

Considered: _____

VESTED RIGHT

WATER PERMIT NO. 1315-1

MAP No. 1315-1

Name of Applicant Alfred Heggem

Post Office Address Marmarth Route, Box #5, Camp Crook . S.D. 57724

Amount of Water Claimed 1.51 Total Acres 106.00

Source of Water Supply Dry Draws

Water to be used for IRR County Harding

About _____ miles _____ of _____.

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved 12-5-84 Subject to _____

F.F.& C.L. Adopted _____ Not Approved _____ Deferred _____

PRIORITY _____ Date Received 9/10/84 Fee 10.50 Remarks _____

1/1/52

Corrected Application Received _____ Period of Annual Use 3/1 thru 10/31

WATER QUALITY APPROVAL RECEIVED n/a APPROVED/CONDITIONAL (Circle one)

WI-1 Description same as Application YES _____ NO _____ REMARKS _____

Diversion Point _____

NW $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$, both in

Section 23 T20N R1E

Land to be Irrigated W $\frac{1}{2}$ Section 23 and

N $\frac{1}{2}$ NE $\frac{1}{4}$, Section 26, both in T20N-R1E

Well Log: Driller _____ Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map aerial PREPARED BY LeRoy Mernaugh Reviewed and the Number _____
DWR W?R's

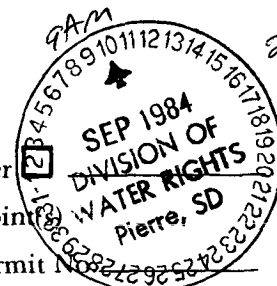
assigned on 9/19/84 By _____

BETTY WESTLUND NRA III

No. _____	Hydrologic Unit _____
Map No. _____	Basin _____
Newspaper _____	

Application For Permit To Appropriate Water Within The State Of South Dakota

Type of Application: Check one or more of the following:

New ☐ Vested Right ☒ Future Use ☐☐ Application to amend Permit No. _____ with old priority date retained☐ Change diversion point(s) ☐ Add diversion point(s) ☐ Change acreage ☐ Other _____☐ Application to: ☐ Change use ☐ Change diversion point(s) ☐ Add diversion point(s) _____☐ Add Acreage ☐ Increase diversion rate ☐ Other _____ See Permit No. _____☐ Application to: ☐ Use ☐ Transfer water reserved by Future Use Permit No. _____1. Name of Applicant Alfred Heggem Phone No. _____Post Office Address Marmarth Route, Box #5, Camp Crook, SD State 57724
(Street, RR or Box) Zip Code2. Amount of water claimed (c.f.s) 1.51 Total acres irrigated 1063. Source of Water supply Ebert Creek and Dry Draws *IS a dry creek.*4. Location of point of diversion #1 - 820'S and 1120'E of NW Corner, Section 23,
#2 - 800'S and 1350'E of W 1/2 Corner Section 23, T20N, R1ECounty Harding5. Counties where water will be used Harding6. Annual period during which water is to be used March thru October

7. 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.
NW 1/4 NW 1/4 Sec. 23, T20N, R1E	2
NE 1/4 NW 1/4 Sec. 23, T20N, R1E	11
SE 1/4 NW 1/4 Sec. 23, T20N, R1E	12
NW 1/4 SW 1/4 Sec. 23, T20N, R1E	4
NE 1/4 SW 1/4 Sec. 23, T20N, R1E	18

Land Description	No. Acres Irr.
SW 1/4 SW 1/4 Sec. 23 T20N, R1E	3
SE 1/4 SW 1/4 Sec. 23 T20N, R1E	20
NW 1/4 NE 1/4 Sec. 26 T20N, R1E	28
NE 1/4 NE 1/4 Sec. 26 T20N, R1E	8

8. Give a brief description of proposed project. When available include any preliminary engineering report or other reports or information that will help explain the project. (Attach sheet if more space is needed)

This Sparden system needs a lot of leveling before it will actually cover the acreage stated above.

Attachments: Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map (see instruction)

STATE OF SOUTH DAKOTA
County of Harding ssI, Alfred Heggem the applicant, certify that I have read the foregoing application, 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 Alfred HeggemSubscribed and sworn to before me this 5th day of September 1984

Notary Public (or other qualified officer)

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. _____

(Applicant) (Post Office Address)

(State) (Zip Code)

With the following qualifications.

Date of first receipt of application _____, 19____.

Date of return to applicant for correction, amendments or changes required _____, 19____.

Date of receipt of corrected application _____, 19____. Approved _____, 19____.

The Water Management Board hereby approves this Water Permit No. _____ authorizing the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Water Permit approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is _____, 19____.
2. One-fifth of the work is to be completed on or before _____, 19____.
3. The whole of said work is to be completed on or before _____, 19____.
4. The time limit for proof of beneficial use of water is _____, 19____.
5. The water appropriated shall be used for the purpose of _____
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 unlawfully impaired by this appropriation.
7. The amount of the appropriation herein granted shall not exceed _____ 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. 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 _____, 19____; said water to be used during the following described annual period: _____

WATER MANAGEMENT BOARD

By: _____
Chief Engineer

Division of Water Rights
Dept. of Water and Natural Resources

_____, 19____

VESTED WATER RIGHT

The Water Management Board hereby recognizes Vested Water Right No. 1315-1

Alfred Heggem

(applicant)

Marmarth Route, Box 5, Camp Crook,

(post office address)

South Dakota 57724

(state)

(zip code)

Date of receipt of Application September 10, 1984.

Recognized December 5, 1984.

The Water Management Board hereby recognizes the construction of the water use system and the placing of water to beneficial use as stated in the Application and as qualified in the Vested Water Right, subject, however, to the following limitations and conditions:

1. The date from which the applicant may claim right is January 1, 1952.
2. The whole of said work has been completed and water has been applied to beneficial use as described on Form 2B of this application.
3. The water appropriated is used for the purpose of irrigation.
4. The prior rights 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 unlawfully impaired by this appropriation.
5. The amount of the appropriation hereby recognized shall not exceed _____

1.51 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. 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 has been actually and beneficially applied for irrigation. The water is to be used during the following described annual period March 1 to October 31.

WATER MANAGEMENT BOARD

By: John Hatch

(Chief Engineer)

JOHN HATCH

Division of Water Rights

Dept. of Water and Natural Resources

December 20, 1984.

State of South Dakota

VESTED RIGHT Water License No. 1315-1

(1) Alfred Heggem
of Marmarth Route, Box 5, Camp Crook, South Dakota 57724
made Application No. 1315-1, September 10, 1984 for recognition of a vested right
for a water permit to appropriate
1.51 cubic feet per second of water from Ebert Creek and dry draws
Harding County, South Dakota for Irrigation purposes.
Vested Right Permit No. 1315-1, with a priority date of January 1, 1952
was ~~approved~~ recognized December 5, 1984 and issued to applicant(s) for diversion of water with recognizing
water supply system to be completed on or before and for the application to beneficial use of said
water on or before

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 1.51 cubic feet per second of water
for beneficial use. The location of the diversion point(s) is are #1-820'S and 1120'E of the NW Corner,
Section 26; #2-800'S and 1350'E of the W¹ Corner Section 23, T20N, R1E

and

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use to the following extent, to irrigate the following land, all in T20N, R1E

Section 23	NW $\frac{1}{4}$ NW $\frac{1}{4}$	2 Acres	(BB)
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	11 Acres	(BA)
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	12 Acres	(BD)
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	4 Acres	(CB)
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	18 Acres	(CA)
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	3 Acres	(CC)
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	20 Acres	(CD)
Section 26	NW $\frac{1}{4}$ NE $\frac{1}{4}$	28 Acres	(AB)
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	8 Acres	(AA)
	TOTAL	106 ACRES	

(4) Pursuant to §46-5-30.1 Alfred Haggem
of Marmarth Route, Box 5, Camp Crook, South Dakota 57724
the holder(s) and/or owner(s) of Vested Right Water Permit No. 1315-1 is issued a license to appropriate water, the right to use
1.51 cubic feet per second of water from Ebert Creek & dry draws with a priority date
of January 1, 1952 from the location specified in (2) of this license. The water to be
conducted to and upon lands specified in (3) of this license for the purpose of Irrigation

This license is subject to any limitations or qualifications listed in Vested Right Water Permit No. 1315-1 and subject
to South Dakota State Law.



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

JOHN HATCH

December 20, 1984

Affidavit of Water Use

No. _____

(Type or Print in Ink)

Note: This Form is supplemental to Form 2 and is to be used when an affidavit pertaining to construction and water use already constructed is needed, primarily with vested right claims.

Affidavit Of Construction Of Water Use System
And Application Of Water To Beneficial Use

Name of Applicant (Same as Form 2) Alfred Heggem

Post Office Address Marmarth Route, Box #5, Camp Crook, SD 57724
(Street, RR or Box) (State) (Zip Code)

A. Notice of Appropriation _____ Date of Posting _____

Date of recording _____ Recording date _____
Where Book Page

B. Date of start of construction of water supply system 1952

C. Date that water was first applied to beneficial use 1953

D. Name of owner of original water supply system Alfred Heggem

E. Amount of water originally applied to beneficial use 40 + cfs

F. Present Use of Water - Amount of water now being used same

Date that this water was first used 1952

G. Chronological History of Water Use

The system was constructed in 1952 and has been in continual use since that time.

Attach to this Form 2B any copies of notices, postings, filings, publications, affidavits, or other records that apply. You may also attach any written statement by you, or by others, that you deem pertinent.

State of South Dakota)

County of Handling) ss

I, ALFRED HEGGEM the applicant, certify that I have read the foregoing
(print or type) and that the matters therein stated are true.

Signed Alfred Heggem

Subscribed and sworn to before me September 05, 1984

Frank Klauzer
Notary Public or other qualified officer

I, the undersigned do hereby certify that I know about the water use system described above, that I have read the foregoing, and that the matters therein stated are true.

MARVIN LEE HEGGEM 19 84
(Print name)

Alfred Heggem 19 84
(Print name)

Little Missouri River Water District 10110201**Report Of Examination Of Works And/Or Application Of Water To Beneficial Use**

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

I have this day made a thorough examination of the water use system constructed by Alfred Heggen
Marmarth Rt, Box 5, Camp Crook, S. Dak. 57724 holder of
 Permit No. 1315-1, bearing the priority of _____ 1952 authorizing
 the diversion of 1.51 cu. ft. per second of the waters of Ebert Creek & Dry Draws
 for Irrigation purposes, in Harding County.

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

A. Works used to divert the water:

Two diversion dams to divert water from Ebert Creek and a dry draw. The dam store very little water. Both dams approx 8 ft high - 3:1 & 2:1 side slopes. The emergency spillways used to

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

divert water into the systems
Ditches -

C. Works used to apply water to beneficial use:

Diversion ditches and dikes to spread the water

The system is in the following condition Good.

The point of diversion is located #1 = 820' S and 1120' E of the NW Cor Sec. 26, (BB)
#2 = 800' S and 1350' E of the W $\frac{1}{4}$ Cor Sec. 23, (CA) T20N R1E

The works are capable of diverting and conveying to the place of use 10 cfs est.
 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: All in T20N R1E

<u>NW$\frac{1}{4}$ NW$\frac{1}{4}$ - 23 = 2 Ac.</u>	<u>NE$\frac{1}{4}$ SW$\frac{1}{4}$ - 23 = 18 Ac.</u>	<u>NE$\frac{1}{4}$ NE$\frac{1}{4}$ - 26 = 8 Ac</u>
<u>NE$\frac{1}{4}$ NW$\frac{1}{4}$ - 23 = 11</u>	<u>SW$\frac{1}{4}$ SW$\frac{1}{4}$ - 23 = 3</u>	
<u>SE$\frac{1}{4}$ NW$\frac{1}{4}$ - 23 = 12</u>	<u>SE$\frac{1}{4}$ SW$\frac{1}{4}$ - 23 = 20</u>	
<u>NW$\frac{1}{4}$ SW$\frac{1}{4}$ - 23 = 4</u>	<u>NW$\frac{1}{4}$ NE$\frac{1}{4}$ - 26 = 28</u>	

comprising a total of 106 acres of land and the license should be issued for 1.51 cfs

Applicable permit qualifications have been complied with _____ Yes _____ No

Exceptions to compliance are: _____ Date May 22, 1984

LeRoy J. Mernaugh
 (signature)

RECEIPT

Division of Water Rights

No 4 9746

South Dakota Department of Water and Natural Resources

Pierre, September 10, 1984

RECEIVED OF Alfred Heggem, Marmarth Route, Box #5, Camp Crook, SD 57724

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

Fee for Application for Permit No. <u>1315-1</u> to Appropriate Water, to construct works and to put water to beneficial use _____	8	00
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>1315-1</u> _____	2	50
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	10 00

By John Hatch
Chief Engineer JOHN HATCH/ms



No. 1315-1

Department of Water & Natural Resources

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501

WATER RIGHTS DIVISION
(605) 773-3352

December 21, 1984

Alfred Heggem
Marmarth Route, Box 5
Camp Crook, South Dakota 57724

Dear Mr. Heggem:

Enclosed herewith are your Vested Right Permit, Water License No. 1315-1.
This Water License is the final water right document completing your
process of obtaining a vested 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 black ink, appearing to read "John Hatch".

JOHN HATCH, Chief Engineer
Water Rights Division

JH: ms

enclosures

SOUTH DAKOTA

VESTED WATER RIGHT NO. 1315-1 FOR IRRIGATION

Date of Receipt of Claim September 10, 1984.

Date of Validation September 27, 1989.

The Water Management Board validated Vested Water Right Claim No. 1315-1 for irrigation purposes for Alfred Heggem, Marmarth Rt, Box 5, Camp Crook SD 57724 with the following limitations, conditions and qualifications:

1. Vested Water Right No. 1315-1 appropriates 1.51 cubic feet of water per second from Ebert Creek and dry draws to irrigate 106 acres. The points of diversion are located in the NW1/4 NW1/4, NE1/4 SW1/4 section 23 and the irrigated acreage is located in the N1/2 NW1/4, SE1/4 NW1/4, SW1/4 section 23; N1/2 NE1/4 section 26; all in T20N-R1E.
2. The appropriation may not exceed the amount of water needed for beneficial use for irrigation. The appropriation may not exceed 3 acre feet per irrigated acre per year. Water is to be used during the following annual period: March 1 - October 31.
3. The priority date of the Vested Water Right is January 1, 1952.
4. The water use system has been constructed and water has been applied to beneficial use.
5. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

WATER MANAGEMENT BOARD

By: _____


Chief Engineer

MAR 11 1993

date

Division of Water Rights
Dept. of Environment and Natural Resources



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 11 1993

1315-1

Alfred Heggem
Marmarth Rt, Box 5
Camp Crook SD 57724

Dear Mr. Heggem:

Current Address
Alfred Heggem
Box - 172
Buffalo, S.D. 57720

The Water Management Board has validated the enclosed Vested Water Right No. 1315-1. This validation gives legal status to the claim and is the final document for your vested right.

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

Very truly yours,

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

enclosure

Thank you for
keeping this updated
Alfred Heggem
Box - 172
Buffalo, S.D.
57720

TRACT NO. _____

OPERATOR Alfred Heggen

PHOTO NO. 2 BB 253

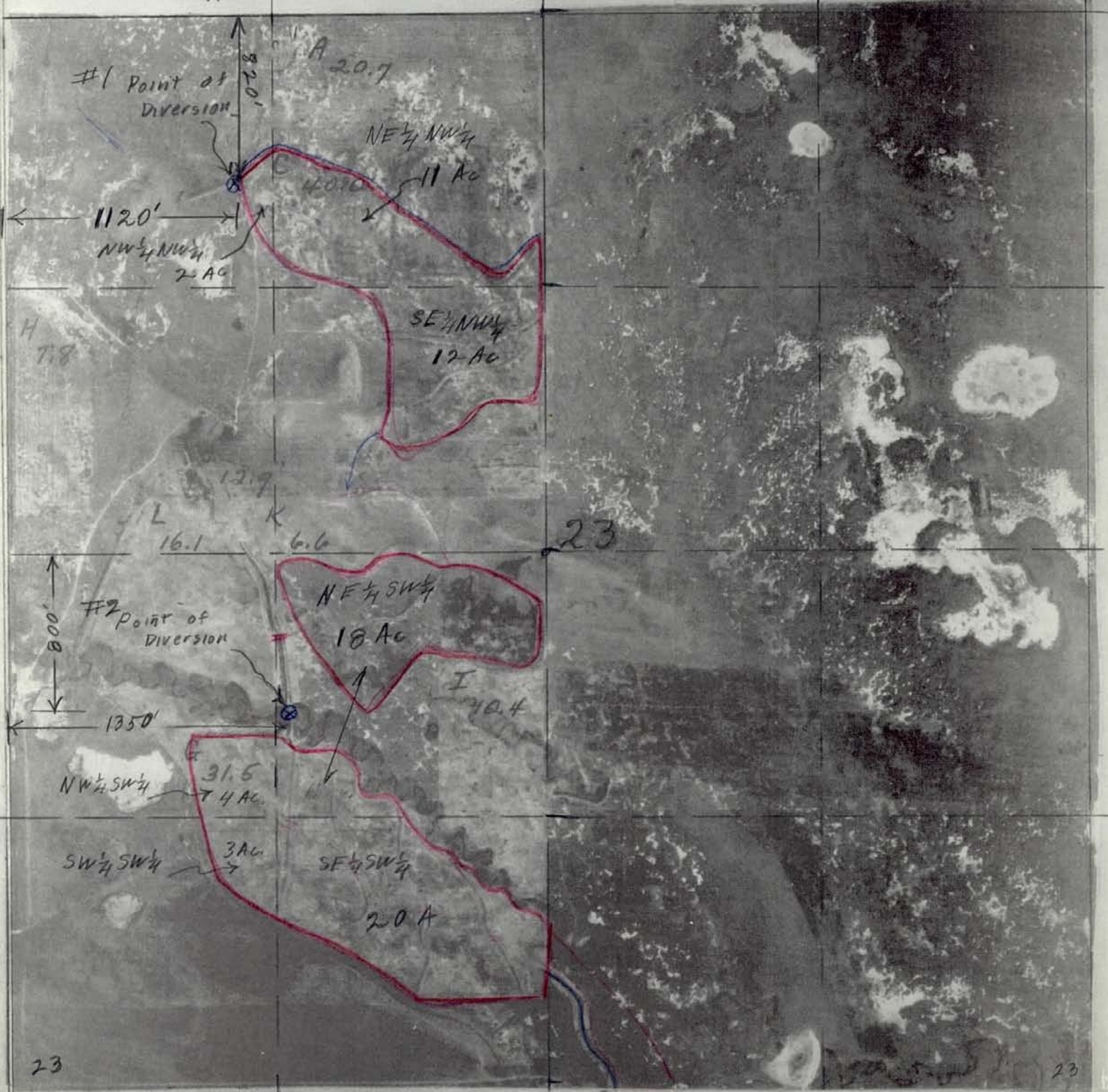
OWNER Alfred Heggen
(Beaver Livingston 11E4, 11N2S4)

Farmland _____

Cropland _____

NCOP _____

T20N R1E



Form No. 1-B ROOSTER PUB. CO., MARTIN, S. DAK.

Legal Description

Sec. 23 - 20 - 1

A/M # 1315-1

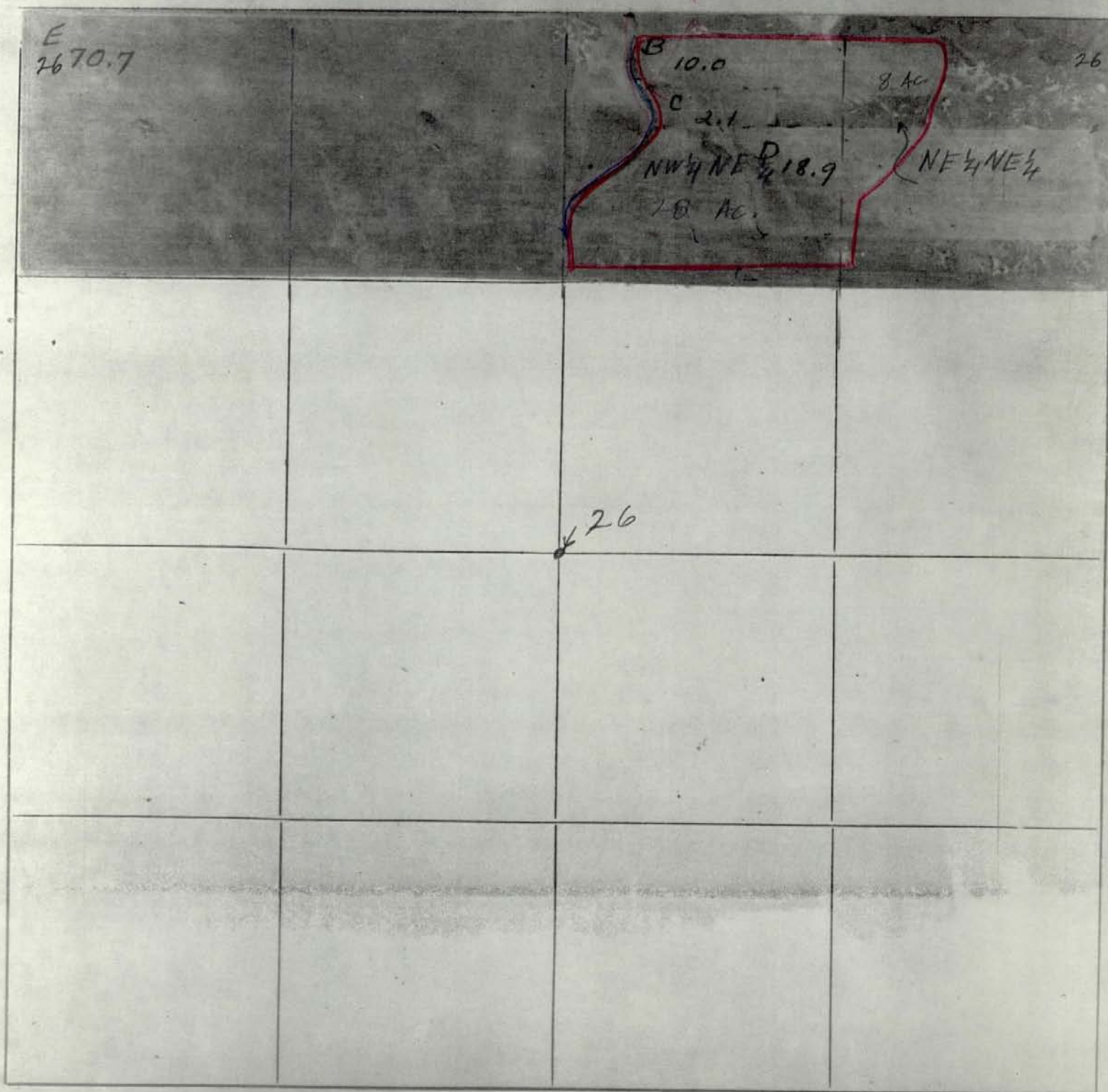
TRACT NO. _____

OPERATOR Alfred Heggen

PHOTO NO. 4 BB 34

OWNER Alfred Heggen

Farmland _____ Cropland _____ NCOP _____



Form No. 1-B BOOSTER PUB. CO., MARTIN, S. DAK.

Legal Description 71² 71² 26 - 20 - 1A/M 1315-1

RECEIVED

OCT 15 2018

PAID

OCT 15 2018

WATER RIGHTS
PROGRAMCk# 7101

SD EForm - 0495LD V2

NOTICE OF TRANSFER OF OWNERSHIP

For assistance call (605) 773-3352

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

Water Right/Permit No. 1315-1Date: 10-10-18I/We request that Water Right/Permit No. 1315-1 formerly owned by:Alfred Heggem

be transferred to:

New Owner Name: John and Charles HumbrachtAddress: 12223 N. Camp Creek Rd.City, State, Zip Camp Creek SD 57724 Telephone No. 605-797-4493

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

Warranty Deed
Purchased

☒ I understand that the validity of Water Right/Permit No. 1315-1 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, John and Charles Humbracht, the new owner, certify that the above information is true and correct.

Charles Humbracht
John Humbracht
(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 October 15, 2018

RECEIVED OF John & Charles Humbracht 12223 N Camp Crook Rd Camp Crook SD 57724

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	50	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>1315-1</u>		
Fee for _____		
Fee for Issuing New Well Driller's License No. _____ for C.Y. _____		
Fee for Renewal of Well Driller's License No. _____ for C.Y. _____		
Fee for Issuing Well Pump Installer's License No. _____ for C.Y. _____	50	00
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	

No. 08777

By

Jeanne Goodman
Chief Engineer

dm

RECEIVED

OCT 15 2018

WATER RIGHTS
PROGRAM

Prepared By:

BENNETT MAIN GUBBRUD & WILLERT, P.C.
618 State Street
Belle Fourche, SD 57717
Phone No. 605-892-2011

Certified to be a true and correct
copy of the original which has
been transmitted for recordation.
Black Hills Title, Inc.

WARRANTY DEED

JOYCE D. BENNETT, a/k/a Joyce S. Bennett, a married person, ALVIN J. HEGGEM, a married person and DANNIE R. HEGGEM, a married person, Grantors, for and in consideration of One Million Two Hundred Thousand Dollars (\$1,200,000.00), **grant, convey, and warrant** an undivided one-half (1/2) interest to **JOHN HUMBRACHT and LINDA HUMBRACHT**, husband and wife, as joint tenants with rights of survivorship and not as tenants in common, of 12051 N. Camp Crook Road, Camp Crook, SD 57724 and an undivided one-half (1/2) interest to **CHARLES HUMBRACHT and PEGGY HUMBRACHT**, husband and wife, as joint tenants with rights of survivorship and not as tenants in common, of 12223 N. Camp Crook Road, Camp Crook, SD 57724, Grantees, the following described real property:

**Township 20 North, Range 1 East of the Black Hills Meridian,
Harding County, South Dakota:**

Section 15: W $\frac{1}{2}$.

Section 22: N $\frac{1}{2}$; SE $\frac{1}{4}$, less a tract of land as shown in Warranty Deed 35 Deed, Page 27; E $\frac{1}{2}$ SW $\frac{1}{4}$.

Section 23: E $\frac{1}{2}$; E $\frac{1}{2}$ W $\frac{1}{2}$; W $\frac{1}{2}$ W $\frac{1}{2}$, less a tract of land as shown in Warranty Deed 35 Deed, Page 27.

Section 26: NE $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ NW $\frac{1}{4}$, less a tract of land as shown in Warranty Deed 35 Deed, Page 27.

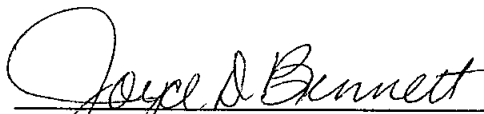
Excepting, however, from this conveyance and reserving to the Grantors, Grantors' heirs, successors and assigns, the entire mineral interest, including future interests, if presently discernable, now held by the Grantors,

in all minerals of whatever nature, including, but not limited to: oil, gas, natural gas, hydrocarbons, coal, gold, silver, uranium, plutonium, thorium, all other fissionable materials, and any precious metal or valuable deposit whether now or hereafter known, in, on, and under or that may be produced from the real property, together with the right to explore for, develop, produce, store, stockpile, and transport the same.

Subject to all reservations, easements and rights-of-way expressly conveyed or reserved in prior grants and/or deeds, or created by operation of Federal or State law.

Grantors warrant that neither they nor any member of their family has ever occupied the above-described real estate, or any part thereof, as a homestead.

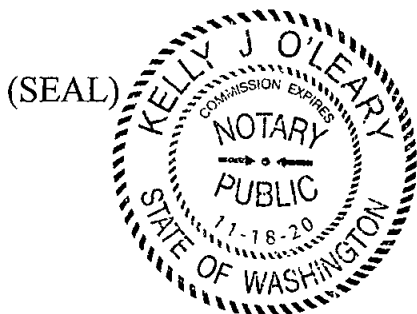
DATED this 13th day of August, 2018.

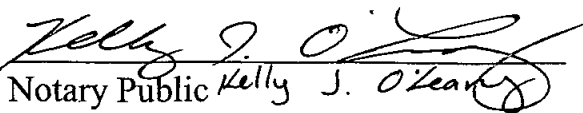

JOYCE D. BENNETT, a/k/a Joyce S. Bennett
a/k/a Joyce S. Bennett

STATE OF Washington)
) ss.
County of Pierce)

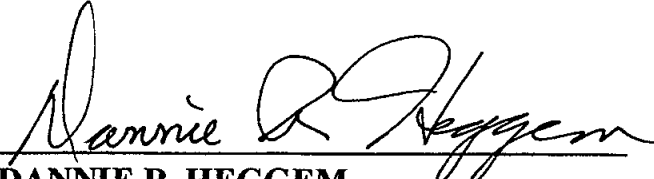
On this the 13th day of August, 2018, before me, the undersigned officer, personally appeared **JOYCE D. BENNETT, a/k/a Joyce S. Bennett, a married person**, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledge that she executed the same for the purposes therein contained.

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




Notary Public Kelly J. O'Leary
My Comm. Exps.: 11/18/2020

DATED this 13 day of August, 2018.

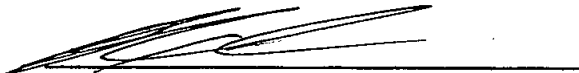

DANNIE R. HEGGEM

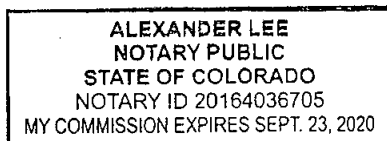
STATE OF Colorado)
) ss.
County of Denver)

On this the 13 day of August, 2018, before me, the undersigned officer, personally appeared **DANNIE R. HEGGEM, a married person**, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledge that he executed the same for the purposes therein contained.

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

(SEAL)


Notary Public
My Comm. Exps.: Sept. 23, 2020



DATED this 14th day of August, 2018.

Alvin J. Heggem
ALVIN J. HEGGEM

STATE OF Ohio)
County of Montgomery) ss.

On this the 14th day of August, 2018, before me, the undersigned officer, personally appeared **ALVIN J. HEGGEM, a married person**, known to me or satisfactorily proven to be the person whose name is subscribed to the within instrument and acknowledge that he executed the same for the purposes therein contained.

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



JENNIFER L. PELSOR

NOTARY PUBLIC
STATE OF OHIO

My Commission Expires
July 20, 2020

Jennifer L. Pelsor
Notary Public
My Comm. Exps.: July 20, 2020

1315-1



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 31, 2018

0171-1
0172-1
1315-1

John & Charles Humbracht
12223 N Camp Crook Rd
Camp Crook SD 57724

Dear Sirs:

I am writing to let you know the ownership changes you filed on October 15, 2018 for Water Right Filing Nos. 0171-1, 0172-1 and Vested Water Right No. 1315-1 have been completed. The filings and vested water right are now listed in your names.

The two water right filing Nos. 0171-1 and 0172-1 from South Slick Creek were investigated in 1959. Please find attached a document entitled "Water Right Evaluation on South Slick Creek from the Montana-South Dakota Boundary to the Little Missouri River in Harding County, South Dakota". The report indicated the systems have been constructed and maintained so as to be eligible for consideration as recorded or "vested" water rights. The vested right can be made a matter of record by the present owner filing a "vested right" application with the Water Resources Commission.

A vested water right application was never filed by prior owners. It would be to your benefit to file a vested water right application for validation by the Water Management Board (predecessor to the Commission). The validation process includes public notice of the diversion rate and acres irrigated to provide quantification of the right to use water for irrigation from South Slick Creek. The application forms are enclosed. Filing Nos. 0171-1 and 0172-1 provide foundation for when the water use began. You will need to provide what acres have been historically irrigated. The report from 1959 indicates that 155 acres of the 240 acres on the initial filing were established for irrigation.

With respect to the ownership changes, enclosed are your receipts for the filing fees you paid. If you have any questions concerning the enclosed materials and the process for filing a vested water right, please contact Eric Gronlund with our program at 605 773-3352.

Sincerely,

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

enclosures