

Water Right Number 1043-1

1. Considered JANUARY 22, 19 75

2. Name of Applicant JAMES O'GRADY

3. Post Office Address PLAINVIEW

4. Amount of water claimed 5.1

5. Source of water supply .. CHEYENNE RIVER

6. Water to be used for IRRIGATION

Acres to be irrigated 354

7. Water to be diverted and used in MEADE County

about 30N, 3E Miles of WALL

8. Proof of Publication.

Received 12-26-74

Not received

9. Application

Approved

Subject to

Not approved

Action deferred

10. Remarks:

No. 1040-7Map No. 861-1 Water Division No. 1 BELLE FOURCHE RIVER
(Blanks to be filled by the Engineer for the W. R. C.)

APPLICATION FOR PERMIT

STATE WATER RIGHTS COM.
 PIERRE, SOUTH DAKOTA

To Appropriate Water within the State of South Dakota

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

1. Name of Applicant James O'Grady
 Postoffice address Plain View, State South Dakota
 If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct Labor3. Name of diversion work James O'Grady4. Amount of water claimed (cubic feet per second) Not S.O.S MAXIMUM ALLOWABLE5. Source of water supply Cheyenne River6. Location of point of diversion Between points 1 and 2 as indicated on location map7. Annual period or periods during which water is to be used May through October8. Use to be made of water. (Irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation9. For irrigation use, Total number of acres to be irrigated 354

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.
SW 1/4 NW 1/4 Sec. 33 T6N R16E	12.0	NW 1/4 SW 1/4 Sec. 33 T6N R16E	2.0
SE 1/4 NW 1/4 Sec. 33 T6N R16E	24.0	NE 1/4 SW 1/4 Sec. 33 T6N R16E	24.0
SW 1/4 NE 1/4 Sec. 33 T6N R16E	10.0	SE 1/4 SW 1/4 Sec. 33 T6N R16E	12.0
NE 1/4 NE 1/4 Sec. 33 T6N R16E	2.0	NW 1/4 SE 1/4 Sec. 33 T6N R16E	40.0

See attached sheet for additional land description. Attach sheet if more space is needed

10. Time required to complete construction of water supply system 5 years. Additional time required to complete application of water to the proposed beneficial use 3 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.

Pumping plant

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

Pipeline

C. Works proposed to apply water to beneficial use.

SprinklerEstimated Total Cost \$ 35,000Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
(See instructions concerning preparation.)

STATE OF SOUTH DAKOTA

County of MeadI, James O'Grady, 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 James O'GradySubscribed and sworn to before me this 29 day of November, 1974

Notary Public (or other qualified officer)

Dale R. Hansen
NOTARY PUBLIC
My Commission Expires Jan. 27, 1975

WATER RIGHT APPLICATION APPROVAL

The Water Resources Commission hereby approves Water Right Application No. 1040-1
JAMES O'GRADY PLAINVIEW
 (Applicant) (Post Office Address)
SOUTH DAKOTA 57771 With the following modifications:
 (State)

DIVERSIONS OF WATER UNDER THIS PERMIT ARE CONTINGENT UPON SUPPLIES BEING FIRST AVAILABLE TO THE PRIOR WATER RIGHTS ON THE CHEYENNE RIVER. FLOW RECORDS SHOW THAT THERE ARE OCCASIONAL YEARS WHEN THE FLOWS OF THE CHEYENNE RIVER ARE DEFINITELY & RECOGNIZABLY LOWER THAN USUAL DURING THE MONTHS OF JULY, AUGUST & SEPTEMBER. DIVERSIONS OF WATER ARE NOT TO BE MADE UNDER THIS PERMIT DURING SUCH LOW FLOW PERIODS.

Date of first receipt of application DECEMBER 2, 19 74
 Date of return to applicant for correction, amendments or changes required _____, 19 ____
 Date of receipt of corrected application _____, 19 ____
 Approved JANUARY 23, 19 75, Recorded in Book 13 Page 137

WATER RIGHT PERMIT NO. 1040-1

The Water Resources Commission hereby grants and issues this Water Right Permit No. 1040-1 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 2, 19 74
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before JULY 23, 19 76
3. The whole of said work is to be completed on or before JANUARY 23, 19 80
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is JANUARY 23, 19 88
5. The water appropriated shall be used for the purpose of IRRIGATION

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 5.05 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 uses served, and if for the irrigation purposes said appropriation must be limited to not more than 3 acre feet per acre per year and 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 JANUARY 23, 19 88; said water to be used during the following described annual period: MAY THRU OCTOBER

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

WATER RESOURCES COMMISSION

By:

Donald I. Quisell
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 ____

Water License Issued _____, 19 ____

Attachment To Form 2

Land Description	No Acres Irrigation
NE 1/4 - SE 1/4 - Sec. 33 - T-6-N - R-16-E	2.8 Acres
SW 1/4 - SE 1/4 - Sec. 33 - T-6-N - R-16-E	30 Acres
SE 1/4 - SE 1/4 - Sec. 33 - T-6-N - R-16-E	40 Acres
NW 1/4 - SW 1/4 - Sec. 34 - T-6-N - R-16-E	20 Acres
NE 1/4 - SW 1/4 - Sec. 34 - T-6-N - R-16-E	20 Acres
SW 1/4 - SW 1/4 - Sec. 34 - T-6-N - R-16-E	40 Acres
SE 1/4 - SW 1/4 - Sec. 34 - T-6-N - R-16-E	40 Acres

Form 8 - Proof of Publication - Notice of
Intent to Appropriate Water

No. 1040-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Yeadon) ss.

I, Teresa Shoun hereby
certify that the annexed printed copy of Notice of Intent to Appropriate
Water was taken from the Sturgis Tribune

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

B. H. Publishers, Inc. Sturgis

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

Dec 11, 1974

Teresa Shoun
(Signature)

Bookkeeper
(Title)

December 23, 1974
(Date Signed)

No. 1040-1

NOTICE
INTENT TO
APPROPRIATE WATER

Pierre, South Dakota 57501

December 3, 1974

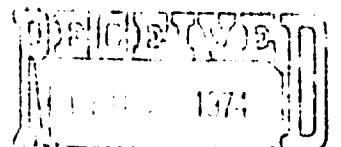
Notice is hereby given that
James O'Grady, whose post
office address is Plainview,
South Dakota, has made an
application in accordance
with the provisions of the
water laws of South Dakota
for a permit to appropriate
for beneficial use 5.0 cubic
feet of water per second of
time from the Cheyenne
River through the O'Grady
Irrigation Project; the point
of diversion of which is to be
located between points in the
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, T6N,
R16E and in the NW $\frac{1}{4}$ NW $\frac{1}{4}$
of Section 3, Twp. 3N, Range
16E. Said water to be used
for the purpose of providing
irrigation on all or portions
of the following described
land: S $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$,
E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$, Section
35; SW $\frac{1}{4}$, Section 34, all in
T6N, R16E.

This application No. 1040-1
will be considered by the
Water Resources Com-
mission at their office at
Pierre upon the 32nd day of
January, 1975, at 2:30 P.M.
All interested persons may
appear and be heard.

WATER RESOURCES
COMMISSION

BY: s-Burton F. Jones
BURTON F. JONES
Water Rights
Specialist

Tribune Dec. 11, 1974



STATE WATER RIGHTS COMMISSION

Permit No. 1040-1

Lower Cheyenne Water District

Report Of Examination Of Works And/Or Application Of Water To Beneficial Use

TO: Chief Engineer, Division of Water Rights, DWRNR, Foss Bldg., Pierre, SD 57501

I have this day made a thorough examination of the water use system constructed by James O'Grady
of Plainville, SD holder of

Permit No. 1040-1 bearing the priority of December 2 19 74 authorizing
the diversion of 5.05 cu. ft. per second of the waters of the Cheyenne River & runoff
for irrigation purposes, in Meade County.

I have to report on the conditions of the same as follows:

A. Works used to divert the water:

motor: Deutz, diesel pump: Berkelay
M.R. 5914120 S.N. DPT167146
45 hp. ≈ 9006PM

B. Works used to transport water to place of use:

Pipeline: size - 10 in.
type - Aluminum
length - 1320 ft

Dikes: size - 10 ft wide
ave. 3 ft. high
2.9 miles long

C. Works used to apply water to beneficial use:

Gated Pipe: size - 10 in.
length - 2640 ft.

type - earth
18 in. culverts thru dike
(not gated)

The system is in the following condition good

The point of diversion is located Cheyenne River: Between the NW¼SW¼ of sec. 33-T6N-R16E
and the NE¼NW¼ of sec 3-T5N-R16E

The works are capable of diverting and conveying to the place of use 2.00

cu. ft. per second of water which is to be used for irrigation

Water has been put to beneficial use to the maximum extent as follows:

	Acres		Acres		Acres
SE¼NW¼ sec 33-T6N-R16E	12.0	NE¼SE¼ sec 33-T6N-R16E	18.0	NW¼SW¼ sec 34-T6N-R16E	3.2
NE¼SW¼ "	29.2	SW¼SE¼ "	8.4	SW¼SW¼ "	32.9
SW¼NE¼ "	1.6	SE¼SE¼ "	23.6	SE¼SW¼ "	28.4
NW¼SE¼ "	30.8				

comprising a total of 193.2 acres of land and the license should be issued for 2.00 cfs

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: _____ Date Aug. 28, 1984

Ron D. Small
(signature)

LICENSE FOR PERMIT NUMBER 1040-1

1. Legal location of wells: _____

dams & structures: _____

2. Well Information: Well Drilling Firm _____

No. of wells _____ Depth _____

Casing a) diameter _____ Screen a) type _____
b) length _____ b) length _____
c) type _____ Static Water Level _____

Pump a) make _____ Motor a) make _____
b) model _____ b) model no. _____
c) size _____ c) horsepower rating _____
d) capacity _____ GPM d) motor efficiency rating _____
e) turbine pump
no. of stages _____

3. Distribution lines: Pipeline

a) size of lines 10 in.
b) type Aluminum
c) length 1320 ft

4. Dam information:

a) height to crest _____
b) height to spillway _____
c) crest width _____
d) crest length _____
e) spillway length _____
f) spillway width _____
g) approx. storage _____

i) Outlet tubes:

1) diameter _____
2) type _____
3) valued (Y/N) _____
4) valve type _____
5) location on structure _____

h) Distribution lines or ~~canals~~: dike

1) size 10 ft wide average 3 ft high
2) type earth
3) length 2.9 miles

18 in. culverts thru dike
(not gated)

5. System Type: a) sideroll:

1) length _____ feet
2) diameter of pipe _____
3) make, model & number of sprinklers _____
4) spacing of sprinklers _____
5) nozzle size _____

b) towline:

1) length _____ feet
2) make, model & number of sprinklers _____
3) spacing of sprinklers _____
4) nozzle size _____

5. System Type: c) center pivot

- 1) make _____
- 2) number of towers _____
- 3) distance between towers _____
- 4) overall length _____
- 5) End gun (Y/N) _____
- 6) high or low pressure _____
- 7) make & size of nozzles _____
- 8) PSI reading while system is running _____
- 9) GPM _____

g) Gun

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____
- 6) hose size _____
- 7) hose length _____

d) Gate Pipe

- 1) length 2640 Ft
- 2) diameter 10 in.
- 3) spacing of gates _____

e) Siphons

- 1) number _____
- 2) size _____

f) Portable boom

- 1) make _____
- 2) serial number _____
- 3) nozzle size _____
- 4) capacity (GPM) _____
- 5) PSI _____

h) Hydromatic

- 1) make _____
- 2) model _____
- 3) serial number _____
- 4) length _____
- 5) nozzle size _____
- 6) spacing _____
- 7) PSI _____
- 8) capacity (GPM) _____

YES	NO	Check Items
☒	☐	1. Soil and water permit lands agree with lands being irrigated and lands listed on permit.
☒	☐	2. Special Qualifications to permit being abided by.
☒	☐	3. All Structures, wells and lands on map.

REMARKS:

motor: Deutz
NR 59141.20
45 hp.

pump: Berkeley
S.N. DPT167146
≈ 900 GPM

State of South Dakota
Water License No. 1040-1

(1) James O'Grady
of Howes Routs, Plainview SD
made Application No. 1040-1, December 12, 1974 for a water permit to appropriate
5.05 cubic feet per second of water from the Cheyenne River
Meade County, South Dakota for irrigation purposes.
Permit No. 1040-1, with a priority date of December 2, 1974
was approved January 23, 1975 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before January 23, 1980 and for the application to beneficial use of said
water on or before January 23, 1983.

and

(2) It is certified that the application has complied with the provisions of South Dakota State Law relating to completion of
the construction of the water supply system and is entitled to divert 2.00 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is on the Cheyenne River between the
NW 1/4 SW 1/4 of Section 23, T6N, R16E and the NE 1/4 NW 1/4 of Section 3,
T5N, R16E

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following and all in T6N, R16E

Section 33 SE 1/4 NW 1/4 12.0 acres (DD)

NE 1/4 SW 1/4 29.2 " (CA)

SW 1/4 NE 1/4 1.6 " (AC)

NW 1/4 SE 1/4 30.8 " (DB)

NE 1/4 SE 1/4 18.0 " (DA)

SW 1/4 SE 1/4 8.4 " (DC)

SE 1/4 SE 1/4 23.6 " (DD)

Section 34 NW 1/4 SW 1/4 3.2 " (CB)

SW 1/4 SW 1/4 38.0 " (CC)

SE 1/4 SW 1/4 28.4 " (CD)

TOTAL 193.2 acres

(4) Pursuant to §46-5-30.1 James O'Grady

of Howes Rt, Box 290, Plainsview, South Dakota 57748

the holder(s) and/or owner(s) of Water Permit No. 1040-1 is issued a license to appropriate water, the right to use

2.00 cubic feet per second of water from the Cheyenne River & runoff with a priority date

of December 2, 1974 from the location specified in (2) of this license. The water to be

conducted to and upon lands specified in (3) of this license for the purpose of irrigation

This license is subject to any limitations or qualifications listed in Water Permit No. 1040-1 and subject to South Dakota State Law.

John Hated
Chief Engineer, Water Rights Division
Department of Water and Natural Resources

FEB 28 1985

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

No 4 9942

Pierre, February 13, 19 85

RECEIVED OF James O'Grady, Plaintiff, SD 57777 Howes SD 57746

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. 1040-1 _____	50	00
Fee for Filing Transfer Form _____		
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	50 00

By John Hatch
Chief Engineer JOHN HATCH (ms)

No. 1040-1

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

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

FEB 28 1985

James O'Grady
Howas Rt. Box 280
Plainsview SD 57748

Dear Mr. O'Grady:

Enclosed herewith is, Water License No. 1040-1. This 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

JOHN HATCH, Chief Engineer
Water Rights Division

JH:

Enclosures

WNR-817 3/83
Transmittal of Water License



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

July 29, 1998

1040-1

James O'Grady
HCR 77 Box 280
Howes, SD 57748-9506

Dear Mr. O'Grady:

I am writing to you in an effort to update your water right with regard to the type of irrigation system you use. Water Right No. 1040-1 authorizes diversion of 2.00 cfs from the Cheyenne River and runoff to irrigate 193.2 acres in portions of Section 33 and 34, T6N, R16E.

In 1984, an investigation of your water use system was conducted to allow for issuance of the water license. The investigation found a 900 gpm pump diverting water from the river through a pipeline to the irrigation system (see enclosed copy of report).

I noticed when reviewing last year's irrigation questionnaire, that you listed "flood irrigation" in the area requesting a pump rate. In order to calculate how much water is used from a particular water source, it is necessary to have a pump rate listed along with the days per month and average hours per day the system is used.

Do you still utilize a pump with your irrigation system or is it entirely a water spreading system? Please take a few minutes to write or call and let me know if your irrigation system has changed. You may make any necessary corrections on the enclosed report and send it back to me.

I appreciate any assistance you may give in this matter. If you have any questions, please get in touch with me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

encl

1040-1

**WATER RIGHTS PROGRAM
FILE DOCUMENTATION**

NAME OF PERSON OR FILE: James O'Grady

ADDRESS: HCR 77 Box 280, Howes, SD 57748-9506

DATE: August 17, 1998

RE: equipment used for irrigation

COMMENTS:

In response to my letter of July 29th requesting information on the type of irrigation system used for Water Right No. 1040-1, Mr. O'Grady called and spoke with Ron Duvall.

He indicated to Ron that he does have pumping equipment but has not had to use it for the last three years or so due to excess water. Part of his system is strictly waterspreading and he uses pump with the gated pipe only.



Genny McMath
Environmental Scientist



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 29, 2001

1040-1

Ada Mae O'Grady
19350 O'Grady Rd
Howes, SD 57748

Dear Mr. O'Grady:

Thank you for calling the other day and for sending in the irrigation questionnaire so promptly. I looked up last year's irrigation questionnaire and your husband reported that enough natural moisture was received and so he did not have to irrigate. I wrote the same comment on this year's questionnaire for you. If there is something different you would like me to add on there, just let me know.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in transferring the water right to your name. I completed the form with the information I had on hand. Please review the form and make any corrections you feel are necessary. Upon completion, please sign the form in the presence of a notary public and return it to our office with a required filing fee of \$2.50. The check or money order for the fee can be made payable to the Water Rights Program.

If I can answer any questions for you, please let me know.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

February 14, 2002

1040-1

Jerry Casteel
Casteel Auction & Real Estate, Inc
1010 Ball Park Rd – Suite 9
Sturgis, SD 57785

Dear Mr. Casteel:

Enclosed, as you requested, is a copy of Water Right No. 1040-1 and a partially completed Notice of Transfer of Ownership form.

Once the land is sold, the new owner(s) will need to sign complete the form and sign it in the presence of a notary public. A \$2.50 filing fee is required for filing the transfer of ownership. The check or money order for the fee can be made payable to the Water Rights Program.

If you have any questions, please get in touch with me.

Sincerely,

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

enclosures



1040-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

March 27, 2002

Bill Edwards
39109 126th Street
Aberdeen, SD 57401

Dear Mr. Edwards:

Enclosed is a copy of Water Permit No. 1040-1 for James O'Grady and a copy of the application map and map from the permit inspection. Also enclosed, are copies of our Water Permit Application form, with instructions, and a Transfer of Ownership form.

The original application only allowed diversion directly from the Cheyenne River; however, when the permit was inspected for licensing purposes, runoff was included on the license. If you are considering expansion of the project, particularly waterspreading irrigation from runoff, the entire project including the existing acres covered by waterspreading should be described in the new application.

If you have any questions, please feel free to contact me.

Sincerely,

Timothy G. Schaal, P.E.
Water Resources Engineer Specialist
Water Rights Program
(605) 773-3352

enclosures

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

112 417153

Pierre, May 1

2002

RECEIVED OF High Plains Title Services Inc., PO Box 909, Sturgis, SD 57785 (Don High: Partnership
the following amount in fees for services rendered as provided for by law: (Dance O'Grady- Ada Mae O'Grady)

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 1040-1

Fee for Filing Extension Request _____

Fee for _____

2 50

(Any Other Work Provided by Law)

Total

2 50

By

Chief Engineer

Dwight Elwell

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

MAY 01 2002

WATER RIGHTS
PROGRAM

No. 1040-1

Date: April 29, 2002

We request that Water Right No. 1040-1

formerly owned by: James O'Grady - Ada Mae O'Grady

be transferred to: (name & address) Don Hight Partnership
14116 North Highway 79
Piedmont, SD 57769

Telephone No. 1-605-787-5656

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

192.2 acres - SE 1/4 NW 1/4, NE 1/4 SW 1/4, SW 1/4 NE 1/4, SE 1/4 Section 33, N 1/4 SW 1/4 SE 1/4 SW 1/4 Section 34, all in T6N, R16E

I/We understand that the validity of Water Right No. 1040-1 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 SDCI, 46-2-13. This form must be signed by the new owner.

STATE OF SOUTH DAKOTA)

County of MEADE)

Don Hight, Partner and Adeline Hight, Partner, of
I/We Don Hight Partnership 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.

DON HIGHT PARTNERSHIP:

BY: [Signature]
DON HIGHT, PARTNER

BY: [Signature]
ADELINE HIGHT (Signed by new owner)
PARTNER

Subscribed and sworn to before me this 29th day of April, 20 02

Louise Chaffee Notary Public
My Commission Expires July 30, 2003

[Signature]
(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.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

May 2, 2002

1040-1

Don & Adeline Hight
Don Hight Partnership
14116 N Hwy 79
Piedmont, SD 57769

Dear Mr. & Mrs. Hight::

Thank you for following up on the ownership change for Water Right No. 1040-1. The transfer has been completed. The water right formerly listed in the names of James and Ada Mae O'Grady is now listed in the name of Don Hight Partnership.

Each year in October, we mail out the annual irrigation questionnaire. Enclosed is a sample copy for your review. This will give you an idea of what type of information you will need to keep track of during the irrigation season.

Receipt No. 417153 in the amount of \$2.50, which was paid for filing the ownership change, is being forwarded to High Plains Title Services, Inc. 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

c: High Plains Title Services w/receipt



1040-1
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 20, 2005

NOTICE

TO: DON HIGHT PARTNERSHIP, 14116 N HWY 79, PIEDMONT, SD 57769

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2004 Irrigation Questionnaire

Our records indicate that the 2004 Irrigation Questionnaire has not been submitted for Permit No. 1040-1. The request for the Questionnaire was dated October 22, 2004. The Water Management Board has directed that owners of water permits who have not submitted the 2004 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 8:30 am, March 2, 2005, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No. 1040-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire is received in this office on/or before February 25, 2005, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire, please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



1040-1

Track & Confirm

Current Status

You entered 2301 3460 0000 8516 1541

Your item was delivered at 8:39 am on February 02, 2005 in PIEDMONT, SD 57769. The item was signed for by D HIGHT.

[Shipment Details >](#)

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SIGNATURE CONFIRMATION NUMBER:
2301 3460 0000 8516 1541

DON HIGHT PARTNERSHIP
14116 N HWY 79
PIEDMONT SD 57769

Waiver of Signature ☐ YES ☐ NO

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PS Form 153, July 2001



**DEPARTMENT of ENVIRONMENT
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PMB 2020
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523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
www.state.sd.us/denr

February 7, 2005

1040-1

Don Hight Partnership
14116 N Hwy 79
Piedmont SD 57769

Dear Sir:

I am writing to acknowledge receipt of your 2004 irrigation questionnaire. You may disregard the January 20, 2005, "Notice" concerning reporting requirements for Water Right No. 1040-1.

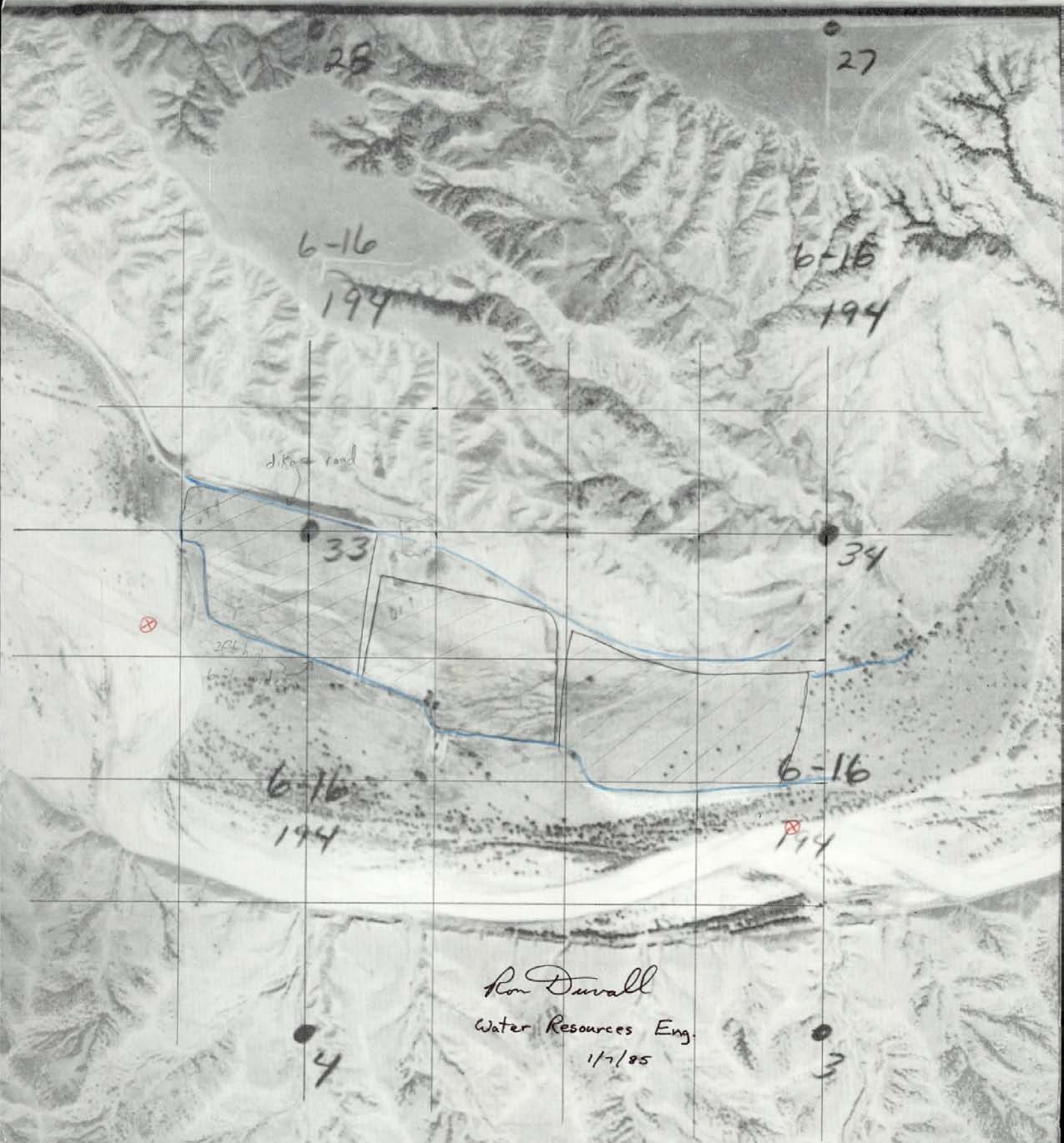
The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

Genny McMath
Environmental Scientist
Water Rights Program
(605) 773-3352

NOT TO SCALE



Ron Duwall
Water Resources Eng.
1/7/85

W/R 1040-1

Meade

U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE

R 16 E

R 16 E

Pumping plant between
Points one and two

33

34

T 6 N

Pumping plant between Points
one and two
Cheyenne River

MAP NO 861-1 APPENDIX 1040-1



1040-1
**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 24, 2006

NOTICE

TO: DON HIGHT PARTNERSHIP, 14116 N HWY 79, PIEDMONT, SD 57769

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2005 Irrigation Questionnaire(s)

Our records indicate that the 2005 Irrigation Questionnaire has not been submitted for Permit No(s) 1040-1. The request for the Questionnaire was dated October 28, 2005. The Water Management Board has directed that owners of water permits who have not submitted the 2005 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 10:30 am, March 2, 2006, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 1040-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before **February 24, 2006**, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



1040-1

Track & Confirm

Current Status

You entered 2303 2160 0000 0799 4183

Your item was delivered at 1:08 pm on January 27, 2006 in PIEDMONT, SD 57769. The item was signed for by D HIGHT.

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SIGNATURE CONFIRMATION NUMBER:
2303 2160 0000 0799 4183

DON HIGHT PARTNERSHIP
14116 N HWY 79
PIEDMONT SD 57769

illing.

Waiver of Signature ☐ YES ☐ NO

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**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 6, 2006

NOTICE OF AMENDMENT OF WATER RIGHT

TO: Don Hight Partnership, 14116 N Hwy 79, Piedmont SD 57769

FROM: Garland Erbele, Chief Engineer
Water Rights Program *Garland Erbele*

SUBJECT: Amendment to Water Right No. 1040-1

On March 2, 2006, the Water Management Board amended Water Right No. 1040-1 to add the following qualification:

"This water right is subject to the Irrigation Water Use Questionnaire being submitted each year."

This action was taken for failure to return the 2005 irrigation questionnaire. The addition of this qualification to your water right means that failure to submit the required irrigation questionnaire in the future could result in suspension of the water right with no use of water for up to one year for the first violation.

Please contact Genny McMath (605) 773-3352, if you have any questions.

1040-1

Notice of Amendment:

Notice of Three Year Suspension:

Notice of One Year Suspension:

Eric Munk

Karen Schlaak

**My Commission Expires
April 1, 2007**



1040-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

January 22, 2010

NOTICE

TO: DON HIGHT PARTNERSHIP, 14116 STURGIS RD, PIEDMONT, SD 57769

FROM: Ron Duvall, Natural Resources Engineer
for Garland Erbele, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 2009 Irrigation Questionnaire(s)

Our records indicate that the 2009 Irrigation Questionnaire(s) has not been submitted for Permit No(s) 1040-1. The request for the Questionnaire was dated October 16, 2009. The Water Management Board has directed that owners of water permits who have not submitted the 2009 Irrigation Questionnaire(s) be given notice of permit violation and a hearing to be held by the Board. The hearing is to determine what action is to be taken for violation of Water Permit No(s) 1040-1 qualification:

"This permit is approved subject to the Irrigation Water Use Questionnaire being submitted each year."

The hearing will be held at **10:00 am, March 10, 2010** in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol Avenue, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. According to SDCL 46-1-12, the Board may suspend a permit for a period of up to one year for the first violation of a permit qualification or up to three years for a second violation, or cancel a permit for a third violation. Following the hearing, the Water Management Board can:

1. Suspend or cancel Permit No(s) 1040-1 in accordance with applicable provisions of SDCL 46-1-12;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is (are) received in this office on/or before **March 5, 2010**, you will no longer be in violation of your permit and your name will be deleted from the Board agenda. Enclosed are additional questionnaire(s) for your use. If you have questions or need assistance, please contact Genny McMath at (605) 773-3352 or email at genny.mcmath@state.sd.us. If you prefer, you can complete the questionnaire online at the following link: <https://denr.sd.gov/iq/asp>

NOTE: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.



1040-1
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Track & Confirm

Search Results

Label/Receipt Number: 2303 2160 0000 0802 9013

Service(s): **Signature Confirmation™**Status: **Delivered**

Your item was delivered at 10:48 AM on January 23, 2010 in PIEDMONT, SD 57769. The item was signed for by D HIGHT.

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Detailed Results:

- Delivered, January 23, 2010, 10:48 am, PIEDMONT, SD 57769
- Arrival at Post Office, January 23, 2010, 8:30 am, PIEDMONT, SD 57769

Notification Options

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FOIA

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SIGNATURE CONFIRMATION NUMBER:
ET06 2010 0000 0912 E0E2

DON HIGHT PARTNERSHIP
14116 STURGIS RD
PIEDMONT SD 57769

are mailing.

Waiver of Signature ☐ YES ☐ NOPostmark
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PS Form 153, May 2002

(See Reverse)



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 28, 2010

1040-1

Don Hight Partnership
14116 Sturgis Rd
Piedmont SD 57769

Dear Mr. Hight:

I am writing to acknowledge receipt of your 2009 irrigation questionnaire. You may disregard the January 22, 2010, "Notice" concerning reporting requirements for Water Right No. 1040-1.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

PAID

MAR 07 2019

Ck# 97109

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

MAR 07 2019

Water Right/Permit No. 1040-1

WATER RIGHTS
PROGRAM

Date: March 4, 2019

I/We request that Water Right/Permit No. 1040-1 formerly owned by:

Don Hight Partnership be transferred to:

New Owner Name: Circle R Ranch, LLLP

Address: 4477 E C-462

City, State, Zip Wildwood FL 34785 Telephone No. (352) 266-6968

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

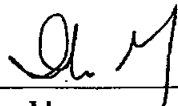
See attached Exhibit A

- ☒ I understand that the validity of Water Right/Permit No. 1040-1 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 Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, Circle R Ranch, LLLP, the new owner, certify that the above information is true and correct.


(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.

EXHIBIT A TO WATER RIGHTS TRANSFER

sec 33-T006N-R16E, SE1/4NW1/4 - 12.00 acres
sec 33-T006N-R16E, SW1/4NE1/4 - 1.60 acres
sec 33-T006N-R16E, NE1/4SW1/4 - 29.20 acres
sec 33-T006N-R16E, NW1/4SE1/4 - 30.80 acres
sec 33-T006N-R16E, NE1/4SE1/4 - 18.00 acres
sec 33-T006N-R16E, SW1/4SE1/4 - 8.40 acres
sec 33-T006N-R16E, SE1/4SE1/4 - 23.60 acres
sec 34-T006N-R16E, NW1/4SW1/4 - 3.20 acres
sec 34-T006N-R16E, SW1/4SW1/4 - 38.00 acres
sec 34-T006N-R16E, SE1/4SW1/4 - 28.40 acres

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date March 7, 2019

RECEIVED OF First American Title Company of South Dakota PO Box 8181 Rapid City 57709

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>1040-1</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. **09052**

By

Jeanne Goodman
Chief Engineer

JMG



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 8, 2019

1040-1

James Ike Rainey
Circle R Ranch LLLP
4477 E C-462
Wildwood FL 34785

Dear Mr. Rainey:

I am writing to acknowledge receipt of the transfer form and filing fee submitted for changing ownership on Water Right No. 1040-1.

The ownership change has been completed. Water Right No. 1040-1 formerly listed in the name of Don Hight Partnership is now listed under Circle R Ranch LLLP.

Under South Dakota Water Law, water must be placed to beneficial use for the purpose it was appropriated at least once every three years in order to maintain a water permit. This three year period may be waived if legal excuse exists for the years of nonuse. Enclosed are excerpts of the water right laws and Water Management Board Rules dealing with these issues.

Receipt No. 09052 in the amount of \$50 is being forwarded by copy of this letter to First American Title Company of SD located in Rapid City SD. If you have any questions, please contact me.

Sincerely,

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

c: First American Title Company of SD, PO Box 8181, Rapid City SD 57709 (with receipt)

1040-1

LAW OFFICES
NOONEY & SOLAY, LLP
326 FOUNDERS PARK DRIVE
P.O. Box 8030
RAPID CITY, SOUTH DAKOTA 57709-8030

JOHN K. NOONEY
KURT E. SOLAY
ROBERT J. GALBRAITH
MARLI A. SCHIPPERS
JARED D. NOONEY

TELEPHONE 605.721.5846
FACSIMILE 605.721.5867

July 6, 2022

[email: marli@nooneysolay.com]

RECEIVED

JUL 08 2022

OFFICE OF
WATER

South Dakota DENR – Water Rights Program
PMB 2020
523 E Capitol Ave
Pierre, SD 57501-3182

RE: Circle R Ranch, LLLP to Feist
Our File No. 22MS154

Dear Sir or Madam:

Enclosed herewith please find the following documents:

1. Notice of Transfer of Ownership Application – 1993-1; and
2. Notice of Transfer of Ownership Application – 1040-1.

Also enclosed is a check from our firm in the amount of \$100.00 for the cost of the filing fees.

If you should have any questions or need anything further, please feel free to contact me directly.

Very truly yours,

/s/ Marli A. Schippers

Marli A. Schippers

MAS/kl

Encls.

1040-1

RECEIPT**WATER RIGHTS PROGRAM**
South Dakota Department of Agriculture and Natural ResourcesDate July 8, 2022RECEIVED OF Nooney & Soley LLP PO Box 8030 Rapid City SD 57709

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>1040-1</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$50.00</u>

By Eric Gronlund
Chief Engineerth

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

Mail to: PMB 2020
DENR - Water Rights Program
523 E Capitol Ave
Pierre, SD 57501-3182

RECEIVED

JUL 08 2022

OFFICE OF
WATER

PAID

JUL 8 2022

Ck# 93556

Rec't#

Water Right/Permit No. 1040-1

Date: 7/6/2022

I/We request that Water Right/Permit No. 1040-1 formerly owned by:

Circle R Ranch, LLLP

be transferred to:

New Owner Name: James L. Feist

Address: P.O. Box 25

City, State, Zip Enning SD 57737 Telephone No. 605-431-5371

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

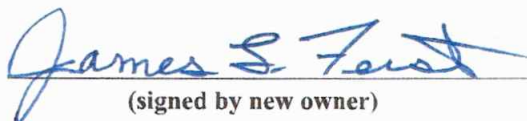
See attached Exhibit A

☒ I understand that the validity of Water Right/Permit No. 1040-1 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 Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, James L. Feist, the new owner, certify that the above information is true and correct.


(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.

**EXHIBIT A TO WATER RIGHTS TRANSFER
PERMIT 1040-1**

RECEIVED

JUL 08 2022

**OFFICE OF
WATER**

sec 33-T006N-R16E, SE1/4NW1/4 - 12.00 acres
sec 33-T006N-R16E, SW1/4NE1/4 - 1.60 acres
sec 33-T006N-R16E, NE1/4SW1/4 - 29.20 acres
sec 33-T006N-R16E, NW1/4SE1/4 - 30.80 acres
sec 33-T006N-R16E, NE1/4SE1/4 - 18.00 acres
sec 33-T006N-R16E, SW1/4SE1/4 - 8.40 acres
sec 33-T006N-R16E, SE1/4SE1/4 - 23.60 acres
sec 34-T006N-R16E, NW1/4SW1/4 - 3.20 acres
sec 34-T006N-R16E, SW1/4SW1/4 - 38.00 acres
sec 34-T006N-R16E, SE1/4SW1/4 - 28.40 acres

James S. Feist



1040-1

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 E. CAPITOL AVE
PIERRE SD 57501-3182
danr.sd.gov

July 11, 2022

1040-1
1993-1

James L Feist
PO Box 25
Enning SD 57737-0025

Dear Mr. Feist:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted by Nooney & Solay, LLP on your behalf.

The ownership changes for Water Right No. 1040-1 and Water Permit No. 1993-1 have been completed. Both, formerly listed under Circle R Ranch LLLP are now listed in your name.

Receipts for the filing fees are being forwarded to Nooney & Solay LLP by copy of this letter.

Sincerely,

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

c: Marli A Schippers, Nooney & Solay LLP, w/receipts