

Considered: _____

WATER PERMIT NO. 1552-1

Phone: 892-2655

Name of Applicant: Belle Fourche Livestock Exchange

Post Office Address: RR 1, Box 126, Belle Fourche SD 57717

Amount of Water Claimed: 0.09 cfs (40 gpm) Total Acres: NA

Source of Water Supply: groundwater

Water to be used for: commercial County: Butte

About _____ miles North of Belle Fourche

PROOF OF PUBLICATION: Received _____ Not Received _____

APPLICATION: Approved _____ Subject to _____

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

PRIORITY Date Received: 6-1-92 Fee: \$50 Remarks _____

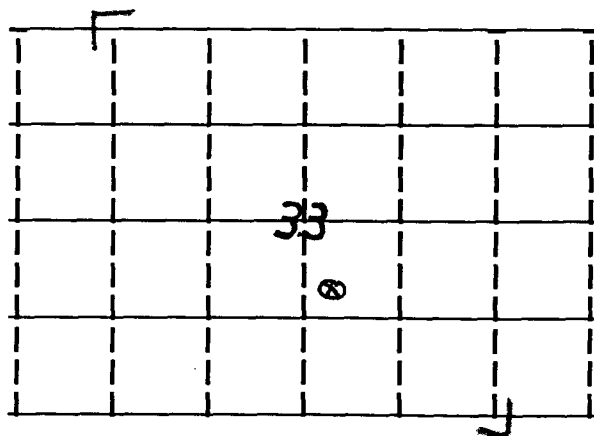
Corrected Application Received _____ Period of Annual Use Jan 1 - Dec 31

WATER QUALITY APPROVAL RECEIVED NA APPROVED/CONDITIONAL (Circle one)

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

Diversion Point: NW 1/4 SE 1/4 Sec 33-T9N-R2E

Land to be Irrigated: _____



Well Log: Driller: Merle Bandy Licensed YES _____ NO _____

Depth of Well: 340' REMARKS no well log available

Type of Map: aerial PREPARED BY: Don Frye Reviewed and the Number

Assigned on 6-9-92 By 6-9-92

**SOUTH DAKOTA
WATER PERMIT No. 1552-1**

Date of first receipt of application June 1, 1992.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1552-1 to Belle Fourche Livestock Exchange, RR 1, Box 126, Belle Fourche SD 57717 authorizing the construction of the water use system and the placing of water to beneficial use subject to the following limitations, conditions and qualifications:

1. Water Permit No. 1552-1 appropriates 40 gallons per minute (0.09 cubic feet of water per second) from one well (Newcastle Formation) 340 feet deep located in the NW 1/4 SE 1/4 Section 33-T9N-R2E.
2. The water appropriated shall be used for the purpose of supplying water to the stockyards and cafe and may not exceed the amount of water needed for beneficial use for commercial purposes.
3. The water is to be used during the following described annual period: January 1 - December 31.
4. The date of approval of Permit No. 1552-1 is August 11, 1992.
5. The date from which applicant may claim right is June 1, 1992.
6. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATION

The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

WATER MANAGEMENT BOARD

By: John Hatch
John Hatch, Chief Engineer, Water Rights Division
Department of Environment and Natural Resources

NOV 20 1992
date

523 E. Capitol
Pierre, SD 57501
(605) 773-3352No. 1552-1 Hydrologic Unit 10120202
Map No. _____ Basin Belle Fourche R
Newspaper Belle Fourche Post**Application For Permit To Appropriate Water Within The State Of South Dakota**Check use of water: Industrial ☐ Commercial ☒ Municipal ☐ Other Common Distribution System ☐
Rural Water System ☐ Suburban Housing ☐ Geothermal Heat ☐ Institutional ☐ Recreational ☐
Domestic ☐ (above 18gpm) Other ☐

Type of Application: Check one or more of the following

New ☒ Vested Right ☐ Future Use ☐ Change Use ☐☐ Amend Permit No. _____ with old priority date retainedChange diversion point(s) ☐ Add diversion point(s) ☐ Other ☐☐ Application to: Change diversion point(s) ☐ Add diversion point(s) ☐ on Permit No. _____☐ Construction to use water reserved by Future Use Permit No. _____1. Name of Applicant BELLE FOURCHE LIVESTOCK EXCHANGE Phone No. 892-2655Post Office Address RR1, box 126 BELLE FOURCHE State SD 57717
(Street, RR or Box) (City) Zip Code2. Amount of water claimed (c.f.s.) 40 GPM (0.09 cfs)3. Source of water supply 1 WELL4. Location of point of diversion NW 1/4 SE 1/4 SEC 33 T9N, R2ECounty BUTTE5. Counties where water will be used BUTTE6. Annual period during which water is to be used JANUARY 1 TO DECEMBER 31

7. 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)

PROVIDES WATER FOR STOCKYARDS AND A CAFE

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 _____)

I, Dean Strong the applicant, certify that I have read this application, have examined the attached map and that the matters stated are true and that I intend, and am able to complete the necessary construction.Signed Dean StrongSubscribed and sworn to before me this 28 day of May 1992Eileen Strong

Notary Public 10-28-92

Supplemental Information

(type or print in ink)

*Drilled by Merle Bandy -
No welling available*

1. Well Information - Proposed construction

- a) Drill Hole Diameter 6" Depth 340'
- b) Casing Type STEEL Diameter _____ Thickness _____
- c) Screen Type _____ Diameter _____ Thickness _____
- d) Gravel Pack Thickness _____ Length of Gravel Pack _____
- e) Depth to Top of Water Bearing Material _____
- f) Depth to Water (ground surface to water level) _____
- g) Distance to nearest existing domestic well:
- On applicants property None On property owned by others 75 yards

2. Dugout Information Estimates

- a) Surface Dimensions _____ Depth _____
- b) Depth to water (ground surface to water level) _____

3. Water Storage Dams

If the proposed water use system contains one or more storage dams, please furnish the information requested below. The locations of each dam should be shown on the map submitted with the application.

- a) If a private engineering firm or government agency was involved in the design of this dam please give their name and address

b) Freeboard _____

c) Crest Width _____

Crest Length _____

d) Height _____

e) Primary Outlet Capacity _____

If Pipe, diameter _____

f) Secondary Spillway Capacity _____

Spillway width _____

g) X & Y Slope

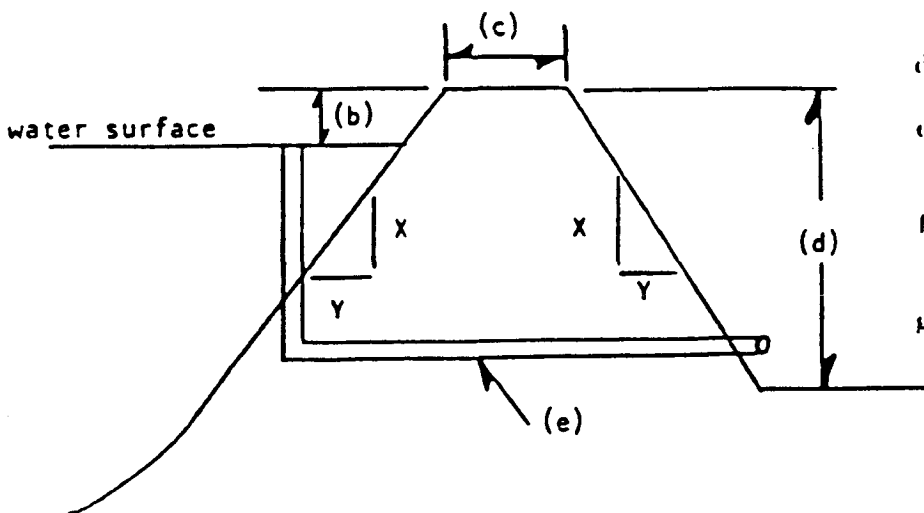
Upstream _____

Downstream _____

Surface Area of Impoundment _____

Storage _____ acre feet

Drainage area above dam _____



Signature of Applicant _____

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

413231

Pierre, June 1, 19 92

RECEIVED OF Belle Fourche Livestock Exchange, P.O. Box 126, Belle Fourche, SD
the following amount in fees for services rendered as provided for by law: 57717

Fee for Application for Permit No. <u>1552-1</u> to Appropriate Water, to construct works 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 _____		
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

NOT TO SCALE

2-64

33

Prepared By:
Don Frye
Natural Resources Analyst
Division of Water Rights

5/28/92

835' S
175' E
WELL

Q.v. =

2-64

1552-1

REPORT ON APPLICATION NO. 1552-1
for Belle Fourche Livestock Exchange
June 24, 1992

Application No. 1552-1 proposes to appropriate 40 gpm (0.09 cfs) from one well approximately 340 feet deep located in the NW 1/4 SE 1/4 of section 33, T9N R2E BHM in Butte County.

AQUIFER - NEWCASTLE (NCSL)

The Newcastle consists of a confined sandstone which is probably under artesian conditions at this site. The Newcastle is the Dakota Formation equivalent in the Black Hills area. The Newcastle underlies 731,840 acres and contains an estimated 1.37 million acre feet of recoverable water in storage in Butte County (Allen, 1984). The well information supplied with the application is not sufficient to determine anything about this well. If the depth is right, then the water is being obtained from the Newcastle because there is no other possible source. Most of the wells in this area are much deeper and obtain water from the Inyan Kara aquifer.

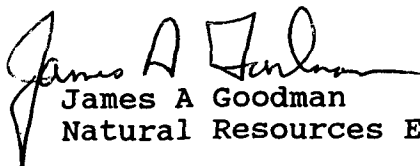
The Division of Water Rights does not monitor any observation wells completed into the Newcastle Sandstone and nothing is known about historical water levels.

REVIEW OF EXISTING WATER PERMITS/RIGHTS

There are no other existing water permits/rights which obtain water from the Newcastle Sandstone in this area. In fact the Newcastle is normally not used as a water source. There are very few, if any, wells completed into the Newcastle Sandstone in South Dakota.

CONCLUSIONS

1. Water is available from the Newcastle Sandstone.
2. This well has been in use for many years with no apparent problems.
3. Data is not available to determine the construction of this well.
4. Wastewater system has been in for many years, and inspected by the Northern Hills Environmental inspector with no reported problems.


James A Goodman
Natural Resources Engineer

BIBLIOGRAPHY

Allen, J.C., etal, 1984, Analysis of Groundwater and Streamflow Data Western Dakotas Region of South Dakota, for US Army Corps of Engineers, SD DENR, SDGS, Vermillion, SD, 57069.

RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1552-1, Belle Fourche Livestock Exchange

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Division, Department of Environment and Natural Resources concerning Water Permit Application No. 1552-1, Belle Fourche Livestock Exchange, c/o Dean Strong, RR 1 Box 126, Belle Fourche, SD 57717.

The Chief Engineer is recommending APPROVAL of Application No. 1552-1 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion has been developed without unlawful impairment of existing rights, 3) the proposed use is a beneficial use and 4) it is in the public interest with the following qualification:

The well approved under this Permit will be located near domestic wells and other wells which may obtain water from the same aquifer. The well owner under this Permit shall control his withdrawals so there is not a reduction of needed water supplies in adequate domestic wells or in adequate wells having prior water rights.

See report on application for additional information.



JOHN HATCH, Chief Engineer
June 29, 1992



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTE: TO BE SURE OF PUBLICATION ON
THE CORRECT DATES, CONTACT
THE NEWSPAPER RIGHT AWAY.

July 6, 1992

Dean Strong
Belle Fourche Livestock Exchange
RR 1 Box 126
Belle Fourche, SD 57117

Dear Mr. Strong:

Water Permit Application No. 1552-1 for commercial use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice of hearing has been sent to the Publisher of the Belle Fourche Post printed at Belle Fourche, SD (Ph # 892-2528). 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 prior to publication and notify this office, if you have any corrections or questions.

Be sure to contact the above newspaper to authorize publication of your Notice of Hearing and to arrange for payment. Early contact with the paper can eliminate delays. The publisher has been instructed to publish your notice once each week for two consecutive weeks with the last publication to occur twenty days before the board meeting. The newspaper has been instructed to send us the Proof of Publication. We must receive Proof of Publication before action can be taken on the application.

Sincerely,

Eric Gronlund
Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

NOTE: If you plan to contest any part of the Chief Engineer's recommendation, you must file a petition pursuant to the procedures outlined in the attached notice of hearing. The Water Management Board will then consider your concerns during a hearing on the application.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

July 6, 1992

Belle Fourche Post
Box 400
Belle Fourche, SD 57717

ATTENTION: Legal Department

Enclosed is a Notice of Hearing on Application No. 1552-1 to be published twice. Please publish the first notice on July 15, 1992, with the second publication 7 days later.

The APPLICANT MUST VERIFY TO YOU THAT THE NOTICE IS TO BE PUBLISHED, before you make the first publication. Please BILL the APPLICANT for the cost of publication. The APPLICANT is Belle Fourche Livestock Exchange, RR 1 Box 126, Belle Fourche, SD 57717 (Ph # 892-2655).

A copy of BOTH publications must be SENT to the WATER RIGHTS DIVISION. IMMEDIATELY return the FIRST publication with the FIRST Transmittal form on the bottom of this page. The first copy is needed to check the publication for errors so any corrections can be made in the second publication. Publication errors can invalidate the public notice and cause the applicant costly delays.

Please be sure the SECOND publication is returned IMMEDIATELY with the enclosed Proof of Publication form. DO NOT WAIT until the end of the month or the billing cycle. No action may be taken on the permit application until proof of publication has been received.

Sincerely,

Eric Gronlund
Natural Resources Engineer
605 773-3352

enclosures

-----CUT HERE-----
FIRST TRANSMITTAL NOTICE

No. _____

TO: Eric Gronlund
Water Rights Division
Joe Foss Building
Pierre SD 57501-3181

Date _____

We are in receipt of your letter of _____ enclosing Notice of Hearing to
Appropriate Water by Application No. _____ which was first published in our issue
of _____. ENCLOSED IS A COPY OF THIS FIRST PUBLICATION.

Name

Newspaper

Instruction to Newspaper - Publish first Notice on July 15, 1992, with the second publication 7 days later. The applicant is responsible for payment.

NOTICE OF HEARING on Application No. 1552-1 to Appropriate Water

Notice is given that Belle Fourche Livestock Exchange, RR 1 Box 126, Belle Fourche, SD 57717 has filed an application for a water permit to appropriate 40 gallons per minute (0.09 cubic feet of water per second) from one well (Newcastle Formation) 340 feet deep located in the NW 1/4 SE 1/4 Section 33-T9N-R2E. The water is for commercial use at the stockyards and a cafe.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1552-1 because 1) unappropriated water is available, 2) existing rights will not be unlawfully impaired, 3) it is a beneficial use of water, and 4) it is in the public interest. Unless a petition is filed opposing the application or the applicant files a petition contesting the chief engineer's recommendation, the Water Management Board will NOT CONDUCT a HEARING to consider this application and the chief engineer will issue the permit as recommended. Petitions filed in support of the application will NOT require the Board to hear the application.

Any person interested in opposing or supporting this application must file a written petition with BOTH the applicant and Chief Engineer. The applicant must also file a petition if opposed to the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Division, Foss Building, 523 E Capitol, Pierre SD 57501 (605 773-3352)" and the applicant's mailing address is given above. A petition filed by either an interested person or the applicant must be filed by August 3, 1992. The petition may be informal, but must include a statement describing the petitioner's interest in the application, the petitioner's reasons for opposing or supporting the application, and the signature and mailing address of the petitioner or the petitioner's legal counsel, if legal counsel is obtained.

For purposes of publishing 1) the notice of hearing on Application No. 1552-1 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to hear this application is scheduled for August 11, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre SD. If this application is opposed or the recommendation is contested, the August 11, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The August 11, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by August 3, 1992.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the Board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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-20, 46-2A-21; 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; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

oil

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA)
 County Butte) ss.

I, Faye D. Pate

certify that the attached printed Notice was taken
 from the 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:

July 15, 1992

July 22, 1992

Faye D Pate

(Signature)

Accountant

(Title)

July 22, 1992

(Date Signed)



Cost of Printing: \$62.66

**NOTICE OF HEARING
on Application No. 1552-1
to Appropriate Water**

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For purposes of publishing 1) the notice of hearing on Application No. 1552-1 and 2) the chief engineer's recommendation, a meeting at the Division of Water Rights office to

hear this application is scheduled for August 11, 1992, at 9:00 am in Room 413, Joe Foss Building, 523 E Capitol, Pierre, SD. If this application is opposed or the recommendation is contested, the August 11, 1992, hearing date will be rescheduled for a regularly scheduled Board meeting. Notice of the time and place of the rescheduled hearing before the Board will be given by First Class Mail to the applicant and persons filing petitions. Anyone not filing a petition, but interested in attending the hearing, may contact the Division of Water Rights to confirm a hearing date and location. The August 11, 1992, hearing date will be automatically delayed for at least 20 days upon written request to the Chief Engineer from the applicant or any interested person opposing the application. The request for an automatic delay must be filed by August 3, 1992.

If a hearing is held, the Chief Engineer's recommendation is not final or binding upon the board. The Board is authorized to 1) approve, 2) approve with qualifications, 3) defer, or 4) deny this application based on the facts presented at the public hearing. Any hearing will be an adversary proceeding. Any person filing a petition and/or the applicant have the right to be represented by a lawyer and may present evidence or cross-examine witnesses according to SDCL 1-26. These and other due process rights will be forfeited if not exercised. Decisions of the Board may be appealed to the Circuit Court and State Supreme Court as provided by law. Contact the Water Rights Division to request copies of information pertaining to this application or to assure access to the hearing by the handicapped.

This application is made pursuant to SDCL 46-1-1 thru 46-1-9, 46-1-12 thru 46-1-16; 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-20, 46-2A-21; 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; 46-6-3, 46-6-3.1, 46-6-6.1, 46-6-10, 46-6-13, 46-6-14, 46-6-26; and Board Rules ARSD 74:02:01:01 thru 74:02:01:15.

P2t7/15-22



NOV 20 1992

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

Dean Strong
Belle Fourche Livestock Exchange
RR 1 Box 126
Belle Fourche, SD 57717

Dear Mr. Strong:

Enclosed is Water Permit No. 1552-1 authorizing your water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

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 Water License will be sent to you.

Very truly yours,

A handwritten signature in black ink, which appears to read "John Hatch".

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

enclosures

RECEIPT

413521

Division of Water Rights

South Dakota Department of Environment and Natural Resources

Pierre, _____ December 2, 19 92

RECEIVED OF Belle Fourche
~~LIVESTOCK~~ Livestock Exchange, PO Box 126, Belle Fourche, SD 57717

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. <u>1552-1</u>	50	00
Fee for Filing Transfer Form _____		
Fee for Filing Extension Request _____		
Fee for _____		

(Any Other Work Provided by Law)	Total	50 00

By John Haldy
Chief Engineer

Permit No. 1552-1
Water District: Belle Fourche River

REPORT OF EXAMINATION OF WORKS AND/OR APPLICATION OF WATER TO BENEFICIAL USE

I have this day made a thorough examination of the water use system constructed by the Belle Fourche Livestock Exchange holder of Permit No. 1552-1, bearing the priority of June 1, 1992 authorizing the diversion of 0.09 cu. ft. per second of groundwater for commercial purposes, in Butte County.

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

A. Works used to divert the water:

One well 340' deep with a 3 HP Clinton Waller Stainless Steel submersible pump set at 40 GPM.

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

Two, 5,000 gallon storage tanks leading to two pressure tanks, one 500 gallons and one 75 gallons. Two inch PVC is used to transport the water through the distribution system.

C. Works used to apply water to beneficial use:

Distribution system from pressure tanks to stock holding pens, stockyards, sale barn and cafe.

The system is in the following condition fair. The point of diversion is located 835' south and 175' east of the center of Section 33, T9N, R2E.

The works are capable of diverting and conveying to the place of use 0.09 cu. ft. per second of water which is to be used for commercial purposes.

Water has been put to beneficial use to the maximum extent as follows:

The well provides water for stock, visitors to and employees of the sale barn and to a cafe which serves approximately 150 people on sale days and should be issued for 0.09 cfs.

Applicable permit qualifications have been complied with ☒ Yes ☐ No

Exceptions to compliance are: None

Date Inspected: 5/28/92


DONALD E. FRYE, JR.
Natural Resources Analyst
DENR, Water Rights Division

STATE OF SOUTH DAKOTA

WATER LICENSE NO. 1552-1

(1) The Belle Fourche Livestock Exchange, of RR #1 Box 126, Belle Fourche, SD 57717 made Application No. 1552-1, June 1, 1992 for a water permit to appropriate 0.09 cubic feet of water per second from groundwater (one well), Butte County, South Dakota for commercial purposes. Permit No. 1552-1, with a priority date of June 1, 1992 was approved August 11, 1992 and issued to the applicant(s) for diversion of water with construction of the described water supply system completed and the application to beneficial use of said water completed.

(2) It is certified that the applicant 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 0.09 cubic feet of water per second for beneficial use. The location of the diversion point is 835 feet south and 175 feet east of the center of Section 33, T9N, R2E (NW 1/4 SE 1/4).

(3) The applicant has complied with the provisions of South Dakota State Law relating to the application of water to beneficial use.

(4) Pursuant to South Dakota Water Law 46-5-30.1 the Belle Fourche Livestock Exchange of RR 1 Box 126, Belle Fourche, SD 57717 the holder(s) and/or owner(s) of Water Permit No. 1552-1 is issued a license to appropriate water, the right to use 0.09 cubic feet of water per second from groundwater (one well) with a priority date of June 1, 1992 from the location specified in (2) of this license. The water is to be used for the purpose of commercial use. This license is subject to any limitations or qualifications listed in Water Permit No. 1552-1 and subject to South Dakota State Law.



MAR 12 1993

JOHN HATCH, Chief Engineer

Water Rights Division

Department of Environment and Natural Resources



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

MAR 12 1993

1552-1

Dean Strong
Belle Fourche Livestock Exchange
RR 1, Box 126
Belle Fourche, SD 57717

Dear Mr. Strong:

Enclosed is Water License No. 1552-1. This is the final water right document completing your process of obtaining a Water Right. Enclosed is Receipt No. 413521 in the amount of \$50.00 which you paid for the inspection and issuance of the Water License.

For your information SDCL 46-6-27 requires that if the owner of an existing well, such as the well authorized by Water Right No. 1552-1, constructs a replacement well and does not plan to use the old well, the old well is considered abandoned and must be plugged. Also, any well that is being used or is not considered abandoned must be valved and controlled, if flowing, or sealed and capped so that no leaking occurs either underground or at the surface.

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. If you have any questions, please contact our office.

Very truly yours,

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

enclosures



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

PMB 2020
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182

denr.sd.gov

April 15, 2013

Dean Strong
Belle Fourche Livestock Exchange
18662 US Highway 212
Belle Fourche, SD 57717

RE: Belle Fourche Livestock Exchange Permit Transfer

The department has learned that your facility has been sold so we are sending you information regarding the requirements for transferring permit coverage. Your facility is currently permitted for 7,000-head of beef cattle.

The following items must be completed for transferring permit coverage:

1. The current owner notifies the Secretary at least 30 days in advance of the proposed transfer date;
2. The notice includes a written agreement between the existing and new owners containing a specific date for transfer of permit responsibility, coverage, and liability between them;
3. The current and new owners complete and sign a Change of Ownership form (Appendix I of the general permit and enclosed);
4. The new owner submits a Certification of Applicant form (Appendix A of the general permit and enclosed);
5. The new owner submits an updated Notice of Intent form (Appendix B of the general permit and enclosed);
6. The new owner submits a signed Operation and Maintenance Guidelines (enclosed);
7. The new owner must attend a DENR approved Environmental Training Class for which the schedule may be viewed at <http://denr.sd.gov/des/sw/ManureManagementTraining.aspx>; and
8. The manure application agreement for the fields in Belle Fourche Livestock Exchange's nutrient management plan (NMP) has expired so the new owner must submit a new

Dean Strong
Belle Fourche Livestock Exchange
April 15, 2013
Page 2 of 2

agreement for review and approval or submit a new NMP that meeting the requirements of the general permit.

9. **Water Right Permit No. 1552-1** held by the current owner for the use of existing wells at the facility will need to be transferred to the new owner within ninety days of the sale of the facility. This is accomplished by the new owner completing and submitting the enclosed "Notice of Transfer of Ownership" form to the department's Water Rights Program. For more information contact the Water Rights Program at (605) 773-3352;
10. The new owner is responsible for contacting local governments to determine if there are any local permits or approvals need to be transferred; and
11. If the existing operation has a right of way permit from the Department of Transportation or local government, the new owner is responsible for contacting that entity about permit transfer requirements.

A copy of the general permit which includes the required forms listed above can be found at <http://denr.sd.gov/des/sw/IPermits/D0447V1-AllAnimalGPermit.pdf>.

The department may conduct an inspection to ensure all requirements have been met. Once we receive the permit transfer information, we will process it as required by our permit and the administrative rules of South Dakota

Thank you for your concern for the environment and for the natural resources of the state of South Dakota. If you have any questions or comments, please feel free to contact me at (605) 773-3351.

Sincerely,



Ben Myers
Natural Resources Engineer
Feedlot Permit Program

Enclosure

cc: Thor Roseth, Philip Livestock Auction, P.O. Box 875, Philip, SD 57567
Eric Gronlund, Water Rights
Butte County Commissioners

RECEIVED

MAY - 1 2013

WATER RIGHTS
PROGRAM

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. 1552-1

Date: 4-18-13

I/We request that Water Right/Permit No. SD6-0100353 formerly owned by:

Dean Strong - Belle Fourche Livestock Exchange be transferred to:

New Owner Name: Belle Fourche Livestock Auction LLC - Thor Roseth / Jeff Long

Address: PO Box 126 - 18662 Livestock Road

City, State, Zip Belle Fourche SD 57717 Telephone No. 605-892-2655

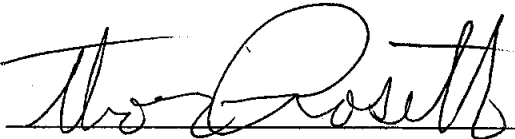
Title to the following described land(s)/property has been transferred as described above:

☐ I understand that the validity of Water Right/Permit No. _____ 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, Thor Roseth, the new owner, certify that the above information is true and correct.


(signed by new owner)

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

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date 5/1, 2013

RECEIVED OF Belle Fourche Livestock Auction LLC PO Box 126 Belle Fourche SD 57787

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>1552-1</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. _____		
Fee for Renewal of Well Pump Installer's License No. _____ for C.Y. _____		
(Any Other Work Provided by Law)	TOTAL	50 00

No. 06318

By Jeanne Goodman
Chief Engineer



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
PMB 2020
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
www.denr.sd.gov

May 2, 2013

1552-1

Thor Roseth
Belle Fourche Livestock Auction LLC
PO Box 126
Belle Fourche SD 57717 – 0126

Dear Mr. Roseth:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for changing ownership on Water Right No. 1552-1.

The ownership change has been completed. Water Right No. 1552-1 formerly held by the Belle Fourche Livestock Exchange is now listed in the name of Belle Fourche Livestock Auction LLC - Thor Roseth and Jeff Long.

Enclosed for your records is Receipt No. 06318 in the amount of \$50. If you have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Genny McMath".

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

enclosure



**DEPARTMENT OF ENVIRONMENT
and NATURAL RESOURCES**

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



July 30, 2014

1552-1

Thor Roseth, Mgr
Belle Fourche Livestock Auction LLC
PO Box 126
Belle Fourche SD 57717

Dear Mr. Roseth:

In follow-up to our phone conversation, I am returning the transfer of ownership form and filing fee you submitted for changing ownership on Water Right No. 1552-1. The water right is already listed in the "LLC" name. Our secretary stamped your check on the back prior to giving it to me however it was not processed for payment.

The ownership change was filed for record with us in May, 2013. I am including a copy of the correspondence, transfer of ownership and the receipt for the filing fee submitted in 2013. This will give you something for your files as verification the ownership was changed.

If you have any questions, please give me a call.

Sincerely,

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

enclosures

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. SDG-0100353Date: 10/27/20

I/We request that Water Right/Permit No. SDG-0100353 formerly owned by:
Belle Fourche Livestock Exchange be transferred to:

New Owner Name: Belle Fourche Livestock Market LLC
Address: PO Box 126
City, State, Zip: Belle Fourche SD 57717 Telephone No. 892-2655

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

--

☒ I understand that the validity of Water Right/Permit No. 0100353 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.

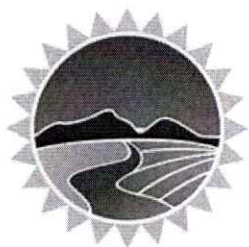
I, Baxter Andes, the new owner, certify that the above information is true and correct.


(signed by new owner)

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

1. Abandonment - no intent to use water and use is abandoned.
2. Forfeiture - no use of water for three year period without legal excuse.
3. For a third violation of a condition of a water permit/right.

1552-1



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

November 2, 2020

1552-1

Baxter Anders
Belle Fourche Livestock Market LLC
PO Box 126
Belle Fourche SD 57717

Dear Mr. Anders:

The Water Rights Program was given a copy of the "Notice of Transfer of Ownership" form you submitted to the feedlot program within our department. The form requests transferring Water Right No. 1552-1, currently listed under "Belle Fourche Livestock Exchange" to "Belle Fourche Livestock Market LLC".

A filing fee of \$50 is required prior to processing the ownership change. Please make a check or money order payable to the Water Rights Program. Include a note on a separate piece of paper that the fee is for transferring Water Right No. 1552-1. I have enclosed a postage paid envelope for your convenience in returning the fee.

If you have any questions, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "Genny McMath".

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

1552-1

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Environment and Natural Resources

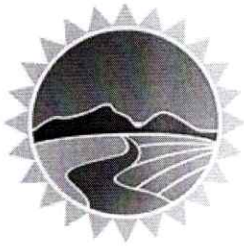
Date November 12, 2020RECEIVED OF Belle Fourche Livestock Market LLC PO Box 126 Belle Fourche SD 57717

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>1552-1</u>	\$50.00
Fee for _____	\$
Fee for Issuing New Well Driller's License No. _____	\$
Fee for Renewal of Well Driller's License No. _____	\$
Fee for Issuing Well Pump Installer's License No. _____	\$
Fee for Renewal of Well Pump Installer's License No. _____	\$
(Any Other Work Provided by Law)	
TOTAL	\$50.00

By Eric Gronlund
 Chief Engineer *vm*

1552-1



DENR
SOUTH DAKOTA

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3182
denr.sd.gov

November 12, 2020

1552-1

Baxter Anders
Belle Fourche Livestock Market LLC
PO Box 126
Belle Fourche SD 57717-0126

Dear Mr. Anders:

I am writing to acknowledge receipt of the filing fee for transferring ownership of Water Right No. 1552-1.

The ownership change has been completed. Water Right No. 1552-1 is now listed under the "Belle Fourche Livestock Market LLC".

Enclosed for your records is a receipt for \$50 for the filing fee that was paid. If you have any questions, please let me know.

Sincerely,

A handwritten signature in cursive script, appearing to read "Genny McMath".

Genny McMath
Water Rights Program
605 773-3352
Genny.mcmath@state.sd.us

enclosure