

1237-1B

RECEIVED

OCT 16 2020

SD EForm - 0495LD V2

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

WATER RIGHTS
PROGRAM

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

PAID \$500

OCT 15 2020

Water Right/Permit No. 1237-1

Date: 10-14-20

Ck# 4065

I/We request that Water Right/Permit No. 1237-1 formerly owned by:

Myron Weber

be transferred to:

New Owner Name:

~~Myron Weber~~/Sharon E. Hoggatt Revocable Trust

Address:

3205 Hillsvue Rd.

City, State, Zip

Spearfish

SD

57783

Telephone No

605 645 1787

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

3205 Hillsvue Rd.

(Property formerly owned by Myron Weber.
Water taken from Higgins Creek for lawn sprinkling
and small 20X20 garden plot)

☒ I understand that the validity of Water Right/Permit No. 1237-1 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, Sharon E. Hoggatt Revocable Trust, the new owner, certify that the above information is true and correct.

Sharon E. Hoggatt, Trustee

(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.

Prepared By:
Nies & Karras, P.C.
PO Box 759
Spearfish, SD 57783
605-642-2757



Doc #: 2019-05066
Date: 11/07/2019 09:24:00
Sheree L. Green
Register of Deeds
Lawrence Co. - Fee \$30.00

EXEMPT FROM TRANSFER FEE

WARRANTY DEED

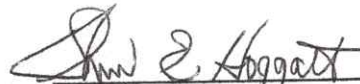
Sharon E. Hoggatt, a single person, of 3205 Hillview Road, Spearfish, S.D. 57783, Grantor, for and in consideration of One Dollar (\$1.00) and other good and valuable consideration, GRANTS, CONVEYS AND WARRANTS TO **Sharon E. Hoggatt, Trustee or her successor in trust under the Sharon E. Hoggatt Revocable Trust U/D/T November 6, 2019** of 3205 Hillview Road, Spearfish, S.D. 57783, Grantee, the following described real estate in the County of Lawrence in the State of South Dakota, to-wit:

Lot 8 of Higgins Subdivision located in the NE1/4NE1/4 of Section 7, Township 6 North, Range 2 East, B.H.M., Lawrence County, South Dakota, as set out in Plat Document No. 98-4419,

subject to all mortgages, covenants, conditions, restrictions, reservations, agreements, easements and rights of way of record or expressly conveyed or reserved in prior grants or deeds by operation of federal or state law.

EXEMPT PURSUANT TO SDCL 43-4-22(15)

Dated this 6th day of November, 2019.


Sharon E. Hoggatt

STATE OF SOUTH DAKOTA)
)ss
COUNTY OF LAWRENCE)

On this 6th day of November, 2019, before me, the undersigned officer, personally appeared Sharon E. Hoggatt, known to me or proven to be the person whose name is subscribed to the foregoing instrument and acknowledged that such person executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I hereto set my hand and official seal.




NOTARY PUBLIC

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Environment and Natural Resources

Date October 16, 2020

RECEIVED OF Craig Mickelson 3205 Hillview Rd. Spearfish SD 57783

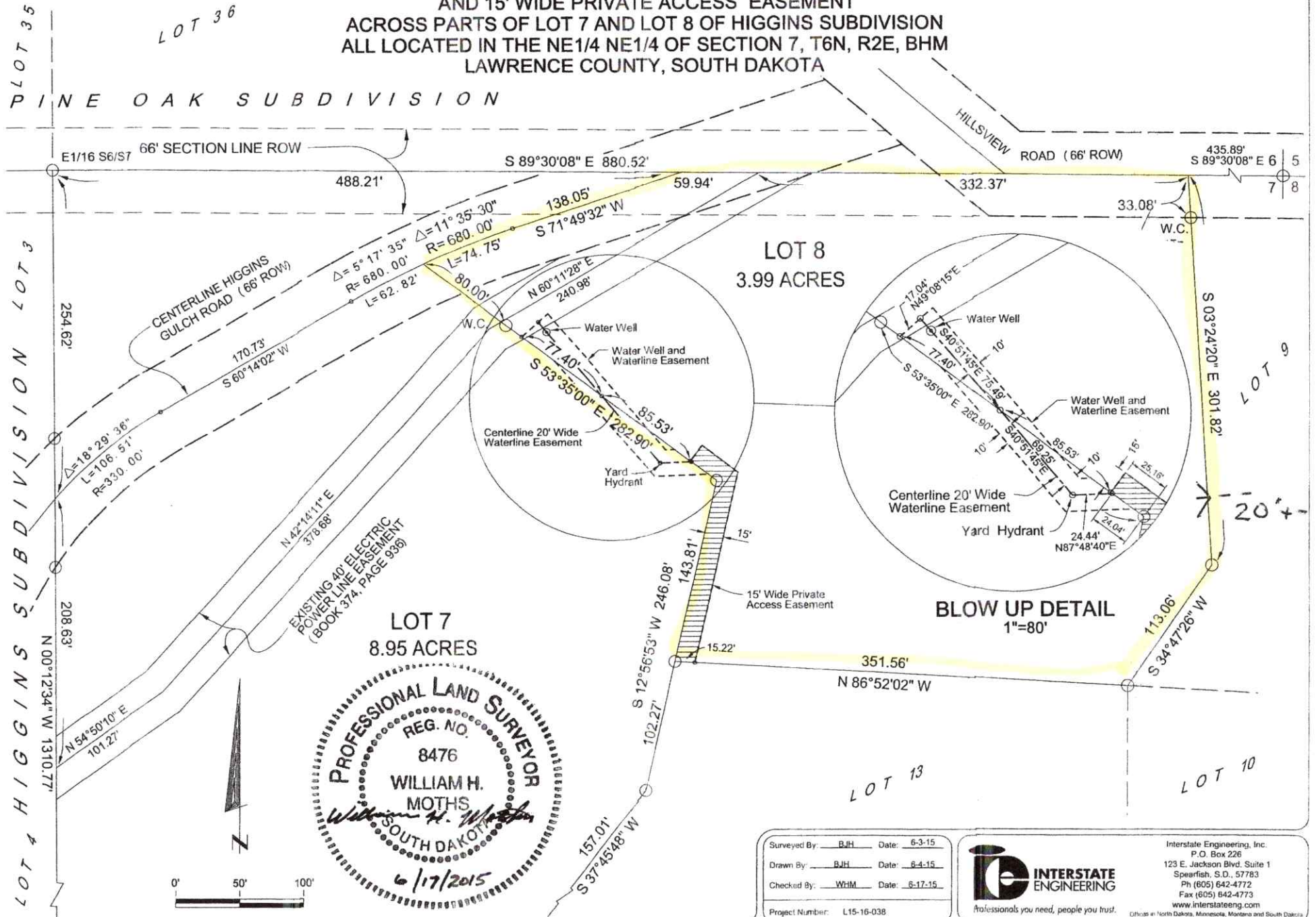
The following amount in fees for services rendered as provided for by law:

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>1237-1</u>	\$50.00
Fee for _____	\$
Fee for Issuing New Well Driller's License No. _____	\$
Fee for Renewal of Well Driller's License No. _____	\$
Fee for Issuing Well Pump Installer's License No. _____	\$
Fee for Renewal of Well Pump Installer's License No. _____	\$
(Any Other Work Provided by Law) TOTAL	\$50.00

By Eric Bronlund
Chief Engineer
EB

EXHIBIT A

MAP OF WATER WELL EASEMENT, 20 FOOT WIDE WATERLINE EASEMENT
AND 15' WIDE PRIVATE ACCESS EASEMENT
ACROSS PARTS OF LOT 7 AND LOT 8 OF HIGGINS SUBDIVISION
ALL LOCATED IN THE NE1/4 NE1/4 OF SECTION 7, T6N, R2E, BHM
LAWRENCE COUNTY, SOUTH DAKOTA



mj = Michael
J. Storoos
x fer pd

Sharon Hoggarty Trust
3205 Hillside Dr
x fer pd

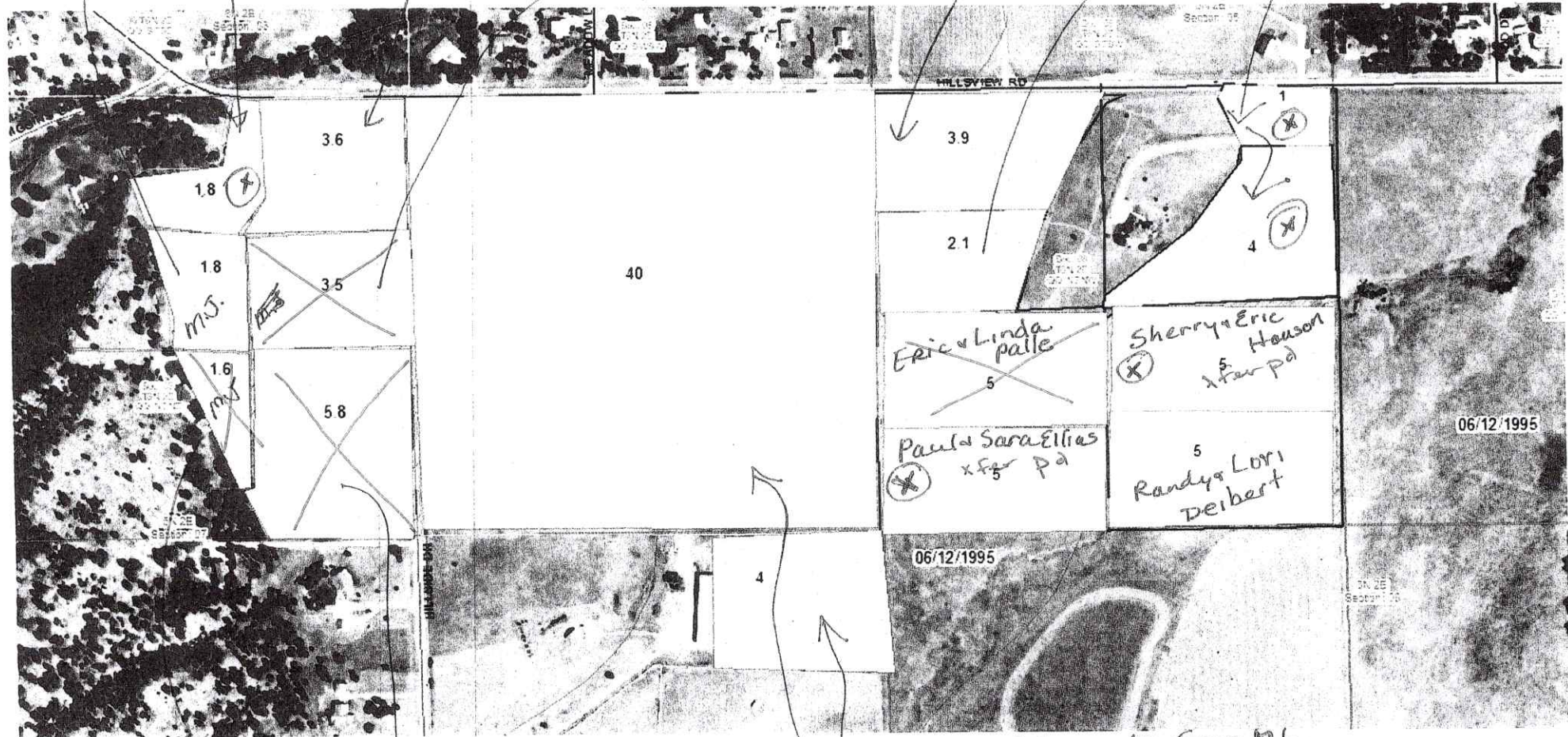
Eric Ulmer, 1645 Hillside Dr

Scott & Keyra Comer
1635 Hillside Dr

Donald Erickson

Jonathan & Diana Reth

James Webb
Trustee
x fer pd



Arac
Boderson

allan J. Mack
3205 Hemlock Ct

Sharon Williams McGroarty
1320 Hillside Dr

STATE OF SOUTH DAKOTA
VESTED WATER RIGHT NO. 1237-1
(DIVISION OF VESTED WATER RIGHT NO. 1237-1 INTO A, B, C, D & E)

(1) Vested Water Right No. 1237-1, held by Myron or Virginia Weber, authorized the diversion of 1.33 cubic feet of water per second (cfs) from Higgins Gulch, Lawrence County, South Dakota for irrigation purposes. Vested Water Right No. 1237-1, bearing a priority date of January 1, 1876, authorized the irrigation of 93 acres located within the NE ¼ NE ¼ Section 7 & N ½ NW ¼, SW ¼ W ¼ Section 8; all in T6N-R2E.

Five "Notice of Transfer of Ownership" forms were filed for portions of land described in Vested Water Right No. 1237-1.

Date of Filing	New Owner
August 5, 2020	Michael Jastorff
October 15, 2020	Sharon E Hoggatt Revocable Trust
June 3, 2021	Paul & Sara Elias
June 17, 2021	Eric & Sherry Hanson
July 1, 2021	James A Webb Family Trust

Based on the ownership changes, Vested Water Right No. 1237-1 is being divided and reissued to reflect separate ownership as follows:

- **Vested Water Right No. 1237-1: Myron or Virginia Weber, 221 Yellowstone Pl, Spearfish SD 57783** authorizing diversion of 1.062 cfs from Higgins Gulch for irrigation of 74.4 acres located in the NE ¼ NE ¼ Section 7 & N ½ NW ¼, SW ¼ NW ¼ Section 8; all in T6N-R2E.
- **Vested Water Right No. 1237-1A: Michael Jastorff, 3212 Hemlock Ct, Spearfish SD 57783**, authorizing the diversion of 0.026 cfs from Higgins Gulch for irrigation of 1.8 acres located in the NE ¼ NE ¼ Section 7, T6N-R2E.
- **Vested Water Right No. 1237-1B: Sharon E Hoggatt Revocable Trust, 3205 Hillsvie Rd, Spearfish SD 57783**, authorizing the diversion of 0.026 cfs from Higgins Gulch for irrigation of 1.8 acres located in the NE ¼ NE ¼ Section 7, T6N-R2E.
- **Vested Water Right No. 1237-1C: Paul & Sara Elias, 1710 Sarah Ave, Spearfish SD 57783**, authorizing the diversion of 0.072 cfs from Higgins Gulch for irrigation of 5 acres located in the NE ¼ NW ¼ Section 8, T6N-R2E.
- **Vested Water Right No. 1237-1D: Eric & Sherry Hanson, 17255 Scott Ave, Spearfish SD 57783**, authorizing the diversion of 0.072 cfs from Higgins Gulch for irrigation of 5 acres located in the NE ¼ NW ¼ Section 8, T6N-R2E.
- **Vested Water Right No. 1237-1E: James A Webb Family Trust, PO Box 1148, Spearfish SD 57783**, authorizing the diversion of 0.072 cfs from Higgins Gulch for irrigation of 5 acres located in the NE ¼ NW ¼ Section 8, T6N-R2E.

continued

(2) It is certified that the water right holders have complied with the provisions of South Dakota State Law and are entitled to divert water from Higgins Gulch (NE ¼ NE ¼ Section 7, T6N-R2E), for irrigation purposes, as previously listed.

(3) The amount of appropriation may not exceed 2 acre-feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: March 1 – October 31.

(4) The water right holders have complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to irrigate lands, as previously listed.

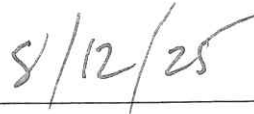
(5) Pursuant to South Dakota Water Law 46-5-30.1, Myron or Virginia Weber, Michael Jastorff, the Sharon E Hoggatt Revocable Trust, Paul & Sara Elias, Eric & Sherry Hanson, and the James A Webb Family Trust, the respective holders and/or owners of Vested Water Right Nos. 1237-1, 1237-1A, 1237-1B, 1237-1C, 1237-1D, and 1237-1E are issued a license to appropriate water, as previously listed rates, with a priority date of January 1, 1876, from Higgins Gulch (NE ¼ NE ¼ Section 7, T6N-R2E), for irrigation purposes.

This license is subject to South Dakota Water Law, any limitations or conditions listed in Vested Water Right No. 1237-1 and subject to the following qualification:

1. Water Rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.



Mark Mayer, PE
Director of the Office of Water
Department of Agriculture and Natural Resources



date





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

1237-1A
1237-1B
1237-1C
1237-1D
1237-1E

AUG 12 2025

TO: Michael Jastorff, 3212 Hemlock Ct, Spearfish SD 57783
Sharon E Hoggatt Revocable Trust, 3205 Hillsview Rd, Spearfish SD 57783
Paul & Sara Elias, 1710 Sarah Ave, Spearfish SD 57783
Eric & Sherry Hanson, 17255 Scott Ave, Spearfish SD 57783
James A Webb Family Trust, PO Box 1148, Spearfish SD 57783

SUBJECT: Transfer of Ownership

Enclosed for your records is Vested Water Right No. 1237-1 and receipts of payment for the transfer of ownerships forms. Based on the ownership change you filed, Vested Water Right No. 1237-1 was divided and reissued to reflect separate ownership.

So long as you use the water beneficially, as stated in the Water Right, State Water Laws provide that you have a continuing right to use the water. If you have any questions, please contact Amanda Dewell, Water Rights Program, Permitting Administrator (605) 773-3352.

Sincerely,

Mark Mayer, PE
Director of the Office of Water

enclosures