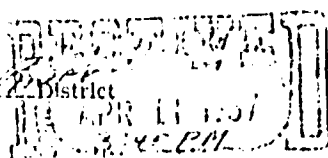


No 248-1Water Division No. 1Belle Fourche District
(Blanks to be filled by the Engineer for the W. R. C.)

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

Trans: 3/2/61 75%

(NOTE--Draw a line through items not applicable.)

1. Name of applicant W.E. Karinen & J.E. Erickson GEORGE M. ERICKSON (TRANSFERRED 7-31-62)
Postoffice address Belle Fourche, County Butte, 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)
Employment of others
 (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 Karinen-Erickson Irrigation Project
 3. Amount of water claimed 5.5 3.53' cubic feet per second
 4. Source of water supply Crooked Oak Creek (a dry draw)
 5. Location of point of diversion South 75° 30' E 1432 ft. from the N. 1/4 cor.
Sec. 15, T.8 N., R.3 E., E. 1/4 (a storage reservoir) Butte 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? Gravity

- (a) Number of acres to be irrigated 386 251 acres.

(b) Legal subdivisions to be irrigated:

NE 1/4-SE 1/4-36 Ao., SE 1/4-SE 1/4-15 Ao., Sec. 10-
 SW 1/4-SW 1/4-36 Ao., SE 1/4-NW 1/4-30 Ao., NE 1/4-SW 1/4-30 Ao., SE 1/4-SW 1/4-33 Ao.,
 SW 1/4-NE 1/4-6 Ao., SE 1/4-NE 1/4-14 Ao., NW 1/4-SW 1/4-33 Ao., NE 1/4-SW 1/4-33 Ao.,
 SW 1/4-SW 1/4-39 Ao., SE 1/4-SW 1/4-39 Ao., S 1/4-11
 NW 1/4-NW 1/4-16 Ao., NE 1/4-NW 1/4-30 Ao., NW 1/4-NE 1/4-33 Ao., SW 1/4-NE 1/4-2 Ao.
 Total 386 Ao. irrigable All in T.8 N., R.3 E. 1/4
 Butte County South Dakota

- (d) Method of developing power -----None-----

- (e) Point where water will be returned to stream thru percolation

Map 271-1

PLAT
OF THE
KARINEN-ERICKSON IRRIGATION PROJECT, BUTTE COUNTY, S. D.
SECTIONS 10, 11, 14 & 15, T. 8 N., R. 3 E., B. 11 M.

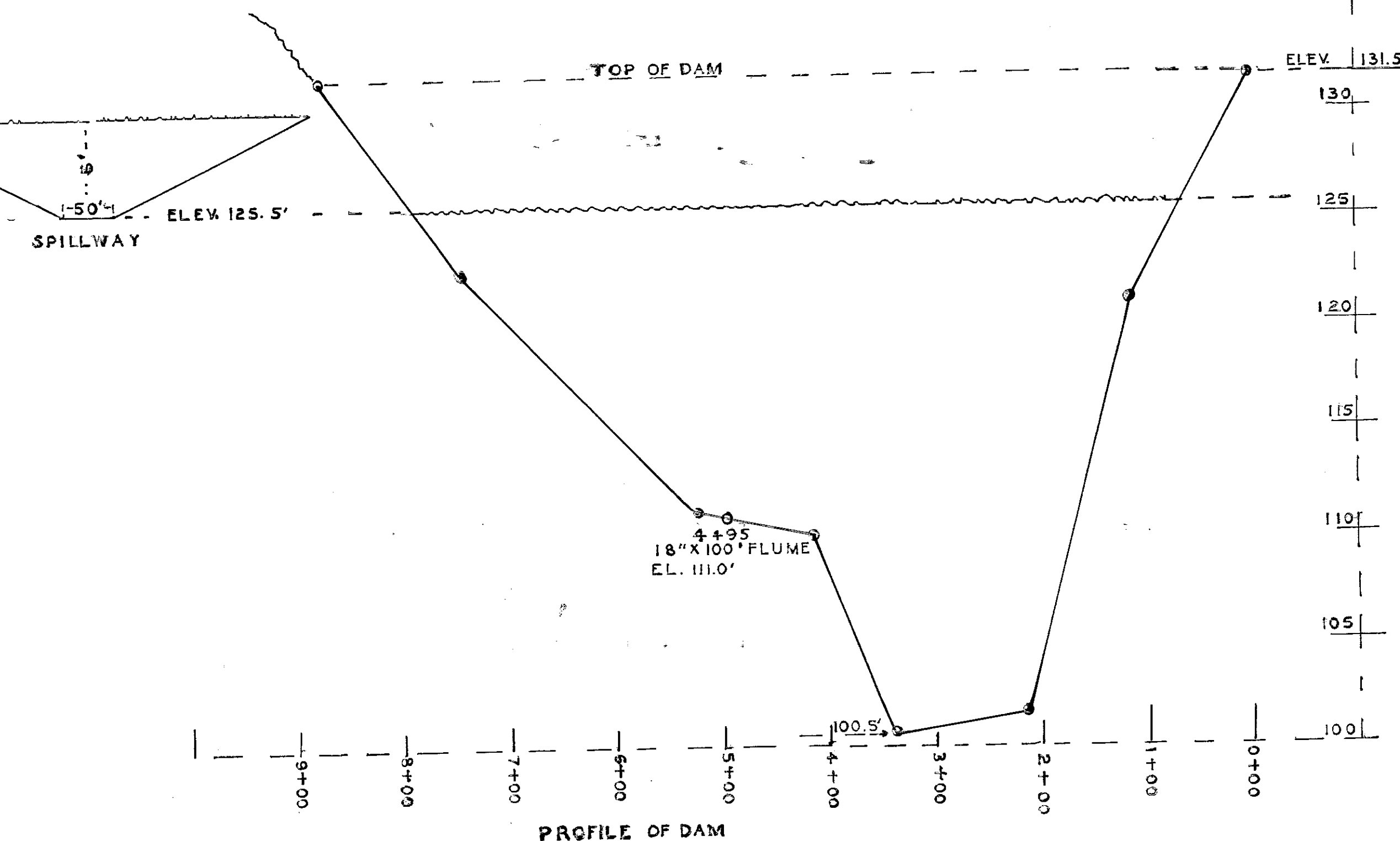
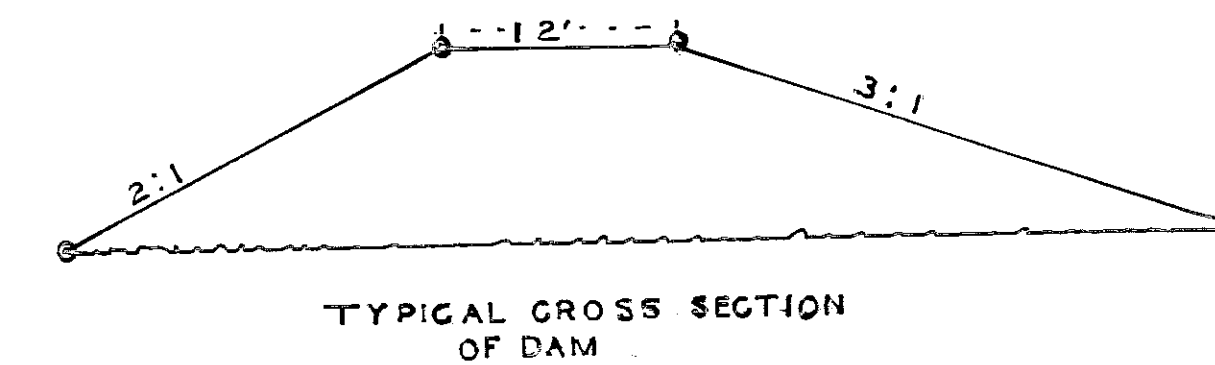
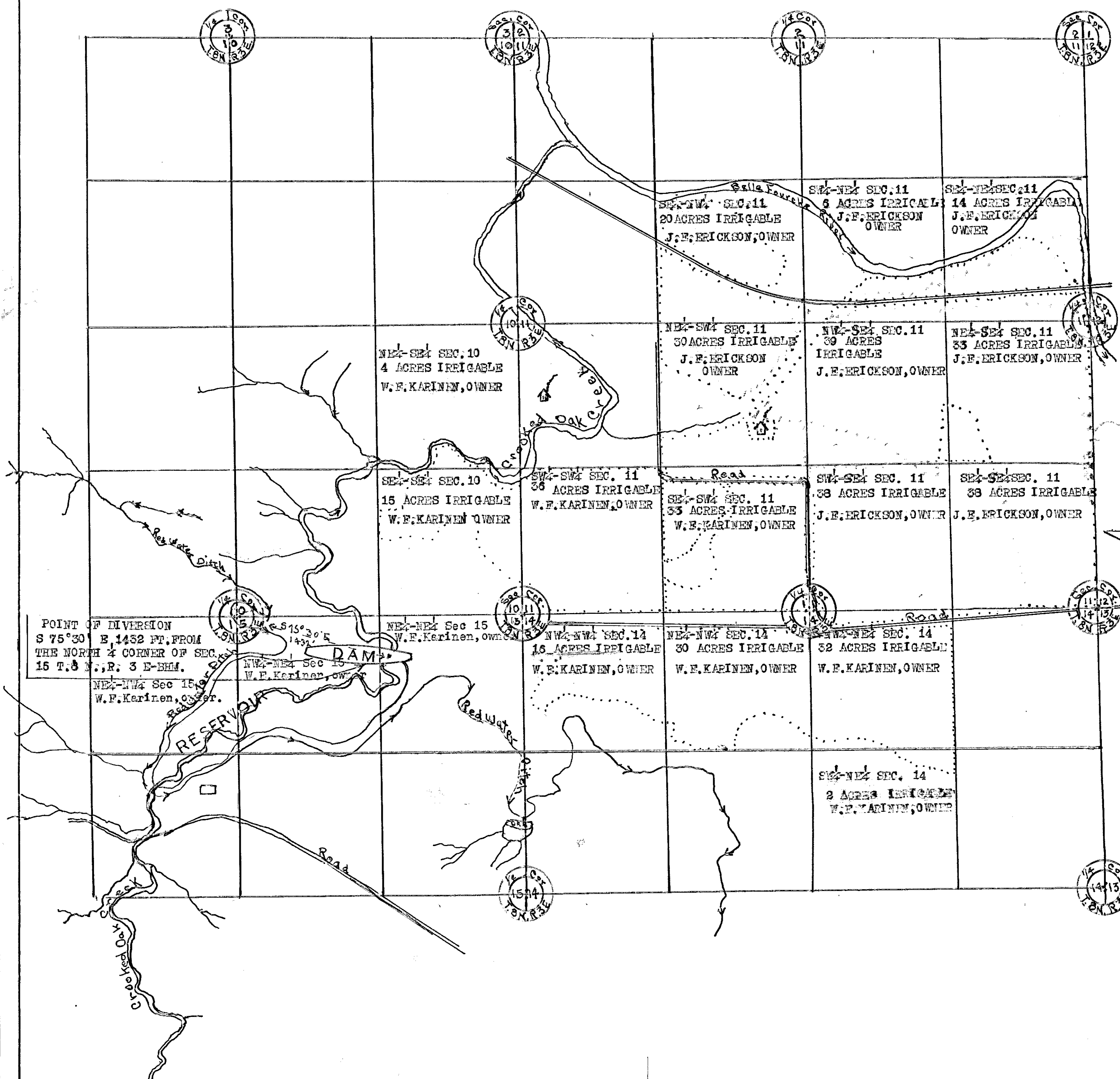
SCALE: 1 INCH = 660 FT.

CERTIFICATE.
I, THE UNDERSIGNED, CARL M. CORNELL, LICENSED SURVEYOR, IN AND FOR THE STATE OF SOUTH DAKOTA, DO HEREBY CERTIFY THAT, AT THE REQUEST OF W. F. KARINEN AND J. E. ERICKSON OF BELLE FOURCHE, BUTTE COUNTY, SOUTH DAKOTA I HAVE MADE A SURVEY OF AND PREPARED THIS PLAT OF THE ERICKSON-KARINEN IRRIGATION PROJECT AND THE IRRIGABLE AREAS IN EACH LEGAL SUBDIVISION AS A PART OF THEIR APPLICATION FOR A PERMIT TO CONSTRUCT A STORAGE RESERVOIR ON CROOKED OAK CREEK FOR THE PURPOSE OF IMPOUNDING WATER FOR IRRIGATION OF THE SEVERAL TRACTS SHOWN HEREON.
I FURTHER CERTIFY THAT THE BEARINGS AND DISTANCES OF ALL LINES SHOWN AND THEIR LOCATIONS WITH REFERENCE TO GOVERNMENT LAND CORNERS, AS 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
CARL M. CORNELL, LICENSED SURVEYOR
LICENSE # 144 (SEAL)

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

Eleanor Lindholm
NOTARY PUBLIC (SEAL)



EST. SURFACE AREA = 32 ACRES.
DRAWDOWN = 25 FT.
 $25 \frac{2}{3} \times 32 = 266.5 = \text{EST. CAPACITY IN ACRE FT.}$

Map No. 271-1
Appl. No. 298-1

Remarks by State Water Resources Commission:

STATE OF SOUTH DAKOTA
County of Hughes ss.

Pierre, South Dakota, April 13, 1957

This is to certify that the foregoing application was received by the Commission at 3:45 o'clock
P.m. upon the 11 day of April, 1957

State Water Resources Commission

By:

Jack Primes

Chief Engineer, Executive Officer

Number of permit 298-1

Date of first receipt of application April 11, 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 11, 1957

Approved May 15, 1957, Recorded in Book 4 Page 97

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 _____

November 15, 1958

2nd. The whole of said work is to be completed on or before May 15, 1960

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

May 15, 1960

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 5.50 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, 1960; 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:

Jack Primes

Chief Engineer, Executive Officer

Certificate of Construction Issued July 31, 1962

Water License Issued July 31, 1962

STATE OF SOUTH DAKOTA

WATER LICENSE No. 298-1

WHEREAS, On the 11th day of April A. D. 1957

George M. Erickson

of Belle Fourche County of Butte and State of

South Dakota duly made application (No. 298-1) to us for a permit to use 5.5

cubic feet per second of the waters of Crooked Oak Creek

County of Butte, State of South Dakota, for Irrigation

purposes; and

WHEREAS, On the 19th day of June A. D. 1957

Permit No. 298-1 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 25th day of

May A. D. 1960 and for the application to beneficial use of said

water on or before the 15th day of May A. D. 1960

and,

WHEREAS, On the 20th day of June A. D. 1962

the holder of said permit duly made proof of the completion of adequate works for the diversion of 5.5

cubic feet per second of said waters, as evidenced by our Certificate No. 298-1

dated July 31, 1962 confirming the completion of works of sufficient capacity for

diverting and conveying to the place of intended use 5.5 cubic feet per second of water, with date of

priority of April 11, 1957 and,

WHEREAS, On the 20th day of June A. D. 1962

proof was duly made of the application to beneficial use of 5.5 cubic feet per second of said water;

for irrigating 386.0 acres in Section 10, 11, and 14, T 8N, R 3E.

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 George M. Erickson
 of Belle Fourche the holder and owner of said permit No. 298-1
 a water right, dating from April 11, 1957 to the use of 5.5
 cubic feet per second of the waters of Crooked Oak Creek
 in the County of Butte and State of South Dakota, or so much thereof as may be
 necessary for the purposes hereinbelow mentioned, to be diverted at a point S 75°30' E 1432' from the
N¹ corner, Section 15, T 8N, R 3E.
 and conducted to and upon portions of Sections 10, 11 and 14, T 8N, R 3E, more
specifically described in the Certificate of Completion of works.
 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 31st day of July A. D. Nineteen
 Hundred and Sixty-Two

State Water Resources Commission
 By:

Chief Engineer, Executive Officer
J.W. GRIMES

STATE OF SOUTH DAKOTA

Water License No. _____

To _____

Source of Supply _____

County _____

Am't _____ c. f. s.

Point of Diversion _____

Place of Use _____

Purpose _____

Date of Priority _____

Recorded _____

In Book _____ of _____ Page _____

Permit No. 298-1

Water Division No. 1 BELLE FOURCHE Water District
RIVER

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to Certify, That George M. Erickson

of Belle Fourche, County of Butte, and State of South Dakota, the holder of Permit No. 298-1, issued upon Application No. 298-1, bearing date of priority of April 11, 1957, authorizing the diversion of 5.50 cu. ft. per second of the waters of Crooked Oak Creek County of Butte, State of South Dakota, at A point S 75° 30' E 1432' from the N $\frac{1}{4}$ corner, Section 15, T. 8N, R. 3E for irrigation

purposes, 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 5.5 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 T 8N, R 3E

Sec. 10	NW $\frac{1}{4}$ SE $\frac{1}{4}$ DE	4.0 acres	{ Spring Creek Livestock
	SE $\frac{1}{4}$ SE $\frac{1}{4}$ DE	15.0 acres	
Sec. 11	NE $\frac{1}{4}$ SW $\frac{1}{4}$ CA	30.0 acres	{ Fred & Alma Shimp
	SE $\frac{1}{4}$ SW $\frac{1}{4}$ CD	33.0 acres	
	SW $\frac{1}{4}$ SW $\frac{1}{4}$ CC	36.0 acres	{ Spring Creek Livestock
	SE $\frac{1}{4}$ NW $\frac{1}{4}$ CE	20.0 acres	
	NW $\frac{1}{4}$ SE $\frac{1}{4}$ DI	39.0 acres	{ Fred & Alma Shimp
	SW $\frac{1}{4}$ SE $\frac{1}{4}$ DE	38.0 acres	
	NE $\frac{1}{4}$ SE $\frac{1}{4}$ EA	33.0 acres	
	SE $\frac{1}{4}$ SE $\frac{1}{4}$ EB	38.0 acres	
	SW $\frac{1}{4}$ NE $\frac{1}{4}$ AC	6.0 acres	
	SE $\frac{1}{4}$ NE $\frac{1}{4}$ AD	14.0 acres	
Sec. 14	NW $\frac{1}{4}$ NW $\frac{1}{4}$ BE	16.0 acres	{ Spring Creek Livestock
	NE $\frac{1}{4}$ NW $\frac{1}{4}$ BA	30.0 acres	
	NW $\frac{1}{4}$ NE $\frac{1}{4}$ AB	32.0 acres	
	SE $\frac{1}{4}$ NE $\frac{1}{4}$ AA	2.0 acres	
Total		386.0 acres	

Witness my hand this 31st day of July A. D. 1962

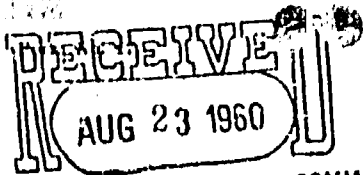
Fred & Alma Shimp 251 ac. & 3.58 cbs

Spring Creek Liv. 135 ac. & 1.72 cbs

State Water Resources Commission

By:

Chief Engineer, Executive Officer
J.W. GRIMES



STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

Permit No. 298-1

Water Division No. 1

BELLE FOURCHES RIVER
Water District

Notice of Application of Water to Beneficial Use

(This blank must be filled out by holder of permit and forwarded to the State Water Resources Commission at least sixty days before the time set for application of water.)

(P. O.) FRUITDALE, S.D.

(Date) 33 Aug 1960

TO THE STATE WATER RESOURCES COMMISSION OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given that on the 23 day of Aug

1960, at FRUITDALE County of BUTTE State of South Dakota,

before _____ proof will be submitted of the application to beneficial use

of 5.5 cubic feet per second of the waters of CROOKED OAK CREEK

_____ in accordance with the terms and conditions of Permit No. 298-1

heretofore issued by the Water Resources Commission of South Dakota.

1. The name and postoffice address of the person or corporation holding said permit are _____

G.M. ERICKSON & R.H. FEWETT

FRUITDALE, S.D.

2. The use to which said water has been applied is IRRIGATION

2. The amount applied to beneficial use is 5.5 cfs/sec

4. The place where said water is used is (if for irrigation, give full and accurate description of the lands irrigated) _____

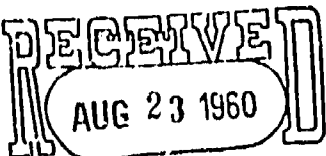
NE¹/₄-SE¹/₄-4 Ac., SE¹/₄-SE¹/₄-15 Ac. Sec. 10-
SW¹/₄-SW¹/₄-36 Ac., SE¹/₄-NW¹/₄- 20 Ac., NE¹/₄-SW¹/₄- 30 Ac., SE¹/₄-SW¹/₄- 33 Ac.,
SW¹/₄-NE¹/₄- 6 Ac., SE¹/₄-NE¹/₄- 14 Ac., NW¹/₄-SE¹/₄- 39 Ac., NE¹/₄-SE¹/₄- 33 Ac.,
SW¹/₄-SE¹/₄- 38 Ac., SE¹/₄-SE¹/₄- 38 Ac., Sec. 11
NW¹/₄-NW¹/₄- 16 Ac., NE¹/₄-NW¹/₄- 30 Ac., NW¹/₄-NE¹/₄- 32 Ac., SE¹/₄-NE¹/₄- 2 Ac.
Total 386 Ac. irrigable All in T. 8 N., R. 3 E
Butte County South Dakota

7. The source of supply from which such water is diverted is CROOKED OAK CREEK

8. The date of priority which said user is prepared to establish is MAY 15, 1958

(Sign)

George M. Erickson
Robert H. Fewett



STATE WATER RESOURCES COMM.
PIERRE SOUTH DAKOTA

Permit No. 298-1

BELLE FOURCHE RIVER
Water District

NOTICE OF COMPLETION OF WORKS

This blank must be filled out by the holder of permit and forwarded to the Executive Officer at least 60 days before the time set for completion of works

(P. O.) FRUITDALE, S. D.

(Date) 22 Aug 1960

TO THE STATE WATER RESOURCES COMMISSION
OF SOUTH DAKOTA, PIERRE:

DEAR SIR: Notice is hereby given of the completion of the works for the diversion of _____
5.5 cu. ft. per second of the waters of the state from CROSBY CREEK
through the KARINEN-ERICKSON IRRIGATION PROJECT
for IRRIGATION purposes
ONLY in accordance with the terms and conditions of a certain permit heretofore issued by the Water Resources Commission of the State of South Dakota.

1. The name of the person or corporation holding said permit is ERICKSON & KARINEN
TRANSFERRED
TO ERICKSON & SEWITT

2. The postoffice address of such person or the place of business of such corporation is FRUITDALE
County of BUTTE State of S. DAK.

3 The number of such permit is 298-1 and the date set for the completion of such work is
MAY 15, 1960 (EXTENSION REQUESTED TO NOV. 1, 1960)

4. Said water to be used for IRRIGATION purposes.

5. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conducting to the place of intended use, in accordance with the plans accompanying the application for such permit, is 5.5 cubic feet per second.

6. The amount of land for which said water is available is 386 acres,
particularly described as follows:

NE $\frac{1}{4}$ -SE $\frac{1}{4}$ -4 Ac., SE $\frac{1}{4}$ -SE $\frac{1}{4}$ -15 Ac. Sec. 10-
SW $\frac{1}{4}$ -SW $\frac{1}{4}$ -35 Ac., SW $\frac{1}{4}$ -NW $\frac{1}{4}$ -20 Ac., NE $\frac{1}{4}$ -SW $\frac{1}{4}$ -30 Ac., SE $\frac{1}{4}$ -SW $\frac{1}{4}$ -33 Ac.,
SW $\frac{1}{4}$ -NE $\frac{1}{4}$ -6 Ac., SE $\frac{1}{4}$ -NE $\frac{1}{4}$ -14 Ac., NW $\frac{1}{4}$ -SE $\frac{1}{4}$ -39 Ac., NE $\frac{1}{4}$ -SE $\frac{1}{4}$ -33 Ac.,
SW $\frac{1}{4}$ -SE $\frac{1}{4}$ -18 Ac., SE $\frac{1}{4}$ -SE $\frac{1}{4}$ -38 Ac., Sec. 11
NW $\frac{1}{4}$ -NW $\frac{1}{4}$ -16 Ac., NE $\frac{1}{4}$ -NW $\frac{1}{4}$ -30 Ac., NW $\frac{1}{4}$ -NE $\frac{1}{4}$ -32 Ac., SW $\frac{1}{4}$ -NE $\frac{1}{4}$ -2 Ac.
Total 386 Ac. irrigable All in T. 3 N., R. 3 E
Butte County South Dakota

Robert H. Jewett

PROOF OF PUBLICATION

STATE OF SOUTH DAKOTA

County Butte

ss.

STATE WATER RESOURCES COMM

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

Belle Fourche Bee a newspaper which during the whole time of publication of said notice herein after stated, has been and is printed and published in the City of Belle Fourche County of

Butte and State of South Dakota; that the said notice was published in said newspaper on the following 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 13th day of April 1957 and the last publication on the 9th 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 Publisher the printer and publisher of the said newspaper.

Laurence Weyler

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

Jay L. Kennedy

Notary Public Butte County, S. D.

Notary Public, Butte County, S. Dak.
My Commission Expires Sept. 29, 1959

No. 298-1

APPROPRIATION OF WATER

Office of State Water Resources Commission, Pierre, S. Dak., April 13, 1957

Notice is hereby given that W. E. Karinen and J. E. Erickson whose postoffice address is Belle Fourche, 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 5.5 cubic feet of water per second of time from the Crooked Oak Creek through the Karinen-Erickson Irrigation Project, the point of diversion of which is to be located on both banks of said stream in the NE 1/4 of Section 15 Twp 8N Range 3E. Said water to be used for the purpose of providing irrigation on the following described land: portions of Sections 10, 11 and 14, T 8N, R 3E and for domestic purposes.

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. GRIMES,

Chief Engineer,

Executive Officer

B4t A-18-25 M2-9

(First Publication) not later than April 18, 1957

APPROPRIATION OF WATER

Office of State Water Resources Commission,

Pierre, S. Dak. April 13, 1957

Notice is hereby given that **W. H. Karinen and J. E. Erickson** whose postoffice address is **Belle Fourche** 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 **5.5** cubic feet of water per second of time from the **Project Crooked Oak Creek** through the **Karinen-Erickson Irrigation/** the point of diversion of which is to be located on the **xxx both** bank of said stream in the **NE** ~~xxxxxx~~ of Section **15** Twp. **8 N** Range **3E** Said water to be used for the purpose of providing irrigation on the following described land: **portions of Sections 10, 11 and 14, T 8N, R 3E**

and for **domestic** purposes.

This application will be taken up by the State Water Resources Commission at their office at Pierre for consideration upon the **15** day of **May**, 19**57**, 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.GRIMES,

Chief Engineer, Executive Officer

cc Mr. Laurence Weyler
Belle Fourche Bee
Belle Fourche, South Dakota

NOTICE OF TRANSFER OF WATER PERMIT

30 JUNE 1962

TO: Office of State Water Resources Commission
Pierre, South Dakota

This is to notify you that W.E. BARJEN & J.E. ERICKSON

who previously owned the land described below has sold his interests to George M. Erickson

together with any rights to the beneficial use of water thereon as evidenced by State Water Permit No. 278-1
and as provided for in section 61.01-41 of the SDC of 1939 and elsewhere

You are therefore hereby requested to file this "Notice of Transfer of Water Permit" in its appropriate file at
the OFFICE OF WATER RESOURCES COMMISSION as evidence of the change of ownership.

A fee of one dollar is hereto attached to cover filing fees as required under Section 55.1806 of the SDC of 1939.

STATE OF SOUTH DAKOTA

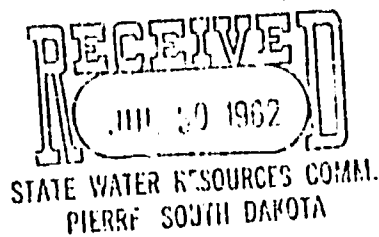
County of _____

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

Signed George M. Erickson

Subscribed and sworn to before me this 25 day of July 1962

Jay S. Kennedy
Notary Public
Notary Public, Butte County, So. Dak.
My Commission Expires Sept. 29, 1966



**South Dakota Department of
Water & Natural Resources**
Joe Foss Building
Pierre, South Dakota 57501
Water Rights, Water Management Division
(605) 773-3352

March 12, 1980

STEPHENS, QUINN, CARR, TSCHETTER
& BUCKMASTER, Attorneys
117 Fifth Avenue
Belle Fourche, SD 57717

ATTENTION: Wesley W Buckmaster

Dear Mr. Buckmaster:

Enclosed is receipt No. 4 7385 in the amount of \$2.50 which you paid for the transfer of Water Right No. 298-1. Our records now show that an undivided 75% of Water Right No. 298-1 is owned by Fred & Alma Olive Shimp.

When the transfer notice and filing fee is received in this office for the remainder of the permit, Water Right No. 298-1A will reflect this change. Upon completion of this transfer, Water Right No. 298-1 will be split into two permits, that being 298-1 and 298-1A.

When completing transfer forms, please include an address for the party of parties being transferred to so that we can properly handle any correspondence being sent to them. This had been deleted on previous transfers sent to this office.

If you have any questions, please contact this office.

Sincerely,

GERRY YOUNG
Staff Assistant

gy
cc: Fred & Alma Shimp
encl

NOTE: For a telephone message from a Thomas E Carr, from your offices, enclosed are blank form 20's-Notice of Transfer of Water Permit. Please see that these forms are routed to him. Thank you.

Equal Opportunity Employer

298-

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: March 7, 1980

T8N, R2E, BHM, Butte County, SD: Section 11: S/2NE/4, SE/4, SE/4NW/4 and E/2/SW4.

Section 17: N/2SW/4, SW/4SW/4. (Not Irrigated)

formerly owned by George H. Erickson

has been transferred to Fred Shimp and Alma Olive Shimp (undivided 75 percent interest)

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

Water Right Permit No. 298-1 as provided for in SDCL 46-5-32 and 46-5-33.

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

A fee of Two Dollars and Fifty Cents (\$2.50) is hereto attached to cover filing fees as required under SDCL 46-2-13.

[illegible]

I, FRED SHIMP and ALMA OLIVE SHIMP being first duly sworn on ~~my~~^{our} oath depose and say: That my relation to the above described undertaking is that of Owners, that ~~we~~^{we} have read the above foregoing statement, and ~~we~~^{we} know of my own personal knowledge that the information herein stated is true.

Alma Olive Shimp

Paul Shims
(Signed)

Subscribed and sworn to before me this 7TH Day of MARCH, 1980.

Wesley A Buchmester
(Notary Public)

My Commission Expires: 06-18-2011

RECEIPT

WATER RIGHTS COMMISSION
State of South Dakota

No 4 7385

PIERRE, March 12, 1980

RECEIVED OF Stephens, Quinn, Carr, Tschetter & Buckmaster, Attorneys
177 1/2 4th Avenue, Pierre, South Dakota 57501 (for Fred Shlap)
the following amount in fees for services rendered as provided for by law:

Fee for Application for Permit to Appropriate Water No. (examination, processing, recording and filing)		
Fee for inspecting Construction, and issuing Cert. of Construction No.		
Fee for inspecting Beneficial Use, and issuing Water License No.		
Fee for issuing Location Certificate-Dry Draw, No.		
Fee for filing transfer of water right No. 293-1	2	50
Fee for certified copy of		
Fee for Print copy of map		
Fee for Certifying		
Fee for		
(any other work as provided by law)		
TOTAL	2	50

WATER RIGHTS COMMISSION

by *John Hatch*
Chief Engineer, Executive Officer
JOHN HATCH by

(605) 773-3352
Water Rights Division

December 4, 1981

Tim Reich
1007 Kingsbury
Belle Fourche, SD 57717

Dear Tim:

This letter is in response to a call this office received from George Kinsfater concerning storage of water from the redwater ditch by Fred Shimp and others. After discussion of this matter with other members of the staff it was determined that the distribution of water and the regulation of its use by members of the Redwater Irrigation Association will rest entirely with the governing board of the Association. The settlement of any complaints between members of the association in regards to water use will be the governing boards responsibility. However, any new construction or use of an existing structure to store water for irrigation by any individual would require them to apply for a water right from this office. If you have any further questions concerning this subject please contact this office.

Sincerely,

KEVIN LARSON
Water Resources Engineer

KL/bt

cc: George Kinsfater

298-1

**South Dakota Department of
Water & Natural Resources**

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

March 23, 1987

FRED & ALMA SHIMP
RR 1 BOX 45
BELLE FOURCHE, SD 57717

NOTICE

Re: Violation of Requirement To Submit 1986 Irrigation
Questionnaire

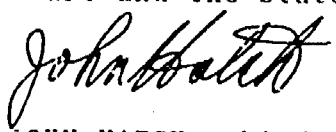
Our records indicate that the 1986 Irrigation Questionnaire has not been submitted for Permit No(s). 298-1. The request for the Questionnaire was dated November 3, 1986. The Water Management Board has directed that owners of water permits who have not submitted 1986 Irrigation Questionnaires be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 2:00 pm, May 6, 1987 in Room 216, Joe Foss Building, 523 E Capitol, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s). 298-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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.



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

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



Department of Water & Natural Resources

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

April 3, 1987

298-1

Fred & Alma Shimp
RR #1 Box 45
Belle Fourche, SD 57717

Dear Mr. & Mrs. Shimp:

This will acknowledge receipt of and thank you for the return of your 1986 Irrigation Questionnaire. A notice was sent to you March 23, 1987 regarding the Irrigation Questionnaire submittal violation of Water Right No. 298-1 and the date hearings were to be held before the Water Management Board to determine any action to be taken concerning the violation.

Please disregard the notice sent to you dated March 23, 1987. Your name has been deleted from the agenda pertaining to these hearings.

If you have any questions, please contact us.

Very truly yours,

JOHN HATCH, Chief Engineer
Water Rights Division
505 773-3352

 **Department of
Water & Natural Resources**

Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-2181

December 20, 1988

298-1

Jerry & Elaine Jensen
PR #1 Box 186
Belle Fourche, SD 57717

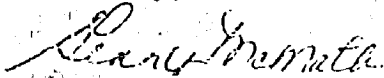
Dear Mr. & Mrs. Jensen:

In response to your 1988 irrigation questionnaire, enclosed is a partially completed "Notice of Transfer" for use in filing an ownership change on Water Right No. 298-1. Please check over the form and sign in the presence of a notary public. Upon completion of the form, return it to our office with a required filing fee of \$2.50. The water right will then be transferred to your names.

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact us.

Sincerely,



GENNY MCMATH
Natural Resources Analyst
605 773-3352

enclosure



**South Dakota Department of
Water & Natural Resources**

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

May 16, 1989

Second Notice
Water Right No. 298-1

Jerry & Elaine Jensen
RR #1 Box 186
Belle Fourche, SD 57717

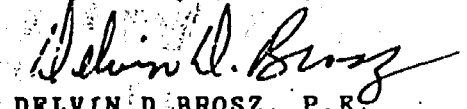
Dear Mr. & Mrs. Jensen:

On December 20, 1988, notice was sent to you concerning the transfer of Water Right No. 298-1 in the name of Fred and Alma Shimp which covers irrigation of portions of Section 11, T8N, R3E. To date, we have not heard from you on this matter.

A transfer form was previously sent to you, enclosed is an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The water right can then be transferred to your name. If you are not the present owner of the land covered under this Water Right, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water to be filed with this office within ninety days.

If you have any questions, please contact Genny McMath, (605) 773-3352.

Very truly yours,



DELVIN D. BROSZ, P.E.
Hydrologist
for John Hatch, Chief Engineer
Water Rights Division

enclosure



**South Dakota Department of
Water & Natural Resources**

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

August 24, 1989

Third Notice
Water Right No. 298-1

Jerry & Elaine Jensen
RR #1 Box 186
Belle Fourche, SD 57717

Dear Mr. & Mrs. Jensen:

On December 20, 1988 and May 16, 1989, notices were sent to you concerning the transfer of Water Right No. 298-1 in the name of Fred & Alma Shimp. To date, we have not heard from you on this matter.

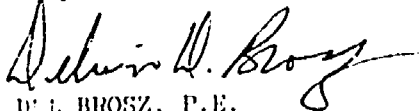
A transfer form was previously sent to you, enclosed is an additional form. Please sign, have notarized and return the form to this office with the required filing fee of \$2.50. The water right can then be transferred to your name. If you are not the present owner of the land covered under this water right, please notify this office. It is very important that ownership records be kept current. South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a Water Permit or Water Right to appropriate water be filed with this office within ninety days.

Failure to keep records current can mean a delay in receiving a notice or even no receipt of a notice that pertains to the water right. In some cases, a notice from this office includes an order which could result in up to one year suspension of a permit or other penalty if not complied with.

The Statutes provide that a permit for irrigation remains appurtenant to the land. If there is an ownership change; however, no such assignment (transfer) shall be binding except upon the parties thereto, unless filed for record in this office.

If you have any questions, please contact us.

Very truly yours,



D. L. BROSZ, P.E.

Hydrologist

for JOHN HATCH, Chief Engineer

Water Rights Division

GR 773-3352

enclosure



● **SENDER:** Complete items 1 and 2 with additional services are desired, and complete items 3 and 4.
 Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the carrier delivered to and the date of delivery. For additional fees the following services are available through postmaster (for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address.	2. ☐ Registered Delivery
3. Article Addressed to: Jerry & Elaine Jenson RR1 Box 186 Belle Fourche SO 57717	4. Article Number P 501 733 900 Type of Service: ☒ Registered ☐ Certified ☐ Insured Mail Always obtain a receipt of delivery from agent and DATE
5. Signature - Addressee X <i>Elaine Jenson</i>	6. Addressee's Signature (if requested and fee paid)
6. Signature - Agent X	
7. Date of Delivery AUG 28 1988	

208-1

Water Rights Division - DWR

File No. _____

Conversation or File Documentation

NAME OF PERSON OR FILE: Jerry & Elaine JensenADDRESS: RR #1 Box 186, Belle Fourche, SD COUNTY _____DATE: October 5, 1989 TELEPHONE 892-4974RE: ownership of Water Right No. 298-1

COMMENTS:

I called & spoke with Elaine Jensen regarding ownership status of No. 298-1.

She indicated they have not yet filed the transfer notice because the land has not yet changed hands. They paid the option on the land in order to take it off the market. In January, 1990, they will be making the final balloon payment and at that time will own the land. They are currently leasing land.

I told her that I would send the 1989 irrigation questionnaire directly to them instead of Fred Shimp. She stated this would be fine since Mr. Shimp no longer wanted anything to do with the land.

She realized they would have to file the Notice of Transfer before the water right could be listed in their names. She stated she would hold on to the form I sent to her and would file it sometime in January.

File in Permit or other file as necessary. Use to document conversations and what the other party was told; why action or decision was made.

4/82

NAME: Jerry McMath

 **Department of
Water & Natural Resources**
Joe Fosc Building
523 East Capitol
Pierre, South Dakota 57501-3181

August 3, 1990

298-1
298-1A

Vern Thorstenson
813 St Joe
Rapid City, SD 57701-2609

Dear Mr. Thorstenson:

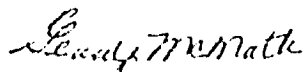
Enclosed, as you requested, are partially completed "Notice of Transfer of Ownership" forms. Water Right No. 298-1 is currently listed in the name of Fred & Alma Shimp. Water Right No. 298-1A is listed in the name of Spring Creek Livestock.

The forms should be checked over for accuracy, completed, and then signed in the presence of a notary by the new owner. Upon completion, return the forms to our office with a required filing fee of \$2.50 each (total of \$5.00).

South Dakota Water Law 46-5-30.3 requires Notice of any sale, grant, lease, conveyance or other transfer of a water permit or water right to appropriate water, to be filed with this office within ninety days.

If you have any questions, please contact me.

Sincerely,



Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

298-1



DEPARTMENT OF WATER & NATURAL RESOURCES
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

February 1, 1991

JERRY & ELAINE JENSEN, MGR
RR 1 BOX 186
BELLE FOURCHE SD 57717

NOTICE

RE: Violation of Requirement to Submit 1990 Irrigation Questionnaire

Our records indicate that the 1990 Irrigation Questionnaire has not been submitted for Permit No(s) 298-1. The request for the Questionnaire was dated October 12, 1990. The Water Management Board has directed that owners of water permits who have not submitted the 1990 Irrigation Questionnaire be given notice of hearing(s) to be held by the Board to determine if any action is to be taken concerning the violation.

The hearings will be held at 9:15 am, February 27, 1991, at the Governor's Inn in the meeting room, 700 West Sioux Avenue, Pierre SD.

The hearing will be conducted pursuant to the provisions of SDCL 46-1-12, 46-1-14, 46-2-9, 46-2-11 and 46-2-17. These are contested case hearings pursuant to procedures contained in SDCL 1-26. Following the hearing(s), the Water Management Board can:

1. Amend Permit No(s) 298-1 to require the Irrigation Water Use Questionnaire to be submitted each year;
2. Postpone any action;
3. Take no action.

The hearing(s) 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 received in this office, before the February 27th hearing date, your name will be deleted from the agenda for the hearing.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.

Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. ☒ Show to whom delivered, date, and addressee's address. (Extra charge) 2. ☐ Restricted Delivery (Extra charge)

3. Article Addressed to: JERRY & ELAINE JENSEN, MGR RR 1 BOX 186 BELLE FOURCHE SD 57717	4. Article Number P694057376 Type of Service: ☐ Registered ☐ Insured ☒ Certified ☐ COD ☐ Express Mail ☐ Return Receipt for Merchandise
5. Signature - Addressee X <i>Elaine Jensen</i>	Always obtain signature of addressee or agent and <u>DATE DELIVERED</u>.
6. Signature - Agent X	8. Addressee's Address (ONLY if requested and fee paid)
7. Date of Delivery	

PS Form 3811, Apr. 1989

• U.S.G.P.O. 1989-238-815

DOMESTIC RETURN RECEIPT



DEPARTMENT OF WATER & NATURAL RESOURCES

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

February 26, 1991

298-1

Jerry & Elaine Jensen
RR #1 Box 186
Belle Fourche, SD 57717

Dear Mr. & Mrs. Jensen:

I am writing to acknowledge receipt of your 1990 irrigation questionnaire for Water Right No. 298-1. You may disregard the February 1, 1991. Notice of failure to submit the 1990 irrigation questionnaire. With receipt of the questionnaire, your name has been deleted from the February Water Management Board meeting agenda.

If you have any questions, please contact Genny McMath, at (605) 773-3352.

Sincerely,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division

South Dakota



GREAT FACES. GREAT PLACES.

May 30, 1991

DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

No. 298--1

298-1

Elaine and Jerry Jensen
Rt 1, Box 186
Belle Fourche, SD 57717

Dear Mr. and Ms. Jensen:

Enclosed is a receipt in the amount of \$2.50 which you paid for the transfer of Water Right No. 298-1.

Our records now show you as the owner of Water Right No. 198-1.

Sincerely,

Cheryl F. Frost

Cheryl F. Frost
Secretary
Water Rights Division
605 773-3352

enclosure

REPRODUCTIONS. REDUCTION 25:1 ROLL NO. 11-21 DATE MICROFILMED 7/8/91 OPERATOR Cheryl Frost

NOTICE OF TRANSFER OF OWNERSHIP

No. 298-1

TO: Chief Engineer
Water Rights Division, DWNH
523 East Capitol
Pierre, SD 57501-3181



Date: February 1991
November 1990

I/We request that Water Permit/Right No. 298-1

formerly owned by: Fred & Alma Shimo

be transferred to: (name & address) Elaine Jensen and Jerry Jensen, Route 1, Box 186

Belle Fourche, SD 57717 (telephone No.) 892-4974

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

E½ SW¼, SE¼ NW¼, SE¼, S½ NE¼, Section 11, T8N, R3E

I/We understand that the validity of Water Permit/Right No. 298-1 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 at the Division of Water Rights, as evidence of the change of ownership.

A fee of Two Dollars and Fifty Cents (\$2.50) is attached to cover the filing fees as required under SDCL 46-2-13.

STATE OF SOUTH DAKOTA)

County of Butte)

I/We Elaine & Jerry Jensen being first duly sworn on my oath depose and say that my relation to the above described undertaking is that of Owner, that I have read the above foregoing statement, and that I know of my own personal knowledge that the information herein stated is true.

Elaine Jensen
Jerry Jensen
(Signed)

Subscribed and sworn to before me this 24 day of February, 1990.

Bill M. Smith
(Notary Public)

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

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

RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

412585

Pierre, February 25, 1991

RECEIVED OF Elaine & Jerry Jensen, Rt 1, Box 186, Belle Fourche SD 57717

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form _____ Water Right No. 29881	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By John Hatch
Chief Engineer JOHN HATCH KS

Jensen
Orig to
Water Rights

298-1

BUCKMASTER AND MACY
ATTORNEYS AT LAW
1501 5th Avenue • P.O. Box 726
BELLE FOURCHE, SD 57717

PHONE (605) 892-2623
FAX (605) 892-6337

WESLEY W. BUCKMASTER

RANDALL L. MACY

November 1, 1990

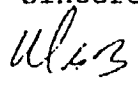
Mr. Verne Thorstenson
Attorney at Law
813 St. Joe
Rapid City, SD 57701

RE: Shimp/Jensen Transaction

Dear Verne:

Enclosed please find the executed Notice of Transfer of Ownership concerning the above referenced matter. If you have any questions, please contact me.

Sincerely yours,



WESLEY W. BUCKMASTER

WWB/jej

Enclosure



RECEIPT

Division of Water Rights

South Dakota Department of Water and Natural Resources

Pierre, November 9, 1990

RECEIVED OF Thorstenson Law Offices 813 St. Joseph Street, Rapid City SD 57701

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct works and to put water to beneficial use _____		
Fee for Application for Permit No. _____ to Appropriate Water for Future Use _____		
Fee to retain Future Use Permit No. _____ after period of seven years.		
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____		
Fee for Filing Transfer Form <u>293-1 Water Right 29501</u>	2	50
Fee for Filing Extension Request _____		
Fee for Certified Copy of _____		
Fee for Print Copy of Map _____		
Fee for Certifying _____		
Fee for _____		
(Any Other Work Provided by Law)	Total	2 50

By [Signature]
Chief Engineer

 **Department of
Water & Natural Resources**
Joe Foss Building
523 East Capitol
Pierre, South Dakota 57501-3181

November 13, 1990

298-1

Wesley W Buckmaster
BUCKMASTER AND MACY
Attorneys At Law
PO Box 726
Belle Fourche, SD 57717

Dear Mr. Buckmaster:

Enclosed is the "Notice of Transfer of Ownership" you submitted for filing an ownership change on Water Right No. 298-1. The transfer form must be signed by the new owner(s), instead of the old owners. I have included a blank transfer form to be completed and signed in the presence of a notary by the new owner(s).

If you have any questions, please contact me.

Sincerely,



Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosures

298-1



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

JERRY & ELAINE JENSEN
RR 1 BOX 186
BELLE FOURCHE SD 57717

NOTICE

RE: Violation of Requirement to Submit 1991 Irrigation Questionnaire

Our records indicate that the 1991 Irrigation Questionnaire has not been submitted for Permit No(s) 298-1. The request for the Questionnaire was dated October 18, 1991. The Water Management Board has directed that owners of water permits who have not submitted the 1991 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 9:15 am, March 4, 1992, 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) 298-1 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 before the March 4th hearing date, your name will be deleted from the Board agenda.

Very truly yours,

Ron Duvall, Natural Resources Engineer IV
Water Rights Division
605 773-3352

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 Fee will provide you the signature of the person delivered to and the date of delivery.

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:

JERRY & ELAINE JENSEN
RR 1 BOX 186
BELLE FOURCHE, SD 57717

4a. Article Number

P906 557 667

4b. Service Type

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

7. Date of Delivery

1-29-92

5. Signature (Addressee)

Elaine Jensen

6. Signature (Agent)

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



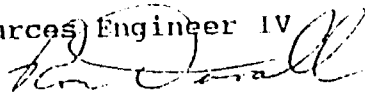
DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

March 9, 1992

NOTICE OF AMENDMENT TO WATER PERMIT(S)

TO: JERRY & ELAINE JENSEN
RR 1 BOX 186
BELLE FOURCHE, SD 57717

FROM: Ron Duvall, Natural Resources Engineer IV
Water Rights Division
(605) 773-3352 

SUBJECT: Amendment to Water Permit No(s). 298-1

Pursuant to the provisions of the Notice dated January 27, 1992, and following the hearing March 4, 1992, the Water Management Board has amended Water Permit No(s). 298-1 to add the following qualification:

"This permit is subject to the Irrigation Water Use Questionnaire being submitted each year."

The addition of this qualification to your Permit means that failure to submit future irrigation questionnaires could result in suspension of the water permit and no use of water for up to one year for the first violation.



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES

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

October 9, 1992

298-1

Jerry & Elaine Jensen
RR #1 Box 186
Belle Fourche, SD 57717

Dear Mr. & Mrs. Jensen:

Enclosed is a copy of Water Right No. 298-1.

In our October 8, 1992 telephone conversation, you stated the land was irrigated by dikes and ditches. You indicated there were no pumps or gauges used and you had no way of measuring the amount of water used.

Water Right No. 298-1 was amended by the Water Management Board to include the irrigation questionnaire qualification. This qualification made submission of the annual irrigation questionnaire mandatory. Water Management Board Rules state that submission of the annual forms is mandatory; EXCEPT when irrigation is done by waterspreading systems.

I have deleted your names from the mailing list for the irrigation questionnaire. You will be notified when the Board takes formal action to delete the qualification from Water Right No. 298-1. Deleting this qualification will not alter the remaining portions of your water right.

If you have any questions, please contact me.

Sincerely,

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

Genny McMath
Natural Resources Analyst
(605) 773-3352



DEPARTMENT of ENVIRONMENT
and NATURAL RESOURCES
JOE FOSS BUILDING
523 EAST CAPITOL
PIERRE, SOUTH DAKOTA 57501-3191

December 15, 1992

298-1

Jerry & Elaine Jensen
RR #1 Box 186
Belle Fourche, SD 57717

Dear Mr. & Mrs. Jensen:

On December 2, 1992, the Water Management Board deleted the Irrigation Questionnaire Qualification from your water right. You will no longer be required to submit yearly questionnaires.

On March 4, 1992, the Water Management Board passed a motion to amend Water Right No. 298-1 to include the questionnaire qualification due to nonreturn of your 1991 irrigation questionnaire. At the December, 1992 hearing, the Board rescinded this motion based on information presented by Staff indicating you irrigated with a "waterspreading" type system.

If you have any questions concerning the action the Water Management Board took regarding Water Right No. 298-1, please feel free to contact us.

Very truly yours,

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

298-1



RECEIVED

JUL 05 2022

OFFICE OF
WATER

June 28, 2022

Nicole J. Woelber
Nicole.Woelber@woodsfuller.com
605-336-3890 Ext. 633

PMB 2020
DENR – Water Rights Program
523 E. Capitol Avenue
Pierre, SD 57501-3182

Re: Notice of Transfer of Ownership
Permit No. 298-1

Greetings:

Enclosed please find an executed Notice of Transfer of Ownership related to Water Right/Permit No. 298-1, along with our firm's check in the amount of \$50.00 for the filing fee. I've also enclosed a self-addressed, stamped envelope for your use in returning a confirmation of filing.

Please do not hesitate to contact Attorney Max Donohue in our Sioux Falls office with any questions. He can be reached at (605) 336-3890. Thank you.

Sincerely,

WOODS, FULLER, SHULTZ & SMITH P.C.

Nicole J. Woelber

Enclosures

298-1

RECEIPT**WATER RIGHTS PROGRAM**

South Dakota Department of Agriculture and Natural Resources

Date July 5, 2022

RECEIVED OF Woods Fuller Shultz & Smith PC 11644 Valley Road Belle Fourche SD 57717

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

Fee for Application for Permit No. _____ to Appropriate Water, to construct and to put water to beneficial use	\$ _____
Fee for Application for Permit No. _____ to Appropriate Water for Future use	\$ _____
Fee to retain Future Use Permit No. _____ after period of seven years.	\$ _____
Fee for Inspecting Constructed Works, confirming beneficial use and issuing Water License No. _____	\$ _____
Fee for Filing Transfer Form <u>298-1</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 Engineer
 2m

PAID

JUL 5 2022

SD EForm - 0495LD V2**NOTICE OF TRANSFER OF OWNERSHIP**

For assistance call (605) 773-3352

RECEIVED

Ck#

Rec't#

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

JUL 05 2022

Water Right/Permit No. 298-1

**OFFICE OF
WATER**

Date: 06/22/22

I/We request that Water Right/Permit No. 298-1 formerly owned by:
Elaine Jensen and Jerry Jensen

be transferred to:

New Owner Name: Michael Kopp and Shannon KoppAddress: 11644 Valley 1 RoadCity, State, Zip Belle Fourche SD 57717 Telephone No. 303-929-9349

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

Township 8 North, Range 3 East of the Black Hills Meridian, Butte County, South Dakota:
 Section 11: N $\frac{1}{2}$ SE $\frac{1}{4}$; S $\frac{1}{2}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$, less Tract J of Jensen Subdivision as shown by
 Plat recorded in Document #P98-1721 and less Tract A as shown by Plat recorded in Document #2010-1000

☒ I understand that the validity of Water Right/Permit No. 298-1 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, Michael Kopp, 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.



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

July 6, 2022

298-1

Michael & Shannon Kopp
11644 Valley 1 Road
Belle Fourche SD 57717

Dear Mr. & Mrs. Kopp:

I am writing to acknowledge the receipt of the transfer form and filing fee submitted for changing ownership on Water Right No. 298-1.

The ownership change has been completed. The water right formerly listed under Jerry & Elaine Jensen is now listed under your names.

The receipt for the filing fee is being sent by copy of this letter to Woods, Fuller Law Firm in Sioux Falls.

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

cc: Nicole J Woelber, Woods, Fuller, Shultz & Smith PC w/Receipt



298-1

**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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

July 13, 2022

298-1

Michael Kopp
1702 13th Ave
Belle Fourche SD 57717

Dear Mr. Kopp:

Thank you for visiting with me about Water Right No. 298-1. Enclosed are the following materials:

- Letter of transfer confirmation (the one the post office returned to us)
- A copy of Water Right No. 298-1 showing what is authorized for irrigation
- An application to apply for a water permit and the accompanying instruction sheet

Information submitted many years ago indicated the water use system was "water spreading" in nature meaning the water right holders did not have a mechanism to measure how much water they applied. If this should change and you are able to pump water to your crops, let us know and we can begin mailing the questionnaire to you each year. Actually, the reason we were unaware the Jensen's were no longer involved is because we had no reason to mail them an annual questionnaire.

As we discussed, if you intend on increasing acres and/or diversion rate from what is currently authorized, you will need to submit a new permit application. 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

enclosures

WATER RIGHTS PROGRAM -- FILE DOCUMENTATION

NAME & ADDRESS: Mike Kopp, 11644 Valley 1 Rd, Belle Fourche SD 57717

DATE: 05/23/2024

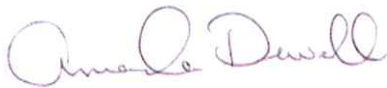
TELEPHONE: 303.929.9349

RE: Irrigation Questionnaires

COMMENTS:

Mr. Kopp called with concern that he had missed the annual irrigation reporting. The system historically used, under Water Right No. 298-1, was a gravity self-spreading system, that Irrigation Questionnaires had not been mailed for. Mr. Kopp has since updated a portion of the irrigated lands and is now equipped with a trackable pivot system. An irrigation questionnaire will be mailed to him for the 2024 irrigation season, requesting that he report what is covered by this new pivot system, with the understanding that he is still not able to track water used by the gravity spreading system.

Mr. Kopp is aware that IQs will begin mailing in the fall of 2024 and will be required for the pivot system going forward.



Amanda Dewell
Water Rights Program