

No. 298-1AMap No. 271-1 Water Division No. 1 Belle Fourche River District

Above for Office Use

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

Check one of the following:

New ☐ Vested Right ☐ Future Use ☐Change in Diversion ☐ Additional Diversion ☐Change in Acreage ☐ Additional Acreage ☐

1. Name of Applicant Spring Creek Livestock Company Phone No. _____
 Post Office Address RR #5, Box 40 Sundance State WY 82729
 (Street, RR, or Box) (Town) (Zip Code)
 If a corporation show date and place of incorporation _____

2. Method of accomplishing work (contract, employment of others, or by direct labor) employment of others3. Name of diversion work Karinen-Erickson Irrigation Project4. Amount of water claimed (cubic feet per second) 1.925. Source of water supply Crooked Oak Creek (a dry draw)

6. Location of point of diversion S 75°30'E 1432' from the N½ corner 15-8N-3E BHM
(a storage reservoir)

County Butte7. Annual period or periods during which water is to be used April 1st November 15th8. Use to be made of water, (irrigation, industrial, municipal, commercial, recreation, etc.) irrigation & stockwater9. For irrigation use, Total number of acres to be irrigated 135

List below each forty acre subdivision, or lot, or fraction thereof and show number of acres to be irrigated in each.

Land Description	No. Acres Irr.	Land Description	No. Acres Irr.
NW¼ SE¼ 10-8N-3E	4.0	W¼ NE¼ 14-8N-3E	34.0
SE¼ SE¼ 10-8N-3E	15.0		
SW¼ SW¼ 11-8N-3E	36.0		
N¼ NW¼ 14-8N-3E	46.0		

Attach sheet if more space is needed

10. Time required to complete construction of water supply system 3 years. Additional time required to complete application of water to the proposed beneficial use 3 years.

11. Choice of county newspaper for publication of Notice of Intent to Appropriate Water Belle Fourche Bee

12. Principal Features of the Proposed Water Supply System.

A. Works proposed to divert water from its natural source

approx. 5 miles of ditches
 reservoir produced by dam 32905 cu. yd.
 18" x 100' metal flume

B. Works proposed to transport water to place of use.

C. Works proposed to apply water to beneficial use.

Estimated Total Cost \$ _____

Attachments. Attach Form 2A if diversion from a well or dugout, or if storage of water, is proposed. Attach map.
 (see instructions concerning preparation)

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

I, W.F. Karinen & J.E. Erickson the applicant, certify that I have read the foregoing application and have examined the attached map and that the matters therein stated are true and that I intend, and am able to complete the necessary construction.

Signed s/J.E. Erickson & W.E. KarinenSubscribed and sworn to before me this 2nd day of April, 19 57s/Carl M CornellNotary Public XXXXXXXXXXXXXX

WATER RIGHT APPLICATION APPROVAL

298-1A

The Water Management Board hereby approves Water Right Application No.

Spring Creek Livestock Company

RR #5, Box 40, Sundance

(Applicant)

(Post Office Address)

Wyoming

82729

(State)

With the following qualifications.

Date of first receipt of application April 11, 1957
Date of return to applicant for correction, amendments or changes required _____, 19____
Date of receipt of corrected application _____, 19____
Approved May 15, 1957, Recorded in Book 4, Page 97

WATER RIGHT PERMIT NO. 298-1A

The Water Management Board hereby grants and issues this Water Right Permit No. 298-1A authorizing the construction of the water use system and the putting of water to beneficial use as stated in the Application and as qualified in the Water Right Application approval, subject, however, to the following limitations and conditions:

1. The date from which applicant may claim right is April 11, 1957
2. The equivalent of at least one-fifth of the work above specified is to be completed on or before November 15, 1958
3. The whole of said work is to be completed on or before May 15, 1960
4. The limit of time from proof of beneficial use of water appropriated in accordance herewith is May 15, 1960
5. The water appropriated shall be used for the purpose of Irrigation and stockwatering
6. The prior right of all persons who, by compliance with the laws of the State of South Dakota, have acquired a right to the use of water must not be injuriously affected by this appropriation.
7. The amount of the appropriation herein granted shall not exceed 1.92 cubic feet per second, neither shall it exceed the capacity of the above described water supply system, nor shall it exceed the amount of water needed for beneficial uses served, and if for irrigation purposes said appropriation must be limited to not more than 2 acre feet per acre per year and be limited to not more than one-seventieth (1/70) of one cubic foot of water per second of time for each acre of land to which water is actually and beneficially applied for irrigation on or before 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

THE WATER MANAGEMENT BOARD

By: s/ J.W. Grimes
Chief Engineer, Water Rights

Certificate of Construction Issued July 31, 1962

Water License Issued July 31, 1962

NO.

TO: Water Rights
Foss Building
Pierre, SD 57501

Date: April , 1980

See description in attached Exhibit "A".

has been transferred to Spring Creek Livestock Company, a duly registered foreign corporation
(an undivided 25% interest)

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

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

I, DALE MILLS 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 infor-
mation herein stated is true.

(CORPORATE SEAL)

By: Dale Mills
Dale Mills (Signed)
President

Subscribed and sworn to before me this 18th Day of April, 1980.

Notary Public, State of California, County of Santa Clara
My Commission expires JULY 31, 1994

Wesley W. Buckmaster
(Notary Public)

EXHIBIT "A"

Township 8 North, Range 3 East, Black Hills Meridian, Butte County, SD:

- Section 10: Southeast Quarter of the Northwest Quarter;
Southwest Quarter of the Northeast Quarter;
East Half of the Southwest Quarter;
Southwest Quarter of the Southwest Quarter;
West Half of the Southeast Quarter; and,
Southeast Quarter of the Southeast Quarter.
- Section 11: Southwest Quarter of the Southwest Quarter.
- Section 14: Northwest Quarter;
West Half of the Northeast Quarter;
Northwest Quarter of the Southeast Quarter; and,
That portion of the Southwest Quarter lying North
of the county road, with the exception of a 10
acre tract described as Tract "A" of the North-
east Quarter of the Southwest Quarter and with the
exception of the Southeast Quarter of the South-
west Quarter of said Section 14.
- Section 15: That portion of Section 15 lying North of the
county road.

The above property contains 969.30 acres, more or
less, according to survey thereof.

RECEIPT

WATER RIGHTS COMMISSION

State of South Dakota

No 4 7474

PIERRE,

April 22

1980

RECEIVED OF STEPHENS, QUINN, CARR, TSCHETTER & BUCKMASTER, P.C. Attorneys,
177 5th Ave., Belle Fourche, SD 57717
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 permit No. 298-1A	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 (gy)

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

298-1A

April 24, 1980

Wesley W Buckmaster
STEPHENS, QUINN, CARR,
TSCHETTER & BUCKMASTER, P.C.
117 5th Avenue
Belle Fourche, SD 57717

RE: Water Right No. 298-1A

Dear Mr. Buckmaster:

Enclosed please find receipt No. 4 7474 in the amount of \$2.50 which you paid for the transfer of an undivided 25% of Water Right No. 298-1 to the name of Spring Creek Livestock Company. The water right was split, therefore, Spring Creek's water right is now listed as 298-1A.

I am forwarding a copy of this letter and a copy of the water right to Spring Creek Livestock Company for their records.

Sincerely,

GENNY YOUNG
Staff Assistant

gy

encl

cc: Spring Creek Livestock Company

Equal Opportunity Employer

 **Department of
Water & Natural Resources**

Joe Foss 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:

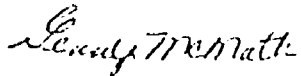
Enclosed, as you requested, are partially completed "Notice of Transfer of Ownership" forms. Water Right No. 298-1 is currently listed in the name of Fred & Alma Shimp. Water Right No. 298-1A is listed in the name of Spring Creek Livestock.

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



October 15, 1991

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

Permit No. 298-1A

Verne Thorstenson
813 St. Joe
Rapid City SD 57701-2609

Dear Mr. Thorstenson:

On August 3, 1990 notice was sent to you concerning the transfer of Water Permit Nos. 298-1 and 298-1A. Since that time, Water Permit No. 298-1 has been transferred to Elaine and Jerry Jensen. To date, we have not heard from you on the status of Water Permit No. 298-1A, Spring Creek Livestock Co.

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 need a transfer form for this permit or if you have any questions, please contact this office.

Very truly yours,

Genny McMath
Natural Resources Analyst
605 773-3352

South Dakota

GREAT FACES. GREAT PLACES.

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

November 18, 1991

298-1A

Gary Jensen
RR #1 Box 186
Belle Fourche, SD 57717

Dear Mr. Jensen:

Enclosed, as you requested, is a partially completed "Notice of Transfer" form for use in filing an ownership change on Water Right No. 298-1A. The water right is currently listed in the name of Spring Creek Livestock Company.

The transfer form should be checked over for accuracy and signed by the new owner in the presence of a notary public. Upon completion, return the form to our office with a required filing fee of \$2.50.

South Dakota Water Law 46-5-70.3 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

Genny McMath
Natural Resources Analyst
(605) 773-3352

enclosure



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

June 25, 1992

SECOND NOTICE
PERMIT NO. 298-1A

Gary Jensen
RR 1, Box 186
Belle Fourche, SD 57717

Dear Mr. Jensen:

On November 18, 1991, notice was sent to you concerning the transfer of Water Right No. 298-1A in the name of Spring Creek Livestock Company. 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 right can then be transferred to your name. If you are not the present owner of the land covered under this 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,

RON DUVALL
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

enclosure

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and 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):

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

3. Article Addressed to:

296-1A

Gary Jensen
RR 1, Box 186
Belle Fourche, SD 57717

5. Signature (Addressee)

6. Signature (Agent)

4a. Article Number

P 906 359 899

4b. Service Type

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

7. Date of Delivery

6/26/92

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

Thank you for using Return Receipt Service.



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

September 22, 1992

THIRD NOTICE
WATER RIGHT NO. 298-1A

Gary Jensen
RR 1, Box 186
Belle Fourche, SD 57717

Dear Mr. Jensen:

On November 18, 1991 and June 25, 1992, notices were sent to you concerning the transfer of Water Right No. 298-1A in the name of Spring Creek Livestock Company. 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, notarized and return the form to this office with the required fee of \$2.50. The water right can then be transferred to you. If you are not the present owner of the land covered under the 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 Genny McMath (605) 772-3352.

Very truly yours,

RON DUVAL
Natural Resources Engineer
for John Hatch, Chief Engineer
Water Rights Division

enclosure

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:

298-1A

Gary Jensen
RR 1, Box 186
Belle Fourche, SD 57717

4a. Article Number

P 906 559 938

4b. Service Type

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

7. Date of Delivery

9/23/92

5. Signature (Addressee)

6. Signature (Agent)

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

PS Form 3811, December 1991 * U.S.G.P.O. 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.