

Considered: _____

Vested Right
WATER PERMIT NO. 1358-1

MAP No. 1358-1

Name of Applicant K/O Ranches, Inc

Post Office Address Box 53, Ludlow, SD 57755

Amount of Water Claimed 3.36 - 160 AC/st storage Total Acres 235

Source of Water Supply Coal Creek

Water to be used for IRR County Harding

About _____ miles _____ of _____

PROOF OF PUBLICATION: Received 8/8/86 Not Received _____

APPLICATION: Approved Sept 3, 1986 Subject to _____

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

PRIORITY _____ Date Received March 31, 1986 Fee \$10.50 Remarks _____

5/15/03

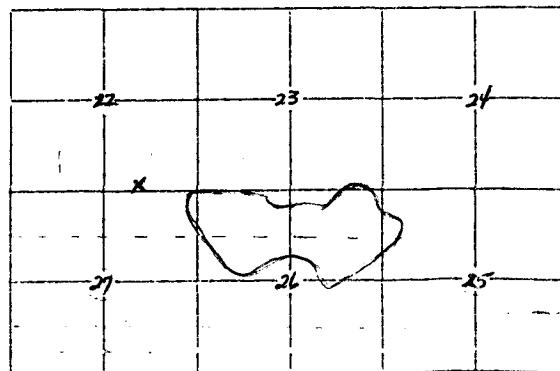
Corrected Application Received _____ Period of Annual Use 3/1 - 11/30

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

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

Diversion Point SW 1/4 SE 1/4 Sec 22, T20N-R7E

Land to be Irrigated SE 1/4 SE 1/4 Sec 23; W 1/2 NW 1/4 Sec 25;
NW 1/4, NE 1/4, NW 1/4 SE 1/4 Sec 26; NE 1/4 NE 1/4
Sec 27; all in T20N-R7E



Well Log: Driller n/a Licensed YES _____ NO _____

Depth of Well _____ REMARKS _____

Type of Map aerial PREPARED BY LeRoy Mernaugh Reviewed and the Number
assigned on May 27, 1986 By Senny McMath

No. 1358-1 Hydrologic Unit 10130302
 Map No. 1358-1 Basin Grand River
 Newspaper Nation's Center News, Box 107, Buffalo, SD
WCD

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

Type of Application: Check one or more of the following; This Vested Right incorporates Water Right Filings Nos 015-1 & 016-1 ^{2 app} _{for}

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 K/O Ranches, Inc. Phone No. (605) 576-5925

Post Office Address Box 53 Ludlow, South Dakota State 57755
 (Street, RR or Box) Zip Code

2. Amount of water claimed (c.f.s.) 3.36 160 Ac-ft Storage Total acres irrigated 235

3. Source of Water supply Coal Creek

4. Location of point of diversion 1700 ft west of the SE Corner of Section 22, T20N, R7E

County Harding

5. Counties where water will be used Harding

6. Annual period during which water is to be used March - November March 1 - November 30

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.
SEE ATTACHED SHEET	

Land Description	No. Acres Irr.

Attach sheet if more space is needed

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 application includes storage dam for 160 AF of storage 8800 acre Watershed

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)^{ss}

I, K/O Ranches Inc. John R Olson pres the applicant, certify that I have read the foregoing application, 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 John R Olson

Subscribed and sworn to before me this 21st day of March 1986

Franklin Schweigert

Notary Public (or other qualified officer) Com exp 11-17-93

WATER PERMIT

The Water Management Board hereby approves Water Permit Application No. 1358-1
K/O Ranches Inc Box 53, Ludlow
South Dakota 57755 (Applicant) (Post Office Address)
(State) (Zip Code) With the following qualifications.

See VR-1

The applicable portions of Water Right Filing Nos. 015-1 and 016-1 were incorporated into this Vested Water Right No. 1358-1 with the abandoned portions of Filing Nos. 015-1 and 016-1 cancelled.

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____

ACRES IRRIGATED

All in T20N R7E

Section 23	SE $\frac{1}{4}$ SE $\frac{1}{4}$	1 Acre
Section 25	NW $\frac{1}{4}$ NW $\frac{1}{4}$	3 Acres
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	4 Acres
Section 26	NW $\frac{1}{4}$ NW $\frac{1}{4}$	37 Acres
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	30 Acres
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	22 Acres
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	23 Acres
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	20 Acres
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	34 Acres
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	34 Acres
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	23 Acres
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	1 Acre
Section 27	NE $\frac{1}{4}$ NE $\frac{1}{4}$	3 Acres
TOTAL		235 ACRES

VESTED WATER RIGHT

The Water Management Board hereby validates Vested Water Right Claim No. 1358-1.

K/O Ranches

(applicant)

Box 53, Ludlow

(post office address)

SD

(state)

57755

(zip code)

Date of receipt of Application March 31, 19 86.

Validated September 3, 19 86.

The Water Management Board hereby validates 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 May 15, 19 03.
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 validated shall not exceed 3.36 cubic feet per second, ^{and storage of 160 acre feet annually} 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 - November 30.

WATER MANAGEMENT BOARD

By: John H. Hatcher

(Chief Engineer)

Division of Water Rights
Dept. of Water and Natural Resources

NOV 25 1986

, 19 86.

State of South Dakota

VESTED RIGHT Water License No. 1358-1

(1) K/O Ranches Inc.
of Box 53, Ludlow, South Dakota 57755

made Application No. 1358-1, March 31, 1986 for validation of a vested right claim
for a water permit to appropriate
3.36 cubic feet per second of water with 160 acre feet annually for storage purposes
from Coal Creek

Harding County, South Dakota for irrigation purposes.

Vested Water Right

Permit No. 1358-1, with a priority date of May 15, 1903

validated

was approved September 3, 1986 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 completed

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 3.36* cubic feet per second of water

for beneficial use. The location of the diversion point(s) is 1700'W of the SE Corner of Section 22,

T 20N-R7E

*160 acre feet annually for storage purposes is also authorized.

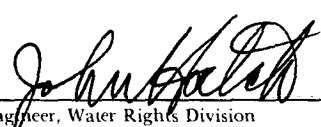
and

(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-R7E

Section 23	SE $\frac{1}{4}$ SE $\frac{1}{4}$	1 Acre		
Section 25	NW $\frac{1}{4}$ NW $\frac{1}{4}$	3 Acres	Section 27	NE $\frac{1}{4}$ NE $\frac{1}{4}$ 3 Acres
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	4 Acres		
Section 26	NW $\frac{1}{4}$ NW $\frac{1}{4}$	37 Acres	TOTAL	235 ACRES
	NE $\frac{1}{4}$ NW $\frac{1}{4}$	30 Acres		
	SW $\frac{1}{4}$ NW $\frac{1}{4}$	22 Acres		
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	23 Acres		
	NW $\frac{1}{4}$ NE $\frac{1}{4}$	20 Acres		
	NE $\frac{1}{4}$ NE $\frac{1}{4}$	34 Acres		
	SW $\frac{1}{4}$ NE $\frac{1}{4}$	34 Acres		
	SE $\frac{1}{4}$ NE $\frac{1}{4}$	23 Acres		
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	1 Acre		

(4) Pursuant to §46-5-30.1 K/O Ranches, Inc.
of Box 53, Ludlow, South Dakota 57755
Vested Water Right
the holder(s) and/or owner(s) of Water Permit No. 1358-1 is issued a license to appropriate water, the right to use
3.36 cubic feet per second of water with 160 acre feet annually for storage purposes from Coal Creek with a priority date
of May 15, 1903 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 Water Right
Water Permit No. 1358-1 and subject
to South Dakota State Law.


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

JOHN HATCH

NOV 25 1986

S 23 T 20N R 7E

K/O Ranches, Inc.

J. R. Olson

015-1

COPY.

PRO-SECTION OF RIGHT OF WAY AND LOCATION OF WATER.

TO WHOM THESE PRESENTS MAY CONCERN, Know ye, that I John T. Ashcroft of the County of Butte, in the State of South Dakota, a citizen of the United States, do hereby declare and publish as a legal notice to all the world, that I claim and have a valid right, to the occupation, possession and enjoyment of all and singular, all that tract or parcel of land lying and being in the County of Butte, in the State of South Dakota, for the exclusive right of way for the purpose of constructing a flume or water ditch from Short Creek stream to part of Section 25 and 26 in Township 20 N. of Range 7 E. B.H.Mer. were particularly described as follows: Commencing by a dam located near the NE corner of the SE1/4 of the SW1/4 of Section 25 in Township 20 N. Range 7 seven E. B.H.Mer and a ditch from said dam to and upon the SE1/4 SW1/4 Section 25 and NE1/4 NW1/4 and N1/2 NE1/4 Section 26 in Township 20 N. Rg. 7 E. B.H.Mer.

I also claim and have a valid right to the enjoyment and use of 1000 inches of water from said stream for irrigating purposes to be conveyed through such flume or water ditch to said tract of land together with all and singular, the hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Witness my hand and seal this 15 day of May A.D. 1903.

John T. Ashcroft.

Notice posted on stream May 15, 1903.

State of South Dakota }
County of Butte } ss.

On this 15 day of May 1903, before me a U.S. Commissioner in and for the County and State aforesaid, personally appeared John T. Ashcroft to me personally known to be the person who executed the foregoing written instrument, and acknowledged that he executed the same for the uses and purposes therein set forth. Witness my hand and official seal, the day and date above written.

(SEAL)

John Thompson,
U.S. Com. for Dist. of S. Dak.

THIS IS TO CERTIFY THAT THE MICRO-TECHNICAL IMAGE APPEARING ON THIS SLIDE OF MICROFILM IS AN ACCURATE REPRODUCTION OF THE ORIGINAL RECORD AND WAS MICROFILMED IN THE REGULAR COURSE OF BUSINESS ACCORDING TO THE PROVISIONS OF SOUTH DAKOTA COMPILATION 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDED WAS IN A MANNER AND ON MICROFILM WHICH MEET THE REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROFILMING REPRODUCTION. REPRODUCTION 253

S 26 T20 N R 7 E

K/O Ranches, Inc.
J. R. Olson

016-1

COPY.

RIGHT OF WAY AND LOCATION OF WATER.

FOR WHOM THESE PRESENTS MAY CONCERN, know ye, that I John T. Ashcroft of the County of Butte, in the State of South Dakota, a citizen of the United States, do hereby declare and publish as a legal notice to all the world, that I claim and have a valid right to the occupation, possession and enjoyment of all and singular, that tract or parcel of land lying and being in the County of Butte, in the State of South Dakota, for the exclusive right of way for the purpose of constructing a flume or water ditch from Coal Creek stream to the part of of Section 26 in Township 20 N. of Range 7 E. B.H. Mer. more particularly described as follows: Commencing at by a point located about 16 chains west of the NW corner of section 26 in Township 20 N. Range 7 seven E B.H. Mer. and a ditch from said land and upon the NE 1/4 NW 1/4 and N 1/2 of NE 1/4 Section 26 in Township 20 N. Range 7 E. B.H. Mer.

I also claim and have a valid right to the enjoyment and use of 2000 inches of water from said stream for irrigating purposes to be conveyed through such flume or water ditch to said tract of land, together with all and singular, the hereditaments and appurtenances thereto belonging or in anywise appertaining.

Witness my hand and seal this 10 day of May A.D. 1903.

John T. Ashcroft.

Notice posted on stream May 16, 1903.

State of South Dakota
County of Butte

On this 10 day of May 1903, before me U.S. Commissioner in and for the County and State aforesaid, personally appeared John T. Ashcroft to me personally known to be the person who executed the foregoing written instrument, and acknowledged that he executed the same for the uses and purposes therein set forth. Witness my hand and official seal, the day and date above written.

(SEAL)

John Insgeon, U.S. Comm. for Dist of S.Dak.

LM 1-27-4. IT IS FURTHER CERTIFIED THAT THE PHOTOGRAPHIC PROCESS USED FOR MICROFILMING OF THE ABOVE RECORDS WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT RECORDS REPRODUCTION. REPRODUCTIONS. REDUCTION 25x. ROLL NO. 2.1. DATE MICROFILMED 3-1-82. Division of Records.

016-1

Pre-Emption of Right of Way and Location of Water.

To Whom These Presents May Concern, Know ye, that I

John T Ashcroft

..... of the County of Butte, in the State of South Dakota, a citizen of the United States, do hereby declare and publish as a legal notice to all the world, that I claim and have a valid right to the occupation, possession and enjoyment of all and singular, all that tract or parcel of land lying and being in the County of Butte, in the State of South Dakota, for the exclusive right of way for the purpose of constructing a flume or water ditch from *Coal Creek* stream to the

part of

of Section *26* in Township *20 N* of Range *7 E B H Mer* more particularly described as follows: Commencing at

by a dam located about 16 chains west of the NW corner of section 26 in Township 20 N Range 7 even E B H Mer and a ditch from said dam to and upon the NE 1/4 NW 1/4 and W 1/2 of NE 1/4 Section 26 in Township 20 N Range 7 E B H Mer

I also claim and have a valid right to the enjoyment and use of *2000* inches of water from said stream for irrigating purposes to be conveyed through such flume or water ditch to said tract of land, together with all and singular, the hereditaments and appurtenances thereto belonging or in anywise appertaining.

Witness my hand and seal this

15 day of *May*

A. D. 190^{*3*}

John T Ashcroft

Notice posted on stream

May 16

190^{*3*}

Ditch commenced at stream

190^{*3*}

State of South Dakota,
County of Butte,

On this *15* day of *May*

190^{*3*}

before me *U S Commissioner*

In and for the County and State aforesaid, personally appeared

John T Ashcroft

to me personally known to be the person who executed the foregoing written instrument, and acknowledged that he executed the same for the uses and purposes therein set forth. Witness my hand and official seal this day and date above written.

John Thompson U S Comm.
for Dist of S Dak



REPRODUCTION. SECTION 261. POL NO 21. DATE RECORDED 3-1-92. OFFICE OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT RECORDS.

S 26 T 20 N R 7 E

K/O Ranches, Inc.
J. R. Olson

016-1

Pre-Emption of Right of Way and Location of Water.

To Whom These Presents May Concern, Know ye, that I

John T. Ashcroft

..... of the County of Butte, in the State of South Dakota, a citizen of the United States, do hereby declare and publish as a notice to all the world, that I claim and have a valid right to the occupation, possession and enjoyment of all and singular, all that tract or parcel of land lying and being in the County of Butte, in the State of South Dakota, for the exclusive right of way for the purpose of constructing a flume or water ditch from *Coal Creek* stream to the

part of

of Section *26* in Township *20 N* of Range *7 E B H Mer* more particularly described as follows: Commencing at *Hydram* located about 16 chains west of the N W corner of section 26 in Township 20 N Range 7 seven E B H Mer and a ditch from said dam to and upon the NE 1/4 NW 1/4 and W 1/2 of NE 1/4 Section 26 in Township 20 N Range 7 E B H Mer

I also claim and have a valid right to the enjoyment and use of *2000* inches of water from said stream for irrigating purposes to be conveyed through such flume or water ditch to said tract of land, together with all and singular, the hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Witness my hand and seal this *15* day of *May* A. D. 190*3*

Notice posted on stream *May 16* 190*3*

Ditch commenced at stream 190*3*

State of South Dakota, }
County of Butte, }

On this *15* day of *May* 190*3* before me *U.S. Commissioner*

and for the County and State aforesaid, personally appeared

John T. Ashcroft

to me personally known to be the person who executed the foregoing written instrument, and acknowledged that he executed the same for the uses and purposes therein set forth. Witness my hand and official seal this day and date above written.

John Thompson U.S. Comm.
For Dist. of S. Dak.



016-1

K/O Ranches Inc

J. R. Olson

COPY.

RIGHT OF WAY AND LOCATION OF WATER.

TO WHOM THESE PRESENTS MAY CONCERN, Know ye, that I John T. Ashcroft of the County of Butte, in the State of South Dakota, a citizen of the United States, do hereby declare and publish as a legal notice to all the world, that I claim and have a valid right to the occupation, possession and enjoyment of all and singular, that tract or parcel of land lying and being in the County of Butte, in the State of South Dakota, for the exclusive right of way for the purpose of constructing a flume or water ditch from Coal Creek stream to the part of of Section 26 in Township 20 N. of Range 7 E. B.H.Ver. more particularly described as follows: Commencing at by a flag located about 16 chains west of the NW corner of section 26 in Township 20 N. Range 7 seven 3 B.H.Ver. and a ditch from said flag to and upon the NE1/4 NW1/4 and W1/2 of NE1/4 Section 26 in Township 20 N. Range 7 E. B.H.Ver.

I also claim and have a valid right to the enjoyment and use of 2000 inches of water from said stream for irrigating purposes to be conveyed through such flume or water ditch to said tract of land, together with all and singular, the hereditaments and appurtenances thereunto belonging or in anywise appertaining.

Witness my hand and seal this 15 day of May A.D. 1903.

John T. Ashcroft.

Notice posted on stream May 16, 1903.

State of South Dakota { ss.
County of Butte

On this 15 day of May 1903, before me U.S. Commissioner in and for the County and State aforesaid, personally appeared John T. Ashcroft to me personally known to be the person who executed the foregoing written instrument, and acknowledged that he executed the same for the uses and purposes therein set forth. Witness my hand and official seal, the day and date above written.

(SEAL)

John Thompson, U.S. Comm. for Dist of S.Dak.

AND ON MICROFILM WHICH MEET THE RECOMMENDED REQUIREMENTS OF THE NATIONAL BUREAU OF STANDARDS FOR PERMANENT MICROPHOTODUPLICATIONS. SECTION 22.1 REL NO. 2.1 3-1-68

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) K/O Ranches, Inc.

Post Office Address Box 53, Ludlow, South Dakota 57755
(Street, RR or Box) (State) (Zip Code)

A. Notice of Appropriation May 15, 1903 Date of Posting May 16, 1903

Date of recording _____ Recording date _____
Where Book Page

B. Date of start of construction of water supply system 1903

C. Date that water was first applied to beneficial use 1904

D. Name of owner of original water supply system John T. Ashcroft

E. Amount of water originally applied to beneficial use 15 + cfs

F. Present Use of Water - Amount of water now being used 10+ cfs

Date that this water was first used 1947

G. Chronological History of Water Use

1903 John T. Ashcroft constructed the system
1947 Claude Olson obtained the property and made improvements on the system
1972 K/O Ranches obtained the property.
The system has been in use since it was constructed in 1903

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 Harding) SS

I, K/O Ranches Inc John R Olson (print or type) the applicant, certify that I have read the foregoing and that the matters therein stated are true.

Signed John R Olson
Subscribed and sworn to before me March 21, 1986
Lorinda Schwegert
Notary Public or other qualified officer affn # 11-17-93

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.

(Print name) 19_____

(Print name) 19_____

Permit No. 1358-1Grand River Water District
10130302**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 K/O Ranches Inc.Box 53 of Ludlow, S.D. 57755 holder ofPermit No. 1358-1, bearing the priority of May 15 1903 authorizingthe diversion of 3.36 cu. ft. per second and 160 acre feet of storage annually of the waters of Coal Creekfor Irrigation purposes, in Harding County.

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

- A. Works used to divert the water: Storage Dam / Head Gates.
 Height = 25 ft Surface Ac = 20 Ac Em Spill. Width = 100+ ft.
 Length = 1000 ft Water Depth = 20 ft 3- 36" dia CMP thru Dam / Hd/gate
 Top Width = 12 ft Storage = 160 A.F. 1- 12" " " " / Hd/gate
 Side Slopes = 3:1 & 2:1 Freeboard = 3.0'

- B. Works used to transport water to place of use:
Diversion Dikes and Ditches To Conduct water to the fields

- C. Works used to apply water to beneficial use:
Ditches and Dikes for flood irrigation

The system is in the following condition GoodThe point of diversion is located 1700 ft W of the SE Corner of Section 22
T 20 N R 7 EThe works are capable of diverting and conveying to the place of use 10+
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 Reverse Side of This Form.comprising a total of 235 acres of land and the license should be issued for 3.36 cfsApplicable permit qualifications have been complied with X Yes NoExceptions to compliance are: Date June 19, 1985LeRoy J. Mernaugh
(signature)

Areas Irrigated

All in T20N R7E

Section 23

$$SE\frac{1}{4}SE\frac{1}{4} = 1 \text{ Ac}$$

Section 25

$$NW\frac{1}{4}NW\frac{1}{4} = 3 \text{ Ac}$$

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

Section 26

$$NW\frac{1}{4}NW\frac{1}{4} = 37 \text{ Ac}$$

$$NE\frac{1}{4}NW\frac{1}{4} = 30$$

$$SW\frac{1}{4}NW\frac{1}{4} = 22$$

$$SE\frac{1}{4}NW\frac{1}{4} = 23$$

$$NW\frac{1}{4}NE\frac{1}{4} = 20$$

$$NE\frac{1}{4}NE\frac{1}{4} = 34$$

$$SW\frac{1}{4}NE\frac{1}{4} = 34$$

$$SE\frac{1}{4}NE\frac{1}{4} = 23$$

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

Section 27

$$NE\frac{1}{4}NE\frac{1}{4} = 3 \text{ Ac}$$

Total. 235 Acres

K/O Ranches

R 7 E

map by F. J. Mernaugh

T20N

20-7
2-20-24

22

23

24

25

A hand-drawn map of a coastal area, possibly a bay or inlet, with several labels and arrows indicating directions or boundaries. The map is drawn on a grid background.

- Labels:**
 - "300 yds Hed Gates" written in blue ink at the top right.
 - "Pt of Div." written in red ink at the bottom left.
 - "NE GATES" written in red ink in the lower center.
 - "3 AC" written in red ink at the bottom right.
- Arrows:**
 - A red arrow points from "Pt of Div." towards a small circle on the coast.
 - Blue arrows point from "300 yds Hed Gates" towards the coast.
 - Other blue arrows indicate directions along the coastline.
- Coastline:** A white outline defines the shape of the landmass.

241 CMP

← 1700

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

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

NE $\frac{1}{2}$ NW $\frac{1}{2}$
30 Ac

NW $\frac{1}{4}$ NE $\frac{1}{4}$
2.0 AC

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

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

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

SW $\frac{1}{4}$ NW $\frac{1}{4}$
22 AC

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

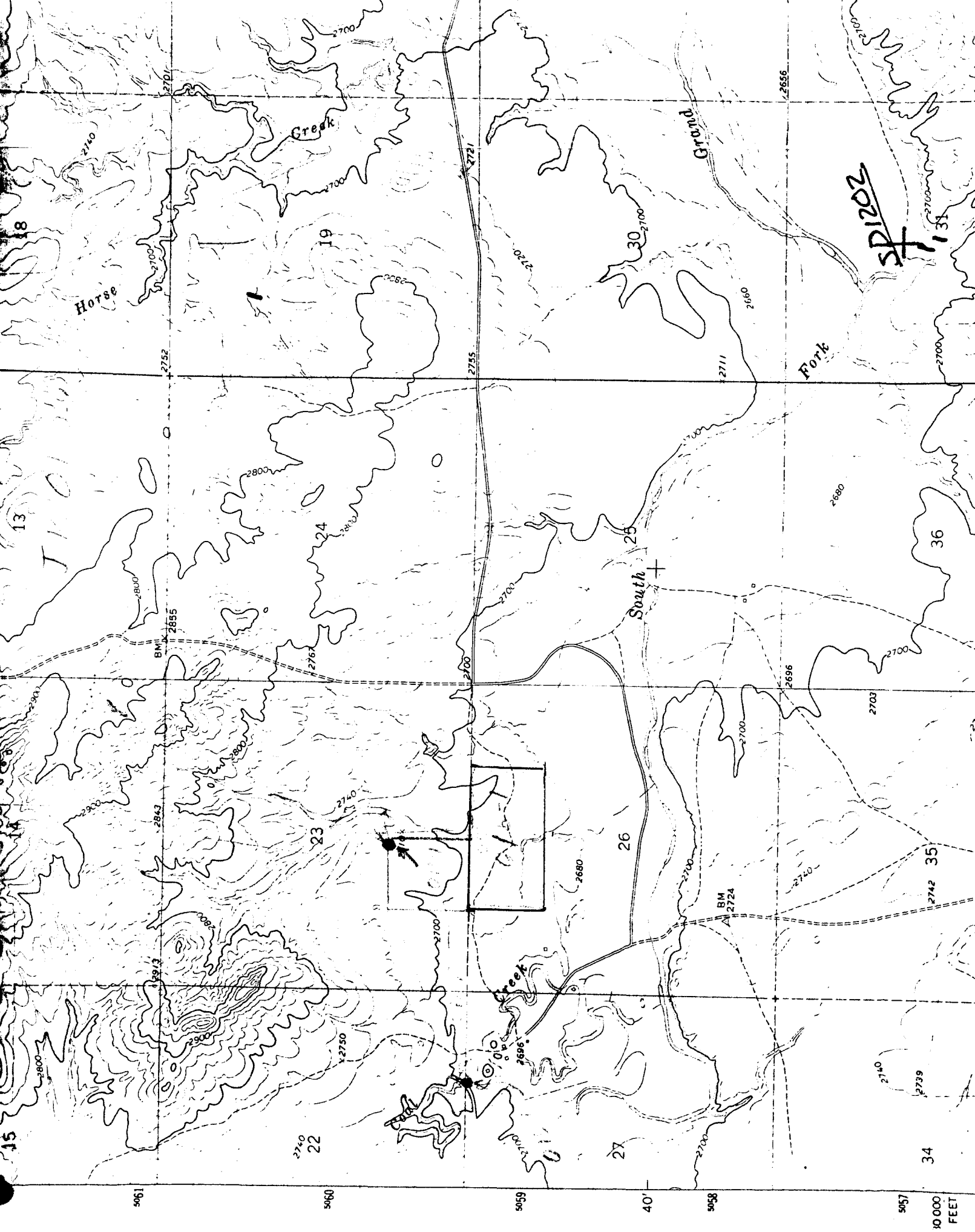
SW $\frac{1}{4}$ NE $\frac{1}{4}$

SE 1/4 NE 1/4
23 AC.

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

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

Appl No 1358-1



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

410391

Pierre, March 31, 1986, 19

RECEIVED OF K/O Ranches, Inc., Box 53, Ludlow, SD 57755

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 _____	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. _____	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 50

By John Hatch
Chief Engineer JOHN HATCH/ms

WATER RIGHTS DIVISION
(605) 773-3352

July 21, 1986

John P. Olson, President
K/O Ranches, Inc.
Box 53
Ludlow, South Dakota 57755

Dear Mr. Olson:

This letter is in response to your Vested Right Application which was received March 31, 1986. LeRoy Mernaugh inspected the waterspreading system and completed the information on the enclosed forms. The Form 2A's also need to be included with the Vested Right Application. Therefore, please sign and return both forms to the Water Rights Division to complete your application.

Thank you for your time and consideration.

Sincerely,

Ron Duvall
Natural Resources Engineer

RD:ms
Enc.

WATER RIGHTS DIVISION
(605) 773-3352

January 16, 1986

K/O Ranches, Inc.
Box 53
Ludlow, South Dakota 57755

ATTENTION: J. R. Olson

Dear Mr. Olson:

On June 19, 1985 I talked to you about Water Right Filing 015-1 and 016-1 and also inspected your irrigation system. The inspection indicated that you are irrigating more land than the filings specify. The system has been in operation since before 1955, therefore it qualifies for a Vested Right. In order to comply with the South Dakota Water Laws you will need to submit an application for a Vested Right.

To assist you in submitting your application I am enclosing two completed copies of Form 2, "Application for Permit" and one copy of Form 2B, "Affidavit of Water Use". Please check the forms over and make any corrections necessary to make them as accurate as possible. Then sign all forms before a notary and return all forms to this office along with a check to cover the cost of the examining fee and the Water License.

Enclosed also is a map of the project. Please check this over and make any corrections necessary. If you make changes then return the map along with the forms so that we may correct our office copy. If you do not make any changes you may keep the map for your use.

Enclosed are copies of Water Right Filings 015-1 and 016-1 which we are incorporating into the Vested Right Application. You may keep them for your use.

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

Sincerely,

LeRoy J. Mernaugh
Natural Resources Engineer

LJM:ms
Enc.

RECOMMENDATION OF CHIEF ENGINEER FOR VALIDATION OF VESTED WATER
RIGHT APPLICATION NO. 1358-1

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Water and Natural Resources concerning Validation of Vested Water Right Application No. 1358-1, K/O Ranches, Inc. Box 53, Ludlow SD.

The Chief Engineer is recommending VALIDATION of Application No. 1358-1 because 1) water has been appropriated as described for irrigation with a May 15, 1903 priority date, 2) the use has been developed without unlawful impairment of existing rights, 3) the use is a beneficial use and 4) it is in the public interest.

See the attached report for additional information.

A handwritten signature in cursive script, appearing to read "John Hatch", is written in dark ink.

JOHN HATCH, Chief Engineer
July 25, 1986

REPORT ON VESTED RIGHT APPLICATION NO. 1358-1

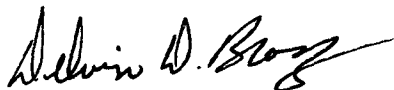
K/O RANCHES, INC.

July 1, 1986

Water Permit Application No. 1358-1 requests validation of a vested right claim to appropriate 3.36 cfs and store 160 acre feet per year from Coal Creek. The system was constructed and water used after May 15, 1903 to irrigate 235 acres. The dam is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22-T20N-R7E. The irrigated acreage is located in Sections 23, 25, 26 & 27 all in T20N-R7E.

Conclusions

1. The project is a water spreading system. It was inspected by LeRoy Mernaugh and found to exist as described.
2. Construction began after May 15, 1903 and water was put to beneficial use. It is recommended that the priority date be May 15, 1903.
3. It is recommended that the vested right claim be validated.



DELVIN D. BROSZ, P.E.
Hydrologist



Department of Water & Natural Resources

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

July 28, 1986

K/O Ranches, Inc
Box 53
Ludlow SD 57755

Dear Sir:

Your Application No. 1358-1 for a vested water right claim has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of your claim has been sent to the Publisher of the NATION'S CENTER NEWS printed at Buffalo SD. For your information, a copy of the notice, the recommendation of the Chief Engineer and a report on the application are enclosed. Please review the notice and notify this office, if you have any corrections or questions.

The cost of publication of this notice will be paid for by the Water Rights Division.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures



Department of Water & Natural Resources

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

July 28, 1986

NATION'S CENTER NEWS
Box 107
Buffalo SD 57720

Dear Sir:

Enclosed is a Notice of Hearing to Validate Vested Right Applications No. 1358-1 and 1357-1. Please publish this notice once each week for two consecutive weeks in your paper. The first publication should be on or before August 6, 1986.

Please bill the Water Rights Division for the cost of the publication.

Please receipt for the notice IMMEDIATELY after first publication attaching a copy of the first publication so that it may be compared with the records. For your convenience, you may use the printed form below for this purpose.

After final publication please complete and mail to this office, the enclosed Form to furnish Proof of Publication. The application can not be considered by the Water Management until proof of publication has been received.

Sincerely,

Ron Duvall
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----
Date _____ TO: Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

We are in receipt of your letter of _____ enclosing
Notice of Hearing to Validate Vested Right Applications which was
first published in our issue of _____.
ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name _____ Newspaper _____

Instruction to Newspaper - Publish first publication of the following Notice on or before August 6, 1986 with 2nd publication 1 week later.

NOTICE OF HEARING To Validate

Vested Right Application Nos. 1358-1 and 1357-1 to Appropriate Water

Notice is hereby given that K/O Ranches, Box 53, Ludlow, South Dakota has filed Application No. 1358-1 to validate a vested right claim to appropriate 3.36 cubic feet of water per second and store 160 acre-feet annually from Coal Creek to irrigate 235 acres with a priority date of May 15, 1903. The 160 acre-feet storage dam and point of diversion are located in the SW 1/4 SE 1/4 of Section 22, T20N, R7E. The irrigated acreage is located in the SE 1/4 SE 1/4 Section 23; W 1/2 NW 1/4 Section 25; N 1/2, NW 1/4 SE 1/4 Section 26; NE 1/4 NE 1/4 Section 27; all in T20N, R7E.

Notice is hereby given that Short Pines Land & Cattle Co., c/o John B Catron, Camp Crook, South Dakota has filed Application No. 1357-1 to validate a vested right claim to appropriate 5.96 cubic feet of water per second and store 50 acre-feet of water annually from dry draws to irrigate 417 acres with a priority date of January 1, 1953. The point of diversion (50 acre-feet storage dam) is located in the SE 1/4 SW 1/4 Section 33, T17N, R3E. The irrigated acreage is located in the NE 1/4 SW 1/4, S 1/2 SW 1/4, NW 1/4 SE 1/4, S 1/2 SE 1/4 Section 32; SW 1/4 SW 1/4 Section 33; all in T17N, R3E; N 1/2 NW 1/4, SW 1/4 NW 1/4, NW 1/4 SW 1/4 Section 4; N 1/2 NW 1/4, SE 1/4 NW 1/4, NE 1/4, N 1/2 SE 1/4 Section 5; all in T16N, R3E.

Pursuant to SDCL 46-2A-2 the Chief Engineer of the Water Rights Division recommends VALIDATION of Vested Water Right Application Nos. 1358-1 and 1357-1 because 1) water has been appropriated as described for irrigation with the above priority dates, 2) the use has been developed without unlawful impairment of existing rights, 3) it is a beneficial use of water and 4) it is in the public interest.

Validation of these applications will be considered by the Water Management Board in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD on September 3, 1986 at 10:00 am.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve validation, 2) approve the validation with qualifications, 3) defer, or 4) deny validation of an application after it reaches a conclusion 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 August 22, 1986. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons 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.

These applications are 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; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-18; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, 46-5-49 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15 and 74:02:01:19 thru 74:02:01:22.

These hearings are adversary proceedings. The applicant or any person, after filing a petition, have 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 State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on an application or to assure access to the hearing by the handicapped can contact the Water Rights Division, 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 person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by August 22, 1986.

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
County Harding) ss.

I, Bonnie Glines hereby

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

Water was taken from the Nation's Center News

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

Town _____ of Buffalo

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

July 30, 1986

August 6, 1986

Bonnie Glines
(Signature)

Business Manager
(Title)

August 8, 1986
(Date Signed)

Cost of Printing: .192 x number of lines
139 lines @ .192 per line

26.69 per week

26.69 x 2 weeks = \$53.38



139 NOTICE OF HEARING
To Validate
Vested Right Application
Nos. 1358-1 and 1357-1 to
Appropriate Water 53.3

Notice is hereby given that
K/O Ranches, Box 53, Ludlow,
South Dakota has filed Appli-
cation No. 1358-1 to validate a
vested right claim to appropriate
3.36 cubic feet of water per
second and store 160 acre-feet
annually from Coal Creek to
irrigate 235 acres with a priority
date of May 15, 1903. The 160
acre-feet storage dam and point
of diversion are located in the
SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, T20N,
R7E. The irrigated acreage is
located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section
23; W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 25; N $\frac{1}{4}$,
NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26;
NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27; all in
T20N, R7E.

Notice is hereby given that
Short Pines Land & Cattle Co.,
c/o John B. Catron, Camp Crook,
South Dakota has filed Appli-
cation No. 1357-1 to validate a
vested right claim to appropriate
5.96 cubic feet of water per
second and store 50 acre-feet of
water annually from dry draws to
irrigate 417 acres with a priority
date of January 1, 1953. The
point of diversion (50 acre-feet
storage dam) is located in the
SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 33, T17N,
R3E. The irrigated acreage is
located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$,
S $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$
Section 32; SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section
33; all in T17N, R3E; N $\frac{1}{2}$ NW $\frac{1}{4}$,
SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section
4; N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$,
N $\frac{1}{2}$ SE $\frac{1}{4}$ Section 5; all in T16N,
R3E.

Pursuant to SDCL 46-2A-2 the
Chief Engineer of the Water
Rights Division recommends
VALIDATION of Vested Water
Right Application Nos. 1358-1
and 1357-1 because 1) water has
been appropriated as described
for irrigation with the above
priority dates, 2) the use has
been developed without unlawful
impairment of existing rights, 3)
it is a beneficial use of water and
4) it is in the public interest.

Validation of these applications
will be considered by the Water
Management Board in Room 216,
Joe Bass Building, 523 E. Capito-
l, Pierre, SD on September 3,
1986 at 10:00 a.m.

The recommendation of the Chief Engineer is not final or binding upon the Board and the Board is authorized to 1) approve validation, 2) approve the validation with qualifications, 3) defer, or 4) deny validation of an application after it reaches a conclusion 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 August 22, 1986. The petition may be informal, but it must include a statement describing the petitioner's interest in the application, the reasons 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.

These applications are 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; 46-2A-1 thru 46-2A-10, 46-2A-12, 46-2A-14, 46-2A-15, 46-2A-18; 46-5-1 thru 46-5-11, 46-5-13 thru 46-5-15, 46-5-24, 46-5-25, 46-5-30.2, 46-5-30.4, 46-5-31, 46-5-49 and Board Rules ARSD 74:02:01:01 thru 74:02:01:15 and 74:02:01:19 thru 74:02:01:22.

These hearings are adversary proceedings. The applicant or any person, after filing a petition, have 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 State Supreme Court as provided by law.

Any person wishing a copy of the Chief Engineer's recommendation, further information on an application or to assure access to the hearing by the handicapped can contact the Water Rights Division, 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 person who has filed a petition to oppose or support the application. The request for extension must be filed with the Chief Engineer by August 22, 1986.

7-30, 8-6



Department of Water & Natural Resources

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

NOV 25 1986

John R Olson
K/O Ranches, Inc.
Box 53
Ludlow SD 57755

Dear Mr. Olson:

Enclosed are your Validated Vested Water Right and Water License No. 1358-1.
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,

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

JH:ks

enclosures

NOTE: The applicable portions of Water Right Filings No. 015-1 and 016-1
were incorporated into this Vested Water Right Nos. 1358-1 with the
abandoned portions of Filings No. 015-1 and 016-1 cancelled.

Equal Opportunity Employer



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

1358-1

May 10, 1988

George Lermeny
Box 124
Reva, SD 57651

Dear Mr. Lermeny:

I am contacting you in regard to Vested Water Right No. 1358-1 currently listed under the name of K/O Ranches, Inc. % J R Olson. Enclosed is a copy of Vested Water Right No. 1358-1. It is our understanding that you now own the land covered under the vested right.

Enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Vested Water Right No. 1358-1. 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 vested 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.

If you have any questions, please contact us.

Sincerely,

A handwritten signature in black ink that reads "Genny McMATH". The signature is written in a cursive, flowing style.

GENNY MCMATH
Natural Resources Analyst
605 773-3352

encl



Department of Water & Natural Resources

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

WATER RIGHTS DIVISION

(605) 773-3352

May 31, 1988

George H. Lermeny
Box 124
Reva, South Dakota 57651

Dear Mr. Lermeny:

Enclosed is Receipt No. 411260 in the amount of \$2.50 which you paid for filing a "Notice of Transfer" on Vested Water Right No. 1358-1. The water right is now listed in your name.

Also enclosed is the additional transfer form you requested during our May 24, 1988 telephone conversation. If you have any questions, or need assistance in completing the form, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst

GM:ms
Enc.



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

411260

Pierre, May 27, 1988

RECEIVED OF George H. Lermeny, Box 124, Reva, SD 57651

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 <u>1358-1</u>	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

John Hatch
Chief Engineer JOHN HATCH

ms

NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: 5-17-88

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

SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 23; W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 25; N 1/2 and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26;

NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 27, all in T20N, R7E

formerly owned by K/O Ranches, Box 53, Ludlow, SD 57755

has been transferred to George H. Lermeny Box 124 Reed J. DOK. 57651
(please include complete mailing address)

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

Vested

Water Right ~~Permit~~ No. XXXXXX 1358-1 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 ²⁸²⁹³⁸⁹ covering filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)
County of Harding) ss.

I, George H. Lermeny 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 I know of my own personal knowledge that the information herein stated is true.

George H. Lermeny
(Signed)

Subscribed and sworn to before me this 17 Day of May, 1988.

Wicky Cayle
(Notary Public)
9-14-95





TO: Water Rights
Foss Building
Pierre, SD 57501

Date: July 15th, 1988

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

SF $\frac{1}{4}$ SF $\frac{1}{4}$ Section 23; W $\frac{1}{2}$ NW $\frac{1}{4}$ Section 25; N $\frac{1}{2}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 26;

NF $\frac{1}{4}$ NF $\frac{1}{4}$ Section 27, all in T20N, R7E

formerly owned by George H. Lermeny, Box 124, Reva, South Dakota 57651

has been transferred to Lermeny Land & Cattle, P.O. Box 124, Reva, SD 57651

(please include complete mailing address)

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

Water Right Permit No. 1358-1 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 Harding) ss.

I, George H. Lermeny 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 I know of my own personal knowledge that the information herein stated is true.

George H. Lermeny President
(Signed)

Subscribed and sworn to before me this 15 Day of July, 1988.

Wicky Coyle
(Notary Public)

9-14-95

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

441023

Pierre, July 20, 19 88

RECEIVED OF George Lermeny, Lermeny Land & Cattle, PO B0x 124, Reva, SD 57651

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 <u>Permit No. 1358-1</u>	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 John Hatch
Chief Engineer JOHN HATCH (ms)



Department of Water & Natural Resources

Joe Foss Building
Pierre, South Dakota 57501

Water Rights Division

Phone (605) 773-3352

July 22, 1988

George Lermen
Lermen Land & Cattle
PO Box 124
Reva, South Dakota 57651

Dear Mr. Lermen:

Enclosed is receipt No. 411323 in the amount of \$2.50 which you
paid for transfer of Water Right No. 1358-1.

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

Sincerely,

Maxine Stirling
Secretary

ms/
Enc.