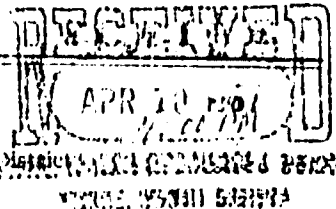


1. Considered April 15, 1957
2. Name of Applicant Carl E. Lundgren # 297-1
3. Post Office Address Water, S. Dak.
4. Amount of water claimed 2,67 cfs
5. Source of water supply Alma Mile Creek
6. Water to be used for irrigation
Acres to be irrigated 187
7. Water to be diverted and used in Mooda County about
10 miles southeast of Nearest.
8. Proof of Publication Received ✓
Not Received _____
9. Application Approved ✓
Subject to _____
Not approved _____
Action deferred _____
10. Remarks:

No. 297-1Water Division No. 1 Belle Fourche
(Blanks to be Filled by the Engineer for the W. R. C.)

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

1. Name of applicant Dale H. Lundgren
Howes Route, Box 29, Sturgis, SD 57785
Postoffice address Vale, County Meade, State So. Dak.

- I. If a corporation X X X X
- (a) Name of same X X X X
- (b) Date and place of incorporation X X X X
- (c) Amount of capital stock X X X X
- (d) Amount paid in X X X X
- (e) Names and addresses of directors X X X X

(NOTE—A certified copy of articles of incorporation must accompany the application.)

II. Method of accomplishing the work and financial resources of the applicant:

- (a) Method of accomplishing work (Whether by contract, employment of others, or by direct labor)
X X X X
- (b) Cash on hand, \$ X X (c) Treasury stock, \$ X X
- (d) Bonds to be issued, \$ X X (e) Other resources, \$ X X

2. Name of diversion work Carl E. Lundgren Irrigation Project3. Amount of water claimed 2.67 cubic feet per second4. Source of water supply Nine Mile Creek

Between a point 1450 ft. S of the NE Cor. Sec. 5 and a point 198 ft.

5. Location of point of diversion E of the SE Cor. Said Sec. 5, T. 7 N., R. 7 E-EHM-Both banks Meade Co.
on bank County.6. Annual period or periods during which water is to be used April 1st thru Nov. 15th

7. To be used for:

I. Irrigation or domestic use: Gravity, overhead sprinkling or combination system? Combination(a) Number of acres to be irrigated 187 acres.

(b) Legal subdivisions to be irrigated

(NOTE—A list of lands to be irrigated, giving each subdivision and fraction with acreage thereof, should be written here, or may be appended as a part of this application. Same must also be shown on accompanying map.)

SE $\frac{1}{4}$ -NE $\frac{1}{4}$ -31 Ac., NE $\frac{1}{4}$ -SE $\frac{1}{4}$ -37 Ac., SE $\frac{1}{4}$ -SE $\frac{1}{4}$ -36 Ac., Sec. 5-0
SW $\frac{1}{4}$ -NW $\frac{1}{4}$ -24 Ac., NW $\frac{1}{4}$ -SW $\frac{1}{4}$ -34 Ac., SW $\frac{1}{4}$ -SW $\frac{1}{4}$ -25 Ac. sec. 4) T. 7 N., R. 7 EHM

Total 187 Ac. Irrigable.

Name any of the above uses claimed

(b) Amount of power to be generated None horse power.Amount claimed for engine cooling None(c) Location of plant None(d) Method of developing power None(e) Point where water will be returned to stream Thru percolation

Map No. 270-1

8. Estimated cost of work:

1. 6 YQL Berkeley pump, trailer mounted with automatic safety controls, close coupled to Continental Y-113 gasoline motor with primer pump, suction pipe, couplings etc. 1750.00
 Capacity - 1200 GPM @ 40 ft. TDH @ 1800 RPM, 1 1/2 HP @ 800' eff.
 " 1200 GPM @ 55 ft. " @ 1800 RPM 1 1/2 HP " "
 " 400 GPM @ 110 Ft " @ 3200 RPM 40 HP
 1200 ft. 9" L.O.-HI welded pipe 3539.00
 1 1/2 mile ditch 300.00
 Sales tax freight etc. 362.00
 5000.00

32 Jts 4" side-drain INXY sprinkler line (40' Jts) 1424.00
 with risers, sprinkler heads 3/8" X 5/32" 6434.00

Capacity of sprinklers.

13/64 X 5/32	GPM	40'	GPM
35'	11.20		11.30
45'	13.60		

(c) Head gate: Width 4 feet; height 1.5 feet;
 Material concrete and plank
 (d) Canal: Total length 1 1/2 miles.

LOCATION BELOW HEADGATE	DEPTH	BOTTOM WIDTH	WIDTH AT WATER-LINE	GRADE PER MILE
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet
At _____ Mile	_____ feet	_____ feet	_____ feet	_____ feet

(Give dimensions where reductions in size are made.)

10. Time required for completion of work 2 years years.
 11. Time required for complete application of water to the proposed beneficial use 2 years.
 12. Choice of newspaper for publication of notice of intention to appropriate _____

Sturgis Tribune Sturgis, South Dakota
 STATE OF SOUTH DAKOTA

County of Harding ss.

Carl E. Lundgren, being first duly sworn on my oath depose and say: That my relation to the above described undertaking is that of owner, that I have read the above foregoing statement, examined the map accompanying the same, and that I know of my own personal knowledge that the matters therein stated and shown are true.

Signed Carl E. Lundgren

Subscribed and sworn to before me this 2nd day of April 19 57

Carl M. Cornell

Notary Public (or other qualified officer)

PLAT
OF THE
CARL E. LUNDGREN IRRIGATION PROJECT
SECTIONS 4&5, T.7N., R.7E-BHM
MEADE COUNTY, SOUTH DAKOTA.

SCALE- 1 INCH = 660 FT.

I, CARL M. CORNELL, LICENSED SURVEYOR, IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT, AT THE REQUEST OF CARL E. LUNDGREN, OF VALE, SOUTH DAKOTA, I HAVE MADE A SURVEY OF THE TRACTS SHOWN HEREON AND HAVE PREPARED THIS PLAT, SHOWING THE IRRIGABLE AREAS BELONGING TO THE SAID CARL E. LUNDGREN, AS A PART OF HIS APPLICATION FOR A PERMIT TO APPROPRIATE WATER FOR IRRIGATION PURPOSES.

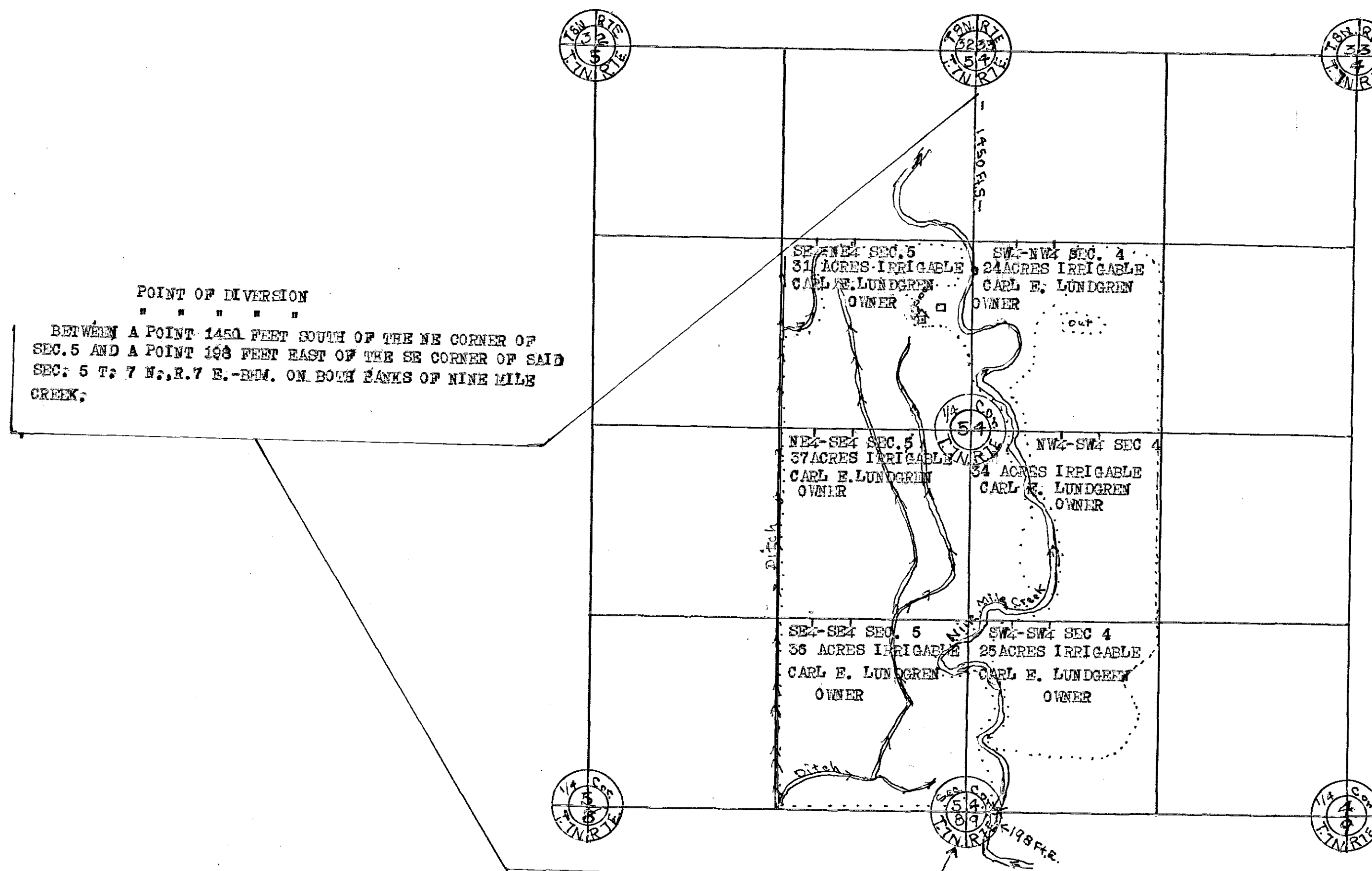
I FURTHER CERTIFY THAT THE LENGTHS AND BEARINGS OF THE SEVERAL LINES SHOWN THEIR LOCATION WITH REFERENCE TO THE GOVERNMENT LAND CORNERS SHOWN ARE CORRECT, TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATED AND SIGNED AT BUFFALO, SOUTH DAKOTA THIS 4TH DAY OF APRIL 1957.

Carl M. Cornell (SEAL)
CARL M. CORNELL, LICENSED
SURVEYOR #144

SUBSCRIBED AND SWORN TO BEFORE ME AT BUFFALO, SOUTH DAKOTA THIS 4TH DAY OF APRIL 1957.

Edmund Lindholm
NOTARY PUBLIC (SEAL)



Remarks by State Water Resources Commission:

Flow in this stream fluctuates a great deal during various seasons of the year. Because of this condition, use of water under this permit may require restriction at times in order to assure that water is available in the stream at all times to satisfy domestic use and prior water right supplies. In granting this permit, the Commission believes that the degree of restriction will not reduce seriously the benefits to the applicant.

STATE OF SOUTH DAKOTA
County of Hughes

Pierre, South Dakota, April 13, 1957

This is to certify that the foregoing application was received by the Commission at 4:00 o'clock
7 m. upon the 10 day of April, 1957

State Water Resources Commission

By:

Joe Brimes
Chief Engineer, Executive Officer

Number of permit 2-97-1

Date of first receipt of application April 10, 1957

Date of return to applicant for correction, amendments or changes required as follows: _____, 19____

Date of receipt of corrected application _____, 19____

Date from which applicant may claim right April 10, 1957

Approved May 15, 1957, Recorded in Book 4 Page 99

This is to certify that we have examined the foregoing application for a permit to appropriate water of the State of South Dakota, and we hereby grant the same as stated herein, subject, however, to the following limitations and conditions:

1st. The equivalent of at least one-fifth of the work above specified is to be completed on or before _____

May 15, 1958

2nd. The whole of said work is to be completed on or before May 15, 1957

3rd. The limit of time for proof of beneficial use of water appropriated in accordance herewith is _____

May 15, 1961

4th. The water appropriated shall be used for the purpose of irrigation

5th. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.

6th. The amount of the appropriation herein granted shall not exceed 267 cubic feet per second; neither shall it exceed the capacity of the above described system of diversion works, nor the least amount of water that experience may hereafter indicate as necessary for the production of crops in the exercise of the best husbandry; and further, said appropriation must be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before May 15, 1961; said water to be used during the following described annual period:

April to November inclusive

Witness my hand this 19 day of June, 1957

State Water Resources Commission

By:

Joe Brimes
Chief Engineer, Executive Officer

Certificate of Construction Issued February 21, 1961

Water License Issued February 21, 1961

STATE OF SOUTH DAKOTA

WATER LICENSE No. . . . 297-1 . . .

WHEREAS, On the 10th day of April A. D. 1957

Carl E. Landgran

of Yale County of Butte and State of
South Dakota duly made application (No. 297-1) to us for a permit to use 2.57
 cubic feet per second of the waters of Nine Mile Creek
 County of Meade, State of South Dakota, for irrigation
 purposes; and

WHEREAS, On the 19th day of June A. D. 1957
 Permit No. 297-1 was issued to said applicant for the diversion of said water, and providing for the
 completion of the works of diversion therein described on or before the 15th day of
May A. D. 1959 and for the application to beneficial use of said
 water on or before the 15th day of May A. D. 1961
 and,

WHEREAS, On the 12th day of July A. D. 1960
 the holder of said permit duly made proof of the completion of adequate works for the diversion of 2.67
 cubic feet per second of said waters, as evidenced by our Certificate No. 297-1
 dated February 21, 1961 confirming the completion of works of sufficient capacity for
 diverting and conveying to the place of intended use 2.67 cubic feet per second of water with date of
 priority of April 10, 1957 ~~xxx~~ and,

WHEREAS, On the 17th day of December A. D. 1960
 proof was duly made of the application to beneficial use of 2.67 cubic feet per second of said water;

to be used for irrigating 187 acres in Section 4 and 5, T 7N, R 7E.

NOW, THEREFORE, By the virtue of the authority vested in us by the laws of the State of South Dakota,
We hereby grant and confirm to Carl E. Lundgren
of Vale the holder and owner of said permit No. 297-1
a water right, dating from April 10, 1957 to the use of 2.67
cubic feet per second of the waters of Nine Mile Creek
in the County of Meade and State of South Dakota, or so much thereof as may be
necessary for the purposes hereinbelow mentioned, to be diverted ~~at~~ between a point 1450' S of the NE
corner Section 5, and a point 198' E of the SE corner, SEC. 5, T 7N; R 7E.

and conducted to and upon portions of Section 4 & 5, more specifically described in
Certificate of Completion of Works 297-1

for the purpose of irrigation

subject, however, to the laws of the State of South Dakota applicable to a license for the use of the waters of the
State, and subject, also to the local or community customs, rules and regulations which have been or may be
adopted from time to time by a majority of the users from a common source of supply, canal or lateral from
which such water may be taken, when such rules and regulations have for their object the economical use of such
water.

WITNESS, My hand and seal of our office at Pierre, South Dakota,
this 21st day of February A. D. Nineteen
Hundred and Sixty-one

State Water Resources Commission.

By:

J.W. GRIMES, Chief Engineer, Executive Officer

STATE OF SOUTH DAKOTA

Water License No.	
To	
Source of Supply	
County	
Am't c. f. s.	
Point of Diversion	
Purpose	
Date of Priority	
Recorded	
In Book of Page	

Permit No. 297-1Water Division No. 1 Belle Fourche Water District**Certificate of Completion of Works**

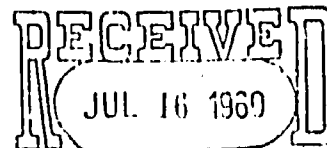
TO ALL WHOM IT MAY CONCERN:

This is to Certify, That Cari E. Lundgrenof Yale, County of Butte, and State of South Dakotathe holder of Permit No. 297-1, issued upon Application No. 297-1, bearing date of priority of April 19, 1957, authorizing the diversion of2.67 cu. ft. per second of the waters of Nine Mile CreekCounty of Meade, State of South Dakota, ~~at between a point 1450' S of~~
the NE Corner, Section 5, and a point 198' E of the SE Corner, Section 5, Township
7N, Range 7E, for irrigationpurposes, has fully complied with the provisions of the laws of the State of South Dakota relating to proof of completion of the works of diversion set out and described in said Permit; that said works are found in satisfactory condition for diverting and conveying to the place of intended use 2.67 cu. ft. per second of water; and that the lands proposed to be irrigated by the use of said water are described as follows,to-wit: All in Township 7N, Range 7ESW $\frac{1}{4}$ NE $\frac{1}{4}$ A Section 5 31 acresNE $\frac{1}{4}$ SE $\frac{1}{4}$ D 5 37 acresSE $\frac{1}{4}$ SE $\frac{1}{4}$ D 5 36 acresSW $\frac{1}{4}$ NW $\frac{1}{4}$ D 4 24 acresNW $\frac{1}{4}$ SW $\frac{1}{4}$ D 4 34 acresSW $\frac{1}{4}$ SW $\frac{1}{4}$ D 4 25 acres187 acresWitness my hand this 21st day of February A. D. 1961

State Water Resources Commission

By:

J.W. CHIMES, Chief Engineer, Executive Officer

Permit No. 297-1

Water Division No. _____

Water District STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA**Certificate of Examination of Works****Report of Examining Engineer**

To the State Water Resources Commission, Pierre, South Dakota:

Dear Sirs: I hereby certify that in accordance with your letter of authorization dated 3/15/1960 19____, I have this day made a thorough examination of the diversion works constructed by Carl E. Lundgren of Vale Meade County, South Dakota, holder of Permit No. 297-1, issued upon Application No. 297-1, bearing date of priority of 4/10/1957, 19____, authorizing the diversion of 2.67 cu. ft. per second of the waters of Nine Mile Creek for Irrigation purposes. I have to report on the condition of the same as follows:

The diversion works comprise: 1. T-3 Tractor-Rain Trailer Mounted B-8 GEM Berkeley PTO pump with 10" main line and accessories with a system of ditches and borders for spreading irrigation water.

and the system is in the following condition: Now and in perfect condition.

Between a point 1450' S of the NE Cor. Sec. 5, T.7 N., R.7 E-BHM and a point 198'E of the SE Cor. of said Sec. 5, T.7 N., R.7 E-BHM on Nine Mile Creek on both banks.

The works are capable of diverting and conveying to the place of use 2.67 cu. ft. per second of water, which is to be used for Irrigation and stock water.

The legal sub-divisions to be irrigated are: SE-NE-31 Ac., NE-SE-37 Ac., SE-SE-36 Ac.

Sec. 5 Total 104 Ac.

SW-NW-34 Ac., NW-SW-34 Ac., SW-SW-35 Ac. Sec. 4, T.7 N.

R.7 E-BHM- Total 83 Ac.

Grand Total - - - 187 Ac.

comprising a total of 187 acres of land.

The domestic use intended comprises None

The utilization for power, mining, or other beneficial uses comprises None

Witness my hand, this 13th day of JULY, A. D. 1960.

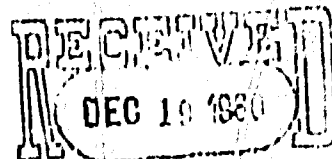
--SEAL--

Carl M. Cornell, Licensed Surveyor.

Examined by (SEAL)

Location No.

Water Division No. Water District

STATE WATER RESOURCES COM. S.D.
SOUTH DAKOTA

Proof of Application of Water to Beneficial Use

PETITION OF HOLDER

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Carl E. Lundgren, Farmer, RR 1, Sioux Falls, South D.

Ques. 2. If acting in behalf of a corporation, state its name, principal place of business (if a foreign corporation, give name and postoffice of statutory agent,) your position with reference to same, and your authority for appearing in its behalf.

Ans.

Ques. 3. State date of posting and date of recording notice of appropriation.

Ans.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Source of water supply is Nine Mile Creek. Diversion point is located on the west side of S-34-4-8-7 highway between the north and south party boundaries. Diversion point for site #2 is 800 yards from the creek down site #1. Site #2 is located on the north 40 boundary line of N-34-4-8-7, near the northwest corner.

Ques. 5. Describe your works of diversion giving length and height of each dam and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use, and date of completion of same.

Ans. Answer enclosed.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have ACTUALLY been irrigated with said water.)

1. SE-SE-5-7-7-36 Acres
 2. NE-SE-5-7-7-39 Acres
 3. SE-NE-5-7-7-30 Acres
 4. SW-SW-4-7-7-25 Acres
 5. NE-SW-4-7-7-30 Acres
 6. SW-SW-4-7-7-26 Acres

Per Biller

Dated 2-1-61

Ques. 7. If for other than irrigation purpose, state how applied, amount of horse power generated, etc.

Ans.

Ques. 8. What is the minimum amount of water required for the use specified above?

Ans. 240 acre feet per growing season.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans.

Ques. 10. State when, how, in what amount and to what extent, the water diverted under above mentioned permit has been used.

Ans. The first water was diverted for irrigation during the 1950 growing season with an 8 inch pump, and used for irrigating 17 acres. The second diverted was 2.50 second feet in amount. Before, growing season of 1950 a 10 inch pump was required to divert 2.77 second feet. For the 1951 growing season 2.105 second feet.

(Sign) W. C. E. Ludwig

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Meade County of Nebraska

State of South Dakota, on this 17 day of Dec. A. D. 1960

Wm. W. W. W. } Witnesses, Harold W. W.
Wm. W. W. } Notary Public

I, the undersigned, do hereby certify that I am a duly qualified elector residing in the immediate vicinity of the diversion works designated in the foregoing testimony, that I have no interest in the works, water or land above described, that I have read the foregoing testimony and that I know of my own personal knowledge that the matters therein stated are true.

William H. Williams
Notary Public

Location No. _____	PROOF OF APPLICATION OF WATER TO BENEFICIAL USE	PETITION OF HOLDER	Amount of Water _____ c. f. s.	Source _____	County _____	Purpose _____	Place of Use _____	Date of recording _____	Received and filed _____
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PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA }
County Meade } ss.

Frank J. Hunn

being duly sworn, deposes and says the annexed printed copy of Notice of Intention to Appropriate Water was taken from the

Sturgis Tribune 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 Sturgis County of

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

April 18, 1957

April 25, 1957

May 2, 1957

May 9, 1957

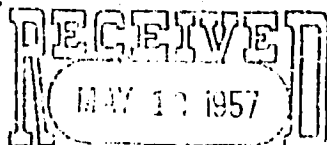
in each and every issue of the full number thereof, the first publication being made on the 18 day of April 1957 and the last publication on the 9 day of

May 1957 upon which days or times of publication aforesaid the newspaper was regularly published, and that during the whole time of said publication he was the printer and publisher of the said newspaper.

Frank J. Hunn

Subscribed and sworn to before me this 9 day of May A. D. 1957

Notary Public Meade Co., S. D.

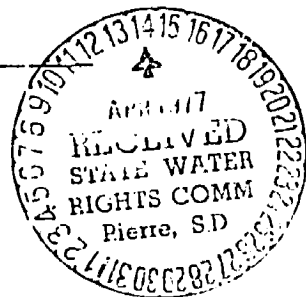


STATE WATER RESOURCES COMM.
PIERRE, SOUTH DAKOTA

Form 8--Notice of Intention to Appropriate Water No. 297-1 (First Publication April 18, 1957)
APPROPRIATION OF WATER
Office of State Water Resources Commission, Pierre, S. Dak., April 13, 1957.
Notice is hereby given that Carl E. Lundgren whose postoffice address is Vaie, S. Dak., has made an application in accordance with the provisions of the water laws of South Dakota for a permit to appropriate for beneficial use 2.87 cubic feet of water per second of time from the Nine Mile Creek through the Carl E. Lundgren Irrigation Project, the point of diversion of which is to be located on both bank of said stream between two points in the NW 1/4 of Section 4 Twp 7 N Range 7 E, Salf. water to be used for the purpose of providing irrigation on the following described land: SW 1/4, NW 1/4 and the NW 1/4, Sec. 5, T 7 N, R 7 E and the SW 1/4, NW 1/4 and W 1/4, SW 1/4, Sec. 4, T 7 N, R 7 E.
This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the 15th day of May, 1957, at 2:00 P. M. All interested persons may appear and be heard. Appropriate action will be taken by the Water Resources Commission after suitable time has elapsed for the consideration of any or all information presented.
State Water Resources Commission
By: J. W. GRIMER, Chief Engineer, Executive Officer (April 18-26-May 7-9)

Form 20.

No. 297-1



NOTICE OF TRANSFER OF WATER PERMIT

TO: Water Rights Commission
Joe Foss Building
Pierre, South Dakota 57501

Date March 28, 1977

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

187 acres in Section 4 and 5, T7N, R7E

formerly owned by Carl E. Lundgren

has been transferred to Dale H. Lundgren, Sturgis, SD

together with any rights to the beneficial use of water thereon as evidenced by
Water Right Permit No. 297-1 as provided for in Section 61.0127 of the 1960
Supplement to the South Dakota Code of 1939.

You are therefore hereby requested to file this "Notice of Transfer of Water
Permit" in its appropriate file at the Office of Water Rights Commission as
evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required
under Section 61.0159 of the 1960 Supplement to the South Dakota Code of 1939.

STATE OF SOUTH DAKOTA)
) ss.
County of Meade)

I, Dale H. Lundgren being first duly sworn on my
oath despose and say: That my relation to the above described undertaking is
that of Owner, that I have read the above foregoing statement, and I know of my
own personal knowledge that the information herein stated is true.

Dale H. Lundgren
(Signed)

Subscribed and sworn to before me this 12th day of April

1977.

Geraldine Matlick
(Notary Public)

GERALDINE MATLICK
Notary Public
MY COMMISSION EXPIRES JUNE 30, 1983

297-1



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 29, 1993

NOTICE

TO: DALE H LUNDGREN
HC 77 BOX 272
STURGIS SD 57785

FROM: Ron Duvall, Natural Resources Engineer IV
for JOHN HATCH, Chief Engineer
Water Rights Division

A handwritten signature in dark ink, appearing to read "Ron Duvall", is written over the typed name.

RE: Violation of Requirement to Submit 1992 Irrigation Questionnaire

Our records indicate that the 1992 Irrigation Questionnaire has not been submitted for Permit No(s) 297-1. The request for the Questionnaire was dated October 16, 1992. The Water Management Board has directed that owners of water permits who have not submitted the 1992 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 9:30 am, March 3, 1993, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre SD, and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to SDCL 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 297-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law. Prior to February 22, 1993, contact the Water Rights Division, 523 E Capitol, Pierre SD 57501-3181 (605 773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

NOTE: If the questionnaire(s) is(are) received in this office before the March 3rd hearing date, your name will be deleted from the Board agenda.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1. ☐ Addressee's Address
- 2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: 297-1

DALE H LUNDGREN
HC 77 BOX 272
STURGIS SD 57785

4a. Article Number P906 560 078

4b. Service Type:

- ☐ Registered ☐ Insured
- ☒ Certified ☐ COD
- ☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery

5. Signature (Addressee)

Dale H Lundgren

6. Signature (Agent)

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.



297-1

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE SOUTH DAKOTA 57501-3181

February 9, 1993

297-1

Dale Lundgren
HC 77 Box 272
Sturgis, SD 57785

Dear Mr. Lundgren:

I am writing to acknowledge receipt of your 1992 irrigation questionnaire. You may disregard the January 29, 1993, Notice of Violation of the Requirement to Submit the 1992 Irrigation Questionnaire.

The questionnaire was received in our office prior to the Water Management Board Meeting and your name has been deleted from the agenda. If you have any questions, please contact me.

Sincerely,

Genny McMath
Natural Resources Analyst
Water Rights Division
(605) 773-3352

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
 2. ☐ Restricted Delivery
- Consult postmaster for fee.

3. Article Addressed to:

297-1
DALE H LUNDGREN
HC 77 BOX 272
STURGIS SD 57785

4a. Article Number

P378 081 376

4b. Service Type

- ☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery

12-6-97

5. Receive by: (Print Name)

Daniel Lundgren

6. Signature: (Addressee or Agent)

X

8. Addressee's Address (Only if requested and fee is paid)

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

297-1



February 4, 1997

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

NOTICE

TO: DALE H LUNDGREN, HC 77 BOX 272, STURGIS, SD 57785

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Violation of Requirement to Submit 1996 Irrigation Questionnaire

Our records indicate that the 1996 Irrigation Questionnaire has not been submitted for Permit No(s) 297-1. The request for the Questionnaire was dated October 24, 1996. The Water Management Board has directed that owners of water permits who have not submitted the 1996 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning the violation.

The hearing will be held at 2:30 pm, March 5, 1997, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 297-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on or before February 28, 1997, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605) 773-3352 to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing if needed.



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

February 12, 1997

297-1

Dale H Lundgren
HC 77 Box 272
Sturgis, SD 57785

Dear Mr. Lundgren:

I am writing to acknowledge receipt of your 1996 irrigation questionnaire. You may disregard the February 4, 1997, Notice of Violation of the Requirement to Submit the 1996 Irrigation Questionnaire.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda

If you have any questions, please contact me.

Sincerely,

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



January 22, 1999

297-1
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

NOTICE

TO: DALE H LUNDGREN, HC 77 BOX 272, STURGIS, SD 57785

FROM: Ron Duvall, Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Program

SUBJECT: Reporting Requirement for 1998 Irrigation Questionnaire(s)

Our records indicate that the 1998 Irrigation Questionnaire has not been submitted for Permit No(s) 297-1. The request for the Questionnaire was dated October 16, 1998. The Water Management Board has directed that owners of water permits who have not submitted the 1998 Irrigation Questionnaire be given notice of hearing to determine if any Board action is to be taken concerning this issue.

The hearing will be held at 9:45 am, March 3, 1999, in the Floyd Matthew Training Center, Joe Foss Building, 523 E Capitol, Pierre, SD and will be conducted pursuant to SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to Chapter 1-26. Following the hearing, the Water Management Board can:

1. Amend Permit No(s) 297-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action; or
3. Take no action.

The hearing is an adversary proceeding. The permit owner has the right to be present or to be represented by a lawyer. These and other due process rights will be forfeited if they are not exercised. Decisions of the Board may be appealed to the Circuit Court and the State Supreme Court as provided by law.

If the questionnaire(s) is(are) received in this office on/or before March 1, 1999, your name will be deleted from the Board agenda. If you have any questions or need assistance with completion of the irrigation questionnaire(s), please contact Genny McMath at (605) 773-3352.

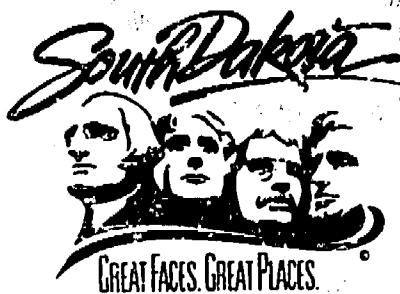
Note: Please contact the Water Rights Program, Joe Foss Building, 523 E Capitol, Pierre, SD (605-773-3352) to assure access to the meeting room for the handicapped or to obtain an interpreter for the hearing impaired.

297-1

SENDER: • Complete items 1 and/or 2 for additional services. • Complete items 3, 4a, and 4b. • Print your name and address on the reverse of this form so that we can return this card to you. • Attach this form to the front of the mailpiece, or on the back if space does not permit. • Write "Return Receipt Requested" on the mailpiece below the article number. • The Return Receipt will show to whom the article was delivered and the date delivered.		I also wish to receive the following services (for an extra fee): 1. ☐ Addressee's Address 2. ☐ Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: DALE H LUNDGREN HC 77 BOX 272 STURGIS SD 57785		4a. Article Number P 378 080 672	
5. Received By: (Print Name)		4b. Service Type ☐ Registered ☒ Certified ☐ Express Mail ☐ Insured ☐ Return Receipt for Merchandise ☐ COD	
6. Signature: (Addressee or Agent) X <i>Dale H Lundgren</i>		7. Date of Delivery JAN 25 1994	
PS Form 3811, December 1994		8. Addressee's Address (Only if requested and fee is paid)	

Thank you for using Return Receipt Service.

Domestic Return Receipt



**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3181
www.state.sd.us/denr

February 4, 1999

297-1

Dale H Lundgren
HC 77 Box 272
Sturgis, SD 57785

Dear Mr. Lundgren:

I am writing to acknowledge receipt of your 1998 irrigation questionnaire. You may disregard the January 22, 1999, "Notice" concerning reporting requirements for Water Right No. 297-1.

The information was received in our office prior to the Water Management Board meeting and your name has been deleted from the agenda.

If you have any questions, please contact me.

Sincerely,

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

PAID

JAN 7 2021

Ck# 5166

NOTICE OF TRANSFER OF OWNERSHIP

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

RECEIVED

JAN 07 2021

WATER RIGHTS
PROGRAM

No. 297-1

Date: 1-5-21

I/We request that Water Right No. 297-1

formerly owned by: Dale H Lundgren

be transferred to: (name & address) Janice A. Lundgren, 19587 4-Mile
Road, Sturgis, SD 57785-6328

Telephone No. 605-347-3233

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

187 acres – SW ¼ NE ¼ & E ½ SE ¼ Section 5; SW ¼ NW ¼ & W ½ SW ¼ Section 4;

all in T7N, R7E

I/We understand that the validity of Water Right No. 297-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We Janice A. Lundgren, the new owner, certify that the above information is true and correct.

Janice A. Lundgren
(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.

297-1

RECEIPT

WATER RIGHTS PROGRAM South Dakota Department of Environment and Natural Resources

Date January 7, 2021RECEIVED OF Dale/Janice Lundgren 19587 4-Mile Road Sturgis SD 57785-6328

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>297-1</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 Bronlund
Chief Engineer
vm



DENR
SOUTH DAKOTA

**DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES**

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

January 7, 2021

297-1

Janice A Lundgren
19587 Four Mile Rd
Sturgis SD 57785-6328

Dear Ms. Lundgren:

I am writing to acknowledge receipt of the transfer form and filing fee you submitted for transferring Water Right No. 297-1.

The ownership change has been completed. Water Right No. 297-1 formerly held by Dale H Lundgren is now listed in your name.

Enclosed for your records is a receipt for the filing fee you paid. If I can answer any questions for you, please let me know.

Sincerely,

A handwritten signature in blue ink that reads "Genny McMath". The signature is written in a cursive style.

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

enclosure

PAID
APR 26 2021
Ck# 133720

NOTICE OF TRANSFER OF OWNERSHIP

RECEIVED

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

APR 26 2021

WATER RIGHTS
PROGRAM

No. 297-1

Date: 7-22-2021

I/We request that Water Right No. 297-1

formerly owned by: Janice A Lundgren

be transferred to: (name & address)

T Outfit, LP

13952 Nine Mile Creek Ln.

Vale, SD 57788

Telephone No. (605) 456-2423

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

187 acres – SW 14 NE ¼ & E ½ SE ¼ Section 5; SW ¼ NW ¼ & W ½ SW ¼ Section 4

All in T7N, R7E

I/We understand that the validity of Water Right No. 297-1 has not been determined by this transfer action. If I/We have any questions on validity, I/We understand that only the Water Management Board has the authority to determine if a water permit/right is valid (see note).

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

A fee of Fifty Dollars (\$50.00) is required to cover the filing fees as required under SDCL 46-2-13. This form must be signed by the new owner.

I/We T Outfit, LP, the new owner, certify that the above information is true and correct.

Theresa Castles

(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.

297-1

RECEIPT

WATER RIGHTS PROGRAM

South Dakota Department of Agriculture and Natural Resources

Date April 26, 2021

RECEIVED OF Black Hills Title Company PO Box 909 Sturgis SD 57785

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>297-1</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



OFFICE OF THE SECRETARY OF STATE

STEVEN J. BARNETT, SECRETARY OF STATE

JASON LUTZ, DEPUTY SECRETARY OF STATE

Filing Information

Name: **T C OUTFIT LIMITED PARTNERSHIP**

General Information

SOS Business ID DP001586
Filing Type: Limited Partnership - Domestic
 11/02/2004
Status: Good Standing
Duration Term: Expires: 12/31/2054

Registered Agent Address

THOMAS G. CASTEEL
 13952 NINE MILE CREEK LANE
 VALE, SD 57788-3027

The following document(s) was/were filed in this office on the date(s) indicated below:

Date Filed	Filing Description	Image #
11/02/2004	Initial Filing	DP001586



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

April 26, 2021

297-1

Thomas Casteel
TC Outfit LP
13952 Nine Mile Creek Ln
Vale SD 57788

Dear Mr. Casteel:

I am writing to acknowledge receipt of the transfer form and filing fee submitted for changing ownership on Water Right No. 297-1.

The ownership change has been completed. Water Right No. 297-1 formerly held by Janice Lundgren is now listed under TC Outfit LP.

The receipt for the filing fee is being sent to Black Hills Title Company in Sturgis by copy of this letter.

If I can answer any questions for you, please let me know.

Sincerely,

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

c: Black Hills Title Company, PO Box 909, Sturgis SD 57785