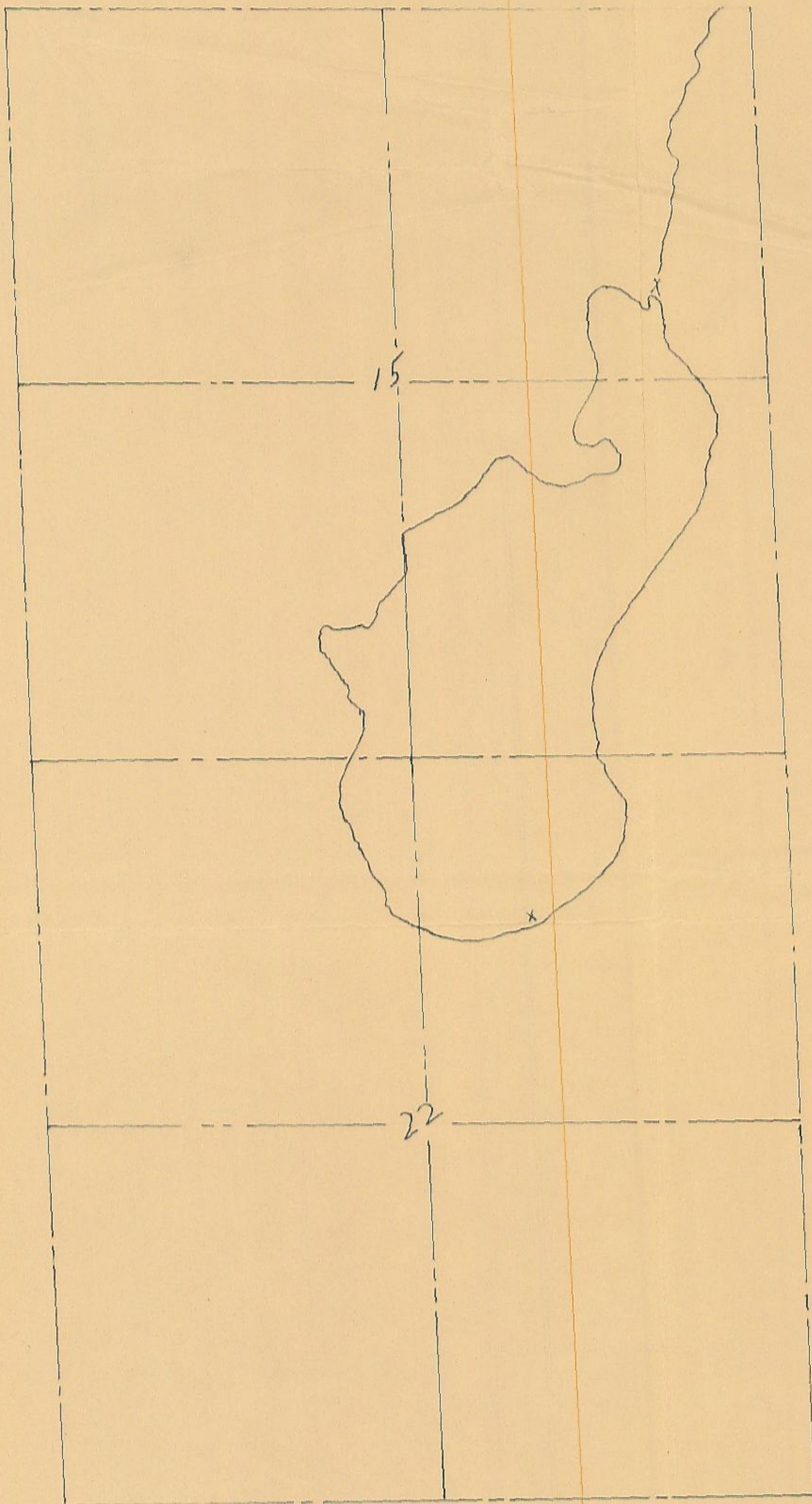
I,Walter J. Fillmore....., being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein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

SignedWalter J. Fillmore.....

Subscribed and sworn to before me this15..... day ofAugust..... 1961.

.....Notary Public (or other qualified officer.)

11-6-65



DEPT. GAME, FISH & PARKS
X = DIVERSION

MATSKÉ LAKE E1/2 SEC 15, N1/2 SEC 22 T127-R74
CAMPBELL CO.
SCALE 8" = 1 MILE.

(WP # 817-3)

Remarks by State Water Resources Commission:

"VESTED RIGHT" CLAIMED

STATE OF SOUTH DAKOTA
County of HUGHES } ss.

Pierre, South Dakota, DECEMBER 11, 1962

This is to certify that the foregoing application was received by the Commission at 4:52 o'clock
8 p.m. upon the 17TH day of AUGUST, 1961.

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Number of permit 817-3

Date of first receipt of application AUGUST 17, 1961

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 1839, 19____

Approved December 11, 1962 Recorded in Book 7 Page 262

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 public recreation

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 435 acre feet annually ~~acre 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~~ used for public recreation w25

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

Continuously
Witness my hand this 11TH day of December, 1962.

State Water Resources Commission

By:

[Signature]
Chief Engineer, Executive Officer

Certificate of Construction Issued December 11, 1962

Water License Issued December 11, 1962

STATE OF SOUTH DAKOTA

WATER LICENSE No. 817-3

WHEREAS, On the 17th day of August A. D. 1961
the Department of Game, Fish and Parks

of Pierre County of Hughes and State of
South Dakota Vested Right
duly made application (No. 817-3) to us for a permit to use 435 acre feet annually
of the waters of a dry draw
County of Campbell, State of South Dakota, for public recreation
purposes; and

WHEREAS, On the 11th day of December A. D. 1962
Vested Right / Permit No. 817-3 was issued to said applicant... recognizing
the completion of the works of diversion therein described...
and to the application to beneficial use of said
and,

WHEREAS, On the 17th day of August A. D. 1961
the holder... of said permit duly made proof of the completion of adequate works for the diversion of 435 acre feet
annually...
dated December 11, 1962... confirming the completion of works of sufficient capacity for
diverting and conveying to the place of intended use 435 acre feet annually
priority of 1889... and,

WHEREAS, On the 17th day of August A. D. 1961
proof was duly made of the application to beneficial use of 435 acre feet annually
to be used in place for public recreation.

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 the Department of Game, Fish and Parks

of Pierre vested right
the holder and owner of said permit No. 817-3

a water right, dating from 1889 to the use of 435 acre feet annually

~~XXXXXXXXXXXX~~ of the waters of a dry draw

In the County of Campbell and State of South Dakota, or so much thereof as may be

necessary for the purposes hereinbelow mentioned, to be diverted at a point in the

SE 1 NE 1 Section 15, T127N, R74W

and ~~XXXXXXXXXXXX~~ stored in place

for the purpose of public recreation

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.

WITNES, My hand and seal of our office at Pierre, South Dakota,
this 11th day of December A. D. Nineteen
Hundred and Sixty-Two

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. GRIMES

STATE OF SOUTH DAKOTA

Water Licence 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. 817-3Water Division No. 3 Missouri River Water District

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That the Department of Game, Fish & Parks

of Pierre, County of Hughes, and State of South Dakota,
 the holder of Vested Right of Permit No. 817-3, issued upon Application
 No. 817-3, bearing date of priority of 1889, authorizing the diversion of
435 acre feet annually ~~xxxxxx~~ of the waters of a dry draw

County of Campbell, State of South Dakota, at a point in the
SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15, T127N, R74W

for public recreation

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
 condition for diverting and conveying to the place of intended use 435 acre feet annually ~~xxxx~~

~~xxxxxx~~ of water; and that the ~~land proposed to be irrigated by the~~ use of said water as described as follows,
 to-wit: to be used in place for public recreation.

Witness my hand this 11th day of December A. D. 1962

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J. W. GRIMES

Location No.

Water Division No. Water District

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

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

Ans. South Dakota Department of Game, Fish and Parks, Pierre, S. Dak.

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. Dry Run Creek - One point in the watershed located in the SE 1/4, Sec. 15,
T. 12N., R. 7W., Campbell County

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. A meandered lake - depth 10 feet - 145 acres

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. Fish and wildlife propagation, conservation and recreation

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

Ans. Used in place in lake or reservoir

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

Ans. As required to fill lake to outlet level - approximately 435 acre feet 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. A meandered lake. Used by the public for uses specified except for that amount lost by evaporation and seepage.

(Sign) *A. J. Hillmore*

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 Pierre, County of Hughes

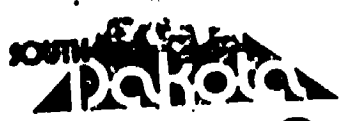
State of South Dakota, on this 16th day of August A. D. 1964
Witnesses. *Edward B. Johnson*
11-6-65

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

Richard Beringson, Secretary
Department of Game, Fish and Parks
Anderson Building
445 E Capitol
Pierre SD 57501

Dear Mr. Beringson:

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 all Department of Game, Fish and Parks Vested Water Right Claims for lakes for the following reasons:

1. Until the outlet elevation for each lake is surveyed and the outlet elevation is set by the Water Management Board.
2. To allow the Vested Water Right Claim to be amended, if necessary, as follows:
 - a) Include the outlet elevation;
 - b) To correct the amount of water claimed;
 - c) To add the qualification that a vested claim is subject where necessary to installation of a concrete outlet structure to assure retention of the outlet as the established elevation; and
 - d) To add any amendments and qualifications necessary to clarify a Vested Right Claim.

Also, that I intend to oppose validation of all Department of Game, Fish and Parks Vested Water Right Claims for dams to allow the Vested Water Right Claim to be amended, if necessary, as follows:

1. To include the spillway elevation;
2. To correct the amount of water claimed; and
3. To add any amendments and qualifications necessary to clarify a Vested Right Claim.

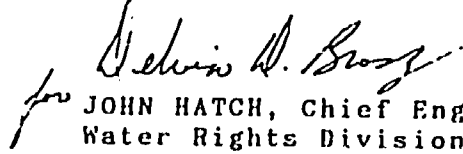


September 21, 1988
Richard Beringson, Secretary
Page 2

We will be working with your staff on these validations. We have already discussed setting outlet elevations before validating claims for lakes. Although the work necessary to complete the validation process will take several years to complete, the results should be of benefit to the public and to your Department. As the work is completed to validate each claim, the claim will be presented to the Water Management Board for validation.

Please advise if you have any questions.

Very truly yours,


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

cc: Ron Koth, Department of Game, Fish and Parks



Department of Water & Natural Resources

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

816-3, 817-3, 818-3, 819-3
831-3, 1859-3, 1860-3

May 27, 1988

THE PRAIRIE PIONEER
BOX 218
POLLOCK, SD 57648

Dear Sir:

Enclosed is a Notice to Validate Vested Water Right Claims. Please publish this notice once each week for two consecutive weeks in your paper. The first publication should be on or before June 23, 1988 with second publication 7 days later. The publication should include the table as enclosed so that the information is understood by the reader. We have the table on a computer print file. We could provide you with a computer disk containing the print file if this would be helpful to you.

Please BILL the WATER RIGHTS DIVISION for the cost of publication.

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

Please be sure the SECOND publication is returned with the enclosed Proof of Publication form. The validations cannot be considered by the Water Management Board until proof of publication has been received.

Sincerely,

John Hatch, Chief Engineer
Water Rights Division
605 773-3352

enclosures

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

FIRST TRANSMITTAL NOTICE

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

Date _____

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

Name

Newspaper

NOTICE OF INTENT TO VALIDATE VESTED WATER RIGHT CLAIMS

Notice is given that the following vested water right claims in CAMPBELL county are eligible for validation by the Water Management Board pursuant to SDCL 46-2A-17 without a hearing unless a petition to oppose the validation is filed pursuant to SDCL 46-2A-16:

(insert attached table(s))

Any person who wishes to oppose validation of any vested right claim shall, prior to October 1, 1988, file a petition of intent to oppose the validation with the Chief Engineer, Water Rights Division, Department of Water and Natural Resources, Joe Foss Building, 523 East Capitol, Pierre, SD 57501-3181 and with the vested water right holder at the listed address. The petition may be informal, but it must include a statement describing the petitioner's interest in the vested water right claim, the reasons for the petitioner's opposition to the claim, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained.

If a petition of intent to oppose the validation of a recognized vested water right claim is filed, the Chief Engineer will schedule a hearing before the Water Management Board. The parties will be notified of the time and place of the hearing. If no person opposes validation of a recognized vested water right claim pursuant to SDCL 46-2A-16, the Water Management Board will issue an order pursuant to SDCL 46-2A-17, validating the vested water right claim.

The validations are made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-3.1, 46-2-9, 46-2-11, 46-2-17; 46-2A-16 thru 46-2A-18; 46-5-1 thru 46-5-6.1, 46-5-8.2, 46-5-13 thru 46-5-15, 46-5-30.2 thru 46-5-37.1, 46-5-46, 46-5-49; 46-6-1 thru 46-6-3, 46-6-6, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21; 46-7-1 thru 46-7-5.3, 46-7-12, 46-7-14, 46-7-15 and Board Rules ARSD 74:02:01:01 thru 74:02:01:05.03 and 74:02:01:20 thru 74:02:01:22.

Any person wishing further information, a copy of the vested water right claim list for another county or a summary of South Dakota Water Law and Water Rights Information can contact the Chief Engineer, Water Rights Division, Joe Foss Building, 523 East Capitol, Pierre, SD 57501-3181, (605 773-3352).

COUNTY: CAMPBELL

COUNTY: CAMPBELL			DIVERSION POINT					
PERMIT NUMBER	NAME	ADDRESS	LOCATION	SEC.	TOWNSHIP RANGE	WATER USED	PRIORITY DATE	SOURCE
816-3 SD GAME, FISH & PARKS	1445 E. CAPITOL PIERRE, SD 57501	NM1/4SE1/4	19	125 N 76 W	*	11/2/1889	DRY RUN CREEK & SAND LAKE	
817-3 SD GAME, FISH & PARKS	1445 E. CAPITOL PIERRE, SD 57501	SE1/4NE1/4	15	127 N 74 W	*	11/2/1889	MATSKE LAKE	
818-3 SD GAME, FISH & PARKS	1445 E. CAPITOL PIERRE, SD 57501	SW1/4S1/4	11	126 N 77 W	*	11/1/1934	LAKE CAMPBELL	
819-3 SD GAME, FISH & PARKS	1445 E. CAPITOL PIERRE, SD 57501	SW1/4NE1/4	4	125 N 74 W	*	11/2/1889	NAMELESS LAKE	
831-3 SD GAME, FISH & PARKS	1445 E. CAPITOL PIERRE, SD 57501	NM1/4SE1/4	9	128 N 77 W	*	11/1/1933	CHESTER LAKE	
1859-3 SD GAME, FISH & PARKS	1445 E. CAPITOL PIERRE, SD 57501	SECTIONS 10 & 11	126 N 74 W	*	11/2/1889	EAST FLAT LAKE		
1860-3 SD GAME, FISH & PARKS	1445 E. CAPITOL PIERRE, SD 57501	4	126 N 74 W	*	11/2/1889	FLAT LAKE		

* - THE CHIEF ENGINEER'S RECOMMENDATION WILL BE TO VALIDATE THE WATER RIGHT CLAIM FOR SUFFICIENT WATER TO FILL THE LAKE ANNUALLY TO THE OUTLET ELEVATION OR TO THE ELEVATION NECESSARY TO MAINTAIN THE ORDINARY HIGH WATER MARK, WHICHEVER IS LOWER.

Notice of Intent to Validate Vested Water Right Claims

Notice is given that the following County are eligible for validation by pursuant to SDCL 46-2A-17 without a the validation is filed pursuant to vested water right claim in Campbell the Water Management Board pursuant to hearing unless a petition to oppose SDCL 46-2A-16:

County: Campbell

Diversion Point

Permit Number	Name	Address	Location	Sec.	Township Range	Water Used	Priority Date	Source
816-3	SD Game, Fish & Parks	445 E Capitol Pierre, SD 57501	NW1/4SE1/4	19	125 N 76 W	*	11/2/1889	Dry Run Creek & Sand Lake
817-3	SD Game, Fish & Parks	445 E Capitol Pierre, SD 57501	SE1/4NE1/4	15	127 N 74 W	*	11/2/1889	Matske Lake
818-3	SD Game, Fish & Parks	445 E Capitol Pierre, SD 57501	SW1/4SW1/4	11	126 N 77 W	*	1/1/1934	Lake Campbell
819-3	SD Game, Fish & Parks	445 E Capitol Pierre, SD 57501	SW1/4NE1/4	4	125 N 74 W	*	11/2/1889	Nameless Lake
831-3	SD Game, Fish & Parks	445 E Capitol Pierre, SD 57501	NW1/4SE1/4	9	128 N 77 W	*	1/1/1933	Chester Lake
1859-3	SD Game, Fish & Parks	445 E Capitol Pierre, SD 57501	Sections 10 & 11	11	126 N 74 W	*	11/2/1889	East Flat Lake
1860-3	SD Game, Fish & Parks	445 E Capitol Pierre, SD 57501		4	126 N 74 W	*	11/2/1889	Flat Lake

* The Chief Engineer's recommendation will be to validate the water right claim for sufficient water to fill the lake annually to the outlet elevation or to the elevation necessary to maintain the ordinary high water mark, whichever is lower.

Any person who wishes to oppose validation of any vested right claims shall, prior to October 1, 1988, file a petition of intent to oppose the validation with the Chief Engineer, Water Rights Division, Department of Water and Natural Resources, Joe Foss Building, 523 East Capitol, Pierre, S.D. 57501-3181 and with the vested water right holder at the listed address. The petition may be informal, but it must include a statement describing the petitioner's interest in the vested water right claim, the reasons for the petitioner's opposition to the claim, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained.

If a petition of intent to oppose the validation of a recognized vested water right claim is filed, the Chief Engineer will schedule a hearing before the Water Management Board. The parties will be notified of the time and place of the hearing. If no person opposes validation of a recognized vested water right claim pursuant to

SDCL 46-2A-16, the Water Management Board will issue an order pursuant to SDCL 46-2A-17, validating the vested water right claim. The validations are made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14, 46-2-3, 1, 46-2-9, 46-2-11, 46-2-17, 46-2A-16 thru 46-2A-18, 46-5-1 thru 46-5-6, 1, 46-5-8, 2, 46-5-13 thru 46-5-15, 46-5-30, 2 thru 46-5-37, 1, 46-5-46, 46-5-49, 46-6-1 thru 46-6-3, 46-6-6, 46-6-1, 46-6-10, 46-6-13, 46-6-14, 46-

6-21, 46-7-1 thru 46-7-5, 3, 46-7-12, 46-7-14, 46-7-15 and Board Rules ARSD 74:02:01:01 thru 74:02:01:05.03 and 74:02:01:20 thru 74:02:01:22. Any person wishing further information, a copy of the vested water right claim list for another county or a summary of South Dakota Water Law and Water Rights Information can contact the Chief Engineer, Water Rights Division, Joe Foss Building, 523 East Capitol, Pierre, S.D. 57501-3181, (605 773-3352).

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Campbell) ss.

I, Linda Meyer

certify that the attached printed Notice was taken
from the Prairie Pioneer

A newspaper which during the whole time of publication of
said notice herein after stated, has been and is printed and
published in the

City of Poole

County of Campbell and State of South Dakota;
that the said notice was published in said newspaper on the
following two dates:

June 23

June 30

Linda Meyer
(Signature)

Prod. Manager
(Title)

6-30-88
(Date Signed)



Cost of Printing: \$ 70.00

Notice of Intent to Validate Vested Water Right Claims

Notice is given that the following County are eligible for validation by pursuant to SDCL 46-2A-17 without a the validation is filed pursuant to vested water right claims in Campbell the Water Management Board pursuant to hearing unless a petition to oppose SDCL 46-2A-16:

County: Campbell

Diversion Point

Permit Number	Name	Address	Location	Sec.	Township Range	Water Used	Priority Date	Source
816-3	SD Game, Fish & Parks	445 E Capitol Pierre, SD 57501	NW1/4SE1/4	19	125 N 76 W	*	11/2/1889	Dry Run Creek & Sand Lake
817-3	SD Game, Fish & Parks	445 E Capitol Pierre, SD 57501	SE1/4NE1/4	15	127 N 74 W	*	11/2/1889	Matske Lake
818-3	SD Game, Fish & Parks	445 E Capitol Pierre, SD 57501	SW1/4SW1/4	11	126 N 77 W	*	1/1/1934	Lake Campbell
819-3	SD Game, Fish & Parks	445 E Capitol Pierre, SD 57501	SW1/4NE1/4	4	125 N 74 W	*	11/2/1889	Nameless Lake
831-3	SD Game, Fish & Parks	445 E Capitol Pierre, SD 57501	NW1/4SE1/4	9	128 N 77 W	*	1/1/1933	Chester Lake
1859-3	SD Game, Fish & Parks	445 E Capitol Pierre, SD 57501	Sections 10 & 11	11	126 N 74 W	*	11/2/1889	East Flat Lake
1860-3	SD Game, Fish & Parks	445 E Capitol Pierre, SD 57501		4	126 N 74 W	*	11/2/1889	Flat Lake

* The Chief Engineer's recommendation will be to validate the water right claim for sufficient water to fill the lake annually to the outlet elevation or to the elevation necessary to maintain the ordinary high water mark, whichever is lower.

Any person who wishes to oppose validation of any vested right claims shall, prior to October 1, 1988, file a petition of intent to oppose the validation with the Chief Engineer, Water Rights Division, Department of Water and Natural Resources, Joe Foss Building, 523 East Capitol, Pierre, S.D. 57501-3181 and with the vested water right holder at the listed address. The petition may be informal, but it must include a statement describing the petitioner's interest in the vested water right claim, the

reasons for the petitioner's opposition to the claim, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained.

SDCL 46-2A-16, the Water Management Board will issue an order pursuant to SDCL 46-2A-17, validating the vested water right claim.

6-21; 46-7-1 thru 46-7-5, 3, 46-7-12, 46-7-14, 46-7-15 and Board Rules ARSD 74:02:01:01 thru 74:02:01:05.03 and 74:02:01:20 thru 74:02:01:22.

If a petition of intent to oppose the validation of a recognized vested water right claim is filed, the Chief Engineer will schedule a hearing before the Water Management Board. The parties will be notified of the time and place of the hearing. If no person opposes validation of a recognized vested water right claim pursuant to

The validations are made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-3, 1, 46-2-9, 46-2-11, 46-2-17; 46-2A-16 thru 46-2A-18; 46-5-1 thru 46-5-6, 1, 46-5-8, 2, 46-5-13 thru 46-5-15, 46-5-30, 2 thru 46-5-37, 1, 46-5-46, 46-5-49; 46-6-1 thru 46-6-3, 46-6-6, 46-6-6, 1, 46-6-10, 46-6-13, 46-6-14, 46-

Any person wishing further information, a copy of the vested water right claim list for another county or a summary of South Dakota Water Law and Water Rights Information can contact the Chief Engineer, Water Rights Division, Joe Foss Building, 523 East Capitol, Pierre, S.D. 57501-3181, (605 773-3352).

GA

Affidavit of Publication

STATE OF SOUTH DAKOTA }
COUNTY OF CAMPBELL } ss:

I, Linda Meyer, being first duly sworn under oath say: the **Prairie Pioneer** is a legal weekly newspaper of general circulation as required by South Dakota Codified Laws, and any acts amendatory thereto, published by Allan and Leah Burke in said county and state, and has been such legal newspaper during the time hereinafter mentioned; that during all of said time as an employee or officer of said newspaper, I have had personal knowledge of the facts stated in this affidavit; that the advertisement headed:

.....
Notice of Intent to Validate Vested
Water Right Claims
.....

A printed copy of which is hereto attached, was printed and published in said newspaper for TWO successive weeks upon the following dates, to wit:

June 23, 1988 19.....
June 30, 1988 19.....
..... 19 19.....
..... 19 19.....
..... 19 19.....

That the full amount of the fees charged for publishing the same

to wit: the sum of \$70.00

inures solely to the benefit of the publishers of said newspaper; that no agreement or understanding for any division of this sum has been made with any other person; and that no part of said sum has been agreed to be paid to any person whomsoever.

.....
Linda Meyer
.....



subscribed and sworn to before me this

1st day of, July, 1988

.....
Annetta Fetterley
.....

.....
ANNETTA FETTERLEY, Notary Public
CAMPBELL COUNTY, SD
My Commission Expires 7-20-93

Notice of Intent to Validate Vested Water Right Claims

Notice is given that the following County are eligible for validation by pursuant to SDCL 46-2A-17 without a the validation is filed pursuant to vested water right claims in Campbell the Water Management Board pur- hearing unless a petition to oppose SDCL 46-2A-16:

County: Campbell

Diversion Point

Permit Number	Name	Address	Location	Sec.	Township Range	Water Used	Priority Date	Source
816-3	SD Game, Fish & Parks	445 E Capitol Pierre, SD 57501	NW1/4SE1/4	19	125 N 76 W	*	11/2/1889	Dry Run Creek & Sand Lake
817-3	SD Game, Fish & Parks	445 E Capitol Pierre, SD 57501	SE1/4NE1/4	15	127 N 74 W	*	11/2/1889	Matske Lake
818-3	SD Game, Fish & Parks	445 E Capitol Pierre, SD 57501	SW1/4SW1/4	11	126 N 77 W	*	11/1/1934	Lake Campbell
819-3	SD Game, Fish & Parks	445 E Capitol Pierre, SD 57501	SW1/4NE1/4	4	125 N 74 W	*	11/2/1889	Nameless Lake
831-3	SD Game, Fish & Parks	445 E Capitol Pierre, SD 57501	NW1/4SE1/4	9	128 N 77 W	*	11/1/1933	Chester Lake
1859-3	SD Game, Fish & Parks	445 E Capitol Pierre, SD 57501	Sections 10 & 11		126 N 74 W	*	11/2/1889	East Flat Lake
1860-3	SD Game, Fish & Parks	445 E Capitol Pierre, SD 57501		4	126 N 74 W	*	11/2/1189	Flat Lake

* The Chief Engineer's recommendation will be to validate the water right claim for sufficient water to fill the lake annually to the outlet elevation or to the elevation necessary to maintain the ordinary high water mark, whichever is lower.

Any person who wishes to oppose validation of any vested right claims shall, prior to October 1, 1988, file a petition of intent to oppose the validation with the Chief Engineer, Water Rights Division, Department of Water and Natural Resources, Joe Foss Building, 523 East Capitol, Pierre, S.D. 57501-3181 and with the vested water right holder at the listed address. The petition may be informal, but it must include a statement describing the petitioner's interest in the vested water right claim, the reasons for the petitioner's opposition to the claim, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained.

If a petition of intent to oppose the validation of a recognized vested water right claim is filed, the Chief Engineer will schedule a hearing before the Water Management Board. The parties will be notified of the time and place of the hearing. If no person opposes validation of a recognized vested water right claim pursuant to

SDCL 46-2A-16, the Water Management Board will issue an order pursuant to SDCL 46-2A-17, validating the vested water right claim.

The validations are made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-14; 46-2-3, 46-2-9, 46-2-17; 46-2A-16 thru 46-2A-18; 46-5-1 thru 46-5-8.2, 46-5-13 thru 46-5-15, 46-5-30.2 thru 46-5-37.1, 46-5-46, 46-5-49; 46-6-1 thru 46-6-3, 46-6-6, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-21; 46-7-1 thru 46-7-5.3, 46-7-12, 46-7-14, 46-7-15 and Board Rules ARSD 74:02:01:01 thru 74:02:01:05.03 and 74:02:01:20 thru 74:02:01:22.

Any person wishing further information, a copy of the vested water right claim list for another county or a summary of South Dakota Water Law and Water Rights Information can contact the Chief Engineer, Water Rights Division, Joe Foss Building, 523 East Capitol, Pierre, S.D. 57501-3181.

at the Floyd Van Beek home

and camper

Business Manager

Other Financing

FIRST TRANSMITTAL NOTICE

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

Date 6-23-88

We are in receipt of your letter of 6-22-88 enclosing Notice to Validate Vested Water Right Claims which was first published in our issue of 6-23-88. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper



Pauline Pioneer
Pollock, SD