

1237-1C

PAID

JUN 4 2021

NOTICE OF TRANSFER OF OWNERSHIP

Ck# 2012

RECEIVED

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

JUN 04 2021

WATER RIGHTS
PROGRAM

No. _____

Date: 6-2-21I/We request that portions of Vested Water Right No. 1237-1formerly owned by: Myron Weberbe transferred to: (name & address) Paul & Sara Elias1710 Sarah AveSpearfish, SD 57783 Telephone No. 605-641-3809

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

6N 2E Section 08 - 5 acresTract 4

I/We understand that the validity of Water Right No. 1237-1 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 Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Sara Elias, the new owner, certify that the above information is true and correct.



(Signed by new owner)

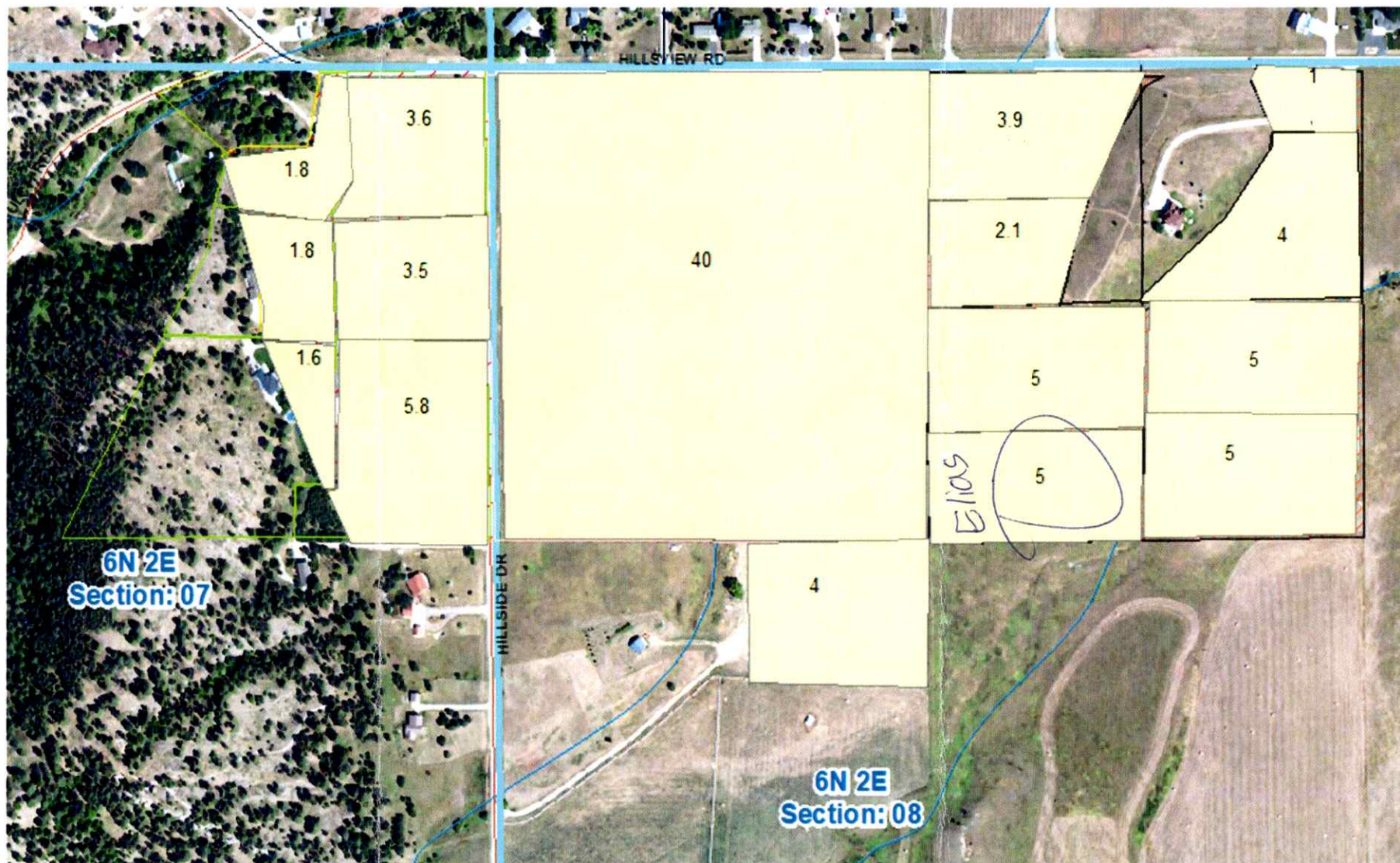
NOTE: Water permits may be cancelled for nonconstruction after the five year construction period has expired. Once a water permit is developed and the water used, the permit becomes a right. A water right may be lost for three reasons:

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.

NENW S8-6N-2E

1237-1C (5 ac + 0.072 cfs)

Land described in Vested Water Right No. 1237-1



RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date June 4, 2021

RECEIVED OF Paul W. Elias 1710 Sarah Avenue 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>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$50.00</u>

By Eric Gronlund
Chief Engineer
Em

Sharon Haggerty Trust
3205 Hillsview
+ Per P
E

Eric Ulmer, 1645 Hillside Dr

Scott & Keyra Comer
1635 Hallside Dr

Donald Erickson

Erickson
Jonathan & Diana Reth
James Webb
Trust
x for

James Webb
Trustee
x for pd



Bar
Zodverso

allan J mack
3205 Hemlock Ct

Sharon Williams Inc Grocery
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.

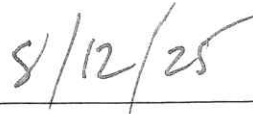
(5) Pursuant to South Dakota Water Law 46-5-30.1, Myron or Virginia Weber, Michael Jastorff, the Sharon E Hoggatt Revocable Trust, Paul & Sara Elias, Eric & Sherry Hanson, and the James A Webb Family Trust, the respective holders and/or owners of Vested Water Right Nos. 1237-1, 1237-1A, 1237-1B, 1237-1C, 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 Hillsvie 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 ownership 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