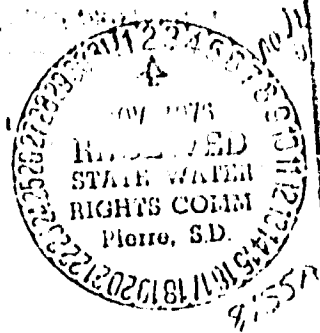


Water Right Number 1122-1

1. Considered 11-17, 1976
2. Name of Applicant WILLIAM W. UREN
3. Post Office Address VALE
4. Amount of water claimed 488
5. Source of water supply ~~342-14~~ BELLE FOURCHING RIVER
6. Water to be used for IRRIG
- Acres to be irrigated 342.14
7. Water to be diverted and used in BUTTE County
about 8 E Miles VALE
8. Proof of Publication Received 11-15-76
Not received _____
9. Application Approved _____
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

No. 1122-1
 Map No. 933-1 Water Division No. 1 BELLE FOURCHE RIVER District
 (Blanks to be Filled by the Engineer for the W. R. C.)



APPLICATION FOR PERMIT

To Appropriate Water within the State of South Dakota

(NOTE - Draw a line through items not applicable)

1. Name of Applicant William W. Uren - THORVAL JENSEN TRANS
7-28-77
 Postoffice address Vale, State South Dakota
 If a corporation show date and place of incorporation Not a Corporation
 2. Method of accomplishing work (contract, employment of others, or by direct labor) Direct Labor
 3. Name of diversion work William W. Uren #3
 4. Amount of water claimed (cubic feet per second) 720 acre feet per year 2.57 cu ft/sec
 5. Source of water supply Belle Fourche River
 6. Location of point of diversion N 75 09' 17" W from the E Quarter Corner of Section 27,
T3N, R7E, B. H. M., Butte County, South Dakota, 2,656.19 feet therefrom.
 County Butte
 7. Annual period or periods during which water is to be used 1 June to 15 Sept.
 8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) Irrigation
 9. For irrigation use, irrigation Total number of acres to be irrigated 342.148
 List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.
- | | | | |
|----------------|--------|----------------|--------|
| SW 1/4 Sec. 26 | 22.847 | NW 1/4 Sec. 35 | 40.000 |
| SE 1/4 Sec. 26 | 0.440 | NE 1/4 Sec. 35 | 32.544 |
| NW 1/4 Sec. 34 | 29.164 | SW 1/4 Sec. 35 | 40.000 |
| NE 1/4 Sec. 34 | 40.000 | SE 1/4 Sec. 35 | 40.000 |
| SW 1/4 Sec. 34 | 5.557 | NW 1/4 Sec. 35 | 10.725 |
| SE 1/4 Sec. 34 | 34.270 | SW 1/4 Sec. 35 | 38.567 |
| | | SE 1/4 Sec. 35 | 6.024 |
10. Time required to complete construction of water supply system 7 months 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 Daily Post - Belle Fourche, SD
Valley Irrigator - Newell, SD
 12. Principal features of the Proposed Water Supply System.

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

75 HP pump to pump 2250-2500 gallon per minute.

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

9638' of 10" gated and ungated pipe.

C. Works proposed to apply water to beneficial use.

Flooding system.

Estimated Total Cost \$ 26- 30,000.00

Attachments: 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 Butte)

I, William W. Uren 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

William W. Uren

Subscribed and sworn to before me this

29th

day of

October19 76

My Commission expires Aug. 10, 1981.

Notary Public (or other qualified officer)

WILLIAM W. UREN
IRRIGATION PROJECT NUMBER 3
LYING IN SEC. 27
T8N. R7E. B.H.M.
BUTTE CO. S.DAK.

CERTIFICATE OF SURVEY
STATE OF SOUTH DAKOTA, COUNTY OF BEADE

I, Keris D. Uigear, Registered Land Surveyor #1007, of the State of South Dakota, do hereby certify that this map was made from a field survey and that it correctly represents the location of the point of diversion, the pipe line and the lands to be irrigated.

Registered Land Surveyor #1007

ACKNOWLEDGMENT OF SURVEYOR

Be it remembered that on this 18th day of October, 1976, before me, the undersigned, a Notary Public, personally appeared Keris D. Uigear, known to me to be the person whose name appears next above.

Notary Public



WILLIAM W. UREN NO. 3		SCALE	DRAWN BY
		1" = 400'	REVISOR
PREPARED BY: GIGEAR SURVEYING			
DATE	APPROVED BY	DRAWING NUMBER	
OCT. 18, 76		1001	

MAP NO. 933-1 (APP. NO. 1122-1)

WATER RIGHT APPLICATION APPROVAL

The Water Rights Commission hereby approves Water Right Application No. 1122-1
THORVAL JENSEN
WILETAN W. UREN (Applicant) Rt. 1, Box 34, Valg
SOUTH DAKOTA 57788 (State) ALFADA STAR (Post Office Address)
RT. 1, BELLE
 With the following modifications: FOURCHE

Diversion of water under this permit is contingent upon water supplies being first available to the prior water rights on the Belle Fourche River. Flow records show that there are occasional years when the flows of the Belle Fourche River in this area are definitely and recognizably lower than usual during the months of July, August and September. Diversions of water are not to be made, under this permit, during such low flow periods.

Date of first receipt of application NOVEMBER 2, 19 76
 Date of return to applicant for correction, amendments or changes required _____, 19 ____
 Date of receipt of corrected application _____, 19 ____
 Approved NOVEMBER 17, 19 76, Recorded in Book 16 Page 173

WATER RIGHT PERMIT NO. 1122-1

The Water Rights Commission hereby grants and issues this Water Right Permit No. 1122-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as modified by the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is NOVEMBER 2, 19 76
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before MARCH 1, 19 77
3. The whole of said work is to be completed on or before JUNE 17, 19 77
4. The limit of time from proof of beneficial use of water as appropriated in accordance herewith is JUNE 17, 19 77
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 4.88 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 JUNE 17, 19 77; said water to be used during the following described annual period: JUNE 1 TO SEPTEMBER 15

Witness my hand this 2ND day of DECEMBER, 19 76

WATER RIGHTS COMMISSION

By:

John Hatch
 Chief Engineer, Executive Officer

Certificate of Construction Issued _____, 19 ____

Water License Issued _____, 19 ____



1122-1

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 910A-1, NW Ranches, LLC**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 910A-1, NW Ranches, LLC, c/o Bill Van Camp, PO Box 66, Pierre SD 57501-0066

The Chief Engineer is recommending APPROVAL of Application No. 910A-1 because 1) the proposed diversion can be developed without unlawful impairment of existing rights, 2) the proposed use is a beneficial use and 3) it is in the public interest.

Water Permit No. 910A-1 authorizes a change of diversion point such that Water Right Nos. 910-1 and 1122-1 & Water permit Nos. 1821-1 and 1889-1 will utilize the same pump station and unifies the annual period of use to May 1 – October 15. The priority dates for each water right will be retained and the conditions assigned to each water right are still applicable in addition to the following qualifications.

1. Low flows as needed for downstream domestic use, including livestock water and prior water rights must be by-passed.
2. Diversion under this permit shall be in accordance with any written order issued by the Chief Engineer.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Garland Erbele, Chief Engineer
June 4, 2010

NOTE: The Belle Fourche River may not be a reliable source of water, especially during periods of drought. As the permit holder you will need to limit your withdrawals so downstream prior rights are not impaired. The permit may be subject to periodic shut-off orders issued by the Chief Engineer.

STATE OF SOUTH DAKOTA
COUNTY OF BUTTE

SS.

PROOF OF PUBLICATION

_____ of said County

and State, being first duly sworn, upon his oath says: That

The Daily Belle Fourche Post

is a legal daily newspaper of general circulation, and an official newspaper as required by the Laws of the State of South Dakota, printed, and published in Belle Fourche, in said County and State by NORTHWEST PUBLISHERS, INC., and has been such newspaper during the times herein

mentioned, and I, James H. Jones

the undersigned am Editor of said newspaper

in charge of the advertising department thereof, and have personal knowledge of all facts stated in this affidavit, and that the advertising headed

Appropriate Notice

a printed copy of which is hereto attached, was

printed and published in said newspaper for two issues,

the first publication being made on Nov 1 19 76

Date of second publication _____ 19 _____

Date of third publication _____ 19 _____

Date of fourth publication _____ 19 _____

Date of fifth publication _____ 19 _____

Date of sixth publication _____ 19 _____

Date of seventh publication _____ 19 _____

and the last publication on Nov 10 19 76

that the full amount of the fees charged for publishing same, to-wit: the sum of

\$ 10.50 incurred solely to the benefit of Northwest Publishers, Inc.;

that no arrangement or understanding or a division thereof has been made with any other person and that no part thereof has been agreed to be paid to any person whomsoever.

James H. Jones

Subscribed and sworn to before me this 10 day of Nov,

A.D. 19 76.

B. J. Kennedy
Notary Public, Butte County
My Commission Expires Sept 22, 1982

Received from _____
in full of the advertising fees in the attached notice.

Publisher.



Public Notice

No. 1122-1

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

November 2, 1976

Notice is hereby given that William W. Urea whose post office address is Vale, 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 4.55 cubic feet of water per second of time from the Belle Fourche River through the Urea #3, the point of diversion of which is to be located in the SW 1/4 NE 1/4 of Section 27, Twp. 8N, Range 7E. Said water to be used for the purpose of providing irrigation on portions of the following described land: S 1/2 SW 1/4, Section 26; NE 1/4, Section 34; NW 1/4, W 1/4 NE 1/4, SE 1/4 NE 1/4, Section 35, T8N, R7E.

This application No. 1122-1 will be considered by the Water Rights Commission at the Marvin Hightt Hotel in Huron, South Dakota upon the 7th day of November, 1976, at 10:00 A.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By: Burton F. Jones,
Water Rights Specialist
2/11/4-10

Attorney's Affidavit, Ex. Rel.

STATE OF SOUTH DAKOTA
COUNTY OF BUTTE,

SS.

_____ being first duly sworn
on his oath says that I am _____

that I directed the publication of annexed notice; that no understanding of any division of the fees therefor has been made with any person whomsoever, and that no part thereof has been refunded or rebated by the party, or parties publishing said notice.

Subscribed and sworn to before me this _____ day of _____, A. D. 19 _____

Notary Public

Form 6. - Notice of Intent to Appropriate Water

No. 1122-1

Publish first publication, on or before

November 9, 1976

NOTICE OF INTENT TO APPROPRIATE WATER

Pierre, South Dakota 57501

November 2, 1976

Notice is hereby given that William W. Uren

whose post office address is Vale, 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 4.88 cubic feet of water per second of time from the Belle Fourche River through the Uren # 2, the point of diversion of which is to be located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$

of Section 27, Twp. 8N, Range 7E. Said water to be used for the purpose of providing irrigation on the following described land: portions of S $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26; NE $\frac{1}{4}$, Section 34; NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, T8N, R7E

This application No. 1122-1 will be considered by the Water Rights Commission at the Marvin Hughitt Hotel in Huron, South Dakota upon the 17th day of November, 1976 at 10:00 A.M. All interested persons may appear and be heard.

WATER RIGHTS COMMISSION

By:

BURTON F. JONES, Water Rights Specialist

BFI/pw
cc: William W. Uren, Vale, SD 57768

Form 20.

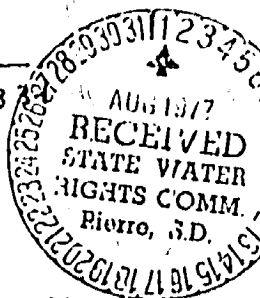
No. ~~1122-1~~

MAR NO 93

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Date JULY 28 1977



This is to notify you that title to the lands described as follows:
SW 1/4 SW 1/4 SEC 26 SE 1/4 SW 1/4 SEC 26 NW 1/4 NE 1/4 SEC 34 NE 1/4 NE 1/4 SEC 34
SW 1/4 NE 1/4 SEC 34 SE 1/4 NE 1/4 SEC 34 NW 1/4 NW 1/4 SEC 35 NE 1/4 NW 1/4 SEC 35
SW 1/4 NW 1/4 SEC 35 SE 1/4 NW 1/4 SEC 35 NW 1/4 NE 1/4 SEC 35 SE 1/4 NE 1/4 SEC 35
SE 1/4 NE 1/4 SEC 35

formerly owned by WILLIAM W UREN RT#1 VALE S. OAK 5778
has been transferred to THORVAL E JENSEN ALZANA STAR RT
together with any rights to the beneficial use of water thereon as evidenced by BELLE
Water Right Permit No. 1122-1 as provided for in Section 61.0127 of the 1960 FOUR
Supplement to the South Dakota Code of 1939. 57717

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

STATE OF SOUTH DAKOTA)
County of BUTTE) ss.

I, WILLIAM W. UREN being first duly sworn on my oath despose 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.

William W. Uren
(Signed)

Subscribed and sworn to before me this 28TH day of JULY

19 77

Patricia J. Loefer
(Notary Public)

My Commission Expires: 10-8-84

11321 - 11/10/11

2-25-11 - 11/10/11 - 11/10/11

2-10-11 - 11/10/11 - 11/10/11

2-12-11 - 11/10/11 - 11/10/11

2-12-11 - 11/10/11 - 11/10/11

2-12-11 - 11/10/11 - 11/10/11

2-12-11 - 11/10/11 - 11/10/11

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2-12-11 - 11/10/11 - 11/10/11

2-12-11 - 11/10/11 - 11/10/11

2-12-11 - 11/10/11 - 11/10/11

Belle Fourche River and Tributaries
Water Use Control Area
Financial Report

1981

Summary of Receipts and Expenditures
June, 1981 - July, 1981

	<u>Receipts</u>	<u>Disbursements</u>	<u>Balance</u>
Collections (Water User's fees)	\$7,379.37	\$	\$
Watermaster (Salary and Mileage)		2,028.62	5,350.75
	<u>\$7,379.37</u>	<u>\$2,028.62</u>	<u>\$5,350.75</u>

Detailed Report of Receipts

No.	Name	<u>Diversion Rate</u>	<u>Acreage</u>	<u>Receipts (total fee)</u>	<u>Amount Returned</u>
789-1	Louis Budmayr	0.90	95.50	\$ 34.00	\$ 30.10
429-1	Ed Brunner & Son	1.43	106.00	46.50	41.16
429-1A	Mel Pittman	1.07	79.00	40.00	35.41
506-1	Bob Bartels	.23	17.00	14.25	12.61
892-1	Bob Bartels	1.00	70.00	27.50	24.34
417-1A	Quinten & Karen Watson	.53	78.00	29.50	26.11
417-1B	Clarence Anderson	1.43	206.00	64.00	56.65
417-1	Mrs. Eddie (Vivian) Anderson	1.15	69.00	62.50	61.52
531-1	Ruby Dillinger	1.27	89.29	42.50	37.62
1162-1	Charles & Dorothy Snaykett	4.61	324.70	131.00	115.96
1210-1	Charles & Dorothy Snaykett	1.80	128.30	52.00	46.03
1132-1	Ezra Pauley	4.00	285.00	111.25	98.48
1204-1	Art Heltz, Jr.	2.19	153.00	68.25	60.41
1205-1	Harlan K Schnell	1.88	132.00	53.00	46.91
1215-1	H L & Mildred Brunner	3.00	264.50	96.12	85.08
418-1	Alex Miller	1.67	117.00	48.25	43.59
1213-1	Robert W Grant	1.43	100.00	45.00	39.83
419-1	Herman Stark	2.50	179.00	74.75	66.17
421-1	Lee Dutton	2.50	175.00	73.75	65.28
1049-1	Thorval Jensen	1.47	103.00	45.75	40.50
1122-1	Thorval Jensen	4.88	324.14	135.75	120.16
1160-1	Thorval Jensen	1.90	133.49	53.50	47.36
1029-1	Homestake Mining	1.39	97.00	44.25	39.17
910-1	Donald Halbmaier	2.50	175.00	73.75	65.28
1165-1	Tom Bowen	2.85	200.00	80.00	70.81
722-1	Edith Anderson & Tom Bowen	2.80	196.00	79.00	69.93
1148-1	Homestake Mining	13.50	948.00	377.00	333.71
430-1	Gerald Wetz	1.65	116.00	49.00	43.37
432-1	Roy Casteel	4.30	307.00	126.75	112.20
414-1	Mary Ann Schummer	3.40	239.00	99.75	88.30
411-1	Edward Poss	5.10	452.00	173.00	153.13
440-1	David A Richards	5.00	416.00	154.00	136.32
1149-1	Homestake Mining	3.20	226.00	96.50	85.42
1150-1	Homestake Mining	7.60	534.00	213.50	188.98
437-1	McHenny Ranch Inc.	5.90	418.00	164.50	145.61
1151-1	Homestake Mining	5.50	390.00	157.50	139.41
321-1	George Levin & Sons	7.00	490.00	192.50	170.40
1136-1	George Levin & Sons	3.07	215.00	93.75	82.98

Detailed Report of Receipts Cont.

No.	Name	Diversion Rate	Acreage	Receipts (total fee)	Amount Returned
1152-1	Homestake Mining	6.60	462.00	\$ 185.50	\$ 164.20
449-1	George Wurnig	5.00	365.00	171.25	151.59
1153-1	Homestake Mining	6.10	428.00	177.00	156.68
311-1	Lester Clark	16.61	1,163.60	461.00	408.06
310-1	Lester Clark	6.76	473.20	188.50	166.85
248-1	Lawrence Burke	0.30	64.00	26.00	23.01
1077-1	Charles M Arneson	1.44	131.00	52.75	46.69
165-1	Trigg Ranches Inc.	4.30	301.00	275.00	243.42
122-1	Trigg Ranches Inc.	3.75	263.00		
1146-1	Trigg Ranches Inc.	1.89	336.00		
928-1	Charles Wennberg	2.20	155.00	68.75	60.86
912-1	Gilbert Alan	1.46	101.80	45.50	40.28
926-1	Donald Berger	2.04	143.00	65.75	58.20
1176-1	Arthur J Odekoven	2.30	163.00	70.75	62.63
1190-1	Neil Shuck	3.53	247.00	101.75	90.07
611-1	Alex Miller	3.35	235.00	98.75	87.41
565-1	Ramona McFarland	0.97	68.00	27.00	23.90
870-1	Eugene C Bishop	0.70	49.00	22.25	19.70
401-1	Kenneth & Dorothy Aker	1.88	132.00	53.00	46.91
135-1	Walter Hoffman	3.11	220.00	95.00	84.09
408-1	James A Mickelson	3.10	218.00	94.50	83.65
469-1	Raymond Garness	1.30	31.00	42.75	37.84
1218-1	William Dillinger	.40	42.70	20.75	18.37
1222-1	John Ismay (Norman)	1.11	79.00	39.75	35.19
1154-1	Homestake Mining	4.50	319.00	129.75	114.85
285-1	Edgar Colin Smart	1.42	150.00	67.50	---
331-1	Anna Stetta (Louis Budmayr)	1.87	131.00	52.75	---
472-1	Timothy Reich	2.00	167.84	62.00	---
275-1	John Durr	1.90	133.00	53.25	---
271-1	Herbert Clarkson	.06	43.00	20.75	---
296-1	Robert Helmer	2.50	179.00	74.75	---
308-1	Lewis Bertolotto	.64	45.00	21.25	---
282-1	James Jeffrey	1.05	73.70	38.50	---
1182-1	George Leach	1.60	108.00	47.00	---
228-1	Thornton Vallery	.72	54.17	23.75	---
290-1	Thornton Vallery	5.50	386.00	156.50	---
264-1	Thornton Vallery	.22	15.30	1.00	---
321-1	Clarence & Lawrence Foos	1.64	115.00	48.75	---
962-1	Ione A Shevling	3.00	251.00	92.75	---
960-1	Thornton & Gwenivere Vallery	.50	35.00	18.75	---
289-1	Thornton & Gwenivere Vallery	1.02	75.00	38.75	---
273-1	Ruben & Esther Kling	.46	32.60	18.25	---
273-1A	Ruben & Esther Kling	1.54	108.40	47.25	---
1177-1	Ruben & Esther Kling	3.30	231.00	97.75	---
416-1	Creta & Leslie Miner	2.66	198.00	79.50	---
865-1	Solomn Stark	2.14	150.00	67.50	---
287-1	David G Rathbun	2.29	154.00	68.50	---
1126-1	John Lewis	3.11	339.00	124.75	---

South Dakota
Department of
Water & Natural Resources
Joe Foss Building Water Rights Division (605) 773-3352
Pierre, South Dakota 57501

June 10, 1981

Thorval Jensen
Alzada Star Route
Belle Fourche, SD 57717

Mr. Jensen:

The rules adopted by the Water Management Board for establishing a water use control area on the Belle Fourche River, Whitewood Creek and Owl Creek requires that the water right holder be assessed a fee of ten dollars for each cubic foot per second or portion thereof of the diversion capability of the diversion works plus twenty-five cents for each acre irrigated as shown by the water rights of record in the Division of Water Rights. These fees are required to be paid to the Division of Water Rights by July 1, 1981.

Permits for which fees have not been paid by July 1, 1981 shall be refused the right to divert water for the remainder of the year. The fees paid will be used to defray the costs of providing water master services within the water use control area. The following is a tabulation of your assessment.

<u>Permit No.</u>	<u>Diversion Rate</u>	<u>Acreage</u>	<u>Fee</u>
1049-1	1.47	103.0	\$ 45.75
1122-1	4.88	342.14	135.75
1160-1	1.90	133.49	53.50
TOTAL			\$235.00

Please make check or money order payable to the Dept. of Water and Natural Resources and send to the Division of Water Rights, Joe Foss Building, Pierre, SD 57501.

If you have any questions, do not hesitate to contact this office.

Very truly,

John Hatch
JOHN HATCH, Chief Engineer
Water Rights Division

JH/JW/gy

Equal Opportunity Employer

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 8400

PIERRE, SD July 24, 1981

RECEIVED OF Thorval & Janet Jensen, Alzada Route, Belle Fourche, SD 57717
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriat: 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	
Fee for certified copy of	
Fee for Print copy of map	
Fee for Certifying	
Fee for water master services on WR# 1122-1 (any other work as provided by law)	135.75
TOTAL	135.75

WATER RIGHTS COMMISSION
By (John Hatch) *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH / CH

**South Dakota Department of
Water & Natural Resources**
Joe Foss Building Water Rights Division (605) 773-3352
Pierre, South Dakota 57501

July 6, 1981

NOTICE

Thorval Jensen
Alzada Star Route
Belle Fourche, SD 57717

Subject: Shut Off Order

Under the rules established by the Water Management Board for the Belle Fourche River Water Use Control Area, Chapter 174:02:08, each water right holder was assessed a fee of ten dollars for each cubic foot per second or portion thereof of the diversion capability of the diversion works plus twenty-five cents for each acre irrigated as shown by the water rights of record in the office of Water Rights. Also it was required that all fees shall be paid to the Division of Water Rights by July 1, 1981.

Any fees not paid by July 1, 1981 are a violation of SDCL 46-10-26 and the water master (or Chief Engineer) shall refuse the water right holder the right to divert water.

According to our records, you have not paid the assessed fee, therefore, it is hereby ordered that you are not to divert water pursuant to your Permit No. 1049-1 until the 1982 irrigation season. Any intakes that you may have in the river or creek must be removed by July 9, 1981 and remain out of the river or creek until the 1982 irrigation season.

Any violation of this order shall be considered to be in violation of State Statutes and subject to penalties provided in SDCL 46-1-11 and SDCL 46-1-12.

Please advise this office if you have any questions.

Very truly yours,

James E. Hamilton
JOHN HATCH, Chief Engineer
Water Rights Division

JW/gy
cc: Marlin Lee, Water Master

Equal Opportunity Employer

~~1122-1~~
~~1049-1~~

WATER RIGHTS DIVISION

January 21, 1983

(605) 773-3352

Thorval Jensen
Alzada Star Route
Belle Fourche, South Dakota 57717

Dear Mr. Jensen:

This letter is in regard to your recent irrigation questionnaires you submitted for Permits No. 1122-1 and 1049-1. You indicated that you had a tenant operating these systems for you.

If the same tenant will be operating these systems in the future, the irrigation questionnaire could be mailed directly to him. The permits would still be listed in your name, but the tenant's name would be listed also.

If this is acceptable to you, please forward the tenant's name and mailing address to this office. If you would rather have all correspondence sent to you please advise.

Sincerely,

Genny Young
Water Rights Specialist

GY:ms

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

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

April 12, 1985

Thorval Jensen
Alzada SR Box 122
Belle Fourche SD 57717

Notice

Re: Violation of Requirement To Submit 1984 Irrigation Questionnaire

Our records indicate that the 1984 Irrigation Questionnaire has not been submitted for Permit No(s). 1122-1. The request for the Questionnaire was dated October 17, 1984. The Water Management Board has directed that owners of water permits who have not submitted 1984 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 10:30 a.m., May 15, 1985 in the Civil Defense Room, State Capitol Building, Pierre, South Dakota.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11, and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

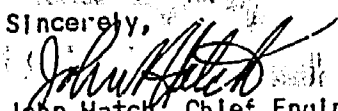
1. Amend Permit No(s). 1122-1 to require the Irrigation Water Use Questionnaire to be submitted each year;

2. Postpone any action;

3. Take no action.

The hearing(s) 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.

Sincerely,


John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-3352

NOTE: If the questionnaire(s) is received in this office before the May 15th hearing date, your name will be deleted from the agenda for the hearings.

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

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

June 12, 1985

Notice of Amendment to Water Permit(s)

To: Thorval Jensen
Alzaca St. Rt, Box 122
Belle Fourche, SD 57717

FROM: John Hatch, Chief Engineer
Water Rights Division 773-3352

John Hatch

SUBJECT: Amendment to Water Permit No(s). 1122-1.

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 1122-1 to add the following qualification:

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

The addition of this qualification to your Permit means that failure to submit the required Irrigation questionnaire in the future could result in suspension of the water permit and no use of water for up to one year for the first violation. Please include the enclosed attachment with your permit.



Department of Water & Natural Resources

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

Attachment to Water Permit No(s). 1122-1

Pursuant to the provisions of the notice dated April 15, 1985, and following the Hearing May 15, 1985, the Water Management Board has amended Water Permit No(s). 1122-1 to add the following qualification:

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

Permit No. 1122-1

8-67-1

1- Belle Fourche River Water District 10120202**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

TG: Chief Engineer, Division of Water Rights, DWNR, Foss Bldg., Pierre, SD 57501

Phone "0071846-3164"

I have this day made a thorough examination of the water use system constructed by Thorval JensenAlzada Star Rt. in Belle Fourche, S. Dak. 57717 holder ofPermit No. 1122-1 bearing the priority of November 2 1975 authorizingthe diversion of 4.88 cu. ft. per second of the waters of Belle Fourche Riverfor Irrigation purposes, in Butte County.

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

A. Works used to divert the water:

Pump - Worthington Turbine - UD-2260 G. Size 2040/QB'02.Ser No. T1312765. Pumps 4000 gpm (Est).Motor US Elec. 200 H.P. 1800 RPM. Ser # 659008. set in 48" Riser.

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

2- 10" PVC Pipes from Motor to Ditch to Fields.Headgates in main ditch runs into 10" Gated Pipe.

C. Works used to apply water to beneficial use:

Gated Pipe for furrow and flood irrigation.The system is in the following condition Good.The point of diversion is located 1200' N and 2500' W of E 1/4 Cor of Sec. 27T8N R7EThe works are capable of diverting and conveying to the place of use 8.87.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:

See Attached Sheet.comprising a total of 314 acres of land and the license should be issued for 4.49 4.49Applicable permit qualifications have been complied with X Yes NoExceptions to compliance are: Date October 26, 1981LeRoy J. McNaugh

SUPERVISOR

State of South Dakota
Water License No. 1122-1

(1) William W. Wren
of Vale, South Dakota 57788
made Application No. 1122-1 on November 2, 1976 for a water permit to appropriate
4.88 cubic feet per second of water from the Belle Fourche River
Butte County, South Dakota for November 2, 1976 purposes.
Permit No. 1122-1, with a priority date of November 2, 1976
was approved November 17, 1976 and issued to applicant(s) for diversion of water with construction of the described
water supply system to be completed on or before June 17, 1977 and for the application to beneficial use of said
water on or before June 17, 1977.

July 28, 1977, Water Permit No. 1122-1 was transferred to Thorval Jensen, Alzada Star
Route, Belle Fourche, South Dakota.

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 4.49 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is 1200'N and 2500'W of the E $\frac{1}{4}$ Corner of
Section 27, T8N, R7E (AC)

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 land all in T8N, R7E

Section 26 SW $\frac{1}{4}$ SW $\frac{1}{4}$ 21 Acres (CC)
Section 34 NW $\frac{1}{4}$ NE $\frac{1}{4}$ 27 Acres (AB)
NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 Acres (AA)
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 8 Acres (AC)
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 20 Acres (AD)
Section 35 NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 Acres (BB)
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 29 Acres (BA)
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 35 Acres (BC)
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 Acres (BD)
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 11 Acres (AB)
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 38 Acres (AC)
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 5 Acres (AD) TOTAL ACRES 314

(4) Pursuant to §16-5-30.1 Thorval Jensen
of Alzada Star Route, Belle Fourche, South Dakota 57717
the holder(s) and/or owner(s) of Water Permit No. 1122-1 is issued a license to appropriate water, the right to use
4.49 cubic feet per second of water from the Belle Fourche River with a priority date
of November 2, 1976 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. 1122-1 and subject
to South Dakota State Law.


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

JOHN HATCH

NOV 27 1985

Water Thorval Jensen
Permit Section 26, T8N, R7E
#1122-1 SW $\frac{1}{4}$ SW $\frac{1}{4}$ - 21 Ac.

21 Ac.

Section 34 T8N R7E
NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 27 Ac.
NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 40 Ac.
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 8 Ac.
SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 20 Ac.

95 Ac.

Section 35 T8N R7E
NW $\frac{1}{4}$ NW $\frac{1}{4}$ - 40 Ac.
NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 29 Ac.
SW $\frac{1}{4}$ NW $\frac{1}{4}$ - 35 Ac.
SE $\frac{1}{4}$ NW $\frac{1}{4}$ - 40 Ac.
NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 11 Ac.
SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 38 Ac.
SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 5 Ac.

198 Ac.

Total 314 Ac.

SOUTH DAKOTA Department of
Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

Division of Water Rights
605 773-3352

No. 1122-1

November 29, 1984

Thorval Jensen
Alzada Star Route
Belle Fourche, South Dakota 57717

Dear Mr. Jensen:

The inspection of your water use system and inspection of the extent of the application of water to beneficial use, as developed under your Water Right No. 1122-1 has been completed. Your final water right document, the Water License, can now be issued.

Statutes require that we charge a \$50.00 fee for the inspection and issuing of the Water License. Upon receipt of the \$50.00 fee from you, your Water License will be sent to you.

South Dakota Water Law 46-5-30.1 requires that a permit holder may not divert water until this \$50.00 license fee has been paid. Please contact us if you have any questions.

Sincerely,

Maxine Stirling
Staff Assistant

ms/

NOTE: On form of payment, please include the number of the water permit. This insures proper handling of the fee.

SECOND NOTICE

July 8, 1985

Permit No. 1122-1

NOTICE OF WATER LICENSE INSPECTION FEE REQUIREMENT

Therval Jensen
Alzada St. Rt.
Bella Fourche, South Dakota 57717

Dear Mr. Jensen:

November 29, 1984 you were notified the final inspection fee of \$50.00 is due before Water License No. 1122-1 can be issued. As of this date, the fee has not been received.

The fee is a final step in the legal process of obtaining and perfecting a water right and is required by SDCL 46-2-15(3). Upon receipt of the \$50.00 fee, your Water License will be sent to you. This is the final document for the perfection of your Water Right. A perfected water right is similar to a property right and once a water right is perfected, it cannot be lost as long as the water is used.

South Dakota Water Law 46-2-30.1 requires that a permit holder may not divert water until the License fee has been paid. Please submit the required fee immediately to avoid jeopardizing your water permit.

Very truly yours,

John Hatch, Chief Engineer
Water Rights Division
Phone: (605) 773-5352

SS06:MR

RECEIPT

Division of Water Rights

No 4 10138

South Dakota Department of Water and Natural Resources

/ Box 31 Pierre, August 2, 1925

RECEIVED OF Nadine Uren, Rt 1, Vale, SD 57786 (For Thorval Jensen, Alzada SD, Belle Fourche SD 57717)

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. 11-2-1 _____	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 (S)



Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

NOV 27 1985

Thorval Jensen
Alzada Star Route
Belle Fourche, South Dakota 57717

Dear Mr. Jensen:

Enclosed herewith is, Water License No. 1122-1. 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, Chief Engineer
Water Rights Division

JH:MS

Enclosures

WNR-817 3/83
Transmittal of Water License



Department of Water & Natural Resources

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

Water Rights Division
605 773-3352

April 8, 1986

1122-1

William Uren
Vale SD 57788

Dear Mr. Uren:

In response to our telephone conversation of April 7, 1986, enclosed is a "Notice of Transfer" and the 1985 irrigation questionnaire pertaining to Water Right No. 1122-1.

The transfer form has been partially completed for you. Please check over the form, date, and sign in the presence of a notary public. Upon receipt of the completed transfer form & required filing fee of \$2.50 in our office, Water Right No. 1122-1 will be transferred to your name.

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

During our telephone conversation you inquired about the status of permits listed in your name and what would need to be done to reinstate these permits if they had been cancelled. Water Permit No. 629-1 listed under William and Dollie Uren was cancelled for non-construction September 20, 1967. Water Permit No. 1049-1 listed in the name of Thorval Jensen (formerly listed in your name) was cancelled for non-construction September 26, 1984.

In order to construct the projects previously authorized by these permits, you will need to obtain a new permit by making application with our office. I have enclosed a set of application forms and instruction sheet if you should decide to go ahead with the project.

If you have any questions concerning any of the enclosed materials, please contact us. I have enclosed a postage paid envelope for your use in returning the 1985 irrigation questionnaire and the Notice of Transfer.

Sincerely,

A handwritten signature in cursive script that reads "Geney McMATH".

GENEY MCMATH
Natural Resources Analyst

GM:ls

enclosures

Equal Opportunity Employer

NO. 1122-1

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: May 29, 1986

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

S $\frac{1}{2}$ SW $\frac{1}{4}$ Section 26; NE $\frac{1}{4}$ Section 34; NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ & SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35;

T8N, R7E

formerly owned by Thorval Jensen

has been transferred to William W. Uren Rt 1, Box 31
Vale, S. D. 57788

(please include complete mailing address)

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

Water Right Permit No. 1122-1 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 Div. of Water Rights, Water Management Board 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 Butte) ss.

I, William W. Uren 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.

William W. Uren
(Signed)

Subscribed and sworn to before me this 29 Day of May, 1986

Debra L. Powers
(Notary Public)



Debra L. Powers
Notary Public
My Commission Expires June 10, 1990

WATER RIGHTS DIVISION
(605) 773-3352

June 1, 1986

William W. Uren
RR#1, Box 31
Vale, South Dakota 57738

Dear Mr. Uren:

This will acknowledge receipt of the "Notice of Transfer" you submitted for transferring Water Permit 1122-1 from Thorval Jensen to you. However, as stated on the transfer form, a \$2.50 filing fee is required before the transfer can be completed.

Please remit the \$2.50 filing fee as soon as possible. The transfer can be properly filed and all pertinent records changed upon receipt of the fee.

If you have any questions, please advise.

Sincerely,

Genny McIlath
Natural Resources Analyst

GM:ms

No. 1122-1

SOUTH DAKOTA
Department of
Water & Natural Resources

Joe Foss Building Water Rights Division
Pierre, South Dakota 57501

Phone (605) 773-3352

June 13, 1986

William W. Uren
RR 1, Box 31
Vile, South Dakota 57788

Dear Mr. Uren:

Enclosed is receipt No. 410461 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 1122-1.

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

Sincerely,

Maxine Stirling
Staff Assistant

ms/
Enc.

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410481

Pierre, June 9, 1906

RECEIVED OF William W. Uren, RR 1, Box 31, Vale, SD 57789

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form 1122-1 _____	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____ (Any Other Work Provided by Law)		
Total	2	50

By

Chief Engineer

JOHN HATCHER

 **Department of
Water & Natural Resources**

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

February 9, 1989

1122-1

Paul Schultes
RR #1 Box 31
Vale, SD 57788

Dear Mr. Schultes:

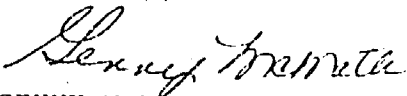
Our office has been notified by William Uren that you now own the land covered under Water Right No. 1122-1. The water right authorizes diversion of 4.49 cfs from the Belle Fourche River for irrigation of 314 acres in portions of Sections 26, 34 and 35, T8N, R7E.

Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Right No. 1122-1. Please check over the form and sign in the presence of a notary public. Upon completion of the form, return it to our office with a required filing fee of \$2.50. The water right will then be transferred to your name.

Also enclosed is the 1988 irrigation questionnaire for use in reporting any irrigation done under Water Right No. 1122-1 during the 1988 irrigation season. Please complete the form as accurately as possible. A postage paid envelope is enclosed for your convenience in returning the transfer form and the irrigation questionnaire.

If you have any questions, please contact us.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosures



Department of Water & Natural Resources

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

February 8, 1989

WILLIAM W UREN
RR #1 BOX 31
VALE, SD 57788

NOTICE

RE: Violation of Water Permit No(s). 1122-1

Our records indicate that the 1988 Irrigation Questionnaire has not been submitted for Permit No(s). 1122-1. The request for the Questionnaire was dated October 26, 1988. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1122-1 qualification:

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

The hearing will be held at 9:45 am, March 1, 1989 at the Howard Johnson's, Roosevelt Room, I-90 at LaCrosse, Rapid City SD.

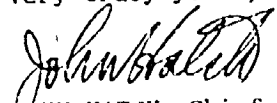
The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 1122-1 until the 1988 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
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 before the March 1st hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,



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





Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3151

March 7, 1989

1122-1

Paul Schultes
R #1 Box 31
Vale, SD 57788

Dear Mr. Schultes:

I am writing to acknowledge receipt of the 1988 irrigation questionnaire for Water Permit No. 1122-1. You may disregard the February 8, 1989, Notice of failure to submit the 1988 irrigation questionnaire (originally sent to William Uren). The questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

If you have any questions, please contact Genny McMath, at (505) 773-3352.

Very truly yours,

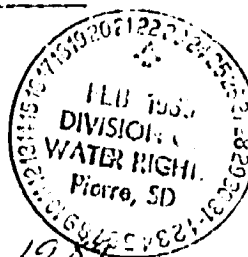
JOHN HATCH, Chief Engineer
Water Rights Division

NO. 1122-1

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: Feb 20, 1989



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

314 acres - SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26; NE $\frac{1}{4}$ Section 34; NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35;

T8N, R7E

formerly owned by William Uren

has been transferred to Paul Schultes RR "1" Box 31 Vale SD 57788
(please include complete mailing address)

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

Water Right Permit No. 1122-1 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 Div. of Water Rights, Water Management Board 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, Paul Schultes 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.

Paul Schultes
(Signed)

Subscribed and sworn to before me this 20 Day of February, 1989.

My Commission Expires
November 8, 1993

DeVander Erickson
(Notary Public)

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411647

Pierre, February 23, 1983

RECEIVED OF Sturgis Livestock Exchange, PO Box 1059, Sturgis, SD 57785

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____ Water Right Permit No. 1122-1	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By

John Hatch
Chief Engineer

South Dakota Department of
Water & Natural Resources

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

March 16, 1989

Paul Schultes
Rr #1, Box 3
Vale, SD 57788

Dear Mr Schultes:

Enclosed is Receipt No. 411647 in the amount of \$2.50 which you paid for transfer of Water Right No.1122-1.

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

Sincerely,

Marie R. Arthur

Marie R. Arthur
Secretary
Water Rights Division

L

 **Department of
Water & Natural Resources**
Joe Foss Building
522 East Capitol
Pierre, South Dakota 57501-3181

February 9, 1990

PAUL SCHULTES
RR #1 BOX 31
VALE, SD 57788

NOTICE

RE: Violation of Water Permit No(s). 1122-1

Our records indicate that the 1989 Irrigation Questionnaire has not been submitted for Permit No(s). 1122-1. The request for the Questionnaire was dated October 13, 1989. The Water Management Board had directed that owners of water permits who have not submitted the 1988 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing will be held to determine action to be taken by the Board for violation of Water Permit No(s). 1122-1 qualification:

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

The hearing will be held at 8:30 am, March 7, 1990 at the Howard Johnson's, Roosevelt-Jefferson Room, I-90 at LaCrosse, Rapid City SD.

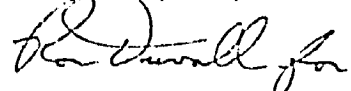
The hearing will be conducted pursuant to the provisions of SDCL 45-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing, the Water Management Board can:

1. Suspend Permit No(s). 1122-1 until the 1990 Irrigation Water Use Questionnaire is submitted or for a period of up to one year;
2. Postpone any action;
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 before the March 7th hearing date, you will no longer be in violation of your permit and your name will be deleted from the agenda for the hearing.

Very truly yours,


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

 **Department of
Water & Natural Resources**

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

March 2, 1990

1122-1

Paul Schultes
RR 1, Box 31
Vale SD 57788

Dear Mr. Schultes:

I am writing to acknowledge receipt of your 1989 irrigation questionnaire for Water Permit No. 1122-1. You may disregard the February 9, 1990 Notice of failure to submit the 1989 irrigation questionnaire. Your questionnaire was received prior to the March Water Management Board meeting and your name was deleted from the agenda pertaining to the hearing.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,

Ron Duvall /ks
RON DUVALL
Natural Resources Engineer
Water Rights Division



PAUL SCHULTES
RR #1 BOX 31
VALE SD 57788

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

NOTICE

RE: Violation of Water Permit No(s) 1122-1

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 1122-1. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No(s) 1122-1 qualification:

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

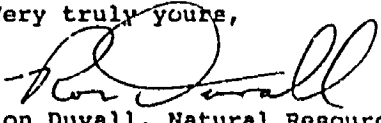
The hearing will be held at 9:15 am, March 4, 1992, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. According to SDCL 46-1-12, 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) 1122-1 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 before the March 4th hearing date, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,


Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt Fee will provide you the signature of the person delivered to and the date of delivery.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address

2. ☐ Restricted Delivery

Consult Postmaster for fee.

3. Article Addressed to:

1122-1

PAUL SCHULTES
RR #1 BOX 31
VALE, SD 57788

4a. Article Number

P 906 557 802

4b. Service Type

☐ Registered ☐ Insured

☒ Certified ☐ COD

☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

1-31-92

5. Signature (Addressee)

Paul Schultes

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 9, 1992

NOTICE OF ONE YEAR SUSPENSION OF WATER PERMIT

TO: PAUL SCHULTES
RR #1 BOX 31
VALE, SD 57788

FROM: Ron Duvall, Natural Resources Engineer IV
Water Rights Division
(605) 773-3352 *Ron Duvall*

SUBJECT: One Year Suspension of Water Permit No(s).
1122-1

Pursuant to the provisions of the notice dated January 27, 1992, and following the hearing of March 4, 1992, the Water Management Board has ordered:

That Water Permit No(s). 1122-1 be SUSPENDED until December 31, 1992. Suspension of the permit(s) does not excuse the permit owner from the requirement to submit the 1991 Irrigation questionnaire.

Suspension of a permit means water may not be pumped during the 1992 irrigation season. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law.

If you wish to petition the Water Management Board to rescind the suspension(s), you will need to submit a letter to our office requesting time on the agenda for the Water Management Board meeting scheduled for May 6-7, 1992 in Pierre. The letter should include your reasons for not completing the irrigation questionnaire(s) prior to the March Board meeting.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 7, 1995

PAUL SCHULTES
RR #1 BOX 31A
VALE SD 57788

NOTICE

RE: Violation of Water Permit No 1122-1.

Our records indicate that the 1994 Irrigation Questionnaire has not been submitted for Permit No 1122-1. The request for the Questionnaire was dated November 3, 1994. The Water Management Board has directed that owners of water permits who have not submitted the 1994 Irrigation Questionnaire be given notice of permit violation and a hearing to be held by the Board. The hearing held by the Board will determine the action to be taken for violation of Water Permit No 1122-1 qualification:

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

The hearing will be held at 9:30 am, March 8, 1995 in the Crown Room, 3rd Floor, Kings Inn Best Western Convention Center, 200 S 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 SDCL 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 1122-1 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 is received in this office on/or before March 3, 1995, you will no longer be in violation of your permit and your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3552

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1. ☐ Addressee's Address
 - 2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

1122-1

PAUL SCHULTES
RR #1 BOX 31A
VALE, SD 57769

4a. Article Number

P 757 566 410

4b. Service Type

- ☐ Registered ☐ Insured
- ☒ Certified ☐ COD
- ☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

7-9-95

5. Signature (Addressee)

Paul Schultes

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

March 2, 1995

1122-1

Paul Schultes
RR #1 Box 31A
Vale, SD 57788

Dear Mr. Schultes:

I am writing to acknowledge receipt of your 1994 irrigation questionnaire. A questionnaire was completed for you following our telephone conversation of March 2nd. You may disregard the February 7, 1995, **Notice of Violation of Water Permit No. 1122-1.**

The questionnaire 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 Division
(605) 773-3352



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 14, 1999

1122-1

Virgil Stacy
RR 1 Box 31A
Vale, SD 57788

Dear Mr. Stacy:

Thank you for taking the time to visit with me about Water Right No. 1122-1. As we discussed, the water right is currently listed in the name of Paul Schultes and needs to be transferred to your name.

Enclosed is a partially completed "Notice of Transfer of Ownership" form for use in filing the ownership change. Please complete the form and sign it in the presence of a notary public. Upon completion, please return the form to us 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".

I have also included a copy of the water right and a sample copy of the yearly irrigation questionnaire. You may keep these for your records. I included the sample questionnaire to give you an idea of what type of records to keep track of throughout the irrigation season.

For informational purposes, I wanted to also let you know that water use is a factor in maintaining a water right. Under South Dakota water law, water must be placed to beneficial use for the purpose it was appropriated, at least once every three years or the water right becomes subject to cancellation. This three year period may be waived if legal excuse exists for not irrigating. Legal excuse as defined in Water Management Board Rules includes, but is not limited to, the following: 1) unavailability of water to satisfy a permit or right; 2) legal proceedings which prevent the use of water; or 3) water use under existing climatic conditions would result in a waste of water.

The transfer form and filing fee are the only things you will need to return for the time being. The remainder of the enclosed information is yours to keep. Thank you again for your time and if I can answer any questions for you, please let me know.

Sincerely,

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

enclosures

NOTICE OF TRANSFER OF OWNERSHIP

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



No. 1122-1

Date: 12-20-99

I/We request that Water Right No. 1122-1

formerly owned by: Paul Schultes

be transferred to: (name & address)

Vergil + Karen Stacy
R.R.1 Box 31A Wake, SD 57788 Telephone No. 605-456-1424

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

314 acres - SW 1/4 SW 1/4 Section 26; NE 1/4 Section 34; NW 1/4, W 1/4 NE 1/4 & SE 1/4 NE 1/4 Section 35, all in T8N, R7E

I/We understand that the validity of Water Right No. 1122-1 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 SDCL 46-2-1. This form must be signed by the new owner.

STATE OF SOUTH DAKOTA)

County of Butte)

I/We Vergil Stacy 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.

Vergil Stacy
(Signed)

Subscribed and sworn to before me this 20th day of December, 19 99.

Arnon D. B...
(Notary Public)

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

My Commission Expires 7-8-2001

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

N2 416309

Pierre, December 27, 1999

RECEIVED OF Vergil & Karen Stacy, RR 1, Box 31A, Vale, SD 57788
(the following amount in fees for services rendered as provided for by law:

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

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

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

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

Fee for Filing Transfer Form Water Right No. 1122-1

Fee for Filing Extension Request _____

Fee for _____

(Any Other Work Provided by Law)

Total

2 50

2 50

By John H. Ted
Chief Engineer



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

December 27, 1999

1122-1

Vergil & Karen Stacy
RR 1 Box 31A
Vale, SD 57788

Dear Mr. Stacy:

Thank you for sending in the "Notice of Transfer of Ownership" form and filing fee for Water Right No. 1122-1 (Paul Schultes). The transfer has been completed and the water right is now listed in your names.

Enclosed is your receipt No. 416309 in the amount of \$2.50. You may keep this for your records.

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

Sincerely,

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

enclosures

November 1980

For Dept. use only

BU/BF

1122-1
THORVAL JENSEN
ALZADA STAR RT.
DELLE FOURCHE
SD 57717

This is the Water Management Board data sheet for recording 1980 SURFACE WATER source irrigation estimates.

Please fill out and return at once.

No. Acres irrigated with Surface Water

If you did not irrigate during 1980-check this box ☒ No system ☐

Month	# days pumped	Average # hours per day	Average pump rate (gpm)	Acres of Crop Irrigated and Estimated Water Use		Acres		Water used	
				Crop	Acres	Water used	Crop	Acres	Water used
April									
May									
June									
July									
August									
Sept.									
Oct.									
Other Month									

Season Static Water Level: beginning _____ end _____

Complete and return to:

WATER MANAGEMENT BOARD
Water Rights Division
Joe Foss Building
Pierre SD 57501

Comments:

Type of Power	No. acres irrigated	Total Energy used-1980
1. Electric	_____	_____ kwh
2. Gravity	_____	_____ gal
3. Gasoline	_____	_____ cf
4. Nat. Gas pipeline	_____	_____ gal
5. Diesel	_____	_____ gal
6. Propane	_____	_____ gal
7. Other	_____	_____ gal

Type of System	
1. Hand Moved Sprinklers	_____
2. Portable booms	_____
3. Center pivots (# of)	_____
4. Gated pipes	_____
5. Sidewheel	_____
6. Towlines	_____
7. Gun type	_____
8. Hydraulic	_____
9. Siphons	_____
10. Flood	_____
11. Other	_____

Owner or address change, if any:

Please complete front and back.



The South Dakota Office of Energy has requested your cooperation in completing the following:

1979

1978

Type of Power	No. Acres Irrigated	Total Energy Used
1. Electric	_____	_____ kwh
2. Gravity	_____	
3. Gasoline	_____	_____ gal
4. Nat. Gas pipeline	_____	_____ cf
5. Diesel	_____	_____ gal
6. Propane	_____	_____ gal
7. Other	_____	_____

Type of Power	No. Acres Irrigated	Total Energy Used
1. Electric	_____	_____ kwh
2. Gravity	_____	
3. Gasoline	_____	_____ gal
4. Nat. Gas pipeline	_____	_____ cf
5. Diesel	_____	_____ gal
6. Propane	_____	_____ gal
7. Other	_____	_____ gal

- What is your on-farm storage capacity for gasoline _____ gallons
diesel _____ gallons
- What are your present plans for acres under irrigation for 1981?
 ___ an increase in acres
 ___ irrigate same acres
 ___ a decrease in acres
- A. Has your regular fuel supplier been able to meet your fuel needs for irrigation this past year?
 ___ yes
 ___ no
 B. If no, were you able to buy from other sources?
 ___ yes
 ___ no
- Would you continue irrigating the same number of acres in 1981 if the price of fuel increased-
 10% yes ___ no ___
 15% yes ___ no ___
 20% yes ___ no ___
 over 20% yes ___ no ___
- At what price for fuel would you cut back on irrigation activities? _____
- What is your best estimate of your fuel needs for irrigation in 1981, if we experience a
 Dry summer: _____ gallons.
 Wet summer: _____ gallons.

1122-1

1122-1

ERIC,

I would like to move my
pumping site from Sec 27 to
Sec 34.

To pump water on my ground.
It is almost a 2 mi. run. At
this new location I can get
water on my ground for only a
70 foot run.

Thank you

Vergil Stacy
RR1 Box 312
Vale, SD
57781

605-456-4404

Approval of Location Change and/or Additional Diversion Point(s)

NAME: Vergil & Karen Stacy

ADDRESS: RR1, Box 31A, Vale SD 57768

DATE: June 12, 2002 COUNTY: Butte

TELEPHONE: (605) 456-4404

AUTHORITY:

Pursuant to SDCL 46-5-13.1, the location of a diversion point may be changed or additional diversion points may be licensed provided the following conditions are met and the potential for interference with other existing diversions is not increased:

- Developed water source same as permitted source and no additional water appropriated

Yes

- If irrigation, no new land is irrigated

No

- Review of Existing Diversions

The Stacys are requesting to add one new diversion point.

The current diversion point is located on the Belle Fourche River in SW ¼ NE ¼ of Section 27 T8N-R7E. The additional Belle Fourche River diversion point will be located in the SW ¼ NW ¼ of Section 34 T8N-R7E approximately one mile downstream. The owner should only be allowed to use one diversion at a time. There is one existing Water Right No. 1029-1 located on the Belle Fourche River between the existing and additional diversion point. No adverse impacts to this water right would be expected.

RECOMMENDED ACTION

Based on the above criteria, it is recommended that the diversion point(s) be licensed as developed.

Stacy J. Johnson

Stacy J. Johnson, Natural Resources Project Engineer
Water Rights Program

The Chief Engineer makes a finding pursuant SDCL 46-5-13.1 and ARSD 74:02:01:14.01 that:

This change in location and/or additional diversion point(s) does not increase the potential for adverse effects to existing diversions.

Garland Erbele

Garland Erbele, Chief Engineer
Water Rights Program



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

June 17, 2002

Vergil and Karen Stacy
RR 1 Box 31A
Vale SD 57788

Dear Mr. and Mrs. Stacy

This letter is in reference to your request for an additional diversion point under Water Right No. 1122-1. This water right appropriates 4.49 cubic feet of water per second from the Belle Fourche River located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, T8N, R7E for irrigation of 314 acres.

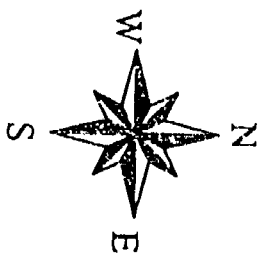
The request is to approve an additional point of diversion located approximately one mile downstream of the present diversion point. The purpose of this additional diversion point is to make the irrigation system more efficient by reducing the distance water will need to be transported to irrigate a portion of the authorized acreage.

Upon review of the request and pursuant to SDCL 46-5-13.1, you are authorized an additional point of diversion from the Belle Fourche River to be located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 34, T8N, R7E without application or publication of a notice of hearing pursuant to SDCL 46-2A-4. However, pumping may not take place simultaneously at both diversion points and no change of irrigated acres or increase in the diversion rate is authorized.

This request has been authorized under SDCL 46-5-13.1 for which there is no application filing fee. If you have any questions, please feel free to contact Eric Gronlund at (605) 773-3352.

Sincerely,

Garland Erbele, Chief Engineer
Water Rights Program
(605) 773-3352

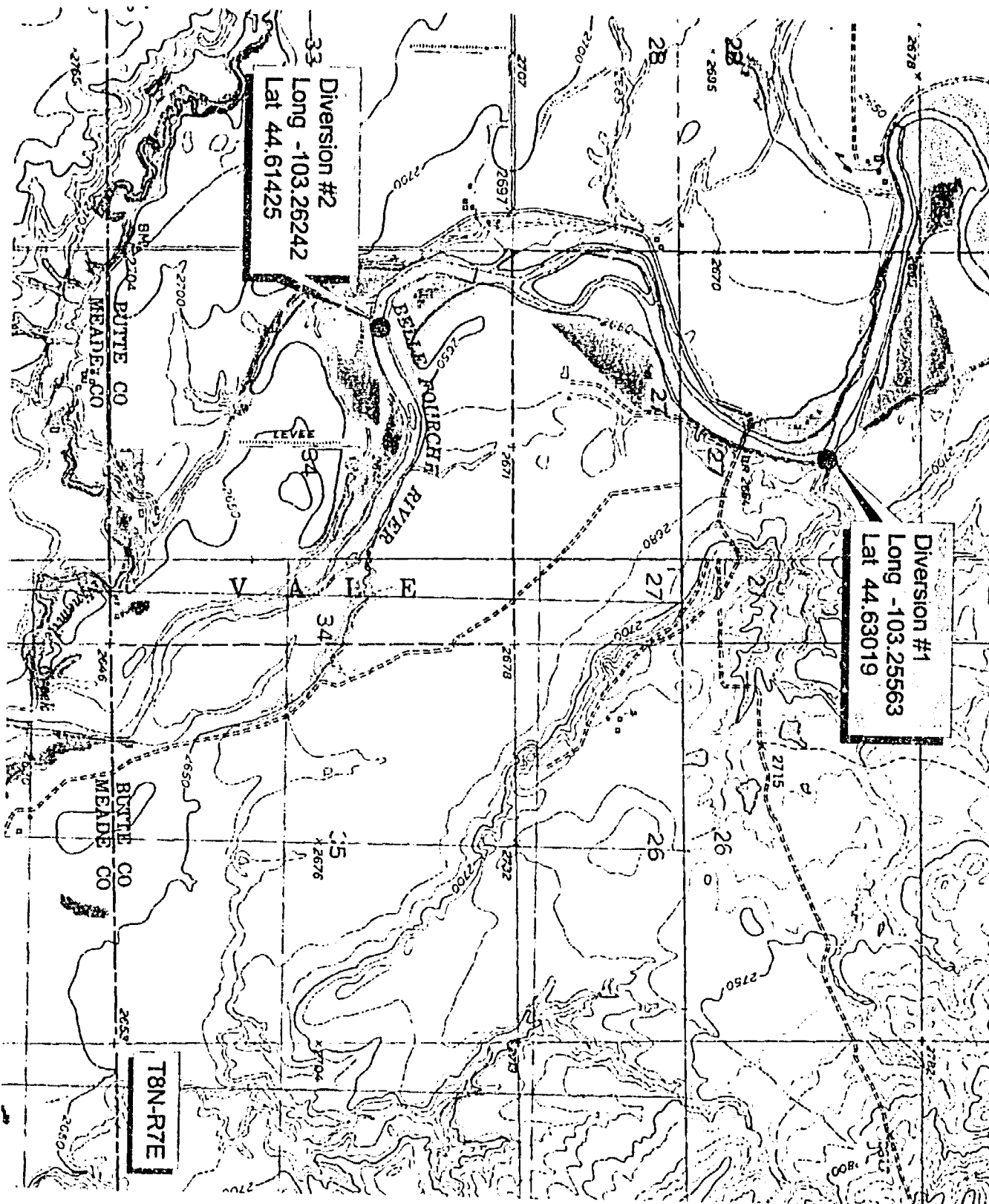


Mark D. Rath
Natural Resources Eng Spec
SD DENR

2 Miles

Division #1
Long -103.25563
Lat 44.63019

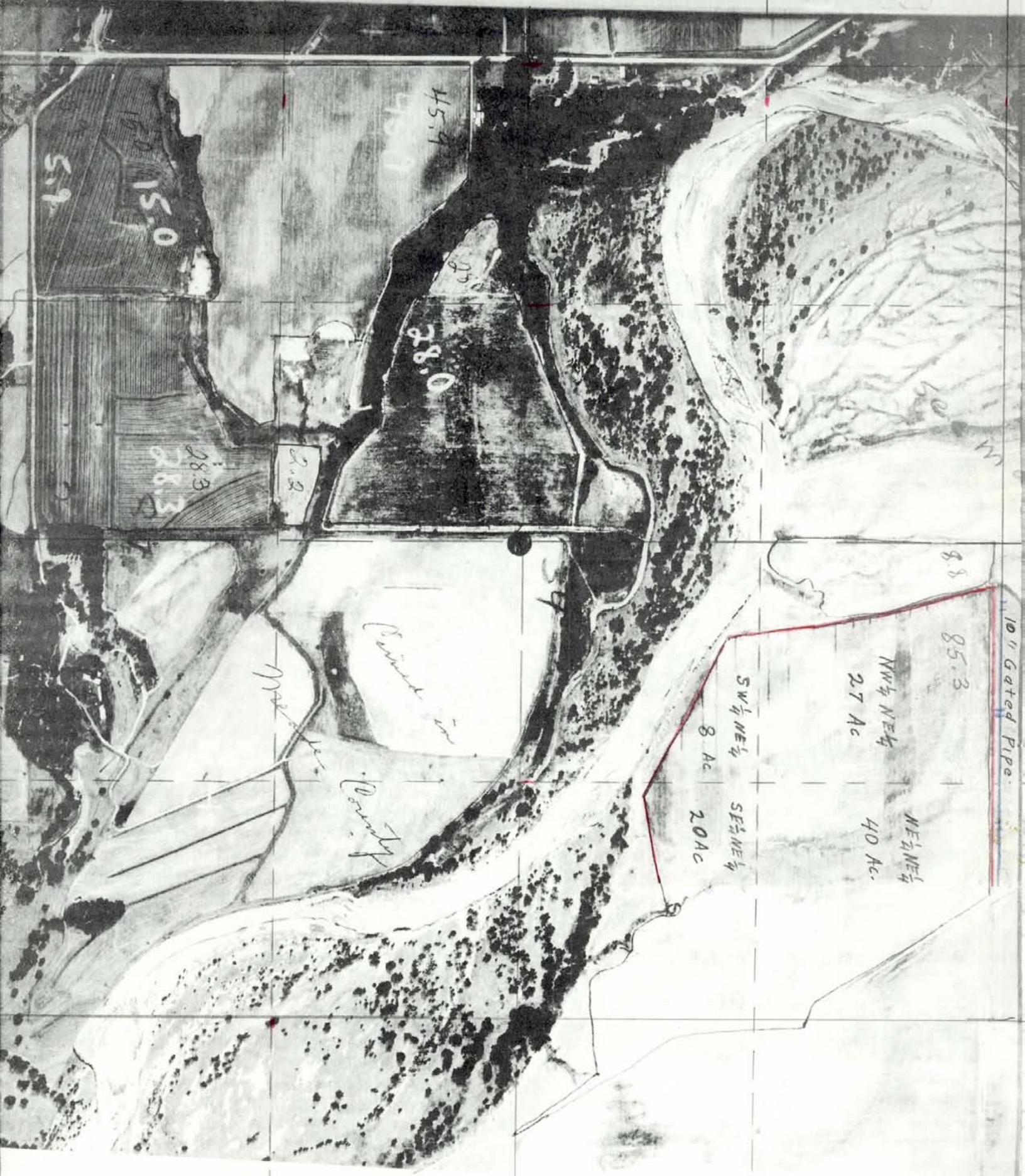
Division #2
Long -103.26242
Lat 44.61425



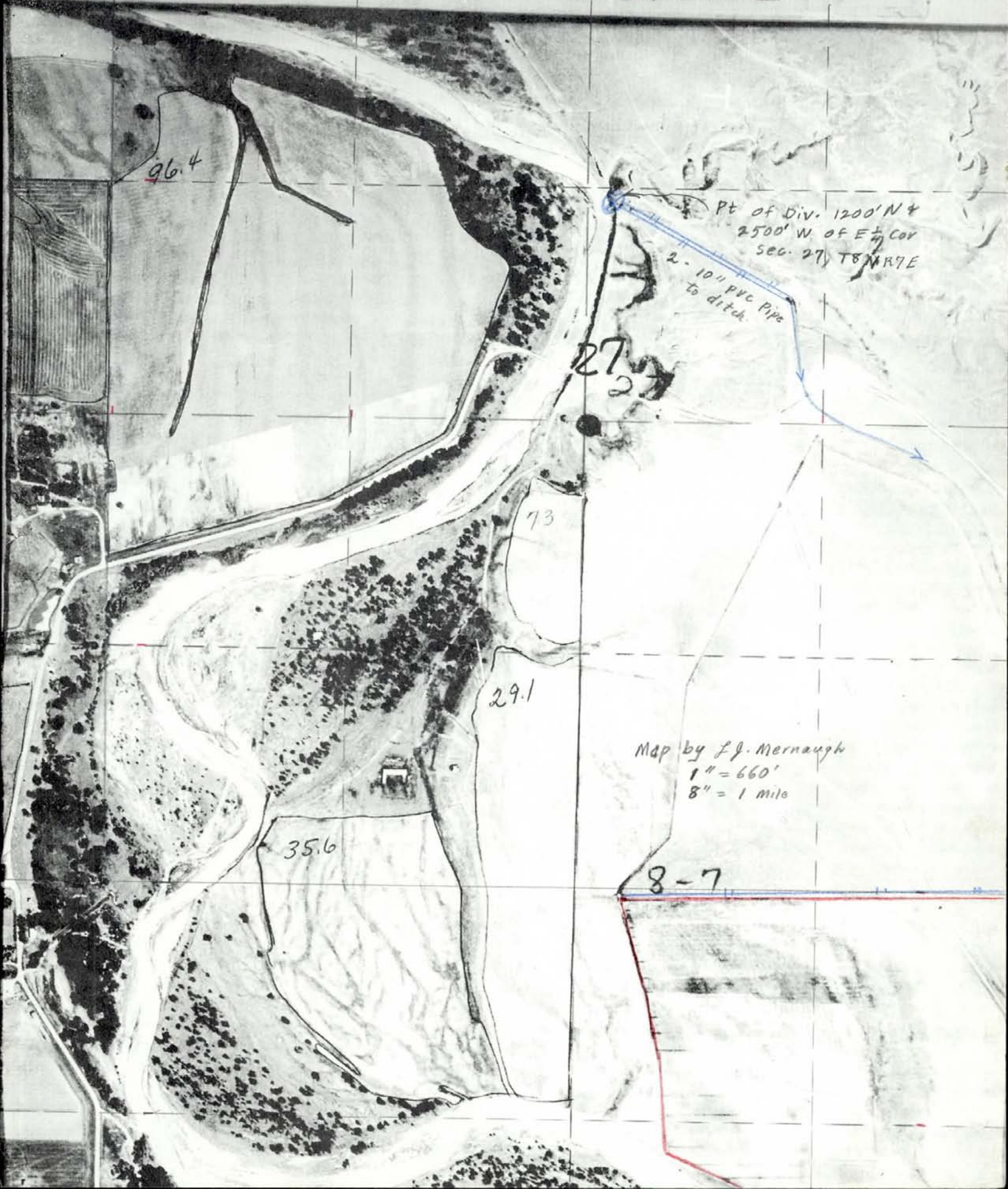
NOT TO SCALE



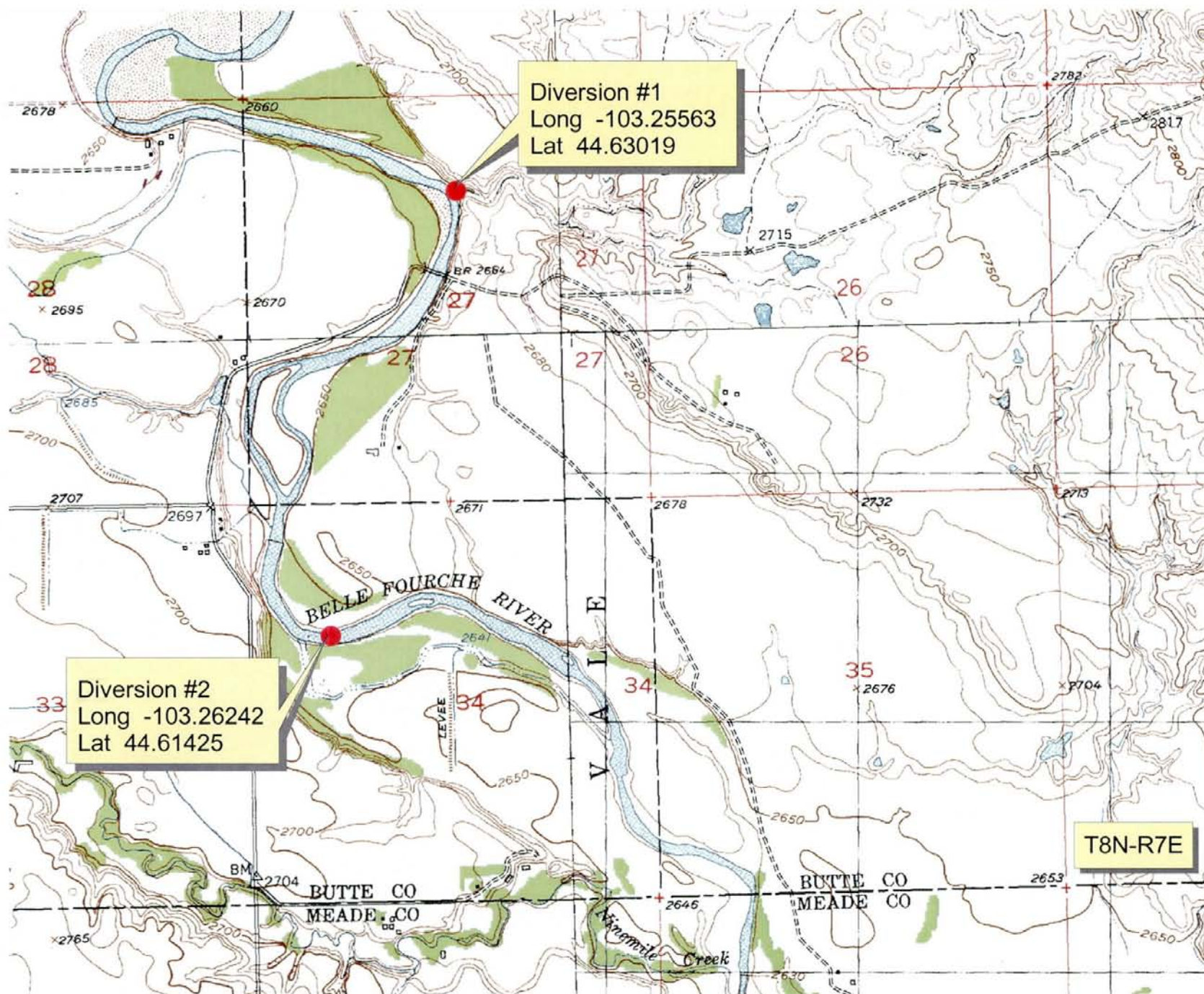
NOT TO SCALE



NOT TO SCALE



No. 1122-1



T8N-R7E

Mark D. Rath

Mark D. Rath
Natural Resources Eng Spec
SD DENR

2 Miles

NOT TO SCALE

Pt of Div 1200' N 4
2500' W of E 1/2 Cor
Sec. 27, T8 N R7 E
2. 10" Alum Pipe
to ditch

27
27

26
119.2

Torval Jensen
Permit # 1122-1
Map # 933-1

Map by L.J. Mernaugh
1" = 660'
8" = 1 mile

5000' 10" Alum pipe
1000' 8" Alum pipe

10" Gated Pipe

Ditch
10" Gated Pipe

Headgate in main ditch connects to 8" 10" gated pipe

85.3
NW 1/4 NE 1/4
27 Ac
NE 1/4 NE 1/4
40 Ac

30.4 0.6 1.1
SW 1/4 SW 1/4
21 Ac 76.8

NW 1/4 NW 1/4
40 Ac

NE 1/4 NW 1/4
22.8
29 Ac

9.9 41.0
NW 1/4 NE 1/4
11 Ac

SW 1/4 NE 1/4
8 Ac
SE 1/4 NE 1/4
20 Ac

SW 1/4 NW 1/4
35 Ac

SE 1/4 NW 1/4
40 Ac

SW 1/4 NE 1/4
38 Ac

SE 1/4 NE 1/4
5 Ac

34

35

7.4

1122-1

Jensen

SCALE

1122-1

RECEIVED

JUL 16 2009

WATER RIGHTS
PROGRAM

LAW OFFICES
OLINGER, LOVALD, McCAHREN & REIMERS, P.C.

117 EAST CAPITOL

P.O. BOX 66

PIERRE, SOUTH DAKOTA 57501-0066

www.olingerlaw.net

RONALD D. OLINGER
LEE C. "KIT" McCAHREN
WADE A. REIMERS
WILLIAM M. VAN CAMP

JOHN S. LOVALD - Of Counsel

TELEPHONE: 605-224-8851

FAX: 605-224-8269

TOLL FREE: 877-225-5548

July 15, 2009

Chief Engineer
Water Rights Program
DENR
523 E Capitol
Pierre SD 57501

Re: Water Permits #1889-1, 1821-1 and 1122-1

Dear Sir:

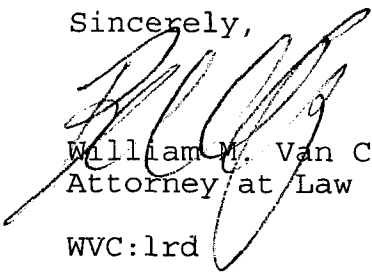
Attached please find Notice of Transfer of Ownership for the three aforementioned water rights. Vergil and Karen Stacy sold their property and assigned their interest in those water rights to my client, NW Ranches, LLC.

Also enclosed please find a check for \$7.50 to cover the filing fee as required by SDCL 46-2-13.

If you need anything else to effectuate these transfers, please advise.

Thank you for your help in this matter.

Sincerely,



William M. Van Camp
Attorney at Law

WVC:lrd

enclosure

cc: client

RECEIVED

JUL 16 2009

WATER RIGHTS
PROGRAM

NOTICE OF TRANSFER OF OWNERSHIP

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

Water Right/Permit No. 1122-1Date: 7/14/09

I/We request that Water Right/Permit No. 1121-1 formerly owned by:
Virgil & Karen Stacy be transferred to:

New Owner Name: NW Ranches, LLL
Address: 117 E Capitol Po Box 66
City, State, Zip: Pierre SD 57501 Telephone No. 605 224 8851

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

SW 1/4 SW 1/4 § 26, NE 1/4 § 34, NW 1/4 W 1/2 NE 1/4 +
SE 1/4 NE 1/4 § 35, all in T8N R7E
Butte Co.

☒ I understand that the validity of Water Right/Permit No. 1122-1 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 Two Dollars and Fifty Cents (\$2.50) is included to cover the filing fee as required by SDCL 46-2-13.

I, NW Ranches, LLL, the new owner, certify that the above information is true and correct.

NW Ranches LLC by: Neal Wambold
(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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 16, 2009

1122-1
1821-1
1889-1

William Van Camp
Attorney At Law
Olinger, Lovald, McCahren & Reimers PC
PO Box 66
Pierre SD 57501

Dear Mr. Van Camp:

I am writing to acknowledge receipt of the ownership changes you sent in for Water Right No. 1122-1 and Water Permit Nos. 1821-1 and 1889-1. The transfer forms effectively transfer all land described in the water right and permits from Vergil & Karen Stacy to NW Ranches LLC.

Enclosed is your check in the amount of \$7.50 which your firm paid for filing the ownership changes. As of July 1, 2009, the fee for filing ownership changes went from \$2.50 to \$50.00 per transfer. Please remit a total of \$150.00 to cover the filing fees for the ownership changes. The check or money order can be made payable to the Water Rights Program.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosure: Check # 23535

1122-1

RECEIVED

JUL 20 2009

WATER RIGHTS
PROGRAM

LAW OFFICES

OLINGER, LOVALD, McCAHREN & REIMERS, P.C.

117 EAST CAPITOL

P.O. BOX 66

PIERRE, SOUTH DAKOTA 57501-0066

www.olingerlaw.net

RONALD D. OLINGER
LEE C. "KIT" McCAHREN
WADE A. REIMERS
WILLIAM M. VAN CAMP

July 17, 2009

JOHN S. LOVALD - Of Counsel

TELEPHONE: 605-224-8851

FAX: 605-224-8269

TOLL FREE: 877-225-5548

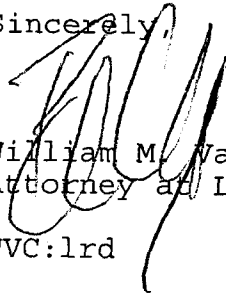
Genny McMath
Environmental Scientist
Water Rights Program
523 East Capitol
Pierre SD 57501

Re: Water Right #1122-1 and 1821-1 and 1889-1

Dear Genny:

Enclosed please find per your request a check in the amount of \$150.00 for the filing fees for the ownership changes in the above referenced water rights. Thank you.

Sincerely,


William M. Van Camp
Attorney at Law

WVC:lrd

enclosure

cc: client

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 7/20, 20 09

RECEIVED OF Olinger Lovald McCahren & Reimers PO box 66 Pierre SD 57501

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>1122-1</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. _____	50 00	
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 04182

By [Signature]
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 21, 2009

William M Van Camp
Attorney at Law
OLINGER, LOVALD, MCCAHERN & REIMERS PC
PO Box 66
Pierre SD 57501-0066

RE: Water Right No. 1122-1 and Water Permit Nos. 1821-1 & 1889-1, NW Ranches LLC

Dear Mr. Van Camp:

I am writing in regard to the ownership changes filed on the above mentioned water right and water permits. Nos. 1122-1, 1821-1 and 1889-1 formerly held by Vergil & Karen Stacy are now listed in the name of NW Ranches LLC.

Enclosed are your Receipt Nos. 04182, 04183 and 04184 in the amount of \$50.00 each.

Every October we mail out the annual irrigation questionnaires to irrigators in the state for reporting water use. Enclosed are questionnaires from last year for Nos. 1122-1 and 1821-1. This will give you an idea of what type of information will need to be kept track of during the irrigation season. The actual forms that will need to be completed and returned to us will be mailed to you in mid-October.

If you have any questions, please contact me.

Sincerely,

A handwritten signature in black ink that reads "Genny McMath". The signature is written in a cursive, flowing style.

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

enclosures



1122-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

OCT 13 2017

910A-1

William Van Camp, Attorney
NW Ranches LLC
PO Box 66
Pierre SD 57501

Dear Mr. Van Camp:

Enclosed is Water License No. 910A-1. This is the final water right document completing the process of obtaining a Water Right. Included with the license is a map prepared by the staff engineer who conducted the field investigation.

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

Sincerely,

Jeanne Goodman, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

Note: Upon licensing, the applicable portions of Water Permit/Right Nos. 910-1, 1122-1, 1821-1 and 1889-1 were incorporated into No. 910A-1.