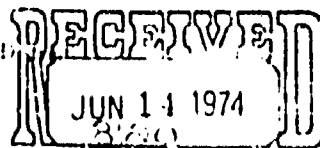


Form 2 - Application for Permit to Appropriate Water (Original (Includes Approval and Permit))

No. 101B-1Map No. 842-1 Water Division No. 1 BLUE FOURCHE RIVER
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RIGHTS COMM.
PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant GOODWIN FENNEY - Blackberry Mountain (Little Sioux)
Postoffice address BOX 635, STURGIS State SOUTH DAKOTA 57785

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) CONTRACT3. Name of diversion work GOODWIN FENNEY WELL4. Amount of water claimed (cubic feet per second) .07 - .09 CFS/SEC. LEP5. Source of water supply WELL6. Location of point of diversion S76°28'W 3221' FROM THE EAST CORNER OF SECTION 25, T5N, R5E.
BHM7. Annual period or periods during which water is to be used PERPETUALLY8. Use to be made of water. (irrigation, industrial, municipal, commercial, recreation, etc.) PRIVATE WATER SUPPLY

9. For irrigation use. Total number of acres to be irrigated _____

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

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.

Attach sheet if more space is needed

10. Time required to complete construction of water supply system ONE-HALF years. Additional time required to complete application of water to the proposed beneficial use NONE years.11. Choice of newspaper for Notice of Intent to Appropriate Water publication STURGIS TRIBUNE

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source.

WELL

B. Works proposed to transport water to place of use.

3" & 4" PVC PIPE

C. Works proposed to apply water to beneficial use.

RESIDENCES

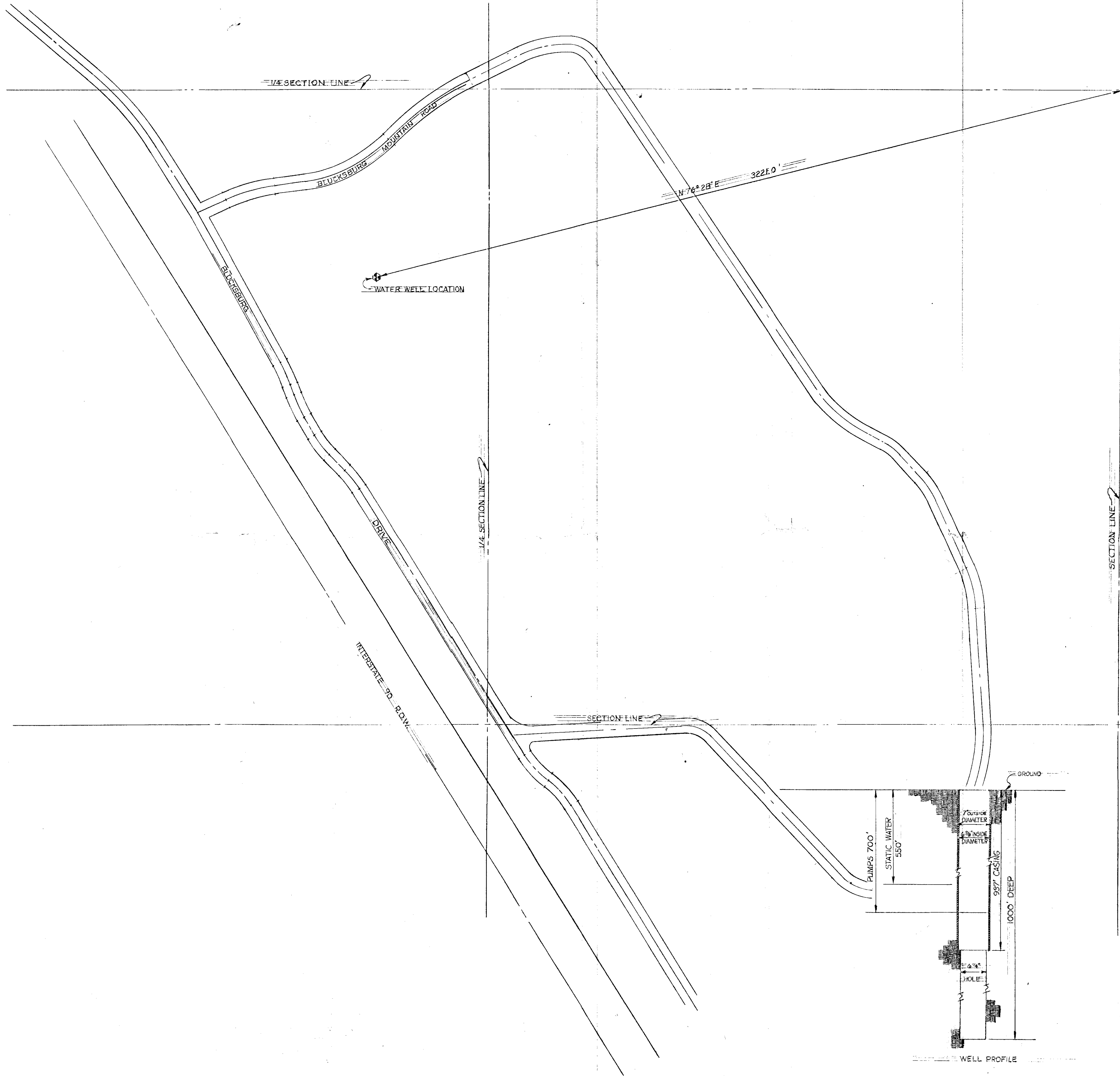
Estimated Total Cost \$ 37,000.00Attachment: Attach Form 2A if diversion from a well or dug-out, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

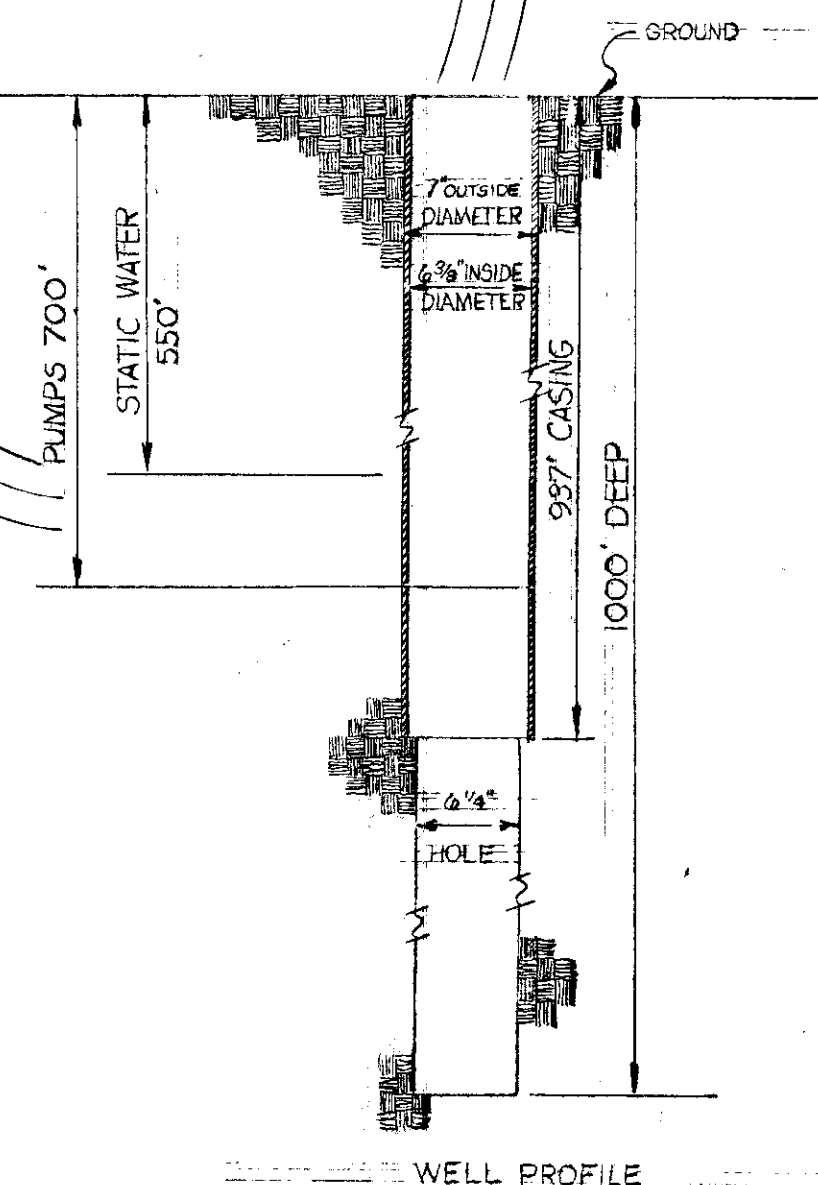
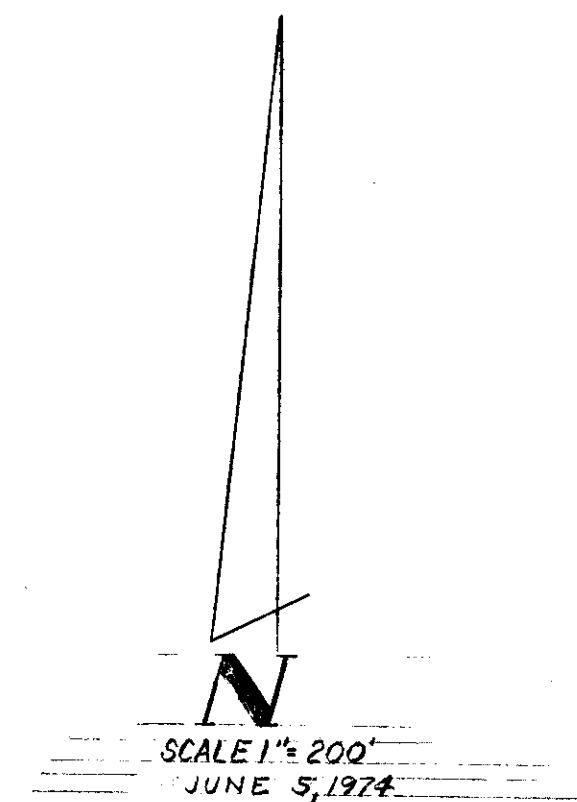
County of PENNINGTONI, GOODWIN FENNEY

the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

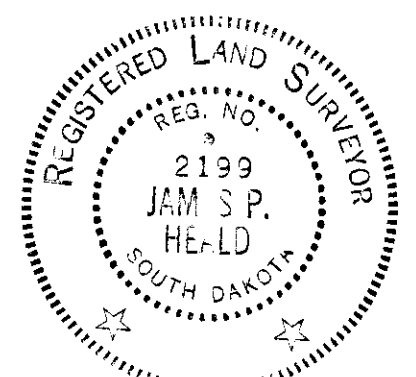
Signed Goodwin FenneySubscribed and sworn to before me this 10TH day of JUNE 1974Valores A. Nelson
Notary Public (or other qualified officer)Expy. Commission Expires: 9/10/78



EAST 1/4 SECTION CORNER OF
SECTION 25 T5N, R5E, BHM.



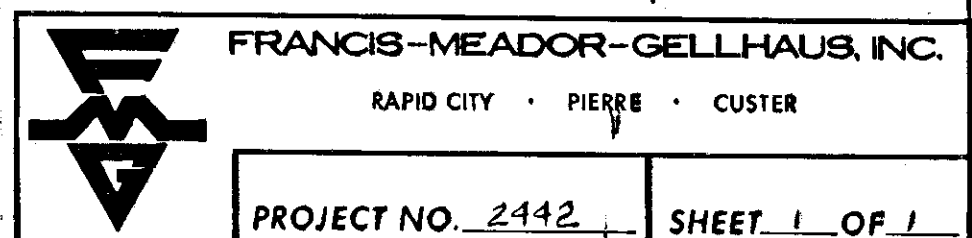
WATER RIGHT MAP FOR
BLUCKSBURG MOUNTAIN SUBDIVISION
WELL LOCATED IN SW 1/4 SECTION 25, T5N, R5E, BHM.
MEADE COUNTY, SOUTH DAKOTA



SURVEYOR'S CERTIFICATE

I, JAMES P. HEALD, Registered Land Surveyor No. 2199
OF THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT
BEING SO AUTHORIZED, I MADE THE SURVEY AND WITHIN MAP
OF THE LAND SHOWN AND DESCRIBED HEREON AND THAT THE
SAME IS CORRECT AS SHOWN HEREON.

DATED June 6, 1974 BY *James P. Heald*
JAMES P. HEALD



PROJECT NO. 2442 SHEET 1 OF 1

MAP NO. 842-1 APPENDIX 101B-1

WATER RIGHT APPLICATION APPROVAL

Blacksburg Mountain Water Assoc.

The Water Resources Commission hereby approves Water Right Application No.

1018-1

GOODWIN FENNEY

Box 236, STURGIS

(Applicant)

(Post Office Address)

SOUTH DAKOTA 57785

(State)

With the following modifications:

The ~~well~~ well approved under this Permit will be located near domestic wells and other ~~wells~~ wells which may obtain water from the same aquifer. The ~~well~~ well owner, under this Permit, shall control his ~~withdrawals~~ withdrawals so there is not a reduction of needed water supplies in existing domestic wells or in ~~wells~~ wells having prior water rights.

Cancelled 6/26/80
Incorporated into
W/L 1188-1

SEE 1188-1 add well

Date of first receipt of application JUNE 14, 19 74

Date of return to applicant for correction, amendments or changes required JUNE 17, 19 74

Date of receipt of corrected application DECEMBER 23, 19 74

Approved JANUARY 23, 19 75, Recorded in Book 13 Page 129

WATER RIGHT PERMIT NO. 1018-1

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1018-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified in the Water Right Application approval subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is DECEMBER 23, 19 74
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before APRIL 23, 19 75
3. The whole of said work is to be completed on or before JULY 23, 19 75
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JULY 23, 19 75
5. The water appropriated shall be used for the purpose of SUBURBAN HOUSING

6. 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.

7. The amount of the appropriation herein granted shall not exceed .09 cubic feet per second; neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for ~~beneficial use~~ used for suburban housing development ~~and if for the irrigation purpose said appropriation must be limited to not more than 3 acre feet per acre per year and be limited to not more than one acre per acre (1/70) of agricultural land of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation~~ on or before JULY 23, 19 75; said water to be used during the following described annual period: CONTINUOUSLY

Witness my hand this 23RD day of JANUARY, 19 75

WATER RESOURCES COMMISSION

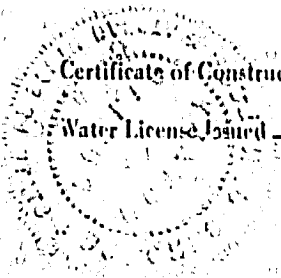
By:

Donnell Russell

Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 ____

Water License Issued _____, 19 ____



D. Well Information or Estimates

- E. Dugout Information or Estimates.**

- F. Fill out for Either a Well or a Dugout.**

- On same owner's property 10 rds. On property owned by others _____ rds.

If the proposed water use system contains one or more water storage dams, please show in the space below, the height, maximum water depth, surface area and storage capacity of each storage dam. The location of each water storage dam should be shown on the water right map.

Goodwin Henry
Signature of Applicant

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 6767

PIERRE, February 7, 1979

RECEIVED OF Doris Fenney, Box 636, Sturgis, SD 57785
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. _____ (examination, processing, recording and filing) _____	
Fee for Inspecting Construction, and Issuing Cert. of Construction No. _____	
Fee for Inspecting Beneficial Use, and Issuing Water License No. _____	
Fee for Issuing Location Certificate-Dry Draw, No. _____	
Fee for filing _____ transfer of water permit No. 1018-1	
Fee for certified copy of _____	2 50
Fee for Print copy of map _____	
Fee for Certifying _____	
Fee for _____ (any other work as provided by law)	
TOTAL	2 50

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH 9Y

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
Fuss Building
Pierre, SD 57501

Date: February 2, 1979

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

NE 1/4 SW 1/4, Section 25, T5N, R5E

formerly owned by Goodwin Fenny, Sturgis

has been transferred to Blacksburg Mountain Water Association, Sturgis, SD

together with any rights to the beneficial use of water thereon as evidenced by

Water Right Permit No. 1018-1 as provided for in SDCL 46-5-32 and 46-5-33.

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at the Office of Water Rights Commission as evidence of the change of ownership.

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

STATE OF SOUTH DAKOTA)
County of Meade) ss.

I, Goodwin Fenny 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.

Goodwin Fenny
(Signed)

Subscribed and sworn to before me this 5th Day of February, 1979.

J. H. Stenger
(Notary Public)

Attn: Jennie Young

No. 1188-1

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

Joe Foss Building Water Rights, Water Management Division
Pierre, South Dakota 57501 (605) 773-3352

June 27, 1980

Blacksburg Mountain Water Assn.
Box 636
Sturgis SD 57780

Dear Sir:

Enclosed herewith are, Water License No. 1188-1 and Certificate of Construction.

Water License No. 1188-1 is the final water right document completing your process of obtaining a water right.

As long as you use the water beneficially, as stated in the Water License, the State Water Laws provide that you have a continuing right to use the water.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights, WMD

JH: kw

enclosures

NOTE: The applicable portions of Permit No. 1081-1 have been incorporated into this Water License and Permit No 1081-1 has been placed in a cancelled status.

WNR-817-7/79
Transmittal of Water License