

WATER PERMIT NO. 1993-1

Name of Applicant: Circle R Ranch LLLP

Address: 17412 Reinert Rd, Enning SD 57737 Phone: 605 515-0184

Amount of Water Claimed: 2.0 cfs Total Acres: 106 acres

Source of Water Supply: Cheyenne River

Water to be used for: irrigation County: Meade

Type of Waste Disposal System:

Location: 17 miles east and 9 miles south of Enning

PRIORITY Date Received: 12-19-19 Application/License Fee: \$ 950

Corrected Application Received: 1-27-20 Period of Annual Use: April 15 – October 10

Remarks: Requesting a diversion rate greater than statutory limit

Diversion Point: SW 1/4 NE 1/4 Sec 32-T6N-R16E

Land to be Irrigated: SW 1/4 NW 1/4, E 1/2 SW 1/4, SE 1/4, SW 1/4 NE 1/4 Sec 29-T6N-R16E

Depth of Well: NA

Well Driller:

Remarks:

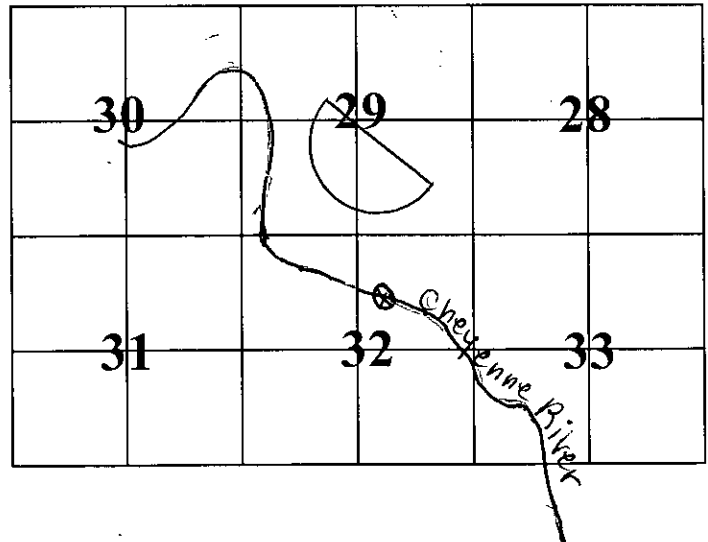
Type of Map: aerial

Prepared by:

Reviewed and the Number Assigned on: 1-27-20

By: Karen Schlaak

Notice of Hearing - date to intervene: _____



**SOUTH DAKOTA
WATER PERMIT NO. 1993-1**

Date of first receipt of application December 19, 2019.

Date of return to applicant for corrections, amendments or changes December 26, 2019.

Date of receipt of corrected application January 27, 2020.

The Chief Engineer, on behalf of the Water Management Board, issues Water Permit No. 1993-1 to Circle R Ranch LLLP, c/o Reed Cammack, 17412 Reinert Rd, Enning SD 57737, 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. 1993-1 appropriates 2.0 cubic feet of water per second (cfs) from the Cheyenne River located in the SW 1/4 NE 1/4 Section 32 to irrigate 106 acres located in the SE 1/4 NW 1/4, E 1/2 SW 1/4, SE 1/4, SW 1/4 NE 1/4 Section 29; all in T6N-R16E. This site is located approximately 19 miles east and 8 miles south of Enning SD.
2. The amount of the appropriation may not exceed 2 acre feet annually for each acre of land to which water is actually and beneficially applied for irrigation. The water is to be used during the following described annual period: April 15 – October 10.
3. The date from which applicant may claim right is December 19, 2019.
4. The date of approval of Permit No. 1993-1 is March 23, 2020.
5. One-fifth of the construction is to be completed on or before September 23, 2022.
6. All construction is to be completed on or before March 23, 2025.
7. Water is to be put to beneficial use on or before March 23, 2029.
8. Water rights obtained in compliance with the laws of the State of South Dakota may not be unlawfully impaired by this appropriation.

QUALIFICATIONS

1. Low flows as needed for downstream domestic use, including livestock watering, and prior water rights/permits must be by-passed. Diversions under this Permit shall be in accordance with any written orders by the Chief Engineer.
2. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 1993-1 authorizes a maximum diversion rate of 2.0 cfs for the irrigation of 106 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

WATER MANAGEMENT BOARD

By: Eric Gronlund
Eric Gronlund, Chief Engineer
Water Rights Program
Department of Environment and Natural Resources

MAR 27 2020

date



PAID

DEC 19 2019

Ck# 0136

Mail to: DENR - Water Rights 523 E Capitol Ave Pierre, SD 57501-3182 ph. (605) 773-3352	No. <u>1993-1</u>	(office use only) Hydrologic Unit <u>10120112</u>
	Basin <u>Lower Cheyenne</u>	
	Newspaper <u>Faith Independent</u>	
	<u>Rapid City Journal</u>	

Application For Permit To Appropriate Water For Irrigation

Type of Application: ☒ New ☐ Vested Right ☐ Amendment/Correction to Permit No. _____
(Use predates Mar 2, 1955)

Description of amendment/correction: (i.e. change diversion point(s), add diversion point(s), change use, etc.)

1. Name to Appear on Irrigation Permit Circle R Ranch LLLP

Note: The "Name to Appear on Irrigation Permit" must be the name in which the property to be irrigated is held in.

Mailing Address 17412 Reinert Rd Enning ☒ SD ☒ 57737
(Address) (City) (State) (Zip Code)

Phone 605-985-5294 Mobile 605-515-0184 Email crdreamworks@gmail.com

2. Amount of water claimed 2.0 *CFS or 900 **GPM ***AF Total Acreage 420 106
(*Cubic Feet per Second) (**Gallons per Minute) (***) Acre Feet - storage capacity of dam/dugout or annual use if applicable)

3. Source of water supply Cheyenne River

4. Location of point of diversion NW 1/4 NE 1/4 SEC 32 TW 6N R16 E SW 1/4 NE 1/4
(example - 3 wells in SW 1/4 NE 1/4 section 12-T104N-R53W)

County Meade ☒5. County or counties where water will be used Meade6. Annual period during which water is to be used April 15-Oct 10

7. List below each forty acre division, or lot, or fraction thereof and show number of acres to be irrigated in each.
(Attach sheet if more space is needed)

Land Description	Acres	Land Description	Acres
Section 29 Tw 6N R16E SE 1/4 NW 1/4	9	SW 1/4 SE 1/4 SE 1/4 SE 1/4	8 22
E 1/2 NW 1/4 SW 1/4 NE 1/4 SW 1/4	27 10	S 1/2 SE 1/4 NW 1/4 NE 1/4 SE 1/4	2 20
NE 1/4 SW 1/4 SE 1/4 SW 1/4	36 40	NW 1/4 SE 1/4	29
SE 1/4 SW 1/4 SW 1/4 SE 1/4	24 20	SW 1/4 NE 1/4	1

8. Give a description of the project. (Attach sheet if more space is needed)

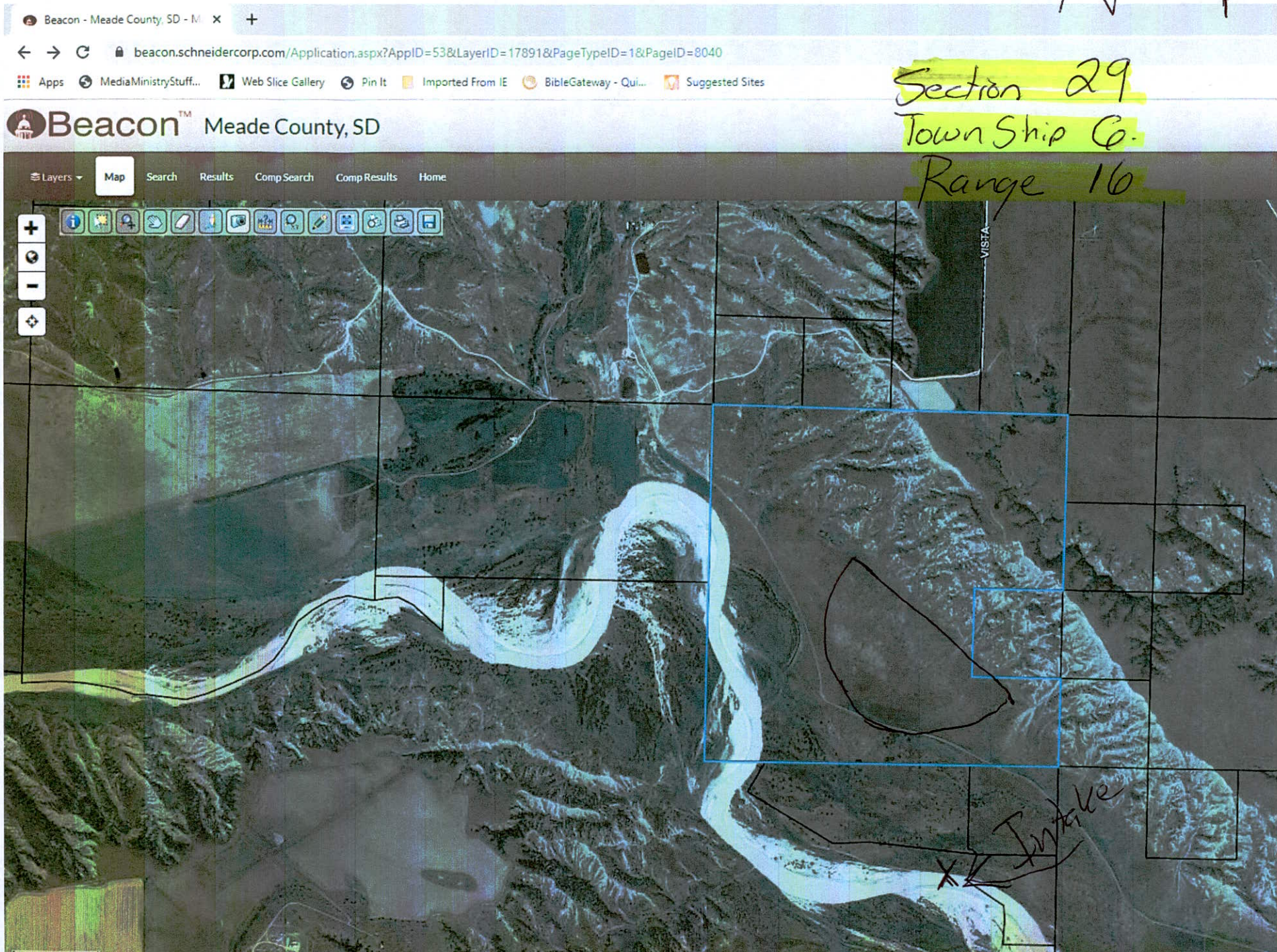
We will be drawing water out of the Cheyenne River to
Irrigate - forage crops - alfalfa - millet, and corn.
Requesting diversion rate greater than statutory limit.

I, Paul Carr for Circle R Ranch LLLP, the applicant, certify under
Name of Person Title (if applicable)

penalty of perjury that I have read this application, examined the attached map, and that the matters stated are true. I further certify, if acting on behalf of an entity or individual other than myself, that I am authorized to submit this application.

N ↑

Section 29
Township 6.
Range 16



Small Tracts

Section 1E A Barrick Mgmt. Corp. - 31.40
Section 10E B Barrick Mgmt. Corp. - 18.70

LAND OWNER MAPS

Meade Co.
Section 29

Center
Sec 29-T6N-R16E

Center
Sec 29-T6N-R16E
32

Should be
Section 32

^E
SW¹/₄ NW¹/₄ 9.39
NE¹/₄ SW¹/₄ 27
SE¹/₄ SW¹/₄ 6.36
SW¹/₄ SE¹/₄ 24
SE¹/₄ SE¹/₄ 8
NE¹/₄ SE¹/₄ 2
NW¹/₄ SE¹/₄ 29
SW¹/₄ NE¹/₄ 1

106 AC

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Environment and Natural Resources

Date December 19, 2019

RECEIVED OF Circle R Ranch LLLP 9925 SE 58th Ave Belleview FL 34420

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

Fee for Application for Permit No. <u>1993-1</u> to Appropriate Water, to construct and to put water to beneficial use	750	00
Fee for Application for Permit No. _____ to Appropriate Water for Future use		
Fee to retain Future Use Permit No. <u>1993</u> after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. <u>1993-1</u>	100	00
Fee for Filing Transfer Form _____		
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	850 00

No. **09296**

By Jeanne Goodman
Chief Engineer
VM

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Environment and Natural Resources

Date January 27, 2020

RECEIVED OF Circle R Ranch LLP 9925 SE 58th Ave Belleview FL 34420

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>1993-1</u>	\$ 100.00
Fee for Filing Transfer Form _____	\$
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	\$100.00

By Jeanne Goodman
Chief Engineer vm



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

denr.sd.gov

December 26, 2019

Circle R Ranch LLLP
c/o Reed Cammack
17412 Reinert Rd
Enning SD 57737

RECEIVED

JAN 27 2020

WATER RIGHTS
PROGRAM

PAID

JAN 27 2020

Ck# 0146

Dear Mr. Cammack:

Thank you for submitting the *Application for a Permit to Appropriate Water* for irrigation in Meade County. In order to complete the application, the following is required.

Enclosed is an aerial photo map created which duplicates the map submitted with the application. Based on our calculations, the number of acres to be irrigated is less than the 120 acres you requested. Below is a breakdown of the acreage by quarter-quarter.

Section 29-T6N-R16E	SW 1/4 NW 1/4	9 acres	SE 1/4 SE 1/4	8 acres
	NE 1/4 SW 1/4	27 acres	NE 1/4 SE 1/4	2 acres
	SE 1/4 SW 1/4	36 acres	NW 1/4 SE 1/4	29 acres
	SW 1/4 SE 1/4	24 acres	SW 1/4 NE 1/4	1 acre

Total 106 acres

It appears the Cheyenne River diversion point would be in the SW 1/4 NE 1/4 Section 32-T6N-R16E. Do you agree with the locations and number of acres?

We received your check for \$850.00. The application/license fee to irrigate 60-120 acres is \$950.00. Please submit an additional \$100.00.

If you have any questions, please contact me.

Sincerely,

Karen Schlaak

Karen Schlaak
Water Rights Program
605 773-3352
karen.schlaak@state.sd.us

enclosures

Water Rights Program - File Documentation

NAME: Reed Cammack

ADDRESS: Enning SD

DATE: 1-27-20 **COUNTY:** Meade **TELEPHONE:** 605 515-0184

RE: Pending application

COMMENTS:

Eric Gronlund talked with Reed Cammack who agreed that he is proposing to irrigate 106 acres located as indicated in my letter dated December 26, 2019.



Karen Schlaak
Water Rights Program

Secretary of State Office
500 E Capitol Ave
Pierre, SD 57501
(605)773-4845
corpinfo@state.sd.us

CERTIFICATE OF LIMITED PARTNERSHIP
DOMESTIC LIMITED PARTNERSHIP
SDCL 48-7-201

FILING FEE: \$125

Make check payable to SECRETARY OF STATE

1. The name of the Limited Partnership:

Circle R Ranch Limited Partnership

Note: This must be the exact limited partnership name, and shall contain the words "Limited Partnership" or the initials "L.P." or "LP".

2. The street address of the South Dakota office where records required by SDCL 48-7-105 are kept.

326 Founders Park Drive	Rapid City	SD	57701
Actual Street Address	City	State	ZIP+4
PO Box 8030	Rapid City	SD	57709
Mailing Address, if Different from Street Address	City	State	ZIP+4

Email Address (Optional)

3. The South Dakota Registered Agent's name

South Dakota law permits the registered agent to be either: A) a noncommercial registered agent (this may be an individual) or B) a commercial registered agent. Complete only one below, either (a) or (b).

(a) The South Dakota Noncommercial Registered Agent's name: Marli A. Schippers

326 Founders Park Drive	Rapid City	SD	57701
Actual Street Address in this State	City	State	ZIP+4
PO Box 8030	Rapid City	SD	57709
Mailing Address in this State, if Different from Street Address	City	State	ZIP+4

Email Address (Optional)

(b) When listing a Commercial Registered Agent, please state their CRA#. This number can be obtained from the Commercial Registered Agent.

Commercial Registered Agent Name

CRA#

4. The name and business address of each general partner.

Circle R Cattle Company, LLC	4477 E. C-462	Wildwood	FL	34785
General Partner	Address	City	State	ZIP+4
General Partner	Address	City	State	ZIP+4
General Partner	Address	City	State	ZIP+4

5. If the registration is not to be effective upon filing, the deferred effective date shall be: _____
6. The latest date upon which the Limited Partnership is to dissolve: February 15, 2069
7. Any other matters the general partners determine to include:

No person may execute this report knowing it is false in any material respect. Any violation may be subject to a criminal penalty (SDCL 22-39-36).

This statement must be executed by ALL general partners (SDCL 48-7-204(1))

Dated 2/22/2019

Email _____
(Optional)

Dated _____

Email _____
(Optional)



Signature of an authorized person
Circle R Cattle Company, LLC

Printed Name By: James Ike Rainey, as Trustee of the
James Ike Rainey Living Trust - sole Member

Signature of an authorized person

Printed Name

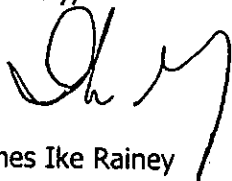
CIRCLE R RANCH, LLLP

December 3, 2019

To Whom it May Concern,

Reed Cammack has permission to sign the application attached hereto to obtain a permit for water to be used as irrigation.

Sincerely,



James Ike Rainey
Manager, Circle R Cattle Company, LLC, General Partner



Mailing Address: 9925 SE 58th Ave, Belleview, FL 34420
Physical Address: 20390 River Breaks Dr., Howes, SD 57748
PH: (352) 320-1200
FAX: (352) 320-1201
EMAIL: akrause@cowboysgroup.com



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

**RECOMMENDATION OF CHIEF ENGINEER FOR WATER PERMIT
APPLICATION NO. 1993-1, Circle R Ranch LLLP**

Pursuant to SDCL 46-2A-2, the following is the recommendation of the Chief Engineer, Water Rights Program, Department of Environment and Natural Resources concerning Water Permit Application No. 1993-1, Circle R Ranch LLLP, c/o Reed Cammack, 17412 Reinert Rd, Enning SD 57737.

The Chief Engineer is recommending APPROVAL of Application No. 1993-1 because 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be 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 qualifications:

1. Low flows as needed for downstream domestic use, including livestock watering, and prior water rights/permits must be by-passed. Diversions under this Permit shall be in accordance with any written orders by the Chief Engineer.
2. Pursuant to SDCL 46-5-6 which allows a greater diversion rate if the method of irrigation, time constraints, or type of soils so requires, Permit No. 1993-1 authorizes a maximum diversion rate of 2.0 cfs for the irrigation of 106 acres with an annual volume not to exceed 2 acre feet of water per acre per year.
3. This Permit is approved subject to the irrigation water use questionnaire being submitted each year.

See report on application for additional information.

Jeanne Goodman, Chief Engineer
February 25, 2020

REPORT ON WATER PERMIT APPLICATION 1993-1

Circle R Ranch LLLP

February 11, 2020

Water Permit Application No. 1993-1 proposes to appropriate 2.0 cubic feet of water per second (cfs) from the lower Cheyenne River at a diversion point between the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 32, in T6N-R16E. The appropriation will be to irrigate 106 acres utilizing a center pivot system in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, and SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29; all in T6N-R16E. The irrigation site is located approximately 19 miles east and 8 miles south of Enning, South Dakota, in Meade County. Water Permit Application No. 1993-1 specified a period of annual use for diversion beginning April 15 through October 10. The applicant is requesting a diversion rate greater than the statutory limit of 1.0 cfs per 70 acres.

South Dakota Codified Law SDCL 46-2A-2 directs the Chief Engineer to make a recommendation to the Water Management Board on a water permit application. The Chief Engineer needs to consider four criteria when making a recommendation on whether a permit should be approved, approved with qualifications, denied or deferred. They are: 1) there is reasonable probability that there is unappropriated water available for the applicant's proposed use, 2) the proposed diversion can be developed without unlawful impairment of existing rights, 3) the proposed use is beneficial use, and 4) it is in the public interest.

This report will analyze the best available information and make a recommendation to the Chief Engineer on the first two criteria the Chief Engineer needs to consider in making an official recommendation to the Water Management Board.

Review of Water Source

The water source for the proposed project is from the lower Cheyenne River downstream from the confluence of the Belle Fourche River with the upper Cheyenne River. The Cheyenne River headwaters in northeastern Wyoming in the Thunder Basin National Grasslands and flows east into South Dakota where the river continues around the southern extent of the Black Hills. The upper Cheyenne River is impounded by Angostura Reservoir (6 miles south of Hot Springs, SD), and the reservoir has a storage capacity 138,761 acre-feet. Construction of the Angostura Reservoir was completed in 1949, and it supplies the Angostura Irrigation District water for the irrigation of 12,218 acres in northeastern Fall River and southeastern Custer counties (Figure 1) (US Bureau of Reclamation, 2002). The Belle Fourche headwaters in northeastern Wyoming, flows north, then flows southeast into South Dakota where the river continues east around the northern extent of the Black Hills and into the upper Cheyenne River north of Wasta, SD. In 1914, the Belle Fourche Irrigation District finished construction for a dam to divert flow from the river to a reservoir located on Owl Creek. The reservoir has a storage capacity of 192,077 acre-feet and supplies irrigation water to 57,068 acres in southeastern Butte and northwestern Meade Counties (Figure 1) (Bureau of Reclamation, 2004). Many tributaries located around the northern, eastern, and southern edges of the Black Hills contribute flow to the upper Cheyenne

and Belle Fourche Rivers. Irrigation return flows from the Angostura and Belle Fouché Irrigation Districts are a source of upstream water flow into the lower Cheyenne River.

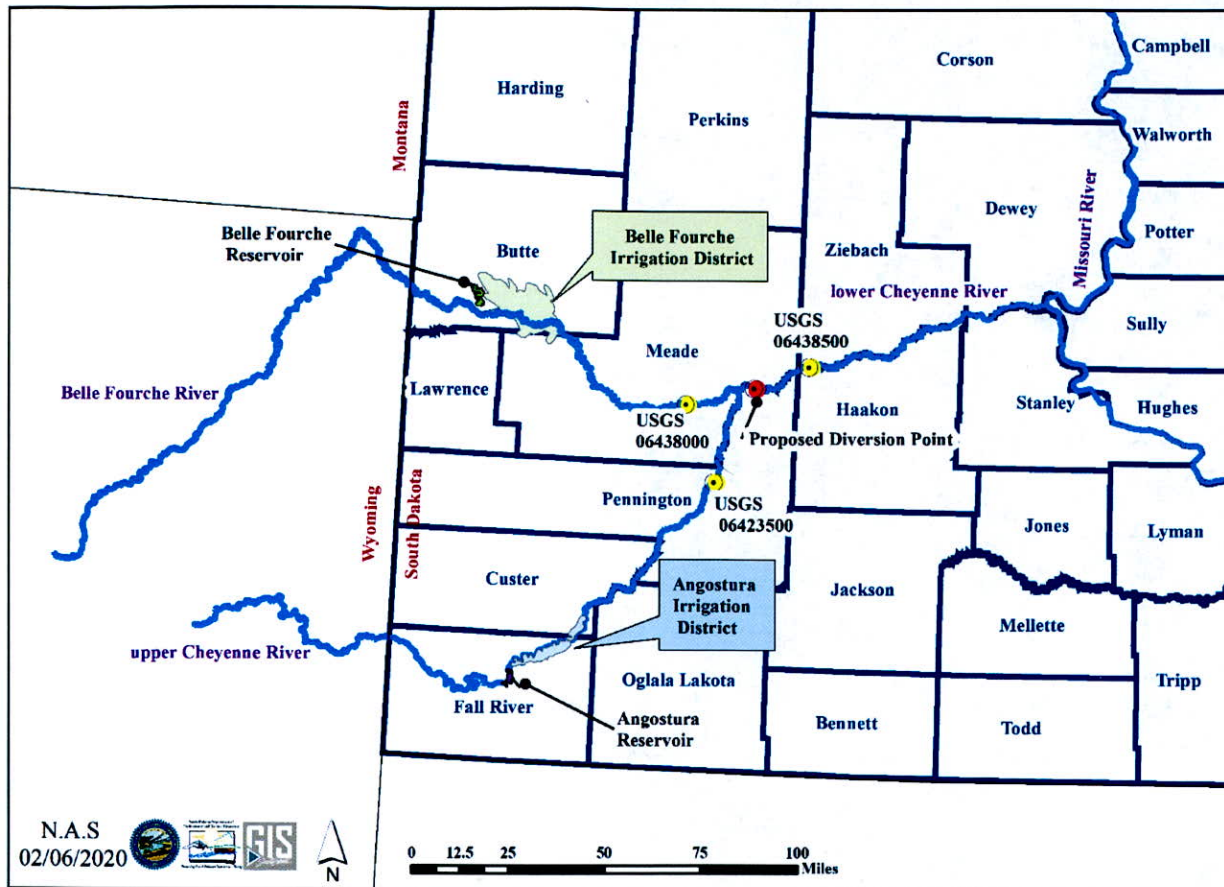


Figure 1. Area Map for Water Permit Application No. 1993-1

The USGS has constructed and maintained gaging sites on streams and rivers to monitor real-time flow information. This includes historical daily flow data and statistical daily, monthly and annual flow information. The streamflow datasets can be graphed to further understand how the flow values of streams and rivers fluctuate during wet and dry periods.

Statistical terms, mean and median, have a similar role in understanding the central tendency of a set of statistical results. The mean value, often referred to as average, is calculated by determining the sum of the data values and then dividing the sum by the number of data values. The disadvantage of using the mean value to describe flow is that the value can be drastically affected by any single value in the data set whether very high or very low compared to the rest of the data values. For example, in the analysis of long-term flow data, large flood event flow values increase the calculated mean value giving an unreasonable expectation of a higher flow value during a time period. The median (middle/50th percentile) value of flow data separates the higher half of the data set from the lower half. Median values tend to give a more representative measure of a mid-point value when analyzing river flow data. This is because large runoff events can cause the mean values to be much larger than median values in early spring and summer months.

Daily mean versus monthly median flow values for the USGS lower Cheyenne River gaging station (06438500) near Plainview, SD (the closest downstream gaging station to the confluence of the upper Cheyenne and Belle Fourche Rivers and the proposed diversion point) are compared in Figure 2. Daily flow data was collected by the USGS at that station intermittently since it began operating in 1950 (USGS, 2020).

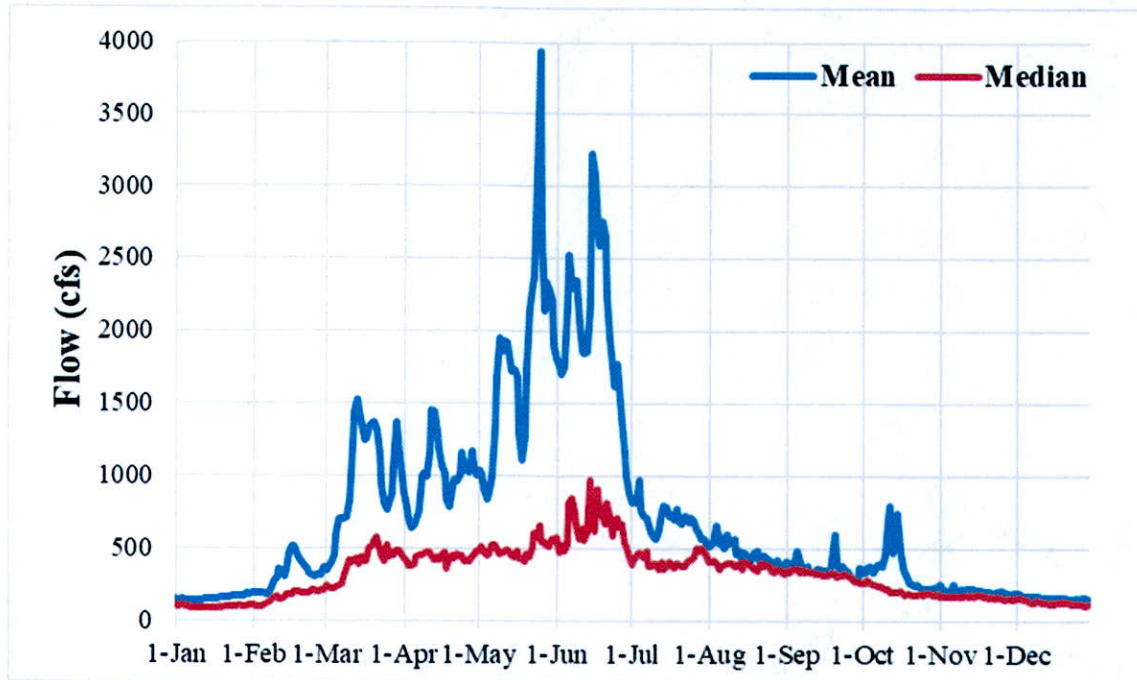


Figure 2. USGS lower Cheyenne River gaging station (06438500) near Plainview, SD, 1950-2019 daily mean versus monthly median flow values, contributing drainage area: 21,340 sq. miles (USGS, 2020)

Hydrographs for the USGS gaging stations upstream from the confluence of the Belle Fourche and upper Cheyenne Rivers were analyzed to determine flow values and seasonal tendencies before the two rivers merge. The nearest gaging stations upstream to the confluence and the proposed diversion point are USGS Stream Gage No. 06423500 on the upper Cheyenne River near Wasta, SD, and USGS Stream Gage No. 06438000 on the Belle Fourche River near Elm Springs, SD. Additionally, the hydrograph for USGS Stream Gage No. 06438500 on the lower Cheyenne River near Plainview, SD, was analyzed to determine flow values and seasonal tendencies downstream from proposed diversion point and after the confluence of the two rivers.

USGS Stream Gage No. 06423500 on the upper Cheyenne River near Wasta, SD, is located approximately 43 river miles upstream from the proposed diversion point and 36 river miles upstream from the confluence with the Belle Fourche River. A hydrograph was constructed using the 10th, 25th, and 50th percentile flow level data measured at this stream gage (Figure 3).

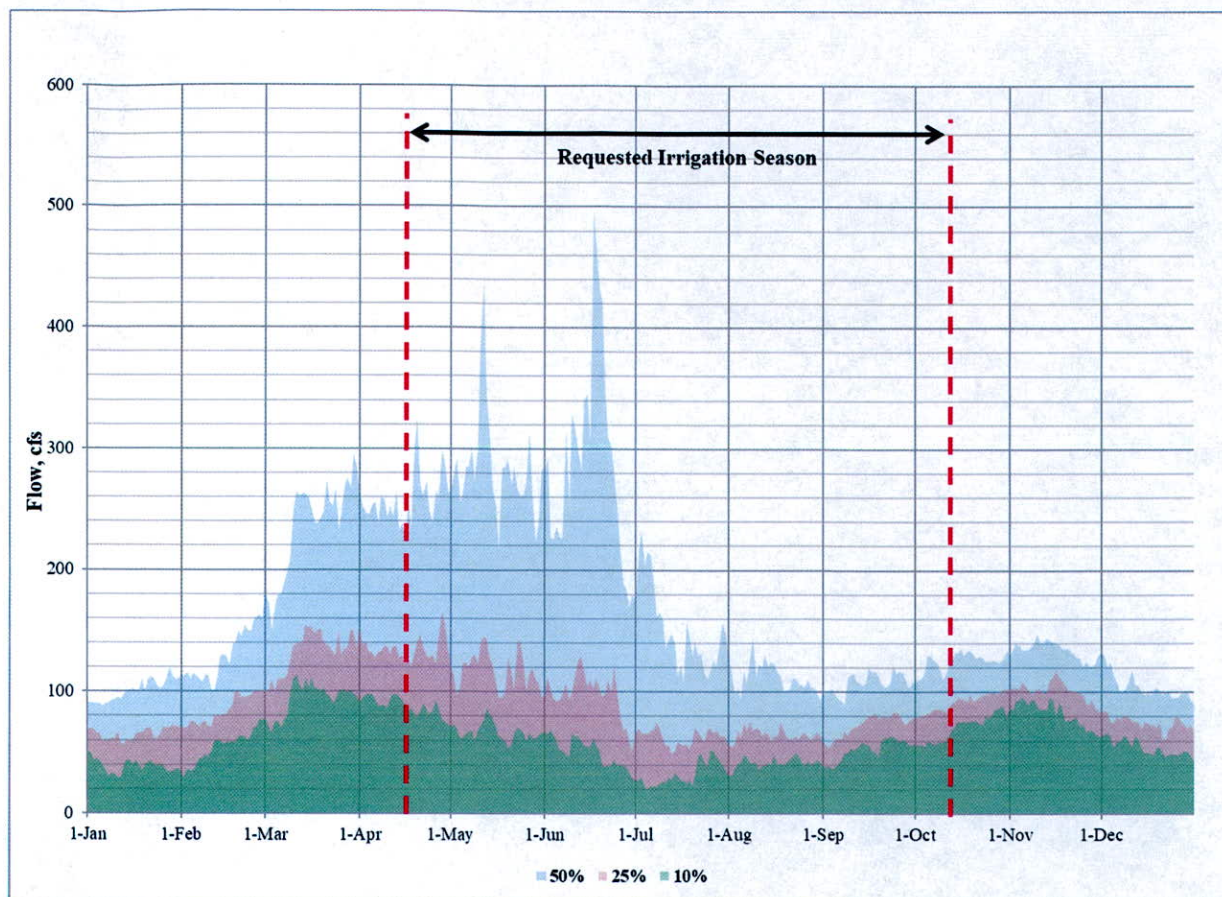


Figure 3. Daily percentile flow hydrographs for the USGS gage on the upper Cheyenne River near Wasta, SD, 1963-2019, contributing drainage area: 12,674 sq. miles (USGS, 2020)

The median (50th percentile) hydrograph curve exhibits the daily flow values at or below the indicated level on average one out of two years. The hydrograph displays an increase in flow beginning mid-February, due to spring snowmelt, then flow values remain steady (approximately 140 cfs to 400 cfs) with peaks during spring/summer rain events through mid-June. Flow values decrease in July and level out to approximately 100 cfs for the remainder of the calendar year.

The 25th percentile hydrograph curve exhibits the daily flow values at or below the indicated level on average one out of four years. The hydrograph displays an increase in flow beginning mid-March, due to spring snowmelt, and a steady flow (approximately 100 to 160 cfs) with peaks during spring/summer rain events until the end of June. July displays a low flow value of approximately 50 cfs, but then values remain steady (approximately 50 to 100 cfs) for the remainder of the calendar year.

The 10th percentile hydrograph curve exhibits the daily flow values at or below the indicated level on average one out of ten years. A similar trend of increasing flow values through the spring months before lowering in July and remaining steady (approximately 20 cfs to 90 cfs) for the remainder of the calendar year.

USGS Stream Gage No. 06438000 on the Belle Fourche River near Elm Springs, SD, is located approximately 32 river miles upstream from the proposed diversion point and 25 river miles upstream from the confluence with the Cheyenne River. A hydrograph was constructed using the 10th, 25th, and 50th percentile flow level data measured at this stream gage (Figure 4).

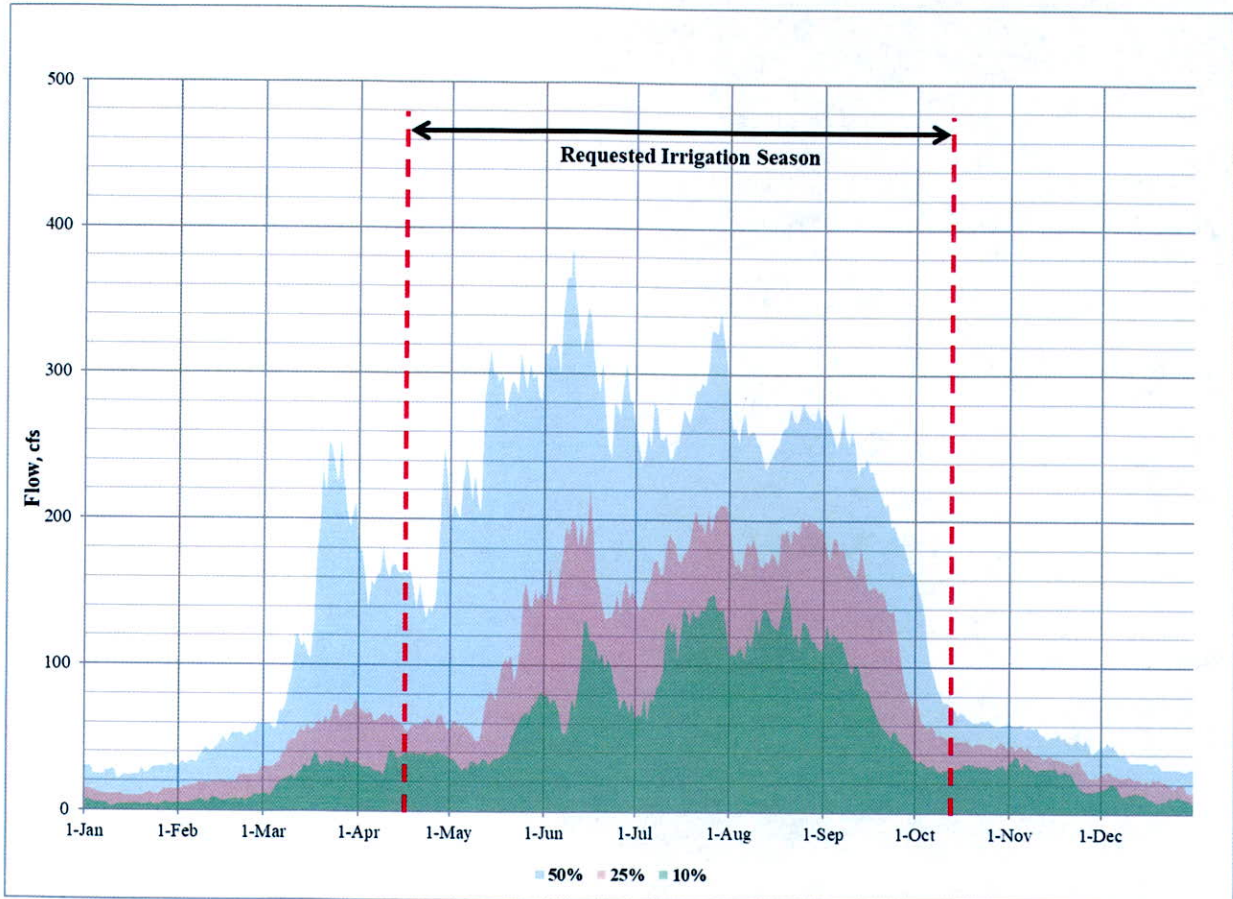


Figure 4. Daily percentile flow hydrographs for the USGS gage on the Belle Fourche River near Elm Springs, SD, 1953-2019, contributing drainage area: 6,997 sq. miles (USGS, 2020)

The median (50th percentile) hydrograph exhibits the daily flow values at or below the indicated level on average one out of two years. The hydrograph displays an increase in flow beginning mid-March, due to spring snowmelt and rain events, and then leveling off until the end of April. Flow values increase again in May with the highest values (approximately 240 cfs to 380 cfs) through September before lowering for the remainder of the calendar year.

The 25th percentile hydrograph curve exhibits the daily flow values at or below the indicated level on average one out of four years. The hydrograph displays an increase in flow beginning mid-March where values remain steady until mid-May when the highest values (approximately 80 cfs to 200 cfs) in flow occur until the end of September, then values lower for the remainder of the calendar year.

The 10th percentile hydrograph curve exhibits the daily flow values at or below the indicated level on average one out of ten years. The hydrograph displays an increase in flow beginning mid-March where values remain steady through mid-May, then increase (approximately 80 cfs to 160 cfs) until September when flow values lower for the remainder of the calendar year.

The USGS Stream Gage No. 06438500 on the lower Cheyenne River near Plainview, SD, is located approximately 22 river miles downstream from the proposed diversion point and 29 river miles downstream from the confluence of the lower Cheyenne and Belle Fourche Rivers. A hydrograph was constructed using the 10th, 25th, and 50th percentile flow level data measured at this stream gage (Figure 5).

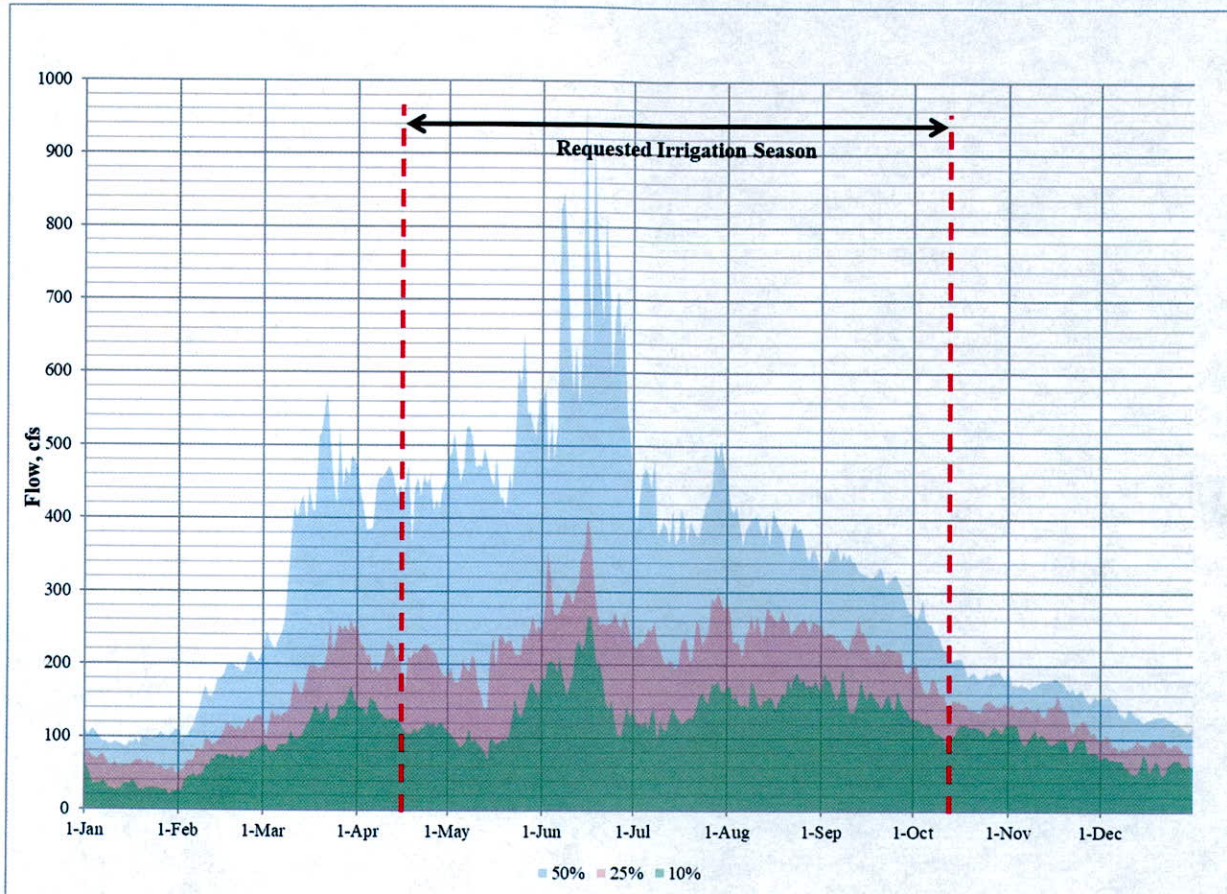


Figure 5. Daily percentile flow hydrographs for the USGS gage on the lower Cheyenne River near Plainview, SD, 1950-2019, contributing drainage area: 21,340 sq. miles (USGS, 2020)

The median (50th percentile) hydrograph exhibits the daily flow values at or below the indicated level on average one out of two years. The hydrograph displays an increase in flow beginning in mid-February, due to spring snowmelt and rain events, with values ranging between approximately 200 to 900 cfs through June. The hydrograph shows flow values in July decreasing below 500 cfs and continuing to lower before leveling off for the remainder of the calendar year.

The 25th percentile hydrograph curve exhibits the daily flow values at or below the indicated level on average one out of four years. The hydrograph displays an increase in flow beginning in mid-February with values ranging between approximately 80 cfs to 240 cfs for most of the calendar year, with peak flow values occurring in June and July.

The 10th percentile hydrograph curve exhibits the daily flow values at or below the indicated level on average one out of ten years. The hydrograph displays an increase in flow beginning in mid-February with values ranging between approximately 80 to 170 cfs for most of the calendar year, with peak flow values occurring in June.

Review of Existing Water Rights and Reported Water Use

The Water Rights Program at the Department of Natural Resources has required surface water irrigators to report their water use since 1983. Figure 6 displays the historical pumping versus appropriated water from 1982 to 2018 for irrigators on the lower Cheyenne River downstream from the proposed diversion point. Irrigation water right/permit holders reported on the irrigation questionnaire reports when there was adequate moisture, and no irrigation was necessary (Water Rights, 2020a).

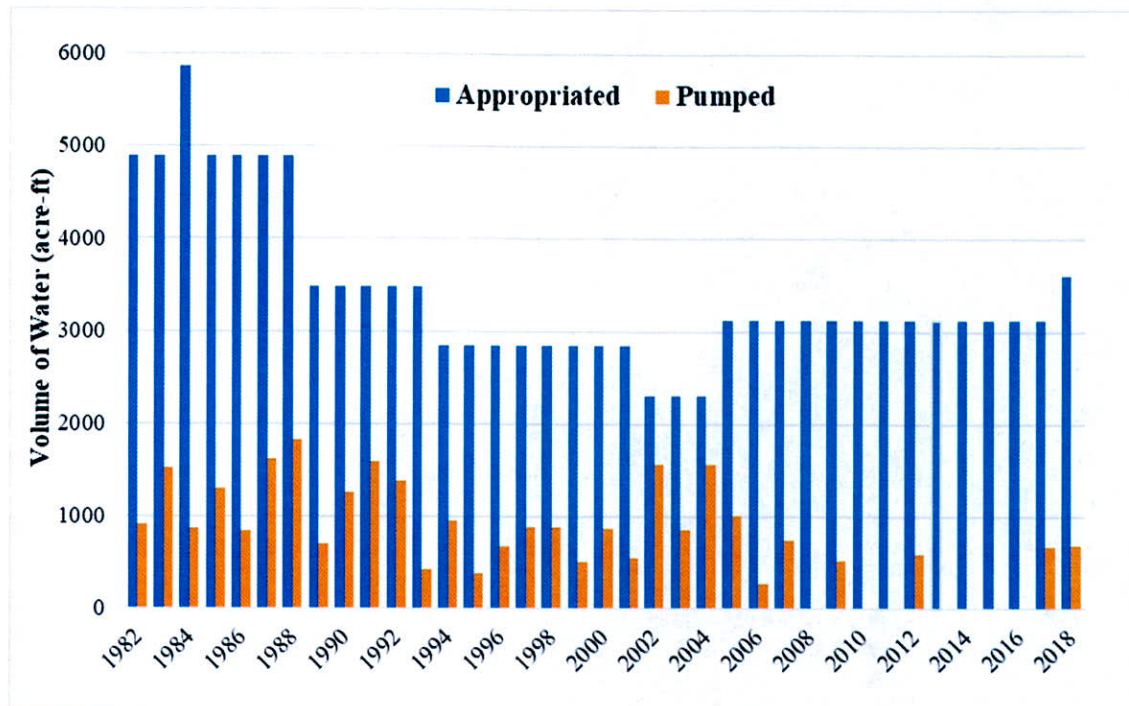


Figure 6. Historical irrigation appropriation and pumping record from lower Cheyenne River (Water Rights, 2020a)

Currently there are seven existing water rights for irrigation appropriating 25.52 cfs from the lower Cheyenne River downstream from the proposed diversion point, to the confluence with the Missouri River (Water Rights, 2020b). Some of the water rights that were active over the past 36 years of the annual irrigation record have been cancelled due to abandonment or forfeiture. As seen in Figure 6, there is more appropriated water authorized to be pumped than what is pumped annually from the lower Cheyenne River downstream from the proposed diversion point.

Discussion and Recommendation

The lower Cheyenne River is considered a reliable water source. The confluence of Belle Fourche River and upper Cheyenne River flows a larger volume of water into the lower Cheyenne River, providing for reliable flow values throughout most of the year. The hydrograph for the upper Cheyenne River near Wasta, SD, indicates a higher flow values in the spring months and the hydrograph for the Belle Fourche River near Elm Springs, SD, indicates higher flow values in the summer and early fall months. The higher flow values in the summer months for the Belle Fourche River correspond with return flows from the Belle Fourche Irrigation District discharging into the river. Water Rights Program county files indicate the Chief Engineer

issued a shutoff order to users in 2006 in the lower Cheyenne River due to low flow conditions. With that, if drier climatic conditions occur causing low flow values, the applicant may be restricted in the amount of water allowed for diversion to protect downstream domestic use, including livestock watering and prior water rights/permits from unlawful impairment. If this permit is approved, it is recommended a qualification be included to address low flow conditions by allowing the Chief Engineer to issue orders to the permit holder restricting diversion.

SDCL 46-5-6:

Pursuant to SDCL 46-5-6, the diversion rate for an irrigation appropriation cannot be in excess of 1.0 cfs per 70 acres, or "the equivalent thereof." The statute does provide that: "The Water Management Board may allow a greater diversion, in volume or rate or both, if the method of irrigation, any time constraints on diversion of water, or the type of soil so requires..." Water Permit Application No. 1993-1 proposes to divert water at a maximum rate of 2.0 cfs for the irrigation of 106 acres, from April 15 to October 10. The request by the applicant is practical as it will likely not cause unlawful impairment on domestic use, including livestock watering, and prior water rights/permits, and based on a reasonable probability there is unappropriated water from the lower Cheyenne River available.

Conclusions

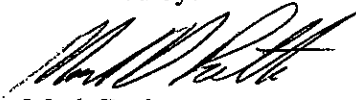
1. Water Permit Application No. 1993-1 proposes to appropriate 2.0 cfs of water to irrigate 106 acres of water using a center pivot.
2. The source of water for proposed diversion will be obtained at a location 19 miles east and 8 miles south of Enning, SD, in Meade County, from the lower Cheyenne River.
3. An analysis of existing historical flow data for the lower Cheyenne River demonstrates the river is a reliable source of surface water.
4. Based upon an assessment of the historical flow data and a review of reported use, there is a reasonable probability that there is unappropriated water available for the applicant's proposed use.
5. If drier climatic conditions cause a considerable reduction in flow of the lower Cheyenne River, use by the applicant should be restricted to protect downstream domestic use, including livestock watering and prior water rights/permits from unlawful impairment.
6. If this application is approved, it should contain the following qualification:
 - Low flows as needed for downstream domestic use, including livestock watering and prior water rights/permits must be by-passed. Diversions under this Permit shall be in accordance with any written orders by the Chief Engineer.

Nakaila Steen
Nakaila Steen

Natural Resources Engineer I

DENR – Water Rights Program

Reviewed by:


Mark Rath

Natural Resources Engineer III

DENR – Water Rights Program

References

US Bureau of Reclamation, 2002. Angostura Unit Contract Negotiation and Water Management Final Environment Impact Statement. Bureau of Reclamation, Great Plains Region – Dakotas Area Office: Bismarck, ND and Rapid City, SD.

US Bureau of Reclamation, 2004. Final Environmental Assessment and Resources Management Plan – Belle Fourche Reservoir. US Dept. of the Interior, Bureau of Reclamation – Dakotas Area Office: Bismarck, ND and Rapid City, SD.

USGS. 2020. United States Geological Survey, National Water Information System – Stream Gaging Station Network for South Dakota.

Water Rights, 2020a. “1979-2018 Irrigation Summaries by Surface Water”: SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, South Dakota.

Water Rights, 2020b. Water Right/Permit Files, SD DENR-Water Rights Program, Joe Foss Bldg, Pierre, South Dakota.

Affidavit of Publication

RECEIVED

MAR 16 2020

WATER RIGHTS PROGRAM

County of Pennington

SS:

STATE OF SOUTH DAKOTA

Sheri Sponder being first duly sworn, upon his/her oath says: That he/she is now and was at all time hereinafter mentioned, an employee of the RAPID CITY JOURNAL, a corporation of Rapid City, South Dakota, the owner and publisher of the RAPID CITY JOURNAL, a legal and daily newspaper printed and published in Rapid City, in said County of Pennington, and has full and personal knowledge of all the facts herein stated as follows: that said newspaper is and at all of the times herein mentioned has been a legal and daily newspaper with a bona fide paid circulation of at least Two Hundred copies daily, and has been printed and published in the English language, at and within an office maintained by the owner and publisher thereof, at Rapid City, in said Pennington County, and has been admitted to the United States mail under the second class mailing privilege for at least one year prior to the publication herein mentioned; that the advertisement, a printed copy of which, taken from said Rapid City Journal, the paper in which the same was published, is attached to this sheet and made a part of this affidavit, was published in said paper once each day for one day, the first publication there of being on the 11th day of March 2020 that the fees charged for the publication there of are 48 dollars and 55 cents.

Sheri Sponder

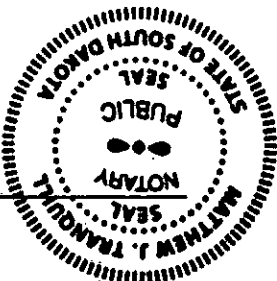
Subscribed and sworn to before me this 12th day of March 2020

Notary public

Matthew J. Tranquilli

December 5, 2025

My commission expires



March 11
18315
NOTICE OF APPLICATION NO.
1993-1 to Appropriate Water.
Notice is given that Circle R Ranch
LLP, c/o Reed Cammack, 17412
Reiner Rd, Enning SD 57737 has
filed an application for a water
permit to appropriate 2.0 cubic feet
of water per second (cfs) from the
Cheney River located in the SW
1/4 NE 1/4 Section 32 to irrigate
108 acres located in the SE 1/4 NW
1/4, E 1/2 SW 1/4, SE 1/4, SW 1/4
NE 1/4 Section 29; all in
T6N-R16E. The applicant is re-
questing a diversion rate greater
than the statutory limit of 1 cfs per
70 acres. This site is located
approximately 19 miles east and 8
miles south of Enning SD.
Pursuant to SDCL 46-2A-2, the
Chief Engineer recommends AP-
PROVAL of Application No. 1993-1
with qualifications because 1) un-
appropriated 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. The Chief Engineer's
recommendation with qualifications
available at [http://denr.sd.gov/pub-
lic](http://denr.sd.gov/pub-
lic) or contact Eric Gronlund for this
information, or other information, at
the Water Rights Program address
provided below.
Any person interested in opposing
or supporting this application or
recommendation must file a written
petition with BOTH the applicant
and Chief Engineer. The applicant
must file a petition if contesting the
Chief Engineer's recommendation.
The Chief Engineer's address is
ing, 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 March 23, 2020.
The petition may be informal, but
must include a statement describ-
ing 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.
If the applicant does not contest the
recommendation of the Chief Engi-
neer and no petition to oppose the
application is received, the Chief
Engineer shall act on the applica-
tion pursuant to the recommenda-
tion with no hearing held before the
Water Management Board. If a
petition opposing the application or
contesting the recommendation is
filed, then a hearing will be
scheduled and the Water Manage-
ment Board will consider this
application. Notice of the hearing
will be given to the applicant and
any person filing a petition.
(Published once at the approximate cost
of \$48.55)

RECEIVED

MAR 23 2020

WATER RIGHTS
PROGRAM**PROOF OF PUBLICATION**

STATE OF SOUTH DAKOTA)
) SS
 County of Meade)

I, Kris Stocklin-Johnson

certify that the attached printed Notice was taken
 from the Faith Independent

printed and published in Faith

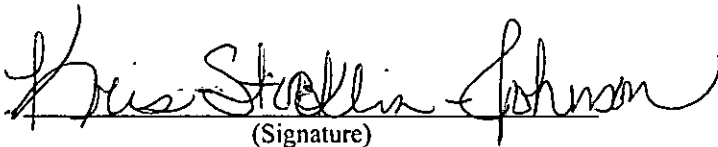
County of Meade and

state of South Dakota. The notice was published

in the newspaper on the following date:

03/11/2020

Cost of Printing \$23.85


 (Signature)

Editor
 (Title)

03/20/2020
 (Date Signed)

18 • The Faith Independent

**NOTICE OF
 APPLICATION
 NO. 1993-1 to
 Appropriate Water**

Notice is given that Circle R Ranch LLLP, c/o Reed Cammack, 17412 Reinert Rd, Enning SD 57737 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second (cfs) from the Cheyenne River located in the SW 1/4 NE 1/4 Section 32 to irrigate 106 acres located in the SE 1/4 NW 1/4, E 1/2 SW 1/4, SE 1/4, SW 1/4 NE 1/4 Section 29; all in T6N-R16E. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. This site is located approximately 19 miles east and 8 miles south of Enning SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1993-1 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 March 23, 2020.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Published March 11, 2020 at the total approximate cost of \$23.85.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

denr.sd.gov

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

February 25, 2020

Circle R Ranch LLLP
c/o Reed Cammack
17412 Reinert Rd
Enning SD 57737

Dear Mr. Cammack:

Water Permit Application No. 1993-1 for irrigation use has been examined and found to comply with the South Dakota Water Laws and applicable rules. A notice has been sent to the Faith Independent printed at Faith SD (Ph # 605 967-2161) and the Rapid City Journal printed at Rapid City SD (Ph # 605 394-8336). You will need to contact the newspapers and authorize publication of this notice. For your information, a copy of the notice, the recommendation of the Chief Engineer and 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 newspapers to authorize publication of your Notice and to arrange for payment. Early contact with the papers can eliminate delays. Upon receiving authorization from you, the publisher has been instructed to publish your notice. The newspaper has also 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
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.

NOTICE OF APPLICATION NO. 1993-1 to Appropriate Water

Notice is given that Circle R Ranch LLLP, c/o Reed Cammack, 17412 Reinert Rd, Enning SD 57737 has filed an application for a water permit to appropriate 2.0 cubic feet of water per second (cfs) from the Cheyenne River located in the SW 1/4 NE 1/4 Section 32 to irrigate 106 acres located in the SE 1/4 NW 1/4, E 1/2 SW 1/4, SE 1/4, SW 1/4 NE 1/4 Section 29; all in T6N-R16E. The applicant is requesting a diversion rate greater than the statutory limit of 1 cfs per 70 acres. This site is located approximately 19 miles east and 8 miles south of Enning SD.

Pursuant to SDCL 46-2A-2, the Chief Engineer recommends APPROVAL of Application No. 1993-1 with qualifications 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. The Chief Engineer's recommendation with qualifications, the application, and staff report are available at <http://denr.sd.gov/public> or contact Eric Gronlund for this information, or other information, at the Water Rights Program address provided below.

Any person interested in opposing or supporting this application or recommendation must file a written petition with BOTH the applicant and Chief Engineer. The applicant must file a petition if contesting the Chief Engineer's recommendation. The Chief Engineer's address is "Water Rights Program, 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 March 23, 2020.

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.

If the applicant does not contest the recommendation of the Chief Engineer and no petition to oppose the application is received, the Chief Engineer shall act on the application pursuant to the recommendation with no hearing held before the Water Management Board. If a petition opposing the application or contesting the recommendation is filed, then a hearing will be scheduled and the Water Management Board will consider this application. Notice of the hearing will be given to the applicant and any person filing a petition.

Published once at the total approximate cost of_____.

Schlaak, Karen

From: Schlaak, Karen
Sent: Monday, March 2, 2020 8:53 AM
To: RCY Legals (legals@rapidcityjournal.com)
Subject: 1993-1, Circle R Ranch LLLP
Attachments: 1993-1public.short.docx; FORM8.FRM.doc

Attached is a notice to be published on March 11, 2020.

Circle R Ranch LLLP, c/o Reed Cammack 17412 Reinert Rd, Enning SD 57737 (605 515-0184) has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP to the Water Rights Program, 523 E Capitol, Pierre SD 57501.

Let me know if you have questions. Please acknowledge receipt of this email.

Karen Schlaak
SD DENR, Water Rights Program
(605) 773-3352



Schlaak, Karen

From: Schlaak, Karen
Sent: Friday, March 20, 2020 12:19 PM
To: Faith Ind
Subject: RE: [EXT] 1993-1, Circle R Ranch LLLP

Please send the affidavit for this publication.
Thanks,
Karen

From: Faith Ind <faithind@faithsd.com>
Sent: Monday, March 2, 2020 9:18 AM
To: Schlaak, Karen <Karen.Schlaak@state.sd.us>
Subject: Re: [EXT] 1993-1, Circle R Ranch LLLP

Received, thanks!

Have a great week,
Krissy Johnson
faithind@faithsd.com
605-967-2161
Ravellette Publications, Inc.
Faith Independent
Po Box 38
Faith, SD 57626

On Mar 2, 2020, at 7:51 AM, Schlaak, Karen <Karen.Schlaak@state.sd.us> wrote:

Attached is a notice to be published on March 11, 2020.

Circle R Ranch LLLP ,c/o Reed Cammack 17412 Reinert Rd, Enning SD 57737 has been notified to contact you to authorize publication and arrange for payment.

Please send the affidavit or return the attached Proof of Publication form ASAP to the Water Rights Program, 523 E Capitol, Pierre SD 57501.

Let me know if you have questions. Please acknowledge receipt of this email.

Karen Schlaak
SD DENR, Water Rights Program
(605) 773-3352
<image001.gif>



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3182
<http://denr.sd.gov>

MAR 27 2020

Circle R Ranch LLLP
c/o Reed Cammack
17412 Reinert Rd
Enning SD 57737

Dear Mr. Cammack:

Enclosed is Water Permit No. 1993-1 authorizing construction of the water diversion system and beneficial use of the water, not exceeding the limits as specified in the Water Permit.

Form 10, *Notice of Completion of Works and Application of Water to Beneficial Use*, is enclosed. Please return this completed form after you have finished the system and have put the water to beneficial use. An investigation can then be scheduled so the water license may be issued, thus completing the acquisition of a water right.

An informational sheet *Common Water Right Questions?* is also enclosed. This sheet is intended to answer some of the questions associated with obtaining and keeping a water right.

Sincerely,

A handwritten signature in cursive script that reads "Eric Gronlund".

Eric Gronlund, Chief Engineer
Water Rights Program
(605) 773-3352

enclosures

1993-1

LAW OFFICES
NOONEY & SOLAY, LLP
326 FOUNDERS PARK DRIVE
P.O. Box 8030
RAPID CITY, SOUTH DAKOTA 57709-8030

JOHN K. NOONEY
KURT E. SOLAY
ROBERT J. GALBRAITH
MARLI A. SCHIPPERS
JARED D. NOONEY

TELEPHONE 605.721.5846
FACSIMILE 605.721.5867

July 6, 2022

[email: marli@nooneysolay.com]

South Dakota DENR – Water Rights Program
PMB 2020
523 E Capitol Ave
Pierre, SD 57501-3182

RE: Circle R Ranch, LLLP to Feist
Our File No. 22MS154

Dear Sir or Madam:

Enclosed herewith please find the following documents:

1. Notice of Transfer of Ownership Application – 1993-1; and
2. Notice of Transfer of Ownership Application – 1040-1.

Also enclosed is a check from our firm in the amount of \$100.00 for the cost of the filing fees.

If you should have any questions or need anything further, please feel free to contact me directly.

Very truly yours,

/s/ Marli A. Schippers

Marli A. Schippers

MAS/kl

Encls.

RECEIVED

JUL 08 2022

OFFICE OF
WATER

1993-1

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Agriculture and Natural Resources

Date July 8, 2022RECEIVED OF Nooney & Soley LLP PO Box 8030 Rapid City SD 57709

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>1993-1</u>	<u>\$50.00</u>
Fee for _____	\$ _____
Fee for Issuing New Well Driller's License No. _____	\$ _____
Fee for Renewal of Well Driller's License No. _____	\$ _____
Fee for Issuing Well Pump Installer's License No. _____	\$ _____
Fee for Renewal of Well Pump Installer's License No. _____	\$ _____
(Any Other Work Provided by Law)	
TOTAL	<u>\$50.00</u>

By Eric Gronlund
Chief Engineervm

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

RECEIVED

JUL 08 2022

OFFICE OF
WATER

Water Right/Permit No. 1993-1

Date: 7/14/2022

PAID

JUL 8 2022

Ck# 93556

Rec't#

I/We request that Water Right/Permit No. 1993-1 formerly owned by:
Circle R Ranch LLLP be transferred to:

New Owner Name: James L. FeistAddress: P.O. Box 25City, State, Zip Enning SD 57737 Telephone No. 605-431-5371

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

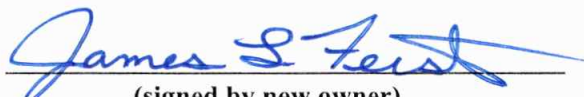
See attached Exhibit A

- ☒ I understand that the validity of Water Right/Permit No. 1993-1 has not been determined by this transfer action. If I have any questions on validity, I understand that only the Water Management Board has the authority to determine if a water right/permit is valid (see note below.)

You are requested to file this "Notice of Transfer" in the appropriate file with the Water Rights Program, as evidence of the change of ownership.

A fee of Fifty Dollars (\$50.00) is included to cover the filing fee as required by SDCL 46-2-13.

I, James L. Feist, 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.

RECEIVED

JUL 08 2022

OFFICE OF
WATER

**EXHIBIT A TO WATER RIGHTS TRANSFER
PERMIT 1993-1**

sec 29-T006N-R16E, SE1/4NW1/4 - 9.00 acres
sec 29-T006N-R16E, NE1/4SW1/4 - 27.00 acres
sec 29-T006N-R16E, SE1/4SW1/4 - 36.00 acres
sec 29-T006N-R16E, SW1/4SE1/4 - 24.00 acres
sec 29-T006N-R16E, SE1/4SE1/4 - 8.00 acres
sec 29-T006N-R16E, NE1/4SE1/4 - 2.00 acres
sec 29-T006N-R16E, NW1/4SE1/4 - 29.00 acres
sec 29-T006N-R16E, SW1/4NE1/4 - 1.00 acres



1993-1

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

July 11, 2022

1040-1
1993-1

James L Feist
PO Box 25
Enning SD 57737-0025

Dear Mr. Feist:

I am writing to acknowledge receipt of the transfer forms and filing fees submitted by Nooney & Solay, LLP on your behalf.

The ownership changes for Water Right No. 1040-1 and Water Permit No. 1993-1 have been completed. Both, formerly listed under Circle R Ranch LLLP are now listed in your name.

Receipts for the filing fees are being forwarded to Nooney & Solay LLP by copy of this letter.

Sincerely,

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

c: Marli A Schippers, Nooney & Solay LLP, w/receipts