

STATE OF SOUTH DAKOTA
REISSUED WATER LICENSE NO. 1213A-1
(DIVISION OF NO. 1213-1 INTO 1213A-1 & 1213B-1)

(1) Robert W Grant was issued Water License No. 1213-1, November 17, 1986 for a water right to divert 1.43 cubic feet of water per second (cfs) from the Belle Fourche River, Butte County, South Dakota for irrigation purposes. Water License No. 1213-1, with a priority date of February 18, 1981 was issued to the permit holder for diversion of water with construction of the described water supply system and the application to beneficial use of water completed.

Previous ownership changes filed with Water Right No. 1213-1 include the following:

- December 11, 1992 – Robert W Grant to Catherine A Grant
- May 13, 2003 – Catherine A Grant to Gary G Reif

On March 10th and May 19th, 2010 ownership changes were filed with No. 1213-1 which divided ownership of the property authorized for irrigation. Water Right No. 1213-1 is being divided and reissued to reflect separate ownership as follows:

- **No. 1213A-1: Michael R Even, 8918 Rogers Rd, Longmont CO 80503** – authorizing diversion of 1.02 cfs from the Belle Fourche River to irrigate 71 acres in the SE ¼ Section 18, T8N, R7E;
- **No. 1213B-1: Rick & Roni Braaten, 19026 137th Ave, Vale SD 57788** – authorizing diversion of 0.41 cfs from the Belle Fourche River to irrigate 29 acres in the NE ¼ NE ¼ Section 19, T8N, R7E.

(2) It is certified that the water right holder 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 1.02 cubic feet of water per second for beneficial use. The location of the diversion point is between a point “A” 800 feet north of the S ¼ corner and point “B” 1,480 feet north and 940 feet west of the SE corner of Section 18, T8N, R7E (SE ¼)

(3) The permit holder has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate the following land:

Section 18, T8N, R7E	SW ¼ SE ¼	33 acres
	SE ¼ SE ¼	30 acres
	NW ¼ SE ¼	5 acres
	NE ¼ SE ¼	3 acres
	Total	71 acres

(4) Pursuant to South Dakota Water Law 46-5-30.1 Michael R Even, 8918 Rogers Rd, Longmont CO 80503 the holder and/or owner of Water Right No. 1213A-1 is issued a license to appropriate water, the right to use 1.02 cubic feet of water per second from the Belle Fourche River with a priority date of February 18, 1981 from the location specified in (2) of this license. The water is to be conducted to and upon lands specified in (3) of this license for the purpose of irrigation.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Water Right No. 1213-1 and subject to the following qualifications:

- Diversion of water is contingent upon supplies being available to the prior water right holders on the Belle Fourche River.

continued

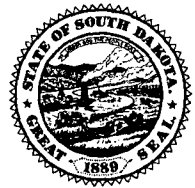
- This water right does not authorize diversions of water from the Belle Fourche River after August 15th of each calendar year, nor at any time when the flow of the river is obviously low unless written orders have been so issued by the Water Management Board or its legally appointed representative. Diversions under this water right shall be in accordance with any written orders by the Board or its representative.
- This water right is subject to the irrigation water use questionnaire being submitted each year.



Garland Erbele, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAY 19 2010

date





**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAY 19 2010

1213A-1

Michael R Even
8918 Rogers Rd
Longmont CO 80503

Dear Mr. Even:

Enclosed is your Water License No. 1213A-1. The originating Water Right No. 1213-1 has been divided and reissued to reflect separate ownership. Included with your license is Receipt No. 04503 in the amount of \$50.00 which you paid for filing the ownership change.

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

Sincerely,

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

enclosures

c: Artie Gifford, 2320 S Junction Ave, Sturgis SD 57785



Artie Gifford, Broker Associate, Farm/Ranch/Sporting Specialist
2320 South Junction Avenue, Sturgis, South Dakota 57785
(605) 347-7644 • (866) 365-7644 toll free • artie@ranchexpress.us
www.properties-unlimited.com



RECEIVED
MAR 10 2010
WATER RIGHTS
PROGRAM

Tuesday, March 09, 2010

Mark Rath
PMB 2020
DENR- Water Rights Program
523 E Capitol Ave.
Pierre, SD 57501-3182

Mark,

Please find enclosed the Notice of Transfer of Ownership for water right permit # 1213-1 and a check for the amount of \$50.00 for the transfer fee. Also enclosed is a copy of the deed on said property. When approved could you send me conformation of such for our records. I will be assisting Mr. Even with this transfer and future reports and updates of the property.

Thank you for your input on this matter. It is greatly appreciated by all.

Sincerely,

A handwritten signature in black ink, appearing to read 'Artie Gifford', written over a horizontal line.

Artie Gifford
Broker Associate

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

MAR 10 2010

WATER RIGHTS
PROGRAM

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

Water Right/Permit No. 1213-1Date: March 5, 2010

I/We request that Water Right/Permit No. 1213-1 formerly owned by:
Gary G. Reif (Marjorie E. Reif Trust) be transferred to:

New Owner Name: Michael R. Even
Address: 8918 Rogers Rd.
City, State, Zip Longmont CO 80503 Telephone No. 303-589-5249

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

Township 8 North, Range 7 East, of the Black Hills Meridian, Butte County, South Dakota:

Section 18: S1/2SE1/4; That portion of the N1/2SE1/4 lying South of the Belle Fourche River

☒ I understand that the validity of Water Right/Permit No. 1213-1 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, Michael R. Even, 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.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 3/10, 20 10

RECEIVED OF Michael Even 8918 Rogers RD Longmont CO 80603

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>1213-1</u>	50	00
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.

04503

By

[Signature]
Chief Engineer

RECEIVED

MAR 10 2010

WATER RIGHTS
PROGRAM

PREPARED BY:

Bruce A. Hubbard
Hansen & Hubbard
P. O. Box 580
Sturgis, SD 57785
(605) 347-2551

Certified to be a true &
correct copy of the original
which has been transmitted
for recordation.

High Plains Title Services, Inc.

WARRANTY DEED

WILLIAM G. REIF AND MARJORIE E. REIF, TRUSTEES OF THE
MARJORIE E. REIF TRUST, Grantor, of Butte County, State of South
Dakota, for and in consideration of One Dollar (\$1.00) and other
good and valuable consideration, GRANTS, CONVEYS AND WARRANTS,
to MICHAEL R. EVEN, Grantee, of 8918 Rogers Road, Longmont,
Colorado 80503, the following-described real estate in the
County of Butte, in the State of South Dakota:

TOWNSHIP 8 NORTH, RANGE 7 EAST OF THE BLACK
HILLS MERIDIAN, BUTTE COUNTY, SOUTH DAKOTA:

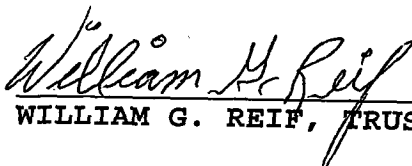
Section 18: S $\frac{1}{2}$ SE $\frac{1}{4}$; That portion of the N $\frac{1}{2}$ SE $\frac{1}{4}$ lying
South of the Belle Fourche River,

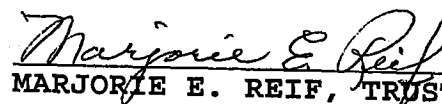
subject to easements, reservations, restrictions and
covenants of record.

SOUTH DAKOTA STATE TRANSFER FEE: \$187.00.

Dated this 3-5-10 day of March, 2010.

MARJORIE E. REIF TRUST


WILLIAM G. REIF, TRUSTEE


MARJORIE E. REIF, TRUSTEE

RECEIVED

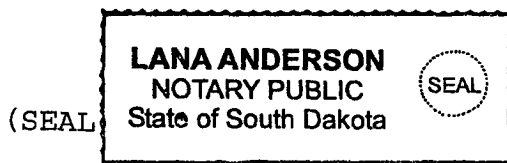
MAR 10 2010

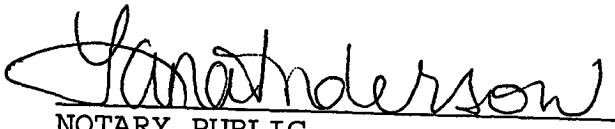
WATER RIGHTS
PROGRAM

STATE OF SOUTH DAKOTA)

COUNTY OF MEADE)

On this 5th day of March, 2010, before me a Notary Public within and for said County and State, personally appeared **WILLIAM G. REIF AND MARJORIE E. REIF, TRUSTEES OF THE MARJORIE E. REIF TRUST**, known to me to be the persons who are described in and who executed the within and foregoing instrument and they acknowledged to me that they executed the same for the purposes therein contained.





NOTARY PUBLIC

Commission Exp.: _____

My Commission Expires November 18, 2015

8.7.19.11.1
SOUTH DAKOTA

ABSTRACT TYPE A & A

RURAL 9-2 BASE YEAR

Card of Cards

8.7.19.11.1 REAL ESTATE LEGAL DESCRIPTION

Braaton, Richard H. & Roni L.
19026 137th Ave
Vale, SD 57788

1) PROPERTY ADDRESS

2) SURVEYED BY

3) DATE OF SURVEY

4) INSPECTION AUTHORIZED

Initial Date

Measured by:

Classified by:

Extended by:

Checked by:

LAND VALUE CALCULATION

Size of Lot or No. Acres		Depth or other influence				Effective Front Feet	Basic Unit Value	Total Value
1999	14 ac.	Table	Factor	Rule	Factor			

S 462' of NE 1/4 NE 1/4
19-8-7

PROPERTY OWNER

Grant, Catherine A. & Braaton, Richard H. & Roni L.

Filing Date

Instrument Date

Book

Page

Sales Price

Verified

Remarks

5-7-98

5-7-98

282

46 209

\$13,500

CV 98-5163

WD # 98-R39

STREET

Concrete

Blacktop

Semi-imp.

Dirt

No Street

Sidewalk

Curb & Gutter

UTILITIES

Water

Natural Gas

L.P. Gas

Electricity

Sewer

Septic Tank

Cistern

Cable TV

TOPOGRAPHY

Level

High

Low

Rolling

Swampy

Ditch

Flood Zone

4 acres inv - BEID

CONTINUOUS RECORD OF ASSESSED VALUE

YEAR	2003	2004	2005	2006	2007	2008	2009	2010		
EXEMPTION										
SDCL 10-6-35.2										
COMPLETION %										
IMPROVEMENTS - AG										
IMPROVEMENTS - NA										
LAND - AG	5,272	7532	7532	7532	7532	7532	7532	3729		
LAND - NA										
TOTAL - AG										
TOTAL - NA										
GRAND TOTAL	5,272	7532	7532	7532	7532	7532	7532	3729		

REAL ESTATE LEGAL DESCRIPTION

1) PROPERTY ADDRESS

2) SURVEYED BY

3) DATE OF SURVEY

4) INSPECTION AUTHORIZED

Initial	Date
---------	------

Measured by:

Classified by:

Extended by:

Checked by:

Bratton, Richard H + Ron. L
19024 137th Avenue
Vale, SO 57188

NE $\frac{1}{4}$ NE $\frac{1}{4}$ Less S 462'

19-8-7

LAND VALUE CALCULATION

[illegible]**PROPERTY OWNER**

PROPERTY OWNER	Filing Date	Instrument Date	Book	Page	Sales Price	Verified	Remarks
Grant, Catherine & Braxton, Richard & Roni L.	5-4-99	4-29-99	292	13/213	\$23,400	CV99-5179	SECD # 99-860
Grant, Catherine & Braxton, Richard & Roni L.	7-25-00	4-29-99	358	213	23,400	CN	W0 # 06-1771

STREET	UTILITIES	TOPOGRAPHY
Concrete	Water	Level
Blacktop	Natural Gas	High
Semi-imp.	L.P. Gas	Low
Dirt	Electricity	Rolling
No Street	Sewer	Swampy
Sidewalk	Septic Tank	Ditch
Curb & Gutter	Cistern	Flood Zone
	Cable TV	

CONTINUOUS RECORD OF ASSESSED VALUE

YEAR	2003	2004	2005	2006	2007	2008	2009	2010		
EXEMPTION										
SDCL 10-6-35.2										
COMPLETION %										
IMPROVEMENTS - AG										
IMPROVEMENTS - NA										
LAND - AG	9,563	13,662	13,662	13,662	13,662	13,662	13,662	10,755		
LAND - NA										
TOTAL - AG										
TOTAL - NA										
GRAND TOTAL	9,563	13,662	13,662	13,662	13,662	13,662	13,662	10,755		

SD-CONS-31B
5/75

CONSERVATION PLAN MAP

Owner ROBERT W GRANT Operator SAME

County BUTTE State SOUTH DAKOTA Date 2/11/81

Approximate acres 100 Approximate scale 8" = 1 mile

Cooperating with BUTTE Conservation District

N Plan identification _____ Photo number _____

Assisted by Charles J. Logan USDA Soil Conservation Service

