

1. Considered: _____, 19____ Water Right No. 1284-1
2. Name of Applicant Breidenbach Ranch
3. Post Office Address Newell, SD 57760
4. Amount of Water Claimed ~~Additional~~ 1.31 maximum acre feet _____
5. Source of Water Supply Willow Creek
6. Water to be used for IRR acres to be irrigated ~~1.31~~ 92 (new)
7. County Butte about 1 1/2 S 6 1/2 miles east of Newell
8. PROOF OF PUBLICATION: Received 1st 9-2-83 Not Received _____
- APPLICATION: Approved 10-5-83 Subject to Low Flow & Irrigation questionnaire
- Not Approved _____ Action Deferred _____

PRIORITY Dated Received 11/25/81 Application complete-yes xx no _____ FEE 225.00

Remarks need add'l fee as ^{WUL} ~~1.31~~ acres have not been permitted before, will

incorporate ^{WTL} 571-1, ^{NO} 850-1 and 1050-1 into WL 1284-1

Corrected ~~Fee~~ Application received 7/13/83 Period of Annual Use 4/1 to 10/31

WATER QUALITY Received 7/11/83 (yes) no _____ APPROVED (CONDITIONAL) (Circle one)

WL-1 Description same as application-yes xx no _____ Remarks _____

Disapproved _____ Returned _____

Diversion Point s in SW 1/4 NE 1/4, Sec 30-

T9N-R7E and SE 1/4 NW 1/4, Sec. 8-8N-7E from map

Land to be irrigated NE 1/4 SE 1/4 Sec. 31;

~~SE 1/4 SW 1/4 Sec 32~~ both in T9N-R7E; NW 1/4 NE 1/4:

E 1/2 NW 1/4: E 1/2 SW 1/4, Sec. 5; and NE 1/4 NW 1/4 Sec. 8.

all in T8N-R7E

WELL LOG Driller _____ Licensed - yes _____ no _____

Depth _____

Remarks This will bring them into compliance with SDCL.

This acreage is currently being irrigated without a permit.

MAP Map No. 1284-1 Map located in Water Right x Map file _____
Type of Map Aerial and drawn Prepared by LeRoy Mernaugh, Engr.W/R's

+++++

REVIEWED This Application was received within 30 days of the date received, accepted as complete, Number assigned and written up for advertisement before the Board on:
7/12/83

Becky Westlund
(Signed)

+++++

PROTESTS Letters/Petitions in File - yes _____ no _____ Remarks _____

REMARKS Date _____
F.F. & C. Final Decision, including F.F. & C. of Law were adopted _____
OF LAW, Date _____
FINAL Final Decision mailed to parties and/or parties notified that Final Decision was
DECISIONS adopted _____
ETC. Remarks _____

No. 1284-1Map No. 1284-1 Water Division No. 1 Belle Fourche River DistrictAbove for Office Use 10120202

APPLICATION FOR PERMIT To Appropriate Water within the State of South Dakota

Check one of the following:

New ☒ Vested Right _____ Future Use _____

Change in Diversion _____ Additional Diversion _____

Change in Acreage _____ Additional Acreage ~~_____~~1. Name of Applicant Breidenbach Ranch Phone No. _____Post Office Address _____ Newell _____ State SD 57760
(Street, RR, or Box) (Town) (Zip Code)

If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) _____

3. Name of diversion work Breidenbach #44. Amount of water claimed (cubic feet per second) 12.2 (no additional) 1.315. Source of water supply Willow Creek6. Location of point of diversion on Willow Creek between a point N 58°W, 2545' from the E 1/4 SW 1/4 corner of Section 30, T9N, R7E and a point N 90°E, 1420' from the West 1/4 corner of Section 8, T8N, R7ECounty Butte7. Annual period or periods during which water is to be used April thru October8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation9. For irrigation use, Total number of acres to be irrigated 855 92

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.
SEE ATTACHED SHEET	
NE 1/4 SE 1/4 sec 31-T9N-R7E	12
NE 1/4 NW 1/4 sec 8-T8N-R7E	8
NE 1/4 NW 1/4 sec 5-T8N-R7E	12

Land Description	No. Acres Irr.
SE 1/4 NW 1/4 sec 5-T8N-R7E	19
NE 1/4 SW 1/4 sec 5 " "	6
SE 1/4 SW 1/4 sec 5 " "	30
NW 1/4 NE 1/4 sec 5 " "	5

Attach sheet if more space is needed

10. Time required to complete construction of water supply system Complete years. Additional time required to complete application of water to the proposed beneficial use 2 years.11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Valley Irrigator

12. Principal Features of the Proposed Water Supply System.

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

pumps and motors

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

pipes and ditches

C. Works proposed to apply water to beneficial use.

ditches and dikes for flood irrigation

Note: Applicable portions of Permit No. 571-1, No. 850-1 and No. 1050-1 will be incorporated into this Permit. Water License 1284-1

Estimated Total Cost \$ _____

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)

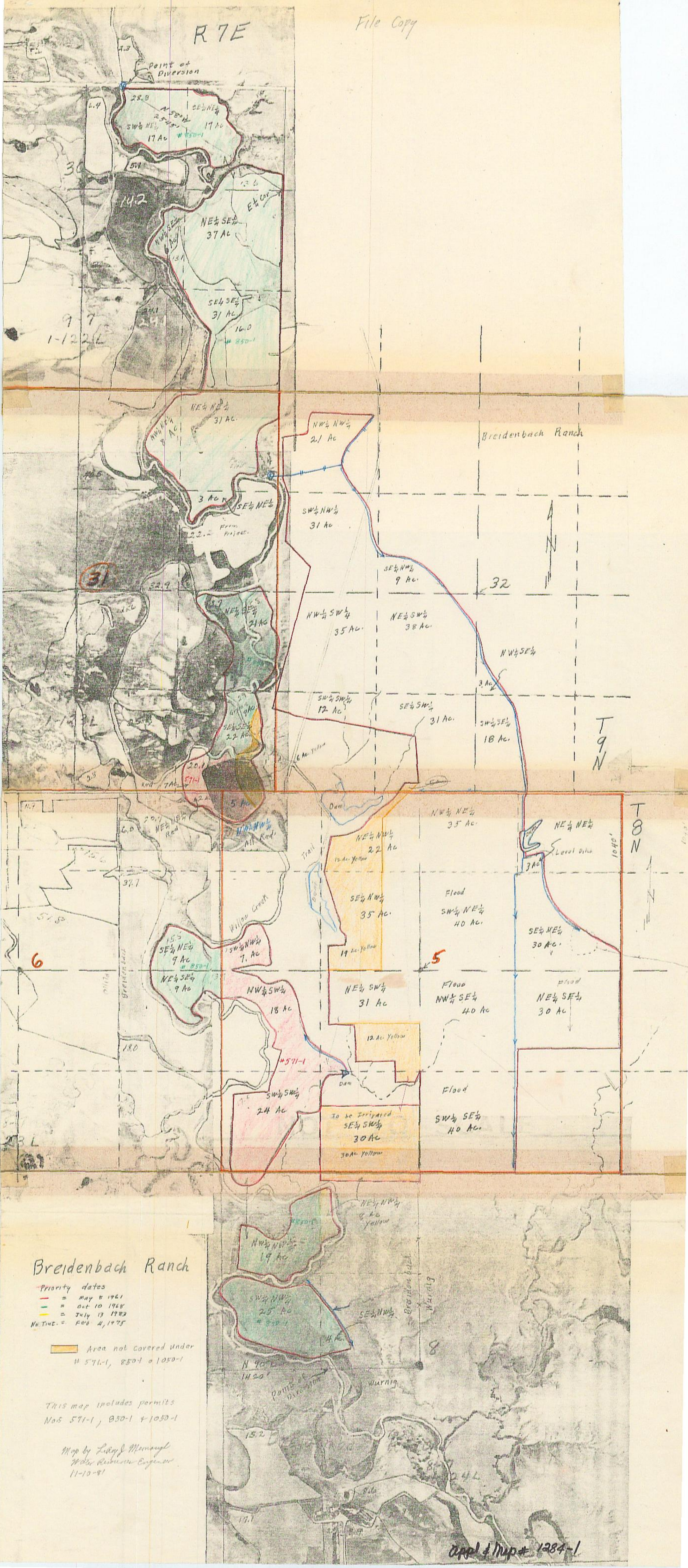
County of Butte) ss.I, Breidenbach Ranch the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.Signed Donald E. BreidenbachSubscribed and sworn to before me this 24th day of November, 1981Michael A. Bunney

Notary Public (or other qualified officer)

MICHAEL A. BUNNEY, Notary Public
My Commission Expires 1-12-86

R 7 E

File Copy



WATER RIGHT APPLICATION APPROVAL

The Water Management Board hereby approves Water Right Application No. 1284-1

Breidenbach Ranch

(Applicant)

Newell

(Post Office Address)

South Dakota

(State)

With the following qualifications.

Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be by-passed.

This permit is approved subject to the irrigation water use questionnaire being submitted each year.

Date of first receipt of application November 25, 1981

Date of return to applicant for correction, amendments or changes required July 5, 1983

Date of receipt of corrected application July 13, 1983

Approved October 5, 1983, Recorded in Book 1284-1 Page

WATER RIGHT PERMIT NO. 1284-1

The Water Management Board hereby grants and issues this Water Right Permit No. 1284-1 authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is July 13, 1983
2. The equivalent of at least one-fifth of the work above specified is ~~to be~~ completed ~~on or before~~ , 19
3. The whole of said work is ~~to be~~ completed ~~on or before~~ , 19
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is completed , 19
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 1.31 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 irrigation purposes said appropriation must be limited to not more than 2 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 October 5, 1983; said water to be used during the following described

annual period: April 1 thru October 31

Witness my hand this 24th day of October, 1983

THE WATER MANAGEMENT BOARD

By:

John Hatch
Chief Engineer, Water Rights

Certificate of Construction Issued , 19

Water License Issued , 19

Breidenbach Ranch

Lands to be covered under
New permit application:

Sec. 31-9N-7E

NE⁴ SE⁴

6 + 2 acres

Sec. 8-8N-7E

NE⁴ NW⁴

8 acres

Sec. 5-8N-7E

 NE⁴ NW⁴
 SE⁴ NW⁴
 NE⁴ SW⁴
 SE⁴ SW⁴
 NW⁴ NE⁴

12 acres

19 acres

1 - 6 acres

30 acres

5 acres

 92 ac.

1.31 cfs

Attachment A

Breidenbach Ranch

Priority Dates

571-1 May 8, 1961
 # 850-1 October 10, 1968
 # 1050-1 February 4, 1975
 # 1284-1 July 13, 1983

Areas Irrigated 571-1 850-1 1050-1 1284-1

Sec. 30 T9N R7E Acres Acres Acres Acres

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 17
 SE $\frac{1}{4}$ NE $\frac{1}{4}$ 17
 NW $\frac{1}{4}$ SE $\frac{1}{4}$ 6
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 37
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 31

Sec. 31, T9N R7E

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 8
 NE $\frac{1}{4}$ NE $\frac{1}{4}$ 31
 SE $\frac{1}{4}$ NE $\frac{1}{4}$ 3
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 9 ~~8~~ < > 12
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ 10 ~~8~~ 12 ~~8~~

Sec. 32 T9N R7E

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 21
 SW $\frac{1}{4}$ NW $\frac{1}{4}$ 31
 SE $\frac{1}{4}$ NW $\frac{1}{4}$ 9
 NW $\frac{1}{4}$ SW $\frac{1}{4}$ 35
 NE $\frac{1}{4}$ SW $\frac{1}{4}$ 38
 SW $\frac{1}{4}$ SW $\frac{1}{4}$ 12
 SE $\frac{1}{4}$ SW $\frac{1}{4}$ 31
 NW $\frac{1}{4}$ SE $\frac{1}{4}$ 3
 SW $\frac{1}{4}$ SE $\frac{1}{4}$ 18

Attachment

Breidenbach Ranch Con't.

	571-1	850-1	1050-1	1284-1	
Sec. 5 T8NR7E	Acres	Acres	Acres	Acres	
NW $\frac{1}{4}$ NW $\frac{1}{4}$	5				
NE $\frac{1}{4}$ NW $\frac{1}{4}$			10	12	
SW $\frac{1}{4}$ NW $\frac{1}{4}$	7				
SE $\frac{1}{4}$ NW $\frac{1}{4}$			16	19	
NW $\frac{1}{4}$ NE $\frac{1}{4}$			30	5	
NE $\frac{1}{4}$ NE $\frac{1}{4}$			3		
SW $\frac{1}{4}$ NE $\frac{1}{4}$			4.0		
SE $\frac{1}{4}$ NE $\frac{1}{4}$			30		
NW $\frac{1}{4}$ SW $\frac{1}{4}$	18				
NE $\frac{1}{4}$ SW $\frac{1}{4}$	5		20 17	12 6	
SW $\frac{1}{4}$ SW $\frac{1}{4}$	24				
SE $\frac{1}{4}$ SW $\frac{1}{4}$				30	
NW $\frac{1}{4}$ SE $\frac{1}{4}$			40		
NE $\frac{1}{4}$ SE $\frac{1}{4}$			30		
SW $\frac{1}{4}$ SE $\frac{1}{4}$			40		
Sec. 6, T8NR7E					
NE $\frac{1}{4}$ NE $\frac{1}{4}$	2				
SE $\frac{1}{4}$ NE $\frac{1}{4}$		9			
NE $\frac{1}{4}$ SE $\frac{1}{4}$		9			
Sec. 8 T8NR7E					
NW $\frac{1}{4}$ NW $\frac{1}{4}$	10	19			
NE $\frac{1}{4}$ NW $\frac{1}{4}$				8	
SW $\frac{1}{4}$ NW $\frac{1}{4}$		25			
SE $\frac{1}{4}$ NW $\frac{1}{4}$		4			
Total	81	227	457	92	= 857 Ac
	1.16 cfs	3.24 cfs	6.53 cfs	1.31 cfs	= 12.24 cfs

Irrigating 571-1 850-1 1050-1 No Permit

sec 30-T9N-R7E

SW4 NE4	17		16
SE4 NE4	17		18
NW4 SE4	6		7
NE4 SE4	37		38
SE4 SE4	31		32

Sec. 31-T9N-R7E

NW4 NE4	8		9	
NE4 NE4	31		34	
SE4 NE4	3		22	
NE4 SE4	21		9	
SE4 SE4	22	10	17	12

Sec. 32-T9N-R7E

NW4 NW4	21		20
SW4 NW4	31		29
SE4 NW4	9		9
NW4 SW4	35		33
NE4 SW4	38		38
SW4 SW4	12		17
SE4 SW4	31		30
NW4 SE4	3		7
SW4 SE4	18		18

Sec. 5-T8N-R7E

NW4 NW4	5	5		
NE4 NW4	22		10	12
SW4 NW4	7	14		
SE4 NW4	35		16	19
NW4 NE4	35		30	5
NE4 NE4	3		40	
SW4 NE4	40		5	
SE4 NE4	30		39	
NW4 SW4	18	29		
NE4 SW4	31	5	20	6
SW4 SW4	24	37		
SE4 SW4	30			30
NW4 SE4	18	29		
NE4 SW4	30	5		
SW4 SE4	40		40	

Sec. 8-T8N-R7E

571-1

850-1

No
Permit
8

NW ⁴	NW ⁴	19
NE ⁴	NW ⁴	8
SW ⁴	NW ⁴	25
SE ⁴	NW ⁴	4

10

16

25
20

22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS



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

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

I have this day made a thorough examination of the water use system constructed by Breidenbach Ranch
Newell, S. Dak a 57760 holder of
 Permit No. 1284-1, bearing the priority of July 13, 19 83 authorizing
 the diversion of 1.31 cu. ft. per second of the waters of Willow Creek.
 for 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 = Crown Pump. Ser# 220432 - 12" Pump.
Motor - Westinghouse - Model 100 cp-12x Ser# 6911. 75 H.P. 1775 RPM
Pumps = 2600 gpm.
12" Crisafulli - Tractor Power Take-off. Est 4000 gpm.
Both Pump mounted on wheels.
- B. Works used to transport water to place of use:
12" Aluminum pipe
Supply ditches.
- C. Works used to apply water to beneficial use:
Ditches and Dikes for Flood Irrigation

The system is in the following condition Good.

The point of diversion is located On Willow Creek between a point N 58° W, 2545' from E 1/2
Cor. of Sec. 30. T9N R7E and a point N 90° E, 1420' from W 1/4 Cor.
of Sec. 8 T8N R7E

The works are capable of diverting and conveying to the place of use 14.7
 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 Sheets (Attachment A)

comprising a total of **857 ~~857~~ acres of land and the license should be issued for **12.24 ~~12.24~~ cfs

Applicable permit qualifications have been complied with X Yes NoExceptions to compliance are: Date 5/8/84

**The applicable portions of Water Right Nos.
 571-1, 850-1 & Water Permit No. 1050-1
 are incorporated into this License

LeRoy J Mernaugh 5/8/84
 (signature)

SOIL/WATER COMPATIBILITY PERMIT APPLICATION FORM

Division of Conservation

Office Use Only

WR#

1384-1

OWNERS NAME: Breidenbach Ranch

OWNERS ADDRESS: Newell, SD 57555

COUNTY LAND LOCATED IN: Butte

PHONE: 456-2122

TENANT'S NAME AND ADDRESS:

LEGAL DESCRIPTION: (Show Legal Description to Nearest 10 Acres)

1. WELL LOCATION

Depth

2. SURFACE WATER SOURCE AND DIVERSION LOCATION: Willow Creek

Diversion Location

Legal Description	Acres	Legal Description	Acres
SE1/4 SW1/4 31-3-7 -	8 -	✓ NE1/4 SW1/4 5-3-7 -	12 -
NW1/4 NW1/4 5-3-7 -	5 -	✓ SE1/4 SW1/4 5-3-7 -	30 -
✓ SE1/4 NW1/4 5-3-7 - <i>Corrected 7/13/83 called SCC BW</i>	119 12	NE1/4 NW1/4 5-3-7 -	5 -
✓ SE1/4 NW1/4 5-3-7 -	20 -	✓ NE1/4 NW1/4 8-8-7 -	10 -
		SE1/4 SW1/4 32-9-7 -	5 -

Total = 100 acres

3. SHOW ANY PORTION OF LAND THAT PRESENTLY HOLDS AN IRRIGATION PERMIT: YEAR OBTAINED

LEGAL DESCRIPTION:

IN WHAT NAME:

4. LOCATION OF AREA TO BE IRRIGATED NOTE: SOILS INFORMATION FOR THIS AREA MUST ACCOMPANY THE APPLICATION. (See instruction sheet)

5. TYPE OF IRRIGATION: GRAVITY: TOWLINE: CENTER PIVOT: GUN: OTHER: (Specify)

6. CROPS TO BE IRRIGATED:

WATER QUALITY: (TO BE COMPLETED BY SDSU WATER QUALITY LABORATORY)

7. WATER SAMPLE NUMBER: 83-0314

10. ADJUSTED (SAR):

8. SALINITY (EC X 10⁶):

11. PERCENT SODIUM

9. SODIUM (SAR):

I hereby certify that I personally obtained or that I personally observed that taking of a sample of the water to be used in irrigating the above-described land. I also hereby certify that the required procedures for the taking of the sample (see instruction sheet) were followed, and that the sample was taken at a.m./p.m., on 19, at the following location: by (individual who took sample if other than applicant). I also hereby certify that the water sample taken has NOT been adulterated or tampered with in any manner, and is TRULY REPRESENTATIVE of the water which will be used in irrigating the above-described land.

Signature

I understand that the Division of Conservation or agents thereof may obtain water samples from wells and surface bodies to be used for irrigation purposes to validate water samples taken at the time of application. The Department of Agriculture may also gather technical information necessary to protect the land. (46-5-6.4).

SUBSCRIBED AND SWORN BEFORE ME THIS

DAY OF June, 1983.

(NOTARY PUBLIC)

APPLICANT'S SIGNATURE

Director, Division of Conservation

Date

APPROVED

DISAPPROVED

CONDITIONALLY APPROVED

IMPORTANT
Action by the Department of Agriculture or the State Conservation Commission is not the final action on any application. In all cases a WATER RIGHT must be obtained from the Board of Water Management, Foss Building, Pierre.

Conditional soil/water permits will be recorded by the Department of Agriculture, with the County Register of Deeds.

CONDITIONAL APPROVAL

#4040

SOUTH DAKOTA DEPARTMENT OF AGRICULTURE
DIVISION OF CONSERVATIONNAME OF APPLICANT: Breidenbach Ranch c/o Don BreidenbachLEGAL DESCRIPTION: SE $\frac{1}{4}$ SE $\frac{1}{4}$ 31-9-7; NW $\frac{1}{4}$ 5; E $\frac{1}{4}$ SW $\frac{1}{4}$ 5-9-7 & SE $\frac{1}{4}$ SW $\frac{1}{4}$ 32-9-7 - 108SOIL RESTRICTIONS:THE SOIL(S) LISTED BELOW CANNOT BE IRRIGATED:

SuA - Swanboy Clay 0-3% slope is not suitable for irrigation. This area is restricted from irrigation

THE SOILS(S) LISTED BELOW CAN BE IRRIGATED
WITH THE FOLLOWING RESTRICTIONS:RECOMMENDED MANAGEMENT:

We recommend that all lands applied for remain in grass and/or alfalfa to maintain and improve water movement in the soil.

Due to the variable water quality of Willow Creek we suggest that a water monitoring program be developed to be used in your water management plan.

SIGNATURE

DATE

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 9288

PIERRE, July 13, 1983

RECEIVED OF Breidenbach Ranch, RR#1, Box 81, Newell, SD 57760

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

Fee for Application for Permit to Appropriate Water No. 1284-1 (examination, processing, recording and filing)	75	00
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 (any other work as provided by law)		
TOTAL	75	00

WATER RIGHTS COMMISSION

By John Hatch
Chief Engineer, Executive Officer
JOHN HATCH (ms)

RECEIPT

VATER RIGHTS COMMISSION

State of South Dakota

No 4 8560

PIERRE, November 25, 1981

RECEIVED OF Breidenbach Ranch, Newell, SD 57760

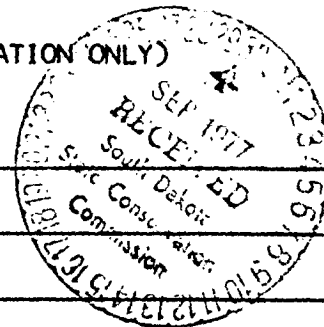
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. 1284-1 (examination, processing, recording and filing)	150.00
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 (any other work as provided by law)	
TOTAL	150.00

WATER RIGHTS COMMISSION

By *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH / *JE*

Sitting

STATE CONSERVATION COMMISSION
SUPPORTING INFORMATION
FOR APPROPRIATION OF GROUND WATER IN ACCORDANCE
WITH SDCL 46-6-3 AS AMENDED
(THIS FORM REQUIRED FOR PROPOSED GROUND WATER IRRIGATION ONLY)NAME ELMER CHRISTIANSONADDRESS COLUMBIACOUNTY ~~BROWN~~ BROWNLEGAL DESCRIPTION1. WELL LOCATION ~~SW~~ S.W. 1/4 Sec 15-126-632. LOCATION OF AREA TO BE IRRIGATED S.W. 1/4 Sec 15-126-63
NW 1/4 15-126-63 W/R # 4157-3TYPE OF IRRIGATIONcf 11-17-83 - area included on soils map3. GRAVITY _____ TOWLINE _____ CENTER PIVOT ☒ GUN _____4. CROPS TO BE IRRIGATED Corn - AlfalfaWATER QUALITY5. SAMPLE NUMBER 77-13316. SALINITY (EC X 10⁶) 1065 (high)7. SODIUM (SAR) 0.88 (low)8. RESIDUAL SODIUM CARBONATE (meq/l.) 0

I do hereby certify that a chemical analysis of the ground water representative of that used to irrigate shall be acquired from South Dakota State University and:
the soils information has been acquired from ABERDEEN Conservation District,
County Extension office or Soil Conservation Service.
and:
that the legal description for the location of the well and land to be irrigated is true
and correct.

ELMER CHRISTIANSON
APPLICANT'S SIGNATURE
Elmer ChristiansonSUBSCRIBED AND SWORN BEFORE ME THIS
31 DAY OF August 19 77.Alan Sasser
(TITLE OR SEAL)Albert J. Haffels
APPROVED/~~DISAPPROVED~~

(SOILS INFORMATION ON REVERSE SIDE)

Water Rights Division
(605) 773-3352

November 12, 1981

Breidenbach Ranch
% Don Breidenbach
Newell, SD 57760

Dear Mr. Breidenbach:

On October 15, 1981 I met with you and we went over your three Water Rights Permits. In order to update your permits and cover that land not now under any permit, it was decided to have you apply for a new permit to combine all of your permits under one and add that area not covered.

Enclosed are two completed copies of Form 2, "Application For Permit" that you should check over, make any corrections necessary, then sign the forms and have both copies notarized and returned to this office with a check for \$150.00 to cover the cost of the filing fee.

Water Quality approval for the additional lands will be required. That area shaded yellow on the enclosed map is the area which will need water quality approval. An instruction sheet is enclosed, See No. 5.

The enclosed map shows the area outlined in red that is now or will be under irrigation. The area is that which you outlined to me when we discussed your permits. If you do not make any changes on the map you may keep it for your use as we have a copy in this office. However, if you do make changes on the map then you will need to return it with Form 2 in order that we may make the corrections on our file copy.

If you have any questions regarding the matter, please feel free to contact this office.

Sincerely,

LEROY J MERNAUGH
Water Resources Engineer

LJM/gy

cc: Martin Gertonson



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 ● Pierre, South Dakota 57501
Phone 605/773-3258

July 16, 1982

Breidenbach Ranch
% Don Breidenbach
Newell, SD 57760

Dear Mr. Breidenbach:

We have been notified by the Division of Water Rights that you are intending to transfer parts of your land on Water Right Permit Numbers: 571-1, 850-1 and 1050-1. However, it is now required by State Law that Soil and Water Compatibility Approval be granted prior to the issuing of a Water Right. This will only be necessary for the lands that are not covered under your old Water Rights.

Enclosed please find a WI-1 form for you to complete and forward, along with the correct soils information and a water sample from the source you are using for irrigation (Willow Creek) to the Water Quality Laboratory at Brookings, South Dakota. Please note that we do not have the correct acreages for the legal descriptions involved.

If you have any questions please feel free to contact this office.

Sincerely,

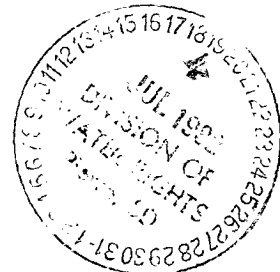
A handwritten signature in cursive script that reads "James Lewis Stukel".

Jim Stukel
Irrigation Program Director

cf

Enclosures: WI-1 form
Instruction Sheet

cc: Water Rights Division





Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 • Pierre, South Dakota 57501
Phone 605/773-3258

April 12, 1983

May 2, 1983

SCC called put on Hold

Don Breidenbach
Newell, S.D. 57760

Dear Mr. Breidenbach:

Please find enclosed your application for soil and water compatibility. We are returning it to secure the following information:

- 1) The acreages and a soils map with these acreages outlined was not received.
- 2) Steps 1 and 2 of the WI-1 are not completed.
- 3) Step 6 of the WI-1 was not completed.
- 4) Your application is not notarized.

Also, I feel I must advise you in reviewing water analysis #83-0106 that this water does not meet the current standards for soil and water compatibility and would result in the staff recommending the disapproval of your application. If you feel that water sample #83-0106 is not representative, please contact this office so a representative of the Division of Conservation can validate a water sample.

Sincerely,

Jim Stukel
Irrigation Program Director

JS/ah

Enc.





Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 • Pierre, South Dakota 57501
Phone 605/773-3258

May 10, 1983

Don Breidenbach
Breidenbach Ranch
Newell, SD 57760

Dear Mr. Breidenbach:

Per our discussion by telephone on May 10, 1983, please find enclosed a WI-1 form with the information we have secured and soils map of the area you intend to irrigate. Please review the WI-1 form making any corrections and additions necessary; also outline these areas on the soils map. Then return the signed and notarized form, along with soil maps to this office.

There is also a need for a representative water sample from Willow Creek, as discussed, a representative of the Soil and Water Compatibility program will validate a water sample during the irrigation season.

Sincerely,

Jim Stukel
Irrigation Program Director

cf

cc: Division of Water Rights





Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 ● Pierre, South Dakota 57501
Phone 605/773-3258

June 30, 1983

Breidenbach Ranch
c/o Don Breidenbach
Newell, SD 57760

Dear Mr. Breidenbach:

In reviewing your soil and water compatibility application for the SE $\frac{1}{4}$ SE $\frac{1}{4}$ 31-9-7 & NW $\frac{1}{4}$ NW $\frac{1}{4}$ 5; NE $\frac{1}{4}$ NW $\frac{1}{4}$ 5; SE $\frac{1}{4}$ NW $\frac{1}{4}$ 5; NE $\frac{1}{4}$ SW $\frac{1}{4}$ 5; SE $\frac{1}{4}$ SW $\frac{1}{4}$ 5; NE $\frac{1}{4}$ NW $\frac{1}{4}$ 5; NE $\frac{1}{4}$ NW $\frac{1}{4}$ 8-9-7 & SE $\frac{1}{4}$ SW $\frac{1}{4}$ 32-9-7, the irrigation staff is recommending a Conditional Approval of your application to the State Conservation Commission at their July 7, 1983 meeting. The Conditional Approval is based on the salt load of the water and the clay content of the soils of the area making the leaching of salt difficult. The Management Recommendations and Restrictions are as follows:

RESTRICTIONS:

SuA - Swanboy Clay 0 - 3 % slope is not suitable for irrigation. This area is restricted from irrigation.

MANAGEMENT RECOMMENDATIONS:

We recommend that all lands applied for remain in grass and/or alfalfa to maintain and improve water movement in the soil.

Due to the variable water quality of Willow Creek we suggest that a water monitoring program be developed to be used in your water management plan.

If you have any questions concerning your application please feel free to contact this office.

Sincerely,

Martin Gertonson
Land Management Specialist II

cf

July 5, 1983

Breidenbach Ranch
Newell, S.D. 57760

Dear Sirs:

We have been informed by the Department of Agriculture, Conservation Commission that the Lands not covered under permits nos. 571-1, 850-1 and 1050-1 will be considered July 7th by their Commission.

Since the lands not originally covered by previous permits amount to 98 acres an additional fee is required. We have received a filing fee of \$150.00 (Receipt No. 4-8560) An additional \$75.00 will be required. The filing fee for 98 acres is \$225.00.

Upon receipt of the additional filing fee and the soil/water compatibility approval from the Department of Agriculture further processing of your application will proceed.

If you have any questions feel free to contact this office.

Sincerely,

BETTY WESTLUND
Water Rights Specialist

BW/bw

*The add'l fee never requested prior to this is because up
until this year the SCC has had the WI-1 on hold.
waiting to validate* *Bw*



Department of Agriculture

DIVISION OF CONSERVATION

Anderson Building, Room 322 ● Pierre, South Dakota 57501
Phone 605/773-3258

November 17, 1983

Elmer Christianson
Columbia, SD 57433

Dear Mr. Christianson:

In reviewing your file with the Division of Water Rights, a discrepancy has been found between the acreage permitted on your Water Rights permit and that with Soil and Water Compatibility approval.

By State Law, Soil and Water Compatibility approval is required prior to the issuing of a Water Right. However, the soils map, which was submitted to our office, along with your WI-1 form (Soil and Water Compatibility Permit) does include the correct legal description; therefore we are amending your permit to include this additional acreages. (NW $\frac{1}{4}$ 15-126-63 - see attached permit)

If you have any questions or feel this amendment is in error please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script, reading "Jim Stukel".

Jim Stukel
Irrigation Program Administrator

cf

Enc: WI-1 form

cc: Water Rights Division

REPORT ON PERMIT APPLICATION NO. 1284-1,
Breidenbach Ranch
August 8, 1983

Permit Application No. 1284-1 is for 1.31 cubic feet per second from Willow Creek to irrigate 92 additional acres. Breidenbach Ranch currently holds three Water Permits No. 571-1, 850-1 and 1050-1. When LeRoy Mernaugh, Natural Resources Engineer inspected these three permits he found that they were irrigating 92 acres that were not covered under the three existing permits. Approval of this permit will bring Breidenbach Ranch into compliance with South Dakota statutes. Soil/water compatibility approval has been received from the South Dakota Department of Agriculture.

The staff recommendation is to approve Water Permit Application No. 1284-1 for Breidenbach Ranch with the low flow bypass and the mandatory return of the irrigation questionnaire qualification.

A handwritten signature in black ink, reading "Kevin C. Larson". The signature is written in a cursive, flowing style.

KEVIN C LARSON
Water Resources Engineer

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1284-1, Breidenbach Ranch

Pursuant to 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Water Permit Application No. 1284-1, Breidenbach Ranch, Newell, SD.

The Chief Engineer is recommending APPROVAL of Application No. 1284-1 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) that the proposed diversion can be developed without unlawful impairment of existing rights, 3) that the proposed use is a beneficial use and 4) in the public interest with the following qualifications:

Low flows as needed for downstream domestic use, including livestock watering and prior water rights must be by-passed.

This permit is approved subject to the irrigation water use questionnaire being submitted each year.

The attached report is a part of this recommendation.

A handwritten signature in cursive script, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
August 17, 1983

No. 1284-1

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County of Butte) ss.

I, Marion Lucas hereby

certify that the annexed printed copy of Notice of Intent to Appropriate

Water was taken from the Daily Belle Fourche Post

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

city of Belle Fourche

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

Wednesday, Aug 24, 1983

Wednesday, Aug 31, 1983

Marion Lucas
(Signature)

Editor
(Title)

9/1/83
(Date Signed)

Cost of Printing: total cost: \$36.59

the public hearing. Any interested person who may be affected by a Board decision and who intends to participate in the hearing before the Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a written petition with BOTH the Applicant and the Chief Engineer by September 23, 1983. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reason for the petitioner's opposition to or support of the application, and the signature and mailing address of the petitioner or his legal counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24, 46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

This hearing is an adversary proceeding. The applicant or any person, after filing a petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on this application or to assure access to the hearing by the handicapped can contact the Water Rights Division, DWNRR, Joe Foss Bldg, Pierre SD (605-773-3352) for assistance prior to the hearing date. The time of the hearing will be automatically extended for at least twenty days upon written request of the applicant or any person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by September 23, 1983.



Instruction to Newspaper - Publish first publication of the following Notice on or before **August 25, 1983** with 2nd publication 1 week later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1284-1 to Appropriate Water
and/or to Amend Water Permit or Water Rights No. s. 571-1 and 850-1
No. 1050-1 and

Notice is hereby given that the Breidenbach Ranch whose mailing address is
Newell, South Dakota has made an application for a permit

to add acreage and appropriate an additional 1.3 cubic feet per second for use with
Permits No. 1050-1, 850-1 and 571-1 giving a total diversion of 12.2 cubic feet per
second and a total of 855 acres irrigated from Willow Creek. The points of diversion
to be located between the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 30, T9N, R7E and SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, T8N, R7E.
Said water to be used to irrigate 92 acres located in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, T9N, R7E,
NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, E $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 5 all in T8N, R7E

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends

Approval of Application No. 1284-1 because 1) unappropriated water is available,
2) will be no unlawful impairment of existing rights, 3) is beneficial use of water and
4) is in the public interest.

This application will be considered by the Water Management Board at Civil Defense Room,
Basement State Capitol, Pierre, SD, October 5, 1983 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the
Board is authorized to make a determination on this application after it reaches a con-
clusion based upon facts presented at the public hearing. Any interested person who may
be affected by a Board decision and who intends to participate in the hearing before the
Board and present evidence or cross-examine witnesses according to SDCL 1-26, must file a
written petition with BOTH the Applicant and the Chief Engineer by September 23, 1983.
The petition may be informal, but it must include a statement describing the petitioners
interest in the application, the reason for the petitioner's opposition to or support of
the application, and the signature and mailing address of the petitioner or his legal
counsel if legal counsel is obtained. The applicant need not file a petition.

This application is made pursuant to the provisions of SDCL 46-1-1 thru 46-1-9, 46-1-12
thru 46-1-15; 46-2-3.1, 46-2-9, 46-2-11, 46-2-13, 46-2-17, 46-5-1 thru 46-5-16, 46-5-24,
46-5-25, 46-5-30.2, 46-5-31; 46-2A-1 thru 46-2A-10, 46-2A-12; ~~(ground) 46-6-3, 46-6-3.1,~~
~~46-6-6.1, 46-6-10, 46-6-13, 46-6-14, (future use) 46-5-38 thru 46-5-48, (transfer lands)~~
~~46-5-30.4, 46-5-33 thru 46-5-35, (10,000 AFA) 46-5-20.1, 46-5-8.1, and Board Rules ARSD~~
~~74:02:01:01 thru 74:02:01:15; (future use) 74:02:01:24 thru 74:02:01:25, (10,000 AFA)~~
~~74:02:01:15:02 thru 74:02:01:15:05~~

This hearing is an adversary proceeding. The applicant or any person, after filing a
petition, 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.

Any person wishing a copy of the Chief Engineer's recommendation, further information on
this application or to assure access to the hearing by the handicapped can contact the
Water Rights Division, DWRN, Joe Foss Bldg, Pierre SD (605 773-3352) for assistance
prior to the hearing date. The time of the hearing will be automatically extended for
at least twenty days upon written request of the applicant or any person who has filed
a petition to oppose or support the application. The request for extension must be filed
with the Chief Engineer by September 23, 1983.

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

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division
605 773-3352

November 10, 1983

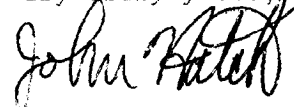
Breidenbach Ranch
RR #1, Box 81
Newell SD 57760

Dear Sir:

Enclosed herewith is your Water Permit No. 1284-1 as approved by the Water Management Board authorizing your water diversion system and apply the water to beneficial use, not exceeding the limits as specified in said water Right Permit No. 1284-1.

The final inspection has been completed on this Permit, and we are ready to issue the Water License. Statutes require we charge \$50 for the inspection and issuance of the final papers. Upon receipt of this amount, the final papers will be sent to you.

Very truly yours,



JOHN HATCH, Chief Engineer
Water Rights Division

JH: ks

enclosure

RECEIPT

Division of Water Rights

No 4 9417 -

South Dakota Department of Water and Natural Resources

Pierre, November 29, 1983

RECEIVED OF Breidenbach Ranch, Don Breidenbach, Newell, SD 57760

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. 1284-1	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	50 00

By

John Hatch
Chief Engineer JOHN HATCH/ms

State of South Dakota
Water License No. 1284-1

(1) Breidenbach Ranch
of Newell, South Dakota 57760
made Application No. 1284-1, November 25, 1981 for a water permit to appropriate
1.31 cubic feet per second of water from Willow Creek,
Butte County, South Dakota for Irrigation purposes.
Permit No. 1284-1, with a priority date of July 13, 1983
was approved October 5, 1983 and issued to applicant(s) for diversion of water with construction of the described
water supply system ~~to be~~ completed ~~on or before~~ _____ and for the application to beneficial use of said
water ~~on or before~~ _____.

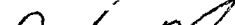
The applicable portions of Water Right Nos. 571-1, 850-1 and Water Permit No. 1050-1 have been incorporated into this Water License No. 1284-1. The priority dates are as follows: lands under No. 571-1 carry a May 8, 1961 priority date, No. 850-1 carries an October 10, 1968 priority date, No. 1050-1 carries a February 4, 1975 priority date and the lands obtained under Permit No. 1284-1 carry a July 13, 1983 priority date. A listing of the lands and priority dates is contained in attachment A of this License.

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 12.24 cubic feet per second of water for beneficial use. The location of the diversion point(s) ~~is~~ are on Willow Creek between a point N 58° W, 2545' from the E½ Corner of Section 30, T9N, R7E and a point N 90° E, 1420' from the W½ Corner of Section 8, T8N, R7E

(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, (SEE ATTACHMENT)

This license is subject to any limitations or qualifications listed in Water Permit No. 1284-1 and subject to South Dakota State Law.


Chief Engineer, Water Rights Division
Department of Water and Natural Resources **JOHN HATCH**
September 25, 1984

Attachment A

Water License No. 1284-1, Breidenbach Ranch

Priority Dates:	Permit No. 571-1	-	May 8, 1961
	Permit No. 850-1	-	October 10, 1968
	Permit No. 1050-1	-	February 4, 1975
	Permit No. 1284-1	-	July 13, 1983

<u>Acres Irrigated</u>	<u>No. 571-1</u> Acres	<u>No. 850-1</u> Acres	<u>No. 1050-1</u> Acres	<u>No. 1284-1</u> Acres
Section 30, T9N,R7E				
SW 1/4 NE 1/4		17		
SE 1/4 NE 1/4		17		
NW 1/4 SE 1/4		6		
NE 1/4 SE 1/4		37		
SE 1/4 SE 1/4		31		
Section 31, T9N,R7E				
NW 1/4 NE 1/4		8		
NE 1/4 NE 1/4		31		
SE 1/4 NE 1/4		3		
NE 1/4 SE 1/4		9		12
SE 1/4 SE 1/4	10	12		
Section 32, T9N,R7E				
NW 1/4 NW 1/4			21	
SW 1/4 NW 1/4			31	
SE 1/4 NW 1/4			9	
NW 1/4 SW 1/4			35	
NE 1/4 SW 1/4			38	
SW 1/4 SW 1/4			12	
SE 1/4 SW 1/4			31	
NW 1/4 SE 1/4			3	
SW 1/4 SE 1/4			18	
Section 5, T8N,R7E				
NW 1/4 NW 1/4	5			
NE 1/4 NW 1/4			10	12
SW 1/4 NW 1/4	7			
SE 1/4 NW 1/4			16	19
NW 1/4 NE 1/4			30	5
NE 1/4 NE 1/4			3	
SW 1/4 NE 1/4			40	
SE 1/4 NE 1/4			30	
NW 1/4 SW 1/4	18			
NE 1/4 SW 1/4	5		20	6
SW 1/4 SW 1/4	24			
SE 1/4 SW 1/4				30
NW 1/4 SE 1/4			40	
NE 1/4 SE 1/4			30	
SW 1/4 SE 1/4			40	

PAGE 2
Breidenbach Ranch
Water License No. 1284-1

<u>Acres Irrigated</u>	<u>No. 571-1</u> Acres	<u>No. 850-1</u> Acres	<u>No. 1050-1</u> Acres	<u>No. 1284-1</u> Acres
Section 6, T8N,R7E				
NE 1/4 NE 1/4	2			
SE 1/4 NE 1/4		9		
NE 1/4 SE 1/4		9		
Section 8, T8N,R7E				
NW 1/4 NW 1/4	10	9		
NE 1/4 NW 1/4				8
SW 1/4 NW 1/4		25		
SE 1/4 NW 1/4		4		
TOTAL	81	227	457	92
CFS & PRIORITY DATE	1.16 cfs	3.24 cfs	6.53 cfs	1.31 cfs
Total acreage irrigated = 857 acres				
Total amount of cfs authorized = 12.24 cfs				



No. 1284-1

Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
Phone (605) 773-3352

September 25, 1984

Breidenbach Ranch
Newell, South Dakota 57760

Dear Sirs:

Enclosed herewith is, Water License No. 1284-1. 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,

A handwritten signature in cursive script, reading "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

Enclosures



Department of Water & Natural Resources

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

November 4, 1988

1284-1

Bill Lindsey
Box 81
Newell, SD 57760

Dear Mr. Lindsey:

I am contacting you in regard to ownership of Water Right No. 1284-1, currently listed in the name of Breidenbach Ranch. Mr. Breidenbach notified our office that the ranch was sold to you. Enclosed is a copy of Water Right No. 1284-1 for your review.

Also enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Right No. 1284-1. 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.

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.

Also enclosed is the 1988 irrigation questionnaire for reporting any irrigation done under this water right during 1988. Please complete the questionnaire and return it to our office by **December 20, 1988**. I included a copy of the cover letter and the attachment originally sent to Don Breidenbach. If you have any questions, please contact us.

Sincerely,

GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosures



NOTICE OF DIVISION OF WATER RIGHTS WATER PERMIT



Water Rights
Foss Building
Pierre, SD 57501

Date: _____

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

857 acres in portions of Sections 30, 31 and 32, T9N, R7E and Sections 5, 6 and 8 of T8N, R7E (described in Water Right No. 1284-1)

formerly owned by Breidenbach Ranch

has been transferred to Bill Lindsey, RR 1, Box 81, Newell, SD 57760

(please include complete mailing address)

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

Water Right Permit No. 1284-1 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, Bill Lindsey 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.

Bill Lindsey
(Signed)

Subscribed and sworn to before me this 28th Day of November, 1988.

Diana D. Page
(Notary Public)

DIANA D. PAGE, Notary Public
My Commission Expires Jan. 10, 1994

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

441521

Pierre, December 1, 1988

RECEIVED OF Bill Lindsey, RR 1, Box 81 Newell, SD 57760

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 1284-1 _____	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 HATCH ms



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

Phone (605) 773-3352

Bill Lindsey
RR 1, Box 81
Newell, South Dakota 57760

Dear Mr. Lindsey:

Enclosed is receipt No. 1284-1 in the amount of \$ 2.50 which you
paid for transfer of Water Right No. 1284-1.

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

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

October 21, 1997

383-1
1284-1

Bill Lindsey
PO Box 116
Rankin, TX 79778-0116

Dear Mr. Lindsey:

Enclosed are your 1997 irrigation questionnaires pertaining to Water Right Nos. 383-1 and 1284-1. The forms were originally mailed to RR 1 Box 81, Newell, SD. The post office has notified us that you have a new address.

If you no longer own the land or if you have an operator handling the irrigation, please let me know. Thank you in advance for your help.

Sincerely,

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

enclosures



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

November 14, 2001

383-1 and 1284-1

Texas Dakota Partners, Ltd.
Bill Lindsey, Partner
PO Box 116
Rankin TX 79778-0116

Thank you for returning the 2001 Irrigation Questionnaires. Based on the information on the forms, it appears that a name/ownership change has occurred. Enclosed are partially completed "Notice of Transfer" forms for use in filing a name/ownership change on Water Right Nos. 383-1 and 1284-1.

The transfer forms should be completed, checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the forms to our office with a required filing fee of \$2.50 each (\$5.00 total).

If we have misunderstood your intention and you wish the permits to remain in the names of Lindsey & Sons and Bill Lindsey, please let us know.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352

enclosures

RECEIPT

Water Rights Program

South Dakota Department of Environment and Natural Resources

NP 417015

Pierre, December 10, 2001

RECEIVED OF Denna Lindsey, PO Box 1164 Rankin, TX 79778

the following amount in fees for services rendered as provided for by law: (Bill Lindsey)

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 1284-1

Fee for Filing Extension Request _____

Fee for _____

2 50

(Any Other Work Provided by Law)

Total

2 50

By

Darland Erbele

Chief Engineer

gm

NOTICE OF TRANSFER OF OWNERSHIP

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

No. 1284-1

Date: 11/23/01

11 We request that Water Right No. 1284-1

formerly owned by: **Bill Lindsey**

be transferred to: (name & address) Texas Dakota Partners, Ltd. PO Box 116
Rankin TX 79778 Telephone No. (915) 693-2362

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

857 acres in portions of Sections 30, 31 and 32, T9N-R7E and Sections 5, 6 and 8, T8N-R7E

I/We understand that the validity of Water Right No. **1284-1** 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 attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF ^{Texas} ~~SOUTH DAKOTA~~)
County of Upton)

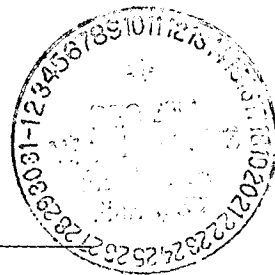
I/We Bill Lindsey being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Bill Lindberg
(Signed)

Subscribed and sworn to before me this 27th day of November, 20 01




(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.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

December 10, 2001

383-1
1284-1

Bill Lindsey
Texas Dakota Partners, Ltd
PO Box 116
Rankin, TX 79778

Dear Mr. Lindsey:

Thank you for following up on the ownership change for Water Right Nos. 383-1 and 1284-1. The transfers have been completed. The water rights formerly listed in the name of Bill Lindsey or Lindsey and Sons are now listed in the name of Texas Dakota Partners, Ltd.

Enclosed are your Receipt Nos. 417014 and 417015 in the amount of \$2.50 each. You may keep them for your records. If I can answer any questions for you, please contact me.

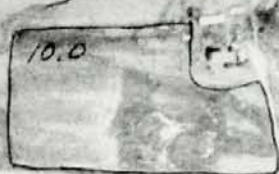
Sincerely,

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

enclosures

NOT TO SCALE

Breidenbach Ranch



2.3

Point of
Diversion



Breidenbach Ranch

9-7
1-122L

Appl. # 1284-1

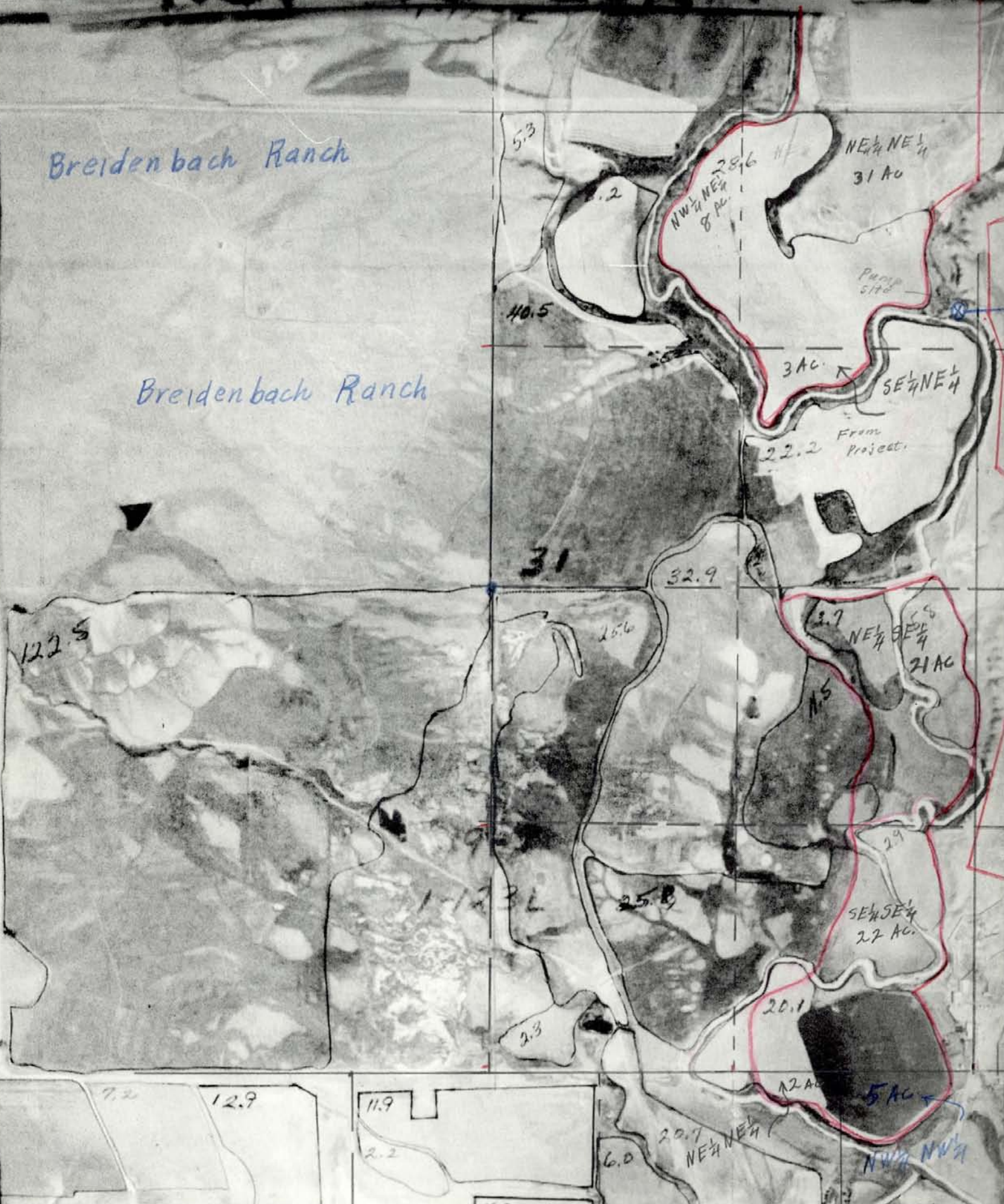
Map # 1284-1

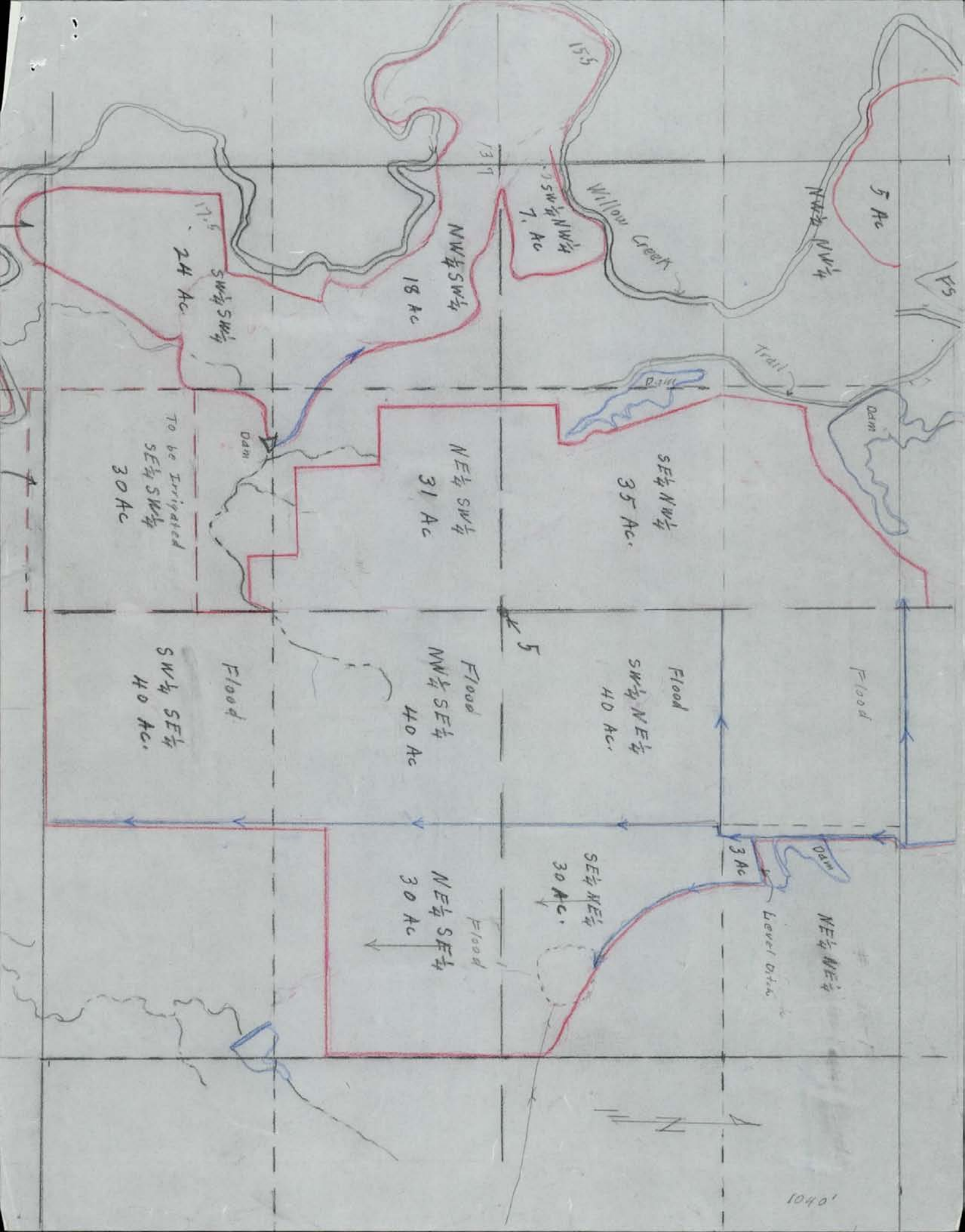
1284-1

NOT TO SCALE

Breidenbach Ranch

Breidenbach Ranch





NE $\frac{1}{4}$ NE $\frac{1}{4}$
31 Ac.

Pump Site

NW $\frac{1}{4}$ NW $\frac{1}{4}$
21 Ac

Breidenbach Ranch

SW $\frac{1}{4}$ NW $\frac{1}{4}$
31 Ac

SE $\frac{1}{4}$ NW $\frac{1}{4}$
9 Ac.

32

NE $\frac{1}{4}$ SE $\frac{1}{4}$
21 Ac

NW $\frac{1}{4}$ SW $\frac{1}{4}$
35 Ac.

NE $\frac{1}{4}$ SW $\frac{1}{4}$
38 Ac.

NW $\frac{1}{4}$ SE $\frac{1}{4}$

3 Ac

SW $\frac{1}{4}$ SW $\frac{1}{4}$
12 Ac

SE $\frac{1}{4}$ SW $\frac{1}{4}$
31 Ac.

SW $\frac{1}{4}$ SE $\frac{1}{4}$
18 Ac.

SE $\frac{1}{4}$ SE $\frac{1}{4}$
22 Ac

5 Ac

NW $\frac{1}{4}$ NW $\frac{1}{4}$

Dam

NW $\frac{1}{4}$ NE $\frac{1}{4}$
35 Ac.

NE $\frac{1}{4}$ NW $\frac{1}{4}$
22 Ac

NE $\frac{1}{4}$ NE $\frac{1}{4}$

Level ditch

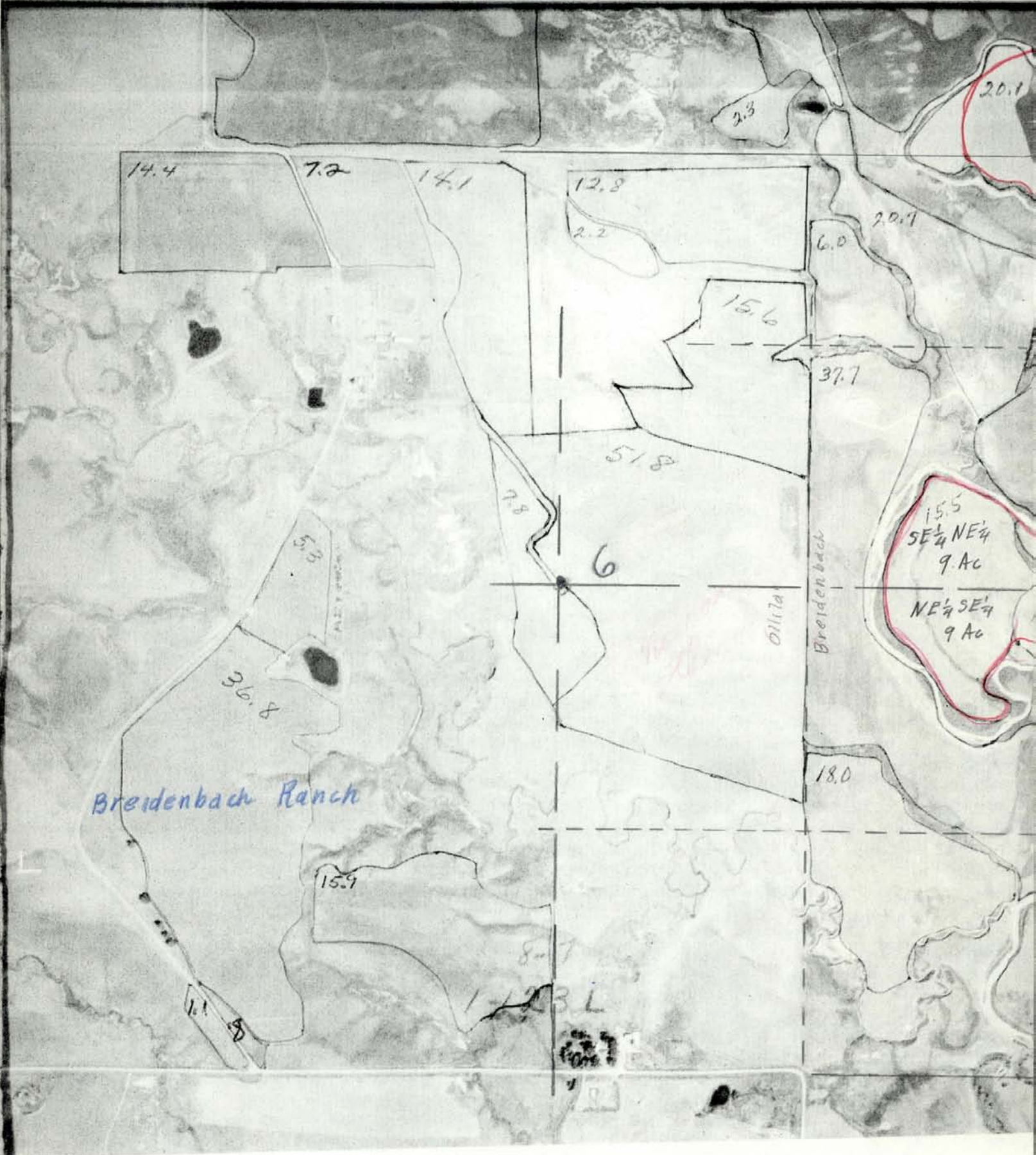
1040'

Trail

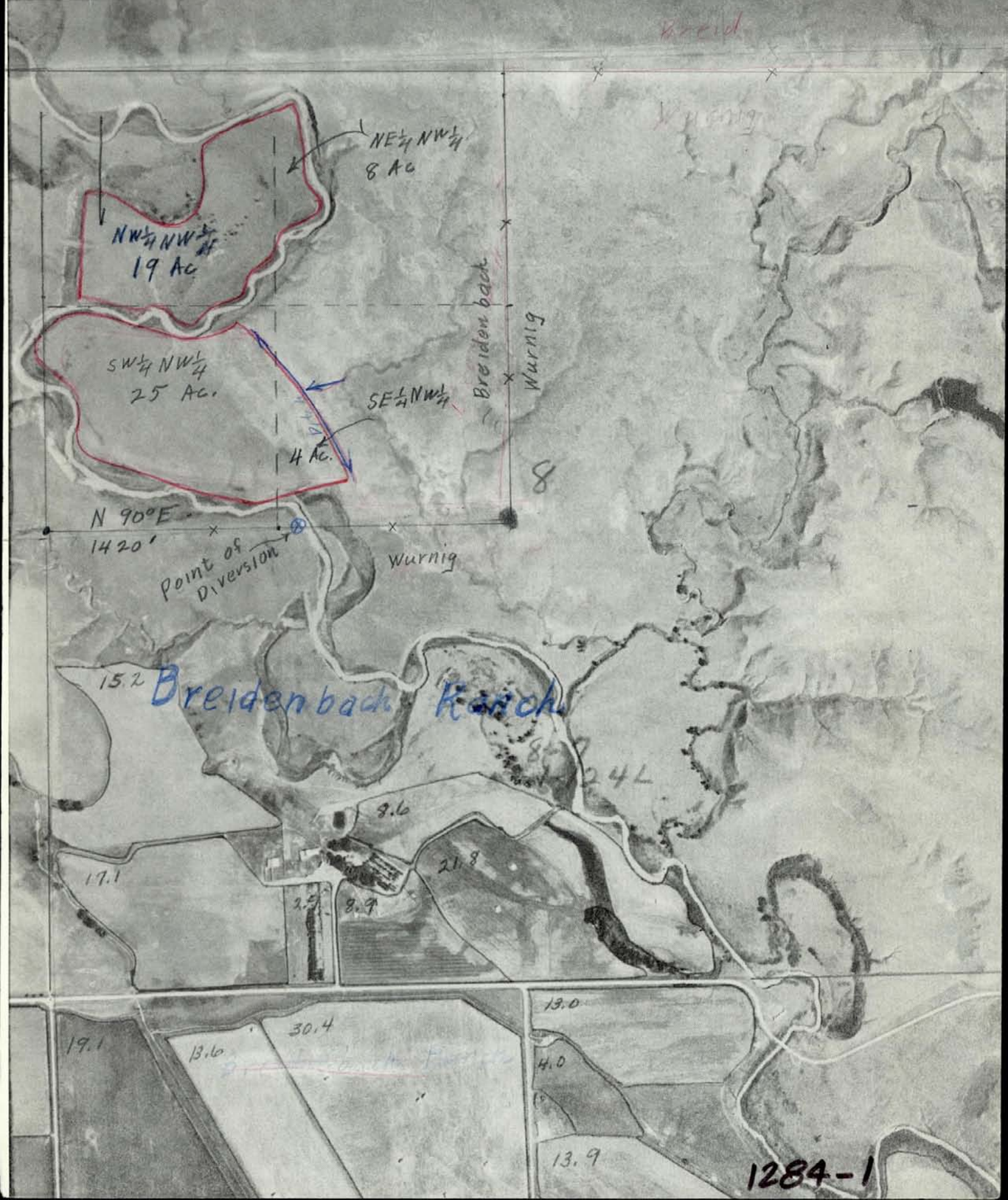
Dam

3 Ac

NOT TO SCALE



NOT TO SCALE



1284-1

DENNA LINDSEY <i>dennalindsey@gmail.com</i> (432) 208-4261 Cell		RECEIVED NOV - 7 2012 WATER RIGHTS PROGRAM
South Ranch PO Box 116 Rankin, TX 79778 (432) 693-2362	North Ranch 18695 Willow Creek Trail Newell, SD 57760 (605) 456-2561	

November 5, 2012

State of South Dakota
Water Rights Program
Joe Foss Building
523 E Capitol Ave.
Pierre, SD 57501-9970

Administration:

I just received my 2012 Water Management Board Irrigation
Questionnaire and realized it is going to my old address.

Please change my address from:

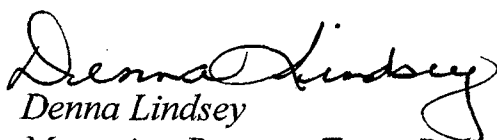
Denna Lindsey
Texas Dakota Partner, Ltd.
PO Box 116
Rankin, TX 79778-0116

To: Denna Lindsey
Texas Dakota Partners, Ltd.
18695 Willow Creek Trail
Newell, SD 57760

My permits are:

Permit No. 383-1
Permit No. 1284-1

Thank you,


Denna Lindsey

Managing Partner, Texas Dakota Partners, Ltd.

1284-1

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

RECEIVED

OCT 31 2024

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

Water Right/Permit No. 1284-1OFFICE OF
WATERDate: 10/30/2024

I/We request that Water Right/Permit No. 1284-1 formerly owned by:
Texas Dakota Partners, Ltd. be transferred to:

New Owner Name: William C Lindsey
Address: 18676 Willow Creek Trail mobile: (605) 858-1775
City, State, Zip Newell, SD 57760 email: will50lindsey@yahoo.com

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

857 acres in portions of Sections 30, 31, 32, T9N-R7E and
Sections 5, 6, and 8, T8N-R7E

☒ I understand that the validity of Water Right/Permit No. 1284-1 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, William C Lindsey, the new owner, certify that the above information is true and correct.

Will C Lindsey
Will C Lindsey (Oct 30, 2024 17:23 MDT)
(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, an inspection is conducted to issue a water right license for the project as developed. A water permit/right may be cancelled for one or more of the following 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.

WILLIAM C. LINDSEY

Will50lindsey@yahoo.com

*18676 Willow Creek Trail
Newell, SD 57760*

*(605) 858-1775 Cell
(605) 456-3561 Home*

October 30, 2024

*I submitted this Notice of Transfer of Ownership online. I am
sending in the \$50 filing fee.*

Thank you,

William C Lindsey
William C Lindsey

RECEIVED
NOV 06 2024
OFFICE OF
WATER

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Agriculture and Natural Resources

Date November 6th, 2024

RECEIVED OF William C Lindsey 18676 Willow Creek Trail Newell SD 57760

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>1284-1</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 Gavendal
Chief Engineer





**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

November 7, 2024

1284-1

William C Lindsey
18676 Willow Creek Trail
Newell SD 57760

Dear Mr. Lindsey:

I have received your "Notice of Transfer of Ownership" form and the required fees for Water Right No. 1284-1. Enclosed is a receipt of payment for your records.

Water Right No. 1284-1 previously owned by Texas Dakota Partners, Ltd., is now listed under yourself. I have also updated your contact information in our system.

As a reminder, so long as you use the water beneficially, as stated in the license, State Water Laws provide that you have a continuing right to use the water. Should the water not be put to beneficial use for a period longer than 3 consecutive years, without legal excuse, the water right will be subject to cancellation.

If you have any questions, please contact me.

Sincerely,

Amanda Dewell
Permitting Administrator
Water Rights Program
605 773-3352
Amanda.Dewell@state.sd.us

NOTES: The validity of Water Right No. 1284-1 has not been determined by this transfer action. Only the Water Management Board has the authority to determine if a water permit/right is valid.

The 2024 Irrigation Questionnaire for Water Right No. 1284-1 has not been received and is due on December 2, 2024. A link and password for online submissions has been sent to the email provided on the transfer form.

enclosure